



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, August 4, 2026 - 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. Spanish interpretation may be provided upon request, subject to availability. Please [email the City](#) at least three days in advance to coordinate this service.

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

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



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

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.

6) **APPROVAL OF MINUTES** (5 minutes)

City Council consideration of the minutes of the July 21, 2026, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the July 21, 2026, regular City Council meeting as presented.

7) **RESOLUTION 2026-10** (10 minutes)

City Council consideration of Resolution 2026-10, authorizing the City of Montrose Police Department to file an application for a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of \$61,104.00 to cover a portion of both the current Victim Advocate’s Salary and a new Victim Advocate's salary; ratifying the City Manager's signature on the grant application; authorizing the Chief of Police to act in connection with the application and to provide such additional information as required; and authorizing the City Manager, Chief of Police and Finance Director to sign the reporting documents. *Staff: Deputy Police Chief Larry Witte and Victim Services Coordinator Chantelle Bainbridge*

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-10 and ratify the City Manager's signature on the grant application as presented.

8) **RESOLUTION 2026-11** (10 minutes)

City Council consideration of Resolution 2026-11, setting September 15, 2026, as the hearing date for Locust Road Addition annexation. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-11 as presented.



9) **ORDINANCE 2725 - SECOND READING** (15 minutes)

City Council consideration of Ordinance 2725 on second reading, an Ordinance of the City of Montrose, Colorado, amending Title XI Chapter 7, Zoning Regulations; Title XI Chapter 11, Supplementary Uses; and Title XI Chapter 15, Definitions, to allow for Temporary Workforce Housing within the City of Montrose, Colorado. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Ordinance 2725 on second reading as presented.

10) **RESOLUTION 2026-12** (10 minutes)

City Council consideration of Resolution 2026-12 authorizing assignment to the Colorado Housing and Finance Authority of a private activity bond allocation of the City of Montrose pursuant to the Colorado Private Activity Bond Ceiling Allocation Act. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-12 as presented.

11) **ORDINANCE 2726 - FIRST READING** (15 minutes)

City Council consideration of Ordinance 2726 on first reading, an Ordinance of the City of Montrose, Colorado, adding Title 9 Chapter 10 Section 3 (9-10-3), regarding Park speed limits, off trail riding prohibited, amending Title 10, Chapter 1, Section 4 (10-1-4) additions or modifications in adopted Model Traffic Code, and adding Title 10, Chapter 1, Section 15.5 (10-1-15.5), Electrical-assisted bicycles and classless electrical-assisted vehicles. *Staff: Assistant City Attorney Matt Magliaro*

Action: Hold a hearing. Consider making a motion to pass ordinance 2726 on first reading as presented.

12) **DISCUSSION OF PROPOSED CHARTER AMENDMENTS**

- A) Police Chief appointment and removal with advice and consent of council
- B) City Clerk appointment and removal with advice and consent of council



13) **QUASI-JUDICIAL ITEMS**

There are no quasi-judicial items on this agenda.

14) **STAFF REPORTS**

- A) **Wastewater Treatment Plant Project Update** (5 minutes)
Staff: Utilities Director David Bries

15) **CITY COUNCIL COMMENTS**

16) **MOTION TO ADJOURN**



MONTROSE CITY COUNCIL

July 21, 2026

A regular meeting of the Montrose City Council was held on Tuesday, July 21, 2026, 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

Michael Badagliacco, Ed Ulibarri, Dave Frank, J. David Reed, Adam Woodden, Bill Bell, Ann Morgenthaller, Chris Dowsey, Greg Story, Lisa DelPiccolo, Blaine Hall, Larry Witte, Tim Cox, Nik Pridy, Jace Hochwalt, Jim Scheid, Greg Stunder, Matt Magliaro,

GUESTS

Judy Ann Files, Ralph Files, Kim Spangrude, Lesley Hallenborg, Beth McCorkle, Neonila Martyniuk, Greg Cairns, Anna Cooling, Jim Haugsness, Karen Sherman, Jodi Woodden, Bruce Ackerman, Debbie Reed, Barb Sharrow, Ron Smith, Connie Pittenger, Bob Nicholson, Janet Eckerdt, Holly Speaks, Dave Bowman, Phoebe Benziger, Kevin Clay, Gabrielle Clay, Sam Aster, Kendra Stuckey, Lance Michaels, Jeff Downs, Ryan Sedgeley, Aaron Ranstrom, John Brown, Doug Glaspell, Cliff Faurer, Dave Stockton, Jeff Downs, John Connell, John Broadbooks, Mark Gregory, Dale Reed, Laurie Connell, Dee Laird, Phoebe Benziger, Karen Sherman-Perez, Heather Scott

CALL TO ORDER

Mayor Michael Badagliacco called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

Mayor Pro Tem Ed Ulibarri reported that Item 7, Ballot Question for November 2026 Coordinated Election was added to the amended agenda.

CALL FOR PUBLIC COMMENT

Kim Spangrude distributed a statement to City Council and spoke in support of verifying facts in City Council candidate biographies.

Lesley Hallenborg spoke in favor of restoring mobile vendors, specifically the Sno-Balls Trolley, to Demoret Park.

Cliff Faurer thanked staff for the SeeClickFix app and a prompt response to replacement of a faded speed limit sign in his neighborhood.

Dave Stockton spoke in favor of City Councilor Adam Woodden recusing himself from discussion and voting on any non-sanctuary city declaration because his spouse serves on the Republican Central Committee.

Connie Pittenger spoke in favor of legislating the operation of electric dirt bikes operated by juveniles. City Councilors responded that this topic was discussed at the July 20 work session and an ordinance will be considered on August 4.

Jeff Downs, president of Shepherd's Hand Board of Directors, thanked the City for supporting the organization and the Light House Shelter. Mayor Badagliacco provided an update on a tour of facilities in Delta, Olathe, and Grand Junction earlier in the day. City Manager Bill Bell said information gathered from the tour will be used to develop city programs.

John Connell spoke in favor of activities that get children outside and away from computers. Mr. Connell also spoke in favor of finding a place for kids on electric vehicles to ride safely.

Holly Speaks and Beth McCorkle spoke in opposition to placing the police chief and city clerk under the direction of the City Council.

Ryan Sedgeley spoke in support of an education campaign regarding e bikes and spoke in favor of warnings before citations are issued. City Councilor Dave Frank said that an education component was a part of the work session discussion.

Aaron Ranstrom spoke in favor of a permitting process for electric vehicles and in support of keeping motorized vehicles off of the trails at Riverbottom Park.

John Brown spoke in support of increased community participation at City Council meetings.

APPROVAL OF MINUTES

City Council considered the minutes of the July 6, 2026, special City Council meeting and the July 7, 2026, regular City Council meeting.

City Clerk Lisa DelPiccolo explained a correction to the minutes of the special meeting and said the corrected version of the minutes is included in the meeting packet.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to approve the minutes of the July 6, 2026, special City Council meeting and the July 7, 2026, regular City Council meeting as presented and corrected. All voted yes. Motion passed.

BALLOT QUESTION FOR NOVEMBER 2026 COORDINATED ELECTION

City Council considered whether to give notice to the Montrose County Clerk regarding the addition of a question on the November 3, 2026, Coordinated Election ballot related to amending the Montrose City Charter.

City Attorney Chris Dowsey reported that this topic was raised at yesterday's work session and reviewed statutory deadlines to place items on the November 3 coordinated election ballot. Mr. Dowsey stated that notice must be given to the county clerk by July 23 of an intent to have a ballot item. An intergovernmental agreement would need to be in place by August 25, and ballot language must be certified via ordinance by September 3.

Mayor Michael Badagliacco stated that the sole purpose of this agenda item is to reserve the space on the coordinated election ballot in the event that Council agrees to move forward with any amendments after robust, ample and inclusive discussions.

City Councilor J. David Reed made a statement on the need for the citizens to have a meaningful voice in determining the future of the city charter, learning from last year's failed ballot question, the addition of this agenda item after the agenda was published, and the components of good government. Mr. Reed recommended bringing amendments forward with care, deliberation, and public participation and committing to a process of genuine and meaningful citizen participation.

City Councilor Dave Frank spoke in support of Mr. Reed's statement. Mr. Frank asked to slow the process to allow careful evaluation of the amendments and provide an opportunity to listen to the constituency.

Mayor Badagliacco spoke in favor of the voters deciding any amendments that are placed on the ballot. Mayor Badagliacco stated that proposing these amendments were part of his campaign promises, and many meetings will be held to provide ample opportunity for robust and inclusive discussion.

Public comment was accepted.

Bob Nicholson questioned whether illegal meetings or rolling quorums were used to get to this point and spoke in opposition to rushing to add the proposed amendments to the November ballot.

Cliff Faurer spoke in opposition to the addition of this topic to the agenda after the July 20 work session. Mr. Faurer questioned why the amendments are rushed and what problems they solve.

Dave Stockton spoke in opposition to the amendment to the agenda following the July 20 work session.

Mark Gregory spoke in support of previous comments and in support of J. David Reed's statement. Mr. Gregory questioned why the amendments are rushed and what problems they solve.

Beth McCorkle spoke in support of city elections remaining nonpartisan. Ms. McCorkle requested an explanation of the problems that each proposed charter amendment is intended to solve.

John Brown spoke in support of the City Council listening to the constituency and in support of the Mayor's process for the charter amendments.

Ryan Sedgeley spoke in opposition to a ban on ranked choice voting, in opposition to placing the police chief and city clerk under the direction of the City Council, and in opposition to adding the agenda item following the July 20 work session.

Laurie Connell spoke in support of providing notice for the ballot question to the county clerk and in support of the voters deciding the amendments.

Connie Pittenger spoke in support of a ballot question for each amendment instead of one question with all proposed amendments.

Holly Speaks spoke regarding concerns of a power imbalance due to Council's ability to bring amendments forward using taxpayer funds while Citizens must fund initiatives.

Dave Bowman spoke in support of slowing down the process to allow time to inform the community.

Ron Smith spoke in support of the open dialogue at City Council meetings and distributed a statement with suggested charter amendments. Mr. Smith spoke in support of a standard protocol to update the charter on a regular basis.

Kim Spangrude questioned the effect of the changes on community members residing outside of the city limits.

Dee Laird spoke in support of proceeding with the proposed charter amendments on the November 3 ballot.

Robert Kelly, also known as Sam Aster, spoke regarding citizen avenues for public comment outside of city council meetings.

Phoebe Benziger spoke in opposition to the addition of the agenda item following the July 20 work session. Ms. Benziger spoke in support of two-way communication regardless of affiliation and viewpoints.

Karen Sherman Perez spoke in support of a question on the ballot for each proposed amendment. Ms. Sherman Perez raised concerns regarding the limited timeline and its effect on public comment. Ms. Sherman Perez spoke in support of informing the public of the pros and cons in an unbiased manner.

Heather Scott thanked City Council for the open forum and raised concerns regarding divisiveness and fear in the community.

City Attorney Chris Dowsey stated that any motion made should use the wording “a question or questions on the November 3, 2026, coordinated election ballot.”

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to notify the Montrose County Clerk regarding the addition of a question or questions on the November 3, 2026, Coordinated Election ballot related to amending the Montrose City Charter. J. David Reed and Dave Frank voted no. All others voted yes. Motion passed.

A discussion was held on the schedule of meetings for review of the proposed amendments and to meet the required election deadlines. Mayor Badagliacco said he would prepare a meeting schedule that would be emailed to City Council and staff and posted on the City website.

GOOGLE WORKSPACE EXPENSE AUTHORIZATION

City Council considered the purchase of Google Workspace Enterprise software licenses at the total cost of \$54,432.00.

Information Systems Director Greg Story requested authorization to purchase Google Workspace Enterprise licenses through the Statewide Internet Portal Authority (SIPA). Mr. Story stated that through SIPA, the City secured a discounted annual rate of \$170.10 for each of the 320 users. Funding for the purchase is included in the 2026 budget.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the purchase of Google Workspace Enterprise software licenses at the total cost of \$54,432.00 as presented. All voted yes. Motion passed.

2026 STREETLIGHT UPGRADE AND REPLACEMENT AUTHORIZATION

City Council considered the 2026 Streetlight Upgrade and Replacement Authorization in partnership with Delta-Montrose Electric Association for the not-to-exceed amount of \$240,000.00.

Public Works Operations Manager Nikolas Pridy reported no changes to this item since the July 6 work session discussion. Mr. Pridy stated that this authorization includes two separate scopes of work. The first is the final year of the LED street light conversion for the not-to-exceed amount

of \$120,000.00, and the second is the continued replacement of older streetlight poles, also not to exceed \$120,000.00. Mr. Pridy said the expense is included in the 2026 budget, and no additional appropriation is being requested.

Public comment was accepted. No comments were received.

A motion was made by Adam Woodden, seconded by Dave Frank, to approve the 2026 Streetlight Upgrade and Replacement Authorization in partnership with Delta-Montrose Electric Association for the not-to-exceed amount of \$240,000.00 as presented. All voted yes. Motion passed.

PAVILION DESIGN (PHASE 1) CONTRACT AWARD

City Council considered the authorization of \$400,000.00 for the first phase of design work on the Montrose Pavilion Renovation including a contract with Blythe Group and Company (BG+Co).

