



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, November 4, 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) You Make a Difference Award
- 6) Hospice Month Proclamation



7) CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS

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

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

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

8) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the October 21, 2025, regular City Council meeting. Staff: City Clerk Lisa DelPiccolo

Action: Consider making a motion to approve the minutes of the October 21, 2025, regular City Council meeting as presented.

9) ORDINANCE 2695 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2695 on first reading, an Ordinance of the City of Montrose, Colorado, providing and appropriating funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 2026. Staff: Finance Director Shani Wittenberg

Action: Hold a hearing. Consider making a motion to pass Ordinance 2695 on first reading as presented.

10) RESOLUTION 2025-18 (15 minutes)

City Council consideration of Resolution 2025-18, Resolution 2025-18, repealing and replacing Chapters 3-1-1, 3-1-2, and 3-1-3 of the City of Montrose Regulations Manual and adopting the 2026 fee schedule. Staff: City Clerk Lisa DelPiccolo

Action: Accept public comment. Consider making a motion to adopt Resolution 2025-18 as presented.



11) RESOLUTION 2025-19 (10 minutes)

City Council consideration of Resolution 2025-19, a resolution to retain the City's existing permitting process and standards for electric vehicle charging developments.

Staff: Community Development Director Jace Hochwalt

Action: Accept public comment. Consider making a motion to adopt Resolution 2025-19 as presented.

12) MADA BUILDING ASBESTOS REMOVAL ASSISTANCE (15 minutes)

City Council consideration of an expenditure of \$57,415.15 for assistance with asbestos remediation of the MADA property at 25 and 27 N. Cascade Avenue. *Staff: City Manager Bill Bell*

Action: Accept public comment. Consider making a motion to approve an expenditure of \$57,415.15 for assistance with asbestos remediation of the MADA property at 25 and 27 N. Cascade Avenue as presented.

13) WASTEWATER TREATMENT PLANT SCADA SOFTWARE SERVICE AGREEMENT (10 minutes)

City Council consideration of an agreement with Browns Hill Engineering and Controls to provide Software as a Service (SaaS) at an annual cost of \$51,160.00 for the City's Supervisory Control and Data Acquisition (SCADA) system. *Staff: Utilities Director David Bries*

Action: Accept public comment. Consider making a motion to approve an agreement with Browns Hill Engineering and Controls to provide Software as a Service (SaaS) at an annual cost of \$51,160.00 for the City's Supervisory Control and Data Acquisition (SCADA) system as presented.

14) ORDINANCE 2696 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2696 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of Lot 1 of the Parsons Subdivision from "R-4," High Density District, to "B-2," Highway Commercial District. *Staff: Senior Planner William Reis*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2696 on first reading as presented.



15) ORDINANCE 2697 - FIRST READING (15 minutes)

City Council consideration of Ordinance 2697 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of 12658 6450 Road from "MHR," Manufactured Housing Residential District, to "R-6," Medium Density/Manufactured Housing District. *Staff: Senior Planner William Reis*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2697 on first reading as presented.

16) WOODS CROSSING SUBDIVISION AMENDED PRELIMINARY PLAT 2 (15 minutes)

City Council consideration of the Woods Crossing Subdivision Amended Preliminary Plat 2. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to approve the Woods Crossing Subdivision Amended Preliminary Plat 2 expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.

17) STAFF REPORTS

18) YOUTH CITY COUNCIL REPORT

19) CITY COUNCIL COMMENTS

20) MOTION TO ADJOURN



PROCLAMATION

Hospice Month - November 2025

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

WHEREAS, As a nationally recognized hospice, palliative care, dementia support, adult bereavement, and children's bereavement program, HopeWest provides care to more than 3,700 individuals each year. With every year, the need for HopeWest services is growing; and

WHEREAS, Hospice and Palliative Care Month highlights the importance of comfort for those facing aging, serious illness, or grief. HopeWest is privileged to provide exceptional care every day, helping patients and their families transform an overwhelming or fearful time into one of comfort, healing, and hope; and

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

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

NOW, THEREFORE, we, the City Council of the City of Montrose, Colorado, do hereby proclaim the month of November 2025, as

Hospice Month

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Montrose, this 4th day of November, 2025.

Dave Frank, Mayor



MONTROSE CITY COUNCIL

October 21, 2025

A regular meeting of the Montrose City Council was held on Tuesday, October 21, 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, Sydney Bell, Bill Bell, Ann Morgenthaller, Chris Dowsey, Greg Story, Lisa DelPiccolo, LeeAnne Whittaker, Matt Magliaro, Larry Witte, Chris Velasquez, Jace Hochwalt, William Reis, Greg Stunder, William Woody

GUESTS

John Brown, Sam Aster, Leah Vandersluis, Patty Greeves, Tamera Schlegel, Amy Spielman, Erin Liles, Amanda Andrews, Tim Clifford, Gregg Rutecki

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.

YOU MAKE A DIFFERENCE AWARD

Mayor Dave Frank Presented a You Make a Difference Award to Erin Liles, owner of Salon Polished.

BULLYING PREVENTION MONTH PROCLAMATION

Mayor Dave Frank and the Montrose City Council proclaimed October 2025 as Bullying Prevention Month in the City of Montrose. Mayor Frank presented the proclamation to Peer Kindness Administrative Executive Amanda Andrews.

CALL FOR PUBLIC COMMENT

Tamera Schlegel, Amy Spielman, and Patty Greeves spoke regarding errant golf balls from Black Canyon Golf Course damaging private property and causing safety concerns.

John Brown expressed disappointment that the citizens were not given the opportunity to vote on a non-sanctuary city declaration on the November 4 ballot. Mr. Brown encouraged citizens to become knowledgeable about the items on the ballot and to vote.

Developer Tim Clifford commended staff members in the Planning, Building, and Engineering departments for assisting with the development process. Mr. Clifford thanked the City for its commitment to establishing attainable housing.

Gregg Rutecki questioned why the pond at Rotary Park is drained and not allowed to remain full.

APPROVAL OF MINUTES

City Council considered the minutes of the October 6, 2025, special City Council meeting and the October 7, 2025, regular City Council meeting.

A motion was made by J. David Reed, seconded by Doug Glaspell, to approve the minutes of the October 6, 2025, special City Council meeting and the October 7, 2025, regular City Council meeting as presented. All voted yes. Motion passed.

BROWN CENTER LEASE AGREEMENT

City Council considered a Colorado Commercial Lease Agreement between the City of Montrose and Tuxedo Corn Company, LLC, for the building commonly known as the Brown Center at 3325 North Townsend Avenue.

Community Development Director Jace Hochwalt reported that the Brown Center is a city-owned residential facility that accommodates about 30 residents in a communal-style setting. Mr.

Hochwalt stated that Tuxedo Corn Company began leasing the facility in 2018 to provide dormitory housing for seasonal agricultural workers. While the lease covered the entire year, the building was only occupied during the May to October growing season. Mr. Hochwalt said Montrose Lighthouse reached an agreement with Tuxedo Corn Company and the City to sublease the facility as an unhoused night shelter from November through April.

Mr. Hochwalt stated that Tuxedo Corn Company and Montrose Lighthouse both agreed to separate lease agreements with no major changes. Both organizations will maintain the facility and pay utilities during their respective uses, and Montrose Lighthouse is working to establish a pet policy to better accommodate the unhoused population.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to approve a Colorado Commercial Lease Agreement between the City of Montrose and Tuxedo Corn Company, LLC, for the building commonly known as the Brown Center at 3325 North Townsend Avenue as presented. All voted yes. Motion passed.

BROWN CENTER LEASE AGREEMENT

City Council considered a Colorado Commercial Lease Agreement between the City of Montrose and Montrose Lighthouse, Inc., for the property commonly known as the Brown Center at 3325 North Townsend Avenue.

Public comment was accepted.

John Brown spoke in support of establishing a year-round shelter for the unhoused population.

A motion was made by Judy Ann Files, seconded by J. David Reed, to approve a Colorado Commercial Lease Agreement between the City of Montrose and Montrose Lighthouse, Inc., for the property commonly known as the Brown Center at 3325 North Townsend Avenue as presented. All voted yes. Motion passed.

ORDINANCE 2693 – SECOND READING

City Council considered Ordinance 2693 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of lot 1 of the Murphy Boundary Line adjustment from "R-1A," Large Estate District, to "OR," Office-Residential District.

Senior Planner William Reis reviewed the location of the 3.91 acre site east of town on the south side of Highway 50. Mr. Reis reviewed rezone criteria and the intent of the "OR" zoning designation.

Mr. Reis recommended approval of the rezone request stating that rezone criteria have been met, the proposal is in compliance with the Comprehensive Plan, and the "OR" zoning designation 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 J. David Reed, to adopt Ordinance 2693 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2694 – SECOND READING

City Council considered Ordinance 2694 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of a portion of Lot 1 of the Black Canyon Golf Course Boundary Line Adjustment from "P," Public District, to "R-1A," Large Estate District.

Senior Planner William Reis reviewed the location of the 0.62 acres with the current address of 2400 Columbine Lane. Mr. Reis reviewed rezone criteria and the intent of the "R-1A" zoning designation.

Mr. Reis recommended approval of the rezone request stating that the proposal meets the rezone criteria, and the R-1A zoning designation is compatible with existing uses in the surrounding area.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Doug Glaspell, to adopt Ordinance 2694 on second reading as presented. All voted yes. Motion passed.

RESOLUTION 2025-17

City Council considered Resolution 2025-17 setting December 2, 2025, as the hearing date for the Haynes Addition annexation.

Senior Planner William Reis reviewed the annexation schedule and the location of the 0.59 acres. Mr. Reis stated that the request is the result of a boundary line adjustment involving a city property, a county property, and a small portion of right of way. Mr. Reis said that the parcel located within the city is currently zoned “R-6,” as are the adjacent properties, and the requested zoning for the parcel to be annexed is also “R-6.”

Mr. Reis recommended adoption of Resolution 2025-17 stating that the area is urbanizing and more than 1/6 contiguous to city limits. Mr. Reis stated that an annexation agreement is required, and an annexation impact report is not required.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Judy Ann Files, to adopt Resolution 2025-17 as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report

Sales Tax Manager Leeanne Whittaker presented a sales, use, and excise tax report for the month of August 2025. Ms. Whittaker reported that total General Fund sales and use tax collections were up 2.3 percent as compared with August of 2024 with a positive budget variance of 0.4 percent. Year-to-date collections were up 2.6 percent with a positive budget variance of 1.5 percent.

YOUTH CITY COUNCIL COMMENTS

Youth City Councilor Sydney Bell reported that the Montrose Youth City Council selected officers for the year and will meet this week to discuss projects. Jordyn Simo was selected as mayor for the 2025-2026 term and Graysen Vidmar will serve as mayor pro tem.

CITY COUNCIL COMMENTS

No City Council comments were provided.

ADJOURNMENT

The meeting adjourned at 6:47 p.m. with no further action taken.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2695

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO PROVIDING AND APPROPRIATING FUNDS FOR DEFRAYING THE EXPENSES AND LIABILITIES OF THE CITY OF MONTROSE, COLORADO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2026

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

SECTION 1:

That for the purpose of paying the expenses and liabilities of the City of Montrose for the fiscal year beginning January 1, 2026, there is hereby appropriated the following amounts from the various funds:

Fund	Fund Title	Fund Appropriation
100	GENERAL FUND	\$44,498,442
150	PUBLIC SAFETY FUND	\$18,675,801
200	RETAIL SALES ENHANCEMENT	\$615,437
290	TOURISM PROMOTIONAL FUND	\$1,410,212
225	PUBLIC/EDUCATION/GOVERNMENT	\$5,896
250	CONSERVATION TRUST FUND	\$300,000
260	MONTROSE URBAN RENEWAL AUTHORITY	\$2,700,000
270	SPECIAL BENEFIT FUND	\$154,030
370	GOVERNMENTAL DEBT PAYMENTS	\$5,103,261
420	CEMETERY PERPETUAL CARE	\$3,000
460	WEST SIDE ARTERIAL PROJECT	\$5,000,000
465	CAPITAL INFRASTRUCTURE/FACILITY IMPROVEMENT FUNDS	\$47,427,094
500	WATER FUND	\$11,783,920
510	SEWER FUND	\$6,589,631
550	TRASH & RECYCLING FUND	\$4,403,528
580	BLACK CANYON GOLF COURSE	\$1,623,961
600	INTERNAL SERVICE FUNDS	\$11,659,481
610	HEALTH, DENTAL, VISION, LIFE SELF INSURANCE FUND	\$4,026,401
700	MONTROSE RECREATION DISTRICT AGENCY FUND	\$2,950,995
	TOTAL APPROPRIATIONS	\$168,931,090

SECTION 2:

Please take note that Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on First reading on Tuesday, November 4, 2025, at the hour of 6:00 p.m. at the City Council Chambers, Elks' Civic Building, in Montrose, Colorado.

INTRODUCED, READ, and PASSED on first reading this 4th day of November 2025.

Dave Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ, AND ADOPTED on second reading this 18th day of November 2025.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk

CITY OF MONTROSE

2026 Proposed Budget



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

The administrative team of the City of Montrose respectfully submits the 2026 municipal budget for all funds of the City in the amount of \$168,931,090. The 2026 municipal budget is the result of a comprehensive and collaborative effort by the City staff, elected officials, and members of the Montrose citizenry to establish a budget designed to meet the current and long-term needs of the City organization as well as those of the Montrose community.

The City of Montrose is in a solid financial position, and we are optimistic that our economic situation will remain steady throughout 2026. City sales tax collections have risen steadily over the past several years due to an increase in consumer spending, regional growth, and the overall economic health of the Montrose area. We do, however, expect this to level off a bit during 2026. The general public's spending related to retail shopping, restaurants and lodging has continued to increase over the past several years and is projected to generate approximately \$729,848 for the Retail Sales Enhancement Fund and \$1,251,244 for the Tourism & Promotion Fund in 2026. It is important to know that these funds are designated to be used toward various activities, programs, services, and infrastructure related to tourism, marketing, and business development, as required by the voters upon the establishment of the funds. We are very thankful to our Montrose residents who approved an increase to our City's Hotel/Lodging tax rate this past year. With the additional revenue generated by those visiting our community, we are able to provide additional support to programs related to Street Maintenance, Affordable Housing, Childcare Services, Public Transit, and Community Events.

Municipal Operations: Our local job market remains very competitive and challenging, with extremely low unemployment. Therefore, it is important to be a responsible employer to recruit and retain a highly productive and impactful workforce. We are proud to say that we have built an amazing team of highly educated and experienced employees by offering a competitive Wage and Compensation System based on both Individual Performance and the city's comparable market of organizations with similar budgets, number of employees, community population, etc. As part of this process, every position description at the city is reviewed in detail on an annual basis and updated to make sure that all our employees fully understand what is expected of them regarding performance and productivity. The City of Montrose is currently budgeting for 215 full-time employees, which has increased primarily due to the new public safety positions funded by the citizen supported Public Safety Sales Tax a few years ago and some changes to our staffing in the Parks and Streets Divisions. We also employ a handful of continuous part-time and seasonal positions here at the city. As is the case in most local governments today, we are being asked to do more with less, and to work more efficiently to provide the best possible public service at the lowest cost. We are proud to say that we are providing better quality services and a wider variety of services to the Montrose public than ever before, and we are doing it more effectively and efficiently using a combination of innovative technologies, best practices and a dedicated workforce who are committed to our citizens and to the betterment of their community.

Collaboration and Partnerships: The City of Montrose continues with its commitment to partnering with outside agencies and non-profit organizations to increase the quality of life of our residents. In 2025, the City of Montrose was able to partner and to assist in the efforts of many such organizations such as: Region 10, Colorado Flights Alliance, Montrose County, Montrose Economic Development Corporation (MEDC), Montrose University, Montrose Hospice & Palliative Care, Montrose School District, Colorado Mesa University (CMU), Montrose Recreation District, CASA, Montrose Rotary Clubs, Welcome Home Alliance for Veterans, All Points Transit, Montrose Community Foundation, Montrose Boys & Girls Club, Montrose Junior Golf Alliance and American Junior Golf Alliance, Avalanche Soccer, Lighthouse Ministries/Homeless Coalition, the State of Colorado Department of Local Affairs, State Historic Preservation Office and the Colorado Department of Transportation.

Financial Condition: Sales Tax, Use Tax and Franchise Fees are a prominent revenue source for the City's General Fund at approximately 90% of total revenues. Over the last few years, sales tax revenue has steadily increased on an annual basis; therefore, 2026 sales tax revenue is budgeted at a modest 4.0% increase from the actual revenue collections in 2024. The remaining revenues were calculated using various forecasting methods and historical trends data. The General Fund Operating budget for 2026 is projected to be approximately \$14.5 million (does not include the Rec District's Recreation Center sales tax collections, capital expenses, grant expenses or internal transfers).

The General Undesignated Fund Balance as of December 31, 2026, is estimated to be approximately \$2.8 million. This is less than our target reserve of 50% of the annual operating budget, but we have planned for this use of reserve funds for several years to complete several major capital projects including several roundabouts, street extensions, police building expansion, city hall renovations and the construction of a replacement public works facility. We expect to build our reserves back up starting in 2028 upon completion of these major projects that should carry the city through the next 50 years of service to the community.

Each year the City transfers funds from the General Fund into the Capital Improvement Fund. The transfer amount is always contingent upon revenue projections and the past three years have resulted in an annual increase to the transfer amount to complete a variety of capital projects including sidewalk and street reconstruction, traffic flow improvements, and other necessary infrastructure improvements. The city's streets, sidewalks, curbs, and gutter systems are aging and our recent efforts to put millions of dollars into rehabilitation and major maintenance is starting to make a difference throughout our community. The City Council and Staff are trying to be responsive to concerns brought up in the most recent Citizen Survey related to street maintenance and traffic congestion. We are pleased with the estimated Capital transfer of just over \$9.0 million.

In addition to the General Fund, the 2026 budget is also made up of Special Revenue Funds, Capital Improvement Funds, Debt Service Funds, Permanent Funds and Enterprise Funds. Additional details for these funds are given below.

Public Safety Fund - \$18,675,801 has been budgeted to fund public safety in 2026. In 2019, the voters of Montrose approved an increase to the sales and use tax of .58% to fund public safety and is estimated to generate \$5.7 million in revenue. The new revenue from sales and use tax, along with the transfer from the General Fund's operating budget of \$10.8 million will continue to be used to improve public safety and implement intelligence-led policing in our community by funding new positions, new equipment and new technologies for our public safety employees. In 2026, the Montrose Police Department will be operating at a fully staffed capacity for the first time in decades and we are excited about the expanded law enforcement services this will bring to the community.

Fee Changes: The Water, Sewer, and Trash & Recycling Funds of the City are Enterprise Funds that are funded by user charges rather than taxes. The anticipated inflationary increase in the Water fund in 2026 is proposed at 3% as well as an increase to the cost of treated water of 25 cents per 1,000 gallons, which is the result of a pass-through assessment by Project 7 Water Authority for the proposed construction of a second water treatment facility south of Montrose, and inflationary increases to the general cost of their operations. Due to the anticipated issuance of revenue bonds to fund the federally and state-mandated improvements at the Wastewater Treatment Plant, the Sewer fees will increase by 22%. The fees for Trash and Recycling services will increase by 20% to continue to provide the level of service that the community expects based upon recent customer surveys and to keep up with anticipated population growth.

Capital & Enterprise Fund Highlights of 2026 Budget

The following is a summary list of the proposed capital projects for the 2026 construction season. We are pleased to again exceed the minimum annual required contributions to the City's Capital Infrastructure Fund to provide many long-term improvements to our community's infrastructure.

- **West Main Street Rail Crossing and Sidewalk Widening**\$150,000
- **Rio Grande/East Oak Grove Roundabout and Rio Grande Extension Phase 1** \$5,000,000
- **New Public Works Facility (mainly funded by Certificates of Participation issued in 2025)** \$40,977,094
- **Main Street Stormwater line replacement** \$650,000

- **Street Maintenance Major Improvements \$5,000,000**
- **Sidewalk Replacement Cost Share Program and \$50,000**
- **ADA Accessible Intersections and Ramp Installation Program \$50,000**
- **6700 Road – Cedar Creek Bridge replacement design \$250,000**
- **N Hillcrest Extension (6600 Road) grant funded \$700,000**
- **Infrastructure improvements to S 9th property for childcare facility \$250,000**

Water Fund - \$11,783,920 has been budgeted in 2026 for ongoing operations and capital improvements such as: Rio Grande/East Oak Grove Roundabout waterlines \$350,000 and replacing waterlines associated with street improvements where appropriate. A transfer of \$3,004,000 to the capital improvement fund will be made for a proportionate share of the new facility.

Sewer Fund - \$6,589,631 has been budgeted in 2026 for ongoing operations in sewer collection and at the Wastewater Treatment Plant, as well as for capital improvements related to both. System infrastructure improvements include Woodgate/East Oak Grove Roundabout sewer line \$200,000 and MoveMo sewer replacements \$15,000. The CIP 3 sanitary sewer trunkline upsizing (Park to 6700 Rd) and the transfer of \$750,000 to the capital improvement fund will be funded by the new sewer revenue bonds. Capital improvements for the Wastewater Treatment Plant include design of system upgrades as well as the federally and state-mandated improvements that will be funded with sewer revenue bonds.

Trash & Recycling - \$4,403,528 has been budgeted in 2026 for ongoing operations and an additional Trash Collection Truck based upon community population and customer growth. There will be a transfer to the capital improvement fund for a proportionate share of the new facility.

Black Canyon Golf Course - \$1,623,961 has been budgeted in 2026 for ongoing operations of the golf course which includes the Rusty Putter Restaurant. The golf course and restaurant experienced great success in 2025 with a very busy tee sheet throughout the season and many special events and tournaments utilizing the Rusty Putter for their catering needs.

Fleet Management ISF - \$5,131,105 has been budgeted in 2026 for ongoing maintenance operations and equipment/vehicle replacement for Streets, Public Safety, General Admin, Code Enforcement, Water, Wastewater, Engineering, Parks, and Black Canyon Golf Course. A transfer of \$500,000 will be made to the capital improvement fund for a proportionate share of the new facility.

Information Services ISF - \$3,304,201 has been budgeted in 2026 for ongoing operations and the replacement of necessary PCs, Laptops, Monitors, Police Mobile Data Computers, 800mhz Radios, Network Switches, Phone Systems, Copiers and Servers.

Facility Management ISF - \$3,224,175 has been budgeted in 2026 for ongoing maintenance and improvements to city owned facilities.

Conclusion

The Montrose community remains a shining example of a small community that accomplishes great things. We should all be proud of what has been accomplished by working together. We responded to the challenges of our continued growth with many major infrastructure improvement projects and lots of new construction, including additional housing options, new and improved street networks, and utility system upgrades. We prepared for the future by completing our Baldrige Regional Park Master Plan in partnership with the Montrose Recreation District and by updating our Planning & Zoning Code, and beginning construction of a replacement Public Works Facility. I would encourage all of us to continue

collaborating to find more ways to make Montrose an even better community. Montrose is a very desirable place in which to live, work and raise a family!

After a thorough and thoughtful analysis of the organization's needs, and a critical review of each budgeted line item with the assistance of staff, elected officials and citizen volunteers, I am confident that this 2026 budget reflects our commitment to responsible financial management and to maintaining an excellent Quality of Life for Montrose area residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Bell', written over two horizontal lines.

William E. Bell

City Manager

City of Montrose Revenues, Expenditures and Fund Balance					
	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
GENERAL FUND					
UNASSIGNED FUND BALANCE 1/1	22,721,089		18,876,875		12,083,950
SALES, USE AND FRANCHISE TAXES	29,257,577	14,792,969	29,960,850	29,666,753	30,968,181
LICENSES & PERMITS	526,173	279,600	526,078	613,353	632,918
INTERGOVERNMENTAL REV	6,721,453	602,049	1,548,335	1,296,093	2,020,823
PAVILION REVENUE	138,454	72,115	98,571	135,600	113,281
COMPETITIVE SPORTS REVENUE	30,153	36,617	49,488	19,700	22,985
CHARGES FOR SERVICES	40,580	25,222	57,397	47,571	59,646
FINES & FORFEITURES	72,354	37,083	64,830	101,500	85,421
OTHER REVENUES	480,871	79,704	218,226	83,560	358,424
TRANSFER COST ALLOCATION	667,364	319,904	559,831	639,807	749,534
INTEREST INCOME	793,259	211,720	329,787	300,000	249,872
TRANSFERS FROM OTHERS	14,400	16,131	28,229	32,262	5,000
TRANSFER FROM FUND BALANCE			-		9,232,357
TOTAL REVENUES	38,742,638	16,473,114	33,441,622	32,936,199	44,498,442
CITY COUNCIL	178,676	123,214	193,331	183,392	178,848
YOUTH COUNCIL	21,268	4,467	12,100	13,000	22,400
ECONOMIC DEV & COMMUNITY SUPP	1,643,969	424,371	880,500	410,500	635,500
CITY ATTORNEY	504,599	219,387	458,457	514,540	577,367
CITY MANAGER	430,009	209,797	449,883	462,524	500,040
COMMUNICATIONS	172,007	97,223	209,074	188,029	292,573
COMPETITIVE SPORTS	78,051	51,535	81,375	70,296	61,924
HUMAN RESOURCES	687,761	323,210	624,832	617,900	741,475
PAVILION	723,136	348,204	728,869	757,388	897,436
GEOGRAPHIC INFORMATION SYSTEM	459,166	224,959	471,183	474,952	560,859
FINANCE	909,334	450,326	946,812	997,469	1,120,250
MUNICIPAL COURT	398,434	172,857	328,087	390,338	407,649
TEEN COURT	417	-	300	5,300	5,300
PLANNING SERVICES	5,451,762	269,506	542,795	505,337	866,438
COMMUNITY ENGAGEMENT	49,868	23,043	53,358	53,733	43,310
CITY CLERK	387,676	198,661	441,434	397,872	537,251
BUILDING SERVICES	389,988	238,615	480,961	496,620	493,668
ENGINEER	400,459	232,077	448,091	455,532	455,126
PUBLIC WORKS ADMINISTRATION	595,206	303,858	658,854	651,586	580,025
STREET MAINTENANCE	3,520,859	1,693,617	3,967,762	4,265,412	3,803,957
STREET CLEANING	809,494	332,497	683,808	698,180	533,675
PARKS	2,607,958	932,944	2,267,056	3,017,839	2,820,049
URBAN FORESTRY PROGRAM	94,995	30,090	100,000	100,000	222,607
SUNSET MESA MAINTENANCE	103,138	113,418	256,761	287,032	322,467
CEMETERY	244,261	129,535	277,491	442,258	290,341
TRANSFERS	21,140,085	11,017,367	23,801,109	21,907,016	27,353,940
INSURANCE AND FLEET VEHICLES	584,275	203,434	449,898	274,038	173,968
TOTAL EXPENDITURES	42,586,852	18,368,211	39,814,181	38,638,083	44,498,442
REVENUES OVER (UNDER) EXPENDIT	(3,844,214)	(1,895,097)	(6,372,559)	(5,701,884)	-
USE OF FUND BALANCE			-		(9,232,357)
UNASSIGNED FUND BALANCE 12/31	18,876,875		12,083,950		2,851,593

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
PUBLIC SAFETY FUND					
FUND BALANCE 1/1	4,916,936	-	4,151,959	-	1,745,274
PUBLIC SAFETY FUND - SALES AND USE TAX	5,453,382	2,719,904	5,509,638	5,510,962	5,747,571
PUBLIC SAFETY FUND - GRANTS	92,100	34,125	81,002	160,661	94,056
PUBLIC SAFETY FUND - CHARGES FOR SERV	131,074	63,058	117,026	113,712	128,860
PUBLIC SAFETY FUND - OTHER INCOME	72,000	(20,067)	(13,642)	55,005	56,265
PUBLIC SAFETY FUND - INTEREST INCOME	149,459	48,222	64,224	-	85,729
PUBLIC SAFETY FUND - 43% TRANSFER FRO	8,360,085	4,200,523	8,395,898	8,395,898	6,270,442
PUBLIC SAFETY FUND - TRANSFER FROM GF	-	-	-	-	4,535,616
PUBLIC SAFETY FUND - DRUG TASKFORCE	80,301	4,764	8,474	13,700	11,988
TRANSFER FROM FUND BALANCE					1,745,274
PUBLIC SAFETY FUND - TOTAL REVENUES	14,338,401	7,050,528	14,162,620	14,249,938	18,675,801
EXPENDITURES					
PATROL	9,491,820	5,801,170	10,805,371	11,090,815	11,396,575
PUBLIC SAFETY ADMINISTRATION	3,855,705	1,979,553	4,029,255	4,554,200	5,406,942
DRUG TASKFORCE	743,520	279,981	655,573	626,858	644,130
CODE ENFORCEMENT	85,832	71,544	145,253	142,308	178,291
CMU ACADEMY	295,937	146,079	306,761	249,529	269,086
ANIMAL SERVICES	660,929	275,420	627,092	842,010	780,777
TOTAL EXPENDITURES	15,133,743	8,553,748	16,569,305	17,505,720	18,675,801
REVENUES OVER (UNDER) EXPENDITURES	(795,342)	(1,503,219)	(2,406,685)	(3,255,782)	-
USE OF FUND BALANCE					(1,745,274)
FUND BALANCE 12/31	4,121,594		1,745,274		(0)

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
RETAIL SALES ENHANCEMENT					
FUND BALANCE 1/1	747,302		883,546		1,067,251
REVENUES					
RETAIL SALES ENHANCEMENT	678,982	333,025	676,862	684,700	699,351
OTHER RSE REVENUES	90,521	34,501	80,842	94,209	30,497
TRANSFER FROM FUND BALANCE					-
TOTAL REVENUES	769,502	367,526	757,704	778,909	729,848
EXPENDITURES					
DART/BUSINESS OPERATIONS EXPENDITURES	609,128	237,072	555,549	746,878	579,237
MONTROSE UNIVERSITY EXPENDITURES	24,131	15,156	18,450	36,100	36,200
TOTAL EXPENDITURES	633,258	252,229	573,999	782,978	615,437
REVENUES OVER (UNDER) EXPENDITURES	136,244	115,297	183,705	(4,069)	114,411
USE OF FUND BALANCE					-
FUND BALANCE 12/31	883,546		1,067,251		1,181,662
TOURISM PROMOTIONAL FUND					
FUND BALANCE 1/1	451,267		370,706		234,954
REVENUES					
EXCISE TAX REVENUES	877,782	446,298	941,598	911,500	936,377
OTHER REVENUES	92,881	11,048	28,294	13,900	243,265
TRANSFER FROM FUND BALANCE				82,632	230,570
REVENUES - EXCISE TAX	970,663	457,346	969,892	1,008,032	1,410,212
TOURISM PROMOTIONAL FUND - MARKETING					
MARKETING EXPENDITURES	498,208	299,684	489,002	416,873	395,658
GUEST SERVICES OPERATIONS EXPENDITURES	171,169	49,878	225,270	149,010	228,380
COMMUNITY EVENTS	372,201	164,435	372,922	333,160	384,514
SPORTS TOURISM	9,647	7,300	18,450	11,250	18,950
CITY ENHANCEMENT SERVICES	-	-	-	-	382,710
TOTAL EXPENDITURES	1,051,224	521,297	1,105,644	910,293	1,410,212
REVENUES OVER (UNDER) EXPENDITURES	(80,561)	(63,951)	(135,752)	97,739	-
USE OF FUND BALANCE					(230,570)
FUND BALANCE 12/31	370,706		234,954		4,384

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
MONTROSE OPPORTUNITY FUND					
FUND BALANCE 1/1	175,140		180,014		182,539
REVENUES					
TRANSFER FROM FUND BALANCE					
TOTAL REVENUES	4,874	1,683	2,525	-	-
MONTROSE OPPORTUNITY EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	4,874	1,683	2,525	-	-
USE OF FUND BALANCE			-		-
FUND BALANCE 12/31	180,014		182,539		182,539
PUBLIC/EDUCATION/GOVERNMENT					
FUND BALANCE 1/1	36,904		35,881		34,966
REVENUES					
PEG FEE AND INTEREST	4,185	1,888	5,049	18,203	17,000
TRANSFER FROM FUND BALANCE					-
TOTAL REVENUES	4,185	1,888	5,049	18,203	17,000
EXPENDITURES	5,208	4,467	5,964	5,964	5,896
REVENUES OVER (UNDER) EXPENDITURES	(1,023)	(2,579)	(915)	12,239	11,104
USE OF FUND BALANCE					-
FUND BALANCE 12/31	35,881		34,966		46,070
SURPLUS & DEFICIENCY					
FUND BALANCE 1/1	65,256		66,406		66,406
REVENUES					
TOTAL REVENUES	1,150	-	-	300	1,000
EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	1,150	-	-	300	1,000
FUND BALANCE 12/31	66,406		66,406		67,406
CONSERVATION TRUST FUND					
FUND BALANCE 1/1	287,908		294,672		433,180
REVENUES					
LOTTERY FUNDS AND INTEREST REVENUE	171,665	70,030	138,508	150,700	143,130
TRANSFER FROM FUND BALANCE					156,870
TOTAL REVENUES	171,665	70,030	138,508	150,700	300,000
EXPENDITURES					
TOTAL EXPENDITURES	164,901		-	200,000	300,000
REVENUES OVER (UNDER) EXPENDITURES	6,764	70,030	138,508	(49,300)	-
USE OF FUND BALANCE					(156,870)
FUND BALANCE 12/31	294,672		433,180		276,310