Public Works Director Jim Scheid reported that a complete assessment of the critical systems at the Montrose Pavilion was conducted and it was found that several were nearing end of life, including the HVAC system and the roof. Mr. Scheid said that issues with the HVAC system are problematic because it is tied into the fire suppression system. Because the Pavilion books 18 months in advance, scheduling is challenging and the goal is to complete as many projects as possible during a designated closure.

Mr. Scheid said the Phase 1 design was budgeted for 2026, with the intent of budgeting for construction in 2027 and targeting a construction closure of the facility in 2028. Blythe Group, which completed the assessment, was selected for the design and has worked on design projects for several city facilities.

Mr. Scheid recommended approval of the design contract with Blythe Group, with \$200,000.00 in anticipated design costs in 2026 and \$200,000.00 in early 2027. The 2026 budget includes \$500,000.00 for the design project. Mr. Scheid said Blythe will be paid on an hourly, not-to-exceed basis. Design is anticipated to start late summer and conclude in time to complete bid processes for the 2028 budget.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to authorize \$400,000.00 for the first phase of design work on the Montrose Pavilion Renovation including a contract with Blythe Group and Company (BG+Co) as presented. All voted yes. Motion passed.

HILLCREST SIDEWALK REPLACEMENT CONSTRUCTION CONTRACT

City Council considered the award of a contract to Precision Dirt Work in the amount of \$489,577.00 for construction of the South Hillcrest Drive Sidewalk Replacement Project.

Public Works Director Jim Scheid reported that this item is included as part of the MoveMo scope for this year. The section of sidewalk was identified as needing replacement but is not associated with a street repair. Mr. Scheid reviewed the location of the 1,800 feet of sidewalk on the west side of Hillcrest Drive between Miami and Sunnyside Roads. The City Council determined this project as a priority during the formation of the 2026 budget.

Mr. Scheid reviewed the bid process. Six bids were received with the low bid submitted by Precision Dirt Work. Mr. Scheid said that initially, an internal cost estimate of \$650,000.00 was determined for the project with half budgeted in the 2026 MoveMo scope and half in 2027. Mr. Scheid recommended completing the entire project in 2026 because the bids were favorable and savings were realized on other projects.

Public comment was accepted.

Jim Haugsness raised the issue of improving access for two properties in the vicinity and was asked to speak with Mr. Murphy.

Kim Spangrude asked if information on the project would be available in Spanish.

A motion was made by Adam Woodden, seconded by Dave Frank, to award a contract to Precision Dirt Work in the amount of \$489,577.00 for construction of the South Hillcrest Drive Sidewalk Replacement Project as presented. All voted yes. Motion passed.

2026 ANNUAL COLORADO FLIGHTS ALLIANCE CONTRIBUTION

City Council considered the approval of the City's annual contribution to the Colorado Flights Alliance (CFA) in the total amount of \$300,000.00.

City Councilor J. David Reed recused himself from this agenda item due to a conflict. Mr. Reed left the City Council Chambers at 8:07 p.m.

City Manager Bill Bell provided background on the services provided by Colorado Flights Alliance to ensure that the region has a variety of flights throughout the year. Mr. Bell stated that the support funding for CFA is included in the 2026 budget but exceeds the city manager spending authority. Mr. Bell said the City has provided support funding to CFA for close to 20 years. The meeting packet includes data on the past five years as well as economic impact statements.

Mr. Bell stated that any unspent support funding would revert to CFA's designated fund balance for the next year. Mr. Bell said the fund balance reserves are used to address unforeseen circumstances and ensure a variety of flights for the region.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to approve the City's annual contribution to the Colorado Flights Alliance (CFA) in the total amount of \$300,000.00 as presented. All present voted yes. Motion passed.

Mr. Reed rejoined the meeting at 8:14 p.m.

ORDINANCE 2725 – FIRST READING

City Council considered Ordinance 2725 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title XI Chapter 7, Zoning Regulations; Title XI Chapter 11, Supplementary Uses; and Title XI Chapter 15, Definitions, to allow for Temporary Workforce Housing within the City of Montrose, Colorado. A hearing was held.

Community Development Director Jace Hochwalt stated that the current development code, Title XI, does not define or regulate temporary work force housing, and the proposed amendments are intended to provide a framework for evaluating proposals.

Mr. Hochwalt said Ordinance 2725 adds a definition for "Temporary Workforce Housing," establishes use-specific criteria and procedural requirements for Temporary Workforce Housing, and incorporates "Temporary Workforce Housing" into the use table to clearly identify the zoning

district(s) where the use is permitted. Use will be allowed in the I-1, "Light Industrial" zoning district.

Mr. Hochwalt said that at the request of City Council, a provision was added limiting use to once every five years per parcel.

Mr. Hochwalt recommended approval to accommodate temporary labor needs for major construction and infrastructure projects in the region.

City Council discussed possible community impacts.

Mr. Hochwalt stated that the impact from temporary workforce housing is not substantially different from residential development. The requirement of an operational management plan addresses who is responsible for supervision and maintenance. Mr. Hochwalt said the City is trying to be proactive in a situation that is likely to develop anyway and is planning ahead to address the impacts.

Mr. Hochwalt said the property owner is ultimately responsible, and the City would not approve the application unless an operational management plan is clearly outlined.

City Manager Bill Bell stated that an owners representative was at the work session discussion and has discussed plans with staff. The facility would have an on-site supervisor and would be managed in a professional manner. Mr. Bell said the site would generate sales tax revenue to offset the impacts.

Mayor Michael Badagliacco opened the hearing.

Public comment was accepted.

Aaron Ranstrom raised concerns about the location and questioned the timing. Mr. Hochwalt said a potential use was brought forward that the City is addressing. Mr. Hochwalt said there is a limited number of sites within the I-1 zoning that would be suitable.

Dale Reed, COO of Merrimac Development, addressed concerns raised by City Council. Mr. Reed said the management plan addresses security, management and maintenance, and a transportation plan includes busing workers to the site. Mr. Reed said the proposed process

allows the city to revoke the permit and loss of the site would be a significant problem. Most of the employees will work a 6-10 schedule with one day free each week.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2725 on first reading as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

ORDINANCE 2717 – SECOND READING

City Council considered Ordinance 2717 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the El Chapin Addition.

Senior Planner William Reis reviewed the annexation schedule and the location of the 12.28 acres on 6600 Road. Mr. Reis stated that the property meets all eligibility requirements for annexation and is within the City's utility service areas. Mr. Reis reviewed the intent of the requested "R-3" zoning designation and the zoning of adjacent properties.

Mr. Reis recommended approval of the annexation and zoning ordinances stating that the proposal is consistent with public health, safety, and welfare, annexation policies, and the Comprehensive Plan. An annexation agreement and annexation impact report are required.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to adopt Ordinance 2717 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2718 – SECOND READING

City Council considered Ordinance 2718 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the El Chapin Addition as an "R-3," Medium Density District. Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Ordinance 2718 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2719 – SECOND READING

City Council considered Ordinance 2719 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of a portion of Lot 39 of the Amended Ponderosa Ranch Subdivision Filing No. 2 Lots Park and 39 from "R-6," Medium Density/Manufactured Housing District, to "B-3," General Commercial District.

Senior Planner William Reis reported that the property address is 1269 Spring Creek Road. A recent boundary line adjustment transferred 1.12 acres from a subdivision to an adjacent commercial property. Mr. Reis said the parcels had different zoning designations, and best practice is to rezone the portion being transferred to match. Mr. Reis reviewed rezone criteria and the intent of the "B-3" zoning designation.

Mr. Reis recommended approval stating that the proposal meets rezone criteria and is compatible with existing uses in the surrounding area.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Adam Woodden, to adopt Ordinance 2719 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2720 – SECOND READING

City Council considered Ordinance 2720 on second reading, an Ordinance of the City of Montrose, Colorado, designating the Lathrop Hardware building, with an historic address of 439 East Main Street, as a City of Montrose Historic Property pursuant to § 11-3 of the Official Code of the City of Montrose.

Senior Planner William Reis reported that the building is eligible for historic designation due to its age and its association with the history of downtown Montrose as the site of one of the City's earliest and longest lived hardware stores.

Mr. Reis recommended adoption of Ordinance 2720 stating that the Historic Preservation Commission unanimously recommended approval of the historic designation on May 26, 2026.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Ordinance 2720 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2721 – SECOND READING

City Council considered Ordinance 2721 on second reading, an Ordinance of the City of Montrose, Colorado, designating the E.A. Lee Garage, with an historic address of 219 East Main Street as a City of Montrose Historic Property pursuant to § 11-3 of the Official Code of the City of Montrose.

Senior Planner William Reis reported that the building is eligible for designation due to its age and its association with the history of transportation in Montrose having been an early automotive garage.

Mr. Reis recommended adoption of Ordinance 2721 stating that the Historic Preservation Commission unanimously recommended approval of the historic designation on June 23, 2026.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to adopt Ordinance 2721 on second reading as presented. Michael Badagliacco and Adam Woodden voted no. All others voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report

Sales Tax Manager Leeanne Whittaker provided a sales, use, and excise tax report for the month of May 2026. Ms. Whittaker reported that total collections for the General Fund were up 6.1 percent as compared to May of 2025, with a positive budget variance of 4.9 percent. Year-to-date collections for the General Fund were up 0.5 percent with a positive budget variance of 0.2 percent.

CITY COUNCIL COMMENTS

Mayor Pro Tem Ed Ulibarri reported on the success of the recent Tips for Cops event that benefitted Special Olympics.

ADJOURNMENT

The meeting adjourned at 8:57 p.m. with no further action taken.

ATTEST:

Michael J. Badagliacco, Mayor

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council
From: Chantelle, Victim Services Coordinator
Council Work Session Date: July 20, 2026
Council Meeting Date: August 3, 2026
Re: 2027 VALE Grant
Attachments:

- 2027 VALE Grant Application Packet

Action

Consider the approval of the request to apply for the 2027 VALE grant in the amount of \$61,104, to cover a portion of the salary for the Victim Services Coordinator and the Victim Advocate, brought to the City Council by the Montrose Police Department.

Background

The City Council considered information about this item at the City Council work session/previous Council meeting on July 20, 2026.

- The Victim Assistance Law Enforcement Grant (VALE) was developed to help system-based (criminal justice) organizations employ and train Victim Assistance personnel within their agency to support and guide crime victims through the criminal justice process, while providing victims with needed resources to help them through the trauma caused by a criminal act.
- The Montrose Police Department has requested and been awarded VALE funding for over 21 years to help fund the Victim Services program employing Victim Service Providers with the Department. Approximately 2 years ago, this program expanded by adding an additional Victim Advocate who works over the weekend due to the State of Colorado mandating that offenders must attend a bond hearing within 48 hours of their arrest, resulting in additional needs from this program over the weekend hours. Furthermore, additional staff reduces secondary trauma caused by the cases that Victim Services handles. Victim Services staff handles crimes against person cases, most of which are violent in nature.
- The Victims Services team is responsible for ensuring the Montrose Police Department remains in compliance with the Victim Right Act.
- The Victim Services Coordinator and the Victim Advocate provide all crime victims with required and necessary services pertaining to their rights and the resources available to them, through the following services: Crisis Intervention - on-scene and in person response, follow up services completed in person, via phone, text, mail and/or email.
- Law Enforcement has a requirement per the Victim Rights Act to provide information, guidance and support to crime victims, while ensuring they have been notified and understand the rights and resources afforded to them by the Victim Rights Act as well as assistance with the completion of crime victim compensation applications, grant applications and protection order applications or notifications of the criminal protection order (implemented during the initial bond hearing/advisement hearing), which is completed through the Victim Services unit.
- Victim Services are available to crime victims Monday - Sunday from 7am - 6pm and participates in an on-call schedule with neighboring law enforcement agencies to provide 24/7 coverage for emergency situations.

- Victim Services assisted a total of 562 crime victims in 2025 and as of June 30, 2026, have served 302.
- Why is Council considering this item? (Is their review required by the City Code? Required by another entity? Did Council request staff to bring this to them? Is this related to other previous or upcoming actions?)

Fiscal Impact

- The Victim Services Coordinator and Victim Advocates salary, benefits package is estimated to be \$193,590 in 2027. This number includes on-call, overtime, stipends and bonus, based on 2025.
- Victims of Crime Act (VOCA) grant has awarded the Montrose Police Department \$50,404 to assist with funding of both the Victim Services positions. This is 26% of the total pay. VOCA will not provide funding for on-call, overtime, stipends or bonuses.
- We have requested \$61,104 from the Victim Assistance Law Enforcement (VALE) grant for 2027. This is 32% of the entire Victim Services budget. VALE will not fund on-call, overtime, stipends or bonuses.
- The VALE grant request is an increase of \$5,954 more than we requested in 2025, to accommodate the market adjustments.
- If fully funded by VALE, grants will cover a total of \$111,508 leaving the City of Montrose to cover all remaining expenses, estimated to be \$82,082 or 42% of the Victim Services budget.
- We do not charge client fees for Victim Services

Thank you for your consideration

Chantelle Bainbridge
Victim Services Coordinator
Montrose Police Department

RESOLUTION 2026 - 10

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

WHEREAS the Montrose Police Department continues to see an increase in the need to employ two Victim Services staff.; and

WHEREAS we continue to see a steady number of crime victims that we assist annually with 562 victims served in 2025; and

WHEREAS, the State of Colorado has passed legislation in 2021 requiring suspects to be Advised within 48 hours of arrest, beginning in April 2022, which requires Victim Services to contact crime victims on Weekends to discuss their rights, inform them of the protective order, and ensure they have the ability to exercise their right to be present and speak; and

WHEREAS the Montrose Police Department wishes to continue to improve upon the services provided to include Victim Services availability 7 days a week in the office, Weekend Advisement coverage, helping victims with obtaining civil protection orders, apply for Crime Victim Compensation or access other community resources, regular follow up with crime victims; and

WHEREAS the Montrose Police Department wishes to reduce the burnout caused by vicarious trauma and maintain longevity with future advocates and employees within this type of position; and

WHEREAS the Montrose Police Department is mandated by the Colorado Constitution to guarantee certain rights to victims of violent crimes, employs a full time Victim Services Coordinator and one full time Victim Advocate to ensure compliance and to provide services to crime victims, and wish to apply for a portion of the Victim Services Coordinator's in the amount of \$34,324 and Victim Advocate's salary in the amount of \$26,780.00;

NOW, THEREFORE, the City Council of the City of Montrose:

- Authorizes the City of Montrose Police Department to file a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of \$61,104.00, to cover a portion of both the current Victim Advocate's Salary and a new Victim Advocates salary.
- Authorizes the Chief of Police to act in connection with the application and to provide such additional information as required.