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
MONTROSE URBAN RENEWAL AUTHORITY					
FUND BALANCE	(16,272,541)		(16,004,076)		(14,163,937)
REVENUES					
TRANSFER FROM FUND BALANCE					784,056
TOTAL REVENUES	957,565	946,009	1,860,139	740,000	2,700,000
EXPENDITURES					
TOTAL EXPENDITURES	689,100	14,344	20,000	-	2,700,000
REVENUES OVER (UNDER) EXPENDITURES	268,465	931,664	1,840,139	740,000	-
USE OF FUND BALANCE					(784,056)
FUND BALANCE 12/31	(16,004,076)		(14,163,937)		(14,947,993)
SPECIAL BENEFIT FUND					
FUND BALANCE 1/1	314,632		365,261		291,782
REVENUES					
DONATIONS AND INTEREST	117,400	9,569	24,964	20,100	25,624
TRANSFER FROM FUND BALANCE					128,406
ANIMAL BENEFIT REVENUES	117,400	9,569	24,964	20,100	154,030
ANIMAL BENEFIT EXPENDITURES	66,771	33,570	98,442	143,100	154,030
REVENUE OVER (UNDER) EXPENDITURES	50,629	(24,001)	(73,478)	(123,000)	-
USE OF FUND BALANCE					(128,406)
ENDING FUND BALANCE 12/31	365,261		291,782		163,376
RESTRICTED FUND BALANCE 1/1	189,762		224,412		276,387
PARKS DEVELOPMENT REVENUE	34,650	28,350	51,975	39,000	31,500
PARKS DEVELOPMENT EXPENDITURES	-	-	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	34,650	28,350	51,975	39,000	31,500
FUND BALANCE 12/31	224,412		276,387		307,887

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
LOAN FOR STREET INFRASTRUCTION and					
FUND BALANCE 1/1	541,490		476,314		476,315
REVENUES					
TRANSFERS FROM OTHERS	1,526,651	918,751	3,427,844	1,531,251	4,701,557
TRANSFER FROM FUND BALANCE					401,704
TOTAL REVENUES	1,526,651	918,751	3,427,844	1,531,251	5,103,261
EXPENDITURES	1,591,827	609,745	3,427,843	1,527,251	5,103,261
REVENUES OVER (UNDER) EXPENDITURES	(65,176)	309,005	1	4,000	-
USE OF FUND BALANCE					(401,704)
FUND BALANCE 12/31	476,314		476,315		74,611
DEMORET TRUST FUND					
FUND BALANCE 1/1	9,978		24,542		43,654
REVENUES					
REVENUES	14,564	5,461	19,112	3,600	5,000
EXPENDITURES	-	-	-	-	-
RESERVED PRINCIPAL BALANCE	321,381		321,381		321,381
FUND BALANCE 12/31	24,542		43,654		48,654
CEMETERY PERPETUAL CARE					
FUND BALANCE 1/1	136,792		143,220		156,926
REVENUES					
TOTAL REVENUES	10,828	8,147	16,406	5,100	15,589
EXPENDITURES	4,400	1,350	2,700	2,700	3,000
REVENUES OVER (UNDER) EXPENDITURES	6,428	6,798	13,706	2,400	12,589
FUND BALANCE 12/31	143,220		156,926		169,515
SPECIAL IMPROVEMENTS REVOLVING					
FUND BALANCE 1/1	261,969		188,233		212,884
REVENUES					
TOTAL REVENUES	716,623	53,744	24,651	71,100	85,390
EXPENDITURES	790,359	535	-	-	-
REVENUES OVER (UNDER) EXPENDITURES	(73,736)	53,208	24,651	71,100	85,390
FUND BALANCE 12/31	188,233		212,884		298,274

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
WEST SIDE ARTERIAL PROJECT					
FUND BALANCE 1/1	1,534,716		1,622,107		1,672,651
REVENUES					
TRANSFER FROM FUND BALANCE					1,447,940
TOTAL REVENUES	87,390	27,484	50,544	27,776	5,000,000
LAND	-	-	-	-	-
CAPITAL IMPROVEMENTS	-	-	-	-	5,000,000
EXPENDITURES	-	-	-	-	5,000,000
REVENUES OVER (UNDER) EXPENDITURES	87,390	27,484	50,544	27,776	-
USE OF FUND BALANCE					(1,447,940)
FUND BALANCE 12/31	1,622,107		1,672,651		224,711
CAPITAL IMPROVEMENT FUND					
FUND BALANCE 1/1	45,637		312,948		(446,899)
RESERVED FUND BALANCE					
REVENUES					
ROW MAINTENANCE	-	119,868	276,557	-	284,853
GRANT FUNDING	258,400	-	1,750,000	1,750,000	700,000
DONATIONS	100,000	3,623	5,434	-	-
INTEREST INCOME	368,121	54,489	64,396	160,898	66,327
TRANSFERS FROM OTHERS	12,261,271	6,100,000	12,200,000	12,200,000	13,979,000
BOND PROCEEDS	-	5,107,359	22,000,000	-	33,000,000
TRANSFER FROM FUND BALANCE	-				
TOTAL REVENUES	12,987,792	11,385,339	36,296,387	14,110,898	48,030,180
EXPENDITURES	12,720,481	8,348,762	37,056,234	13,900,000	47,427,094
REVENUES OVER (UNDER) EXPENDITURES	267,311	3,036,577	(759,847)	210,898	603,086
USE OF FUND BALANCE	-				-
FUND BALANCE 12/31	312,948		(446,899)		156,187

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
WATER FUND					
CASH & CASH EQUIVALENTS 1/1	4,825,208		5,676,190		6,369,580
REVENUES					
INTERGOVERNMENTAL REV	22,174	-	600,000	9,368	9,368
CHARGES FOR WATER	8,003,031	4,147,768	9,968,227	9,047,113	10,297,273
OTHER WATER REVENUES	587,582	258,393	423,187	618,914	609,084
TRANSFER FROM RESERVES					868,195
TOTAL REVENUES	8,612,787	4,406,161	10,991,414	9,675,395	11,783,920
BILLING & COLLECTION	289,322	148,681	287,227	292,100	344,900
WATER DIST & ADMIN	7,279,152	4,679,589	10,010,797	9,621,422	11,439,020
WATER DEBT SERVICE	193,331	-	-	-	-
TOTAL EXPENDITURES	7,761,805	4,828,271	10,298,024	9,913,522	11,783,920
REVENUES OVER (UNDER) EXPENDITURES	850,982	(422,110)	693,390	(238,127)	-
USE OF RESERVES					(868,195)
CASH & CASH EQUIVALENTS 12/31	5,676,190		6,369,580		5,501,385
SEWER FUND					
CASH & CASH EQUIVALENTS 1/1	3,347,479		2,969,222		830,241
REVENUES					
SEWER REVENUES	4,563,225	4,946,637	4,818,862	5,719,937	5,781,675
TRANSFER FROM RESERVES	-	-		-	807,956
TOTAL REVENUES	4,563,225	4,946,637	4,818,862	5,719,937	6,589,631
BILLING & COLLECTIONS	48,802	24,427	50,089	54,363	62,287
SEWER LINE MAINT & ADMIN	3,174,466	799,009	3,442,289	3,289,675	2,684,956
SEWER TREATMENT	1,688,673	1,284,600	3,440,337	4,521,981	2,917,388
INDUSTRIAL PRETREATMENT	26,612	15,628	25,128	25,425	25,000
SEWER DEBT SERVICE	2,930	-	-	-	900,000
TOTAL EXPENDITURES	4,941,482	2,123,664	6,957,843	7,891,444	6,589,631
REVENUES OVER (UNDER) EXPENDITURES	(378,257)	2,822,974	(2,138,981)	(2,171,507)	-
USE OF RESERVES					(807,956)
CASH & CASH EQUIVALENTS 12/31	2,969,222		830,241		22,285
TRASH/RECYCLING FUND					
CASH & CASH EQUIVALENTS 1/1	901,759		1,419,366		2,119,779
REVENUES					
TRASH & RECYCLING CHARGES	2,869,882	1,750,624	3,495,173	3,394,809	4,179,950
TRANSFER FROM RESERVES					223,578
TOTAL REVENUES	2,869,882	1,750,624	3,495,173	3,394,809	4,403,528
BILLING & COLLECTIONS	58,037	29,699	61,643	66,944	78,727
TRASH & RECYCLING	2,294,239	1,134,862	2,733,117	3,144,787	4,324,801
TOTAL EXPENDITURES	2,352,276	1,164,560	2,794,760	3,211,731	4,403,528
REVENUES OVER (UNDER) EXPENDITURES	517,606	586,064	700,413	183,078	-
USE OF RESERVES					(223,578)
CASH & CASH EQUIVALENTS 12/31	1,419,366		2,119,779		1,896,201

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
BLACK CANYON GOLF COURSE					
CASH & CASH EQUIVALENTS 1/1	529,724		685,878		888,834
REVENUES					
GOLF REVENUES	1,238,271	609,758	1,014,865	892,000	990,531
INTEREST INCOME	2,948	1,018	35,842	-	1,673
TRANSFER FROM GENERAL FUND	380,872	329,537	659,074	659,074	632,397
TRANSFER FROM RESERVES					-
TOTAL REVENUES	1,622,091	940,313	1,709,781	1,551,074	1,624,601
TOTAL BCGC - TURF MAINTENANCE OPER	610,759	238,805	557,605	692,360	614,041
TOTAL BCGC - BUSINESS OPER (CLUBHOU	564,777	314,281	663,274	655,635	640,830
TOTAL BCGC - RUSTY PUTTER	290,401	138,719	285,946	308,456	369,090
TOTAL EXPENDITURES	1,465,937	691,804	1,506,825	1,656,451	1,623,961
REVENUES OVER (UNDER) EXPENDITURES	156,154	248,509	202,956	(105,377)	640
USE OF RESERVES					-
CASH & CASH EQUIVALENTS 12/31	685,878		888,834		889,474
INTERNAL SERVICE FUNDS					
FLEET CASH & CASH EQUIVALENTS 1/1	3,069,556		3,196,258		3,703,697
TRANSFER FROM FLEET RESERVES					1,117,859
TOTAL FLEET MGMT REVENUES	4,524,817	2,524,489	5,268,780	5,555,028	5,131,105
TOTAL FLEET EXPENDITURES	4,398,115	2,798,469	4,761,341	4,012,713	5,131,105
REVENUES OVER (UNDER) EXPENDITURES	126,702	(273,980)	507,439	1,542,315	-
USE OF FLEET RESERVES					(1,117,859)
FLEET CASH & CASH EQUIVALENTS 12/31	3,196,258		3,703,697	-	2,585,838
IS CASH & CASH EQUIVALENTS 1/1	829,538		881,975		974,795
TOTAL INFORMATION SERVICES REVENUE	2,664,737	1,599,217	3,126,422	3,070,484	3,504,149
TOTAL INFORMATION SERVICES EXP.	2,612,300	1,623,970	3,033,602	2,857,238	3,304,201
REVENUES OVER (UNDER) EXPENDITURES	52,437	(24,753)	92,820	213,246	199,948
IS CASH & CASH EQUIVALENTS 12/31	881,975		974,795		1,174,743
FACILITIES CASH & CASH EQUIVALENTS 1/1	430,225		515,361		525,933
TRANSFER FROM FACILITIES RESERVES					
TOTAL FACILITIES MGMT REVENUES	2,233,939	1,206,297	2,412,195	2,402,498	3,478,930
TOTAL FACILITIES MGMT EXPENDITURES	2,148,803	878,280	2,401,623	2,417,692	3,224,175
REVENUES OVER (UNDER) EXPENDITURES	85,136	328,017	10,572	(15,194)	254,755
USE OF FACILITIES RESERVES					-
FACILITIES CASH & CASH EQUIVALENTS 12/31	515,361		525,933		780,688

	2024 Audited	2025 Actual through June	Actual Projected through 12/31/2025	2025 Original Budget	2026 Budget
HEALTH/DENTAL INSURANCE					
FUND BALANCE	2,154,732		1,882,055		1,561,394
REVENUES					
CONTRIBUTIONS AND INTEREST	3,189,739	1,827,029	3,607,247	2,944,786	3,550,731
TRANSFER FROM RESERVES	-	-	-	-	475,670
TOTAL REVENUES	3,189,739	1,827,029	3,607,247	2,944,786	4,026,401
TOTAL EXPENDITURES	3,462,415	1,819,420	3,927,908	3,388,761	4,026,401
REVENUES OVER (UNDER) EXPENDITURES	(272,677)	7,609	(320,661)	(443,975)	-
USE OF RESERVES					(475,670)
CASH & CASH EQUIVALENTS 12/31	1,882,055		1,561,394		1,085,724
MRD TAX CUSTODIAL FUND					
FUND BALANCE	5,764		5,974		0
REVENUES	2,837,495	1,407,005	2,854,562	2,778,136	2,950,995
EXPENDITURES	2,837,285	1,142,630	2,860,536	2,778,136	2,950,995
REVENUES OVER (UNDER) EXPENDITURES	210	264,375	(5,974)	-	-
FUND BALANCE 12/31	5,974		0		0

City of Montrose Combined Debt Summary

The City of Montrose Charter establishes a legal debt limitation of 5% of the assessed valuation of taxable property in the City, as shown by the last preceding assessment. The assessed valuation of taxable property in the City as of November 27, 2024, was \$533,325,924. The legal debt limit of 5% is \$26,666,296. Certain debt is excluded from the calculation for water, storm sewer, sanitary sewer, sewage disposal, short-term notes (< 3 years), and local improvement securities. This limitation does not apply to revenue bonds as addressed in Article VI, Section 5 of the City of Montrose Charter.

	2026
Assessed taxable property valuation	\$533,325,924.00
5% Debt Limitation	\$26,666,296.20
Lease Purchase, Series 2017A & 2017B	\$6,597,307.16
2020 Public Safety Certificate of Participation	\$14,570,000.00
2025 Public Works Certificate of Participation	\$54,560,000.00
Total Debt not subject to limitation	\$75,727,307.16

2017 General Fund Infrastructure Certificate of Participation Note

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

Date	Principal	Interest	Debt Service	Annual Debt Service
4/1/2026	236,276	77,652	313,929	
10/1/2026	239,490	74,439	313,929	627,857
4/1/2027	242,747	71,182	313,929	
10/1/2027	246,048	67,881	313,929	627,857
4/1/2028	249,394	64,534	313,929	
10/1/2028	252,786	61,143	313,929	627,857
4/1/2029	256,224	57,705	313,929	
10/1/2029	259,709	54,220	313,929	627,857
4/1/2030	263,241	50,688	313,929	
10/1/2030	266,821	47,108	313,929	627,857
4/1/2031	270,450	43,479	313,929	
10/1/2031	274,128	39,801	313,929	627,857
4/1/2032	277,856	36,073	313,929	
10/1/2032	281,635	32,294	313,929	627,857
4/1/2033	285,465	28,464	313,929	
10/1/2033	288,191	25,738	313,929	627,857
4/1/2034	290,943	22,985	313,929	
10/1/2034	293,722	20,207	313,929	627,857
4/1/2035	296,527	17,402	313,929	
10/1/2035	299,359	14,570	313,929	627,857
4/1/2036	302,218	11,711	313,929	
10/1/2036	305,104	8,825	313,929	627,857
4/1/2037	308,017	5,911	313,929	
10/1/2037	310,959	2,970	313,929	627,857
	\$ 6,597,307	\$ 936,981	\$ 7,534,288	\$ 7,534,288

2020 Public Safety Facility Certificate of Participation Note

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

Date	Principal	Interest	Annual Debt Service
6/1/2026		\$ 254,697	
12/1/2026	\$ 390,000	\$ 254,697	\$ 899,394
6/1/2027		\$ 246,897	
12/1/2027	\$ 405,000	\$ 246,897	\$ 898,794
6/1/2028		\$ 238,797	
12/1/2028	\$ 420,000	\$ 238,797	\$ 897,594
6/1/2029		\$ 230,397	
12/1/2029	\$ 435,000	\$ 230,397	\$ 895,794
6/1/2030		\$ 221,697	
12/1/2030	\$ 455,000	\$ 221,697	\$ 898,394
6/1/2031		\$ 212,597	
12/1/2031	\$ 470,000	\$ 212,597	\$ 895,194
6/1/2032		\$ 203,197	
12/1/2032	\$ 490,000	\$ 203,197	\$ 896,394
6/1/2033		\$ 193,397	
12/1/2033	\$ 510,000	\$ 193,397	\$ 896,794
6/1/2034		\$ 183,197	
12/1/2034	\$ 530,000	\$ 183,197	\$ 896,394
6/1/2035		\$ 172,597	
12/1/2035	\$ 550,000	\$ 172,597	\$ 895,194
6/1/2036		\$ 161,597	
12/1/2036	\$ 575,000	\$ 161,597	\$ 898,194
6/1/2037		\$ 152,972	
12/1/2037	\$ 590,000	\$ 152,972	\$ 895,944
6/1/2038		\$ 144,122	
12/1/2038	\$ 610,000	\$ 144,122	\$ 898,244
6/1/2039		\$ 134,972	
12/1/2039	\$ 630,000	\$ 134,972	\$ 899,944
6/1/2040		\$ 125,522	
12/1/2040	\$ 645,000	\$ 125,522	\$ 896,043
6/1/2041		\$ 115,847	
12/1/2041	\$ 665,000	\$ 115,847	\$ 896,693
6/1/2042		\$ 104,625	
12/1/2042	\$ 690,000	\$ 104,625	\$ 899,250
6/1/2043		\$ 92,981	
12/1/2043	\$ 710,000	\$ 92,981	\$ 895,962
6/1/2044		\$ 81,000	

12/1/2044	\$	735,000	\$	81,000	\$	897,000
6/1/2045			\$	68,597		
12/1/2045	\$	760,000	\$	68,597	\$	897,193
6/1/2046			\$	55,772		
12/1/2046	\$	785,000	\$	55,772	\$	896,543
6/1/2047			\$	42,525		
12/1/2047	\$	810,000	\$	42,525	\$	895,050
6/1/2048			\$	28,856		
12/1/2048	\$	840,000	\$	28,856	\$	897,712
6/1/2049			\$	14,681		
12/1/2049	\$	870,000	\$	14,681	\$	899,362
Total	\$	14,570,000	\$	6,963,074	\$	21,533,074

2025 Public Works Certificate of Participation Note

Public Works Facilities Project

Series 2025

Certificate of Participation funding was entered into with UMB Bank in the amount of \$55,000,000 to construct a new public works facility. DA Davidson & Co. provided underwriter/placement services for the City with an interest rate yield of 4.78% - 5.10% payable semi-annually on June 1 and December 1. The Principal payments are due annually on May 15 and November 15.

Date	Principal	Interest	Annual Debt Service
12/1/2026	\$ 820,000	\$ 2,747,700	\$ 3,567,700
12/1/2027	\$ 860,000	\$ 2,706,700	\$ 3,566,700
12/1/2028	\$ 905,000	\$ 2,663,700	\$ 3,568,700
12/1/2029	\$ 950,000	\$ 2,618,450	\$ 3,568,450
12/1/2030	\$ 995,000	\$ 2,570,950	\$ 3,565,950
12/1/2031	\$ 1,045,000	\$ 2,521,200	\$ 3,566,200
12/1/2032	\$ 1,100,000	\$ 2,468,950	\$ 3,568,950
12/1/2033	\$ 1,155,000	\$ 2,413,950	\$ 3,568,950
12/1/2034	\$ 1,210,000	\$ 2,356,200	\$ 3,566,200
12/1/2035	\$ 1,270,000	\$ 2,295,700	\$ 3,565,700
12/1/2036	\$ 1,335,000	\$ 2,232,200	\$ 3,567,200
12/1/2037	\$ 1,400,000	\$ 2,165,450	\$ 3,565,450
12/1/2038	\$ 1,470,000	\$ 2,095,450	\$ 3,565,450
12/1/2039	\$ 1,545,000	\$ 2,021,950	\$ 3,566,950
12/1/2040	\$ 1,625,000	\$ 1,944,700	\$ 3,569,700
12/1/2041	\$ 1,705,000	\$ 1,863,450	\$ 3,568,450
12/1/2042	\$ 1,790,000	\$ 1,778,200	\$ 3,568,200
12/1/2043	\$ 1,880,000	\$ 1,688,700	\$ 3,568,700
12/1/2044	\$ 1,970,000	\$ 1,594,700	\$ 3,564,700
12/1/2045	\$ 2,070,000	\$ 1,496,200	\$ 3,566,200
12/1/2046	\$ 2,165,000	\$ 1,403,050	\$ 3,568,050
12/1/2047	\$ 2,280,000	\$ 1,289,388	\$ 3,569,388
12/1/2048	\$ 2,395,000	\$ 1,169,688	\$ 3,564,688
12/1/2049	\$ 2,525,000	\$ 1,043,950	\$ 3,568,950
12/1/2050	\$ 2,655,000	\$ 911,388	\$ 3,566,388
12/1/2051	\$ 2,795,000	\$ 772,000	\$ 3,567,000
12/1/2052	\$ 2,935,000	\$ 632,250	\$ 3,567,250
12/1/2053	\$ 3,080,000	\$ 485,500	\$ 3,565,500
12/1/2054	\$ 3,235,000	\$ 331,500	\$ 3,566,500
12/1/2055	\$ 3,395,000	\$ 169,750	\$ 3,564,750
	\$ 54,560,000	\$ 52,452,963	\$ 107,012,963



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: October 9, 2025
TO: City Council
RE: Proposed Fee Schedule Revisions

Listed below is a general summary of proposed revisions to the fee schedule effective January 1, 2026. Staff members will be present at the work session to address any questions from City Council.

3-1-1 (A) Administrative Fees

- Sign Installation costs were updated to reflect actual costs
- A fee for utility paper statements was added
- Duplicate fees were removed

3-1-1 (B) Animal Control Fees

- Impound and relinquishment fees were restructured and increased
- A quarantine impound fee was added
- A fee for evidence or court-ordered hold was added
- An adoption fee for other animals (not cats or dogs) was added

3-1-1 (D) Land Use Fees

- The REDO Overlay Zone Administrative Review fee was deleted
- A fee for a minor site development was added
- Duplicate fees were removed

3-1-1 (I) Municipal Court Fees

- Court costs were increased to \$70.00 with \$20.00 designated for court security
- The Useful Public Serve Fee was removed
- The Bad Check fee was removed since it resides in section 3-1-1(A)



3-1-2 Pavilion Fee Schedule

Obsolete fees and “no charge” items were removed
Equipment use and linen fees were adjusted to reflect actual costs
The portable bar fee was changed to a bartender fee
A 20 percent gratuity was added for host bars
Rental fees were adjusted by 30 percent to align with similar local venues
Catering fees were adjusted to align with similar local venues

3-1-3(A) Fee Schedule for Water

Water connection fees increased 3%
Water usage fees per 1,000 gallons increased 3% + .25 pass through to Project 7 for the resiliency project proposed near Ridgway Reservoir
Residential customers base charge will increase .66 cents per month

3-1-3(B) Fee Schedule for Sewer

Sewer connection and non-residential usage fees increased 22%. This increase is needed to cover the payments on the revenue bonds to make Federal and State mandated improvements to the Wastewater plant
Residential customers base charge will increase \$5.97 per month

3-1-3(C) Fee Schedule for Trash and Recycling

Trash and Recycling fees increased 20%
Added the Fall Cleanup leaf bag fee of \$2.00 for a bundle of 4 bags
Residential customers base charge will increase \$5.27 per month

RESOLUTION NO. 2025-18

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

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

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

WHEREAS, updates to the fee schedule are necessary; and

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

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

- Chapters 3-1-1, 3-1-2 and 3-1-3 of the City's Regulations Manual are hereby repealed effective January 1, 2026.
- The Fee Schedule attached as Exhibit A is hereby adopted and is effective January 1, 2026.

ADOPTED this 4th day of November, 2025, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

BY: _____
Dave Frank, Mayor

ATTEST

Lisa DelPiccolo, City Clerk

Sec. 3-1-1. Fee schedule.**(A) Administrative Fees.**

Carnival License	\$250.00 per day
Commercial Rafting Permit	\$200.00 per year
Commercial Solicitation Permit	\$50.00 permit fee
Commercial Solicitation Permit Badge	\$10.00 fee per badge
Commercial Solicitation Permit Deposit per Badge	\$50.00 deposit per badge
False Alarms	First one free each year beginning January 1, then \$45.00 for each false alarm thereafter
Firearms/Agricultural Use	\$30.00
Fireworks Display	\$50.00
Fireworks Stands	\$50.00
Gas Fitter License	\$60.00
Gas Fitter Test	\$60.00
Home Occupation	\$25.00
Mobile Food Vendor Permit - Private Property Only	\$50.00 per year
Mobile Food Vendor Permit - City Right-of-Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Permit - Private Property, City Right-of-Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Use of Electricity in Demoret Park, Centennial Plaza and designated Main Street Vending Locations.	\$50.00 per year
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.
Pawnbroker License	\$200.00
Pellet Gun Permit	\$25.00
Plumber License	\$40.00
Records Request	City fees shall equal the maximum allowed under 24-72-205 C.R.S. and as posted on the website of the general assembly.
Records Request Legal Review	In instances where legal review exceeds 15 minutes, a legal review charge may be assessed to partially defray the cost of time in excess of the first quarter hour. The hourly rate will be billed at \$100.00 an hour, in quarter hour increments.
Returned Check Fee (Dishonored Check Policy)	\$30.00 for each check returned
Sales Tax License	\$35.00
Sales Tax License Renewal	\$15.00
Sales Tax License Paper Filing Fee	\$10.00
Sign Installation (no trespass) Cost for Each Sign	\$25.00
Sign Installation (no trespass) Cost of Each Post	\$100.00
Sign Installation (no trespass) Cost for Installation	\$100.00
Special Waste Collection	Non-scheduled residential and commercial collections will be billed the actual costs for time, equipment and landfill fees where applicable.
Special Waste Collection Freon Disposal Fee	\$20.00 (in addition to any applicable collection fee)
Special Waste Collection 350-Gallon Trash Container	\$50.00 - includes delivery and one empty. \$45.00 for each additional empty.

Special Waste Collection 90-Gallon Trash Container	\$25.00 - includes delivery and one empty. \$25.00 for each additional empty.
Transient Vendor's License	\$75.00
Tree Trimming License	\$50.00
Utility Service Deposit	\$50.00; interest thereon is earned and payable per § 3-5-2(D) of the City of Montrose Municipal Code
Utility Delinquency Fee	\$50.00
Utility Paper Statement Fee	\$1.00

(B) *Animal Control Fees.*

Progressive Impound Fees	
First Impound per One-Year Period	\$30.00
Second Impound per One-Year Period	\$40.00
Third and Subsequent Impound per One-Year Period	\$50.00
Boarding Fee	\$8.00 per day boarding fee for all pets reclaimed after the first day.
Interagency Fees	Covered under separate agency contracts.
Quarantine Impound Fee	\$125.00 for 10-day period
Evidence or Court-Ordered Hold	\$8.00 per day for 14 days; \$10.00 per day beyond 14 days
Relinquishment Fees for Personal Cats	\$35.00 per cat (over 18 weeks of age)
Relinquishment Fees for Personal Kittens	\$15.00 per kitten (under 18 weeks of age)
Relinquishment Fees for Personal Dogs	\$50.00 per dogs (over 8 weeks of age)
Relinquishment Fees for Personal Puppies	\$30.00 per puppy (under 8 weeks of age)
Relinquishment Fee – Other	\$35.00 per animal
Adoption Fee for Dogs 8 Weeks to 1 Year of Age	\$100.00 per dog
Adoption Fee for Dogs Over 1 Year of Age	\$75.00 per dog
Adoption Fee for Cats 8 Weeks to 1 Year of Age	\$50.00 per cat
Adoption Fee for Cats Over 1 Year of Age	\$30.00 per cat
Adoption Fee – Other	\$35.00 per animal

(C) *Cemetery Fees.*

Cemetery Lot Sale	\$600.00 - 40 percent of lot cost is perpetual care
Cemetery Open/Close	\$650.00
Cemetery Open/Close for Cremains	\$200.00
Cemetery Open/Close for Two Sets of Cremains	\$300.00, simultaneous, same lot
Cemetery Full Burial Overtime Fee	\$175.00 for Saturdays or weekdays after 4:00 p.m.
Cemetery Burial of Cremains Overtime Fee	\$100.00 for Saturday or weekdays after 4:00 p.m.
Cemetery Disinterment	\$2,000.00
Cemetery Disinterment of Cremains	\$500.00
Columbarium Niche Space	\$350.00
Columbarium Niche Plate	Actual cost (\$325.00—\$375.00)
Columbarium Date Scroll	Actual cost (\$105.00—\$125.00)
Columbarium Open/Close	\$100.00 for each open/close including disinterment
Columbarium Overtime Fee	\$100.00 for Saturdays or weekdays after 4:00 p.m.

(D) *Land Use Fees.*

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

Temporary Use Permit	No fee
Travel Home Park Permit (RV Park)	\$300.00
Travel Home Set Up Permit	\$50.00
Variance	\$100.00

(E) *Liquor Fees.*

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

Alcohol Consumption Permit	\$50.00
Alcohol Consumption Permit Deposit	\$100.00
Special Events Alcohol Permit in conjunction with an Events Use Permit	Officers may be required at the discretion of the Montrose Police Department at a rate per hour based upon the actual burdened rate of officers and sergeants.
Entertainment Permit	No Fee
Events Use Permit	\$100.00 Events Use Permit fee per event day for all facilities/venues, including street closures and parades.
Events Use Permit Deposit	\$100.00 deposit required for all events
Events Use Permit Additional Fees	Additional fees are required if alcohol permits are issued.
Events Use Permit Insurance Certificate	Actual cost of insurance certificate through the City's insurance provider, added to permit fee.
Lion's Community Building Rental Fees	\$40.00 for five hours, \$5.00 per hour for each additional hour
Lions Community Building Deposit	\$100.00
Main Street Closure Permit	\$250.00 for a maximum of ten hours. City Council may approve additional hours for additional fees.
Main Street Closure Deposit	\$100.00. Surety bond and/or insurance certificate required.
Memorial Bench	\$2,000.00 downtown and park locations, includes bench, plaque, and installation
Montrose Rotary Amphitheater	
Stage Only	\$100.00/24 hr. booking window
Stage, Wings and Backstage Area	\$600.00 /24 hr. booking window
Full Facility Including Vendor Area	\$1,200.00 /24 hr. booking window
Deposit	50% of total rental fees
Overhead Main Street Banner - One Banner	\$200.00
Overhead Main Street Banner - Two Banners	\$380.00
Park Shelter Reservation	\$25.00 per day (includes electricity)
Parks Use Permit (for private use for areas excluding the shelters)	No Fee
Right-of-Way Use Permit	No Fee
Stage Rental - Stage Without Canopy	\$50.00

Stage Rental - Stage With Canopy	\$100.00
Stage Rental Deposit	\$100.00
Street Closure Permit	\$100.00
Street Closure Permit Deposit	\$100.00
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)

(G) *Police Department Administrative Fees.*

Police Report	\$10.00 for each police report
Criminal History Report	\$10.00 for each criminal history report
Hard Copies	\$0.25 per page for hard copies of documents
Impound Fees	\$4.00 per day for vehicles impounded in the City lot
Sex Offender Registration - Initial	\$40.00 initial registration fee
Sex Offender Registration - Annual	\$20.00 annual registration fee
Staff Time (Research, Redaction, etc.)	\$10.00 per hour for first hour, \$30.00 per hour after the first hour
Specialized document production or specialized skills required to fully comply with requests (Public Safety Attorney, Special SW/HW, System Admin, Crime Analyst etc.)	\$30.00 per hour. Fees for legal review as noted in Section 3-1-1 (A) Records Requests may apply.
Towing	Varies based on City contract
VIN Inspections at Police Dept.	\$10.00 per VIN Inspection
VIN Inspections at residence within City limits set by C.R.S Certified VIN Inspection	\$15.00 per VIN Inspection

(H) *Building Code Fees.*

Building Permit Fees \$1.00 to \$500.00 valuation	\$23.50
Building Permit Fees \$501.00 to \$2,000.00 valuation	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00
Building Permit Fees \$2001.00 to \$25,000.00 valuation	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
Building Permit Fees \$25,001.00 to \$50,000.00 valuation	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
Building Permit Fees \$50,001.00 to \$100,000.00 valuation	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
Building Permit Fees \$100,001.00 to \$500,000.00 valuation	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
Building Permit Fees \$500,001.00 to \$1,000,000.00 valuation	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
Building Permit Fees \$1,000,000.00 valuation and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
Plan Review Fees - Commercial	65 percent of building permit fee

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

(I) *Municipal Court Fees.*

Court Costs	\$70.00 with \$20.00 of the \$70.00 Court Costs designated for Court Security.
Bench Warrant Fee	A \$30.00 Bench Warrant Fee shall be assessed in each case in which a bench warrant is issued.
Teen Court Fee	A \$100.00 fee shall be assessed in all Teen Court cases
Bad Check Fee	A \$25.00 bad check fee shall be assessed for all checks returned for insufficient funds or written on a closed account.