- Authorizes the City Manager, Chief of Police and Finance Director to sign the grant application and reporting documents.

ADOPTED this 4th day of August, 2026, by the Montrose City Council

CITY OF MONTROSE, COLORADO

By _____
Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council
From: William Reis, Senior Planner
Council Work Session Date: July 20, 2026
Council Meeting Date: August 4, 2026
Re: Resolution to Set a Hearing for the Locust Road Addition
Attachments:

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

Action

Consider the approval of a resolution to set the official hearing date of the Locust Road Addition to September 15, 2026.

Background

The City Council considered information about this item at the City Council work session on July 20, 2026. The property owner of Parcel #376722400062 has requested to annex their property into City limits. This annexation will also include a portion of previously un-annexed sections of the Locust Road right-of-way. Per State law, the City Council must pass a resolution to set an official hearing date for an annexation ordinance, along with the annexation's proposed zoning. The hearing date must be between 30 and 60 days

Fiscal Impact

The proposed annexation is not anticipated to have a significant immediate fiscal impact on the City. The property will become eligible for City services in accordance with the City's adopted service plans and development standards. Any future infrastructure improvements or service demands associated with development of the property will be evaluated through the development review process and addressed in accordance with applicable City regulations and development agreements, as appropriate.

Proposed schedule:

July 20:	Council Work Session Overview
August 4:	Council Resolution to set a hearing date
August 12:	Planning Commission zoning hearing
September 15:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
October 6:	2nd reading of annexation and zoning ordinances

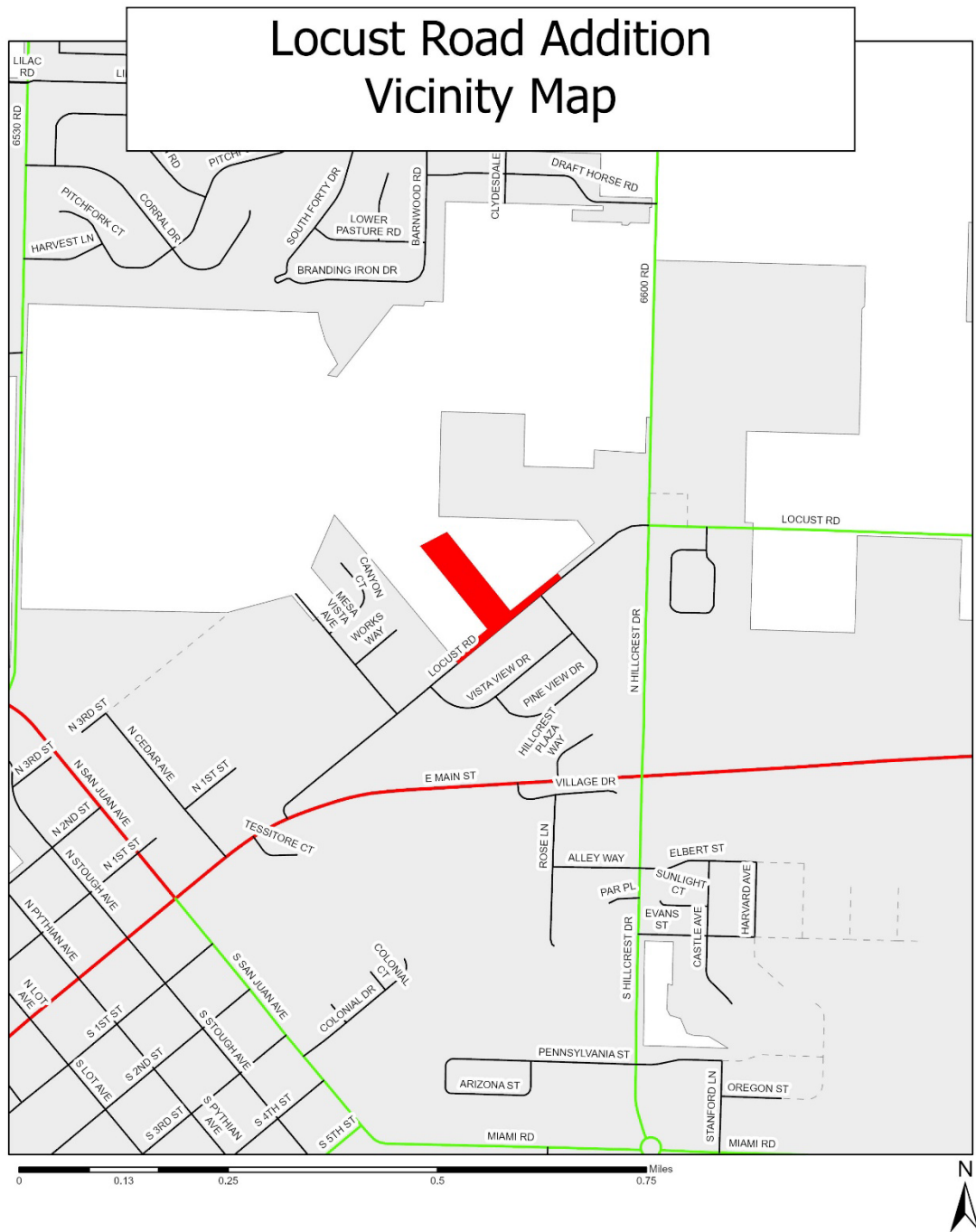
Proposed Zoning: "R-2" Low Density District

Applicant: Gustavo Martinez

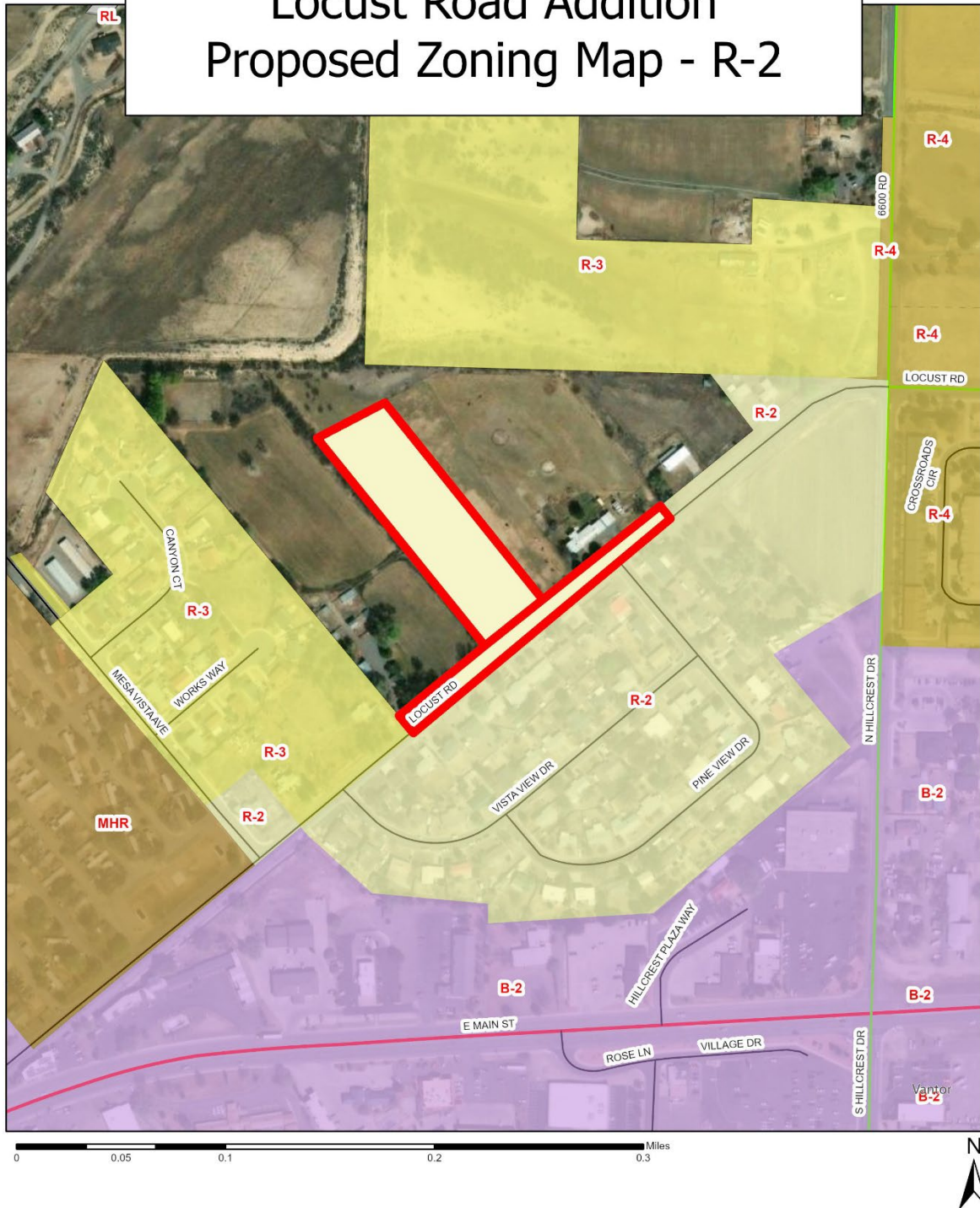
Staff Analysis:

1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 11-7-12 (B), Zoning of Additions. "The zoning of additions for all property annexed to the City not previously subject to City zoning may be requested or initiated by the City Manager or the owner of any legal interest in the property or such owner's representative. Proceedings concerning the zoning of property to be annexed may commence at any time prior to the effective date of the annexation ordinance, or thereafter as allowed by law. The Planning Commission shall either recommend approval or denial of the requested zoning to the City Council, which can either ratify the Planning Commission's decision, or reverse it. The zoning of additions shall be subject to the review procedures of Chapter 11-4 and standards of Section 11-7-4 of this Title, and shall be allowed only upon findings as follows:
 - i. The amendment is not averse to the public health, safety and welfare; and
 - ii. The amendment is in substantial conformity with the Comprehensive Plan, or such zoning is compatible with conditions in the area, which have changed materially since the Comprehensive Plan was last updated."
 - b. Municipal Code, Section 11-7-5: The "R-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.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "R-2" Low Density District, "R-3" Medium Density District, and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Locust Road Addition as 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.
5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 contains an area that has some level of, or moderate proximity to, existing infrastructure.
6. The "R-2" zoning does not appear to be averse to the public health, safety and welfare.

EXHIBIT A: Maps



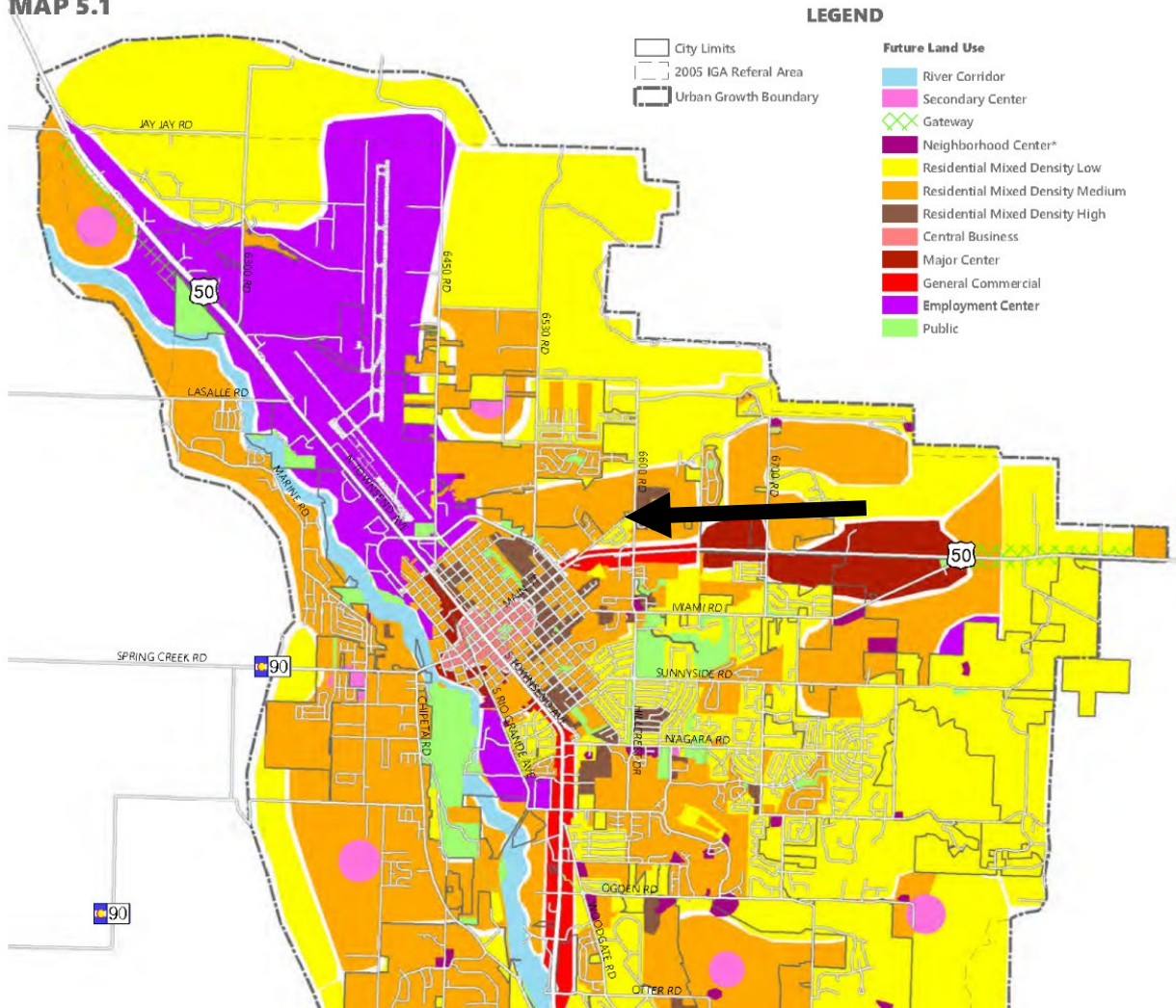
Locust Road Addition Proposed Zoning Map - R-2



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



F:\SURVEY\2025\11-11-SUR 1815 Locust Rd Annexation Plot - Gustavo Martinez\70Survey\Draw\25-111 1815 Locust rd ANNEX PLAT.dwg PLOT DATE 2026-3-17 10:22 SAVED DATE 2026-03-17 10:22 USER: ewhilder

1815 LOCUST ROAD, MONTROSE CO 81401
ADDITION TO THE CITY OF MONTROSE

SITUATED IN THE $S\frac{1}{2}$ S.E. $\frac{1}{4}$ SECTION 22
T.49N., R.9W., N.M.P.M., MONTROSE COUNTY, COLORADO

PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE $S\frac{1}{2}$ S.E. $\frac{1}{4}$ SECTION 22 TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, MONTROSE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEING PARCEL 2, A PORTION OF LOTS 3 & 4 AND A PORTION OF E. THIRD STREET BELVEDERE HEIGHTS SUBDIVISION BEGINNING AT THE NORTH EAST CORNER OF LOT 3; THENCE N $39^{\circ}24'05''$ W 637.37 FEET; THENCE S $61^{\circ}48'44''$ W 193.27 FEET; THENCE S $39^{\circ}37'13''$ E 675.44 FEET; THENCE S $50^{\circ}27'06''$ W 280 FEET; THENCE S $39^{\circ}32'54''$ E 70 FEET; THENCE N $50^{\circ}27'06''$ E 847 FEET; THENCE N $39^{\circ}32'49''$ W 70 FEET; THENCE S $50^{\circ}27'06''$ W 380 FEET TO THE POINT OF BEGINNING. CONTAINING 4.2 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR OF THE STATE OF COLORADO, THAT THIS ANNEXATION MAP OF 1815 LOCUST ROAD, MONTROSE CO 81401 ADDITION TO THE CITY OF MONTROSE, CONSISTING OF 1 SHEET WAS PREPARED UNDER MY DIRECTION AND SUPERVISION.

JOSEPH R. REASE DATE
L.S. 36067

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY OF MONTROSE, A MUNICIPAL CORPORATION IN THE COUNTY OF MONTROSE, STATE OF COLORADO HAS BY ITS ORDINANCE NO. _____ ADOPTED ON THIS _____ DAY OF _____ 2026 A.D., ANNEXED THE PROPERTY DESCRIBED HEREON TO THE CITY OF MONTROSE

CITY OF MONTROSE

MAYOR

RECORDERS CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF MONTROSE COUNTY AT _____ ON THE _____ DAY OF _____, 2026 RECEPTION NO. _____

COUNTY CLERK AND RECORDER

DEPUTY

CITY LIMITS

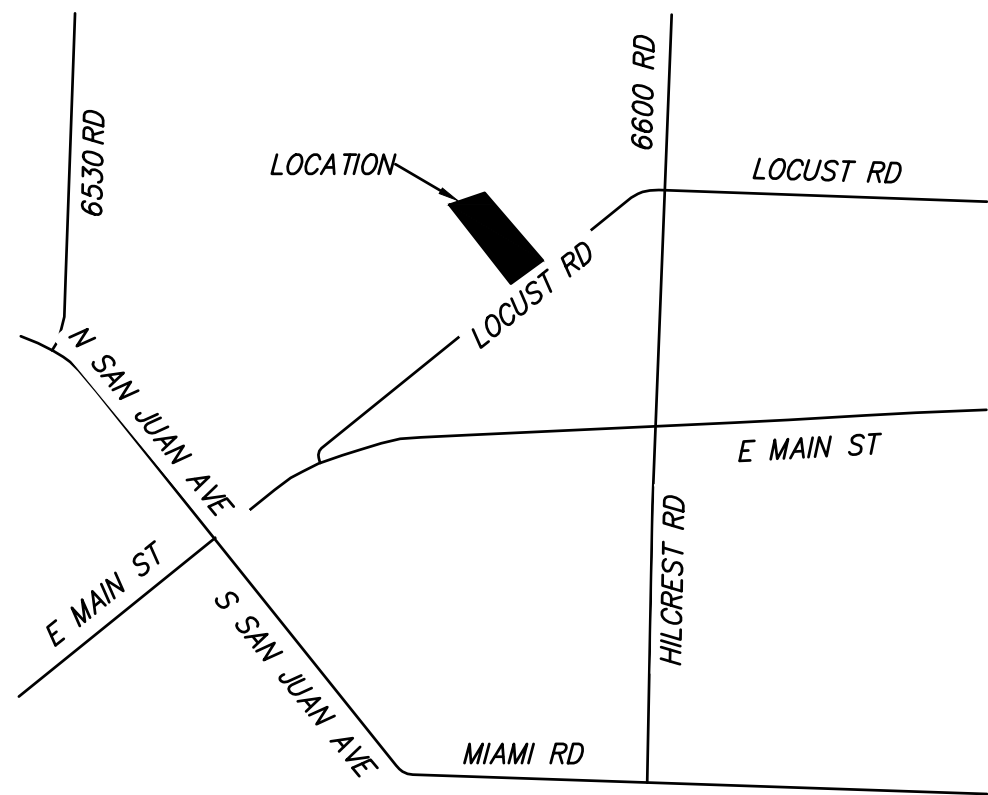
TOTAL PERIMETER = 3153.08'
PERIMETER CONTIGUOUS TO CITY LIMITS = 987'

BELVEDERE SUBDIVISION BOOK 0 PAGE 1

IMPROVEMENT SURVEY PLAT REC. NO. 947208

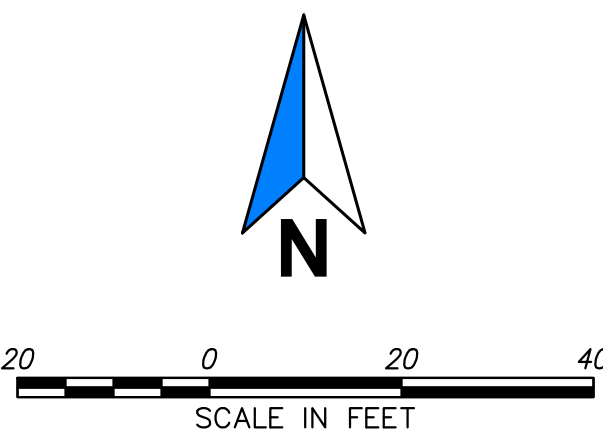
NOTE: THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS A COMPILATION OF EXISTING RECORDS FOR THE PURPOSE OF ANNEXATION.

VICINITY MAP



LEGEND

- PROPERTY LINE
- ROAD CENTERLINE
- EDGE OF ASPHALT
- CITY LIMITS
- ADJACENT PROPERTY



CLIENT:
GUSTAVO MARTINEZ
1815 LOCUST RD.
MONTROSE, CO 81403
DIAZSTAVO@GMAIL.COM

SURVEYOR:
Joseph S. Rease, PLS 36067
DOWIL, 222 S. Park Avenue
Montrose, CO 81401
jrease@buckhornengineering.com

BUCKHORN
ENGINEERING

222 South Park Avenue
Montrose, Colorado 81401
970-249-6828

1815 LOCUST ROAD, MONTROSE CO 81401
ADDITION TO THE CITY OF MONTROSE
ANNEXATION MAP

PROJECT 25-111-SUR
DATE 3/17/26
DRAFTER EJW
CHECKED JR
FIELD CREW EJW
FIELD DATE SEP/2025

V-1
1 OF 1

EXHIBIT B: Zoning Code Excerpt

Sec. 11-7-6. District uses.

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

- (3) The City Manager or his designee shall hold such hearings concerning the application and provide such notice thereof as the circumstances merit in his opinion. The permit may be granted subject to conditions appropriate to ensure compliance with this Subsection.
- (4) *Temporary Construction or Sales Office.* A building within a subdivision may be utilized as a temporary construction or sales office for a period up to one year by the developer of that subdivision during the period of the construction and initial sales respectively of the building and improvements within the area encompassed by the preliminary plat for each subdivision. The City Manager may authorize additional one-year periods for use as a construction office if construction is continuing in the area after the preceding year, or as a sales office if not all of the houses in the area have been sold during the year preceding.
- (F) *Uses Not Listed.*
- (1) Uses not listed in a zone district are prohibited except that such uses may be approved by the City Manager provided such uses are found to be similar to a permitted use.
- (2) Any person aggrieved by a decision of the City Manager pursuant to this Subsection may appeal that decision to the City Council under the following procedure:
- (a) The appeal must be made in writing and filed within 30 days of the decision being appealed.
- (b) The City Council shall consider the appeal at a public hearing held within 30 days of receipt of the written appeal, notice of which shall be given to the appellant by US mail at least 15 days prior to the hearing.
- (c) The City Council shall approve or deny the appeal.
- (d) The decision of the City Council shall be the final decision of the City on the matter, appealable only to the district court.
- (G) *Schedule of Residential Zone District Uses.*

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

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

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

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

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
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Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			
Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			
Fueling stations or other retail uses having fuel pumps which comply with the following criteria: (a)All fuel storage, except propane, shall be located underground. (b)All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.			P	P	P	P	C		
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and	P								

other similar professional service providers.									
Offices not allowed as a use by right.	C								
Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P
Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied				C	C	C			
Sexually oriented business (See Sec. 11-12-1)									P
Short-term rentals	P		P	P	P	P	P	P	P
Taverns			P	P	P	P	C		
Theaters			P	P	P	P			
Veterinary clinics or hospitals for small animals				P	P	P			
Veterinary clinics or hospitals for large animals					P	P			
Above ground storage facilities for hazardous fuels						P			P
Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.								P	P
Construction and contractor's office and equipment storage facilities						P			P
Feed storage and sales establishments						P			P

Manufacturing and non-manufacturing uses including: food processing; metal finishing and fabrication; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities. (See Sec. 11-11-4)					C	C		P	P
Other industrial uses									P
Storage facilities, indoor			C	P	P	P	C		P
Storage facilities, outdoor					C	P		P	P
Warehouse and wholesale distribution operations			C	C	C	C		P	P
Airport								P	P
Assisted living facilities	C			P	P	P			
Childcare facilities	P	C	P	P	P	P	P	P	P
College or other place of adult education			P	P	P	P			
Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 p.m. Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.			P	P	P	P			
Family child care home	P	C	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P

Hospitals	P								
Libraries		P	P	P	P	P			
Museums and visitor centers		P	P	P	P	P			
Parking facilities	P	P	P	P	P	P			
Private and fraternal clubs			P	P	P	P	C		
Public transportation facilities			P	P	P	P			
Religious assembly	P	P	P	P	P	P	P		
Schools	C	P	C	C	C	C	C		
Golf courses		C							
Parks, open space and recreation facilities	P	P	P	P	P	P	P	P	P
Private recreation facilities		P							
Duplex	P		P	P	P	P	P	P	P
Group homes—handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P		P	P	P	P	P	P	P
Group homes—handicapped/disabled > 8 persons (see Sec. 11-11-2)	C		C	C	C	C	C	C	C
Group homes, other (See Sec. 11-11-2)	C		C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A		A	A	A	A	A	A	A
Multifamily dwelling	C	C	P	P	P	P	P	P	P
Single-family dwelling	P	C	P	P	P	P	P	P	P
Supportive housing	C					C		C	
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C
Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11-7-6(E)(1—3))	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7-6(E)(4))	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11-13-6(2))	T		T	T	T	T	T	T	T

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

RESOLUTION NO. 2026-11

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

1. The City Council hereby finds that the Annexation Petition submitted for the annexation of the property denominated as the **LOCUST ROAD ADDITION**, as described on **Exhibit A** hereto, is in substantial compliance with the requirements of C.R.S. § 31-12-107(1), as amended.
2. The City Council shall hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104, 105, or such parts thereof as may be required to establish eligibility for annexation under the terms of C.R.S. Part 1, Article 12, Title 31. The hearing shall be held on the 15th day of September 2026, in the Montrose City Council Chambers at the Elks Civic Building at 6:00 P.M.