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

EXHIBIT A
Montrose Fire Protection District
Permit and Service Fee Schedule
Effective February 1, 2020

Automatic Fire Suppression Systems

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

Fire Alarm Systems

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

Other Extinguishing Systems

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

Miscellaneous Permits

Propane Exchange	\$125 Includes 1 site visit
Installation/Removal of Tank (ABST, UGST)	\$150 + \$50/tank after initial

Fireworks Sales	\$125/Stand/Occasion
Fireworks Public Display	\$200/Event
Explosives/Blasting Agents Use	\$200 annual or single blast
Circus/Carnival Permit	\$100
Indoor Pyrotechnics	\$200
Radio Amplification	\$200 Includes 2 site visits
Additional Required Site Visits:	\$50/visit
<u>Miscellaneous Fees</u>	
Re-Inspection Fee	\$100
Misc./Special Inspection	\$50
Out of District Inspections	\$50/Hour (includes travel time)
Work performed without permit	Double regular fee
Fire Watch	Current OT Rate (min. 2 hours)
Apparatus Standby & out of district Fire Suppression	Current CRFF Rate+ OT/Staff

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023; Res. No. 2024-19, 11-5-2024; Res. No. 2025-18, 11-02-2025)

Sec. 3-1-2. Pavilion fee schedule.**(A) Pavilion Fee Schedule.**

<i>AV Equipment</i>	
Full Sound System	\$400.00
Small Sound System (8 ch)	\$90.00
Cordless Microphone Receiver	\$15.00
Phone Connection	\$125.00 each
Audio Recording of Concerts (auditorium only)	\$45.00
<i>Furniture</i>	
Marley Dance Floor (auditorium only)	\$300.00
Pitt Cover Removal	\$1,200.00
Portable Dance Floor	\$150.00
Portable Stage	\$15.00
Use of Pianos	Actual cost of piano tuning
<i>Linens</i>	
Napkins	\$1.00 per each
Tablecloth	\$15.00 per each
<i>Administrative Services</i>	
Copies (black and white)	\$0.20 per each
Flipchart and Paper	\$15.00
<i>Beverages</i>	
Alcohol	Cost plus 20 percent
Coffee Service for approx. 30	\$15.00
Hot Tea Service for approx. 30	\$15.00
Hot Cocoa Service for approx. 30	\$15.00
Hot Cider Service for approx. 30	\$15.00
Iced Tea Service for approx. 30	\$15.00
Lemonade Service for approx. 30	\$20.00
Fruit Punch for approx. 30	\$20.00
Soda Pop assorted	\$2.00 per each
Bottled Water	\$2.00 per each
<i>Bars</i>	
Bartender Fee	\$20.00 per hour
Host Bar Fee	20% gratuity on final bill
<i>Catering Fees</i>	
Catering Fee - Full Service	\$4.00 per person
Catering Fee - Buffet Service	\$3.00 per person
<i>Room Rentals</i>	
Fee for first 8-hour period, additional fees apply for additional hours.	
Auditorium with Technician	\$944.00
Commons/Front Lawn	\$344.00
"Rain or Shine Performance/Event Only" rate, if an inclement weather plan requires inside performance/event, the inside room rate for required space will be charged.	
Center Room	\$358.00

Courtyard/Patio	\$358.00
Exhibit Gallery/Lobby	\$358.00
Full Conference	\$1,165.00
North Room	\$536.00
North to Center	\$893.00
Ballroom with Full Conference	\$1,537.00
Ballroom with Lobby	\$1,158.00
Ballroom	\$887.00
South Room	\$358.00
South to Center	\$750.00

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

(C) *Additional Hours.* Each additional hour after eight hours of scheduled event time shall be surcharged at \$100.00 U.S. Dollars per hour.

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023; Res. No. 2024-19, 11-5-2024; Res. No. 2025-18, 11-02-2025)

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

(A) Water Rates and Fees.

Maintenance to the City's facilities as a convenience to the customer		\$25.00 minimum fee	
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units		\$330.00	
Water Connection Fees			
Tap Size	Tap Fee	Capacity Fee	Combined Total
¾"	\$945.00	\$2,357.00	\$3,302.00
1"	\$1,257.00	\$3,927.00	\$5,184.00
1 ½"	\$1,571.00	\$7,853.00	\$9,424.00
2"	\$2,357.00	\$12,564.00	\$14,921.00
3"	\$3,140.00	\$23,557.00	\$26,697.00
4"	\$4,241.00	\$47,115.00	\$51,356.00
6"	\$7853.00	\$83,234.00	\$91,087.00
Connection Charges Per Unit or a Private Fire System		\$1,100.00	
Private Water Distribution Additional Unit Charge		\$1,100.00	
Monthly Water Rates—Residential Base Charge		\$22.65	
Monthly Water Rates—Residential Per 1,000 gallons of usage		\$5.52	
Monthly Water Rates - Residential- Outside City Limit Base Charge		\$33.98	
Monthly Water Rates - Residential - Outside City Limit Per 1,000 gallons of usage		\$8.16	
Monthly Water Rates - Nonresidential			
Nonresidential 5/8" Meter		\$40.02	
Nonresidential 3/4" Meter		\$52.99	
Nonresidential 1" Meter		\$81.11	
Nonresidential 1 1/2" Meter		\$151.41	
Nonresidential 2" Meter		\$287.68	
Nonresidential 3" Meter		\$669.45	
Nonresidential 4" Meter		\$1,041.48	
Nonresidential per 1,000 Gallons		\$3.86	
Water Company per 1,000 Gallons		\$5.55	
Landscape Meter Base Charge		\$21.63	
Landscape Meter Per 1,000 Gallons		\$5.52	
Private fire system		\$21.63	
Hydrant meter deposit		\$500.00	
Hydrant meter monthly base charge		\$669.45	
Hydrant meter usage charge per 1,000 gallons		\$3.86	
Monthly Water Rates – Nonresidential – Outside City Limits			
Nonresidential 5/8" Meter		\$60.02	
Nonresidential ¾" Meter		\$79.49	
Nonresidential 1" Meter		\$121.67	
Nonresidential 1 ½" Meter		\$227.12	
Nonresidential 2" Meter		\$431.52	
Nonresidential 3" Meter		\$1,004.17	

Nonresidential 4" Meter	\$1,562.23
Nonresidential per 1,000 Gallons Outside City Limits	\$5.67

(B) *Sanitary Sewer Rates and Fees.*

Sanitary Sewer Connection Fees			
Tap Size	Tap Fee	Capacity Fee	Combined Total
5/8" Meter	\$410.00	\$5,766.00	\$6,176.00
3/4" Meter	\$410.00	\$8,744.00	\$9,154.00
1" Meter	\$410.00	\$14,508.00	\$14,918.00
1 1/2" Meter	\$410.00	\$28,832.00	\$29,242.00
2" Meter	\$410.00	\$46,132.00	\$46,542.00
3" Meter	\$410.00	\$86,498.00	\$86,908.00
4" Meter	\$410.00	\$172,996.00	\$173,406.00
6" Meter	\$410.00	\$360,501.00	\$360,911.00
8" Meter	\$410.00	\$518,989.00	\$519,399.00
Sanitary Sewer Charges Per Unit		\$4,093.00	
Sanitary Sewer Monthly Charges		\$33.13	
Base Charge - Residential			
Sanitary Sewer Monthly Charges Base Charge - Nonresidential		\$24.99	
Sanitary Sewer - Volume Charge per 1,000 Gallons		\$3.17	
Sanitary Sewer - Extra Strength Charge per 1,000 Gallons			
Rate Code 901 - Car Wash		\$1.20	
Rate Code 902 - Living Center		\$1.67	
Rate Code 903 - Salon		\$2.37	
Rate Code 904 - Fast Food Restaurant		\$3.06	
Rate Code 905 - Restaurant		\$3.54	
Rate Code 906 - Bar		\$4.49	
Rate Code 907 - Restaurant w/Alcohol		\$5.92	
Site-Specific BOD Surcharge Formula		0.005921 x Avg BOD Concentration (in mg/L) - \$1.19	
E-One Pump Maintenance		\$7.32 per month	

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

Residential Customers 1 90-Gallon Container, 1 Pickup per Week	\$31.61
Commercial/Multi-Family Customers	\$.0481 per gallon
Recycling - Vehicle Tires	\$4.50 each
Recycling - Large Tires	\$9.00 each
Recycling - Monitor/TV with Glass Screen	\$30.00 each
Recycling - Fluorescent Light Bulb, Intact, Any Length and CFLs	No cost for City of Montrose residential trash customers. \$1.00/bulb for all others
Fall Cleanup leaf bags per four bag bundle	\$2.00
Return trip or Additional Pick Up for Trash or Recycle 90-Gallon Can	\$35.00

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023;
Res. No. 2024-19, 11-5-2024; Res. No. 2025-18, 11-02-2025)

Sec. 3-1-1. Fee schedule.

(A) Administrative Fees.

Carnival License	\$250.00 per day
Commercial Rafting Permit	\$200.00 per year
Commercial Solicitation Permit	\$50.00 permit fee
Commercial Solicitation Permit Badge	\$10.00 fee per badge
Commercial Solicitation Permit Deposit per Badge	\$50.00 deposit per badge
False Alarms	First one free each year beginning May January 1, then \$45.00 for each false alarm thereafter
Firearms/Agricultural Use	\$30.00
Fireworks Display	\$50.00
Fireworks Stands	\$50.00
Gas Fitter License	\$60.00
Gas Fitter Test	\$60.00
Home Occupation	\$25.00
Mobile Food Vendor Permit - Private Property Only	\$50.00 per year
Mobile Food Vendor Permit - City Right-of-Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Permit - Private Property, City Right-of-Way and Parks	\$20.00 per month for the months the permit is active
Mobile Food Vendor Use of Electricity in Demoret Park, Centennial Plaza and designated Main Street Vending Locations.	\$50.00 per year
Nuisance Abatement	\$50.00 administrative fee plus actual cost of abatement.
Pawnbroker License	\$200.00
Pellet Gun Permit	\$25.00
Plumber License	\$40.00
Records Request	City fees shall equal the maximum allowed under 24-72-205 C.R.S. and as posted on the website of the general assembly.
Records Request Legal Review	In instances where legal review exceeds 15 minutes, a legal review charge may be assessed to partially defray the cost of time in excess of the first quarter hour. The hourly rate will be billed at \$100.00 an hour, in quarter hour increments.
Returned Check Fee (Dishonored Check Policy)	\$30.00 for each check returned
Sales Tax License	\$35.00
Sales Tax License Renewal	\$15.00
Sales Tax License Paper Filing Fee	\$10.00
Sign Installation (no trespass) Cost for Each Sign	\$25.00
Sign Installation (no trespass) Cost of Each Post	\$35.00 \$100.00
Sign Installation (no trespass) Cost for Installation	\$35.00 \$100.00
Special Waste Collection	Non-scheduled residential and commercial collections will be billed the actual costs for time, equipment and landfill fees where applicable.
Special Waste Collection Freon Disposal Fee	\$20.00 (in addition to any applicable collection fee)
Special Waste Collection 350-Gallon Trash Container	\$50.00 - includes delivery and one empty. \$45.00 for each additional empty.

Special Waste Collection 90-Gallon Trash Container	\$25.00 - includes delivery and one empty. \$25.00 for each additional empty.
Carnival License	\$250.00 per day (Duplicate)
Commercial Rafting Permit	\$200.00 per year (Duplicate)
Commercial Solicitation Permit	\$50.00 permit fee (Duplicate)
Commercial Solicitation Permit Badge	\$10.00 fee per badge (Duplicate)
Commercial Solicitation Permit Deposit per Badge	\$50.00 deposit per badge (Duplicate)
False Alarms	First one free each year beginning May 1, then \$45.00 for each false alarm thereafter (Duplicate)
Firearms/Agricultural Use	\$30.00 (Duplicate)
Fireworks Display	\$50.00 (Duplicate)
Fireworks Stands	\$50.00 (Duplicate)
Gas Fitter License	\$60.00 (Duplicate)
Gas Fitter Test	\$60.00 (Duplicate)
Home Occupation	\$25.00 (Duplicate)
Mobile Food Vendor Permit – Private Property Only	\$50.00 per year (Duplicate)
Transient Vendor's License	\$75.00
Trash Collection and Water Service "Lock and Leave" Fee	\$30.00 to discontinue and reinstate service.
Tree Trimming License	\$50.00
Water & Sewer Utility Service Deposit	\$50.00; interest thereon is earned and payable per § 3-5-2(D) of the City of Montrose Municipal Code
Water & Sewer Utility Delinquency Fee	\$50.00
Utility Paper Statement Fee	\$1.00

(B) *Animal Control Fees.*

Impound Fee	When reclaiming a pet from the Animal Shelter on the same day that it was impounded for running at large, the fee will be \$20.00 \$30.00 if the pet was vaccinated by the Shelter. Otherwise, pets reclaimed the same day of impoundment will be free.
Progressive Impound Fees	
First Impound per One-Year Period	\$30.00
Second Impound per One-Year Period	\$40.00
Third and Subsequent Impound per One-Year Period	\$50.00
Other Impounds Boarding Fee	Other impounds are a \$20.00 \$30.00 fee plus \$5.00-\$8.00 per day boarding fee for all pets reclaimed after the first day.
Interagency Fees	Covered under separate agency contracts.
Quarantine Impound Fee	\$125.00 for 10-day period
Evidence or Court-Ordered Hold	\$8.00 per day for 14 days; \$10.00 per day beyond 14 days
Relinquishment Fees for Personal Cats	\$20.00 \$35.00 per cat (over 1 year 18 weeks of age)
Relinquishment Fees for Personal Kittens	\$10.00 \$15.00 per kitten (under 18 weeks of age)
Relinquishment Fees for Personal Dogs	\$35.00 \$50.00 per dogs (over 1 year 8 weeks of age)
Relinquishment Fees for Personal Puppies	\$25.00 \$30.00 per puppy (under 1 year 8 weeks of age)
Relinquishment Fee – Other	\$35.00 per animal

Adoption Fee for Dogs 8 Weeks to 1 Year of Age	\$100.00 per dog
Adoption Fee for Dogs Over 1 Year of Age	\$75.00 per dog
Adoption Fee for Cats 8 Weeks to 1 Year of Age	\$50.00 per cat
Adoption Fee for Cats Over 1 Year of Age	\$30.00 per cat
Adoption Fee – Other	\$35.00 per animal

(C) *Cemetery Fees.*

Cemetery Lot Sale	\$600.00 - 40 percent of lot cost is perpetual care
Cemetery Open/Close	\$650.00
Cemetery Open/Close for Cremains	\$200.00
Cemetery Open/Close for Two Sets of Cremains	\$300.00, simultaneous, same lot
Cemetery Full Burial Overtime Fee	\$175.00 for Saturdays or weekdays after 4:00 p.m.
Cemetery Burial of Cremains Overtime Fee	\$100.00 for Saturday or weekdays after 4:00 p.m.
Cemetery Disinterment	\$2,000.00
Cemetery Disinterment of Cremains	\$500.00
Columbarium Niche Space	\$350.00
Columbarium Niche Plate	Actual cost (\$325.00—\$375.00)
Columbarium Date Scroll	Actual cost (\$105.00—\$125.00)
Columbarium Open/Close	\$100.00 for each open/close including disinterment
Columbarium Overtime Fee	\$100.00 for Saturdays or weekdays after 4:00 p.m.

(D) *Land Use Fees.*

Administrative Planned Development	\$100.00
Administrative Review Hearing	\$50.00
Annexations	\$900.00
Conditional Use Permit	\$300.00
De Novo Hearing (Review Hearing Before City Council)	\$100.00
Fence Permit	\$10.00
Floodplain Development Permit	No Fee
Historic Preservation Property Designation	No fee
Historic Preservation Property Alteration	No fee
Historic Preservation Property Relocation	No fee
Historic Preservation Structure Demolition	No fee
Land Dedication Fee in Lieu - Parks Fee	\$1,575.00 per residential unit
Land Dedication Fee in Lieu - School Fee	\$679.00 per residential unit
Large Retail Site Development	\$1,000.00
Major Subdivision (Including Major Subdivision Amendments) Sketch Plan	\$300.00
Major Subdivision (Including Major Subdivision Amendments) Preliminary Plat	\$300.00
Major Subdivision (Including Major Subdivision Amendments) Final Plat	\$300.00
Minor Subdivision	\$150.00
Mobile Home Park Permit	\$300.00
Mobile Home Set Up Permit	\$30.00

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

(E) *Liquor Fees.*

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

Alcohol Consumption Permit	\$50.00
Alcohol Consumption Permit Deposit	\$100.00
Special Events Alcohol Permit in conjunction with an Events Use Permit	Officers may be required at the discretion of the Montrose Police Department at a rate per hour based upon the actual burdened rate of officers and sergeants.
Entertainment Permit	No Fee
Events Use Permit	\$100.00 Events Use Permit fee per event day for all facilities/venues, including street closures and parades.
Events Use Permit Deposit	\$100.00 deposit required for all events
Events Use Permit Additional Fees	Additional fees are required if alcohol permits are issued.
Events Use Permit Insurance Certificate	Actual cost of insurance certificate through the City's insurance provider, added to permit fee.
Lion's Community Building Rental Fees	\$40.00 for five hours, \$5.00 per hour for each additional hour
Lions Community Building Deposit	\$100.00
Main Street Closure Permit	\$250.00 for a maximum of ten hours. City Council may approve additional hours for additional fees.
Main Street Closure Deposit	\$100.00. Surety bond and/or insurance certificate required.
Memorial Bench	\$2,000.00 downtown and park locations, includes bench, plaque, and installation
Montrose Rotary Amphitheater	
Stage Only	\$100.00/24 hr. booking window
Stage, Wings and Backstage Area	\$600.00 /24 hr. booking window
Full Facility Including Vendor Area	\$1,200.00 /24 hr. booking window
Deposit	50% of total rental fees
Overhead Main Street Banner - One Banner	\$200.00
Overhead Main Street Banner - Two Banners	\$380.00
Park Shelter Reservation	\$25.00 per day (includes electricity)
Parks Use Permit (for private use for areas excluding the shelters)	No Fee
Right-of-Way Use Permit	No Fee
Stage Rental - Stage Without Canopy	\$50.00
Stage Rental - Stage With Canopy	\$100.00
Stage Rental Deposit	\$100.00
Street Closure Permit	\$100.00
Street Closure Permit Deposit	\$100.00
Tree Legacy Program Plaque	Actual Cost (\$270.00-\$350.00)

(G) *Police Department Administrative Fees.*

Police Report	\$10.00 for each police report
Criminal History Report	\$10.00 for each criminal history report
Hard Copies	\$0.25 per page for hard copies of documents
Impound Fees	\$4.00 per day for vehicles impounded in the City lot
Sex Offender Registration - Initial	\$40.00 initial registration fee
Sex Offender Registration - Annual	\$20.00 annual registration fee
Staff Time (Research, Redaction, etc.)	\$10.00 per hour for first hour, \$30.00 per hour after the first hour
Specialized document production or specialized skills required to fully comply with requests (Public Safety Attorney, Special SW/HW, System Admin, Crime Analyst etc.)	\$30.00 per hour. Fees for legal review as noted in Section 3-1-1 (A) Records Requests may apply.
Towing	Varies based on City contract
VIN Inspections at Police Dept.	\$10.00 per VIN Inspection
VIN Inspections at residence within City limits set by C.R.S Certified VIN Inspection	\$15.00 per VIN Inspection

(H) *Building Code Fees.*

Building Permit Fees \$1.00 to \$500.00 valuation	\$23.50
Building Permit Fees \$501.00 to \$2,000.00 valuation	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000.00
Building Permit Fees \$2001.00 to \$25,000.00 valuation	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
Building Permit Fees \$25,001.00 to \$50,000.00 valuation	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
Building Permit Fees \$50,001.00 to \$100,000.00 valuation	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
Building Permit Fees \$100,001.00 to \$500,000.00 valuation	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
Building Permit Fees \$500,001.00 to \$1,000,000.00 valuation	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
Building Permit Fees \$1,000,000.00 valuation and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
Plan Review Fees - Commercial	65 percent of building permit fee
Plan Review Fees - Residential	50 percent of building permit fee
Investigation Fees: Work without a permit	Equal to building permit fee
Plumbing Permit Fee	\$50.00
Gas Permit Fee	\$50.00
Mechanical Permit Fee	\$50.00
Solar Permit Fee	\$50.00

Re-Roof Permit Fee	\$50.00
Demolition Permit Fee	\$50.00
	* Fire Protection District Fees are included in Exhibit A

(I) *Municipal Court Fees.*

Court Costs	\$50.00 Court Costs will be assessed in each case following a conviction except in those cases in which a written waiver and guilty plea is entered and a fine paid at the Office of the Court Clerk or on CitePay USA \$70.00 with \$20.00 of the \$70.00 Court Costs designated for Court Security.
Bench Warrant Fee	A \$30.00 Bench Warrant Fee shall be assessed in each case in which a bench warrant is issued.
Teen Court Fee	A \$100.00 fee shall be assessed in all Teen Court cases
Bad Check Fee	A \$25.00 bad check fee shall be assessed for all checks returned for insufficient funds or written on a closed account.

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

EXHIBIT A
Montrose Fire Protection District
Permit and Service Fee Schedule
Effective February 1, 2020

Automatic Fire Suppression Systems

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

Fire Alarm Systems

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

Other Extinguishing Systems

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

Miscellaneous Permits

Propane Exchange	\$125 Includes 1 site visit
Installation/Removal of Tank (ABST, UGST)	\$150 + \$50/tank after initial
Fireworks Sales	\$125/Stand/Occasion
Fireworks Public Display	\$200/Event

Explosives/Blasting Agents Use	\$200 annual or single blast
Circus/Carnival Permit	\$100
Indoor Pyrotechnics	\$200
Radio Amplification	\$200 Includes 2 site visits
Additional Required Site Visits:	\$50/visit
Miscellaneous Fees	
Re-Inspection Fee	\$100
Misc./Special Inspection	\$50
Out of District Inspections	\$50/Hour (includes travel time)
Work performed without permit	Double regular fee
Fire Watch	Current OT Rate (min. 2 hours)
Apparatus Standby & out of district Fire Suppression	Current CRFF Rate+ OT/Staff

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023; Res. No. 2024-19, 11-5-2024)

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

(A) *Pavilion Fee Schedule.*

AV Equipment	
CD Player	No charge
Full Sound System	\$400.00
Small Sound System (8 ch)	\$90.00
Cordless Microphone Receiver	\$15.00
DVD Player	No charge
Phone Connection	\$125.00 each
Electric Plug Connections	No Charge
Laser Pointer	No Charge
Audio Recording of Concerts (auditorium only)	\$45.00
Furniture	
Marley Dance Floor (auditorium only)	\$250.00 \$300.00
Pitt Cover Removal	\$1,200.00
Podium with Wired Microphone	\$15.00
Portable Bar	\$50.00
Portable Dance Floor	\$125.00 \$150.00
Portable Stage	\$15.00
Pipe and Drape Section (8' x 9'5")	\$20.00
Screen 12 x 12	\$20.00
Chairs	No charge
Tables	No charge
Use of Pianos	Tuning fee plus 50% Actual cost of piano tuning
Linens	
Napkins	\$1.00 per each
Tablecloth	\$10.00 \$15.00 per each
Administrative Services	
Copies (black and white)	\$0.20 per each
Internet Connection	\$10.00
Flipchart and Paper	\$15.00

<i>Beverages</i>	
Alcohol	20% increase, Call for quote Cost plus 20 percent
Coffee Service for approx. 30	\$15.00
Hot Tea Service for approx. 30	\$15.00
Hot Cocoa Service for approx. 30	\$15.00
Hot Cider Service for approx. 30	\$15.00
Iced Tea Service for approx. 30	\$15.00
Lemonade Service for approx. 30	\$20.00
Fruit Punch for approx. 30	\$20.00
Soda Pop assorted	\$2.00 per each
Bottled Water	\$2.00 per each
<i>Bars</i>	
Portable Bar with Bartender Fee	\$20.00 per hour
Host Bar Fee	20% gratuity on final bill
<i>Catering Fees</i>	
Catering Fee - Full Service	\$3.50 \$4.00 per person
Catering Fee - Buffet Service	\$2.50 \$3.00 per person
Catering Fee - Drop-Off Service	\$1.50 per person
<i>Room Rentals</i>	
Fee for first 8-hour period, additional fees apply for additional hours.	
Auditorium with Technician	\$726.00 \$944.00
Commons/Front Lawn	\$264.00 \$344.00
"Rain or Shine Performance/Event Only" rate, if an inclement weather plan requires inside performance/event, the inside room rate for required space will be charged.	
Center Room	\$275.00 \$358.00
Courtyard/Patio	\$275.00 \$358.00
Exhibit Gallery/Lobby	\$275.00 \$358.00
Full Conference	\$896.00 \$1,165.00
North Room	\$412.00 \$536.00
North to Center	\$687.00 \$893.00
Ballroom with Full Conference	\$1,182.00 \$1,537.00
Ballroom with Lobby	\$891.00 \$1,158.00
Ballroom	\$682.00 \$887.00
South Room	\$275.00 \$358.00
South to Center	\$577.00 \$750.00

- (B) *Resident Discount.* For the purposes of subsections (A) and (B) of this section, the term "resident" means a natural person with a permanent, fixed domicile which is intended to be its residence within the City limits of the City of Montrose; or the term "resident" shall also mean any lawful business entity authorized by all applicable provisions of Colorado law, and the City of Montrose Municipal Code and Regulations Manual to do business within the City of Montrose. The discount applicable to residents as defined herein shall be 35 percent.
- (C) *Additional Hours.* Each additional hour after eight hours of scheduled event time shall be surcharged at \$100.00 U.S. Dollars per hour.

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023; Res. No. 2024-19, 11-5-2024)

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

(A) Water Rates and Fees.

Deposit		\$50.00	
Maintenance to the City's facilities as a convenience to the customer		\$25.00 minimum fee	
"REDO" Overlay Zone water distribution tap fee for accessory dwelling units		\$330.75 \$330.00	
Water Connection Fees			
Tap Size	Tap Fee	Capacity Fee	Combined Total
¾"	\$917.00 \$945.00	\$2,288.00 \$2,357.00	\$3,205.00 \$3,302.00
1"	\$1,220.00 \$1,257.00	\$3,813.00 \$3,927.00	\$5,033.00 \$5,184.00
1 ½"	\$1,525.00 \$1,571.00	\$7,624.00 \$7,853.00	\$9,149.00 \$9,424.00
2"	\$2,288.00 \$2,357.00	\$12,198.00 \$12,564.00	\$14,486.00 \$14,921.00
3"	\$3,049.00 \$3,140.00	\$22,871.00 \$23,557.00	\$25,920.00 \$26,697.00
4"	\$4,117.00 \$4,241.00	\$45,743.00 \$47,115.00	\$49,860.00 \$51,356.00
6"	\$7,624.00 \$7853.00	\$80,810.00 \$83,234.00	\$88,434.00 \$91,087.00
Connection Charges Per Unit or a Private Fire System		\$1,100.00	
Private Water Distribution Additional Unit Charge		\$1,100.00	
Monthly Water Rates—Residential Base Charge		\$21.99 \$22.65	
Monthly Water Rates—Residential Per 1,000 gallons of usage		\$5.12 \$5.52	
Monthly Water Rates - Residential- Outside City Limit Base Charge		\$32.99 \$33.98	
Monthly Water Rates - Residential - Outside City Limit Per 1,000 gallons of usage		\$7.43 \$8.16	
Monthly Water Rates - Nonresidential			
Nonresidential 5/8" Meter		\$38.85 \$40.02	
Nonresidential 3/4" Meter		\$51.45 \$52.99	
Nonresidential 1" Meter		\$78.75 \$81.11	
Nonresidential 1 1/2" Meter		\$147.00 \$151.41	
Nonresidential 2" Meter		\$279.00 \$287.68	
Nonresidential 3" Meter		\$649.95 \$669.45	
Nonresidential 4" Meter		\$1,011.00 \$1,041.48	
Nonresidential per 1,000 Gallons		\$3.51 \$3.86	
Water Company per 1,000 Gallons		\$5.14 \$5.55	
Landscape Meter Base Charge		\$21.99 \$21.63	
Landscape Meter Per 1,000 Gallons		\$5.12 \$5.52	
Private fire system		\$21.00 \$21.63	
Delinquent fee		\$50.00	
Hydrant meter deposit		\$500.00	
Hydrant meter monthly base charge		\$669.45	
Hydrant meter usage charge per 1,000 gallons		\$3.86	
Monthly water Rates – Nonresidential – Outside City Limits			
Nonresidential 5/8" Meter		\$60.02	
Nonresidential ¾" Meter		\$79.49	

Nonresidential 1" Meter	\$121.67
Nonresidential 1 ½" Meter	\$227.12
Nonresidential 2" Meter	\$431.52
Nonresidential 3" Meter	\$1,004.17
Nonresidential 4" Meter	\$1,562.23
Nonresidential per 1,000 Gallons Outside City Limits	\$5.67

(B) *Sanitary Sewer Rates and Fees.*

Sanitary Sewer Connection Fees				
Tap Size	Tap Fee	Capacity Fee	Combined Total	
⅝" Meter	\$336.00 \$410.00	\$4,726.00 \$5,766.00	\$5,062.00 \$6,176.00	
¾" Meter	\$336.00 \$410.00	\$7,167.00 \$8,744.00	\$7,503.00 \$9,154.00	
1" Meter	\$336.00 \$410.00	\$11,892.00 \$14,508.00	\$12,228.00 \$14,918.00	
1 ½" Meter	\$336.00 \$410.00	\$23,633.00 \$28,832.00	\$23,969.00 \$29,242.00	
2" Meter	\$336.00 \$410.00	\$37,813.00 \$46,132.00	\$38,149.00 \$46,542.00	
3" Meter	\$336.00 \$410.00	\$70,900.00 \$86,498.00	\$71,236.00 \$86,908.00	
4" Meter	\$336.00 \$410.00	\$141,800.00 \$172,996.00	\$142,136.00 \$173,406.00	
6"Meter	\$336.00 \$410.00	\$295,493.00 \$360,501.00	\$295,829.00 \$360,911.00	
8" Meter	\$336.00 \$410.00	\$425,401.00 \$518,989.00	\$425,737.00 \$519,399.00	
Sanitary Sewer Charges Per Unit			\$3,355.00 \$4,093.00	
Sanitary Sewer Monthly Charges			\$27.15 \$33.13	
Base Charge - Residential				
Sanitary Sewer Monthly Charges Base Charge - Nonresidential			\$20.48 \$24.99	
Sanitary Sewer - Volume Charge per 1,000 Gallons			\$2.60 \$3.17	
Sanitary Sewer - Extra Strength Charge per 1,000 Gallons				
—Rate Code 900			\$0.72	
Rate Code 901 - Car Wash			\$0.98 \$1.20	
Rate Code 902 - Living Center			\$1.37 \$1.67	
Rate Code 903 - Salon			\$1.94 \$2.37	
Rate Code 904 - Fast Food Restaurant			\$2.51 \$3.06	
Rate Code 905 - Restaurant			\$2.91 \$3.54	
Rate Code 906 - Bar			\$3.68 \$4.49	
Rate Code 907 - Restaurant w/Alcohol			\$4.85 \$5.92	
—Rate Code 908			\$6.23	
—Rate Code 909			\$0.72	
—Rate Code 910			\$2.51	
—Rate Code 920 (\$ per bill)			\$76.29	
Site-Specific BOD Surcharge Formula			0.005921 x Avg BOD Concentration (in mg/L) - \$1.19	
E-One Pump Maintenance			\$5.25 \$7.32 per month	

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

Residential Customers 1 90-Gallon Container, 1 Pickup per Week	\$26.35 \$31.61
Commercial/Multi-Family Customers	\$.0481 per gallon

Recycling - Vehicle Tires	\$4.50 each
Recycling - Large Tires	\$9.00 each
Recycling - Monitor/TV with Glass Screen	\$30.00 each
Recycling - Fluorescent Light Bulb, Intact, Any Length and CFLs	No cost for City of Montrose residential trash customers. \$1.00/bulb for all others
Fall Cleanup leaf bags per four bag bundle	\$2.00
Return trip or Additional Pick Up for Trash or Recycle 90-Gallon Can	\$35.00

(Res. No. 2021-23, exh. A, 11-2-2021; Res. No. 2022-14, exh. A, 11-1-2022; Res. No. 2023-21, exh. A, 11-7-2023; Res. No. 2024-19, 11-5-2024)



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: Jace Hochwalt, Community Development Director
DATE: November 4, 2025
RE: EV Charging Permitting Process

Attachment:
Exhibit A: Resolution 2025-19

City Council Consideration:

City Council is considering the approval of a resolution to retain the City's existing permitting process and standards for electric vehicle charging projects.