ADOPTED by the City Council of the City of Montrose, Colorado, this 4th day of August 2026.

CITY OF MONTROSE, COLORADO

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description:

A PARCEL OF LAND SITUATED IN THE S₁/₂ S.E. 1/4TH SECTION 22N TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN, MONTROSE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BELVEDERE HEIGHTS SUBDIVISION BEING A PORTION OF LOTS 3 & 4 BELVEDERE HEIGHTS SUBDIVISION BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 3 BELVEDERE HEIGHTS SUBDIVISION FROM WHENCE THE SOUTH WEST CORNER BEARS S 48°50'03" W 250 FEET; THENCE NORTH 41°14'16" W 675.44 FEET; THENCE N 60°11'41" E 193.27 FEET; THENCE S 41°01'08" E 737.37 FEET TO THE SOUTH EAST CORNER OF THE LOCUST ROAD RIGHT OF WAY BELVEDERE HEIGHTS SUBDIVISION LOT 3; THENCE S 48°50'03" W 187 FEET TO THE SOUTH WEST CORNER OF LOCUST ROAD RIGHT OF WAY; THENCE N 41°14'16" 100 FEET TO THE POINT OF BEGINNING. CONTAINING 3.27 ACRES MORE OR LESS.
ALSO SHOWN AS PARCEL 2 ON SURVEY PLAT RECEIPT NO. 947208

MEMO



To: Honorable Mayor and Members of the City Council
From: Jace Hochwalt, Community Development Director
Council Work Session Date: July 6, 2026
Council Meeting Date: July 21, 2026 (1st Reading) and August 4, 2026 (2nd Reading)
Re: Update to Title 11 of the Montrose Municipal Code (Land Development Regulations)
Specific to Temporary Workforce Housing
Attachments:

- Exhibit A - Ordinance 2725

Action

Consider the approval of Ordinance 2725 on first reading, an Ordinance of the City of Montrose, Colorado, amending Title XI Chapter 7, Zoning Regulations; Title XI Chapter 11, Supplementary Uses; and Title XI Chapter 15, Definitions, to allow for Temporary Workforce Housing within the City of Montrose, Colorado.

Background

As discussed at the City Council Work Session on July 6, 2026 and City Council Regular Meeting on July 21, 2026, the City of Montrose Municipal Code currently does not include a defined land use category or regulatory framework for temporary workforce housing. As a result, there is limited clarity regarding where such facilities may be located or how they should be reviewed and approved. The purpose of this item is to amend Title 11 – Land Development Regulations to formally incorporate temporary workforce housing into the Municipal Code by establishing a clear definition, identifying appropriate zoning districts, and outlining specific standards and procedural requirements. These amendments are intended to provide a consistent, transparent, and enforceable approach for evaluating temporary workforce housing proposals while ensuring alignment with the City’s zoning intent and community objectives.

In order to incorporate a new land use into Title 11 of the Montrose Municipal Code, several coordinated steps are required to ensure the regulations are comprehensive and internally consistent. Staff has identified the following three-step process to achieve this for temporary workforce housing:

1. Add a definition for “Temporary Workforce Housing” to [Chapter 11-15 - Definitions](#).
2. Establish use-specific criteria for “Temporary Workforce Housing” within [Chapter 11-11 - Supplementary Uses](#).
3. Incorporate “Temporary Workforce Housing” to [Section 11-7-6 - Use Table](#) to clearly identify the zoning district(s) where the use is permitted.

Step One – Define the use:

The first step in incorporating Temporary Workforce Housing into the Municipal Code is to establish a clear definition. The proposed definition was developed after reviewing definitions and regulatory approaches used by other jurisdictions.

Chapter 11-15 – Definitions

Temporary Workforce Housing - A residential use providing temporary housing accommodations for individuals employed in temporary, seasonal, or project-based work assignments, where occupancy is tied to employment duration and does not constitute permanent residency.

In addition to defining Temporary Workforce Housing, a definition for "Sleeping Unit" is needed because the term is referenced in the use-specific standards below. The following definition is proposed:

Sleeping Unit - A room or space within a Temporary Workforce Housing development designed for overnight occupancy by one or more persons without cooking facilities. A Sleeping Unit is not a dwelling unit. Occupants may rely on shared kitchen, dining, bathing, laundry, and other common facilities.

Step Two – Define the use-specific criteria/procedural requirements:

Several uses within the Municipal Code are subject to use-specific standards, including group homes, accessory dwelling units, manufactured home parks, travel home (RV) parks, and unhoused shelters. Following detailed staff discussion, it was determined that incorporating use-specific standards is appropriate to ensure clear and consistent criteria are established prior to approval of temporary workforce housing developments. The proposed standards and procedural requirements are outlined below.

Section 11-11-8. – Temporary Workforce Housing

Temporary Workforce Housing, as defined in Chapter 11-15-2, shall comply with the following standards:

- A. Applications for Temporary Workforce Housing shall be reviewed through the Site Development Plan – Major Development process in accordance with Section 11-8-1(C).
- B. Approval of Temporary Workforce Housing shall not exceed two (2) years. One (1) administrative extension of up to one (1) additional year may be approved by the City Manager upon demonstration of continued need and compliance with all applicable conditions of approval.
- C. Temporary Workforce Housing may be established on a parcel only once within any five (5) year period. The five (5) year period shall be measured from the date of the initial approval of the Temporary Workforce Housing use. A parcel that has received approval under this section shall not be eligible for another Temporary Workforce Housing approval until the five (5) year period has elapsed.

- D. Occupancy shall be limited to persons employed in seasonal, temporary, or project-based employment activities, and their immediate family members where permitted.
- E. Residential density shall not exceed the maximum number of dwelling units permitted within the underlying zoning district, as determined by the parcel size and applicable multifamily residential density standards. For Temporary Workforce Housing, the number of approved sleeping units shall establish site density and shall not exceed the equivalent dwelling unit density permitted in the zoning district.
- F. All developments shall be connected to municipal water, wastewater, and sanitary sewer utilities. Off-street parking areas and internal drive aisles may be constructed of gravel or other all-weather surfaces approved by the City Engineer and the Montrose Fire Protection District. A minimum of 0.75 off-street parking spaces shall be provided per sleeping unit.
- G. Landscaping and irrigation standards otherwise applicable to multifamily or commercial development shall not apply; however, landscaping, irrigation, fencing, or a combination thereof may be required as a condition of approval for buffering, screening, erosion control, security, public safety, or other site-specific mitigation purposes.
- H. The application shall include an operational and management plan identifying maximum occupancy (based on sleeping units), parking management, waste collection procedures, cleaning plans for community facilities, on-site management contact information, quiet hours, and procedures for maintaining compliance with this section. Adequate areas for employee pick-up, drop-off, and shuttle operations shall be provided where determined necessary by the City.
- I. Common kitchen, dining, restroom, bathing, laundry, and recreation facilities may be provided to serve the approved occupancy.
- J. All structures and facilities shall comply with applicable building, fire, health, and safety regulations and shall be designed and maintained to present a cohesive and orderly appearance compatible with surrounding land uses. Modular units not installed on continuous, fully enclosed CMU block or other permanent foundations shall be skirted. CMU piers or similar support systems shall be considered non-permanent foundations and shall also require skirting. Exterior lighting shall comply with Chapter 11-9 – Outdoor Lighting and shall be fully shielded and directed away from adjacent properties and public rights-of-way.
- K. A Temporary Workforce Housing use may be revoked by the City Manager upon reasonable notice to the applicant for violation of this section, any condition of approval, or any applicable law, ordinance, or regulation. Upon expiration, termination, or revocation of the use, all temporary housing units shall be removed from the site within a time period established by the City Manager unless otherwise approved through a separate land use approval.

- L. Prior to approval of a Temporary Workforce Housing application, the applicant shall provide an estimate of the costs associated with the removal and disposal of all temporary housing units, accessory structures, utilities, and related site improvements. The City Manager may require the applicant to establish a financial security, in a form acceptable to the City Manager, in an amount sufficient to ensure completion of such removal and disposal. A separate financial security shall not be required where the City Manager determines that adequate security for removal and disposal has already been provided through a lease agreement, development agreement, performance bond, letter of credit, or other comparable instrument, subject to approval by the City Manager.

Step 3 – Incorporate the use within the use table

Once the use, associated use-specific standards, and procedural requirements are established, the use must be incorporated into the Use Table in Section 11-7-6 to clearly identify where it is permitted.

Following staff discussion, it was determined that the most appropriate zoning district for Temporary Workforce Housing is the I-1 (Light Industrial) District. Temporary Workforce Housing is intended to accommodate employees engaged in seasonal, temporary, or project-based employment, much of which is associated with industrial, construction, manufacturing, utility, and similar employment sectors.

The I-1 District also provides characteristics that are well suited for this type of development. Industrial-zoned properties are generally larger and better able to accommodate temporary housing units, shared facilities, parking, and internal circulation while maintaining appropriate setbacks and buffering. In contrast, locating Temporary Workforce Housing within established residential neighborhoods could create compatibility concerns due to its temporary nature and operational characteristics.

Lastly, requiring Temporary Workforce Housing to locate within the I-1 District ensures that the use remains closely tied to employment-generating areas rather than functioning as a form of conventional residential development. This approach supports local and regional employers by providing housing options for workers needed to complete seasonal and project-based work while allowing those employees to reside within the community during their employment. As a result, workers are more likely to purchase goods, meals, fuel, and other services locally, generating additional sales tax revenue that benefits the City. Combined with the proposed use-specific standards, this approach provides a balanced framework that addresses temporary workforce housing needs, supports economic development, protects the character of surrounding neighborhoods, and ensures compatibility with adjacent land uses.

Land Use	OR	P	B-1	B-2	B-2A	B-3	B-4	I-1	I-2
RESIDENTIAL USES									
<u>Temporary Workforce Housing (See Section 11-11-8)</u>								P	
Legend: Zoning District				Legend: Use Type					
OR: Office-Residential				P: Permitted Use					
P: Public				C: Conditional Use					
B-1: Central Business				A: Accessory Use					
B-2: Highway Commercial				T: Temporary Use					
B-2A: Regional Commercial				Note: Any uses not listed in a zone district are prohibited—see Sec. 11-7-6(F)(1).					
B-3: General Commercial									
B-4: Neighborhood Shopping									
I-1: Light Industrial									
I-2: General Industrial									

Fiscal Impact

The proposed amendments to Title 11 are not expected to have a direct fiscal impact on the City; however, they may generate indirect economic benefits over time by supporting workforce availability for local and regional employers and contributing to increased local spending and associated sales tax revenues. Any administrative costs associated with application review and enforcement are anticipated to be absorbed within existing staff resources and development review processes.

Conclusion

The proposed amendments establish a comprehensive regulatory framework for Temporary Workforce Housing within the Montrose Municipal Code by defining the use, adopting use-specific standards and procedural requirements, and identifying the I-1 (Light Industrial) District as the appropriate location for this type of development. Collectively, these amendments provide a clear and predictable review process while ensuring that Temporary Workforce Housing remains temporary in nature, is appropriately managed, and is compatible with surrounding land uses.

The proposed regulations also position the City to better accommodate the workforce needs of local and regional employers without creating unintended impacts on established residential neighborhoods. By providing temporary housing opportunities near employment centers, the City can support economic development, improve housing availability for seasonal and project-based workers, and capture additional local spending that contributes to sales tax revenue. Overall, the proposed code amendments balance the needs of employers, workers, neighboring properties, and the community by creating a transparent regulatory framework that can be consistently administered as future applications are received.

ORDINANCE NO. 2725

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE XI, CHAPTERS 7, 11, AND 15 TO ALLOW FOR TEMPORARY WORKFORCE HOUSING WITHIN THE CITY OF MONTROSE, COLORADO.

WHEREAS, the City's Municipal Code is updated from time to time; and

WHEREAS, City Council finds that Temporary Workforce Housing supports the workforce needs associated with major economic opportunities, fostering economic growth throughout the City; and

WHEREAS, City Council finds there is a need to allow for Temporary Workforce Housing within the City of Montrose.

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

SECTION 1:

Section 11-7-6. (H) (District uses.) of the Official Code of the City of Montrose, Colorado is hereby amended to read as follows:

(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
RESIDENTIAL USES									
Accessory Dwelling Unit								P	P
Dwelling, Duplex	C			P	P	P			
Dwelling, Fourplex	P	P	P	P	P	P	P	P	P
Dwelling, Multi-household			P	P	P	P			
Dwelling, Single Household Attached			P	P	P	P			
Dwelling, Single Household Detached	P	C	P	P	P	P	P	P	P
Dwelling, Tiny Home	P	P	P	P	P	P	P	P	P
Dwelling, Triplex	P								
Group home - handicapped/disabled 8 persons or less (see Sec. 11-11-2)		P	P	P	P	P			
Group home - handicapped/disabled > 8 persons (see Sec. 11-11-2)		P	P	P	P	P			
Group home (See Sec. 11-11-	P	P	P	P	P	P			

2)									
Home occupation (See Sec. 11-11-3)			P	P	P	P	C		
Supportive housing			P	P	P	P		C	C
Accessory Dwelling Unit	P	P	P	P	P	P	P	C	C
Dwelling, Duplex	C	P	C	C	C	C	C		
Temporary Workforce Housing								P	
Legend: Zoning District				Legend: Use Type					
OR: Office-Residential				P: Permitted Use					
P: Public				C: Conditional Use					
B-1: Central Business				A: Accessory Use					
B-2: Highway Commercial				T: Temporary Use					
B-2A: Regional Commercial									
B-3: General Commercial				Note: Any uses not listed in a zone district are prohibited—see Sec. 11-7-6(F)(1).					
B-4: Neighborhood Shopping									
I-1: Light Industrial									
I-2: General Industrial									

SECTION 2:

Section 11-11-8. (Temporary Workforce Housing.) of the Official Code of the City of Montrose, Colorado is hereby added to read in its entirety as follows:

Temporary Workforce Housing, as defined in Chapter 11-15-2, shall comply with the following criteria:

- (A) Applications for Temporary Workforce Housing shall be reviewed through the Site Development Plan – Major Development process in accordance with Section 11-8-1(C).
- (B) Approval of Temporary Workforce Housing shall not exceed two (2) years. One (1) administrative extension of up to one (1) additional year may be approved by the City Manager upon demonstration of continued need and compliance with all applicable conditions of approval.
- (C) Temporary Workforce Housing may be established on a parcel for a maximum of three (3) years within any five (5) year period. The five (5) year period shall be measured from the date of the initial approval of the Temporary Workforce Housing use. A parcel that has received approval under this section shall not be eligible for another Temporary Workforce Housing approval until the five (5) year period has elapsed.
- (D) Occupancy shall be limited to persons employed in seasonal, temporary, or project-based employment activities, and their immediate family members, where permitted.
- (E) Residential density shall not exceed the maximum number of dwelling units permitted within the underlying zoning district, as determined by the parcel size and applicable multifamily residential density standards. For Temporary Workforce Housing, the number of approved Sleeping Units shall establish site density and shall not exceed the equivalent dwelling unit density permitted in the zoning district.

- (F) All developments shall be connected to municipal water, wastewater, and sanitary sewer utilities. Off-street parking areas and internal drive aisles may be constructed of gravel or other all-weather surfaces approved by the City Engineer and the Montrose Fire Protection District. A minimum of 0.75 off-street parking spaces shall be provided per Sleeping Unit.
- (G) Landscaping and irrigation standards otherwise applicable to multifamily or commercial development shall not apply; however, landscaping, irrigation, fencing, or a combination thereof may be required as a condition of approval for buffering, screening, erosion control, security, public safety, or other site-specific mitigation purposes.
- (H) The application shall include an operational and management plan identifying maximum occupancy (based on Sleeping Units), parking management, waste collection procedures, cleaning plans for community facilities, on-site management contact information, quiet hours, and procedures for maintaining compliance with this section. Adequate areas for employee pick-up, drop-off, and shuttle operations shall be provided where determined necessary by the City.
- (I) Common kitchen, dining, restroom, bathing, laundry, and recreation facilities may be provided to serve the approved occupancy.
- (J) All structures and facilities shall comply with applicable building, fire, health, and safety regulations and shall be designed and maintained to present a cohesive and orderly appearance compatible with surrounding land uses. Modular units not installed on continuous, fully enclosed CMU block or other permanent foundations shall be skirted. CMU piers or similar support systems shall be considered non-permanent foundations and shall also require skirting. Exterior lighting shall comply with Chapter 11-9 – Outdoor Lighting and shall be fully shielded and directed away from adjacent properties and public rights-of-way.
- (K) A Temporary Workforce Housing use may be revoked by the City Manager upon reasonable notice to the applicant for violation of this section, any condition of approval, or any applicable law, ordinance, or regulation. Upon expiration, termination, or revocation of the use, all temporary housing units shall be removed from the site within a time period established by the City Manager unless otherwise approved through a separate land use approval.
- (L) Prior to approval of a Temporary Workforce Housing application, the applicant shall provide an estimate of the costs associated with the removal and disposal of all temporary housing units, accessory structures, utilities, and related site improvements. The City Manager may require the applicant to establish a financial security, in a form acceptable to the City Manager, in an amount sufficient to ensure completion of such removal and disposal. A separate financial security shall not be required where the City Manager determines that adequate security for removal and disposal has already been provided through a lease agreement, development agreement, performance bond, letter of credit, or other comparable instrument, subject to approval by the City Manager.

SECTION 3:

Section 11-15-2. (Definitions.) of the Official Code of the City of Montrose, Colorado is hereby amended to read as follows:

S

...

Sleeping Unit means a room or space within a Temporary Workforce Housing development designed for overnight occupancy by one or more persons without cooking facilities. A Sleeping Unit is not a Dwelling Unit. Occupants may rely on shared kitchen, dining bathing laundry, and other common facilities.

T

...

Temporary Workforce Housing means a residential use providing temporary housing accommodations for individuals employed in temporary, seasonal, or project-based work assignments, where occupancy is tied to employment duration and does not constitute permanent residency.

...

SECTION 4:

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

SECTION 5:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof.

SECTION 6:

The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the City of Montrose Charter. City staff is hereby authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting and/or typographical errors discovered during codification.

SECTION 7:

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

SECTION 8:

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

SECTION 9:

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

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on first reading on Tuesday, the 21st day of July 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 21st day of July 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

INTRODUCED, READ and ADOPTED on second reading this 4th day of August 2026.

ATTEST:

Lisa DelPiccolo, City Clerk

Michael Badagliacco, Mayor

MEMO



To: Honorable Mayor and Members of the City Council
From: Jace Hochwalt, Community Development Director
Council Work Session Date: July 20, 2026
Council Meeting Date: August 4, 2026
Re: 2026 Private Activity Bond Allocation

Attachments:

- Exhibit A - PAB Allocation Letter
- Exhibit B - Resolution 2026-12
- Exhibit C - Assignment of Allocation Form

Action

Consider the assignment of the City's 2026 Private Activity Bond (PAB) allocation to the Colorado Housing and Finance Authority (CHFA) for use in supporting affordable housing and homeownership opportunities in Montrose.

Background

The Internal Revenue Service (IRS) annually provides each state with a federally established per capita allocation of tax-exempt Private Activity Bond (PAB) authority, commonly referred to as the state's Private Activity Bond Volume Cap or "Cap." Private Activity Bonds are tax-exempt bonds that allow private entities to finance projects that provide a public benefit, including affordable housing, first-time homebuyer mortgage programs, and certain other qualified facilities. Because the interest earned by bondholders is exempt from federal income tax, these bonds provide lower-cost financing for eligible projects.

The State of Colorado receives its annual allocation and, through the state's allocation process, distributes the authority among statewide issuing authorities and local governments. As Colorado's population has grown, the state's annual volume cap has also increased. For 2026, the allocation is \$1,474,868 for the City of Montrose, representing a 5.6% increase over the 2025 allocation.

The City of Montrose has historically elected not to issue Private Activity Bonds directly due to the administrative requirements, ongoing compliance obligations, and potential financial and legal responsibilities associated with serving as the bond issuer. Instead, the City has annually assigned its PAB allocation to the Colorado Housing and Finance Authority (CHFA). This approach allows the community to benefit from the City's allocation while utilizing CHFA's expertise in administering bond-financed housing programs and issuing the bonds on behalf of qualified projects.

CHFA uses these allocations to support affordable housing development and preservation, as well as homeownership opportunities throughout Colorado. In Montrose, CHFA partnered with the City in 2020 to use the City's PAB allocation to support Steele Properties, LLC's

rehabilitation of the San Juan Apartments, preserving affordable housing for seniors (62 years of age and older) and residents with disabilities receiving Section 8 rental assistance.

In addition to supporting affordable rental housing, CHFA has used the City's allocated bond authority to provide below-market financing through its Single Family Homeownership Program. Since 2021, CHFA has issued 120 home mortgage loans in Montrose totaling more than \$36 million, assisting 319 individuals with homeownership opportunities. The chart below summarizes the funding provided in Montrose through CHFA's Single Family Homeownership Program.

Year of Funding Date	Single Family Tax-exempt Production	Loan Count	Related Down Payment Assistance	Median Gross Yearly Income	Median Economic AMI	Median Original Loan Amount	Total number of people in households
2021	\$5,313,175	20	\$211,786	\$73,770	108%	\$270,755	59
2022	\$4,502,185	17	\$169,510	\$70,666	130%	\$268,492	35
2023	\$6,099,442	21	\$244,426	\$69,356	107%	\$304,385	52
2024	\$6,273,404	19	\$253,892	\$97,319	144%	\$330,896	52
2025	\$8,148,376	24	\$354,659	\$84,141	139%	\$347,428	65
2026*	\$6,480,913	19	\$355,243	\$77,398	110%	\$332,859	56

**Data as of 6/30/2026.*

Fiscal Impact

There is no direct fiscal impact to the City from allocating its Private Activity Bond volume cap to the Colorado Housing and Finance Authority (CHFA). The City incurs no debt or financial liability, while the allocation supports affordable housing and homeownership opportunities that can improve housing affordability and stability, strengthen the local workforce, and contribute to the community's long-term economic vitality. Administrative efforts are expected to be absorbed within existing staff resources.

Conclusion

City staff recommends approval of the allocation of the City's 2026 Private Activity Bond volume cap to the Colorado Housing and Finance Authority (CHFA) for use in supporting affordable housing and homeownership opportunities that benefit the Montrose community. This annual allocation allows the City to maximize the benefit of its federal bond authority without assuming the costs, risks, or administrative responsibilities of issuing bonds directly. Through CHFA's housing programs, the City's allocation helps expand access to affordable housing and homeownership for Montrose residents while advancing the City's long-term housing and community development goals.



February 09, 2026

Bill Bell
City Manager
City of Montrose

Re: Private Activity Bond Allocation of \$1,474,868

Dear Bill Bell:

I hereby certify that the above amount will be allocated to the respective local government for the purpose of issuing Private Activity Bonds (PAB) in 2026 under the state ceiling imposed by the Internal Revenue Code of 1986, as amended.

In accordance with the provisions of C.R.S. 24-32-1709.5, a fee on bonds issued is due to DOLA for the portion of each issuance that originated from a direct allocation. The amount of this fee is subject to revision, but is currently 0.027% of bonds issued. This fee is also due within five working days of the bond closing. In the event that the full allocation amount is not issued, or the fee rate changes, the fee will be recalculated to reflect the actual amount issued and the rate in effect at the time of closing.

If you have any questions, please contact Lisa Blakeney (720) 557-2112 or dola_pab@state.co.us.

Sincerely,

Maria De Cambra
Executive Director



Governor Jared S. Polis | Maria De Cambra, Executive Director | Tyler Jaeckel, Division Director

1313 Sherman St., Room 320, Denver, CO 80203

Phone: 303-864-7810 Fax: 303-864-7719 doh.colorado.gov

Strengthening Colorado Communities



RESOLUTION 2026 - 12
AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING
AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND
ALLOCATION OF THE CITY OF MONTROSE PURSUANT TO THE
COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION
ACT

WHEREAS, the City of Montrose is authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low- and moderate-income persons and families; and

WHEREAS, the City of Montrose is authorized and empowered under the laws of the State to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes; and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Colorado Housing and Finance Authority (the "Authority") and other governmental units in the State, and further providing for the assignment of such allocations from such other governmental units to the Authority; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the City of Montrose has an allocation of the 2026 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2026 (the "2026 Allocation"); and

WHEREAS, the City of Montrose has determined that, in order to increase the availability of adequate affordable housing for low- and moderate-income persons and families within the City of Montrose and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2026 Allocation; and

WHEREAS, City of Montrose has determined that the 2026 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of financing one or more multi-family rental housing projects for low- and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families ("Revenue Bonds") or for the issuance of mortgage credit certificates; and

WHEREAS, the City Council of City of Montrose has determined to assign \$1,474,868.00 of its 2026 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City of Montrose and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED by the City Council of City of Montrose as follows:

1. The assignment to the Authority of \$1,474,868.00 of City of Montrose's 2026 Allocation be and hereby is approved.

2. The form and substance of the Assignment of Allocation be and hereby are approved; provided, however, that the City Council be and hereby is authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.

3. The City Council of the City of Montrose be and hereby is authorized to execute and deliver the Assignment of Allocation on behalf of City of Montrose and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the intent of this resolution.

4. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

5. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 4th day of August 2026.

Assignor:

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



assignment of allocation - city

Multifamily Housing Facility Bonds/Single Family Mortgage Revenue Bonds

This Assignment of Allocation (the "Assignment"), dated this 4th day of August, 2026, is between the City of Montrose, Colorado (the "Assignor" or the "Jurisdiction") and Colorado Housing and Finance Authority (the "Assignee").