Project Overview:

In 2024, the State Legislature approved House Bill 24-1173, which focuses on electric vehicle (EV) charging system permitting. The bill requires jurisdictions with populations over 20,000 to establish permitting procedures for EV charging systems by December 31, 2025. This legislation was prompted by inconsistencies in permitting processes across jurisdictions, with the overall goal of streamlining EV charging approvals and reducing hearing or other lengthy procedural requirements.

Following the passage of the bill, the State released formal guidance and the *Colorado Electric Vehicle Charging Model Land Use Code*. The Model Code is a comprehensive document providing direction on permitting processes, definitions, and land use considerations specific to EV charging. It also outlines three pathways for jurisdictions to comply with HB 24-1173:

- Option 1: Adopt the EV charging model code as written.
- Option 2: Adopt the EV charging permitting standards directly from the law, including adopting objective permit review standards and an administrative review process.
- Option 3: Retain existing permitting process and standards

The City's current code identifies EV charging stations as standalone uses in most commercial



zoning districts and allows them as accessory uses in all non-residential districts. The code also includes specific definitions for electric vehicle charging stations. These installations are reviewed through a straightforward Minor Site Development Review process, which is one of the City's most streamlined procedures and does not require a public hearing.

In summary, City staff believes that the existing permitting processes align with the intent of HB24-1173 and the *Colorado Electric Vehicle Charging Model Land Use Code*. Therefore, adopting the Model Code or additional language at this time is not recommended. As part of a broader code update planned for 2026, following completion of other long-range planning efforts, staff will revisit the Model Code to determine whether further refinements are warranted.

Recommendation:

City staff recommends approval of a resolution retaining the City's existing permitting process and standards for EV charging projects.



RESOLUTION NO. 2025-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO CONCERNING ELECTRIC VEHICLE CHARGING SYSTEMS

WHEREAS, the City of Montrose, a home rule municipality organized pursuant to Article XX, Section 6 of the Colorado Constitution, regulates the construction, removal, repair, alteration, reconstruction, and use of buildings through its building and zoning ordinances; and

WHEREAS, in the spirit of intergovernmental cooperation and partnership, the City desires to assist the Colorado Energy Office by indicating its intent to follow its existing permitting review process for electric vehicle (“EV”) charging system applications in response to C.R.S. § 31-23-316(2); and

WHEREAS, the City of Montrose will undertake a minor Land Use Regulations Code Update project in 2026, during which the City will evaluate whether any refinements are warranted based on the EV Charger Permitting Model Code.

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

Section 1. The ordinances of the City of Montrose provide sufficient and reasonable standards and processes for the review and permitting of applications for EV charging systems.

Section 2. The City Council resolves to continue to use its existing permitting process to review applications for EV charging systems and, as a result, does not intend to adopt the EV Charger Permitting Model Code or other standards and processes provided by C.R.S. § 31-23-316.

Section 3. To the extent C.R.S. § 31-23-316 requires further specific action or otherwise attempts to direct the behavior of the City of Montrose, including record-keeping or reporting as provided in C.R.S. § 31-23-316(2)(c), the City requests that additional money be provided to reimburse Montrose for the costs of such state mandate.

INTRODUCED, READ AND ADOPTED this 4th day of November 2025, by the City Council of the City of Montrose.

CITY OF MONTROSE, COLORADO

Dave Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE

OFFICE OF THE CITY MANAGER



William E. Bell, City Manager
Direct Dial: 970.901.8580
E-mail: wbell@ci.montrose.co.us

Summary Sheet

Applicant: Mexican American Development Association (MADA)

Property: 25 & 27 N Cascade Ave.

Total Project Cost Estimate - \$2,000,000

Total Asbestos Remediation - \$57,415.15

MADA Description

MADA has been a community hub, gathering space & commercial kitchen who provides resources, advocacy & unity since 1972.

Project Background

MADA approached the City of Montrose regarding a need to build a new and expanded kitchen space in order to accommodate their growing business incubator program whereby they provide licensed commercial kitchen space to restaurant and food truck startups in Montrose. There is currently no transitional space for the commercialization of retail food products or a restaurant kiosk space. The current kitchen is quite small, and they have had 23 businesses utilize the space in the last 18 months.

The property located at 25 & 27 N Cascade Avenue have been a concern for some time due to the potential for environmental concerns based upon the past use of the property as a dry cleaners business. The buildings were for sale, but not moving quickly because of the risk associated with unknown but potentially likely hazards such as asbestos on the property. A Phase I has been done on the property through the City's Brownfields technical assistance program which is a simply a search of past property uses to see what it has been used for in the past, but a Phase II has yet to be completed.

The City Council discussed the provision of financial assistance to MADA at a March 2025 Work Session in the amount of \$22,405.75 to carry out a Phase II assessment. Since that time, MADA was able to put the building under contract with plans to install a Food Hall/Restaurant Incubator and Bar into the space. They have secured funding through partnership with multiple nonprofit foundations from around the state and they are ready to move forward. MADA also received notice from the State that they didn't need a Phase II if they simply moved into the asbestos mitigation stage of redevelopment. MADA would like to request that these incentives that were previously discussed be shifted to a revised request totaling \$57,415.15 to contract with Valley Restoration to remove and abate the asbestos from the property.



Imagery ©2025 Airbus, Map data ©2025 Google 20 ft



27 N Cascade Ave

Building

- 
Directions
- 
Save
- 
Nearby
- 
Send to
phone
- 
Share

 27 N Cascade Ave, Montrose, CO 81401

Photos



At this place

Kilbanes Cleaners and Tuxedo

3.2 ★★★★★ (37)

Dry cleaner · Floor 1

Open · Closes 5:30 PM





PROPOSAL

Mailing Address: 236 S 3rd St #334, Montrose, CO 81401

Physical Address: 147 Water Ave, Montrose, CO 81401

Office #: (970) 964-4437

CO GAC#: 24160

Date: 9/30/2025

Proposal Submitted To:

Name MADA

Street _____

City _____ State _____

Phone _____ Zip _____

Work To Be Performed At:

Street 25/27 North Cascade Avenue

City Montrose State CO

Date of Report: 3/10/2025

Email director@montrosemada.com

We propose to supply labor, equipment, and materials for the following:

25 North Cascade Avenue:

- Pipe insulation in the Main Room - Approx. 44 lf - OSHA Type 1 Containment

- Furnace Gaskets & Insulation - Main Room - Component Removal

27 North Cascade Avenue:

- Pipe insulation in the Retail Area & Upstairs Loft - Approx. 40 lf - OSHA Type 1 Containment

- Furnace Gaskets & Insulation - Retail Area - Component Removal

- Window Glazing - Southwest Garage - Component Removal

- Drywall w/Joint Compound - West Laundry/Bathroom Area - Approx 360 sf - OSHA Type 1 Containment

All asbestos waste will be manifested and disposed of at an EPA approved landfill approved to accept

friable asbestos waste.

TOTAL Asbestos Abatement Cost: **\$ 55,000.00**

ASESTOS TESTING SERVICES: **\$ 2,415.15**

OVERALL TOTAL **\$ 57,415.15**

Pricing Includes:

All labor, equipment and materials required to complete abatement.

Proper handling, transportation and hazardous waste disposal and manifest fees.

Any CDPHE Asbestos Permit/Notice Fees

All EPA, DOT, OSHA and Colorado regulations will be adhered to and followed.

Final visual and air clearances by a CDPHE certified Air Monitoring Specialist

Pricing assumes:

Site will have sufficient electricity and water to support abatement activities. Valley Restoration can provide at an additional cost.

Site will have a restroom or temporary toilet for workers to use. Valley Restoration can provide at an additional cost.

Abatement to occur during the week during regular hours

Excludes any unforeseen conditions that may be present: This includes any additional areas of asbestos not previously identified in the Grande River Environmental (GRE) Reports dated 3/10/2025.

CDPHE requires a minimum 10 working day notification prior to any asbestos work commencement.

Valley Restoration may require add'l time to schedule.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner. With payments to be made as follows:

50% (\$28,707.58) upon acceptance of contract with remainder due within 21 days of project

completion credit card payments are not accepted for asbestos abatement work.

Respectfully submitted by: *Michele Bisbee* Michele Bisbee - General Manager

Note - This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL

The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date: _____

Signature: _____

Date: _____

Signature: _____

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate.

In the event any party institutes any action or proceeding against the other party in relation to this Proposal, the prevailing party of such action shall be entitled to recover from the non-prevailing party (in addition to all other remedies provided by law) its attorney's fees and costs incurred in such action or proceeding.

All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Liability Insurance on above work to be provided by Valley Restoration & Construction. All invoices to be paid regardless of sale to new

THE PROJECT



- ▶ 2 Downtown Buildings, side by side & connected with viewing window
- ▶ Commercial Kitchen with multiple stations, varying equipment & food manufacturing
- ▶ Food Hall to include Bar, Coffee Bar, Grab n 'Go food & sit down service next to kitchen, outdoor seating
- ▶ Business, food safety & restaurant resources
- ▶ Licensed and fully compliant with local regulations

The Kitchen (La Cocina)



Food hall



About Us!

Founded in 1972, MADA was an organization created by the community and self-built the original building on N. 6th , in the self-named neighborhood of Tortilla Flats - for the smell of tortillas cooking in the community! The organization was founded to help those in need through advocacy, housing, workforce development and tackling social issues providing necessary resources, education & empowerment. MADA had a diversion from that mission for many years and has worked hard to get back to it's roots & is dedicated to these original values and mission. We are a community organization and hub dedicated to providing resources, unity and empowerment through education, leadership development & access to resources so all people can thrive.



**FROM KITCHEN TO
MARKET - POWERED BY
COMMUNITY.**

**A PLACE TO START,
GROW & CONNECT.**

**MAKING DREAMS A
REALITY.**

LA RAZA KITCHEN DOWNTOWN EXPANSION & FOOD HALL

TIME TO
GROW



LAUNCH.GROW.GATHER

- ✓ Inspire Entrepreneurship
- ✓ Provide opportunity
- ✓ Build economic development
- ✓ Revitalize historic buildings
- ✓ Activate downtown Montrose
- ✓ Create sense of community

Donor Opportunities

- ✦ \$10,000+ Matching Partner
 - Permanent large tile with your business/name featured in prime placement in the food hall
 - Custom coffee mug & MADA-Rita glass for use at the bar and café
 - Recognition on our construction banner and donor materials
- ✦ \$5,000
 - Permanent Medium floor tile with your name or business
 - Custom La Raza coffee mug for use at the bar and café
 - Name listed on construction banner and donor wall
- ✦ \$2,500
 - Permanent Small floor tile with your name/business
 - Custom La Raza coffee mug for use at the bar and café
 - Name listed on donor wall
- ✦ \$1,000
 - Small commemorative tile in the food hall
 - Name listed on donor wall
- ✦ \$500 and under
 - Name or business listed on our Wall of Donors inside the food hall

All donors will be invited to an Early Access Party!

Contact us to pledge a gift or become a matching donor:

Bethany Maher
director@montrosemada.org
719-293-5044

**GROWING SMALL
BUSINESSES, ONE BITE AT
A TIME.**

Historic Preservation

- Restores a meaningful landmark
- Enhances downtown character
- Boosts property values & foot traffic

Kitchen Incubator

- Supports local food startups
- Low-barrier access for underserved entrepreneurs
- Sparks small business growth

Food Hub & Market

- Creates jobs & new career paths
- Generates tax revenue
- Increases access to local, cultural & healthy food

Community Impact

- Encourages downtown activity
- Builds local pride & ownership
- Acts as a catalyst for future development

La Raza Kitchen at MADA has outgrown itself & the need for a larger incubator kitchen including space to sell, serve & more has been proven to be a great need for our entrepreneurs so we can continue to meet the growing demand!



Council Transmittal Memo
Date: October 15, 2025

To: Mayor and City Council

From: David Bries, Utilities Director

CC: William Bell, City Manager
Shani Wittenberg, Finance Director
Hyrum Webb, WWTP Superintendent

Subject: WWTP SCADA Software Service

Recommendation:

Staff recommends that City Council consider an agreement with Browns Hill Engineering and Controls to provide Software as a Service (SaaS) for the City's Supervisory Control and Data Acquisition (SCADA) system, Ignition.

Background:

The City's wastewater treatment plant relies on a SCADA system to operate key processes, alert on-call staff to after-hours alarms, and collect process data. This data is critical for day-to-day operational adjustments, performance monitoring, and preparing compliance reports required by the State of Colorado.

Currently, the City owns and maintains the SCADA system's software, hardware, and onsite server. The existing server is due for replacement at an estimated cost of \$80,000–\$90,000, not including ongoing maintenance and cybersecurity responsibilities. Maintaining a locally hosted system also places the burden of system security, backups, and software updates on City staff.

Recent events across the nation have demonstrated that municipalities and utilities are frequent targets of cyberattacks aimed at disrupting essential public services. In addition, treatment plant staff require secure remote access to the SCADA system after hours to monitor operations and respond promptly to alarms. Due to recent software provider changes, reliable offsite access has become increasingly difficult.

To address these challenges, Browns Hill Engineering and Controls offers a cloud-based, subscription SCADA service. This approach would eliminate the need for the City to purchase and maintain local servers and hardware while ensuring secure, reliable access for authorized personnel from any location. Browns Hill is nationally recognized for its cybersecurity practices specific to SCADA systems, and the proposed service would transfer most cybersecurity responsibilities to their team.

Additionally, this service utilizes the latest version of Ignition, providing staff with the most up-to-date tools and features available in the industry. Moving to a cloud-based SCADA solution will enhance system reliability, security, and accessibility while reducing long-term maintenance costs and risk exposure for the City.

Financial Implications

This is a 5 year agreement for software as a service, with monthly costs being \$4,180.00. The annual costs of \$51,160.00 are included in the proposed 2026 Informational Services (IS) budget.



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: November 4, 2025
RE: 1720 Niagara Rd Rezone
ATTACHMENTS:

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

City Council Consideration:

City Council is considering the approval of the 1720 Niagara Rd Rezone. City Council shall consider all of the information in this memo in making a decision.

Applicant: James Moore

Application Background:

The proposal is to rezone approximately 1.63 acres from “R-4” Manufactured Housing Residential District to “B-2” Highway Commercial District. The site is located at 1720 Niagara Road, also known as Lot 1 of the Parsons Subdivision.

The Planning Commission unanimously voted to recommend approval of this rezone request at the October 22, 2025 Planning Commission meeting.

Proposed Zoning: “B-2” Highway Commercial District



Staff Analysis:

1. Municipal Code, Section 11-7-12(A), Rezoning.
“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - a) The amendment is not adverse to the public health, safety and welfare; and
 - b) The amendment is in substantial conformity with the master plan; or:
 - i. The existing zoning is erroneous; or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”
2. City Council should consider the merits of the proposed rezone only and make a recommendation to City Council based on whether it should be rezoned to “B-2” Highway Commercial District. The current zoning is “R-4” High Density District.
 - Zoning Regulations. The “B-2” Highway Commercial District is intended to provide for businesses oriented toward serving the motoring public, encouraging the convenient exchange of goods and services along the major thoroughfares of the City.
3. This property is adjacent to properties that are zoned “B-2” Highway Commercial District and “R-4” High Density District.
4. General Conformance with the Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map (Chapter 5) designates this area as Residential Mixed Density High. This high-density residential land use is primarily intended for attached buildings on individual lots (such as townhomes), as well as multi-family structures such as apartments and condominiums. Accessory dwelling units (apartments over garage) are encouraged. This use is especially appropriate in the Downtown, in areas immediately surrounding the City’s core, and areas adjacent to major and minor business centers.
 - This property was originally annexed and zoned as part of the Moore Addition in 1978. Adjacent properties were annexed in 1968 and 1980.
5. The “B-2” zoning designation does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements, zoning in the surrounding area, and conditions in the adjacent area has changed since the area was last zoned.

Staff Recommendation:

Staff finds that the rezone criteria has been met; it is compatible with existing uses in the surrounding area; conditions in the surrounding have changed materially since the area was last zoned; and therefore, recommends approval of the “B-2” Highway Commercial District.



City Council Options:

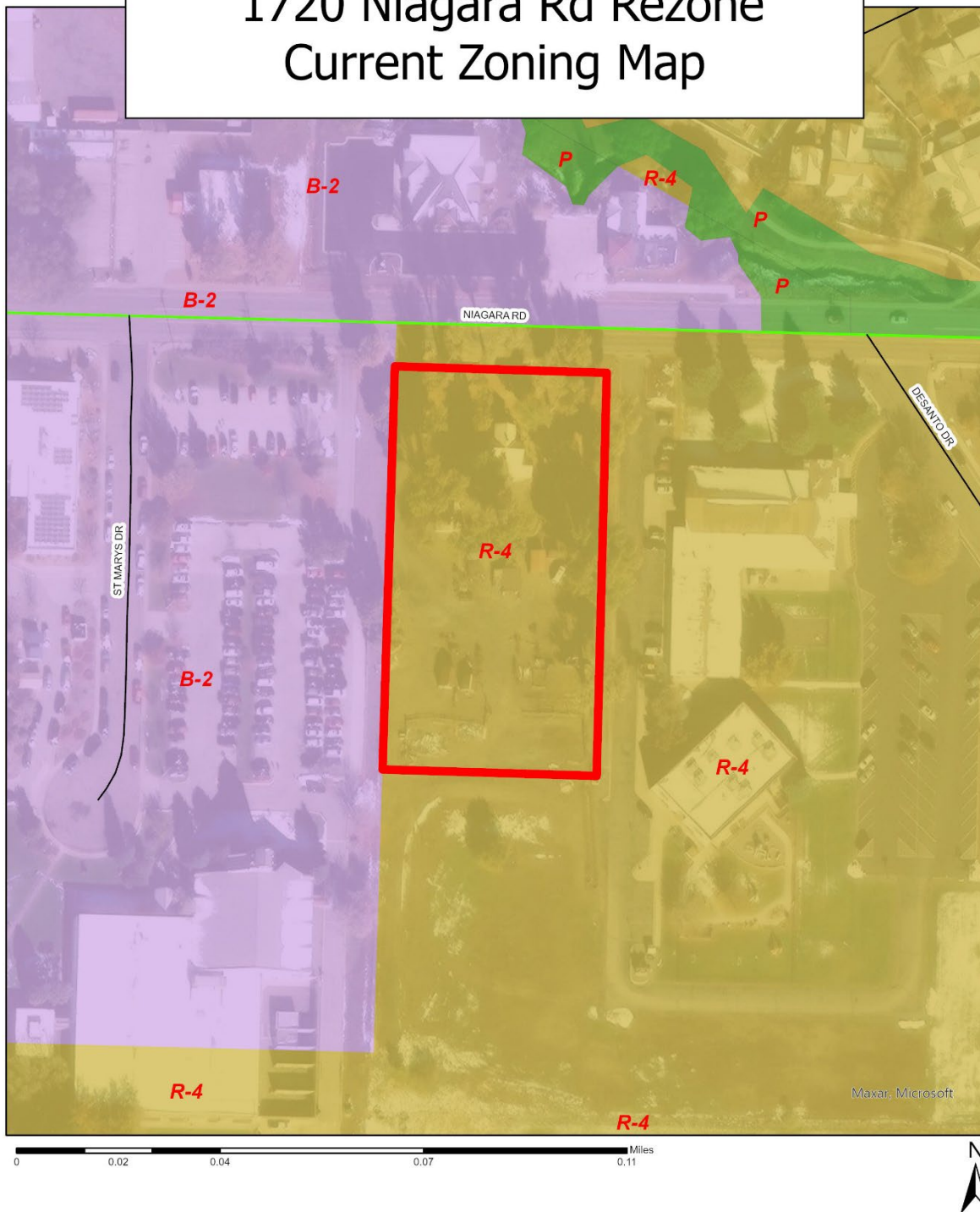
1. Accept the Planning Commission recommendation and approve the rezone.
2. Deny the request for a rezone and schedule a de novo hearing. The hearing date should be established in consultation with the City Attorney.



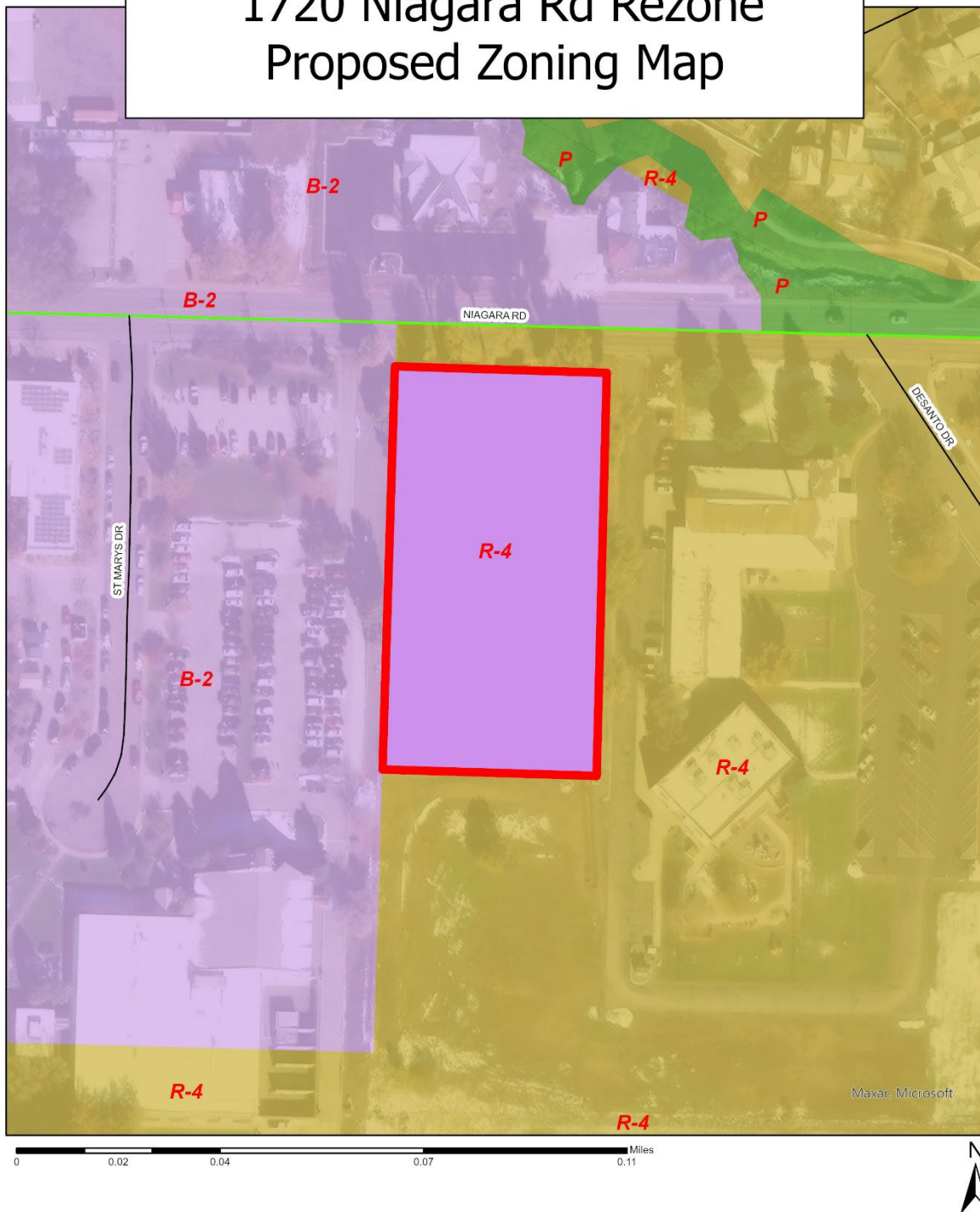
EXHIBIT A: Maps



1720 Niagara Rd Rezone Current Zoning Map



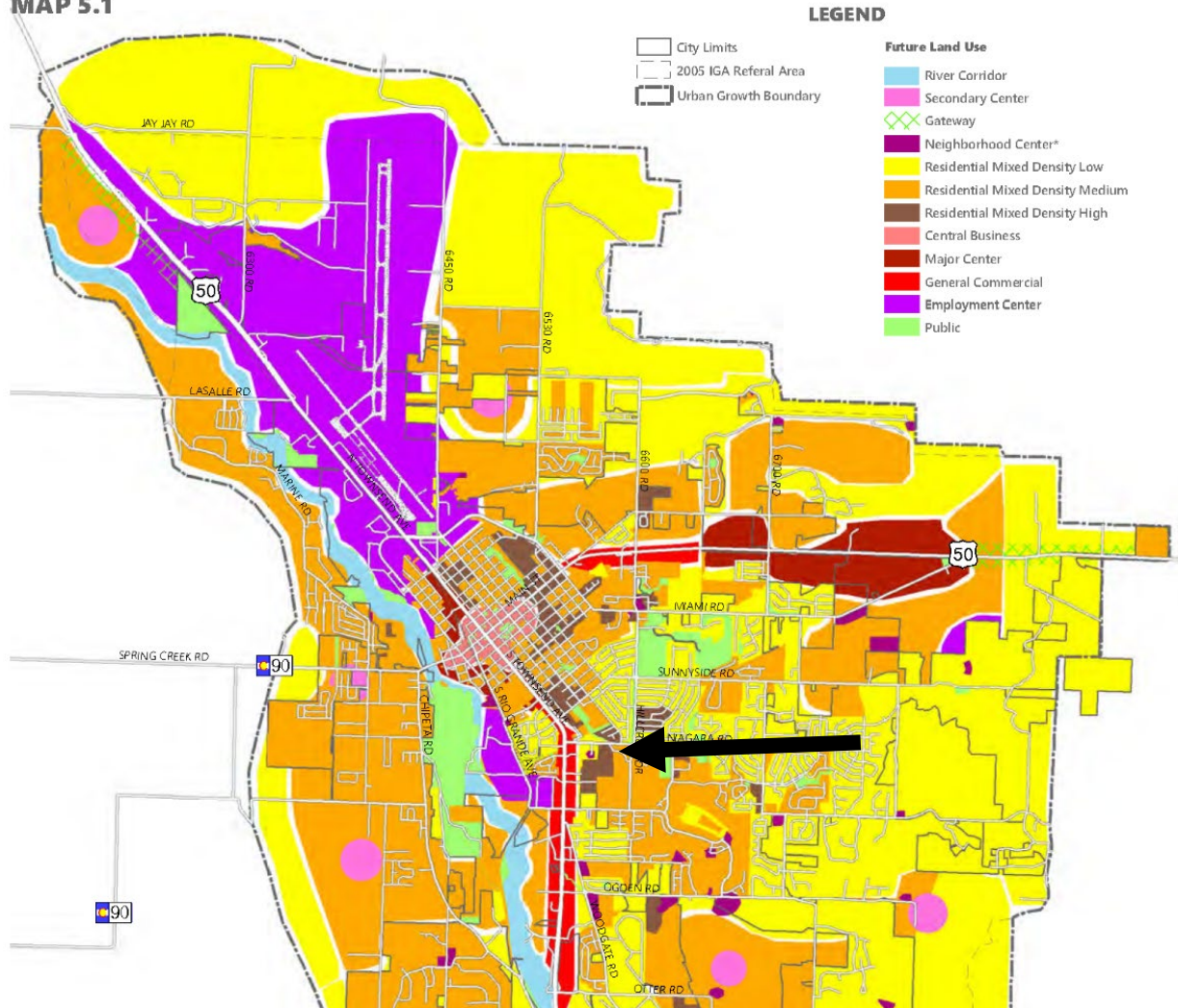
1720 Niagara Rd Rezone Proposed Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



CHAPTER 11-7. ZONING REGULATIONS¹

Sec. 11-7-1. General provisions.

- (A) This Chapter, as amended from time to time, and the Official Zoning Map of the City, as amended from time to time, may be cited as the City's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare of the present and future inhabitants of Montrose, as described at Section 11-1-4 of this Title.
- (C) The City hereby declares that the regulation and development of land, including regulation by these Zoning Regulations, is exclusively a matter of local and municipal concern, and any provisions of any Statute or regulation of the state in conflict with the provisions of these Zoning Regulations, or any limitation imposed by any Statute or regulation of the state otherwise applicable are hereby superseded; provided, however, the City shall retain all powers authorized by state law with respect to land development regulations and zoning even though not specified within this Chapter, and such powers may be exercised in any lawful manner free from any limitations imposed by State Statute or regulation.
- (D) No business or use involving the sale or distribution of products or services, or the pursuit of activities, whether for profit or not for profit, which is in contravention of any federal, state or local law or regulation, shall be considered a use by right, a conditional use, or a lawful nonconforming use under this Chapter, in any zoning district within the City limits.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-2. Official zoning map.

- (A) The March, 2016 Revised Zoning Map of the City, as such may be amended from time to time, may be known or cited as the Official Zoning Map of the City.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. The City Manager may cause technical corrections to the Official Zoning Map to be made without any requirement that they first be approved by ordinance, provided such corrections simply implement the terms of previously-approved rezoning ordinances and are consistent with the zone district boundary rules of interpretation in Section 11-7-3.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

¹Ord. No. 2677, § 1(exh. A), adopted Dec. 17, 2024, repealed the former Ch. 11-7, §§ 11-7-1—11-7-13, and enacted a new Ch. 11-7 as set out herein. The former Ch. 11-7 pertained to similar subject matter and derived from Ord. No. 2626, § 3(exh. A), adopted May 16, 2023; Ord. No. 2646, §§ 1, 2, adopted Nov. 14, 2023; and Ord. No. 2672, §§ 1, 2, adopted Sept. 17, 2024.

Sec. 11-7-3. Zone district boundaries.

The regulations for the various residential, mixed use, commercial and industrial districts provided for in this Chapter shall apply within the boundaries of each such district as indicated on the Official Zoning Map. In establishing the boundaries of the zoning districts shown on the Official Zoning Map, the following rules shall apply:

- (1) *General Rules of Interpretation.* For unsubdivided property or where a zoning boundary divides a property, or if the zoning boundaries cannot otherwise be determined, the boundaries on the Official Zoning Map shall be based upon the individual zoning or rezoning map approved for the property.
- (2) *Lot or Block Lines.* Where no rights-of-way exist and the zoning boundaries are indicated as approximately following lot, tract, block or subdivision boundary lines, such limits shall be considered as the zoning district boundaries.
- (3) *Rights-of-Way.* Unless otherwise indicated, the zoning district boundaries are the centerlines of streets, alleys, waterways, and railroad rights-of-way. The area within any of the rights-of-way is not granted any of the use rights associated with the overlying or adjacent zoning district(s).
- (4) *Vacated Rights-of-Way.* Whenever a public street, alley or other right-of-way has been vacated, the zoning district adjoining each side of the right-of-way shall be extended to include the portion of the vacated street, alley, or other right-of-way adjacent to such adjoining property.
- (5) *City Boundaries.* Boundaries indicated as approximately following the City limits shall be considered as following the City limits.
- (6) *Other Boundaries.* Boundaries indicated as approximately parallel to or extensions of centerlines, lot, or tract lines, City limits, or similar geographic lines shall be considered as the boundaries when no or other reliable documentation is available.
- (7) *Map Discrepancies.* Should an actual street layout or stream course vary from that shown on the map or any other uncertainty remain as to the location of a zoning district boundary, the City Manager shall interpret the map based on the best information available and according to the intent of this title and any other applicable provisions of the Municipal Code.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-4. Zoning annexed land.

All annexed land shall be zoned within 90 days of annexation following the procedure for rezoning at Section 11-7-12. Zoning of property proposed for annexation may be processed simultaneously with the petition for annexation, provided no ordinance zoning such property may be finally adopted prior to final adoption of an ordinance or ordinances annexing such property.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-5. Districts established.

- (A) The residential districts described below are established to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land. Certain other uses are permitted which are compatible with residential dwellings.

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- (1) The "RL" Rural Living District is intended to provide for farms, ranches, and clustered development with open space, and is designed to dovetail with allowed County residential densities.
 - (2) The "R-1" Very Low Density District is intended to provide for large lot rural residential development with a maximum density of one dwelling unit per acre.
 - (3) The "R-1A" Large Estate District and "R-1B" Small Estate District are intended to provide for large single-household detached dwelling residential lots within a semi-rural environment.
 - (4) The "R-2" Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - (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.
 - (6) The "R-3A" Medium High Density District is intended to provide for an area which is suitable primarily for single household attached, triplex, fourplex and other medium density multi-household dwellings, along with certain other compatible land uses.
 - (7) The "R-4" High Density District is intended to provide primarily for high density multi-household dwellings and to allow variety in higher density single household and duplex dwellings and other forms of innovative housing development types.
 - (8) The "R-5" Low Density/Manufactured Housing District is intended to provide primarily for low density development of single-household detached and duplex manufactured home dwellings, along with certain other compatible land uses.
 - (9) The "R-6" Medium Density/Manufactured Housing District is intended to provide primarily for medium-density development for single-household attached,, triplex and fourplex manufactured home dwellings, along with certain other compatible land uses.
 - (10) The "MHR" Manufactured Housing Residential District is intended to provide a suitable environment for manufactured housing developments or tiny home communities, along with certain other compatible land uses.
- (B) The mixed-use district described below is established to promote stability in areas in transition; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land.
- (1) The "OR" Office-Residential District is intended to provide for a mix of offices and residential dwellings in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.
- (C) The commercial districts described below are established to provide a location for convenient exchange of goods and services in a reasonable and orderly manner.
- (1) The "P" Public District is intended to provide for uses and services of a public, nonprofit, or charitable nature.
 - (2) The "B-1" Central Business District is intended to reflect the character of the original Downtown while allowing additional uses that will strengthen and expand the core of the City.
 - (3) The "B-2" Highway Commercial District is intended to provide for businesses oriented toward serving the motoring public, encouraging the convenient exchange of goods and services along the major thoroughfares of the City.
 - (4) "B-2A" Regional Commercial District is intended to provide for a full spectrum of goods and service uses along the major thoroughfares of the City.

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- (5) The "B-3" General Commercial District is intended to provide for a large variety of goods and services including outdoor storage areas and a limited group of commercial/industrial uses.
 - (6) The "B-4" Neighborhood Shopping District is intended to provide for small scale retail shopping and services convenient to residential neighborhoods.
 - (D) The industrial districts described below are established to provide for normal manufacturing activities and related uses.
 - (1) The "I-1" Light Industrial District is intended to provide for a limited group of research and manufacturing uses promoting the creation and maintenance of an employment center which will serve the mutual interests of the community as a whole.
 - (2) The "I-2" General Industrial District is intended to provide for most industrial and manufacturing uses, subject to performance standards.
 - (E) Dimensional requirements are set out in Section 11-7-7.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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 averse to the 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.* Except where specifically modified by this Chapter, accessory uses shall comply with all requirements for the principal use, and the following additional limitations:

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- (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) *Permit Required.* The City Manager may issue a temporary use permit authorizing a temporary use of premises in a district for a use which is otherwise not allowed in such a district for a limited period of time in accordance with this Subsection. The temporary use permit may be issued by the City Manager only after it determines 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.
- (2) *Permit Conditions.* The City Manager may approve a temporary use permit subject to conditions appropriate to ensure compliance with this Subsection. Such conditions may include, but are not limited to, setting requirements for, or imposing restrictions upon, size, massing, location, open space, landscaping, buffering, screening, lighting, noise, signage, traffic and pedestrian circulation and control, parking design and operations, duration, hours of operation, setbacks, building materials and architectural design, sanitation, trash removal, dust control, drainage, erosion control, and provision of utilities and services.
- (3) *Permit Renewal.* A temporary use permit will generally not be renewed unless the use is a seasonal use; a temporary improvement associated with an established business; or associated with a construction activity; or as stated otherwise herein. These applications may be renewed for up to one year at any one time using the same procedures as for an initial application.
- (4) *Exempt Activities.* The following temporary activities are exempt from these regulations:
 - (a) Storage or moving containers for a business or residence actively moving or a related activity and not exceeding 14 days in any one year.
 - (b) Dumpsters for a business or residence actively undergoing construction or a related activity and not exceeding 14 days in any one year.
 - (c) Temporary uses, structures, and/or vehicles/trailers needed as the result of a natural disaster or other health and/or safety emergency are allowed for the duration of the emergency or as needed to address conditions caused by the emergency.
- (5) *Prohibited Uses or Activities.* The following uses and activities are prohibited due to negative visual or other impacts:
 - (a) Storage in trailers or roll-off containers for longer than 14 days unless associated with an active construction site or a non-residential use, business or residence in the process of moving.
 - (b) Outdoor storage other than accessory storage for an active construction site. Any other outdoor storage shall conform to the requirements for the zone district in which the property is located.
 - (c) Outdoor sales of durable goods as a principal use not associated with a farmer's market, special event, business promotional event, or with an approved site plan, unless the operation meets the requirements for a mobile vendor in accordance with the Montrose Regulations Manual.
- (6) *Allowed Uses and Activities.* Temporary uses of land are permitted subject to the specific zone districts and time periods listed in Table 7.1. The City Manager may approve other temporary uses and activities if it is determined that such uses meet the intent and criteria of this section.

Table 7.1
Allowed Temporary Uses

Use	Zone Districts	Period
Construction trailer, temporary building, or yard for construction management office and/or storage of materials during active construction within an approved development.	All	Time to be specified by City Manager; must be concurrent with Building Permit; must be terminated within 30 days of issuance of project Certificate of Occupancy for all types of construction.
Temporary office for the sale and/or rental of dwelling units under construction within an approved development.	All	Time to be specified by City Manager; must be terminated within 60 days of completion of the sales period.
Seasonal or off-site retail sales, which include, but are not limited to: sale of seasonal fruits and vegetables; sale of fireworks; and sale of Christmas trees.	Commercial and Industrial zone districts only	Not to exceed 180 days, and provided that any permits required by law are obtained

(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	P									
Short-term rentals	P	P	P	P	P	P	P	P	P	P
Assisted living facility					C	C	C		C	C
Childcare facility	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	P	P	P	P	P	P	P	P	P	P
Schools; Elementary, Middle and High	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	P
Accessory Dwelling Unit (See Sec. 11-11-5)	C	C	C	P	P	P	P	P	P	
Dwelling, Duplex				P	P	P	P	P	P	
Dwelling, Fourplex					C	P	P		C	
Dwelling, Multi-household					C	P	P		C	
Dwelling, Single-Household Attached					P	P	P		P	
Dwelling, Single-Household Detached	P	P	P	P	P	P	C	P	P	P
Dwelling, Tiny Home									P	P
Tiny Home Community										P
Dwelling, Triplex					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 home				¹				P	P	P
Manufactured home park (See Sec. 11-13)										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))	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	T
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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
Vehicle sales, rental, repair or service establishments			C	C	P	P		P	P
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials business			C	P	P	P		P	P
Commercial greenhouse				C	C	P	C	P	P
Electric vehicle charging station, retail		P	P	P	P	P	C		
Farm implement sales or service establishment					P	P		P	P
Food truck court		P	P	P	P	P	P	C	C
Fueling station or other retail use having fuel pumps (See Sec. 11-11-4)			P	P	P	P	C	C	C
Funeral home			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facility, self-service				P	P	P	P		
Manufactured home, tiny home and travel home sales or service establishments					P	P		P	P
Medical clinic	P		P	P	P	P	P	P	C
Micro-brewery, micro-distillery, or micro-winery			P	P	P	P	P	P	C
Office, business	P		P	P	P	P	P	P	P
Outpatient drug treatment clinic	P								
Travel home park (See Sec. 11-13)				C	C	C			
Campground				C	C	C			
Rental business					P	P		C	C
Restaurant			P	P	P	P	P	C	C
Drive-in or drive-through			C	P	P	P	C	C	C
Retail sales and personal service establishments	C		P	P	P	P	P	P	C
Retail sales and personal service establishments with limited manufacturing				C	C	C		P	C

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(Supp. No. 11, Update 2)

Sexually oriented business (See Sec. 11-12-1)									P
Shooting range, indoor						C		C	C
Short-term rentals	P		P	P	P	P	P	P	P
Bar or tavern			P	P	P	P	C	C	C
Theater			C	P	P	P			
Veterinary clinic or hospital, small animal				P	P	P		C	C
Veterinary clinic or hospital, large animal					P	P		C	C
Storage facilities, fuels and chemicals						P		P	P
Aircraft support services								P	P
Construction equipment storage facility						P		P	P
Feed storage and sales establishments						P		P	P
Fulfillment Center				C	C	C		P	P
Manufacturing and non- manufacturing uses (See Sec. 11-11-4)					C	C		P	P
Industrial use, other								C	P
Storage facilities, indoor			C	P	P	P	C	P	P
Storage facilities, outdoor					C	P		P	P
Warehouse and wholesale distribution operation			C	C	C	C		P	P
Airport								P	P
Assisted living facility	C			P	P	P			
Childcare facility	P	P	P	P	P	P	P	P	P
College or other place of adult education			P	P	P	P			
Daytime social service activities			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
Hospital	P								
Library		P	P	P	P	P			
Museum or visitor center		P	P	P	P	P			
Parking facility	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P		C	C

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Religious assembly	P	P	P	P	P	P	P	C	C
Schools; Elementary, Middle and High	C	P	C	C	C	C	C		
Live/work unit	P	P	P	P	P	P	P	P	P
Mixed use building	P	P	P	P	P	P	P	P	P
Golf course		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facility, indoor		C	C	P	P	P	C	P	P
Private recreation facility, outdoor		C		P	P	P		P	P
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P
Dwelling, Duplex	P	P	P	P	P	P	P	P	P
Dwelling, Fourplex	P	P	P	P	P	P	P	P	P
Dwelling, Multi-household	P	P	P	P	P	P	P	P	P
Dwelling, Single Household Attached	P	P	P	P	P	P	P	P	P
Dwelling, Single Household Detached	P	P	P	P	P	P	P	P	P
Dwelling, Tiny Home		P							
Dwelling, Triplex	P	P	P	P	P	P	P	P	P
Group home - handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P		P	P	P	P	P	P	P
Group home - handicapped/disabled > 8 persons (see Sec. 11-11-2)	C		C	C	C	C	C	C	C
Group home (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
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
Solar farms								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))	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

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(Supp. No. 11, Update 2)

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-7. District standards.

(A) Tabulated requirements for principal uses by right are as follows (all dimensions in feet or square feet unless otherwise noted):

District	Use ^{2 3}	Maximum Density	Minimum Lot Size ⁴	Front	Rear	Side	Corner Lot	Maximum Building Height
RL	Dwelling, Single Household Detached	TBD - see footnote #4	⁵	25	20	10	20	35
R-1	Dwelling, Single Household Detached	1 dwelling unit/acre	1 acre	25	20	10	20	35
R-1A	Dwelling, Single Household Detached	2 dwelling units/acre	½ acre	25	20	10	20	35
R-1B	Dwelling, Single Household Detached	3 dwelling units/acre	⅓ acre	25	20	10	20	35
R-2	Dwelling, Single Household Detached	5.8 dwelling units/acre	7,500	25	20	5	20	35
	Duplex	7.75 dwelling units/acre	11,250	25	20	5	20	35
R-3	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
R-3A	Single-household detached	8.7 dwelling units/acre	5,000	15	20	5	15	35

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(Supp. No. 11, Update 2)

	Duplex	9.3 dwelling units/acre	9375	15	20	5	15	35
	Single-household attached	15 dwelling units/acre	2,900/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	15 dwelling units/acre	2,900/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
R-4	Single-household detached	17.4 dwelling units/acre	2,500	15	20; 5 w/ rear-loaded garage	5	10	35
	Duplex	17.4 dwelling units/acre	5,000	15	20	5	15	35
	Single-household attached	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	24 dwelling units/acre	1,815/dwelling unit	15	20	10	15	40
R-5	Single-household detached	3.6 dwelling units/acre	12,000	25	20	5	20	35
	Duplex	7.2 dwelling units/acre	12,000	25	20	5	20	35
	Manufactured Home	3.6 dwelling units/acre	12,000	25	20	10	20	35
R-6	Single-household detached	5.8 dwelling units/acre	7,500	25	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	25	20; 5 w/ rear-loaded garage	10 to bldg. lot line	20	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

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(Supp. No. 11, Update 2)

	Manufactured Home	5.8 dwelling units/acre	7,500	25	20	5	20	35
	Tiny Home	5.8 dwelling units/acre	7,500	15	20	5	15	35
MHR	Manufactured Homes except MH Parks ⁶	14.5 dwelling units/acre	3,000	5	10	10	10	35
	Dwelling, Single Household Detached	14 dwelling units/acre	3,125	5	10	10	10	35
	Tiny Home except Tiny Home Communities ⁷	14.5 dwelling units/acre	3,000	5	10	10	10	35
OR	All Non-Residential		6,250	15	15	5	15	35
p ⁸	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-1	No Req.		No Req., except for fueling stations	No Req.	No Req.	No Req.	No Req.	No Req.
B-2	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-2A	All Non-Residential		N/A	25	N/A	N/A	25	35
B-3	All Non-Residential		N/A	25	N/A	N/A	25	35
B-4	All Non-Residential		N/A	25	N/A	N/A	25	35
I-1	All Non-Residential		½ acre	25	N/A	N/A	25	N/A
I-2	All Non-Residential		½ acre	25	N/A	N/A	25	N/A

² Residential uses in the OR, P, B-2, B-2A, B-3, B-4, I-1 and I-2 zone districts shall comply with the applicable dimensional requirements as set out for the R-3A zone. Residential uses in the B-1 District shall comply with the density standards in the R-3A zone, but are not required to comply with the dimensional standards.

³ Commercial and institutional uses in the RL, R-1, R-1A, R-1B, R-2, R-3, R-3A, R-4, R-5, R-6 and MHR zone districts shall comply with the applicable dimensional requirements as set out for the "OR" zone.

⁴ Applies per lot; not per primary dwelling unit. Where specified as square footage per dwelling unit for multiple unit dwelling types does not imply a minimum dwelling unit size; there is no minimum dwelling unit size.

⁵ A minimum lot size shall be determined as a condition of initial zoning of property as "RL." Such lot size shall be designed to limit overall residential units per acre to no more than allowed by Montrose County in comparable areas in the County where sewer is available, and to implement the City Comprehensive Plan as feasible while remaining economically competitive with allowed County densities.

⁶ Dimensional requirements for manufactured home parks are controlled by Chapter 11-13-5 of this Title.

⁷ Dimensional requirements for tiny home communities are controlled by Chapter 11-13-12 of this Title.

⁸ City facilities are exempt from these standards.

(B) Additional Dimensional Requirements.

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- (1) Accessory use structures or buildings in residential districts may be located on those rear and side property lines which do not abut a street, if the structure is at least ten feet to the rear of the building line of the principal structure and does not occupy more than 30 percent of the rear yard area. In all other situations, accessory structure setbacks are the same as principal structure setbacks.
 - (2) In a block where a setback line has been established by existing structures 50 percent or more of the block, the average setback of the existing buildings may be used as the minimum setback.
 - (3) Garage doors which face an alley require a five-foot minimum setback.
 - (4) In zone districts where residential front setbacks are 15 feet or less, the garage setback shall be a minimum of 25 feet.
 - (5) Accessory structures shall not be located in the front yard of a principal structure, except for minor and commonplace accessory structures such as public utility installations, mail boxes, lamp posts and structures of a like nature.
 - (6) Lot depth and width is determined through the subdivision process in Section 11-5-13(b)(3) of these regulations.
 - (7) Other permitted exceptions and encroachments into required setbacks and height limits are specified in Section 11-8-10 of this title.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-8. Planned Development (PD).

- (A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units.
- (B) *General Provisions.*
 - (1) A planned development must be in substantial conformity with the Comprehensive Plan.
 - (2) A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - (3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - (4) Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - (5) Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - (6) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
- (C) *Permitted Uses in a PD.*
 - (1) Any use permitted in the underlying zone district, limited as to its status as a use by right, a conditional use, or a temporary use, unless otherwise limited or permitted on the PD plan.
- (D) *Administrative PD Procedure.* This procedure is applicable for planned developments containing six or fewer units:

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- (1) All lots or tracts are adjacent to a dedicated and accepted public street;
 - (2) The lots are part of a subdivision or PD plat that has been previously approved and/or accepted by the City and recorded in the Montrose County Records;
 - (3) All improvements required by applicable City ordinances and regulations, including those related to PD Plans, are already in existence and available to serve each lot, or secured;
 - (4) No part of the Administrative PD has been approved as part of an Administrative PD within three years prior to the date of submission of the Administrative PD plat;
 - (5) No material changes to prior restrictions or easements are proposed; and
 - (6) Provisions of Section 11-5-3(B) through and including (E) of this Title shall apply.
 - (7) Approval of an Administrative PD by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not accept all conditions, that development must adhere to standard subdivision or PD requirements, and proceed through the applicable approval process.
 - (8) Prior to any review of the Administrative PD, the applicant shall provide written consent of all property owners within the proposed Administrative PD plan area. To the extent only a portion of a prior-approved Administrative PD plan area is proposed to be amended by the Administrative PD Plan application, then only the consent of the property owners within such portion shall be required.
 - (9) Amendments to Administrative PDs may be submitted for review and approval in the same manner as the initial Administrative PD.

(E) *Dimensional Requirements, Densities.*

- (1) Dimensional requirements, except those relating to overall residential density, which would otherwise be required by the City Zoning Regulations, or other City regulations for the district affected, may be deviated from in accordance with the plan as approved, if the Review Board determines that such deviations are in compliance with the Comprehensive Plan and will promote the public health, safety and welfare.
- (2) The Review Board may impose conditions as necessary or appropriate. The total number of residential units shall not exceed the area of the site divided by the minimum lot sizes specified for the zoning districts included.

(F) *Review of Sketch, Preliminary and Final PD Plan.*

- (1) The sketch plan, preliminary plan and final PD plans shall be reviewed pursuant to the procedures and requirements for subdivisions as set out in Chapter 11-5 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. For the approval of any preliminary PD Plan or a substantial amendment to a PD plan, a hearing shall be held before City Council.
- (2) Prior to any review of the Sketch, Preliminary and Final PD Plan, the applicant shall provide written consent of all property owners within the proposed PD plan area. For the purposes of this Section, "PD plan area" is the entirety of the territory proposed to be included in a PD plan; provided, however, that for applications for PD plan amendments, only the portion of the PD plan area being amended or affected shall constitute the PD plan area for such application for purposes of consent; nevertheless, all owners of property within the PD must be given notice of the public hearing at which the amendment is to be considered.

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- (3) Conditions may be imposed as appropriate to assure that the PD plan is consistent with the Comprehensive Plan and promotes the public health, safety and welfare.
 - (4) The plan shall show the location, size, number of dwelling units, and other uses, and shall further set out the location of all parks, open space, parking areas, streets, sidewalks, trails, bike paths and other improvements and structures. All information necessary to show compliance with the requirements of this Section shall be submitted. Where appropriate, in lieu of exact locations, numbers and sizes, parameters or limits may be set out.
 - (5) The PD Plan as approved shall be recorded.
 - (6) The final PD plan may be treated as a vested right pursuant to the procedure in 11-4-9.
- (G) *Required Improvements.*
- (1) All PDs shall provide the same improvements as required for subdivisions in Chapter 11-5 of this Title, and security therefore shall be provided as set out in Section 11-5-12 of this Title.
 - (2) All improvements shall be constructed in accordance with standard City design and construction specifications and standards, in substantial conformity with the PD plan, and in accordance with subdivision design standards as set out in Chapter 11-5 of this Title, except as modified by the PD plan.
 - (3) An entity shall be established or provided for ownership and maintenance of all facilities and open spaces, which are approved for common ownership or not dedicated to the City.
 - (4) Flexibility in the scope and design of required improvements and design standards may be allowed to provide for innovative urban design which promotes the public health, safety and welfare. A public street shall be dedicated to the City and developed at the developer's cost to provide direct access to each building with residential units or to the parking lot serving the building.
- (H) *Enforcement and Amendments.*
- (1) The PD plan may be enforced in accordance with or in the same manner as the provisions of the Planned United Development Act of 1972, as amended, C.R.S. 1973, § 24-67-101 et seq., as amended or in any lawful manner. In addition, no occupancy permit shall be issued for any building unless all site improvements to serve that unit and any commonly-owned facilities have been completed and approved unless security for completion is provided substantially similar to the security required for subdivision improvements by 11-5-12 of this Title, except that cash must be placed in the escrow account prior to issuance of the occupancy permit.
 - (2) Amended PD plans may be submitted for review and approval in the same manner as the initial PD Plan. An applicant for an Amended PD plan shall submit written consent of the property owners of the portion of the PD plan area to which the application applies, prior to and as a condition of the initiation of review of the application. Written consent from all property owners within the prior-approved PD plan area is not required as part of the Amended PD plan application. Advance notice of any review of an Amended PD plan application by the Planning Commission shall occur pursuant to Chapter 11-4 of this Title, with the added requirement that advance written notice shall be provided to all property owners of record within the prior-approved PD plan area, in addition to all property owners of record adjoining or within 300 feet of the proposed Amended PD plan area.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-9. "REDO" Redevelopment Overlay Zoning District.

- (A) *Intent.*

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- (1) The "REDO" Overlay Zoning District is intended to alleviate certain hardships associated with redevelopment. The district is designed to encourage residential development and redevelopment of existing properties in the core downtown area, with allowances for increased densities compatible with the character of the area.
 - (2) This overlay district allows reduced dimensional standards and a larger variety of housing types than the underlying zoning. Any development making use of the reduced dimensional requirements must meet all applicable criteria in this Section.
- (B) *Applicability.*
- (1) The boundaries of the "REDO" Overlay Zoning District shall be as set forth by ordinance of the City Council, may be shown on the City's Official Zoning Map, and shall be fixed in the manner prescribed by Section 11-7-3.
 - (2) The "REDO" Overlay Zoning District's provisions shall not be applicable to any property within the boundaries of said district, unless the owner of property therein shall deliver written notice to the City, in the manner set forth at subsection 11-7-9(C) of this Section, of said owner's intent to utilize the "REDO" Overlay Zoning District.
 - (3) When selected by a property owner in the manner set forth herein, the "REDO" Overlay Zoning District shall supersede the provisions of the underlying zone for all matters addressed by said "REDO" Overlay Zoning District's provisions; the provisions of the underlying zone shall control all matters not addressed by the "REDO" Overlay Zoning District's provisions.
 - (4) Any requests for use of these "REDO" Overlay Zoning District provisions that involve private use of City property, including rights-of-way, shall be entirely subject to the City's discretion, and shall also be subject to the City's ordinances and regulations pertaining to encroachments and permits for the same.
 - (5) The provisions of the "REDO" Overlay Zoning District shall have no effect whatsoever unless selected in the manner set forth herein.
- (C) *Procedure.*
- (1) Use of the REDO District is initiated by filing an application in the form maintained by the Community Development Department and payment of the application fee.
 - (2) The application shall be reviewed as a minor site development plan under the procedure in Section 11-8-1(I). In the event the application also proposes to subdivide real property, a minor subdivision under Section 11-5-3 shall be applied for and processed at the same time.
- (D) *Standards.*
- (1) All applications shall be subject to the development standards below. To the extent these standards are inapplicable, the standards of the underlying zone apply.
 - (2) Minimum Lot Size: Lots shall be no less than 2,075 square feet in size.
 - (3) Minimum setbacks are as follows: Five feet side, rear, and front yard setbacks. See also Section 11-7-7(B)5.
 - (4) Height: The height of a building shall be as set forth in the underlying zone.
 - (5) Accessory Dwelling Units in the REDO District:
 - (a) ADUs within the REDO District shall comply with the requirements and standards set forth in Section 11-11-5 with the exception of the ADU size limitations in 11-11-5(2), and provided that ADUs may be conveyed separately from the primary dwelling unit.
 - (b) Lots with ADUs shall be no less than 3,125 square feet.

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- (c) An ADU shall not be subject to the 30 percent rear yard area coverage maximum.
- (E) *Design Criteria.*
- (1) All lots within the "REDO" Overlay Zoning District shall be required to have not less than ten feet of street frontage. It is contemplated that lots having a "panhandle" shape may be allowed.
 - (2) If an alley is present, any garage shall be set back a minimum of five feet, when practicable, from the nearest right-of-way line of said alley.
 - (3) Please refer to Section 3-5-12(A)(1) of the Official Code of the City for the water Tap Fees, system investment (capacity) fees, and unit charges for accessory dwelling units in need of new water service, located on the same lot as the primary dwelling in the "REDO" Overlay Zoning District.
 - (4) Please refer to Section 3-5-12(G)(4) of the Official Code of the City for the sewer Tap Fees, system investment (capacity) fees, and unit charges for accessory dwelling units in need of new sewer service, located on the same lot as the primary dwelling in the "REDO" Overlay Zoning District.
- (F) *Variances.* Variance applications may be considered as to any requirements set forth in Subsections (D) and (E) of this Section. Use of the "REDO" Overlay Zoning District is expressly declared to be elective on the part of the property owner, and is entirely at the property owner's discretion.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-10. Uncompahgre river buffer overlay zone.

The Uncompahgre River Buffer Zone (URBZ) applies to all land lying within 100 feet of the HWM of the Uncompahgre River, as defined above. The standards of the URBZ and its two sub-areas are not applicable to parcels to which stricter standards may apply via separate agreements (e.g., a pre-annexation agreement).

- (1) The purpose of the URBZ is to establish minimal acceptable requirements for the design of buffers to protect the Uncompahgre River, its wetlands, and floodplains within the City limits; to protect the water quality of the Uncompahgre River within said jurisdiction; to protect riparian and aquatic ecosystems within said jurisdiction; and to provide for the environmentally sound use of land resources within said jurisdiction. Nothing in this Section shall be used as consideration in a pre-annexation agreement or in a negotiation for annexation of land into the City.
- (2) Measurement of the 100 feet URBZ, the two sub-areas within it, and all other related measurements shall be taken as follows: distance is measured horizontally from the HWM, as defined herein, to the location in question. The HWM location used for any given measurement shall be taken from the side of the river closest to the building or other development in issue.
 - (a) The following graphic illustrates how to measure the URBZ:
 - (b) The URBZ provisions shall apply to:
 - (i) Any new development requiring a building permit, except for additions less than 20 percent of the existing building size that do not include any changes to an existing parking lot;
 - (ii) Any new development requiring site development approval;
 - (iii) Subdivision or the division of a tract or parcel of land into two or more parcels;
 - (iv) The improvement of property for any purpose involving construction;
 - (v) Combination of any two or more lots, tracts, or parcels of property for any purpose;

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- (vi) Placement of temporary structures that do not require a building permit or site development plan from the City;
 - (vii) The preparation of land for any of the above purposes.
 - (c) Specific submittal requirements are listed in Appendix One. Upon submittal of the complete application, with all supporting documentation as may be required, City staff shall provide a review of the same. Following City staff review, administrative approval may be granted if the development proposal is an allowed use in the URBZ or applicable URBZ sub-zone, or is a use by right in the URBZ or applicable URBZ sub-zone, and meets all applicable standards. Development proposals which are not allowed uses or uses by right in the URBZ or applicable URBZ sub-zone, or do not meet all the applicable standards, shall be forwarded to the City Planning Commission for review and approval, under procedures set forth below, accompanied by any comments and recommendations from City staff.
 - (d) All proposals shall identify on a site plan the designated Disturbance Envelope for that portion of the project that is proposed to encroach into the URBZ.
 - (e) The applicant shall mark and identify the Disturbance Envelope on the ground in the field and shall maintain construction barrier fencing around the entire perimeter of the Disturbance Envelope throughout the period of construction, until final landscaping is completed. The applicant shall ensure that all surface disturbances are contained within the designated and marked Disturbance Envelope.
 - (f) The URBZ consists of two sub-areas, as follows:
 - (i) *Streamside Zone*. This area is intended to preserve the natural riparian environment. In order to accomplish this goal, there is hereby established a 40-foot buffer area, measured as described above from the HWM. Development in the Streamside Zone is subject to all other applicable permits. Setbacks created herein for the Streamside Zone are in addition to any setbacks which may be applied through the underlying zoning of a parcel.
 - (1) The following are subject to a 40-foot setback from the HWM (i.e., the following shall not be placed or performed within the 40-foot Streamside Zone):
 - (a) Planting of non-native grass turf;
 - (b) Removal of native vegetation;
 - (c) Erection of fences;
 - (d) Construction of hard-surfaced trails that parallel the river;
 - (e) Construction of buildings, other than irrigation pump houses;
 - (f) Construction of parking lots (paved or gravel);
 - (g) Construction or installation of lighting fixtures;
 - (h) Construction or installation of engineered/structural water runoff treatment facilities (such as concrete vaults);
 - (i) Concrete rip-rap;
 - (j) Construction or installation of any other facility not listed in the allowed uses below, and not reasonably compatible with the riparian environment.

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- (2) The following actions, or construction of the following facilities or structures, are permitted within the 40-foot Streamside Zone:
 - (a) Government buildings and facilities;
 - (b) Hard-surfaced trails roughly perpendicular to the river;
 - (c) Soft-surfaced trails (crushed gravel, etc.) whether parallel or perpendicular to the river;
 - (d) Irrigation facilities (including pump houses);
 - (e) Boat put-ins (boat ramps should be soft-surfaced);
 - (f) Planting of native vegetation;
 - (g) Bank stabilization, and river or wildlife habitat restoration;
 - (h) Other uses may be permitted that are directly related to the river, and that do not conflict with the intent of this Section.
 - (3) Exceptions to the above regulations for the Streamside Zone shall be granted or denied through the variance procedures set forth in Section 11-7-13.
- (ii) *Outer Zone.* This area is intended to serve as a buffer between the Streamside Zone, and areas outside the URBZ. Most uses allowed within the underlying zoning district are permitted within the Outer Zone, though certain uses have specific performance standards.
- (1) Uses by right in the Outer Zone:
 - (a) Water runoff treatment structures using swales, native vegetation, and similar measures;
 - (b) Government buildings and facilities;
 - (c) Fences which allow the passage of wildlife; said fences shall be designed as follows:
 - (i) No more than 40 inches in height;
 - (ii) A smooth bottom wire at least 16 inches above ground;
 - (iii) At least 12 inches between the top two wires;
 - (iv) No sharp edges, barbs, or similar devices are permitted;
 - (v) Sheep or woven-wire and wrought-iron style fences with spiked tips are not permitted.
 - (d) Landscaping employing native vegetation types and compatible with the riparian environment;
 - (e) Single household detached dwellings;
 - (f) Recreation trails (all types);
 - (g) Buildings and facilities complying with the underlying zoning district and complying with all of the following performance standards:
 - (i) Structures with windows occupying a minimum of 50 percent of the linear river frontage of the building; and
 - (ii) At least one public entrance directly facing the river; and

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- (iii) Outdoor common areas, seating and/or dining areas; and
 - (iv) High quality building finishes such as brick or stone, or earth tone colors having matte finishes; and
 - (v) Well concealed trash dumpsters; and
 - (vi) Total building facade length shall be less than 50 feet in length parallel to the river; and
 - (vii) Buildings and facilities complying with these performance standards are exempt from the river buffer screening requirements set forth below;
 - (viii) Single household detached dwellings are exempt from these performance standards, except for Subsection (2)(f)(ii)(1)(c) of this Section, as well as the Outer Zone performance standards set forth below.
- (2) The following uses shall not be considered a use by right in the Outer Zone, and are subject to review as Conditional Uses under Section 11-7-6(B) and Chapter 11-4 of this Title:
- (a) Loading docks;
 - (b) Landscaping with non-native vegetation;
 - (c) Engineered or structural water runoff treatment facilities (such as concrete vaults);
 - (d) Other industrial uses;
 - (e) Water treatment facilities employing structural vaults or similar technology are not permitted within the Outer Zone;
 - (f) Parking lots, whether paved or gravel;
 - (g) All other uses not listed in this Subsection.
- (3) *Outer Zone Performance Standards.* If the use or structure does not meet the performance standards in Subsection (2)(f)(ii)(1)(g) of this Section, the following shall be required:
- (a) A minimum 30-foot-wide vegetated buffer with extensive vertical plantings of native vegetation. Said vegetated buffer shall not overlap the 40-foot Streamside Zone.
 - (b) Tree height at maturity shall be as high or higher than the buildings being screened, and vegetation at maturity shall obscure any buildings or other facilities to the maximum extent possible.
 - (c) Said vegetated buffer shall be contiguous to the Streamside Zone, and located between the Streamside Zone, and any parking lot or building.
- (4) *General Standards Applicable within the Outer Zone.*
- (a) Removal of native vegetation is discouraged. Where removal of native vegetation is unavoidable, the removed area shall be mitigated by planting replacement native vegetation, at a minimum 1:1 ratio

(measured in square feet, with a result that an equal amount of vegetation is planted, as was removed) within the URBZ.

- (b) All setbacks oriented toward the river, applicable to or within the Outer Zone, shall be measured from the boundary line between the Streamside Zone, and the Outer Zone.
 - (c) For those zoning districts underlying the URBZ with no side or rear setbacks, the minimum side or rear setbacks shall be ten feet.
 - (d) New buildings, expansions to existing buildings, or parking lots, or driveways shall have a minimum setback of 20 feet from an existing or proposed trail or path.
- (5) Exceptions to the standards and requirements regarding the Outer Zone shall be approved or denied through the procedures applicable to Conditional Uses, as set forth in Section 11-7-6(B) and Chapter 11-4 of this Title.
 - (6) The following uses and structures are prohibited within the URBZ and its two sub-areas:
 - (a) Confined animal feedlots;
 - (b) Storage of hazardous materials or chemical fuels;
 - (c) Aboveground or underground petroleum storage facilities;
 - (d) Septic systems;
 - (e) Solid waste landfills;
 - (f) Junkyards, and salvage yards;
 - (g) Land application of biosolids;
 - (h) Subsurface discharges from wastewater treatment plants.
 - (7) All development within the URBZ shall obtain all applicable local, state and federal permits prior to undertaking any construction or land-disturbing activity.
 - (8) The provisions of the URBZ shall supersede the provisions of the underlying zone, and any other applicable overlay zone, when the provisions of the URBZ are more restrictive.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-11. Nonconforming uses, lots and structures

- (A) Any use, building or structure which at the effective date of the ordinance from which this Title is derived or at the time of annexation, if annexed subsequent to the effective date of the ordinance from which this Title is derived, was lawfully existing and maintained in accordance with the previously applicable County or City regulations and ordinances but which does not conform or comply with all of the regulations provided in this Chapter, may continue to be maintained and used as a lawful nonconforming use only in compliance with the provisions and limitations imposed by this Section. Uses, structures, or buildings which were unlawful or illegal and not in compliance with previously applicable regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.

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- (B) If a use, building or structure is lawfully nonconforming in that it is not a use by right, or a conditional use which has been approved pursuant to the review provisions of Sections 11-7-6(B) and 11-4-2 of this Title, the following shall apply:
- (1) If the building or structure involved in the use is destroyed or damaged so that repair or reconstruction will cost more than 50 percent of the fair market value of the building or structure after repair, it shall no longer be lawful to use the building or premises except in compliance with the use regulations for the district within which it is located.
 - (2) If the nonconforming use is abandoned or discontinued for a period of six months, then the premises may only be used in compliance with the use regulations for the district within which it is located.
 - (3) The use may be continued only substantially as it effective date of the ordinance from which this Chapter is derived or of annexation, and no material change in the type of use shall be allowed, unless the Planning Commission determines, following the review procedure provided in Section 11-4-2 of this Title, that the criteria set out in Section 11-7-6(B) will be met, and that the new use is a more restrictive use than the existing nonconforming use. Any change in use allowed pursuant to this provision shall not affect the future status of the use as a nonconforming use for all purposes of this Section.
 - (4) The extent or area of the premises utilized for or by the nonconforming use, building or structure, may not be materially extended or enlarged, or substantially structurally altered, unless the Planning Commission determines, following the review procedure of Section 11-4-2 of this Title, that the criteria set out in Section 11-7-6(B) will be met.
- (C) If the use, building or structure is in compliance with the use regulations for the district within which it is located and is nonconforming only with respect to dimensional requirements, off-street parking requirements, or the regulations governing fences, hedges, walls, or canopies, the following provisions shall apply:
- (1) If the nonconformity of the building, use, or structure is abandoned, removed, or corrected for any length of time, such nonconformity may not be re-established.
 - (2) If the building or structure is damaged so that the cost of replacing or restoring it is greater than 50 percent of its fair market value after replacement, the building or structure may be repaired or replaced only in compliance with these Zoning Regulations.
 - (3) If the building or structure is damaged in such a way as to remove the nonconformity, the nonconforming feature may not be re-established by any repair or reconstruction, unless it is unfeasible to repair the building without re-establishing the nonconforming feature.
 - (4) No alteration may be made to the use, building, or structure which would increase the amount or degrees of the nonconforming feature. Changes in the use, building, or structure may be made which will decrease the degrees or amount of deviation from the requirements of this Chapter.
- (D) *Nonconforming Lots of Record.*
- (1) In any district in which single-household detached dwellings are permitted, a single-household detached dwelling and customary accessory buildings may be erected on any single lot of record, provided that the lot is in separate ownership and not of continuous frontage with other lots under the same ownership. This provision shall apply even though the lot fails to meet the dimensional requirements of the district in which it is located for area, width or both; provided, however, that the requirements of the district for minimum yard dimensions and lot coverage shall be met.
 - (2) If two or more lots or combinations of lots and portion of lots with continuous frontage in single ownership are of record, and part or all of the lots do not meet the requirements of the district in which they are located as to minimum area or frontage or both, the property together shall be

considered to be an undivided parcel and no portion of the parcel shall be sold or used in a manner which diminishes compliance with minimum lot width and area requirements.

- (E) This Section shall not apply to signs. Nonconforming signs shall be governed by the provisions of Section 11-10-3 of this Title.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-12. Rezoning.

(A) *Rezoning.*

- (1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - (a) The amendment is not averse to the public health, safety and welfare; and
 - (b) The amendment is in substantial conformity with the Comprehensive Plan; or:
 - (i) The existing zoning is erroneous; or
 - (ii) Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.
- (2) Rezoning may be requested or initiated by the City Manager or the owner of any legal interest in the property or such owner's representative. The rezoning shall be reviewed for compliance with the criteria of this Subsection in accordance with the review procedures of Chapter 11-4 of this Title. 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 City Council may initiate rezoning on its own motion, in which case the Council shall hold a hearing either in conjunction with second reading of a rezoning ordinance, or separately, in substantial compliance with the review procedures of Chapter 11-4 of this Title.
- (3) The City shall not impose conditions on a rezone unless otherwise required by this Title.

(B) *Zoning of Additions.*

- (1) 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:
 - (a) The amendment is not averse to the public health, safety and welfare; and
 - (b) 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.
- (2) The City shall not impose conditions on the zoning of an addition unless otherwise required by this Title.

- (C) *Legislative Zoning.* Comprehensive review and re-enactment of all or a significant portion of the Official Zoning Map shall be a legislative action, and shall not be subject to the review procedures of Chapter 11-4 of this Title or any criteria set out in this Section.

-
- (D) *Enactment by Ordinance.* No amendment, addition to or re-enactment of the Official Zoning Map shall become effective until enacted by an ordinance.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-13. Variances.

- (A) The Planning Commission may grant a variance from the requirements set out in this Chapter, if it determines, following the review procedures of Chapter 11-4 of this Title, that the criteria of this Section will be met. Provided, however, no variance shall be granted from provisions restricting uses by right, accessory and conditional uses within any zoning district.
- (B) Variances shall be granted only if all the following criteria are met:
- (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) Unusual physical circumstances shall exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property, and violations of code shown by clear and convincing evidence that they were made in good faith, which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.
 - (3) The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessors in interest.
 - (4) The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.
 - (5) The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.
- (C) The burden shall be on the applicant to show that these criteria have been met.
- (D) Variances shall be granted for sign regulations only if all of the following criteria are met, in lieu of the criteria of Subsection (B) of this Section.
- (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) The variance requested is the minimum variance that will afford relief.
 - (3) The variance will not result in signage incompatible with other properties in the area and will not affect or impair the value, use of development of such properties.
 - (4) Strict compliance with the regulation presents practical difficulties or unnecessary hardships, and the variance sought falls within the spirit of the sign regulations (Chapter 10 of this Title) as a whole.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

ORDINANCE NO. 2696

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF LOT 1 OF THE PARSONS SUBDIVISION FROM "R-4," HIGH DENSITY DISTRICT TO "B-2," HIGHWAY COMMERCIAL DISTRICT.

WHEREAS, the Planning Commission met on October 22, 2025, to consider a rezoning of a 1.63 acre parcel known as Lot 1 of the Parsons Subdivision in the City of Montrose; and

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

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

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

SECTION 1:

The Official Zoning Map is amended to designate 1720 Niagara Road, Montrose, Colorado 81401, also known as, Lot 1 of the Parsons Subdivision as a "B-2," Highway Commercial District, according to the Official Zoning Map.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of November, 2025, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of November, 2025.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 18th day of November, 2025.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: November 4, 2025
RE: 12658 6450 Rd Rezone
ATTACHMENTS:

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

City Council Consideration:

City Council is considering the approval of the 12658 6450 Rd Rezone. City Council shall consider all of the information in this memo in making a decision.

Applicant: Faith Stoy

Application Background:

The proposal is to rezone approximately 1.1 acres from “MHR” Manufactured Housing Residential District to “R-6” Medium Density/Manufactured Housing District. The site is located at 12658 6450 Road

The Planning Commission unanimously voted to recommend approval of this rezone request at the October 22, 2025 Planning Commission meeting.

Proposed Zoning: “R-6” Medium Density/Manufactured Housing District



Staff Analysis:

1. Municipal Code, Section 11-7-12(A), Rezoning.
“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - a) The amendment is not adverse to the public health, safety and welfare; and
 - b) The amendment is in substantial conformity with the master plan; or:
 - i. The existing zoning is erroneous; or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”
2. City Council should consider the merits of the proposed rezone only and make a recommendation to City Council based on whether it should be rezoned to “R-6” Medium Density/Manufactured Housing District. The current zoning is “MHR” Manufactured Housing Residential District.
 - Zoning Regulations. The “R-6” Medium Density/Manufactured Housing District is intended to provide primarily for medium-density development for single-household attached, triplex and fourplex manufactured home dwellings, along with certain other compatible land uses.
3. This property is adjacent to properties that are zoned “R-6” Medium Density/Manufactured Housing District, “MHR” Manufactured Housing Residential District, and properties outside of City limits.
4. General Conformance with the Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map (Chapter 5) designates this area as Residential Mixed Density Medium. This 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.
 - Staff finds that the proposed zoning meets the goals and objectives of the Comprehensive Plan.
5. The “R-6” zoning designation does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements, zoning in the surrounding area, and the Comprehensive Plan.

Staff Recommendation:

Staff finds that the rezone criteria has been met; it is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the “R-6” Medium Density/Manufactured Housing District.



City Council Options:

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



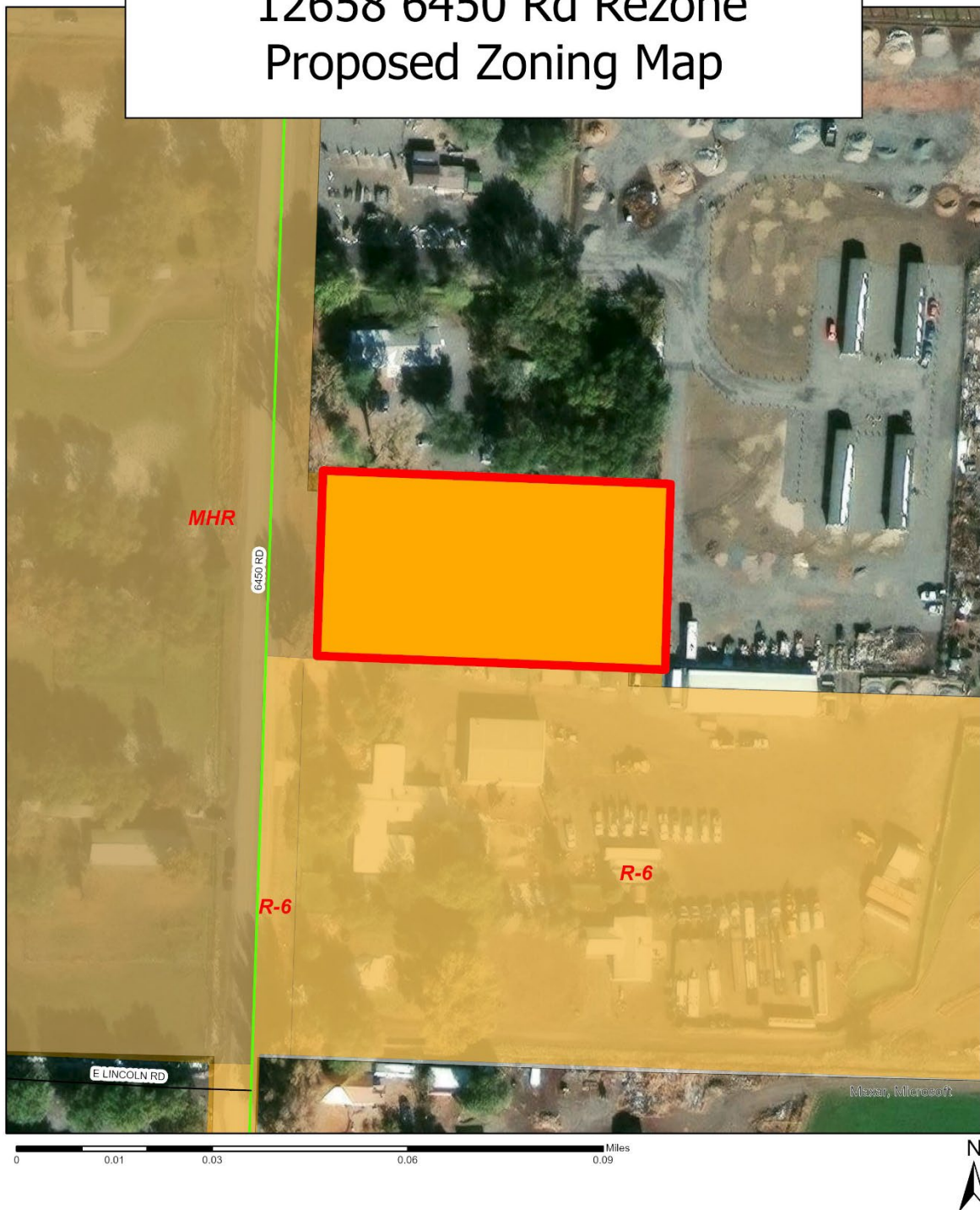
EXHIBIT A: Maps



12658 6450 Rd Rezone Current Zoning Map



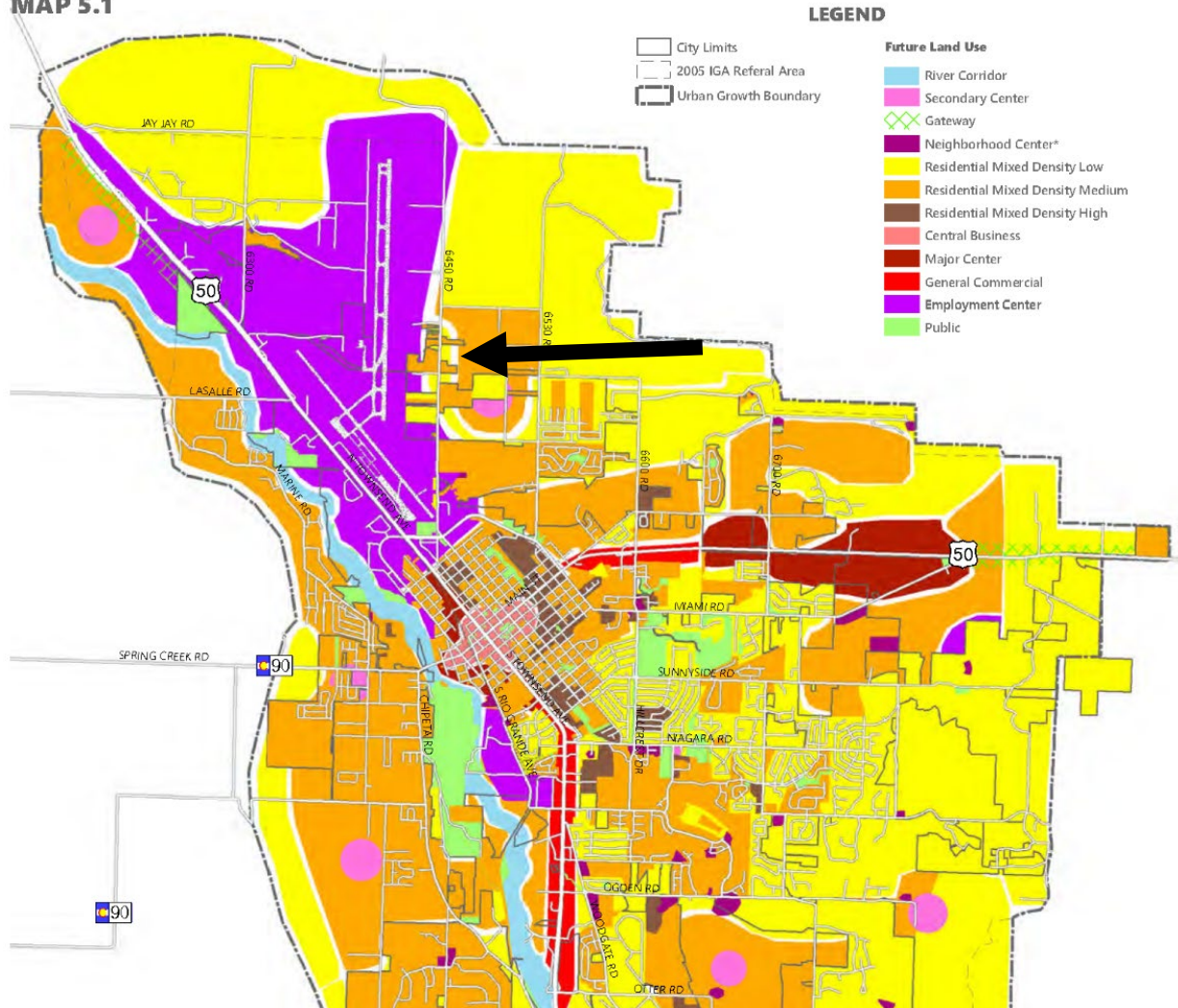
12658 6450 Rd Rezone Proposed Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



CHAPTER 11-7. ZONING REGULATIONS¹

Sec. 11-7-1. General provisions.

- (A) This Chapter, as amended from time to time, and the Official Zoning Map of the City, as amended from time to time, may be cited as the City's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare of the present and future inhabitants of Montrose, as described at Section 11-1-4 of this Title.
- (C) The City hereby declares that the regulation and development of land, including regulation by these Zoning Regulations, is exclusively a matter of local and municipal concern, and any provisions of any Statute or regulation of the state in conflict with the provisions of these Zoning Regulations, or any limitation imposed by any Statute or regulation of the state otherwise applicable are hereby superseded; provided, however, the City shall retain all powers authorized by state law with respect to land development regulations and zoning even though not specified within this Chapter, and such powers may be exercised in any lawful manner free from any limitations imposed by State Statute or regulation.
- (D) No business or use involving the sale or distribution of products or services, or the pursuit of activities, whether for profit or not for profit, which is in contravention of any federal, state or local law or regulation, shall be considered a use by right, a conditional use, or a lawful nonconforming use under this Chapter, in any zoning district within the City limits.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-2. Official zoning map.

- (A) The March, 2016 Revised Zoning Map of the City, as such may be amended from time to time, may be known or cited as the Official Zoning Map of the City.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. The City Manager may cause technical corrections to the Official Zoning Map to be made without any requirement that they first be approved by ordinance, provided such corrections simply implement the terms of previously-approved rezoning ordinances and are consistent with the zone district boundary rules of interpretation in Section 11-7-3.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

¹Ord. No. 2677, § 1(exh. A), adopted Dec. 17, 2024, repealed the former Ch. 11-7, §§ 11-7-1—11-7-13, and enacted a new Ch. 11-7 as set out herein. The former Ch. 11-7 pertained to similar subject matter and derived from Ord. No. 2626, § 3(exh. A), adopted May 16, 2023; Ord. No. 2646, §§ 1, 2, adopted Nov. 14, 2023; and Ord. No. 2672, §§ 1, 2, adopted Sept. 17, 2024.

Sec. 11-7-3. Zone district boundaries.

The regulations for the various residential, mixed use, commercial and industrial districts provided for in this Chapter shall apply within the boundaries of each such district as indicated on the Official Zoning Map. In establishing the boundaries of the zoning districts shown on the Official Zoning Map, the following rules shall apply:

- (1) *General Rules of Interpretation.* For unsubdivided property or where a zoning boundary divides a property, or if the zoning boundaries cannot otherwise be determined, the boundaries on the Official Zoning Map shall be based upon the individual zoning or rezoning map approved for the property.
- (2) *Lot or Block Lines.* Where no rights-of-way exist and the zoning boundaries are indicated as approximately following lot, tract, block or subdivision boundary lines, such limits shall be considered as the zoning district boundaries.
- (3) *Rights-of-Way.* Unless otherwise indicated, the zoning district boundaries are the centerlines of streets, alleys, waterways, and railroad rights-of-way. The area within any of the rights-of-way is not granted any of the use rights associated with the overlying or adjacent zoning district(s).
- (4) *Vacated Rights-of-Way.* Whenever a public street, alley or other right-of-way has been vacated, the zoning district adjoining each side of the right-of-way shall be extended to include the portion of the vacated street, alley, or other right-of-way adjacent to such adjoining property.
- (5) *City Boundaries.* Boundaries indicated as approximately following the City limits shall be considered as following the City limits.
- (6) *Other Boundaries.* Boundaries indicated as approximately parallel to or extensions of centerlines, lot, or tract lines, City limits, or similar geographic lines shall be considered as the boundaries when no or other reliable documentation is available.
- (7) *Map Discrepancies.* Should an actual street layout or stream course vary from that shown on the map or any other uncertainty remain as to the location of a zoning district boundary, the City Manager shall interpret the map based on the best information available and according to the intent of this title and any other applicable provisions of the Municipal Code.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-4. Zoning annexed land.

All annexed land shall be zoned within 90 days of annexation following the procedure for rezoning at Section 11-7-12. Zoning of property proposed for annexation may be processed simultaneously with the petition for annexation, provided no ordinance zoning such property may be finally adopted prior to final adoption of an ordinance or ordinances annexing such property.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-5. Districts established.

- (A) The residential districts described below are established to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land. Certain other uses are permitted which are compatible with residential dwellings.

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- (1) The "RL" Rural Living District is intended to provide for farms, ranches, and clustered development with open space, and is designed to dovetail with allowed County residential densities.
 - (2) The "R-1" Very Low Density District is intended to provide for large lot rural residential development with a maximum density of one dwelling unit per acre.
 - (3) The "R-1A" Large Estate District and "R-1B" Small Estate District are intended to provide for large single-household detached dwelling residential lots within a semi-rural environment.
 - (4) The "R-2" Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - (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.
 - (6) The "R-3A" Medium High Density District is intended to provide for an area which is suitable primarily for single household attached, triplex, fourplex and other medium density multi-household dwellings, along with certain other compatible land uses.
 - (7) The "R-4" High Density District is intended to provide primarily for high density multi-household dwellings and to allow variety in higher density single household and duplex dwellings and other forms of innovative housing development types.
 - (8) The "R-5" Low Density/Manufactured Housing District is intended to provide primarily for low density development of single-household detached and duplex manufactured home dwellings, along with certain other compatible land uses.
 - (9) The "R-6" Medium Density/Manufactured Housing District is intended to provide primarily for medium-density development for single-household attached,, triplex and fourplex manufactured home dwellings, along with certain other compatible land uses.
 - (10) The "MHR" Manufactured Housing Residential District is intended to provide a suitable environment for manufactured housing developments or tiny home communities, along with certain other compatible land uses.
- (B) The mixed-use district described below is established to promote stability in areas in transition; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land.
- (1) The "OR" Office-Residential District is intended to provide for a mix of offices and residential dwellings in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.
- (C) The commercial districts described below are established to provide a location for convenient exchange of goods and services in a reasonable and orderly manner.
- (1) The "P" Public District is intended to provide for uses and services of a public, nonprofit, or charitable nature.
 - (2) The "B-1" Central Business District is intended to reflect the character of the original Downtown while allowing additional uses that will strengthen and expand the core of the City.
 - (3) The "B-2" Highway Commercial District is intended to provide for businesses oriented toward serving the motoring public, encouraging the convenient exchange of goods and services along the major thoroughfares of the City.
 - (4) "B-2A" Regional Commercial District is intended to provide for a full spectrum of goods and service uses along the major thoroughfares of the City.

-
- (5) The "B-3" General Commercial District is intended to provide for a large variety of goods and services including outdoor storage areas and a limited group of commercial/industrial uses.
 - (6) The "B-4" Neighborhood Shopping District is intended to provide for small scale retail shopping and services convenient to residential neighborhoods.
 - (D) The industrial districts described below are established to provide for normal manufacturing activities and related uses.
 - (1) The "I-1" Light Industrial District is intended to provide for a limited group of research and manufacturing uses promoting the creation and maintenance of an employment center which will serve the mutual interests of the community as a whole.
 - (2) The "I-2" General Industrial District is intended to provide for most industrial and manufacturing uses, subject to performance standards.
 - (E) Dimensional requirements are set out in Section 11-7-7.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

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 averse to the 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.* Except where specifically modified by this Chapter, accessory uses shall comply with all requirements for the principal use, and the following additional limitations:

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- (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) *Permit Required.* The City Manager may issue a temporary use permit authorizing a temporary use of premises in a district for a use which is otherwise not allowed in such a district for a limited period of time in accordance with this Subsection. The temporary use permit may be issued by the City Manager only after it determines 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.
- (2) *Permit Conditions.* The City Manager may approve a temporary use permit subject to conditions appropriate to ensure compliance with this Subsection. Such conditions may include, but are not limited to, setting requirements for, or imposing restrictions upon, size, massing, location, open space, landscaping, buffering, screening, lighting, noise, signage, traffic and pedestrian circulation and control, parking design and operations, duration, hours of operation, setbacks, building materials and architectural design, sanitation, trash removal, dust control, drainage, erosion control, and provision of utilities and services.
- (3) *Permit Renewal.* A temporary use permit will generally not be renewed unless the use is a seasonal use; a temporary improvement associated with an established business; or associated with a construction activity; or as stated otherwise herein. These applications may be renewed for up to one year at any one time using the same procedures as for an initial application.
- (4) *Exempt Activities.* The following temporary activities are exempt from these regulations:
 - (a) Storage or moving containers for a business or residence actively moving or a related activity and not exceeding 14 days in any one year.
 - (b) Dumpsters for a business or residence actively undergoing construction or a related activity and not exceeding 14 days in any one year.
 - (c) Temporary uses, structures, and/or vehicles/trailers needed as the result of a natural disaster or other health and/or safety emergency are allowed for the duration of the emergency or as needed to address conditions caused by the emergency.
- (5) *Prohibited Uses or Activities.* The following uses and activities are prohibited due to negative visual or other impacts:
 - (a) Storage in trailers or roll-off containers for longer than 14 days unless associated with an active construction site or a non-residential use, business or residence in the process of moving.
 - (b) Outdoor storage other than accessory storage for an active construction site. Any other outdoor storage shall conform to the requirements for the zone district in which the property is located.
 - (c) Outdoor sales of durable goods as a principal use not associated with a farmer's market, special event, business promotional event, or with an approved site plan, unless the operation meets the requirements for a mobile vendor in accordance with the Montrose Regulations Manual.
- (6) *Allowed Uses and Activities.* Temporary uses of land are permitted subject to the specific zone districts and time periods listed in Table 7.1. The City Manager may approve other temporary uses and activities if it is determined that such uses meet the intent and criteria of this section.

Table 7.1
Allowed Temporary Uses

Use	Zone Districts	Period
Construction trailer, temporary building, or yard for construction management office and/or storage of materials during active construction within an approved development.	All	Time to be specified by City Manager; must be concurrent with Building Permit; must be terminated within 30 days of issuance of project Certificate of Occupancy for all types of construction.
Temporary office for the sale and/or rental of dwelling units under construction within an approved development.	All	Time to be specified by City Manager; must be terminated within 60 days of completion of the sales period.
Seasonal or off-site retail sales, which include, but are not limited to: sale of seasonal fruits and vegetables; sale of fireworks; and sale of Christmas trees.	Commercial and Industrial zone districts only	Not to exceed 180 days, and provided that any permits required by law are obtained

(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	P									
Short-term rentals	P	P	P	P	P	P	P	P	P	P
Assisted living facility					C	C	C		C	C
Childcare facility	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	P	P	P	P	P	P	P	P	P	P
Schools; Elementary, Middle and High	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	P
Accessory Dwelling Unit (See Sec. 11-11-5)	C	C	C	P	P	P	P	P	P	
Dwelling, Duplex				P	P	P	P	P	P	
Dwelling, Fourplex					C	P	P		C	
Dwelling, Multi-household					C	P	P		C	
Dwelling, Single-Household Attached					P	P	P		P	
Dwelling, Single-Household Detached	P	P	P	P	P	P	C	P	P	P
Dwelling, Tiny Home									P	P
Tiny Home Community										P
Dwelling, Triplex					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 home				¹				P	P	P
Manufactured home park (See Sec. 11-13)										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))	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	T
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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
Vehicle sales, rental, repair or service establishments			C	C	P	P		P	P
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials business			C	P	P	P		P	P
Commercial greenhouse				C	C	P	C	P	P
Electric vehicle charging station, retail		P	P	P	P	P	C		
Farm implement sales or service establishment					P	P		P	P
Food truck court		P	P	P	P	P	P	C	C
Fueling station or other retail use having fuel pumps (See Sec. 11-11-4)			P	P	P	P	C	C	C
Funeral home			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facility, self-service				P	P	P	P		
Manufactured home, tiny home and travel home sales or service establishments					P	P		P	P
Medical clinic	P		P	P	P	P	P	P	C
Micro-brewery, micro-distillery, or micro-winery			P	P	P	P	P	P	C
Office, business	P		P	P	P	P	P	P	P
Outpatient drug treatment clinic	P								
Travel home park (See Sec. 11-13)				C	C	C			
Campground				C	C	C			
Rental business					P	P		C	C
Restaurant			P	P	P	P	P	C	C
Drive-in or drive-through			C	P	P	P	C	C	C
Retail sales and personal service establishments	C		P	P	P	P	P	P	C
Retail sales and personal service establishments with limited manufacturing				C	C	C		P	C

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Sexually oriented business (See Sec. 11-12-1)									P
Shooting range, indoor						C		C	C
Short-term rentals	P		P	P	P	P	P	P	P
Bar or tavern			P	P	P	P	C	C	C
Theater			C	P	P	P			
Veterinary clinic or hospital, small animal				P	P	P		C	C
Veterinary clinic or hospital, large animal					P	P		C	C
Storage facilities, fuels and chemicals						P		P	P
Aircraft support services								P	P
Construction equipment storage facility						P		P	P
Feed storage and sales establishments						P		P	P
Fulfillment Center				C	C	C		P	P
Manufacturing and non- manufacturing uses (See Sec. 11-11-4)					C	C		P	P
Industrial use, other								C	P
Storage facilities, indoor			C	P	P	P	C	P	P
Storage facilities, outdoor					C	P		P	P
Warehouse and wholesale distribution operation			C	C	C	C		P	P
Airport								P	P
Assisted living facility	C			P	P	P			
Childcare facility	P	P	P	P	P	P	P	P	P
College or other place of adult education			P	P	P	P			
Daytime social service activities			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
Hospital	P								
Library		P	P	P	P	P			
Museum or visitor center		P	P	P	P	P			
Parking facility	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P		C	C

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Religious assembly	P	P	P	P	P	P	P	C	C
Schools; Elementary, Middle and High	C	P	C	C	C	C	C		
Live/work unit	P	P	P	P	P	P	P	P	P
Mixed use building	P	P	P	P	P	P	P	P	P
Golf course		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facility, indoor		C	C	P	P	P	C	P	P
Private recreation facility, outdoor		C		P	P	P		P	P
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P
Dwelling, Duplex	P	P	P	P	P	P	P	P	P
Dwelling, Fourplex	P	P	P	P	P	P	P	P	P
Dwelling, Multi-household	P	P	P	P	P	P	P	P	P
Dwelling, Single Household Attached	P	P	P	P	P	P	P	P	P
Dwelling, Single Household Detached	P	P	P	P	P	P	P	P	P
Dwelling, Tiny Home		P							
Dwelling, Triplex	P	P	P	P	P	P	P	P	P
Group home - handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P		P	P	P	P	P	P	P
Group home - handicapped/disabled > 8 persons (see Sec. 11-11-2)	C		C	C	C	C	C	C	C
Group home (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
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
Solar farms								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))	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

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(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-7. District standards.

(A) Tabulated requirements for principal uses by right are as follows (all dimensions in feet or square feet unless otherwise noted):

District	Use ^{2 3}	Maximum Density	Minimum Lot Size ⁴	Front	Rear	Side	Corner Lot	Maximum Building Height
RL	Dwelling, Single Household Detached	TBD - see footnote #4	⁵	25	20	10	20	35
R-1	Dwelling, Single Household Detached	1 dwelling unit/acre	1 acre	25	20	10	20	35
R-1A	Dwelling, Single Household Detached	2 dwelling units/acre	½ acre	25	20	10	20	35
R-1B	Dwelling, Single Household Detached	3 dwelling units/acre	⅓ acre	25	20	10	20	35
R-2	Dwelling, Single Household Detached	5.8 dwelling units/acre	7,500	25	20	5	20	35
	Duplex	7.75 dwelling units/acre	11,250	25	20	5	20	35
R-3	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
R-3A	Single-household detached	8.7 dwelling units/acre	5,000	15	20	5	15	35

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	Duplex	9.3 dwelling units/acre	9375	15	20	5	15	35
	Single-household attached	15 dwelling units/acre	2,900/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	15 dwelling units/acre	2,900/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
R-4	Single-household detached	17.4 dwelling units/acre	2,500	15	20; 5 w/ rear-loaded garage	5	10	35
	Duplex	17.4 dwelling units/acre	5,000	15	20	5	15	35
	Single-household attached	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	18.9 dwelling units/acre	2,300/dwelling unit	15	20; 10 w/alley	15 to bldg. lot line	20	35
	Multi-household	24 dwelling units/acre	1,815/dwelling unit	15	20	10	15	40
R-5	Single-household detached	3.6 dwelling units/acre	12,000	25	20	5	20	35
	Duplex	7.2 dwelling units/acre	12,000	25	20	5	20	35
	Manufactured Home	3.6 dwelling units/acre	12,000	25	20	10	20	35
R-6	Single-household detached	5.8 dwelling units/acre	7,500	25	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	25	20; 5 w/ rear-loaded garage	10 to bldg. lot line	20	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

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	Manufactured Home	5.8 dwelling units/acre	7,500	25	20	5	20	35
	Tiny Home	5.8 dwelling units/acre	7,500	15	20	5	15	35
MHR	Manufactured Homes except MH Parks ⁶	14.5 dwelling units/acre	3,000	5	10	10	10	35
	Dwelling, Single Household Detached	14 dwelling units/acre	3,125	5	10	10	10	35
	Tiny Home except Tiny Home Communities ⁷	14.5 dwelling units/acre	3,000	5	10	10	10	35
OR	All Non-Residential		6,250	15	15	5	15	35
p ⁸	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-1	No Req.		No Req., except for fueling stations	No Req.	No Req.	No Req.	No Req.	No Req.
B-2	All Non-Residential		N/A	15	N/A	N/A	15	N/A
B-2A	All Non-Residential		N/A	25	N/A	N/A	25	35
B-3	All Non-Residential		N/A	25	N/A	N/A	25	35
B-4	All Non-Residential		N/A	25	N/A	N/A	25	35
I-1	All Non-Residential		½ acre	25	N/A	N/A	25	N/A
I-2	All Non-Residential		½ acre	25	N/A	N/A	25	N/A

² Residential uses in the OR, P, B-2, B-2A, B-3, B-4, I-1 and I-2 zone districts shall comply with the applicable dimensional requirements as set out for the R-3A zone. Residential uses in the B-1 District shall comply with the density standards in the R-3A zone, but are not required to comply with the dimensional standards.

³ Commercial and institutional uses in the RL, R-1, R-1A, R-1B, R-2, R-3, R-3A, R-4, R-5, R-6 and MHR zone districts shall comply with the applicable dimensional requirements as set out for the "OR" zone.

⁴ Applies per lot; not per primary dwelling unit. Where specified as square footage per dwelling unit for multiple unit dwelling types does not imply a minimum dwelling unit size; there is no minimum dwelling unit size.

⁵ A minimum lot size shall be determined as a condition of initial zoning of property as "RL." Such lot size shall be designed to limit overall residential units per acre to no more than allowed by Montrose County in comparable areas in the County where sewer is available, and to implement the City Comprehensive Plan as feasible while remaining economically competitive with allowed County densities.

⁶ Dimensional requirements for manufactured home parks are controlled by Chapter 11-13-5 of this Title.

⁷ Dimensional requirements for tiny home communities are controlled by Chapter 11-13-12 of this Title.

⁸ City facilities are exempt from these standards.

(B) Additional Dimensional Requirements.

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- (1) Accessory use structures or buildings in residential districts may be located on those rear and side property lines which do not abut a street, if the structure is at least ten feet to the rear of the building line of the principal structure and does not occupy more than 30 percent of the rear yard area. In all other situations, accessory structure setbacks are the same as principal structure setbacks.
 - (2) In a block where a setback line has been established by existing structures 50 percent or more of the block, the average setback of the existing buildings may be used as the minimum setback.
 - (3) Garage doors which face an alley require a five-foot minimum setback.
 - (4) In zone districts where residential front setbacks are 15 feet or less, the garage setback shall be a minimum of 25 feet.
 - (5) Accessory structures shall not be located in the front yard of a principal structure, except for minor and commonplace accessory structures such as public utility installations, mail boxes, lamp posts and structures of a like nature.
 - (6) Lot depth and width is determined through the subdivision process in Section 11-5-13(b)(3) of these regulations.
 - (7) Other permitted exceptions and encroachments into required setbacks and height limits are specified in Section 11-8-10 of this title.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-8. Planned Development (PD).

- (A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units.
- (B) *General Provisions.*
 - (1) A planned development must be in substantial conformity with the Comprehensive Plan.
 - (2) A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - (3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - (4) Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - (5) Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - (6) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
- (C) *Permitted Uses in a PD.*
 - (1) Any use permitted in the underlying zone district, limited as to its status as a use by right, a conditional use, or a temporary use, unless otherwise limited or permitted on the PD plan.
- (D) *Administrative PD Procedure.* This procedure is applicable for planned developments containing six or fewer units:

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- (1) All lots or tracts are adjacent to a dedicated and accepted public street;
 - (2) The lots are part of a subdivision or PD plat that has been previously approved and/or accepted by the City and recorded in the Montrose County Records;
 - (3) All improvements required by applicable City ordinances and regulations, including those related to PD Plans, are already in existence and available to serve each lot, or secured;
 - (4) No part of the Administrative PD has been approved as part of an Administrative PD within three years prior to the date of submission of the Administrative PD plat;
 - (5) No material changes to prior restrictions or easements are proposed; and
 - (6) Provisions of Section 11-5-3(B) through and including (E) of this Title shall apply.
 - (7) Approval of an Administrative PD by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not accept all conditions, that development must adhere to standard subdivision or PD requirements, and proceed through the applicable approval process.
 - (8) Prior to any review of the Administrative PD, the applicant shall provide written consent of all property owners within the proposed Administrative PD plan area. To the extent only a portion of a prior-approved Administrative PD plan area is proposed to be amended by the Administrative PD Plan application, then only the consent of the property owners within such portion shall be required.
 - (9) Amendments to Administrative PDs may be submitted for review and approval in the same manner as the initial Administrative PD.

(E) *Dimensional Requirements, Densities.*

- (1) Dimensional requirements, except those relating to overall residential density, which would otherwise be required by the City Zoning Regulations, or other City regulations for the district affected, may be deviated from in accordance with the plan as approved, if the Review Board determines that such deviations are in compliance with the Comprehensive Plan and will promote the public health, safety and welfare.
- (2) The Review Board may impose conditions as necessary or appropriate. The total number of residential units shall not exceed the area of the site divided by the minimum lot sizes specified for the zoning districts included.

(F) *Review of Sketch, Preliminary and Final PD Plan.*

- (1) The sketch plan, preliminary plan and final PD plans shall be reviewed pursuant to the procedures and requirements for subdivisions as set out in Chapter 11-5 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. For the approval of any preliminary PD Plan or a substantial amendment to a PD plan, a hearing shall be held before City Council.
- (2) Prior to any review of the Sketch, Preliminary and Final PD Plan, the applicant shall provide written consent of all property owners within the proposed PD plan area. For the purposes of this Section, "PD plan area" is the entirety of the territory proposed to be included in a PD plan; provided, however, that for applications for PD plan amendments, only the portion of the PD plan area being amended or affected shall constitute the PD plan area for such application for purposes of consent; nevertheless, all owners of property within the PD must be given notice of the public hearing at which the amendment is to be considered.

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- (3) Conditions may be imposed as appropriate to assure that the PD plan is consistent with the Comprehensive Plan and promotes the public health, safety and welfare.
 - (4) The plan shall show the location, size, number of dwelling units, and other uses, and shall further set out the location of all parks, open space, parking areas, streets, sidewalks, trails, bike paths and other improvements and structures. All information necessary to show compliance with the requirements of this Section shall be submitted. Where appropriate, in lieu of exact locations, numbers and sizes, parameters or limits may be set out.
 - (5) The PD Plan as approved shall be recorded.
 - (6) The final PD plan may be treated as a vested right pursuant to the procedure in 11-4-9.
- (G) *Required Improvements.*
- (1) All PDs shall provide the same improvements as required for subdivisions in Chapter 11-5 of this Title, and security therefore shall be provided as set out in Section 11-5-12 of this Title.
 - (2) All improvements shall be constructed in accordance with standard City design and construction specifications and standards, in substantial conformity with the PD plan, and in accordance with subdivision design standards as set out in Chapter 11-5 of this Title, except as modified by the PD plan.
 - (3) An entity shall be established or provided for ownership and maintenance of all facilities and open spaces, which are approved for common ownership or not dedicated to the City.
 - (4) Flexibility in the scope and design of required improvements and design standards may be allowed to provide for innovative urban design which promotes the public health, safety and welfare. A public street shall be dedicated to the City and developed at the developer's cost to provide direct access to each building with residential units or to the parking lot serving the building.
- (H) *Enforcement and Amendments.*
- (1) The PD plan may be enforced in accordance with or in the same manner as the provisions of the Planned United Development Act of 1972, as amended, C.R.S. 1973, § 24-67-101 et seq., as amended or in any lawful manner. In addition, no occupancy permit shall be issued for any building unless all site improvements to serve that unit and any commonly-owned facilities have been completed and approved unless security for completion is provided substantially similar to the security required for subdivision improvements by 11-5-12 of this Title, except that cash must be placed in the escrow account prior to issuance of the occupancy permit.
 - (2) Amended PD plans may be submitted for review and approval in the same manner as the initial PD Plan. An applicant for an Amended PD plan shall submit written consent of the property owners of the portion of the PD plan area to which the application applies, prior to and as a condition of the initiation of review of the application. Written consent from all property owners within the prior-approved PD plan area is not required as part of the Amended PD plan application. Advance notice of any review of an Amended PD plan application by the Planning Commission shall occur pursuant to Chapter 11-4 of this Title, with the added requirement that advance written notice shall be provided to all property owners of record within the prior-approved PD plan area, in addition to all property owners of record adjoining or within 300 feet of the proposed Amended PD plan area.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-9. "REDO" Redevelopment Overlay Zoning District.

- (A) *Intent.*

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- (1) The "REDO" Overlay Zoning District is intended to alleviate certain hardships associated with redevelopment. The district is designed to encourage residential development and redevelopment of existing properties in the core downtown area, with allowances for increased densities compatible with the character of the area.
 - (2) This overlay district allows reduced dimensional standards and a larger variety of housing types than the underlying zoning. Any development making use of the reduced dimensional requirements must meet all applicable criteria in this Section.
- (B) *Applicability.*
- (1) The boundaries of the "REDO" Overlay Zoning District shall be as set forth by ordinance of the City Council, may be shown on the City's Official Zoning Map, and shall be fixed in the manner prescribed by Section 11-7-3.
 - (2) The "REDO" Overlay Zoning District's provisions shall not be applicable to any property within the boundaries of said district, unless the owner of property therein shall deliver written notice to the City, in the manner set forth at subsection 11-7-9(C) of this Section, of said owner's intent to utilize the "REDO" Overlay Zoning District.
 - (3) When selected by a property owner in the manner set forth herein, the "REDO" Overlay Zoning District shall supersede the provisions of the underlying zone for all matters addressed by said "REDO" Overlay Zoning District's provisions; the provisions of the underlying zone shall control all matters not addressed by the "REDO" Overlay Zoning District's provisions.
 - (4) Any requests for use of these "REDO" Overlay Zoning District provisions that involve private use of City property, including rights-of-way, shall be entirely subject to the City's discretion, and shall also be subject to the City's ordinances and regulations pertaining to encroachments and permits for the same.
 - (5) The provisions of the "REDO" Overlay Zoning District shall have no effect whatsoever unless selected in the manner set forth herein.
- (C) *Procedure.*
- (1) Use of the REDO District is initiated by filing an application in the form maintained by the Community Development Department and payment of the application fee.
 - (2) The application shall be reviewed as a minor site development plan under the procedure in Section 11-8-1(I). In the event the application also proposes to subdivide real property, a minor subdivision under Section 11-5-3 shall be applied for and processed at the same time.
- (D) *Standards.*
- (1) All applications shall be subject to the development standards below. To the extent these standards are inapplicable, the standards of the underlying zone apply.
 - (2) Minimum Lot Size: Lots shall be no less than 2,075 square feet in size.
 - (3) Minimum setbacks are as follows: Five feet side, rear, and front yard setbacks. See also Section 11-7-7(B)5.
 - (4) Height: The height of a building shall be as set forth in the underlying zone.
 - (5) Accessory Dwelling Units in the REDO District:
 - (a) ADUs within the REDO District shall comply with the requirements and standards set forth in Section 11-11-5 with the exception of the ADU size limitations in 11-11-5(2), and provided that ADUs may be conveyed separately from the primary dwelling unit.
 - (b) Lots with ADUs shall be no less than 3,125 square feet.

(c) An ADU shall not be subject to the 30 percent rear yard area coverage maximum.

(E) *Design Criteria.*

- (1) All lots within the "REDO" Overlay Zoning District shall be required to have not less than ten feet of street frontage. It is contemplated that lots having a "panhandle" shape may be allowed.
- (2) If an alley is present, any garage shall be set back a minimum of five feet, when practicable, from the nearest right-of-way line of said alley.
- (3) Please refer to Section 3-5-12(A)(1) of the Official Code of the City for the water Tap Fees, system investment (capacity) fees, and unit charges for accessory dwelling units in need of new water service, located on the same lot as the primary dwelling in the "REDO" Overlay Zoning District.
- (4) Please refer to Section 3-5-12(G)(4) of the Official Code of the City for the sewer Tap Fees, system investment (capacity) fees, and unit charges for accessory dwelling units in need of new sewer service, located on the same lot as the primary dwelling in the "REDO" Overlay Zoning District.

(F) *Variances.* Variance applications may be considered as to any requirements set forth in Subsections (D) and (E) of this Section. Use of the "REDO" Overlay Zoning District is expressly declared to be elective on the part of the property owner, and is entirely at the property owner's discretion.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-10. Uncompahgre river buffer overlay zone.

The Uncompahgre River Buffer Zone (URBZ) applies to all land lying within 100 feet of the HWM of the Uncompahgre River, as defined above. The standards of the URBZ and its two sub-areas are not applicable to parcels to which stricter standards may apply via separate agreements (e.g., a pre-annexation agreement).

- (1) The purpose of the URBZ is to establish minimal acceptable requirements for the design of buffers to protect the Uncompahgre River, its wetlands, and floodplains within the City limits; to protect the water quality of the Uncompahgre River within said jurisdiction; to protect riparian and aquatic ecosystems within said jurisdiction; and to provide for the environmentally sound use of land resources within said jurisdiction. Nothing in this Section shall be used as consideration in a pre-annexation agreement or in a negotiation for annexation of land into the City.
- (2) Measurement of the 100 feet URBZ, the two sub-areas within it, and all other related measurements shall be taken as follows: distance is measured horizontally from the HWM, as defined herein, to the location in question. The HWM location used for any given measurement shall be taken from the side of the river closest to the building or other development in issue.
 - (a) The following graphic illustrates how to measure the URBZ:
 - (b) The URBZ provisions shall apply to:
 - (i) Any new development requiring a building permit, except for additions less than 20 percent of the existing building size that do not include any changes to an existing parking lot;
 - (ii) Any new development requiring site development approval;
 - (iii) Subdivision or the division of a tract or parcel of land into two or more parcels;
 - (iv) The improvement of property for any purpose involving construction;
 - (v) Combination of any two or more lots, tracts, or parcels of property for any purpose;

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- (vi) Placement of temporary structures that do not require a building permit or site development plan from the City;
 - (vii) The preparation of land for any of the above purposes.
 - (c) Specific submittal requirements are listed in Appendix One. Upon submittal of the complete application, with all supporting documentation as may be required, City staff shall provide a review of the same. Following City staff review, administrative approval may be granted if the development proposal is an allowed use in the URBZ or applicable URBZ sub-zone, or is a use by right in the URBZ or applicable URBZ sub-zone, and meets all applicable standards. Development proposals which are not allowed uses or uses by right in the URBZ or applicable URBZ sub-zone, or do not meet all the applicable standards, shall be forwarded to the City Planning Commission for review and approval, under procedures set forth below, accompanied by any comments and recommendations from City staff.
 - (d) All proposals shall identify on a site plan the designated Disturbance Envelope for that portion of the project that is proposed to encroach into the URBZ.
 - (e) The applicant shall mark and identify the Disturbance Envelope on the ground in the field and shall maintain construction barrier fencing around the entire perimeter of the Disturbance Envelope throughout the period of construction, until final landscaping is completed. The applicant shall ensure that all surface disturbances are contained within the designated and marked Disturbance Envelope.
 - (f) The URBZ consists of two sub-areas, as follows:
 - (i) *Streamside Zone*. This area is intended to preserve the natural riparian environment. In order to accomplish this goal, there is hereby established a 40-foot buffer area, measured as described above from the HWM. Development in the Streamside Zone is subject to all other applicable permits. Setbacks created herein for the Streamside Zone are in addition to any setbacks which may be applied through the underlying zoning of a parcel.
 - (1) The following are subject to a 40-foot setback from the HWM (i.e., the following shall not be placed or performed within the 40-foot Streamside Zone):
 - (a) Planting of non-native grass turf;
 - (b) Removal of native vegetation;
 - (c) Erection of fences;
 - (d) Construction of hard-surfaced trails that parallel the river;
 - (e) Construction of buildings, other than irrigation pump houses;
 - (f) Construction of parking lots (paved or gravel);
 - (g) Construction or installation of lighting fixtures;
 - (h) Construction or installation of engineered/structural water runoff treatment facilities (such as concrete vaults);
 - (i) Concrete rip-rap;
 - (j) Construction or installation of any other facility not listed in the allowed uses below, and not reasonably compatible with the riparian environment.

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- (2) The following actions, or construction of the following facilities or structures, are permitted within the 40-foot Streamside Zone:
 - (a) Government buildings and facilities;
 - (b) Hard-surfaced trails roughly perpendicular to the river;
 - (c) Soft-surfaced trails (crushed gravel, etc.) whether parallel or perpendicular to the river;
 - (d) Irrigation facilities (including pump houses);
 - (e) Boat put-ins (boat ramps should be soft-surfaced);
 - (f) Planting of native vegetation;
 - (g) Bank stabilization, and river or wildlife habitat restoration;
 - (h) Other uses may be permitted that are directly related to the river, and that do not conflict with the intent of this Section.
 - (3) Exceptions to the above regulations for the Streamside Zone shall be granted or denied through the variance procedures set forth in Section 11-7-13.
- (ii) *Outer Zone.* This area is intended to serve as a buffer between the Streamside Zone, and areas outside the URBZ. Most uses allowed within the underlying zoning district are permitted within the Outer Zone, though certain uses have specific performance standards.
- (1) Uses by right in the Outer Zone:
 - (a) Water runoff treatment structures using swales, native vegetation, and similar measures;
 - (b) Government buildings and facilities;
 - (c) Fences which allow the passage of wildlife; said fences shall be designed as follows:
 - (i) No more than 40 inches in height;
 - (ii) A smooth bottom wire at least 16 inches above ground;
 - (iii) At least 12 inches between the top two wires;
 - (iv) No sharp edges, barbs, or similar devices are permitted;
 - (v) Sheep or woven-wire and wrought-iron style fences with spiked tips are not permitted.
 - (d) Landscaping employing native vegetation types and compatible with the riparian environment;
 - (e) Single household detached dwellings;
 - (f) Recreation trails (all types);
 - (g) Buildings and facilities complying with the underlying zoning district and complying with all of the following performance standards:
 - (i) Structures with windows occupying a minimum of 50 percent of the linear river frontage of the building; and
 - (ii) At least one public entrance directly facing the river; and

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- (iii) Outdoor common areas, seating and/or dining areas; and
 - (iv) High quality building finishes such as brick or stone, or earth tone colors having matte finishes; and
 - (v) Well concealed trash dumpsters; and
 - (vi) Total building facade length shall be less than 50 feet in length parallel to the river; and
 - (vii) Buildings and facilities complying with these performance standards are exempt from the river buffer screening requirements set forth below;
 - (viii) Single household detached dwellings are exempt from these performance standards, except for Subsection (2)(f)(ii)(1)(c) of this Section, as well as the Outer Zone performance standards set forth below.
- (2) The following uses shall not be considered a use by right in the Outer Zone, and are subject to review as Conditional Uses under Section 11-7-6(B) and Chapter 11-4 of this Title:
- (a) Loading docks;
 - (b) Landscaping with non-native vegetation;
 - (c) Engineered or structural water runoff treatment facilities (such as concrete vaults);
 - (d) Other industrial uses;
 - (e) Water treatment facilities employing structural vaults or similar technology are not permitted within the Outer Zone;
 - (f) Parking lots, whether paved or gravel;
 - (g) All other uses not listed in this Subsection.
- (3) *Outer Zone Performance Standards.* If the use or structure does not meet the performance standards in Subsection (2)(f)(ii)(1)(g) of this Section, the following shall be required:
- (a) A minimum 30-foot-wide vegetated buffer with extensive vertical plantings of native vegetation. Said vegetated buffer shall not overlap the 40-foot Streamside Zone.
 - (b) Tree height at maturity shall be as high or higher than the buildings being screened, and vegetation at maturity shall obscure any buildings or other facilities to the maximum extent possible.
 - (c) Said vegetated buffer shall be contiguous to the Streamside Zone, and located between the Streamside Zone, and any parking lot or building.
- (4) *General Standards Applicable within the Outer Zone.*
- (a) Removal of native vegetation is discouraged. Where removal of native vegetation is unavoidable, the removed area shall be mitigated by planting replacement native vegetation, at a minimum 1:1 ratio

(measured in square feet, with a result that an equal amount of vegetation is planted, as was removed) within the URBZ.

- (b) All setbacks oriented toward the river, applicable to or within the Outer Zone, shall be measured from the boundary line between the Streamside Zone, and the Outer Zone.
 - (c) For those zoning districts underlying the URBZ with no side or rear setbacks, the minimum side or rear setbacks shall be ten feet.
 - (d) New buildings, expansions to existing buildings, or parking lots, or driveways shall have a minimum setback of 20 feet from an existing or proposed trail or path.
- (5) Exceptions to the standards and requirements regarding the Outer Zone shall be approved or denied through the procedures applicable to Conditional Uses, as set forth in Section 11-7-6(B) and Chapter 11-4 of this Title.
 - (6) The following uses and structures are prohibited within the URBZ and its two sub-areas:
 - (a) Confined animal feedlots;
 - (b) Storage of hazardous materials or chemical fuels;
 - (c) Aboveground or underground petroleum storage facilities;
 - (d) Septic systems;
 - (e) Solid waste landfills;
 - (f) Junkyards, and salvage yards;
 - (g) Land application of biosolids;
 - (h) Subsurface discharges from wastewater treatment plants.
 - (7) All development within the URBZ shall obtain all applicable local, state and federal permits prior to undertaking any construction or land-disturbing activity.
 - (8) The provisions of the URBZ shall supersede the provisions of the underlying zone, and any other applicable overlay zone, when the provisions of the URBZ are more restrictive.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-11. Nonconforming uses, lots and structures

- (A) Any use, building or structure which at the effective date of the ordinance from which this Title is derived or at the time of annexation, if annexed subsequent to the effective date of the ordinance from which this Title is derived, was lawfully existing and maintained in accordance with the previously applicable County or City regulations and ordinances but which does not conform or comply with all of the regulations provided in this Chapter, may continue to be maintained and used as a lawful nonconforming use only in compliance with the provisions and limitations imposed by this Section. Uses, structures, or buildings which were unlawful or illegal and not in compliance with previously applicable regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.

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- (B) If a use, building or structure is lawfully nonconforming in that it is not a use by right, or a conditional use which has been approved pursuant to the review provisions of Sections 11-7-6(B) and 11-4-2 of this Title, the following shall apply:
- (1) If the building or structure involved in the use is destroyed or damaged so that repair or reconstruction will cost more than 50 percent of the fair market value of the building or structure after repair, it shall no longer be lawful to use the building or premises except in compliance with the use regulations for the district within which it is located.
 - (2) If the nonconforming use is abandoned or discontinued for a period of six months, then the premises may only be used in compliance with the use regulations for the district within which it is located.
 - (3) The use may be continued only substantially as it effective date of the ordinance from which this Chapter is derived or of annexation, and no material change in the type of use shall be allowed, unless the Planning Commission determines, following the review procedure provided in Section 11-4-2 of this Title, that the criteria set out in Section 11-7-6(B) will be met, and that the new use is a more restrictive use than the existing nonconforming use. Any change in use allowed pursuant to this provision shall not affect the future status of the use as a nonconforming use for all purposes of this Section.
 - (4) The extent or area of the premises utilized for or by the nonconforming use, building or structure, may not be materially extended or enlarged, or substantially structurally altered, unless the Planning Commission determines, following the review procedure of Section 11-4-2 of this Title, that the criteria set out in Section 11-7-6(B) will be met.
- (C) If the use, building or structure is in compliance with the use regulations for the district within which it is located and is nonconforming only with respect to dimensional requirements, off-street parking requirements, or the regulations governing fences, hedges, walls, or canopies, the following provisions shall apply:
- (1) If the nonconformity of the building, use, or structure is abandoned, removed, or corrected for any length of time, such nonconformity may not be re-established.
 - (2) If the building or structure is damaged so that the cost of replacing or restoring it is greater than 50 percent of its fair market value after replacement, the building or structure may be repaired or replaced only in compliance with these Zoning Regulations.
 - (3) If the building or structure is damaged in such a way as to remove the nonconformity, the nonconforming feature may not be re-established by any repair or reconstruction, unless it is unfeasible to repair the building without re-establishing the nonconforming feature.
 - (4) No alteration may be made to the use, building, or structure which would increase the amount or degrees of the nonconforming feature. Changes in the use, building, or structure may be made which will decrease the degrees or amount of deviation from the requirements of this Chapter.
- (D) *Nonconforming Lots of Record.*
- (1) In any district in which single-household detached dwellings are permitted, a single-household detached dwelling and customary accessory buildings may be erected on any single lot of record, provided that the lot is in separate ownership and not of continuous frontage with other lots under the same ownership. This provision shall apply even though the lot fails to meet the dimensional requirements of the district in which it is located for area, width or both; provided, however, that the requirements of the district for minimum yard dimensions and lot coverage shall be met.
 - (2) If two or more lots or combinations of lots and portion of lots with continuous frontage in single ownership are of record, and part or all of the lots do not meet the requirements of the district in which they are located as to minimum area or frontage or both, the property together shall be

considered to be an undivided parcel and no portion of the parcel shall be sold or used in a manner which diminishes compliance with minimum lot width and area requirements.

- (E) This Section shall not apply to signs. Nonconforming signs shall be governed by the provisions of Section 11-10-3 of this Title.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-12. Rezoning.

(A) *Rezoning.*

- (1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - (a) The amendment is not averse to the public health, safety and welfare; and
 - (b) The amendment is in substantial conformity with the Comprehensive Plan; or:
 - (i) The existing zoning is erroneous; or
 - (ii) Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.
- (2) Rezoning may be requested or initiated by the City Manager or the owner of any legal interest in the property or such owner's representative. The rezoning shall be reviewed for compliance with the criteria of this Subsection in accordance with the review procedures of Chapter 11-4 of this Title. 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 City Council may initiate rezoning on its own motion, in which case the Council shall hold a hearing either in conjunction with second reading of a rezoning ordinance, or separately, in substantial compliance with the review procedures of Chapter 11-4 of this Title.
- (3) The City shall not impose conditions on a rezone unless otherwise required by this Title.

(B) *Zoning of Additions.*

- (1) 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:
 - (a) The amendment is not averse to the public health, safety and welfare; and
 - (b) 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.
- (2) The City shall not impose conditions on the zoning of an addition unless otherwise required by this Title.

- (C) *Legislative Zoning.* Comprehensive review and re-enactment of all or a significant portion of the Official Zoning Map shall be a legislative action, and shall not be subject to the review procedures of Chapter 11-4 of this Title or any criteria set out in this Section.

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- (D) *Enactment by Ordinance.* No amendment, addition to or re-enactment of the Official Zoning Map shall become effective until enacted by an ordinance.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-7-13. Variances.

- (A) The Planning Commission may grant a variance from the requirements set out in this Chapter, if it determines, following the review procedures of Chapter 11-4 of this Title, that the criteria of this Section will be met. Provided, however, no variance shall be granted from provisions restricting uses by right, accessory and conditional uses within any zoning district.
- (B) Variances shall be granted only if all the following criteria are met:
- (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) Unusual physical circumstances shall exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property, and violations of code shown by clear and convincing evidence that they were made in good faith, which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.
 - (3) The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their or his predecessors in interest.
 - (4) The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.
 - (5) The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.
- (C) The burden shall be on the applicant to show that these criteria have been met.
- (D) Variances shall be granted for sign regulations only if all of the following criteria are met, in lieu of the criteria of Subsection (B) of this Section.
- (1) The variance will not adversely affect the public health, safety and welfare.
 - (2) The variance requested is the minimum variance that will afford relief.
 - (3) The variance will not result in signage incompatible with other properties in the area and will not affect or impair the value, use of development of such properties.
 - (4) Strict compliance with the regulation presents practical difficulties or unnecessary hardships, and the variance sought falls within the spirit of the sign regulations (Chapter 10 of this Title) as a whole.

(Ord. No. 2677, § 1(exh. A), 12-17-2024)

ORDINANCE NO. 2697

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF 12658 6450 ROAD FROM "MHR," MANUFACTURED HOUSING RESIDENTIAL DISTRICT TO "R-6," MEDIUM DENSITY/MANUFACTURED HOUSING DISTRICT.

WHEREAS, the Planning Commission met on October 22, 2025, to consider a rezoning of a 1.1 acre parcel known as 12658 6450 Road in the City of Montrose; and

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

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

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

SECTION 1:

The Official Zoning Map is amended to designate 12658 6450 Rd. Montrose, Colorado 81401, more particularly described as:

A tract of land described as Commencing at a point on the Quarter Section Line 310 feet North of the Southwest Corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Sixteen (16) in Township Forty-Nine (49) North of Range Nine(9) West of the New Mexico Principal Meridian, running thence North 150 feet, thence East 291 feet, thence South 150 feet, thence West 291 feet to the point of Beginning, containing one acre, more or less, together with all water and water rights, ditches and ditch rights belonging thereto and used in connection therewith.

as an "R-6," Medium Density/Manufactured Housing District, according to the Official Zoning Map.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of November, 2025, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of November, 2025.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 18th day of November, 2025.

ATTEST:

Dave Frank, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Senior Planner
DATE: November 4, 2025
RE: Woods Crossing Subdivision Amended Preliminary Plat 2
ATTACHMENTS

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

City Council Consideration:

City Council is considering approval of the Woods Crossing Subdivision Amended Preliminary Plat 2. City Council will consider all of the information in this memo in making a decision.

Applicant: Miami Road Properties, LLC

Application Background:

The Woods Crossing Subdivision Amended Preliminary Plat 2 is a proposed residential development on a 14.73 acre site on Outlot 3 of the Woods Crossing Subdivision Filing No. 2. The property is located on the southwest corner of Sunnyside Road and Hill Street. The property is zoned "R-3A" Medium High Density District. This preliminary plat proposes subdividing the property into 79 residential lots.

The Planning Commission unanimously voted to recommend approval of the Woods Crossing Subdivision Amended Preliminary Plat 2 during the October 22, 2025 Planning Commission meeting. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 11-5 and summarized below: (See Exhibit B)



- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.
2. Comprehensive Plan - Land Use Map Designation:
- The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: Residential Mixed Density Medium. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
3. Zoning Regulations:
- Municipal Code, Section 11-7-5 (A)(6): The “R-3A” Medium High Density District is intended to provide for an area which is suitable primarily for single-household attached, triplex, fourplex and other medium density multi-household dwellings, along with certain other compatible land uses.
 - The proposed use is a use-by-right in the “R-3A” zoning district, and is compatible with general conditions in the area. The property is adjacent to properties that are zoned “R-2” Low Density District, “R-3” Medium Density District, “R-3A” Medium High Density District, and properties outside of City limits.
4. Dimensional Requirements:
- a. Municipal Code, Section 11-7-7. The dimensional requirements in the “R-3A” zoning district are included in the table below.

District	Use ^{2,3}	Maximum Density	Minimum Lot Size ⁴	Front	Rear	Side	Corner Lot	Maximum Building Height
R-3A	Single-household detached	8.7 dwelling units/acre	5,000	15	20	5	15	35
	Duplex	9.3 dwelling units/acre	9375	15	20	5	15	35



	Single-household attached	15 dwelling units/acre	2,900/dwelling unit	15	20; 5 w/ rear-loaded garage	10 to bldg. lot line	15	35
	Triplex or Fourplex	15 dwelling units/acre	2,900/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 Woods Crossing Subdivision Amended Preliminary Plat 2 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:

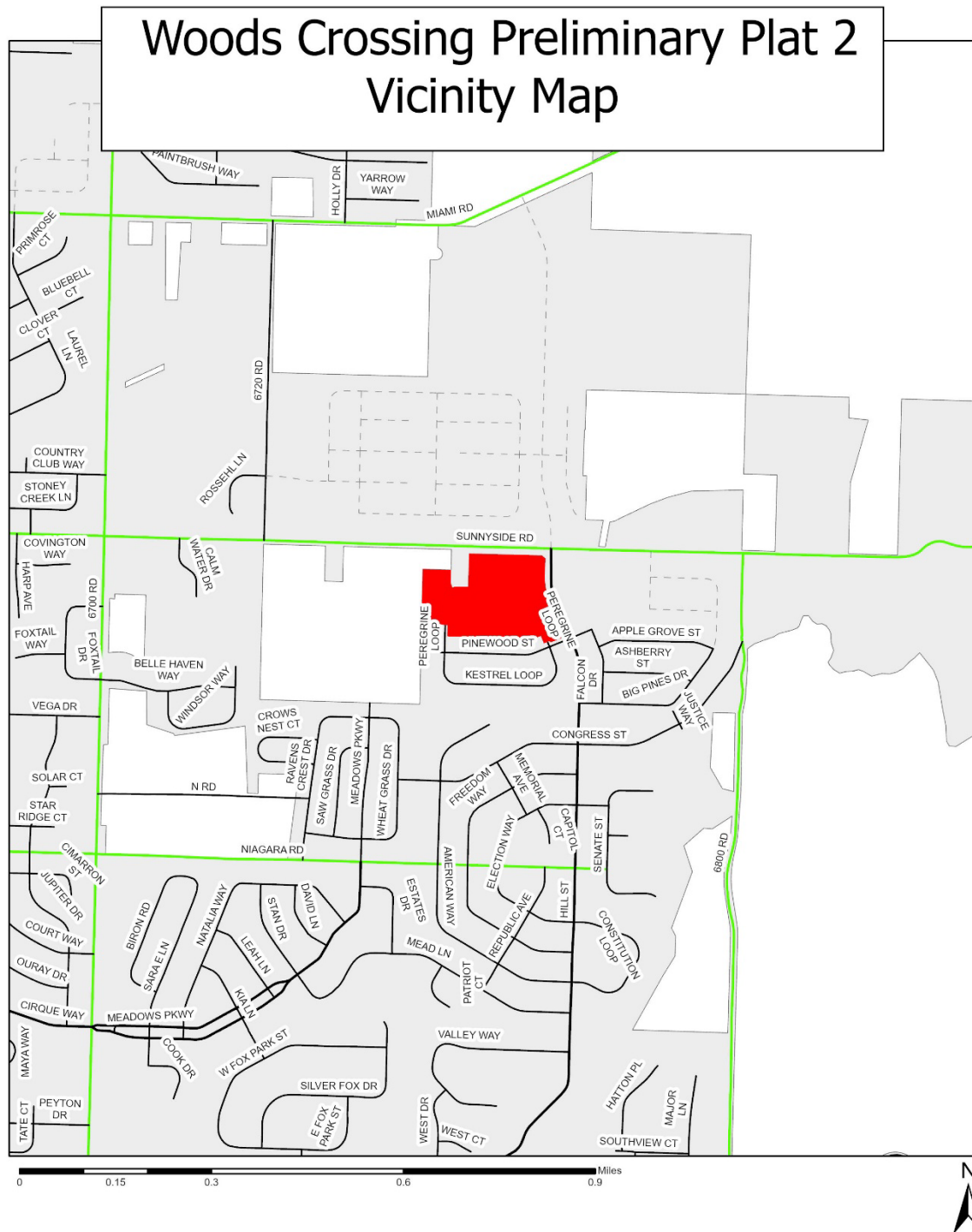
The Planning Commission unanimously recommended conditional approval of the Woods Crossing Subdivision Amended Preliminary Plat 2 during the October 22, 2025 Planning Commission meeting. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, 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:

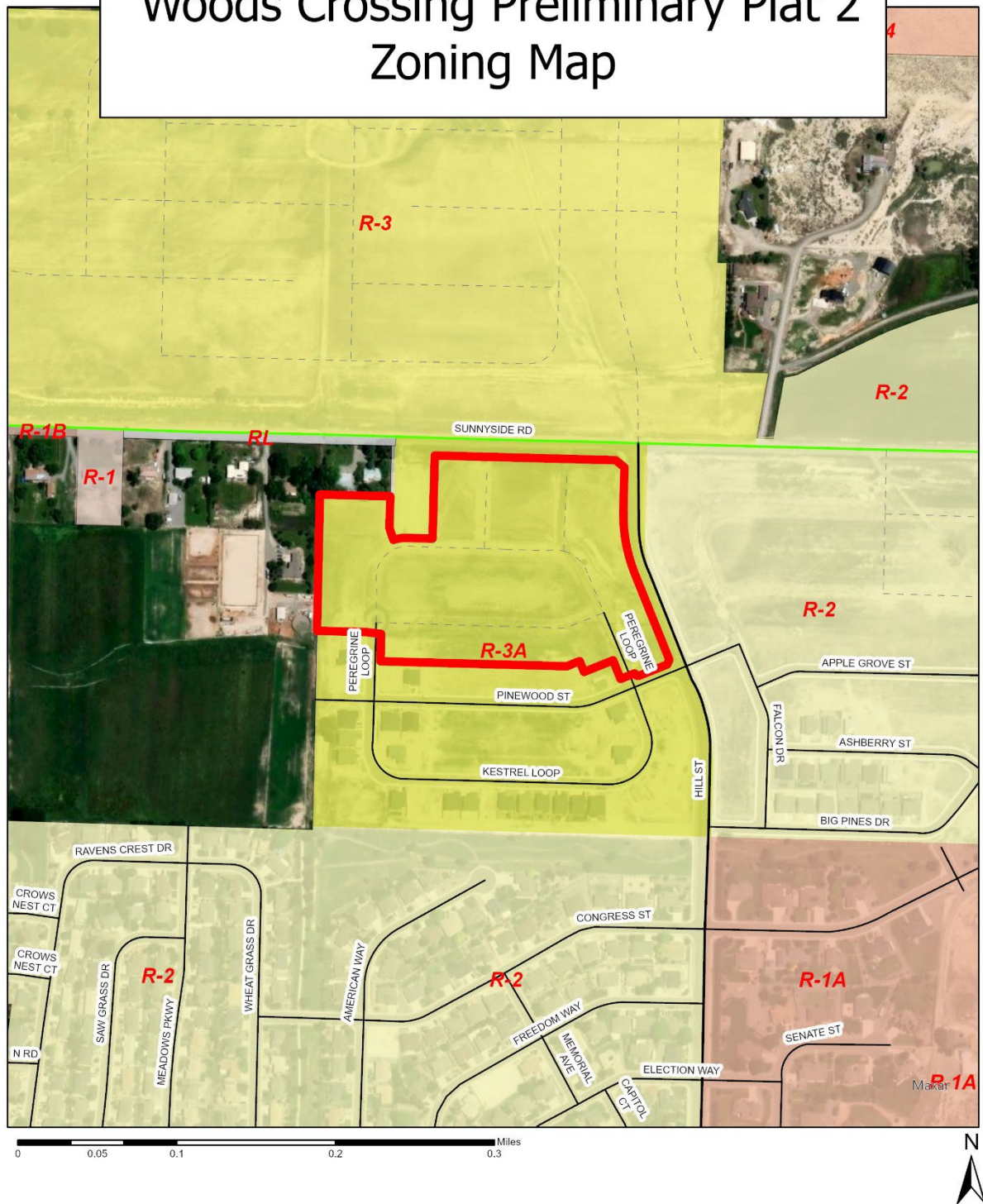
1. Accept the Planning Commission recommendation and approve the Woods Crossing Subdivision Amended Preliminary Plat 2 with the following condition. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions 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



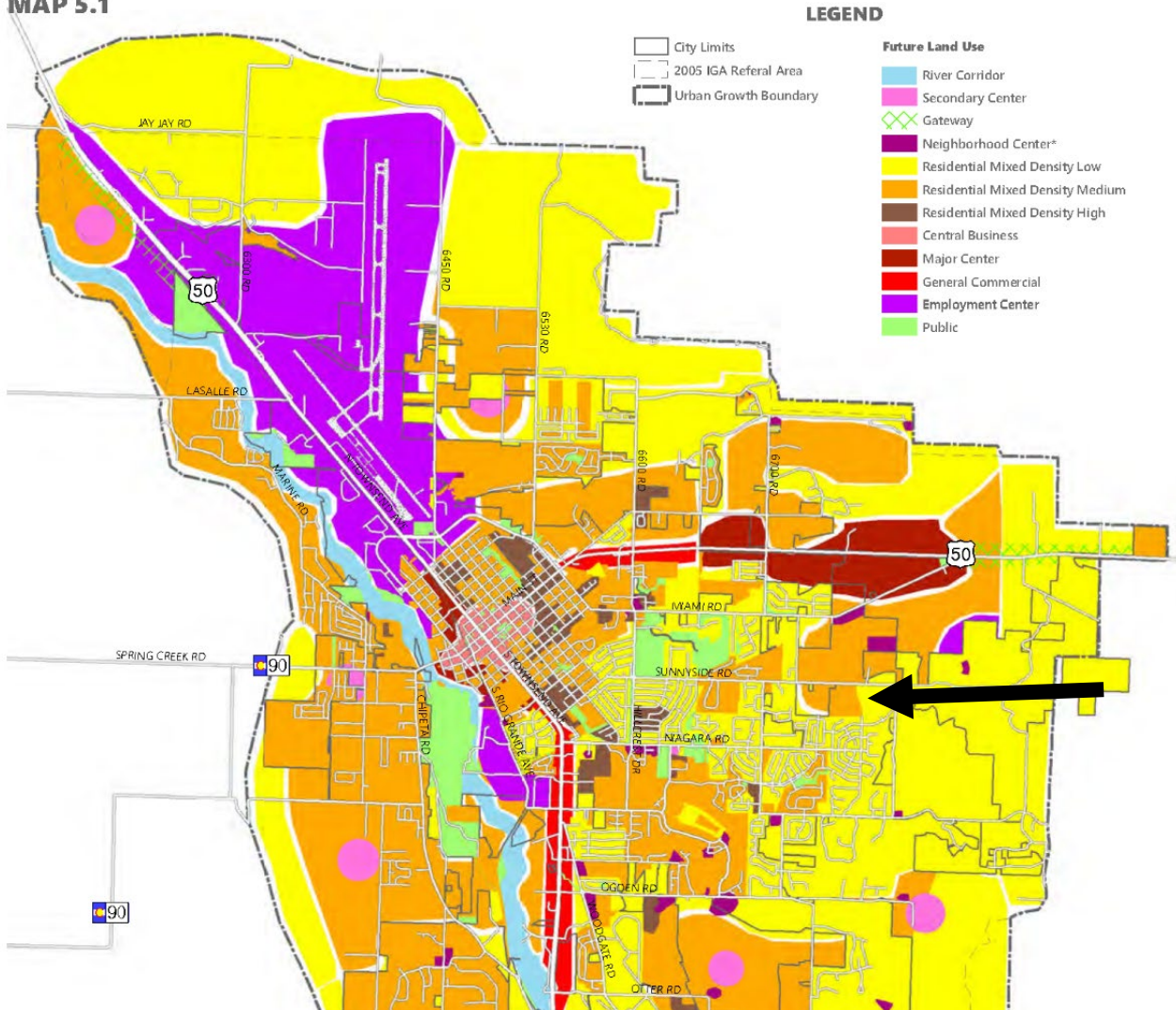
Woods Crossing Preliminary Plat 2 Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



WOODS CROSSING

AMENDED PRELIMINARY PLAT 2

SITUATED IN SECTION 36, 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 Sunnyside 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 the Woods Crossing 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 contain drainage swales, sheet flow areas and/or improvements that are to be maintained by an Owner's Association. The Open Space Tracts shown hereon are entirely encumbered by drainage easements 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 benefited by the easement, 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 construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements, unless otherwise located within a dedicated easement to the City. 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.

3. Driveway/Right-of-Way Reciprocal Access Easements (Townhomes)

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 Woods Crossing Townhomes Association, in Woods Crossing subdivision, their respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easement, over Tract J so selected and reserved for use as driveways for ingress and egress. These reciprocal easements shall be appurtenant to lots 1-6, Block 16, in Woods Crossing 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 (Townhomes)

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 Woods Crossing 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 Woods Crossing 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 Woods Crossing 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 Woods Crossing Homeowners Association, a Colorado nonprofit corporation, Tract C, Tract D, Tract K and Tract O as shown and designated on this Plat.

B. Drainage

All Open Space Tracts contain drainage swales, sheet flow areas and/or improvements that are to be maintained by an Owner's Association. Dedicated City drainage easements as shown on this plat contain storm drain piping and structures that are to be maintained by the City.

C. Pedestrian Facilities

Open space Tract C, Tract D, Tract K and Tract O will contain improved pedestrian facilities for the use of the public.

D. 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: i) compliance with all applicable requirements of the Colorado Secretary of State, and ii) good standing with the Colorado Secretary of State.

E. Declaration of Covenants Recorded

The Declaration of Covenants, Conditions, and Restrictions for Woods Crossing 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.

7. Privately Owned Common Elements (Townhomes)

A. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally.

B. All limited common elements, now existing or hereafter conveyed shall be owned by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally. Maintenance of said limited common elements shall be as set forth in said association's declaration of covenants, conditions and restrictions, if any, or otherwise said maintenance shall be the obligation of the respective unit.

C. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units' exteriors shall be done in accordance with any applicable covenants and regulations of the owners' association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.

D. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance and repair of public utilities. Tract J in its entirety is reserved for this purpose.

E. Tract J in its entirety is reserved for access to Lots 1-6 in Block 16.

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

G. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements 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.

8. 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 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.

9. 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.

10. Final Plat Conditional Approval

The approval of the Woods Crossing 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.

11. Low Municipal Water Pressure

Water pressure within the subdivision is expected to range from 40 to 57 pounds per square inch (PSI) from the eastern to western ends, respectively.

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

Outlot 3, Woods Crossing Filing No. 2, according to the Plat recorded September 19, 2023 at Reception No. 965479, County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided into lots, as shown on this plat, under the name and style of WOODS CROSSING and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Peregrine Court, Peregrine Loop, Barn Owl Court, and Goshawk Street.

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

Executed this _____ day of _____, 20____.

Miami Road Properties, LLC

STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)

The above Certificate of Dedication and Ownership was acknowledged before me on this ____ day of _____, 20____, by _____
Miami Road Properties, LLC.

Witness my hand and official seal.

My commission expires _____

Notary

SURVEYOR'S CERTIFICATE

I, Frederick Ballard, a Professional Land Surveyor in the State of Colorado, do hereby certify that the above described parcel has been surveyed by me and/or under my direct supervision and that such survey is accurately represented hereon, and is based on my knowledge, information and belief, and is in accordance with applicable standards or practice and is not a warranty or warranty, either expressed or implied, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law, and do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title commitment issued by Fidelity National Title Insurance Company, dated July 9, 2025, bearing policy number 210-F09139-25.

Frederick Ballard, P.L.S.
Registration No. 37690
Date: _____

LINEAL UNITS STATEMENT:

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

BASIS OF BEARINGS:

The bearing between the found 2" aluminum cap at the Northeast Corner of Section 36, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado and the found 2 1/2" aluminum cap LS16835 at the East 1/4 corner of said Section 36 bears S01°09'36"W (ASSUMED)

ENGINEER'S CERTIFICATE

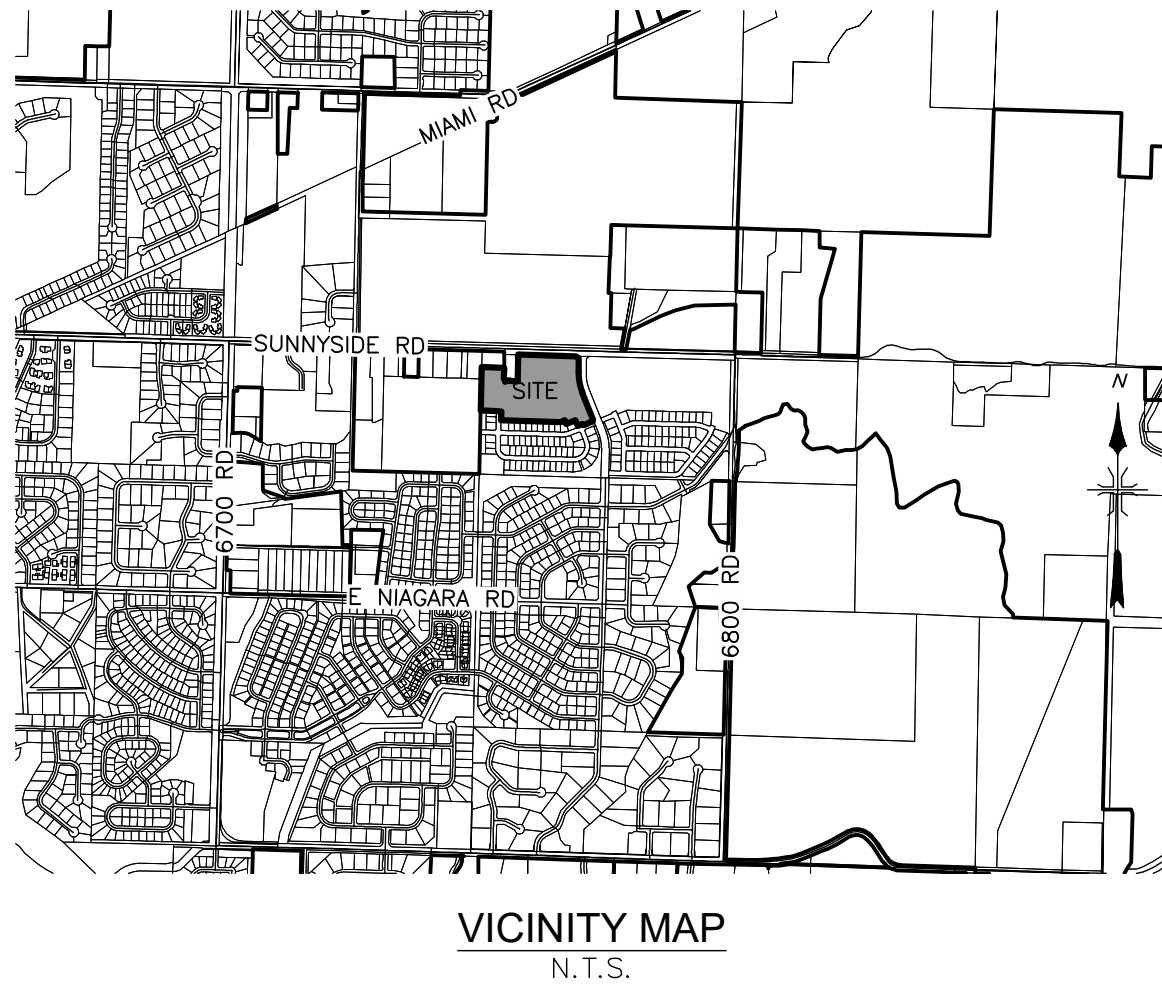
I, David Schieldt, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate 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: _____

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.

APPROVAL OF PRELIMINARY PLAT

City Engineer	_____ Scott Murphy, P.E. _____	Date _____
City Attorney	_____ Chris Dowsey _____	Date _____
City Planning Commission Chair	_____ David Fisherling _____	Date _____
City Mayor	_____ Dave Frank _____	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. _____ issued by _____ Title Insurance Company, dated _____, 20____ (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
Atty. Reg. 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 §11-5-12, 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

TITLE			
WOODS CROSSING AMENDED PRELIMINARY PLAT 2			
CLIENT			
MIAMI PROPERTIES, LLC			
ADDRESS & PHONE			
FIELD BOOK:	DRAWN BY:	DATE:	
	DCC	2025-09-17	
SHEET:	FILE:	JOB NO.:	
1 of 3	25032V_PLAT-PRE-A2	25032	
TYPE:			AMEND. PRELIM PLAT

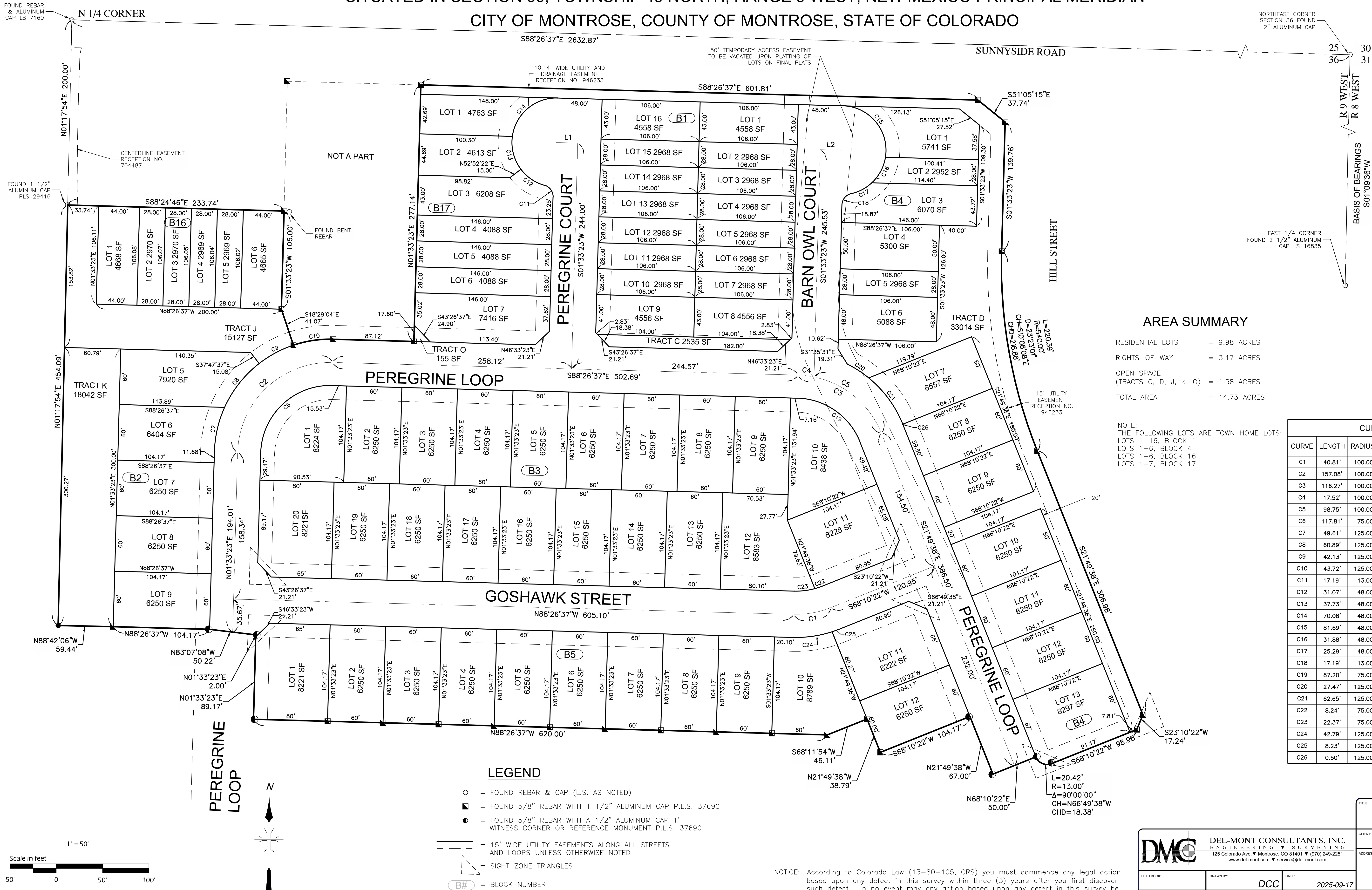
NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of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

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WOODS CROSSING

AMENDED PRELIMINARY PLAT 2

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



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

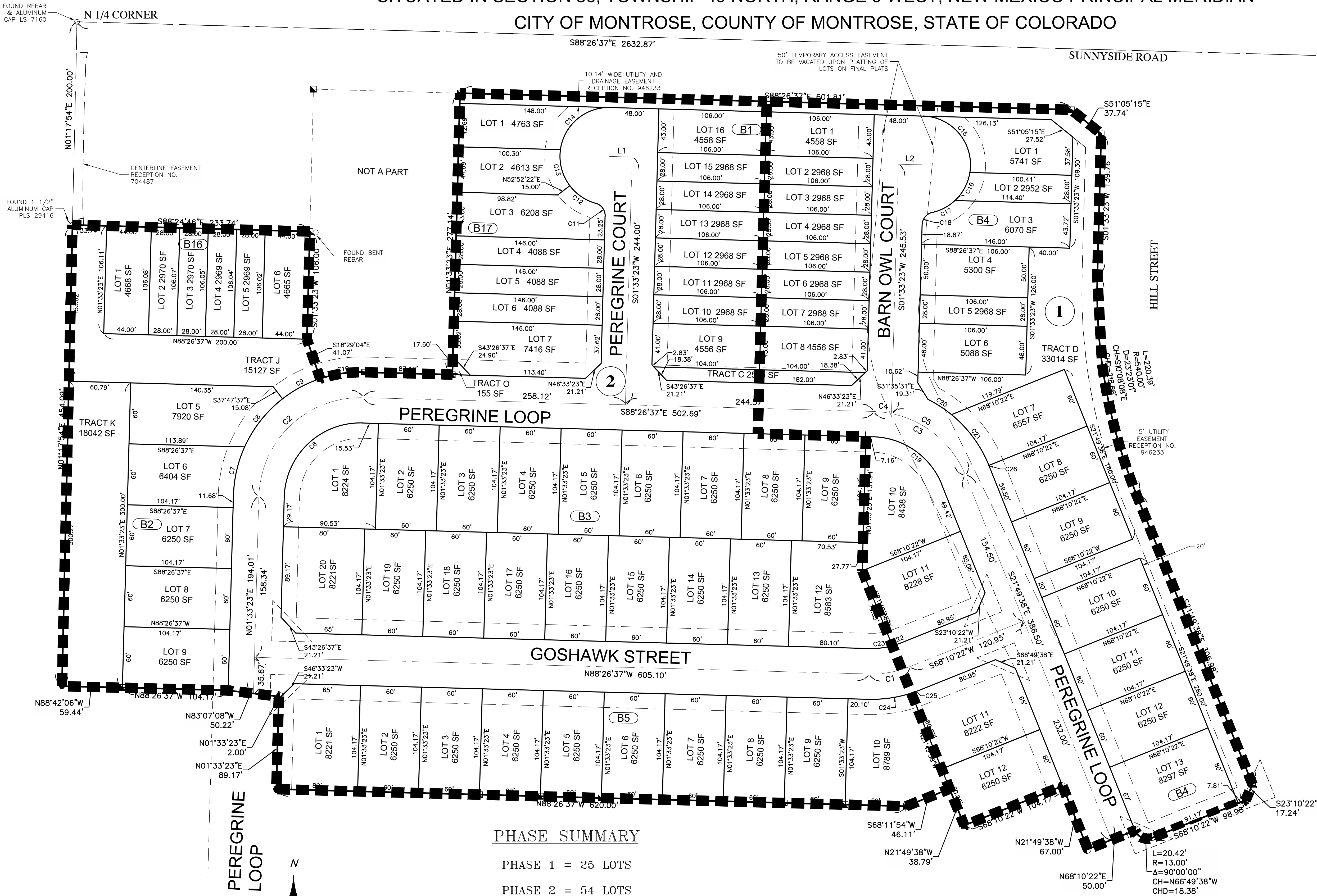
FIELD BOOK: DRAWN BY: DATE: 2025-09-17
SHEET: 2 of 3 FILE: 25032V_PLAT-PRE-A2 JOB NO.: 25032 TYPE: AMEND. PRELIM PLAT

TITLE: WOODS CROSSING
AMENDED PRELIMINARY PLAT 2
CLIENT: MIAMI PROPERTIES, LLC
ADDRESS & PHONE:
DATE: 2025-09-17
TYPE: AMEND. PRELIM PLAT

WOODS CROSSING

AMENDED PRELIMINARY PLAT 2

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



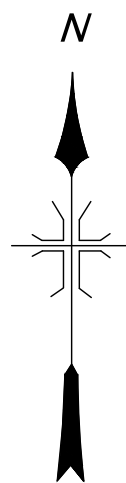
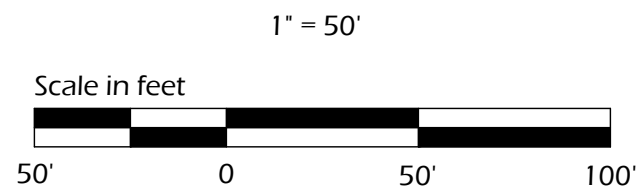
PHASE SUMMARY

PHASE 1 = 25 LOTS

PHASE 2 = 54 LOTS

TOTAL = 79 LOTS

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	40.81'	100.00'	023°23'01"	S79°51'52"W	40.53'
C2	157.08'	100.00'	090°00'00"	N46°33'23"E	141.42'
C3	116.27'	100.00'	066°36'59"	S55°08'08"E	109.83'
C4	17.52'	100.00'	010°02'10"	N83°25'32"W	17.49'
C5	98.75'	100.00'	056°34'49"	N50°07'03"W	94.79'
C6	117.81'	75.00'	090°00'00"	S46°33'23"W	106.07'
C7	49.61'	125.00'	022°44'26"	S12°55'36"W	49.29'
C8	60.89'	125.00'	027°54'34"	S38°15'06"W	60.29'
C9	42.13'	125.00'	019°18'33"	S61°51'39"W	41.93'
C10	43.72'	125.00'	020°02'27"	S81°32'09"W	43.50'
C11	17.19'	13.00'	075°45'55"	N36°19'34"W	15.97'
C12	31.07'	48.00'	037°04'53"	S55°40'03"E	30.53'
C13	37.73'	48.00'	045°02'11"	S14°36'31"E	36.77'
C14	70.08'	48.00'	083°38'46"	S49°43'57"W	64.02'
C15	81.69'	48.00'	097°30'48"	N39°41'06"W	72.18'
C16	31.88'	48.00'	038°03'22"	N28°05'59"E	31.30'
C17	25.29'	48.00'	030°11'30"	N62°13'25"E	25.00'
C18	17.19'	13.00'	075°45'54"	S39°26'20"W	15.97'
C19	87.20'	75.00'	066°36'59"	N55°08'08"W	82.37'
C20	27.47'	125.00'	012°35'29"	N57°04'08"W	27.41'
C21	62.65'	125.00'	028°43'04"	N36°24'52"W	62.00'
C22	8.24'	75.00'	006°17'35"	N71°19'09"E	8.23'
C23	22.37'	75.00'	017°05'26"	N83°00'40"E	22.29'
C24	42.79'	125.00'	019°36'46"	N81°45'00"E	42.58'
C25	8.23'	125.00'	003°46'16"	N70°03'29"E	8.23'
C26	0.50'	125.00'	000°13'42"	N21°56'29"W	0.50'



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.



DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
125 Colorado Ave W Montrose, CO 81401 W (970) 249-2251
www.del-mont.com service@del-mont.com

FIELD BOOK:

DRAWN BY: DCC

DATE: 2025-09-17

3 of 3

25032V_PLAT-PRE-A2

25032

WOODS CROSSING
AMENDED PRELIMINARY PLAT 2

MIAMI PROPERTIES, LLC

AMEND. PRELIM 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.



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

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

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

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

Table 5.3
Maximum Street Grade

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

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



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

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



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- (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)