WITNESSETH:

WHEREAS, the Assignor and the Assignee are authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to finance such projects and for certain other purposes (the "State Ceiling"); and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 2026 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2026, (the "2026 Allocation"); and

WHEREAS, the Assignor has determined that, in order to increase the availability of adequate affordable housing for low- and moderate-income persons and families within the Jurisdiction, Colorado and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2026 Allocation; and

WHEREAS, the Assignor has determined that the 2026 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Assignee to issue Private Activity Bonds for the purpose of financing one or more multifamily rental housing projects for low- and moderate-income persons and families or to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families ("Revenue Bonds"), and the Assignee has expressed its willingness to attempt to issue Revenue Bonds with respect to the 2026 Allocation assigned herein; and

WHEREAS, the City Council of the Assignor has determined to assign to the Assignee all or a portion of its 2026 Allocation, and the Assignee has agreed to accept such assignment, which is to be evidenced by this Assignment.

NOW, THEREFORE, in consideration of the premises and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. The Assignor hereby assigns to the Assignee \$1,474,868 of its 2026 Allocation (the "Assigned Allocation"), subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.
2. The Assignee hereby accepts the assignment to it by the Assignor of the Assigned Allocation, subject to the terms and conditions contained herein. The Assignee agrees to use its best efforts to issue and sell Revenue Bonds in an aggregate principal amount equal to or greater than the Assigned Allocation, in one or more series, and to make proceeds of such Revenue Bonds available from time to time for a period of one (1) year from the date of this Assignment to finance multi-family rental housing projects located in the Jurisdiction, or to issue Revenue Bonds for the purpose of providing single-family mortgage loans to low- and moderate income persons and families in the Jurisdiction.
3. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the Assigned Allocation as an allocation for a project with a carryforward purpose or to make a mortgage credit certificate election, in lieu of issuing Revenue Bonds.
4. The Assignor and Assignee each agree that it will take such further action and adopt such further proceedings as may be required to implement the terms of this Assignment.
5. Nothing contained in this Assignment shall obligate the Assignee to finance any particular multi-family rental housing project located in the Jurisdiction or elsewhere or to finance single- family mortgage loans in any particular amount or at any particular interest rate or to use any particular percentage of the proceeds of its Revenue Bonds to provide mortgage loans or mortgage credit certificates to finance single-family housing facilities in the Jurisdiction, provided that any Revenue Bond proceeds attributable to the Assigned Allocation shall be subject to paragraph 2 above.
6. This Assignment is effective upon execution and is irrevocable.
7. Counterparts. This Assignment may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Delivery of an executed counterpart of a signature page of this Assignment by electronic image scan transmission will be effective as delivery of a manually executed counterpart of the Assignment.

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment on the date first written above.

City of Montrose, Colorado

By: _____

Name: Michael Badagliacco

Title: Mayor, City of Montrose

COLORADO HOUSING AND FINANCE
AUTHORITY

By: _____

Name: _____

Title: _____

MEMO

To: Honorable Mayor Badagliacco and Members of the City Council
From: Matthew Magliaro, Assistant City Attorney Public Safety
Date: August 4, 2026, Regular Session
Re: Municipal Code Amendments for Electrical-Assisted Bicycles & Classless Electrical-Assisted Vehicles



Attachments:

- Proposed Ordinance 2726, Clean Copy Version
- Proposed Ordinance 2726, Redline Version

Action

Consider the approval of an ordinance adding a new section to Title 9, Chapter 10 Parks, a new section to Title 10, Chapter 1 Traffic, and amending Title 10 to add modifications to the adopted 2020 Model Traffic Code. The proposed code update is intended to provide clear local regulations on the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

Background

The Montrose City Council has requested City staff review and recommend an update to the municipal code to address the operation of electrical-assisted bicycles and electrical-assisted vehicles within City limits. This ordinance proposal was heard at a recorded work session of the Montrose City Council held on July 20, 2026.

Staff understands and distills the main issues of concern as follows: (1) the operation of electrical-assisted bicycles and electric vehicles at high speeds on city surface streets, predominately by juveniles; (2) the operation of electrical-assisted bicycles and electric vehicles at high speeds within the municipal park system paved paths, sidewalks and designated trails with the potential for collisions with other park users, such as other cyclists and pedestrians; (3) the high impact upon municipal park infrastructure from off-trail operation of electrical-assisted bicycles and electric vehicles. These issues are what the proposed ordinance would address with clear rules on what types of electrical-assisted bicycles are allowable on what thoroughways, the setting of a speed limit within the parks, and the prohibition on off-trail riding subject to exceptions.

It is important to note that the City is not writing on a totally blank slate. On February 21, 2023, City Council adopted by ordinance the 2020 State of Colorado Model Traffic Code to apply within the municipal limits of the City of Montrose, pursuant to Article II, § 10 of the City Charter authorizing adoption of “appropriate Colorado Statute” by reference, and C.R.S. § 42-4-110(1)(b). Like the current version of Title 42 of the Colorado Revised Statutes, the model traffic code used by the City defines electrical-assisted bicycles in general as: “a vehicle having two or three wheels and fully operable pedals, and an electric motor not exceeding seven

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hundred fifty watts of power.”¹ Electrical-assisted bicycles are organized further into three classifications: Class 1, 2 and 3. In general, Class 1 and 2 electrical-assisted bicycles are those capable of a maximum speed of 20 miles per hour, with the difference between the two whether pedaling assistance is required for the motor assist activation.² Class 3 electrical-assisted bicycles are capable of a faster maximum speed of 28 miles per hour, pedaling assistance is required for motor operation, and these are required to be fitted with a speedometer.³ There exists a multi-mode electrical assisted bicycle wherein the bicycle is equipped with a toggle switch or programmable mode that provide for operation as two or more of the defined classes as well.⁴ These are regulated by the code to require certain equipment (MTC § 221) and operator standards (MTC § 1412).

The classes of electrical-assisted bicycle were codified in 2017. The definitions have not been updated to catch up with what is currently being sold to the public and encountered on the roads and walkways. These include electrical-assisted bicycles equipped with motors well over 750 watts and toggle switches or programmable modes that can reach speeds in excess of 28 miles per hour.⁵ Colorado Revised Statute as currently written deems these as not included in the definition of electrical assisted bicycle,⁶ essentially creating a ‘classless’ vehicle that is not governed by the rules of the road. From a prosecution perspective, if a rider was pulled over and the officer charged the rider with an ordinance violation of operating a class 3 bike in a restricted area, the defense would be the motor does not require pedal assistance and it travels at a higher speed than the maximum 28 miles per hour; therefore, it is a classless vehicle not a Class 3 electrical-assisted bicycle. As establishing the class of electrical assisted bicycle is necessary for the charge, this defense would produce an acquittal. The classifications pose additional prosecution challenges for enforcement, as the legislature based them upon maximum speed and mechanical operability, i.e. whether pedal assistance is required to trigger the motor assist. Since the classifications are based on whether pedal assistance is needed to operate the motor and the top speed of the bicycle, any determination of the class of the electrical assisted bicycle would require an officer to: 1) ride the electrical-assisted bicycle and determine whether pedaling is needed to run the motor; 2) operate the bike to its maximum

¹ MTC Definitions, § 28.5; C.R.S. § 42-1-102(28.5)(a)

² MTC Definitions, § 28.5(a), (b); C.R.S. § 42-1-102(28.5)(a)(1), (2).

³ MTC Definitions, § 28.5(c); C.R.S. § 42-1-102(28.5)(a)(3); C.R.S. § 42-4-221(10)(c).

⁴ C.R.S. § 42-1-102(60.2).

⁵ Several common models, such as the Aipax M2 Pro Xterrain Ebike or the Freego X2 Pro, advertise maximum speeds of 36 miles per hour and 50 miles per hour respectively.

⁶ C.R.S. § 42-1-102(28.5)(b)(“ Electrical assisted bicycle“ does not include:

(I) A vehicle that is modified so that it no longer meets the requirements for any class of electrical assisted bicycle; or (II) A vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller.”)

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speed; and, 3) have another officer use visual estimation or a laser speed device to determine what is its top speed. This type of investigation is cumbersome and impractical.

Summary of Proposal

The proposal seeks to create a speed limit within the municipal parks of fifteen miles per hour, and prohibit off-trail riding, with certain exceptions for City staff performing the functions of their job within the parks. Repeated conduct is declared a nuisance. The proposal restates the definitions already in the adopted model traffic code for electrical-assisted bicycles, but defines where those who own each class may permissibly operate; this is drawn from Colorado law. C.R.S. § 42-4-1412(14)(a), (b). The ordinance creates a new definition of classless electrical-assisted vehicle. This is intended to capture those bicycles and other electric assisted vehicles that fall into the gap between state law and current technology. The definition expressly excludes from its scope wheelchairs⁷ or other devices defined by state law designed and used to assist mobility-impaired persons such as EPAMDs, low powered scooters and electric scooters. Classless electrical assisted vehicles are prohibited from operation upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property. The proposal creates a rebuttable, evidentiary presumption on the classification of vehicles from radar or LIDAR measurements, and allows as competent, non-hearsay evidence the manufacturer's specification information. The proposal would add 'classless electrical-assisted vehicles' to the scope of that covered by the careless and reckless driving laws.

The proposal if passed would require an educational component for effective enforcement. Colorado law mandates, as a predicate condition to enforcement, the placement of official signs or other traffic control devices upon or at the entrances to the area affected as may be most appropriate when establishing a speed limit for vehicles in parks; these signs further the educational component by furnishing notice to the public of these local regulations. C.R.S. § 42-4-111(j), (2)(a). In addition, the Montrose Police Department would conduct both internal training to enforcement personnel, as well as external messaging to the public.

Fiscal Impact

N/A. The proposal creates new code-based Class A traffic infractions punishable by a minimum penalty of \$15 to a maximum penalty range of \$100, within the Montrose Municipal Court. It is unclear what the enforcement expense will be to design and post signage, and to process, prosecute and adjudicate the citations in court. It is not an expectation that the Montrose Municipal Court be a revenue generating section for city government.

⁷ Wheelchair is defined broadly by the traffic code, to mean "a motorized or nonmotorized wheeled device designed for use by a person with a physical disability." MTC Definitions, § 113; C.R.S. § 42-1-102(113)

ORDINANCE NO. 2726

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ADDING TITLE 9 CHAPTER 10 SECTION 3 (9-10-3), REGARDING PARK SPEED LIMITS, OFF TRAIL RIDING PROHIBITED, AMENDING TITLE 10, CHAPTER 1, SECTION 4 (10-1-4) ADDITIONS OR MODIFICATIONS IN ADOPTED MODEL TRAFFIC CODE, AND ADDING TITLE 10, CHAPTER 1, SECTION 15.5 (10-1-15.5), ELECTRICAL-ASSISTED BICYCLES AND CLASSLESS ELECTRICAL-ASSISTED VEHICLES.

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

WHEREAS, the Montrose City Council as the governing body of the City of Montrose has express authority under law to “regulate traffic . . . upon the streets, sidewalks, and public places and to regulate the speed of vehicles, cars and locomotives within the limits of the municipality,” Colorado Revised Statute § 31-15-702(1)(a)(VII); and

WHEREAS, the City of Montrose adopted by reference the 2020 edition of the Model Traffic Code for Colorado Municipalities (hereinafter ‘Model Traffic Code’) promulgated and published by the Colorado Department of Transportation by and through the 2023 passage of Ordinance 2612 amending Chapter 1 of Title 10 of the Official Code of the City of Montrose; and

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

WHEREAS, electrical-assisted bicycles and other electric assisted vehicles have increased in popularity and usage in recent years within the municipal limits of the City of Montrose, which has caused an increase in safety violations, collisions, and public concern on appropriate locations and limitations for safe use; and

WHEREAS, state law expressly allows local governments to set rules to regulate the operation of bicycles and electrical assisted bicycles, to authorize or prohibit the use of vehicles on bike and pedestrian paths, to establish the speed limits within public parks, to establish minimum speed limits, and to regulate the local movement of traffic or the use of local streets under Colorado Revised Statutes § 42-4-110(1)(a), (b), and § 42-4-111; and

WHEREAS, municipal governments have authority, in relation to their general police powers in C.R.S. § 31-15-401(1)(a)-(c), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to impose fines upon parties who may create or continue nuisances, and abate declared nuisances; and

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

WHEREAS, the City Council of the City of Montrose determines it is in the best interest of the public health, safety and welfare to regulate the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of the City of Montrose; and

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

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

SECTION 1:

Title 9, Chapter 10 Section 3. (9-10-3.(A)-(E)) (Park speed limits, off trail riding prohibited.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in entirety as follows:

9-10-3. - Park speed limits, off trail riding prohibited.

(A) *Speed limit.* It is unlawful for any person to operate a bicycle, electrical-assisted bicycle, motor vehicle, off-highway vehicle or toy vehicle as defined by law, or a classless electrical-assisted vehicle as defined by ordinance at a speed in excess of fifteen (15) miles per hour on any sidewalk, pedestrian or multi-use path, or trail within the parks of the City of Montrose.

(B) *Off trail riding.* It is unlawful for any person to operate a bicycle, an electrical-assisted bicycle, motor vehicle, classless electrical-assisted vehicle, or an off-highway vehicle or toy vehicle as defined by law off the designated paved trails, sidewalks, or pedestrian or multi-use paths within the parks of the City of Montrose.

(C) *Penalty.* Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(D) *Nuisance.* It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations of this Section.

(E) *Exceptions.* This Section shall not apply to City employees performing work during the course and scope of their duties. The prohibitions in this Section may be modified and/or may not apply to operation on trails within the municipal park system designated bicycle-only, as determined by the City Manager or designee and as noticed by erected signage. This Section does not apply to law enforcement officials responding to a matter of public health and safety.

SECTION 2:

Title 10, Chapter 1 Section 4. (10-1-4.(M)-(N)) (Additions or modifications.) of the Official Code of the City of Montrose, Colorado, is hereby amended to read in its entirety as follows:

10-1-4. - Additions or modifications.

(M) MTC 1401. Reckless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, classless electrical-assisted vehicle, or low- power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle or classless electrical-assisted vehicle shall not be subject to the provisions of 42-2-127, C.R.S.

(N) MTC 1402. Careless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, classless electrical-assisted vehicle, or low- power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle or classless electrical-assisted vehicle shall not be subject to the provisions of 42-2-127, C.R.S.

SECTION 3:

Title 10, Chapter 1 Section 15.5 (10-1-15.5(A)-(G)) (Electrical-assisted bicycles and classless electrical-assisted vehicles.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in its entirety as follows:

10-1-15.5 - Electrical-assisted bicycles and classless electrical-assisted vehicles.

(A) *Definitions.* For the purposes of this Section, the following definitions are applicable:

(1) All electrical-assisted bicycles are vehicles. “Electrical assisted bicycle“ means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to certain classes as follows:

(a) “Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) “Class 2 electrical assisted bicycle“ means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) “Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(2) A “classless electrical-assisted vehicle” is any vehicle having one to three wheels, an electric motor, and that is manufactured or modified so it no longer meets the requirements for any of the three classes of electrical assisted bicycle as defined above, to include but not limited to the capacity to reach any speed in excess of twenty-eight miles per hour. This includes but is not limited to a vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller. This term does not include any motor vehicle that constitutes a motorcycle, auticycle, wheelchair, EPAMD, electric scooter, or low-power scooter as those terms are defined by Colorado Revised Statute.

(B) *Allowed Use.* Unless otherwise restricted, Class 1 and Class 2 electrical assisted bicycles may be operated in all locations where conventional, human-powered bicycles are

allowed, with all the rights, privileges and duties of an operator of a bicycle; provided, however, that Class 1 and Class 2 electrical assisted bicycles may be restricted for use on certain sidewalks, pedestrian or multi-use paths, trails and other areas of the City of Montrose as determined by the City Manager or designee and as noticed by erected signage. Class 3 electrical assisted bicycles are allowed only on a street, alley, roadway or highway, in a designated bicycle lane, or as expressly permitted by the City of Montrose as determined by the City Manager or designee and as noticed by erected signage.

(C) Prohibited Use.

- (1) It shall be unlawful to operate a Class 1 or Class 2 electrical-assisted bicycle in an area restricted for use.
- (2) It shall be unlawful to operate a Class 3 electrical-assisted bicycle on any sidewalk, pedestrian or multi-use pathway, open space, greenbelt, park or trail within the municipal limits of the City of Montrose. It shall be unlawful to operate a Class 3 electrical-assisted bicycle in an area restricted for use.
- (3) It shall be unlawful for any person to operate a classless electrical-assisted vehicle upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property.

(D) Presumption and Evidence. For purposes of this Section, evidence of a vehicle's speed measured by radar or LIDAR shall be prima facie evidence and a rebuttable presumption on the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Evidence from the manufacturer on vehicle specifications, technical classification, and capacity to reach a certain speed limit may be offered as competent evidence to establish the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Hearsay evidence shall not be excluded in determining the categorization of an electrical-assisted bicycle or as a classless electrical-assisted vehicle

(E) Exceptions. This Section does not apply to law enforcement use in the course of their official duties. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle operated entirely on private property with the express permission of the property owner. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle during the course of permitted events within the municipal limits pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.

(F) Penalty. Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(G) Nuisance. It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or

subsequent violations of this Section.

SECTION 4:

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

SECTION 5:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by updating the code to provide clear local regulations on the operation of electrical assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

SECTION 6:

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

SECTION 7:

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

SECTION 8:

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

SECTION 9:

City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting, numbering and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 10:

This Ordinance shall become effective as set forth in the City of Montrose Charter. You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of August, 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of August, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this _____ day of _____, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2726

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ADDING TITLE 9 CHAPTER 10 SECTION 3 (9-10-3), REGARDING PARK SPEED LIMITS, OFF TRAIL RIDING PROHIBITED, AMENDING TITLE 10, CHAPTER 1, SECTION 4 (10-1-4) ADDITIONS OR MODIFICATIONS IN ADOPTED MODEL TRAFFIC CODE, AND ADDING TITLE 10, CHAPTER 1, SECTION 15.5 (10-1-15.5), ELECTRICAL-ASSISTED BICYCLES AND CLASSLESS ELECTRICAL-ASSISTED VEHICLES.

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

WHEREAS, the Montrose City Council as the governing body of the City of Montrose has express authority under law to “regulate traffic . . . upon the streets, sidewalks, and public places and to regulate the speed of vehicles, cars and locomotives within the limits of the municipality,” Colorado Revised Statute § 31-15-702(1)(a)(VII); and

WHEREAS, the City of Montrose adopted by reference the 2020 edition of the Model Traffic Code for Colorado Municipalities (hereinafter ‘Model Traffic Code’) promulgated and published by the Colorado Department of Transportation by and through the 2023 passage of Ordinance 2612 amending Chapter 1 of Title 10 of the Official Code of the City of Montrose; and

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

WHEREAS, electrical-assisted bicycles and other electric assisted vehicles have increased in popularity and usage in recent years within the municipal limits of the City of Montrose, which has caused an increase in safety violations, collisions, and public concern on appropriate locations and limitations for safe use; and

WHEREAS, state law expressly allows local governments to set rules to regulate the operation of bicycles and electrical assisted bicycles, to authorize or prohibit the use of vehicles on bike and pedestrian paths, to establish the speed limits within public parks, to establish minimum speed limits, and to regulate the local movement of traffic or the use of local streets under Colorado Revised Statutes § 42-4-110(1)(a), (b), and § 42-4-111; and

WHEREAS, municipal governments have authority, in relation to their general police powers in C.R.S. § 31-15-401(1)(a)-(c), to “do all acts and make all regulations which may be necessary or expedient for the promotion of health” as well as to declare what is a nuisance, to impose fines upon parties who may create or continue nuisances, and abate declared nuisances; and

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

WHEREAS, the City Council of the City of Montrose determines it is in the best interest of the public health, safety and welfare to regulate the operation of electrical-assisted bicycles and classless electrical-assisted vehicles within the municipal limits of the City of Montrose; and

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

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

SECTION 1:

Title 9, Chapter 10 Section 3. (9-10-3.(A)-(E)) (Park speed limits, off trail riding prohibited.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in entirety as follows:

9-10-3. - Park speed limits, off trail riding prohibited.

(A) *Speed limit.* It is unlawful for any person to operate a bicycle, electrical-assisted bicycle, motor vehicle, off-highway vehicle or toy vehicle as defined by law, or a classless electrical-assisted vehicle as defined by ordinance at a speed in excess of fifteen (15) miles per hour on any sidewalk, pedestrian or multi-use path, or trail within the parks of the City of Montrose.

(B) *Off trail riding.* It is unlawful for any person to operate a bicycle, an electrical-assisted bicycle, motor vehicle, classless electrical-assisted vehicle, or an off-highway vehicle or toy vehicle as defined by law off the designated paved trails, sidewalks, or pedestrian or multi-use paths within the parks of the City of Montrose.

(C) *Penalty.* Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(D) *Nuisance.* It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or subsequent violations of this Section.

(E) *Exceptions.* This Section shall not apply to City employees performing work during the course and scope of their duties. The prohibitions in this Section may be modified and/or may not apply to operation on trails within the municipal park system designated bicycle-only, as determined by the City Manager or designee and as noticed by erected signage. This Section does not apply to law enforcement officials responding to a matter of public health and safety.

SECTION 2:

Title 10, Chapter 1 Section 4. (10-1-4.(M)-(N)) (Additions or modifications.) of the Official Code of the City of Montrose, Colorado, is hereby amended to read in its entirety as follows:

10-1-4. - Additions or modifications.

(M) MTC 1401. Reckless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, **classless electrical-assisted vehicle**, or low- power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving. A person convicted of reckless driving of a bicycle or electrical assisted bicycle **or classless electrical-assisted vehicle** shall not be subject to the provisions of 42-2-127, C.R.S.

(N) MTC 1402. Careless driving.

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, **classless electrical-assisted vehicle**, or low- power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving. A person convicted of careless driving of a bicycle or electrical assisted bicycle **or classless electrical-assisted vehicle** shall not be subject to the provisions of 42-2-127, C.R.S.

SECTION 3:

Title 10, Chapter 1 Section 15.5 (10-1-15.5(A)-(G)) (Electrical-assisted bicycles and classless electrical-assisted vehicles.) of the Official Code of the City of Montrose, Colorado, is hereby added, to read in its entirety as follows:

10-1-15.5 - Electrical-assisted bicycles and classless electrical-assisted vehicles.

(A) *Definitions.* For the purposes of this Section, the following definitions are applicable:

(1) All electrical-assisted bicycles are vehicles. “Electrical assisted bicycle“ means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to certain classes as follows:

(a) “Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(b) “Class 2 electrical assisted bicycle“ means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

(c) “Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

(2) A “classless electrical-assisted vehicle” is any vehicle having one to three wheels, an electric motor, and that is manufactured or modified so it no longer meets the requirements for any of the three classes of electrical assisted bicycle as defined above, to include but not limited to the capacity to reach any speed in excess of twenty-eight miles per hour. This includes but is not limited to a vehicle that is designed, manufactured, or intended by the manufacturer or seller to be easily configured so as not to meet the requirements of an electrical assisted bicycle, whether by a mechanical switch or button, by changing a setting in software controlling the drive system, by use of an online application, or through other means intended by the manufacturer or seller. This term does not include any motor vehicle that constitutes a motorcycle, auticycle, wheelchair, EPAMD, electric scooter, or low-power scooter as those terms are defined by Colorado Revised Statute.

(B) *Allowed Use.* Unless otherwise restricted, Class 1 and Class 2 electrical assisted bicycles may be operated in all locations where conventional, human-powered bicycles are

allowed, with all the rights, privileges and duties of an operator of a bicycle; provided, however, that Class 1 and Class 2 electrical assisted bicycles may be restricted for use on certain sidewalks, pedestrian or multi-use paths, trails and other areas of the City of Montrose as determined by the City Manager or designee and as noticed by erected signage. Class 3 electrical assisted bicycles are allowed only on a street, alley, roadway or highway, in a designated bicycle lane, or as expressly permitted by the City of Montrose as determined by the City Manager or designee and as noticed by erected signage.

(C) Prohibited Use.

- (1) It shall be unlawful to operate a Class 1 or Class 2 electrical-assisted bicycle in an area restricted for use.
- (2) It shall be unlawful to operate a Class 3 electrical-assisted bicycle on any sidewalk, pedestrian or multi-use pathway, open space, greenbelt, park or trail within the municipal limits of the City of Montrose. It shall be unlawful to operate a Class 3 electrical-assisted bicycle in an area restricted for use.
- (3) It shall be unlawful for any person to operate a classless electrical-assisted vehicle upon or within any street, alley, roadway, shoulder, median, sidewalk, crosswalk, pedestrian or multi-use paths, trail, park, open space, greenbelt, public right-of-way, or other City-owned or City-controlled property.

(D) Presumption and Evidence. For purposes of this Section, evidence of a vehicle's speed measured by radar or LIDAR shall be prima facie evidence and a rebuttable presumption on the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Evidence from the manufacturer on vehicle specifications, technical classification, and capacity to reach a certain speed limit may be offered as competent evidence to establish the classification of the electrical-assisted bicycle or as a classless electrical assisted vehicle. Hearsay evidence shall not be excluded in determining the categorization of an electrical-assisted bicycle or as a classless electrical-assisted vehicle

(E) Exceptions. This Section does not apply to law enforcement use in the course of their official duties. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle operated entirely on private property with the express permission of the property owner. This Section does not apply to operation of an electrical-assisted bicycle or classless electrical-assisted vehicle during the course of permitted events within the municipal limits pursuant to an events use permit or festival event permit obtained in advance from the City Clerk's Office and with the approval of the City Manager's Office.

(F) Penalty. Any violation of this Section is punishable as a Class A traffic infraction and may be fined in accordance with provisions of Montrose Code § 10-1-16.

(G) Nuisance. It is declared a nuisance under Section 6-4-1 of the Official Code of the City of Montrose for any person to commit a second or repetitive violation of this Section within the City. The Municipal Court has authority to issue any orders for abatement of nuisance under Section 6-4-2 of the Official Code of the City of Montrose for second or

subsequent violations of this Section.

SECTION 4:

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

SECTION 5:

The City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Montrose and the inhabitants thereof by updating the code to provide clear local regulations on the operation of electrical assisted bicycles and classless electrical-assisted vehicles within the municipal limits of Montrose.

SECTION 6:

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

SECTION 7:

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

SECTION 8:

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

SECTION 9:

City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and have the authority to correct formatting, numbering and/or typographical errors discovered during codification, provided that neither the intent of this Ordinance nor substantive content is altered.

SECTION 10:

This Ordinance shall become effective as set forth in the City of Montrose Charter. You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 4th day of August, 2026, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 4th day of August, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this _____ day of _____, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk