



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, September 15, 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 August 26, 2026, special City Council meeting and the September 1, 2026, regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the August 26, 2026, special City Council meeting and the September 1, 2026, regular City Council meeting as presented.

7) **RATIFICATION OF SEPARATION AGREEMENT** (15 minutes)

City Council consideration of the ratification of the Separation Agreement between the City of Montrose and William Bell. *Staff: City Attorney Chris Dowsey*

Action: Accept public comment. Consider making a motion to ratify the Separation Agreement between the City of Montrose and William Bell as presented.

8) **INTERIM CITY MANAGER AGREEMENT** (15 minutes)

City Council consideration of an Interim City Manager Agreement between the City of Montrose and Ann Morgenthaler. *Staff: City Attorney Chris Dowsey*

Action: Accept public comment. Consider making a motion to approve the Interim City Manager Agreement between the City of Montrose and Ann Morgenthaler as presented.

9) **MONTROSE URBAN RENEWAL AUTHORITY EXECUTIVE DIRECTOR APPOINTMENT** (10 minutes)

City Council consideration of appointing Ann Morgenthaler as Montrose Urban Renewal Authority Executive Director. *Staff: City Attorney Chris Dowsey*

Action: Accept public comment. Consider making a motion to appoint Ann Morgenthaler as Montrose Urban Renewal Authority Executive Director.



10) **ROTARY PARK PUMP HOUSE REPLACEMENT PROJECT** (15 minutes)

City Council consideration of a contract with FCI Constructors, Inc. in the amount of \$514,011.00 for the Rotary Park Pump House Replacement Project. *Staff: Parks Superintendent Jon Waschbusch*

Action: Accept public comment. Consider making a motion to approve a contract with FCI Constructors, Inc. in the amount of \$514,011.00 for the Rotary Park Pump House Replacement Project as presented.

11) **RESOLUTION 2026-14** (10 minutes)

City Council consideration of Resolution 2026-14 authorizing the filing of a Colorado Parks and Wildlife Non-Motorized Trail - Planning and Design grant application for the Montrose Audubon in the amount up to \$45,000.00. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-14 as presented.

12) **AUTHORIZATION OF EXPENDITURES FOR CREATING RESILIENT FORESTS IN COLORADO GRANT** (10 minutes)

City Council consideration of the approval of expenditures up to \$329,723.00 for implementation of the 2023 Creating Resilient Forests in Colorado project awarded to the City of Montrose. *Staff: City Forester Mike Arat*

Action: Accept public comment. Consider making a motion to approve up to \$329,723.00 for implementation of the 2023 Creating Resilient Forests in Colorado project awarded to the City of Montrose as presented.

13) **RESOLUTION 2026-15** (10 minutes)

City Council consideration of Resolution 2026-15 authorizing the filing of a Colorado State Forest Service Forest Restoration and Wildfire Risk Mitigation grant application for Buckhorn Lakes in the amount up to \$516,033.00. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-15 as presented.

14) **QUASI-JUDICIAL ITEMS**A) **LOCUST ROAD ADDITION ANNEXATION HEARING** (20 minutes)

A hearing will be held on the annexation of the Locust Road Addition. *Staff: Senior Planner William Reis*

Resolution 2026-13: City Council consideration of Resolution 2026-13, Findings of Fact for the Locust Road Addition Annexation.

Action: Accept public comment. Consider making a motion to adopt Resolution 2026-13 as presented.

Ordinance 2731 - First Reading: City Council consideration of Ordinance 2731 on first reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Locust Road Addition.

Action: Hold a hearing. Consider making a motion to pass Ordinance 2731 on first reading as presented.

B) **ORDINANCE 2732 - FIRST READING** (10 minutes)

City Council consideration of Ordinance 2732 on first reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Locust Road Addition as an "R-2," Low Density District. *Staff: Senior Planner William Reis*

Action: Hold a hearing. Consider making a motion to pass Ordinance 2732 on first reading as presented.

C) **STAR COURT LOT 8 TOWNHOMES SUBDIVISION PRELIMINARY PLAT** (10 minutes)

City Council consideration of the Star Court Lot 8 Townhomes Subdivision Preliminary Plat. *Staff: Senior Planner William Reis*

Action: Accept public comment. Consider making a motion to approve the Star Court Lot 8 Townhomes Subdivision Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.



D) CHELSI LANE & TOWNHOMES AMENDED PRELIMINARY PD PLAN (10 minutes)

City Council consideration of the Chelsi Lane & Townhomes Amended Preliminary PD Plan. *Staff: Senior Planner William Reis*

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

E) CHELSI LANE & TOWNHOMES AMENDED PRELIMINARY PLAT (10 minutes)

City Council consideration of the Chelsi Lane & Townhomes Amended Preliminary Plat. *Staff: Senior Planner William Reis*

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

15) STAFF REPORTS

- A) Sales, Use, and Excise Tax Report (5 minutes)
Staff: Sales Tax Manager Leeanne Whittaker

16) CITY COUNCIL COMMENTS

17) MOTION TO ADJOURN



Some Needed Changes

Comprehensive Plan 2008 said that “creating high density lots immediately adjacent to very low density lots should be avoided.” It included 2 concepts to facilitate that:

- “Feathering” which is the gradual transition of different residential densities.
- “Buffering” such as landscaping barriers to help ensure harmony between different types of adjacent residential developments.

Neither Feathering nor Buffering were carried over into the current Comprehensive Plan Envision 2040. They were also eliminated from the binding municipal code.

When combined with a major loophole within the current Minor Subdivision regulations adjacent residents are vulnerable to life style and property value deterioration. A new Minor Subdivision doesn't require either Planning Commission or City Council approval. This is a major concern since, given the municipal code, a minor subdivision can be very large or incompatible with adjacent areas.

An example is the planned HUB apartment complex, off 6450 Road and Chipeta Drive, to be built via the Minor Subdivision route - with multimillion dollar city support. This route was chosen after the Planning Commission decided that the initially proposed 500 apartment Planned Development must be cut in half to reduce density. However, the density of HUB's Minor Subdivision's is the same as the 500 apartment Planned Development rejected by the Planning Commission. It also has no defined open space since it's not a planned development.

- Spruce Point, across the street, is designed to house middle income folks as is HUB. They have the same R3-A zoning but Spruce Point was restricted (by city Ordinance # 2021) to 1/4 the density allowed for R3-A zoning. Without this same restriction HUB is 5 times Spruce Point... and 10 times Cobble Creek density.

Minor Subdivision HUB is a single building of 160 apartments that will starkly contrast against neighboring single family homes. It will also negatively impact those neighborhoods and the Cobble Creek Club facilities. Conceivably, two additional same sized minor subdivisions could be built within the 35 acre HUB tract resulting in about 480 apartment units which is, for instance, twice the size of Grand Junction's largest complex exacerbating those impacts.

I'm pro development but only if the interests of developers and citizens are in reasonable balance. Property rights need to be respected but not if they compromise the value of neighboring properties. Given the above example it's obvious that's not happening. City Council - for a fix please consider:

1. Minor Subdivision Regulations

Minor Subdivisions within early Montrose were perhaps appropriate years ago but are they really needed today? Also, It appears its original intent can be circumvented making conflict inevitable. Going Forward remove Minor Subdivisions from the municipal code. Alternatively, place size limits on Minor Subdivisions or require planning commission and city council approval regardless of size or type.

In the same vein building whatever one wants under Use By Right is perhaps acceptable in the county but not to any construction within Montrose city limits. Coupled with no feathering or buffering an “Anything Goes” mentality is fostered. Any new construction should be approved by the city council to ensure reasonable compatibility with the Comprehensive Plan and protect current residents. Due to their

impact apartment developments need far more restrictions and regulations than single family. A grandfather clause is appropriate for both Minor Subdivision and Use By Right regulations.

2. Feathering and Buffering

Reinstate into municipal code.

3. City Financial Support

Envision 2040 also deleted Comprehensive Plan 2008's notion, that the general public strongly supported, called "Growth Paying Its Own Way." Also if city subsidies are given a new for-profit development they are balanced by the benefits it provides. The huge HUB fee waivers and infrastructure support being considered invite perceptions of impropriety and also entice all developers to request similar financial support, including Special Improvement District (SID), and even if they're funded by HUD.

Consider reestablishing "Growth Paying Its Own Way" meaning city financial support of any fees and services to "profit only" developments is disallowed. At best subsidies should be very limited. Low - income housing should be supported but there is little to no justification for other types of commercial development.

4. Upholding Comprehensive Plan Standards

Envision 2040's #1 Guiding Principle is admirable: "Encourage, facilitate, and manage growth in a fiscally responsible manner that retains Montrose's small-town character in a rural setting."

It also says apartment construction should be limited to main commercial corridors. Apartment dwellers are income and /or sometimes mobility restricted. Direct access to city and retail services is paramount. Corridors such as Townsend, Rio Grande, Main, and Grand are ideal albeit space availability may be nominal but some does exist. Commercial apartments west of the Uncompahgre River do not fit the 2040 Envision recommendations and do not make sense since direct access to services isn't available.

The Comprehensive Plan isn't binding but, if ignored, why spend significant resources on it? It needs more emphasis when evaluating development projects.

5. Ensuring Traffic Safety

The primary access to HUB will be the 6450 / Chipeta Drive intersection. Some refinements will be made but no significant traffic control installed because suspect traffic movement reports did not indicate significant change needed. The intersection is a major accident waiting to happen. Watch traffic flow for a few hours and any observer will notice all the visibility and design issues of this intersection. BTW...traffic studies should be contracted and overseen by the city and charged to developers.

It's also inevitable that Chipeta Dr., a minor arterial will be undersized. Upgrading Chipeta Drive will be a massive and costly undertaking while also encroaching on private properties.

Thanks for listening.

Matt Goldasich
941 Black Canyon Way
Montrose



MONTROSE CITY COUNCIL

August 26, 2026

A special meeting of the Montrose City Council was held on Wednesday, August 26, 2026, at 6:30 p.m. in the City Council Chambers located in 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 Morgenthaler, Chris Dowsey, Lisa DelPiccolo, Greg Story

CALL TO ORDER

Mayor Michael Badagliacco called the special meeting to order at 6:29 p.m.

EXECUTIVE SESSION

Mayor Michael Badagliacco moved that for this executive session announced under C.R.S. Section 24-6-402(4)(b) and (4)(g) as applicable concerning discussion of a confidential memo addressed only to Council as well as to discuss the possibility, if appropriate, to hire independent counsel with regard to this matter; that the city manager, and his employees under the city manager's direction be excused and not attend.

Objections were raised from other City Council members. The legality of the motion and the posted purpose of the executive session were discussed. The motion was not seconded.

City Attorney Chris Dowsey stated that he is appointed by City Council and reports to City Council, but his client is the City of Montrose. Mr. Dowsey reviewed the rules of professional conduct and ethical standards he must abide by to retain his license through the Colorado Bar.

A discussion was held regarding the ability of City Council to employ special counsel in special cases as well as the due process rights of employees.

City Manager Bill Bell suggested having a discussion as a team and then determining if an investigation would be supported. Mr. Dowsey recommended conducting the discussion in executive session.

At 6:48 p.m., a motion was made by Ed Ulibarri, seconded by Adam Woodden, for a conference with the City Attorney's Office for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402(4)(b), and the following additional details are provided for identification purposes: April 2026 election. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

RECONVENEMENT AND ADJOURNMENT

The special meeting reconvened at 8:07 p.m.

At 8:08 p.m., a motion was made by Dave Frank, seconded by Ed Ulibarri, to adjourn the meeting with no further action taken.

ATTEST:

Michael J. Badagliacco, Mayor

Lisa DelPiccolo, City Clerk



MONTROSE CITY COUNCIL

September 1, 2026

A regular meeting of the Montrose City Council was held on Tuesday, September 1, 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 Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, Matt Magliaro, Jim Scheid, Gunnison Clamp, Scott Murphy, William Reis, Larry Witte, Leif Betancourt-Ege, Terri Wilcox

GUESTS

Steve Metheny, Neonila Martyniuk, Ron Henderson, Dave Stockton, Beth McCorkle, Ron Smith, Leah Vandersluis, Greg Cairns, John Brown, Jodi Woodden, Lance Michaels, Kim Spangrude, Phoebe Benziger, Cliff Faurer, John Broadbooks, Jan Edwards, Janet Eckerdt, Patty Greeves, Doug Glaspell, LuAnne Tyrell, Howard Walser, Jim Haugsness, Richard Rogers, Claudia Rogers, Rachel Betancourt-Ege, Holly Speaks, Kim Wright, Bob Nicholson, Debbie Reed, Tressa Guynes, Karen Nicholson, Sam Aster, Terri Stradley, Aaron Ranstrom, Terry Bennett, John McChesney, Yvonne McChesney, Diane Henderson, Ronda Slawinski, Rick Bleier, Mary Beshears, Connie Welt, Kathryn Ballard, Norma Marcinek, Paul Marcinek, Lacy Sanchez, Connie George, Rick Weaver, Kathy Weaver, Pat Riddell, Butch Zinsli, Stephen Waters, Steve DeGolier, Jeff Guynes, Carol McBride, David Coker, Virginia Price, Ron Sobieck, Matt Goldasich, Jim Anderson, Julie Arnell

CALL TO ORDER

Mayor Michael Badagliacco called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

No changes were made to the agenda.

CALL FOR PUBLIC COMMENT

Beth McCorkle spoke in opposition to the treatment of City staff at the August 26 special City Council meeting.

Cliff Faurer spoke in support of the recent statement issued from City Councilors regarding the 2026 municipal election and in opposition to action taken in response to articles included in an online publication.

Holly Speaks spoke in opposition to lack of transparency by City Council, city staff, and the county elections staff.

Kim Spangrude questioned Mayor Michael Badagliacco about documentation related to former employment. Ms. Spangrude also questioned City Councilor Adam Wooden about email correspondence with the County Clerk and Recorder.

Rick Bleier spoke in support of the charter amendment to move municipal elections to November.

Matt Goldasich proposed changes to the Comprehensive Plan and Municipal Code related to residential developments and minor subdivisions and in favor of adhering to the Comprehensive Plan.

Bob Nicholson spoke in opposition to recent City Council behavior.

John Brown spoke in support of the installation of an electronic speed indicator on Miami Road. Mr. Brown also encouraged the community to attend an event commemorating the 25th anniversary of 9/11.

Jim Anderson spoke regarding election concerns and in support of an investigation.

APPROVAL OF MINUTES

City Council considered the minutes of the August 17, 2026, special City Council meeting and the August 18, 2026, regular City Council meeting.

A motion was made by Adam Woodden, seconded by J. David Reed, to approve the minutes of the August 17, 2026, special City Council meeting and the August 18, 2026, regular City Council meeting as presented. All voted yes. Motion passed.

PROPOSED AMENDMENTS TO THE CITY CHARTER

City Councilor J. David Reed read a statement in opposition of the four proposed Charter amendments associated with Ordinances 2727, 2728, 2729, and 2730, citing the division that comes with partisan politics.

City Attorney Chris Dowsey presented an overview of the proposed amendments and the timeline to get to this point.

Ordinance 2727: Ordinance 2727 sets the ballot language for an amendment that would move general municipal elections from April to November of even-numbered years. If successful, the terms of all sitting City Council members would be extended by 7 months.

Ordinance 2728: Ordinance 2728 sets the ballot language to establish 8-year lifetime term limits for City Councilors and removes the limit of three consecutive terms for the at-large seat. The lifetime term limits would be addressed in candidate qualifications. No person who has served 8 years would be eligible for appointment or election. Mr. Dowsey stated that sitting Councilors would be exempt from the lifetime limit during their current terms.

Ordinance 2729: Ordinance 2729 sets the ballot language for an amendment that would grant City Council approval rights for the appointment and discharge of the police chief.

Ordinance 2730: Ordinance 2730 sets the ballot language for an amendment to grant City Council approval rights for the appointment and discharge of the city clerk. Mr. Dowsey stated that the Ordinance wording was modified at the August 18 City Council meeting, and the modified version was approved on first reading.

ORDINANCE 2727 – SECOND READING

City Council considered Ordinance 2727 on second reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article I Section 8 and Article III Sections 1 and 2 to change the dates of general municipal elections from April of even-numbered years to November of even-numbered years; and setting the ballot question for the November 3, 2026, Coordinated Election.

Public comment was accepted.

Patty Greeves, Rick Bleier, Leah Vandersluis, John Brown, Janet Eckerdt, Lacy Sanchez, and Norma Marcinek spoke in support of the adoption of Ordinance 2727.

Cliff Faurer, Kim Spangrude, Dave Stockton, Bob Nicholson, and Aaron Ranstrom spoke in opposition to the adoption of Ordinance 2727.

Holly Speaks spoke in favor of bringing a more diverse electorate into the municipal elections.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to adopt Ordinance 2727 on second reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2728 – SECOND READING

City Council considered Ordinance 2728 on second reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article I Sections 7, 8 and 11 and Article III Section 1 to amend term limits of the at-large council member; setting a lifetime eight-year limit for elected service for all members of Council; and setting the ballot question for the November 3, 2026, Coordinated Election.

Public comment was accepted.

Cliff Faurer spoke in opposition to Ordinance 2728.

Kim Spangrude spoke in favor of the voters' decision being final and not referred to as a coup.

Rick Bleier, Leah Vandersluis, and John Brown spoke in support of Ordinance 2728.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to adopt Ordinance 2728 on second reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2729 – SECOND READING

City Council considered Ordinance 2729 on second reading, An Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article VIII Section 8 to allow for the City Council to approve the City Manager’s decision to appoint or discharge the Police Chief of the Montrose Police Department; and setting the ballot question for the November 3, 2026, Coordinated Election.

Public comment was accepted.

Beth McCorkle, Dave Stockton, and Cliff Faurer spoke in opposition to Ordinance 2729.

Leah Vandersluis, Rick Bleier, and John Brown spoke in support of Ordinance 2729.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to adopt Ordinance 2729 on second reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

ORDINANCE 2730 – SECOND READING

City Council considered Ordinance 2730 on second reading, an Ordinance of the City of Montrose, Colorado, submitting to a vote of the registered electors of the City of Montrose proposed amendments to the Charter of the City of Montrose, Article VIII Section 6 to allow for the City Council to approve the City Manager’s decision to appoint or discharge the City Clerk; and setting the ballot question for the November 3, 2026, Coordinated Election.

Public comment was accepted.

Cliff Faurer spoke in opposition to Ordinance 2730.

Rick Bleier, John Brown and Ron Henderson spoke in support of Ordinance 2730.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to adopt Ordinance 2730 on second reading as presented. Dave Frank and J. David Reed voted no. All others voted yes. Motion passed.

VEHICLE PURCHASE APPROVAL

City Council considered the purchase of a Ford F-150 from Sill-TerHar Motors of Broomfield, Colorado, for the total purchase price of \$63,500.00.

Public Works Director Jim Scheid reported that this vehicle purchase is for the Police Department and was included in the 2026 budget. Mr. Scheid said that a transit van was sold and the proceeds from the sale were applied to the purchase. Savings in 2026 patrol vehicle purchases will cover the remaining cost. Mr. Scheid said that the F-150 has lower lifecycle costs and higher resale value when compared to an SUV. This vehicle has a trim level of 2 out of 8 possible and is typical for most City vehicles. Compared to the base model, this trim package holds resale value better and includes a towing package.

Public comment was accepted.

Leah Vandersluis questioned if other dealers were researched and considered. Mr. Scheid reported that Sil-TerHar was awarded the state bid that allows the City to take advantage of government pricing for vehicles, and the city has had good experiences with this vendor.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve the purchase of a Ford F-150 from Sill-TerHar Motors out of Broomfield, Colorado, for a total price of \$63,500.00 as presented. All voted yes. Motion passed.

2026 MONTROSE PERMANENT FUND CONTRIBUTION TO COLORADO MESA UNIVERSITY

City Council considered the City's 2026 annual budgeted contribution to Colorado Mesa University in the total amount of \$325,000.00 comprised of \$250,000.00 toward the Colorado Mesa University Foundation Permanent Endowment Fund and \$75,000.00 toward the CMU-City of Montrose Scholarship Fund.

City Councilor Ed Ulibarri disclosed that he sits on the CMU Advisory Board. City Attorney Chris Dowsey stated that Mr. Ulibarri did not need to recuse himself from this agenda item.

City Manager Bill Bell reported that this agenda item was discussed at a previous work session and the meeting packet includes a description of the Memorandum of Understanding. Mr. Bell stated that The Permanent Endowment Fund was established in 2023 to build a capital fund for

future improvements to the CMU campus with a goal of generating \$2 million by 2028. The City committed to matching a CMU annual commitment through 2028 to be used for expansion of the physical campus, the addition of academic offerings, and to entice professors to work here. Mr. Bell said the Montrose Scholarship Fund assists Montrose School District students who attend CMU.

Public comment was accepted.

Steve Metheny, director of the CMU Montrose Campus, expressed appreciation for the relationship with the City and the work that has been done to date. Mr. Metheny stated that through the City-sponsored programs, local students can attend the Montrose campus at no cost. Mr. Metheny thanked Mr. Bell and the City Councilors for their support.

Rick Bleier spoke in favor of developing a traditional campus outside of the City limits.

Julie Arnell spoke in favor of support for the CMU Montrose Campus.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve the City's 2026 annual budgeted contribution to Colorado Mesa University in the amount of \$325,000 as presented. All voted yes. Motion passed.

ORDINANCE 2723 – SECOND READING

City Council considered Ordinance 2723 on second reading, an ordinance of the City of Montrose, Colorado, vacating portions of a drainage easement within the City of Montrose.

City Engineer Scott Murphy reported no changes since the first reading of the Ordinance on August 18. Mr. Murphy stated that a detention pond was included in the original Sunrise Creek Subdivision, and the easement area was much larger than the pond. Mr. Murphy said the land owner requested a vacation of the unused portion of the easement and paid for a survey.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Adam Woodden, to adopt Ordinance 2723 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2724 – SECOND READING

City Council considered Ordinance 2724 on second reading, an ordinance of the City of Montrose, Colorado, vacating portions of right of way within the City of Montrose.

City Engineer Scott Murphy reported no changes since first reading of the Ordinance on August 18. Mr. Murphy reviewed the location of the right of way off of Nichols Way between Stone Bridge and Cirque, and north of The Bridges and Niagara Road. Mr. Murphy said an old county subdivision dedicated rights of way in anticipation of a future connection between Stone Bridge and Cirque. The connection was not completed and is no longer needed. Mr. Murphy said Ordinance 2724 cleans up the obsolete right of way and the property will revert to the adjoining land owners. Mr. Murphy stated that this was a landowner request, and the City paid for the survey.

Public comment was accepted. No comments were received.

A motion was made by Adam Woodden, seconded by Ed Ulibarri, to adopt Ordinance 2724 on second reading as presented. All voted yes. Motion passed.

NORTH PARK AVENUE DIVISION OF PROPERTY OFFICIAL ACT OF THE CITY

City Council considered the North Park Avenue Official Act of the City Division of Property Plat to consolidate property lines and dedicate rights of way along North Park and San Juan Avenues.

City Engineer Scott Murphy reported that the City owns two parcels near the intersection of North Park and San Juan Avenues, and the City is planning a \$5 million rebuild of North Park Avenue in 2027. Mr. Murphy said this portion of North Park Avenue does not have the full width of right of way. The clean-up action dedicates a 20-foot right of way along Park Avenue to allow the same pattern of detached sidewalk and road width as the remainder of the project. Mr. Murphy said right of way dedication is also included on San Juan and North 9th Street for sidewalk connections and removes the lot line between the two City-owned parcels to facilitate future development.

Public comment was accepted. No comments were received.

A motion was made by Adam Woodden, seconded by J. David Reed, to approve the North Park Avenue Official Act of the City Division of Property Plat as presented. All voted yes. Motion passed.

VALLEY RANCH SUBDIVISION FILING 1 FINAL PLAT

City Council considered the Valley Ranch Subdivision Filing 1 Final Plat.

Senior Planner William Reis reviewed the location of the 96.03 acre site south of Bridges Drive. Mr. Reis stated that the Final Plat proposes 15 residential lots. While the property is split between 3 zoning designations, all 15 lots are within the “R3-A,” Medium-High Density, zoning. The Valley Ranch Subdivision Preliminary Plat was approved by City Council on December 3, 2024. Mr. Reis reviewed Final Plat requirements and said the majority of the remaining property is being reserved for future filings.

Mr. Reis recommended approval stating that the final plat is in compliance with subdivision regulations and the Comprehensive Plan, and the proposal meets the intent of the “R-3A” zoning district.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to approve the Valley Ranch Subdivision Filing 1 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

BROOKSIDE MEADOWS SUBDIVISION FILING 1 FINAL PLAT

City Council considered THE Brookside Meadows Subdivision Filing 1 Final Plat

Senior Planner William Reis reviewed the location of the 20.49 acre site legally described as lot 2 of the Sugar Pine Minor Subdivision off of 6700 Road and Miami Road. The property is zoned “R-2,” Low Density District, and the Brookside Meadows Subdivision Preliminary Plat was approved by City Council on October 15, 2024. Mr. Reis stated that the Final Plat creates 46 residential lots as well as right of way dedication, open space, and easements as required.

Mr. Reis recommended approval of the Brookside Meadows Subdivision Filing 1 Final Plat stating that the Final Plat is in compliance with Subdivision Regulations and the Comprehensive Plan, and the proposal meets the intent of the “R-2” zoning district.

Public comment was accepted.

John Brown asked if Miami and 6700 Roads would be expanded to accommodate the increased traffic. City Engineer Scott Murphy stated that the 6700 Road Bridge replacement will begin in 2027 and widening will be incorporated. The plat includes a dedication for space needed for the bridge widening and a future roundabout at the intersection. Mr. Murphy said Miami Road has capacity for the additional traffic according to traffic studies.

A motion was made by J. David Reed, seconded by Adam Woodden, to approve the Brookside Meadows Subdivision Filing 1 Final Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and Municipal Code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

STAFF REPORTS

No staff reports were provided.

CITY COUNCIL COMMENTS

Mayor Pro Tem Ed Ulibarri asked for an update on construction fencing along Miami Road. City Engineer Scott Murphy said that a contractor conducting a waterline replacement experienced complications. Mr. Murphy said it is a private matter between the contractor and the state. The City is monitoring the issue but is not involved.

City Councilor Adam Woodden asked for an update on the new roundabout. Mr. Murphy reported that the roundabout at Rio Grande and E. Oak Grove opened last Friday. Mr. Murphy said that the project was about \$1 million under budget and landscaping will be completed in conjunction with the Public Works Facility next spring.

BRIEF RECESS

A brief recess was taken at 8:24 p.m. The meeting resumed at 8:32 p.m.

EXECUTIVE SESSION

At 8:32 p.m. a motion was made by J. David Reed, seconded by Ed Ulibarri, to enter into an executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and for a conference with the City Attorney for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(4)(b) and the following additional details are added for identification purposes: The City Manager's employment status and agreement. All voted yes. Motion passed.

RECONVENEMENT

The regular meeting reconvened at 10:05 p.m.

Mayor Michael Badaliacco announced that City Manager Bill Bell presented a proposal to separate his employment with the City of Montrose on an amicable basis. Mayor Badagliacco stated that the proposal was discussed in executive session but no decision was made in executive session. City Council reconvened into regular session to discuss the proposal openly and take possible action.

City Attorney Chris Dowsey stated that the agreement will be considered for ratification at the September 15, 2026, City Council meeting and will be available to the public in the meeting packet.

A motion was made by J. David Reed, seconded by Adam Woodden, to accept Mr. Bell's proposal as proposed effective immediately submitted to council for final ratification at the next city council meeting two weeks from tonight. All voted yes. Motion passed.

City Council discussed appointing an interim city manager and the benefits of an interim manager as opposed to an acting manager.

A motion was made by Adam Woodden, seconded by Dave Frank to appoint Ann Morgenthauer as interim city manager effective immediately subject to final negotiations. The agreement will be ratified at the September 15, 2026, regular City Council meeting and will be retroactive to this meeting. All voted yes. Motion passed.

ADJOURNMENT

The meeting adjourned at 10:17 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: Chris Dowsey, City Attorney

Council Work Session Date: N/A

Council Meeting Date: September 15, 2026

Re: Ratification of Separation Agreement

Attachments:

- Exhibit A – Separation Agreement between the City and William Bell

Action

Consider the ratification of the Separation Agreement between the City of Montrose and William Bell.

Background

This item was discussed in and after the executive session held on September 1, 2026. City Council discussed and ultimately voted to approve a mutual separation agreement with now former City Manager, William Bell.

This Agreement was not explicitly noticed, and this ratification serves as a cure of any purported violation of the open meetings laws.

Fiscal Impact

William Bell's salary and benefits are included in the 2026 budget.

SEPARATION AGREEMENT

This Separation Agreement ("**Agreement**") is entered into and effective this 1ST day of September, 2026, by and between the City of Montrose, a Colorado home rule municipal corporation, whose principal address is 400 East Main Street, PO Box 790, Montrose, Colorado 81402 (the "Employer") and William Bell whose mailing address is [REDACTED], [REDACTED] (the "Employee") the aforementioned entities may sometimes be collectively referred to as the "Parties".

WHEREAS; Employer has employed Employee as its City Manager; however, the parties wish to enter into a voluntary agreement to terminate their employment relationship and to resolve any actual or potential claims that either party may have against the other by reason of Employee's employment or termination thereof; and

WHEREAS, the parties desire to set forth the terms and conditions governing Employee's separation of employment and to provide for the settlement and release of any and all disputes or controversies that have arisen, or which may hereafter arise, between Employer and Employee, including without limitation, any and all claims arising out of or in any way related to Employee's employment with or separation from the Employer; and

NOW THEREFORE, in consideration of the mutual covenants herein contained and the mutual benefits to be derived therefrom, the sufficiency of which consideration is hereby acknowledged by the undersigned, Employer and Employee agree and state:

1. TERMINATION OF EMPLOYMENT

Upon their mutual agreement, Employee's employment as City Manager shall terminate on September 1, 2026, which shall be Employee's final date of employment.

2. NO ADMISSION OF LIABILITY

This Agreement is not an admission by Employee or Employer of any wrongful conduct whatsoever. Both parties deny and disclaim any liability to or wrongful conduct against the other or any third party. Nothing in this Agreement shall be construed as an admission by the Employer of any wrongdoing, liability, or noncompliance with any federal, state, city, or local rule, ordinance, statute, common law, or other legal obligation.

3. PAYMENT AND BENEFITS

Employee shall receive his regular paycheck for the pay period ending September 6, 2026, including payment for all hours worked; payment for one hundred (100) hours of unused Sick Time per City's customary policy; and payment for his unused balance of Vacation Leave hours as of September 1, 2026.

As consideration for this Agreement and the release contained within, and in full and complete satisfaction of all obligations due and owing Employee, Employer shall also issue a separate check within ten (10) days of Separation Date to include all items referenced below:

- a. Pay Employee an amount equal to Nine (9) months of his current base salary, less all relevant taxes and withholdings;
- b. Pay Employee an amount equal to Nine (9) months of ICMA/Mission Square Employer retirement contributions at 8% of current base salary; and

- c. Pay Employee an amount equal to Nine (9) months of his current plan premiums for Health, Vision, and Dental Insurance at the COBRA rate.

4. SURRENDER AND VACATION OF EMPLOYER'S PROPERTY

Upon execution of this Agreement, Employee shall deliver all Employer's property in his possession including, but not limited to, his GMC Yukon Denali, Dell Laptop Computer, and FirstNet Emergency Cellular Phone, and further, shall vacate Employer's property as soon as practicable.

5. RELEASE AND WAIVER OF CLAIMS

In consideration of the benefits to be provided to Employee pursuant to this Agreement, Employee—including his heirs and assigns—hereby irrevocably and unconditionally releases, acquits and discharges Employer and each of its past and present elected officials, department heads, officers, employees, agents, representatives and attorneys from any and all charges, complaints, claims, liabilities, obligations, promises, agreements, controversies, damages, actions, causes of action, suits, rights, demands, costs, losses, debts and expenses (including attorneys' fees and costs actually incurred), of any nature whatsoever, whether known or unknown, arising out of any act, omission, or event from the beginning of time up to the execution of this Agreement. Employee specifically acknowledges and agrees that he is releasing and giving up any right that he may now have under federal or state law or political subdivision thereof and any claims that he may now have or could have asserted against Employer.

Employee specifically agrees to release all claims against Employer under many different laws, including but not limited to: ***the Age Discrimination in Employment Act, the Older Workers Benefit Protection Act, and Executive Order 11141, which prohibit age discrimination in employment***; Title VII of the Civil Rights Act of 1964, and Section 1981 of the Civil Rights Act of 1866, which prohibit discrimination based on race, color, national origin, religion, or sex; the Americans with Disabilities Act and Sections 503 and 504 of the Rehabilitation Act of 1973, which prohibit discrimination based on disability; any other federal, state, or local laws prohibiting employment or wage discrimination; the Fair Labor Standards Act of 1938 and state laws that regulate wage and hour matters; the Family and Medical Leave Act of 1993; the Employee Retirement Income Security Act of 1974; any federal, state, or local laws providing workers' compensation benefits, prohibiting retaliatory or wrongful discharge, otherwise restricting an employer's right to terminate employees, or otherwise regulating employment; claims for breach of contract, promissory estoppel, defamation, slander, or libel; claims for termination pay, severance, or other benefits; and any other federal, state, or local tort or contract claim. Employee expressly waives all rights that he might have under any law that is intended to protect him from waiving unknown claims.

Employer hereby irrevocably and unconditionally releases, acquits and discharges Employee from any and all charges, complaints, claims, liabilities, obligations, promises, agreements, controversies, damages, actions, causes of action, suits, rights, demands, costs, losses, debts and expenses (including attorneys' fees and costs actually incurred), of any nature whatsoever, whether known or unknown, arising out of any act, omission, or event from the beginning of time up to the execution of this Agreement.

6. REFERENCES

If it is necessary for Employer to provide a reference to a prospective employer, Employee agrees that he will direct the prospective employer to contact the City of Montrose Human Resources Director.

7. NON-DISPARAGEMENT

The Employee agrees and covenants that the Employee shall not at any time make, publish, or communicate to any person or entity or in any public forum any defamatory, maliciously false, or disparaging remarks, comments, or statements concerning the City or its businesses, or any of its employees, officers, directors, or councilmembers now or in the future.

The City (on behalf of its businesses, employees, officers, directors, and/or councilmembers) also agrees and covenants not to make, publish, or communicate to any person or entity or in any public forum any defamatory, maliciously false, or disparaging remarks, comments, or statements concerning the Employee. If the City does disparage the Employee, the City may not seek to enforce the non-disparagement provision of this agreement or seek damages against the Employee for violating this provision.

This Section does not in any way restrict or impede the Employee from exercising protected rights to the extent that such rights cannot be waived by agreement or from complying with any applicable law or regulation or a valid order of a court of competent jurisdiction or an authorized government agency, provided that such compliance does not exceed that required by the law, regulation, or order.

8. CONFIDENTIAL INFORMATION

The Employee understands and acknowledges that during the course of employment with the City, the Employee has had access to and learned about confidential, secret, and proprietary documents, materials, and other information, in tangible and intangible form, of and relating to the ("**Confidential Information**"). The Employee further understands and acknowledges that this Confidential Information and the City's ability to reserve it for the exclusive knowledge and use of the City is of great importance and value to the City, and that improper use or disclosure of the Confidential Information by the Employee may cause the City to incur financial costs, liability under confidentiality agreements with third parties, civil damages, and criminal penalties.

The Employee understands and agrees that Confidential Information developed by the Employee in the course of the Employee's employment by the City is subject to the terms and conditions of this Agreement as if the City furnished the same Confidential Information to the Employee in the first instance. Confidential Information shall not include information that is generally available to and known by the public at the time of disclosure to the Employee, provided that the disclosure is through no direct or indirect fault of the Employee or person(s) acting on the Employee's behalf.

9. REPRESENTATIONS AND WARRANTIES

The undersigned parties hereby represent and warrant the following to each other:

- a. Employee represents and warrants that: he is legally and mentally competent to sign this Agreement; he is the sole owner of any claims against the Employer; he has the requisite capacity and authority to make this Agreement, and no portion of any existing or potential claims has been sold, assigned or pledged to any third party; and he presently possesses the exclusive right to receive all of the consideration

- paid in exchange for this Agreement.
- b. Employee represents and warrants that he has not and will not file any complaints, charges or lawsuits against Employer or any of its past or present elected officials, department heads, officers, employees, agents, representatives or attorneys with any governmental agency or any court, including without limitation, any claim or matter of any nature whatsoever related to or arising out of his employment with or separation of his employment, except Employee expressly reserves the right to file a claim for unemployment benefits.
 - c. Employer represents and warrants that it has not and will not file any complaints, charges or lawsuits against Employee with any governmental agency or any court, including without limitation, any claim or matter of any nature whatsoever relating to or arising out of Employee's employment with Employer or the separation of his employment from Employer.
 - d. ***Each party is fully aware of the contents of this Agreement and of its legal effect and understands that it should obtain legal advice regarding this Agreement as they deem appropriate. The parties hereto and each of them, have carefully read this Agreement and know the contents thereof, and they signed the same freely and voluntarily.***
 - e. This Agreement sets forth the entire agreement between the parties and supersedes any and all prior agreements or understandings between the parties pertaining to the subject matter herein. No waiver of a breach of any provision of this Agreement shall be construed to be a waiver of any breach of any other provision of this Agreement, or of any succeeding breach of the same provision. No delay in acting with regard to any breach of any provision of this Agreement shall be construed to be a waiver of such breach. If any provision in this Agreement is found to be unenforceable, all other provisions will remain fully enforceable.
 - f. The Employee is signing this Agreement in exchange for good and valuable consideration in addition to anything of value to which the employee is otherwise entitled.
 - g. The Employee is not waiving or releasing rights or claims that may arise after the employee signs this Agreement.
 - h. ***The Employee knowingly, freely, and voluntarily assents to all of this Agreement's terms and conditions.*** No promise or inducement has been made or offered, except as here in expressly set forth, and this Agreement is executed without reliance upon any statement or representation by any of the released parties or their representatives.
 - i. The language of all parts of this Agreement shall, in all cases, be construed as a whole, according to its fair meaning, and not strictly for or against either party.
 - j. This Agreement and any amendments hereto may be executed in multiple counterparts by the parties. Each counterpart shall be deemed an original, but all counterparts together shall constitute one and the same instrument.
 - k. Employee understands litigation may arise from events that occurred during his tenure with Employer. Employee shall cooperate with anything needed in the litigation process, including but not limited to trials, hearings, depositions, and information requests.

10. JURISDICTION

This Agreement shall be governed by the laws of the State of Colorado, and the Montrose County District Court shall have exclusive jurisdiction of any disputes arising under this Agreement.

11. BINDING EFFECT

This Agreement shall be binding upon and shall accrue to the benefit of the parties hereto, their respective personal representatives, successors in interest and assigns.

12. REVIEW & REVOCATION

The parties acknowledge that Employee may revoke his acceptance and execution of this Agreement at any time within seven (7) days of the date of his execution of it. Any revocation shall be in writing and shall be effective upon timely receipt by the Employer's Attorney.

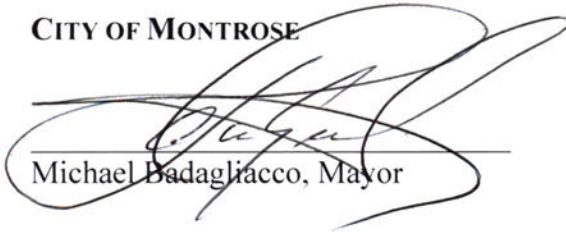
If the revocation is submitted by mail, the revocation must be postmarked before the expiration of the seven (7)-day revocation period and must be sent by overnight mail or other method so that it is received at the above address no later than the next business day immediately following the expiration of the seven (7)-day period. Further, Employee represents that, before accepting and executing this Agreement, he was given a review period of twenty-one (21) days in which to consider it. Employee further represents that he: (a) took advantage of as much of this period as required to consider this Agreement before signing it; (b) carefully read the Agreement and the Release included herein; (c) fully understands it; and (d) is entering into it voluntarily. Employee represents that Employer encouraged him to discuss this Agreement with an attorney of choice before signing it. This Agreement shall not become effective or enforceable until the seven-day revocation period has expired without Employee having revoked acceptance of it.

13. CGIA

The Parties hereto understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, (C.R.S. § 24-10-101 *et seq.*) as from time to time amended, or otherwise available to the City.

EXECUTED AND EFFECTIVE the date above first written.

CITY OF MONTROSE


Michael Badagliacco, Mayor

EMPLOYEE

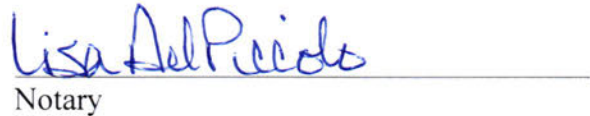

William E. Bell, Employee

STATE OF COLORADO)
) SS.
COUNTY OF MONTROSE)

The foregoing instrument was acknowledged before me this 1st day of September, 2026, by **Michael Badagliacco**.

Witness my hand and official seal.
My commission expires: 03/12/2027

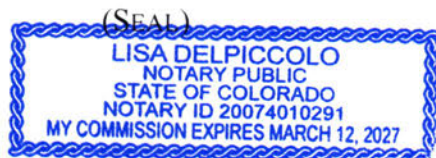


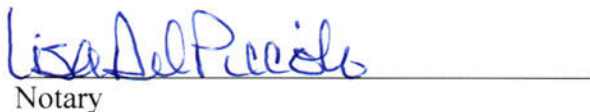

Notary

STATE OF COLORADO)
) SS.
COUNTY OF MONTROSE)

The foregoing instrument was acknowledged before me this 1st day of September, 2026, by **William E. Bell**.

Witness my hand and official seal.
My commission expires: 03/12/2027

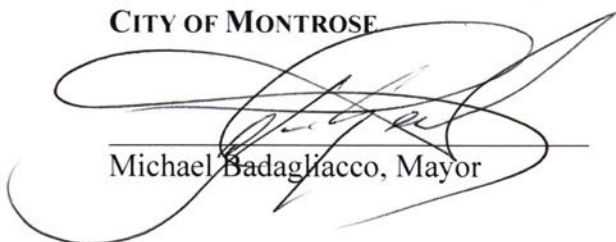



Notary

ADDENDUM

The undersigned hereby attests that the Separation Agreement which this Addendum is attached fully complies with C.R.S. 24-34-407(1).

CITY OF MONTROSE



Michael Badagliacco, Mayor

EMPLOYEE



William E. Bell

MEMO



To: Honorable Mayor and Members of the City Council

From: Chris Dowsey, City Attorney

Council Work Session Date: N/A

Council Meeting Date: September 15, 2026

Re: Interim City Manager Agreement

Attachments:

- Exhibit A – Interim City Manager Agreement between the City of Montrose and Ann Morgenthaler

Action

Consider the approval of an Interim City Manager Agreement between the City of Montrose and Ann Morgenthaler.

Background

This item was discussed after the executive session held on September 1, 2026. City Council approved a mutual separation agreement with former City Manager, William Bell and Council brought up the issue of how to address not having a City Manager. After a discussion, Council voted to name Ann Morgenthaler as the Interim City Manager effective September 1, 2026. This was not an agenda item on the September 1, 2026 Regular Meeting Agenda.

This Agreement formalizes and ratifies this decision. As desired by Council, this Agreement is retroactive to September 1, 2026.

Fiscal Impact

The proposed additional pay equates to an annual increase of 10% above Ann Morgenthaler's current base pay of \$177,511.24. This is an unanticipated expense that is not included in the 2026 budget. It will be paid from the City's General Fund.

INTERIM CITY MANAGER AGREEMENT

THIS INTERIM CITY MANAGER AGREEMENT ("Agreement") is made and entered into by and between the City of Montrose, Colorado, a Colorado home rule municipal corporation (the "City") and Ann Morgenthaler ("Ms. Morgenthaler" or "Interim City Manager"). The City and the Interim Manager are collectively referred to as the "Parties."

RECITALS

WHEREAS, Ms. Morgenthaler has been employed by the City as Deputy City Manager ("DCM") since April 19, 2021, and was employed as Assistant City Manager between September 10th, 2018 and April 18th, 2021; and

WHEREAS, pursuant to a motion approved at the September 1, 2026 council meeting, the City Council of the City ("City Council" or "Council") appointed Ann Morgenthaler to serve as the Interim City Manager of the City to fulfill the duties of city manager as set forth in the City's Home Rule Charter and Municipal Code, effective and commencing on September 1, 2026; and

WHEREAS, the City and Ms. Morgenthaler desire to set forth certain specifics concerning her service as the appointed Interim City Manager, and to establish the terms and conditions of appointment related thereto; and

WHEREAS, Ann Morgenthaler desires to accept her appointment as Interim City Manager of the City under the terms and conditions set forth herein, which specifically include the ability to return to the performance of her duties as the DCM had she remained employed as the DCM during the term of this Agreement.

NOW, THEREFORE, in consideration of the payments, promises, and other good and valuable consideration provided for in this Agreement, the Parties agree as follows:

Section 1. Duties; Policies; Relationship to City Council.

- A. Duties. The City agrees to employ Ann Morgenthaler as Interim City Manager to perform the functions and duties of City Manager specified by Colorado state statute, the City of Montrose Home Rule Charter and Municipal Code, any other applicable laws, ordinances, regulations, and policies of the City of Montrose. The Interim City Manager agrees to perform any legally permissible and proper duties and functions that the City Council assigns to her as Interim City Manager. The Interim City Manager shall be a full-time executive exempt position that reports to and serves at the pleasure of the City Council.
- B. Personnel and Purchasing Policies. Unless specifically altered herein, the personnel and purchasing policies of the City, as may be in effect and amended from time to time, shall govern this appointment.
- C. Relationship to City Council. City Council shall promptly refer all criticisms, complaints, and suggestions that come to its attention to Ms. Morgenthaler for study and recommendation. Ms. Morgenthaler shall have the obligation, unless excused, or on leave or vacation, to attend all City Council meetings. The City Council agrees to promptly communicate and provide Ms. Morgenthaler with a reasonable opportunity to cure all substantive criticisms, complaints, and suggestions with respect to her performance of services pursuant to this Agreement.

Section 2. Term.

- A. Effective Date; Term. This Agreement shall be effective on September 1, 2026 (the "Effective Date"), irrespective of the date upon which either Party executes it, and shall terminate on the first day that a City Manager duly appointed by City Council commences service in that position ("Expiration Date"); provided, however, that this Agreement may be terminated prior to said Expiration Date in accordance with Section 4 of this Agreement.
- B. At-will appointment. The Interim City Manager is an employee at will. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City to terminate this Agreement and the appointment of the Interim City Manager at any time, subject to the provisions set forth in Section 4 of this Agreement.

Section 3. Compensation; Benefits.

- A. Additional Compensation for Interim City Manager Service. For so long as Ms. Morgenthaler serves as Interim City Manager, the City agrees to pay Ms. Morgenthaler the following additional compensation above her current compensation as the DCM: one thousand four hundred seventy-nine dollars and twenty-six cents (\$1,479.26) per month in the form of a stipend ("Additional Compensation"). For periods of service less than one full month, the Additional Compensation shall be paid on a *pro rata* basis according to the number of days of the pay period of service. Additional Compensation will commence September 1, 2026 and be payable in biweekly installments in conjunction with her existing compensation for the position of DCM through the term of this Agreement. Any adjustments in such Additional Compensation shall be reflected in a written addendum to this Agreement signed by the Parties.
- B. Benefits.
 - a. General Benefits. Except as may be otherwise provided herein, Ms. Morgenthaler shall be eligible or receive, as applicable, all benefits offered to all other City employees and shall retain all benefits which she received as DCM.
 - b. Technology. The City shall provide Ms. Morgenthaler at its expense a laptop for the performance of work-related tasks.
 - c. Hours of Work. It is recognized that the Interim City Manager must devote a great deal of time outside the normal office hours on business for the City, and to that end the City intends that reasonable time off be permitted to Ms. Morgenthaler, such as is customary for exempt employees so long as the time off does not interfere with the normal conduct of the office of the Interim City Manager.
- C. Increases Commensurate with City Employees. During this term of this Agreement, any merit, or other increase or other salary or benefit increase that applies to all City employees shall also apply to Ms. Morgenthaler's salary and benefits.

Section 4. Termination; Position Restoration.

- A. Termination. Prior to the Expiration Date, the City Council may terminate this Agreement and Ms. Morgenthaler's appointment as Interim City Manager at any time, with or without cause. In addition, this Agreement may be terminated by mutual agreement of the Parties, death of Ms. Morgenthaler, or Ms. Morgenthaler's resignation from the Interim City Manager position by providing sixty (60) days' written notice to City Council. Except as established in Section 4.B, below, any benefits or rights that Ms. Morgenthaler may have enjoyed solely as a result of her appointment as Interim City Manager will terminate upon termination of this Agreement, regardless of whether Ms. Morgenthaler is restored to the DCM position.
- B. Restoration to DCM Position. Subject to Section 4.C, below, if City Council terminates this Agreement and the Interim City Manager appointment for any reason, or upon the Expiration Date, or upon Ms. Morgenthaler's resignation from the Interim City Manager position, Ms. Morgenthaler will have the option, but not the obligation, to be restored to the DCM position with all City benefits in effect as of the date of such restoration. Upon such restoration and for six months thereafter, Ms. Morgenthaler shall be subject to the City's personnel policies in effect on the date of such restoration but may only be terminated for cause. Upon such restoration, Ms. Morgenthaler's salary shall be adjusted to reflect the salary that would have been in effect had she not entered into this Agreement and had, during the term of this Agreement, retained and performed the duties of DCM.
- C. Circumstances Nullifying Restoration to DCM Position. Notwithstanding any of the foregoing provisions of this Section 4 to the contrary, it is understood that if the Interim City Manager is terminated from employment with the City because of any: (1) conviction of any illegal act involving personal gain to the Interim City Manager; (2) conviction of any felonious act or due to any act of moral turpitude; (3) insubordination, nonfeasance, or malfeasance in the performance of duties; or (4) other circumstances justifying termination under the City's Employee Regulations, the Interim City Manager shall have no right to be restored to her former position as Deputy City Manager, and the City shall not be obligated to offer such restoration.
- D. Resignation. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the Ms. Morgenthaler's right to resign at any time from employment with the City.

Section 5. General Provisions.

- A. No Multiple Year Obligation. Nothing in this Agreement shall create a multiple-fiscal year financial obligation as contemplated and as prohibited by Article X, § 20 of the Colorado Constitution. All payments contemplated herein are subject to annual appropriation.
- B. Entire Agreement. This Agreement consists of the entire agreement between the City and Ms. Morgenthaler with respect to her appointment as Interim City Manager.
- C. Severability. If any provision or any portion of this Agreement is adjudged unconstitutional, invalid, or unenforceable, the remainder of the Agreement or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- D. Amendment. This Agreement may only be amended by a written instrument, duly executed by each party.

- E. Governing Law. This Agreement will be governed by and construed according to the laws of the State of Colorado as such laws are applied to agreements entered into and to be performed entirely within Colorado between Colorado residents.
- F. Counterparts. This Agreement may be executed in counterparts.
- G. Notices. Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent either of the following methods:
- a. By electronic mail. If a notice is emailed, a delivery confirmation report received by the sender, which records the time that the email was delivered to the recipient's last notified email address, is *prima facie* evidence of its receipt by the recipient, unless the sender receives a delivery failure notification, indicating that the electronic mail has not been delivered to the recipient.
 - b. By certified or registered mail, postage and fees prepaid, addressed to the party to whom such notice is intended to be given at the address set forth below, or at such other address as has been previously furnished in writing to the other party or parties. Such notice shall be deemed to have been given when deposited in the U.S. Mail.

To the City:
Mayor & City Council
City of Montrose
400 E. Main Street
Montrose, CO 81401

With copy to: Chris Dowsey, City Attorney
City of Montrose
400 E. Main Street
Montrose, CO 81401
Email address: cdowsey@cityofmontrose.org

To Employee: Ann Morgenthaler
400 E. Main Street
Montrose, CO 81401
Email address: ann.morgenthaler@gmail.com

Any Party may change her/its address for purposes of this section by giving the other Party written notice of the new address.

- H. Paragraph Captions. The captions of the paragraphs are set forth only for convenience and reference, and are not intended in any way to define, limit, or describe the scope or intent of this Agreement.
- I. Additional Documents or Action. The parties agree to execute any additional documents and to take any additional action necessary to carry out this Agreement.

IN WITNESS WHEREOF, the City of Montrose, Colorado, has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by the City Clerk, and Ms. Morgenthaler has signed and executed the Agreement, on the dates indicated below.

CITY OF MONTROSE, COLORADO

By: _____

Printed Name: Michael Badagliacco

Title: Mayor

Date of execution: _____

ATTEST:

APPROVED AS TO FORM: (excluding exhibits)

By: _____
Lisa DelPiccolo, City Clerk

By: _____
Chris Dowsey, City Attorney

INTERIM CITY MANAGER:

Ann Morgenthaler

Date of execution: _____

MEMO



To: Honorable Mayor and Members of the City Council
From: Chris Dowsey, City Attorney
Council Work Session Date: September 14, 2026
Council Meeting Date: September 15, 2026
Re: Appointment of Montrose Urban Renewal Authority Executive Director

Action

Consider appointing Ann Morgenthaler as the Montrose Urban Renewal Authority Executive Director.

Background

The [Montrose Urban Renewal Authority \(MURA\) Bylaws](#) provide that the "The Executive Director shall be appointed by the City Council or the City Manager, and shall serve at the pleasure thereof. He or she shall have general supervision over administration of the affairs and business of the Authority, and shall be charged with management of the projects of the Authority, and with any other duties as assigned by the Commissioners from time-to-time. He or she shall designate in writing some person to perform the duties of Executive Director in his or her absence."

William Bell is currently appointed as the Executive Director of the MURA. Appointing the City Manager as the MURA Executive Director has allowed for streamlined and coordinated action on behalf of the MURA and City. Since William Bell is no longer the Montrose City Manager, City Council may consider whether to appoint the Interim City Manager, Ann Morgenthaler, to serve as the Executive Director of the MURA.

Fiscal Impact

The position of MURA Executive Director currently does not receive any additional stipend, so there is no fiscal impact associated with this decision.

MEMO



To: Honorable Mayor and Members of the City Council
From: Jon Waschbusch, Parks Superintendent
Council Work Session Date: August 31st, 2026
Council Meeting Date: September 15th, 2026
Re: Rotary Park Pump House Replacement
Attachments:

- Exhibit A – Pump House Rendering

Action

Consideration of the Rotary Park Pumphouse Replacement Project in the amount of \$514,011.00 including a contract to FCI Constructors, Inc. of Grand Junction, Colorado.

Background

The irrigation pumphouse and appurtenant equipment at Rotary Park was installed in the 1980s and has ultimately reached the end of its useful life. The purpose of this project is to remove the existing pumphouse, construct a new pumphouse, install a new pump and filtration equipment, upgrade the intake system and connect the new pumphouse to the existing irrigation delivery system.

A competitive RFP was issued in July of 2026 to solicit proposals for this work. The Parks Division received five (5) qualified proposals in response to the posted RFP. A scoring matrix was applied to determine best value proposal for the city with weighting being applied as follows:

- Price: 40%
- Qualifications/Similar Project Experience: 25%
- Overall Presentation, Level of Detail, and Project Understanding: 25%
- Team Assigned to the Project/Proposed Sub-Consultants: 10%

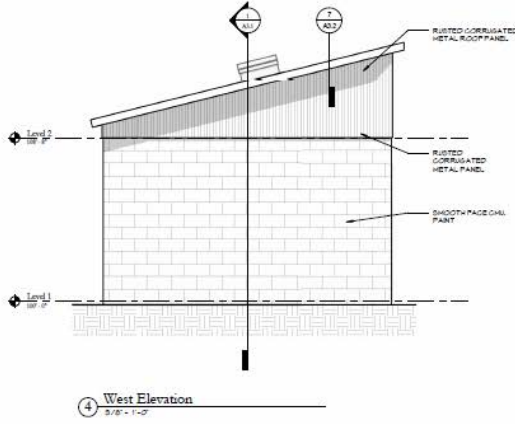
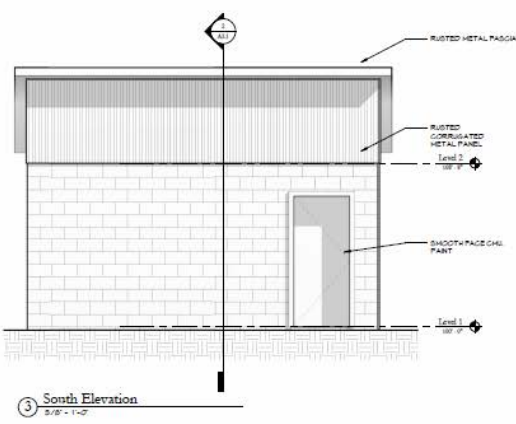
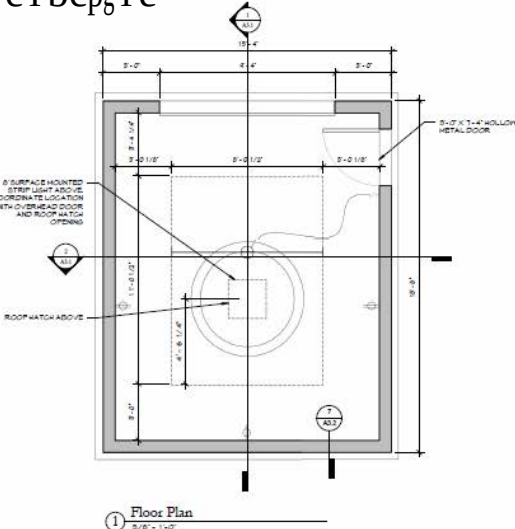
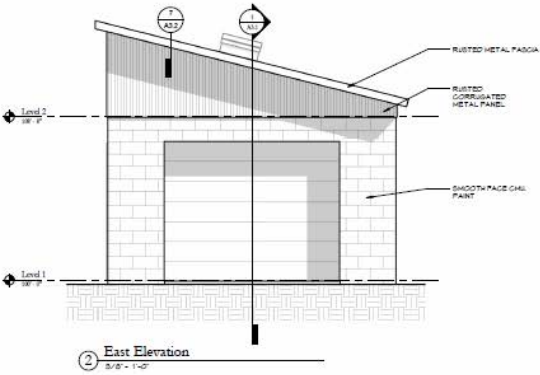
Below is a breakdown of the bid prices received.

Company	Total Bid Price
Con-Sy Inc.	\$576,709.92
FCI Constructors, Inc.	\$467,283.00
North Peak Construction	\$522,720.92
Ridgway Valley Enterprises	\$511,800.00
Stryker & Company	\$532,570.68

FCI Constructors, Inc. was the low bidder and top score for this review.
City staff recommend awarding the construction contract for the Rotary Park Pumphouse Replacement project (Bid #26-012) to FCI Constructors, Inc.

Fiscal Impact

The adopted 2026 budget included \$500,000 for this capital project. The recommended award to FCI Constructors, Inc. will be a construction contract in the amount of \$467,283.00. There is a 10% owners contingency added to the contract amount to bring the total authorized amount to \$514,011.00. This is \$14,011.00 over the budgeted amount for this project but will be covered by savings from other capital projects in the 2026 Public Works budget.



MOTLEY ARCHITECTURE & DESIGN

915 S. Tenth St.
Moorhead, MN 56501
p: (770) 249-1988
www.motleyarc.com

PROFESSIONAL SEAL

STATE OF MINNESOTA

203434

8/1/08

STAMP

© Motley Architecture & Design

Rotary Park Pump House

Moorehead, MN 56501

REVISIONS

PROJECT NO.

3643

PHASE

Construction

DATE

8/1/08

SHEET DATE

8/1/08

Plan,
Elevation, &
Section

SHEET NAME

A2.1

SHEET NUMBER

MEMO



To: Honorable Mayor and Members of the City Council
From: Jace Hochwalt, Community Development Director
Council Work Session Date: September 14, 2026
Council Meeting Date: September 15, 2026
Re: Colorado Parks and Wildlife Non-Motorized Trails Grant
Attachments:

- Exhibit A - Resolution 2026-14

Action

Consider a request to authorize the City of Montrose to submit an application to the Colorado Parks and Wildlife (CPW) Non-Motorized Trails Grant Program for planning and design of the Montrose Audubon project.

Background

The City of Montrose has completed a conceptual design for the Montrose Audubon, located off Marine Road. The project is envisioned as a nature-based outdoor recreation and educational destination focused on wildlife viewing, accessibility, habitat restoration, and connecting the community with the natural environment.

The conceptual plans include accessible trails and boardwalks connecting visitors to the site's marsh and wildlife habitat, along with bird blinds, wildlife viewing areas, educational signage, and an outdoor classroom. The project also incorporates native and restorative plantings, preservation of desirable vegetation, and removal of invasive species such as Russian olive and tamarisk.

The project is envisioned as a three-phase development, with each phase designed to function independently. The initial phase would establish site access, parking, an ADA-accessible trail, a bridge, and the first bird blind. Future phases would expand the trail and boardwalk network and add habitat restoration, educational features, overlooks, gathering spaces, and additional visitor amenities.

The City is seeking up to \$45,000 through the CPW Non-Motorized Trails Grant Program – Planning and Support category to advance the completed conceptual design to construction-ready documents. Grant funding would support detailed construction drawings, technical specifications, and construction cost estimates. These documents will allow the City to refine project phasing, identify future funding needs, and position the project for implementation.

Fiscal Impact

The total project cost for the final planning and design phase is estimated at \$60,000. The City is requesting up to \$45,000 through the CPW Non-Motorized Trails Grant Program, representing 75% of the project cost. The required 25% City match, estimated at \$15,000, is proposed within the 2027 Budget.

Grant funds and the City match would be used for detailed construction drawings, technical specifications, and construction cost estimates necessary to advance the project toward construction.

Conclusion

Staff recommends that City Council authorize the City of Montrose to submit an application to the Colorado Parks and Wildlife Non-Motorized Trails Grant Program – Planning and Support category requesting up to \$45,000 for planning and design of the Montrose Audubon. Receipt of the grant would allow the City to advance the Montrose Audubon from a conceptual plan to a construction-ready project, providing the detailed design and cost information necessary to evaluate future phases, pursue additional funding, and ultimately implement a unique outdoor recreation, wildlife, and educational destination for the Montrose community.

RESOLUTION NO. 2026-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTROSE,
COLORADO, AUTHORIZING AN APPLICATION FOR A NON-MOTORIZED TRAILS
GRANT THROUGH COLORADO PARKS AND WILDLIFE FOR PLANNING AND
DESIGN OF THE MONTROSE AUDUBON PROJECT**

WHEREAS, the City of Montrose is pursuing the development of the Montrose Audubon as a nature-based outdoor recreation and educational destination focused on wildlife viewing, accessibility, habitat restoration, and connecting the community with the natural environment; and

WHEREAS, the conceptual plan for the Montrose Audubon includes accessible trails and boardwalks, wildlife viewing areas, bird blinds, educational signage, and other features intended to provide meaningful recreational and educational opportunities for the community; and

WHEREAS, the project also incorporates habitat restoration and stewardship activities, including preservation of desirable vegetation, native plantings, and removal of invasive species; and

WHEREAS, the City has intentionally envisioned the Montrose Audubon as a phased project, allowing individual phases to be implemented independently while providing meaningful public benefits and flexibility in securing future funding; and

WHEREAS, the City is seeking up to \$45,000 through the Colorado Parks and Wildlife Non-Motorized Trails Grant Program – Planning and Support category to advance the project from its current conceptual stage to construction-ready design, with the required 25% City match proposed within the 2027 Budget;

WHEREAS, grant funding will allow the City to develop detailed construction drawings, technical specifications, and reliable construction cost estimates necessary to refine the project, evaluate phasing, identify future funding needs, and position the Montrose Audubon for successful implementation; and

WHEREAS, the City Council of the City of Montrose finds that pursuing funding through the Colorado Parks and Wildlife Non-Motorized Trails Grant Program is in the best interest of the community and will advance the City's goals of expanding outdoor recreation opportunities, improving accessibility, supporting wildlife habitat, and connecting residents and visitors with the natural environment.

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

1. The City Council of the City of Montrose authorizes the filing of the grant application in the amount of up to \$45,000 with Colorado Parks and Wildlife through their Non-Motorized Trails Grant Program.
2. If the grant is awarded, the City Council hereby authorizes the Interim City Manager to execute the grant contract with the Colorado Parks and Wildlife and city staff to act on behalf of the grant agreement.

RESOLVED AND ADOPTED this ___ day of __, 2026, by the City Council of the City of Montrose

CITY OF MONTROSE, COLORADO

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council

From: Mike Arat, City Forester

Council Work Session Date: 9/14/2026

Council Meeting Date: 9/15/2026

Re: Authorization of Expenditures for Creating Resilient Forests in Colorado Grant

Attachments: None

Action

Consider the approval of expenditures up to \$329,723.00 for implementation of the 2023 Creating Resilient Forests in Colorado project awarded to the City of Montrose.

Background

The City Council accepted award of these funds in 2025. The funding is being used to implement the Cerise Park Wildfire Mitigation and Riparian Restoration Project/Buckhorn Lakes Wildfire Mitigation and Forest Health Improvement Project. Staff is seeking council authorization of expenditures to implement this work.

This expenditure will be 100% reimbursed by the accepted grant.

Fiscal Impact

The expenses for this project will be paid directly by the City of Montrose and will be 100% reimbursed by the grant.

MEMO



To: Honorable Mayor and Members of the City Council
From: Jace Hochwalt, Community Development Director
Council Work Session Date: September 14, 2026
Council Meeting Date: September 15, 2026
Re: Colorado State Forest Service Forest Restoration and Wildfire Mitigation Risk Grant

Attachments:

- Exhibit A - Resolution 2026-15

Action

Consider a request to authorize the City of Montrose to submit an application to the Colorado State Forest Service (CSFS) Forest Restoration & Wildfire Risk Mitigation Grant Program for wildfire mitigation and forest restoration at Buckhorn Lakes.

Background

The City of Montrose owns approximately 554 acres at Buckhorn Lakes, a property that provides important recreational, natural resource, wildlife, and watershed values to the community.

The City previously received a \$329,723 award through the Colorado State Forest Service's 2023 Creating Resilient Forests in Colorado – Congressionally Directed Spending program for the Cerise Park Wildfire Mitigation and Riparian Restoration Project and Buckhorn Lakes Wildfire Mitigation and Forest Health Improvement Project. Of that award, \$172,011 remains available for the Buckhorn Lakes project and may be used for eligible project activities or as a match for future grant opportunities that advance wildfire mitigation and forest health improvements.

In partnership with the Colorado State Forest Service, the City has developed a forest management plan for Buckhorn Lakes identifying opportunities to improve forest health, reduce wildfire risk, and protect critical resources. The plan recommends strategic forest management and fuels reduction activities to improve forest resilience and support long-term stewardship of the property.

The City is seeking up to \$516,033 through the Forest Restoration & Wildfire Risk Mitigation Grant Program to support additional wildfire mitigation and forest restoration activities at Buckhorn Lakes. The project is located within an area eligible for the program's reduced 25% match opportunity. If awarded, the remaining \$172,011 may be used, as permitted by grant requirements, to satisfy the required 25% local match.

Fiscal Impact

The City is seeking up to \$516,033 through the Forest Restoration & Wildfire Risk Mitigation Grant Program. The program provides a reduced 25% local match for eligible projects, resulting in a total project cost of up to \$688,044 and a required match of up to \$172,011.

The City has \$172,011 remaining from its 2023 Creating Resilient Forests in Colorado – Congressionally Directed Spending award for the Buckhorn Lakes project. These existing grant funds may be used, as permitted by grant requirements, to satisfy the required local match for this project. No additional General Fund appropriation is proposed at this time.

Conclusion

Staff recommends that City Council authorize the City of Montrose to submit an application to the Colorado State Forest Service Forest Restoration & Wildfire Risk Mitigation Grant Program requesting up to \$516,033 for wildfire mitigation and forest restoration at Buckhorn Lakes. If awarded, the grant would allow the City to advance priority forest management and fuels reduction activities identified in the Buckhorn Lakes forest management plan.

RESOLUTION NO. 2026-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, AUTHORIZING AN APPLICATION FOR A FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT THROUGH THE COLORADO STATE FOREST SERVICE FOR WILDFIRE MITIGATION AT BUCKHORN LAKES

WHEREAS, the City of Montrose owns approximately 554 acres at Buckhorn Lakes, a property that provides important recreational, natural resource, wildlife, and watershed values to the community; and

WHEREAS, the City, in partnership with the Colorado State Forest Service, has developed a forest management plan for Buckhorn Lakes that identifies opportunities to improve forest health, reduce wildfire risk, and protect critical resources; and

WHEREAS, Buckhorn Lakes has been identified as a priority area for wildfire mitigation due to its forest conditions, proximity to critical infrastructure, and importance as a watershed and recreational resource; and

WHEREAS, the forest management plan recommends strategic forest management and fuels reduction activities to reduce wildfire risk, improve forest resilience, and support long-term stewardship of the property; and

WHEREAS, the proposed project is consistent with the goals of the Colorado State Forest Service's Forest Restoration & Wildfire Risk Mitigation Grant Program and supports efforts to reduce wildfire risk and improve forest health;

WHEREAS, the Colorado State Forest Service's Forest Restoration & Wildfire Risk Mitigation Grant Program provides a reduced match opportunity of 25% for eligible projects located in areas with fewer economic resources and that demonstrate a meaningful connection between project activities and benefits to the identified area; and

WHEREAS, the City intends to satisfy the required 25% matching contribution through existing Congressionally Directed Spending (CDS) funds awarded to the City through the Colorado State Forest Service's Creating Resilient Forests program in 2025, with up to \$172,011 in remaining CDS funds potentially available to serve as the local match for the project; and

WHEREAS, the City Council of the City of Montrose finds that pursuing funding for wildfire mitigation and forest restoration at Buckhorn Lakes is in the best interest of the community and will help protect important natural resources, infrastructure, and recreational values.

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

1. The City Council of the City of Montrose authorizes the filing of the grant application in the amount of up to \$516,033 with the Colorado State Forest Service through their Forest Restoration & Wildfire Risk Mitigation Grant Program.
2. If the grant is awarded, the City Council hereby authorizes the Interim City Manager to execute the grant contract with the Colorado State Forest Service and city staff to act on behalf of the grant agreement.

RESOLVED AND ADOPTED this ___ day of ___, 2026, by the City Council of the City of Montrose

CITY OF MONTROSE, COLORADO

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council

From: William Reis, Senior Planner

Date: September 15, 2026

Re: Locust Road Addition Annexation

Attachments:

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

City Council Consideration:

The City Council is considering the annexation and the initial zoning for the Locust Road Addition, a proposed annexation to the city limits of Montrose. The City Council will consider all of the information in this memo in making a decision.

Background

The Locust Road Addition is a proposed annexation approximately 4.2 acres in size. The annexation consists of 1815 Locust Road, as well as a portion of the Locust Road right of way. It is within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and City of Montrose Water Service Area. An Annexation Agreement is required.

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.

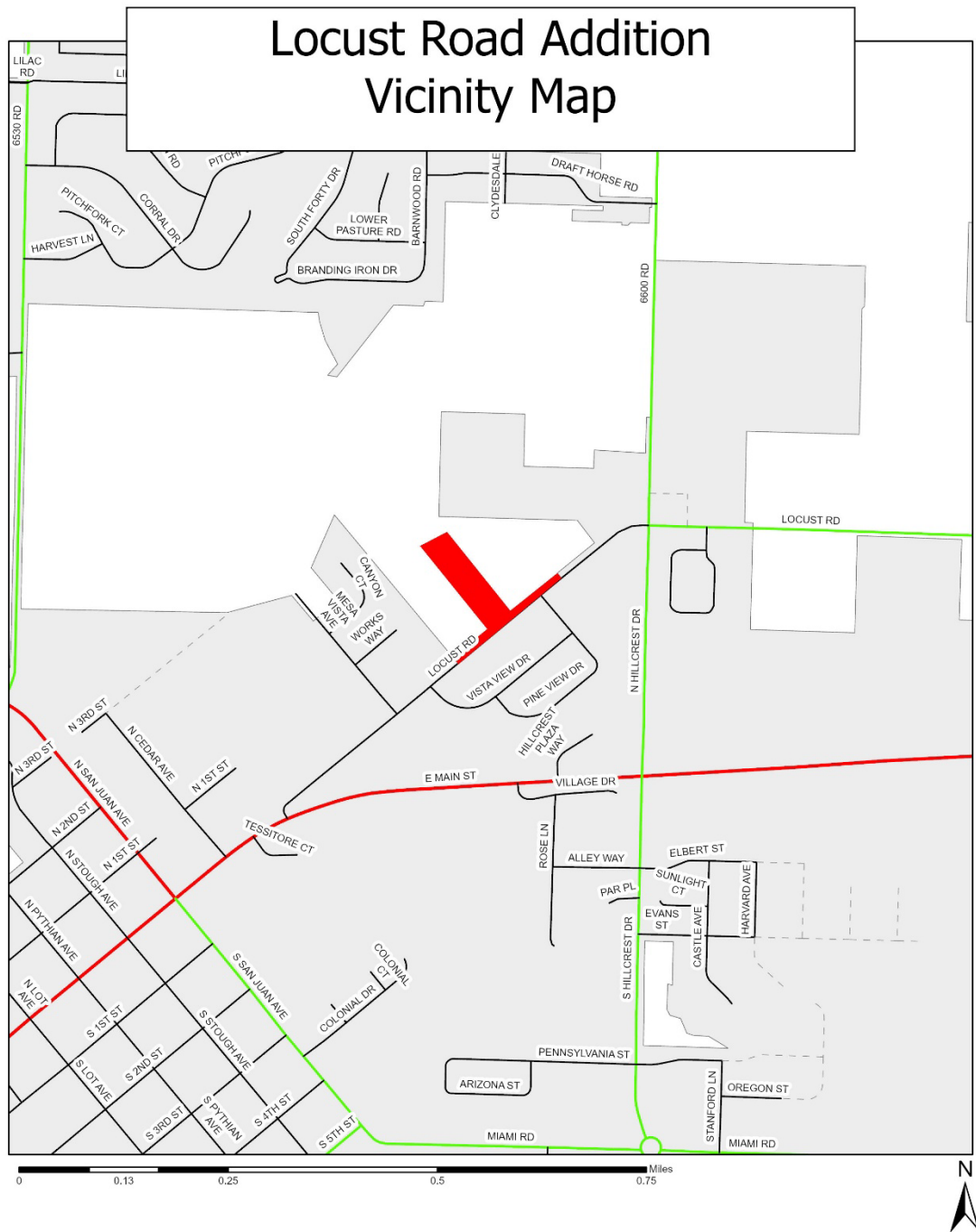
3. Zoning Regulations

- 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. The Planning Commission made a unanimous recommendation of approval of the "R-2" zoning designation during the August 12, 2026 Planning Commission meeting.

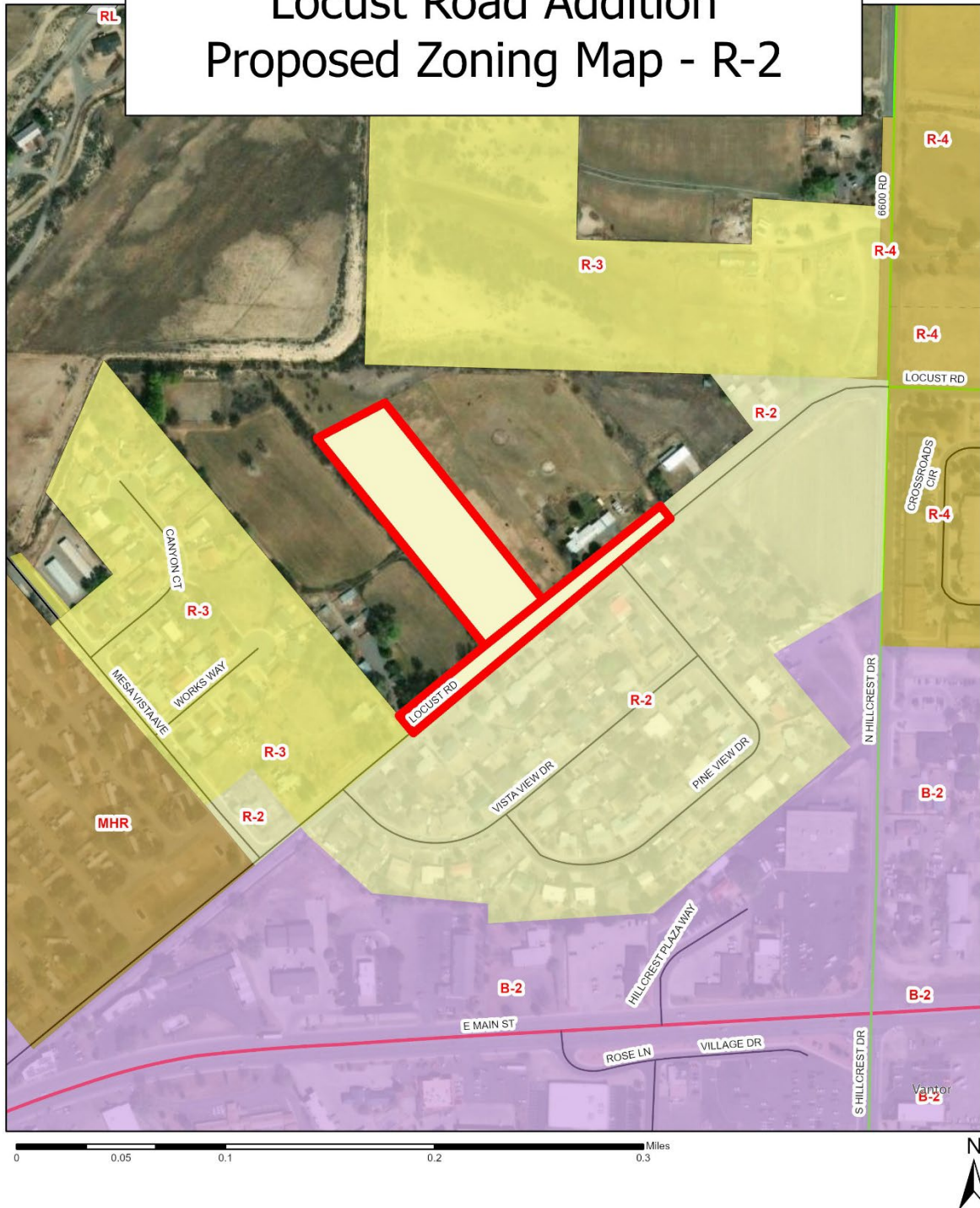
Staff Recommendation:

Staff finds that the initial zoning request is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "R-2" Low Density District.

EXHIBIT A: Maps



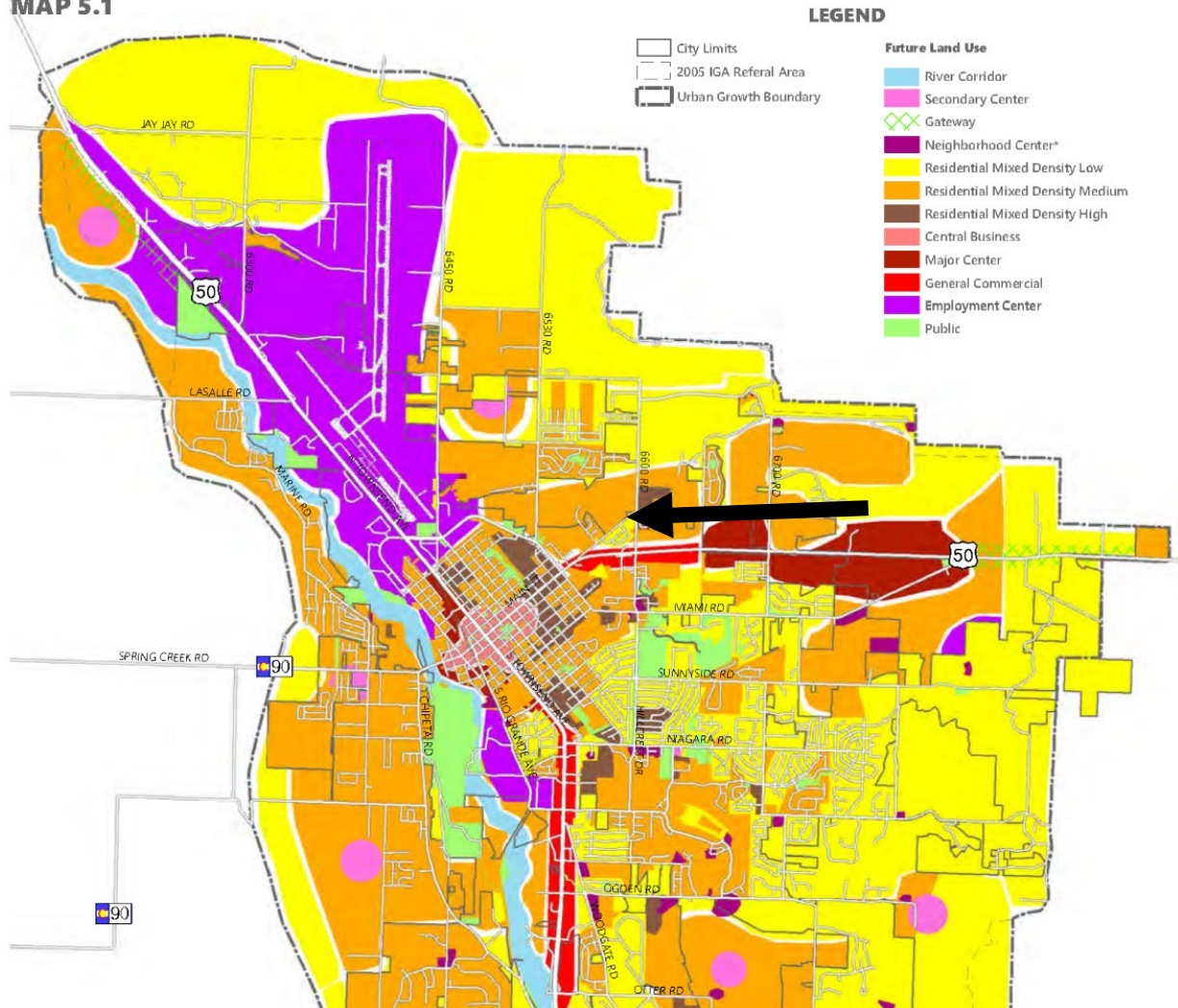
Locust Road Addition Proposed Zoning Map - R-2



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



F:\SURVEY\2025\25-111-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

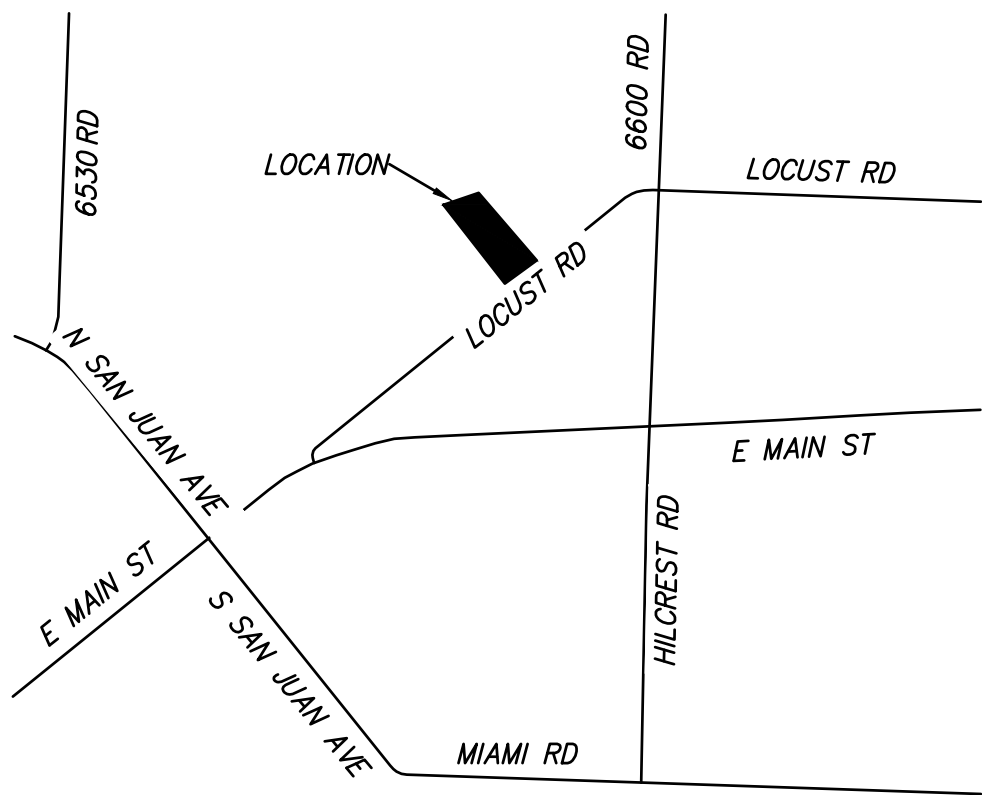
TOTAL PERIMETER = 3153.08'
PERIMETER CONTIGUOUS TO CITY LIMITS = 987'

BELVEDERE SUBDIVISION BOOK 0 PAGE 1

IMPROVEMENT SURVEY PLAT REC. NO. 947208

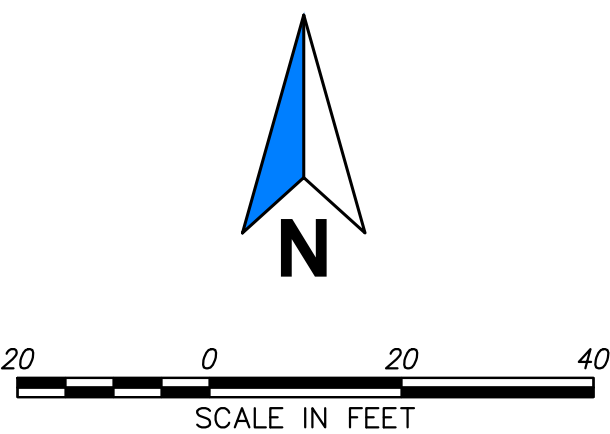
NOTE: THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS A COMPILATION OF EXISTING RECORDS FOR THE PURPOSE OF ANNEXATION.

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
Automobile and vehicle sales, repair or service establishments			C	C	P	P			
Automobile body shops			C	C	P	P			

Bed and breakfast (See Sec. 11-11-1)	P								
Building materials businesses			C	P	P	P			
Car washes				P	P	P	C		
Commercial businesses		C							
Commercial uses other than the uses by right in this zone district which comply with the performance standards of Chapter 11-11-4 and are consistent with Sec. 11-7-5(D)(1).								C	
Farm implement sales or service establishments					P	P			
Fueling stations or other retail uses having fuel pumps which comply with the following criteria: (a)All fuel storage, except propane, shall be located underground. (b)All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.			P	P	P	P	C		
Funeral homes			C	C	C	C			
Hotels and motels			P	P	P	P			
Laundry facilities, self-service				P	P	P	P		
Mobile and travel home sales or service establishments					P	P			
Offices for medically related and professional service providers including doctors, dentists, chiropractors, lawyers, engineers, surveyors, accountants, bookkeepers, secretarial services, title companies, social service providers and other similar professional service providers.	P								
Offices not allowed as a use by right.	C								

Travel home parks and campgrounds (See Sec. 11-13)				C	C	C			
Rental businesses					P	P			
Restaurants			P	P	P	P	P		P
Restaurants, drive-in or drive-through			C	C	C	C	C		
Retail sales and services establishments which cater to the general shopping public	C								
Retail stores, business and professional offices, and service establishments which cater to the general shopping public.			P	P	P	P	P		P
Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied				C	C	C			
Sexually oriented business (See Sec. 11-12-1)									P
Short-term rentals	P		P	P	P	P	P	P	P
Taverns			P	P	P	P	C		
Theaters			P	P	P	P			
Veterinary clinics or hospitals for small animals				P	P	P			
Veterinary clinics or hospitals for large animals					P	P			
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;					C	C		P	P

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)									
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. 2026-13

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

The City Council hereby set forth its findings of fact and conclusions based thereon with respect to the annexation of the **Locust Road Addition** based on the evidence contained in the official file, the official records of the City of Montrose, Colorado and the evidence produced at the Hearing held on September 15, 2026.

FINDINGS OF FACT

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

3. The City Council has determined that additional terms and conditions will not be imposed.
4. The Petition was signed by the owners of 100% of the property to be annexed exclusive of streets and alleys.
5. Proper notice of this hearing was published and mailed as required by C.R.S. § 31-12-108.
6. An Annexation Impact Report is not required.

CONCLUSIONS

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

ADOPTED this 15th day of September, 2026, by the Montrose City Council.

CITY OF MONTROSE, COLORADO

By _____
Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2731

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE **LOCUST ROAD ADDITION**.

WHEREAS, a petition for the annexation of a tract of land known as the **Locust Road Addition** has been submitted to the City of Montrose and has been found by the City Council to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, said petition has been signed by the owners of 100% of the area proposed to be annexed exclusive of streets and alleys; and

WHEREAS, the property is eligible for annexation in accordance with the Municipal Annexation Act of 1965, as amended.

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

SECTION 1:

The property described in **Exhibit A**, known as the **LOCUST ROAD ADDITION**, is hereby annexed to the City of Montrose, Colorado.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 15th day of September, 2026, at the hour of 6:00 p.m. at the Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 15th day of September, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 6th day of October, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

A PARCEL OF LAND SITUATED IN THE S₁² 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

ORDINANCE NO. 2732

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE **LOCUST ROAD ADDITION** AS AN "R-2," LOW DENSITY DISTRICT.

WHEREAS, the **Locust Road Addition** has been recently annexed to the City of Montrose, Colorado; and

WHEREAS, the owners of such property have requested zoning which the Planning Commission has reviewed and recommended in accordance with the requirements of the City Code; and

WHEREAS, the proposed recommendation is substantially in accord with the City's Master Plan, is compatible with existing zoning in nearby or adjoining properties, and is in the public interest.

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

The Official Zoning Map is hereby amended to designate the **Locust Road Addition**, according to the Official Annexation Map thereof, as an "R-2", Low Density District.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its passage on first reading on Tuesday, the 15th day of September 2026, at the hour of 6:00 p.m. at the Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 15th day of September, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this 6th day of October, 2026.

Michael Badagliacco, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMO



To: Honorable Mayor and Members of the City Council
From: William Reis, Senior Planner
Date: September 15, 2026
Re: Star Court Lot 8 Townhomes Subdivision Preliminary Plat
Attachments:

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

City Council Consideration:

The City Council shall approve, deny, or approve with conditions the Star Court Lot 8 Townhomes Subdivision Preliminary Plat. The City Council will consider all of the information in this memo in making a decision.

Application Background:

The Star Court Lot 8 Townhomes Subdivision Preliminary Plat is located on Lot 8 of the Miami Business Park Subdivision Filing No. 2, also addressed as 739-749 East Star Court. This preliminary plat consists of 6 townhome lots subdividing a building currently under construction. The property is zoned "R-4" High Density District.

The Planning Commission unanimously recommended approval of the Star Court Lot 8 Townhomes Subdivision Preliminary Plat during the August 12, 2026 Planning Commission meeting. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Fiscal Impact

The proposed subdivision is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Justin Tanner, Forza Red, LLC

Staff Analysis:

1. Subdivision Application Details & Review Standards:

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

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:

- a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.
2. Comprehensive Plan - Land Use Map Designation:
 - The Comprehensive Plan Future Land Use Map identifies this parcel as located Residential Mixed Density Medium. The Residential Mixed Density Medium district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(7): The “R-4” High Density District is intended to provide primarily for high density multi-household dwellings and to allow variety in higher density single household and duplex dwellings and other forms of innovative housing development types.
 - The proposed use is a use-by-right in the “R-4” High Density District, The property is adjacent to properties that are zoned “R-4” Density District.
4. The Star Court Lot 8 Townhomes Preliminary Plat does not appear to be adverse to the public health, safety and welfare and is in compliance with the City’s Subdivision Regulations.

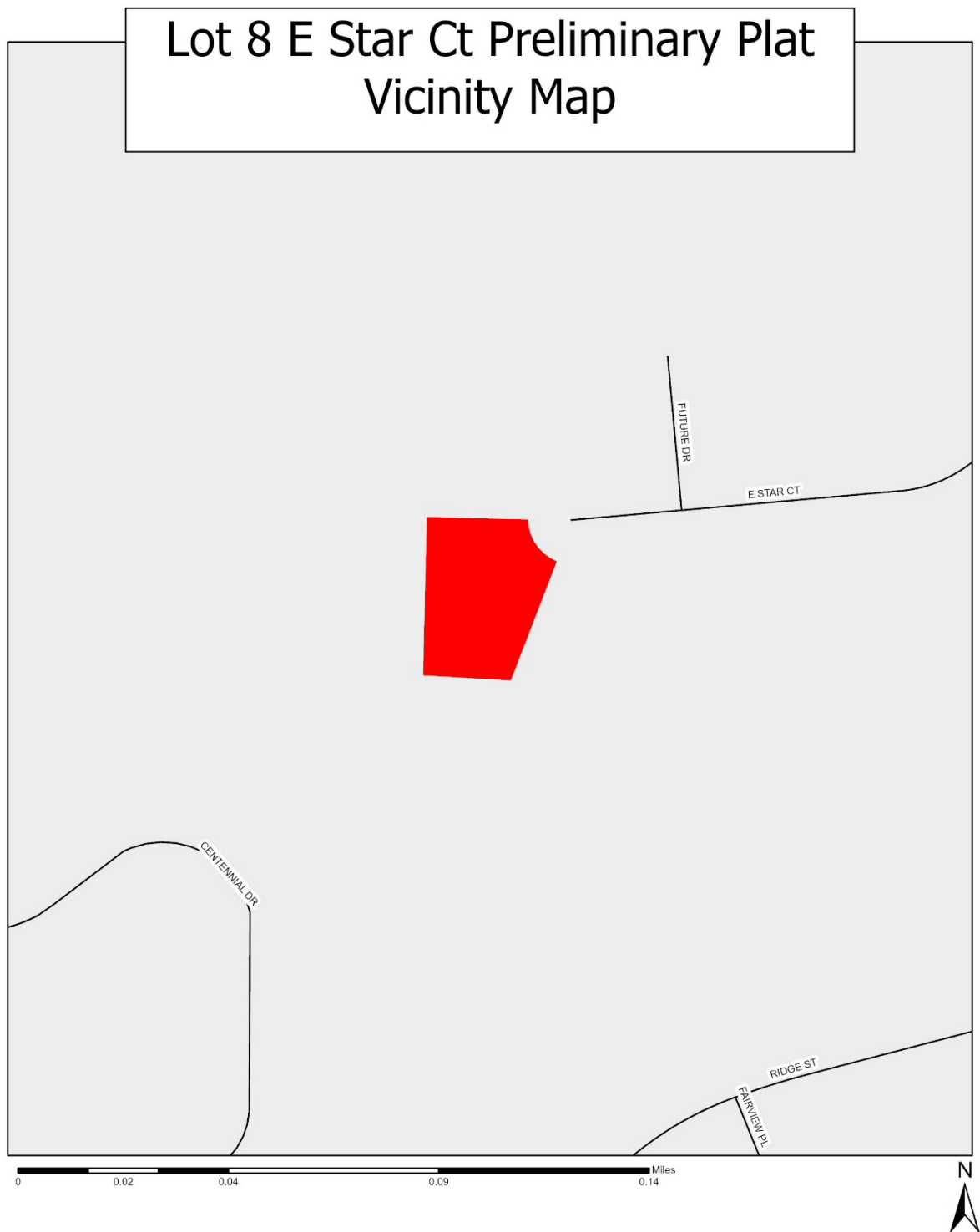
Planning Commission Recommendation:

The Planning Commission Planning Commission recommended approval of the Star Court Lot 8 Townhomes Subdivision Preliminary Plat during the August 12, 2026 meeting. It was a unanimous vote. “The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff’s concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.”

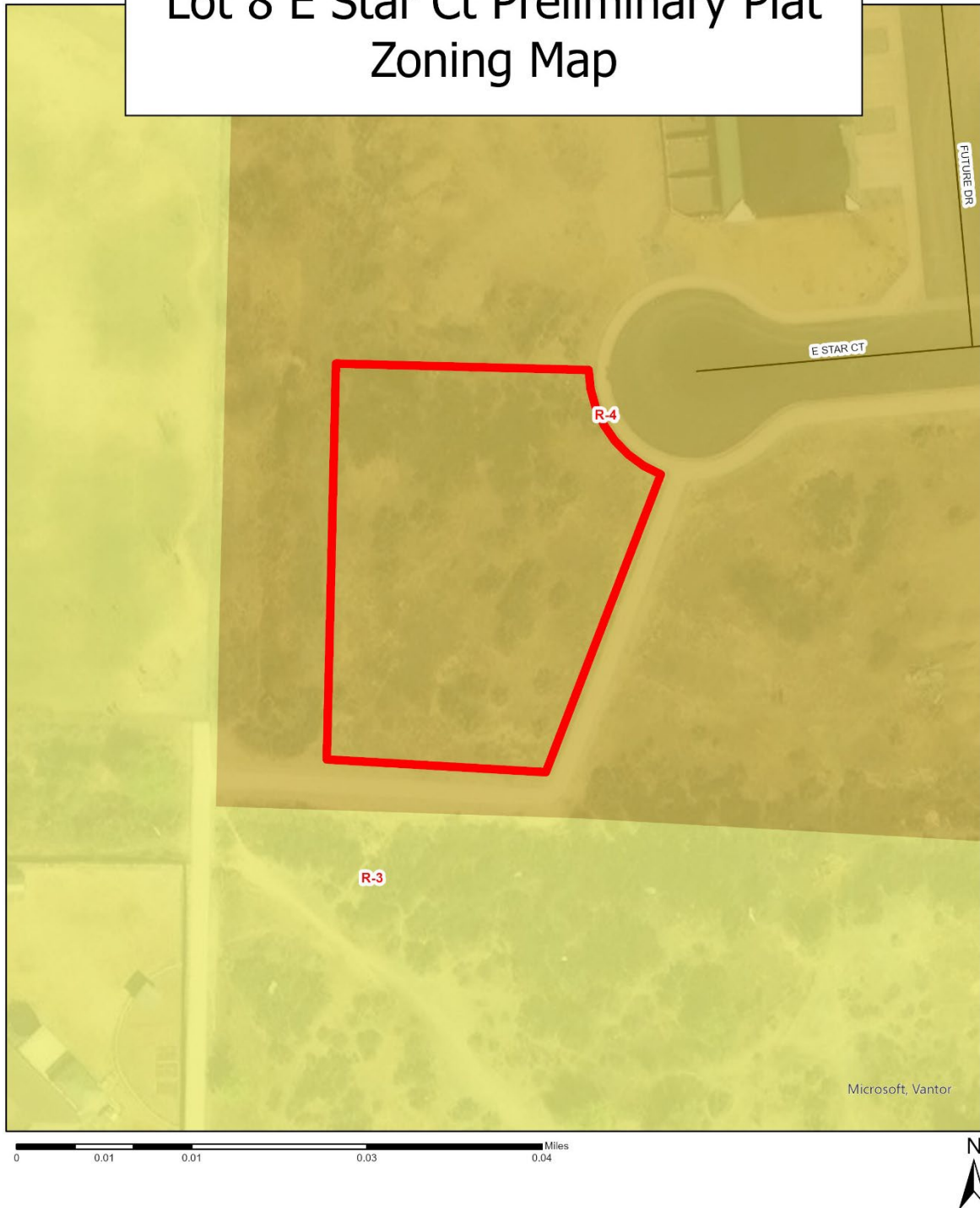
City Council Options:

1. Accept the Planning Commission recommendation and approve the Star Court Lot 8 Townhomes Subdivision Preliminary Plat with the following condition. “The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff’s concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.”
2. Approve the preliminary plat subject to conditions necessary to implement the provisions of Chapter 11-5 – Subdivision Regulations.
3. Disapprove the preliminary plat if Council finds the requirements of these regulations have not been met.

EXHIBIT A: Maps



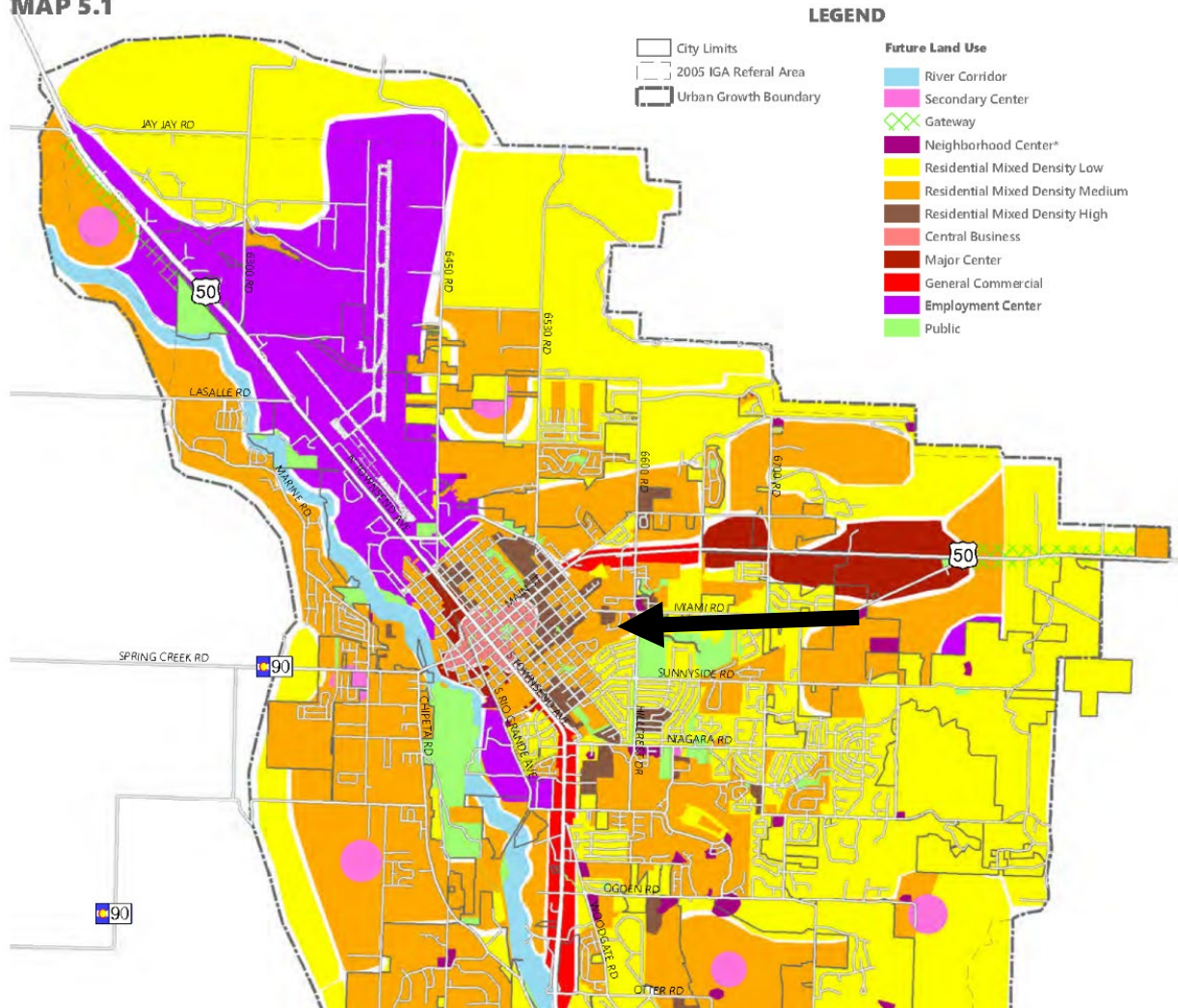
Lot 8 E Star Ct Preliminary Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1



STAR COURT LOT 8 TOWNHOMES

SITUATED IN SECTION 27, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Star Court Lot 8 Townhomes Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met, and that the Applicant adequately addresses all of staff's concerns.

BASIS OF BEARINGS:

The bearing along the West line of Lot 8, Miami Business Park Subdivision Filing No. 2 between the 1 1/2" aluminum cap PLS 13933 at the Southwest corner of said Lot 8 and the found 1 1/2" aluminum cap PLS 13933 at the Northwest corner of said Lot 7 bears N01°19'45"E (ASSUMED).

LINEAL UNITS STATEMENT:

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

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

Miami Park Business Park Subdivision Filing No. 2, Lot 8

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Star Court Lot 8 Townhomes.

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

Executed this ____ day of _____, 20____.

Justin Tanner, Manager
Forza Red LLC

STATE OF COLORADO }
COUNTY OF MONTROSE }

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

My commission expires _____.

Witness my hand and seal _____
Notary Public

SURVEYOR'S CERTIFICATE

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

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

ENGINEER'S CERTIFICATE

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



VICINITY MAP
N.T.S.

CERTIFICATE OF COMPLETED IMPROVEMENTS

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

City Engineer
Registration No. _____
Date: _____

ATTORNEY'S CERTIFICATE

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

Attorney
Registration No. _____
Date: _____

APPROVAL OF CITY MANAGER

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

Deputy City Manager

APPROVAL OF CITY ATTORNEY

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

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

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

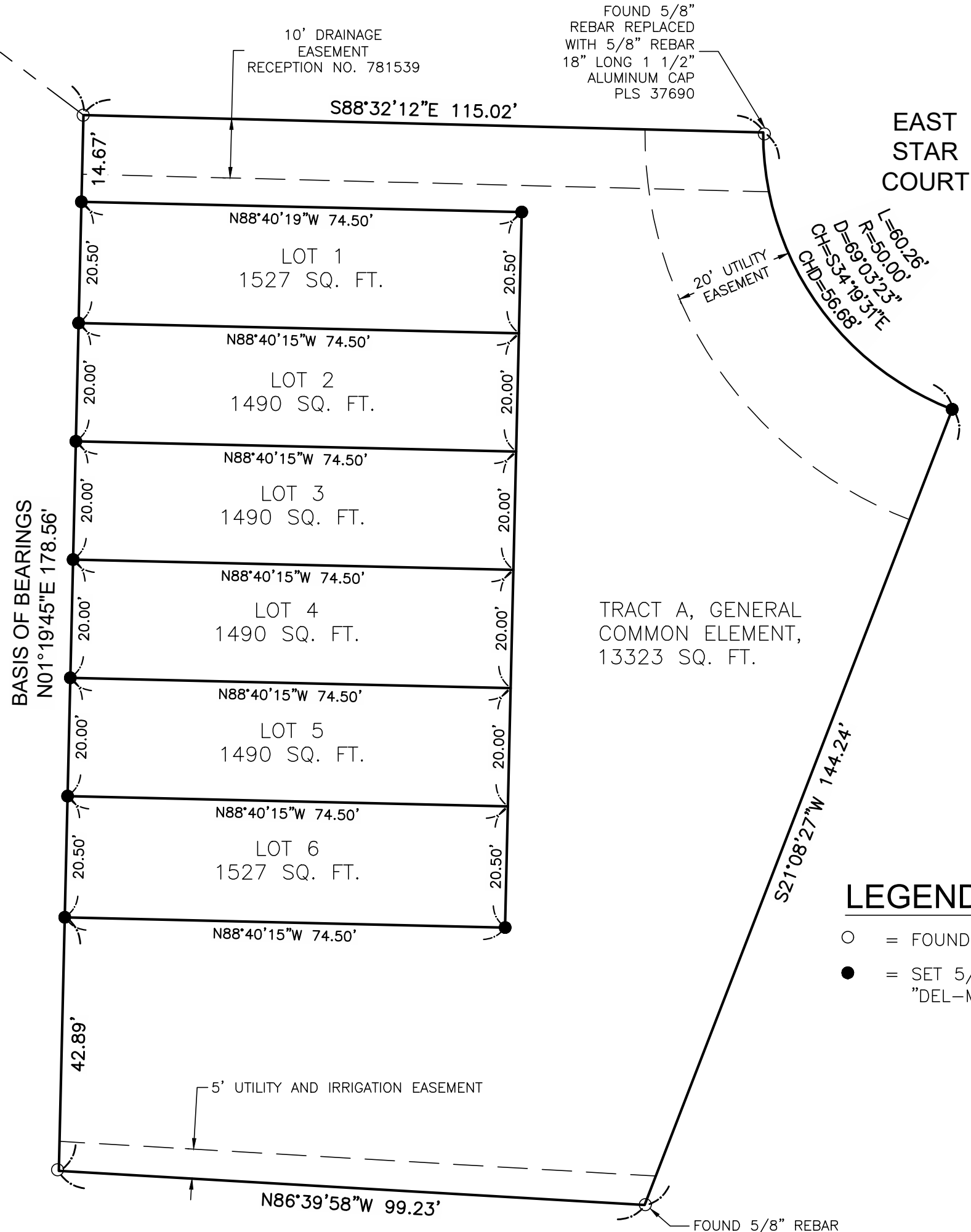
Mayor

RECORDER'S CERTIFICATE

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

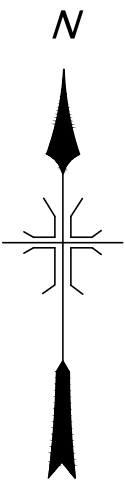
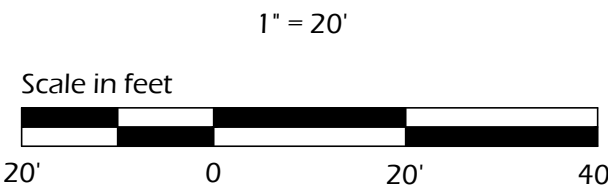
County Clerk and Recorder Deputy

DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. W Montrose, CO 81401 W (970) 249-2251 www.del-mont.com service@del-mont.com	
FIELD BOOK: 777	DRAWN BY: TRS	DATE: 2026-04-20	TITLE: STAR COURT LOT 8 TOWN HOMES
SHEET: 1 of 1	FILE: 26023V_PLAT-PRE	JOB NO.: 26023	CLIENT: FORZA RED, LLC
			ADDRESS & PHONE: 3391 WEST COURT MONTROSE, CO 81401
			TYPE: PRELIMINARY PLAT



LEGEND

- = FOUND MONUMENT 1 1/2" ALUMINUM CAP PLS 13933
- = SET 5/8" REBAR, 18" LONG, WITH A 1 1/2" ALUMINUM CAP STAMPED "DEL-MONT, PLS 37690"



MISCELLANEOUS PLAT NOTES

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

2. PRIVATELY OWNED COMMON ELEMENTS

A. All general common elements, Tract A, now existing or hereafter conveyed, shall be owned and maintained by _____ [name of owners' association], or in the absence of such entity, by the owners of all units having unique legal descriptions in the Star Court Lot 8 Townhomes, jointly and severally.

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

C. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities.

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

E. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

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

CONVEYANCE OF PRIVATE PARKS AND OPEN SPACE TO OWNERS' ASSOCIATION

By executing this Plat, the owner(s) whose signature(s) appear hereon, joined by the Lienholder(s), if any, whose signatures also appear on this Plat, for and in consideration of TEN AND NO/10 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to _____ [insert name of owners' association], a Colorado nonprofit corporation, _____ [insert tract names or other designation - such as irrigation easements - as appropriate] shown and designated on this Plat.

CERTIFICATE OF GOOD STANDING

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

DECLARATION OF COVENANTS RECORDED

The Declaration of Covenants, Conditions, and Restrictions for _____ [Name of Owners' Association], applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. _____, on the ____ day of _____, 20____ in the office of the Montrose County Clerk and Recorder.

APPROVAL OF PRELIMINARY PLAT

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

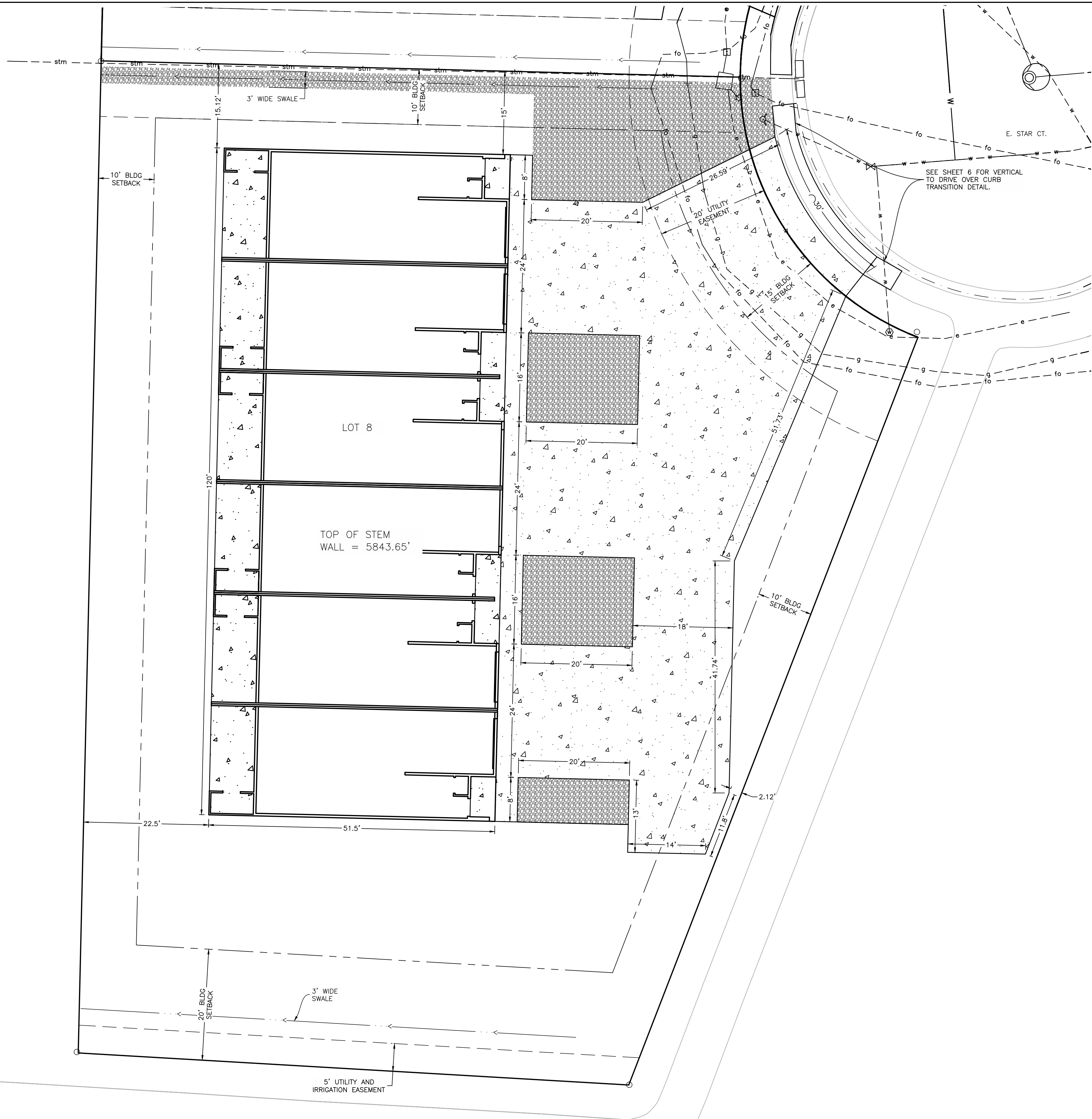
City Attorney _____ Date _____
Chris Dowsey

City Planning
Commission Chair _____ Date _____
David Fishering

City Mayor _____ Date _____
Dave Frank

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

\\DMS14\PROJECTS\ACTIVE PROJECTS\2026\26023-TANNER STAR COURT LOT 8\C3D\26023V_PLAT-PRE.DWG



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EXISTING INDEX CONTOUR
EXISTING INTERMEDIATE CONTOUR
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EXISTING UNDERGROUND ELECTRIC
EXISTING UNDERGROUND GAS
EXISTING WATER
EXISTING SANITARY SEWER
EXISTING EDGE OF GRAVEL
EXISTING CURB, GUTTER
AND SIDEWALK
EXISTING FENCE
EXISTING ROAD CENTERLINE
EXISTING UTILITY POLE
EXISTING POWER PEDESTAL
EXISTING TELEPHONE PEDESTAL
EXISTING GAS LINE MARKER
EXISTING WATER METER
EXISTING WATER VALVE
EXISTING SANITARY SEWER MANHOLE

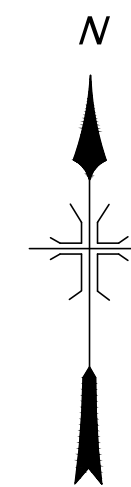
PROPOSED INDEX CONTOUR
PROPOSED INTERMEDIATE CONTOUR
PROPOSED DRAINAGE FLOWLINE

PROPOSED GRAVEL LANDSCAPE

PROPOSED CONCRETE

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SETBACKS:	FRONT = 15'
	REAR = 20'
	SIDE = 10'

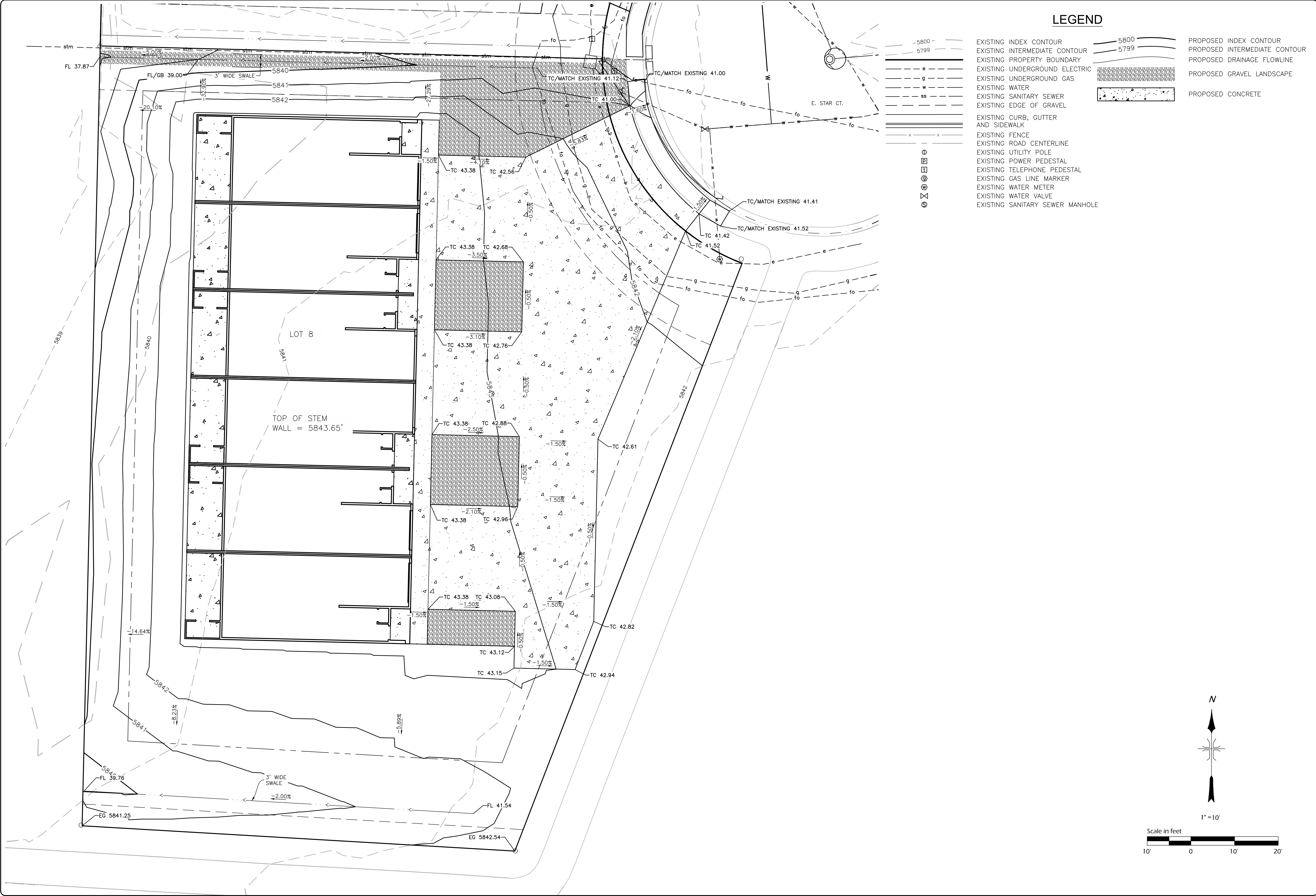
PARKING DETAILS	
OFF-STREET:	12
ON-STREET:	0
TOTAL:	12

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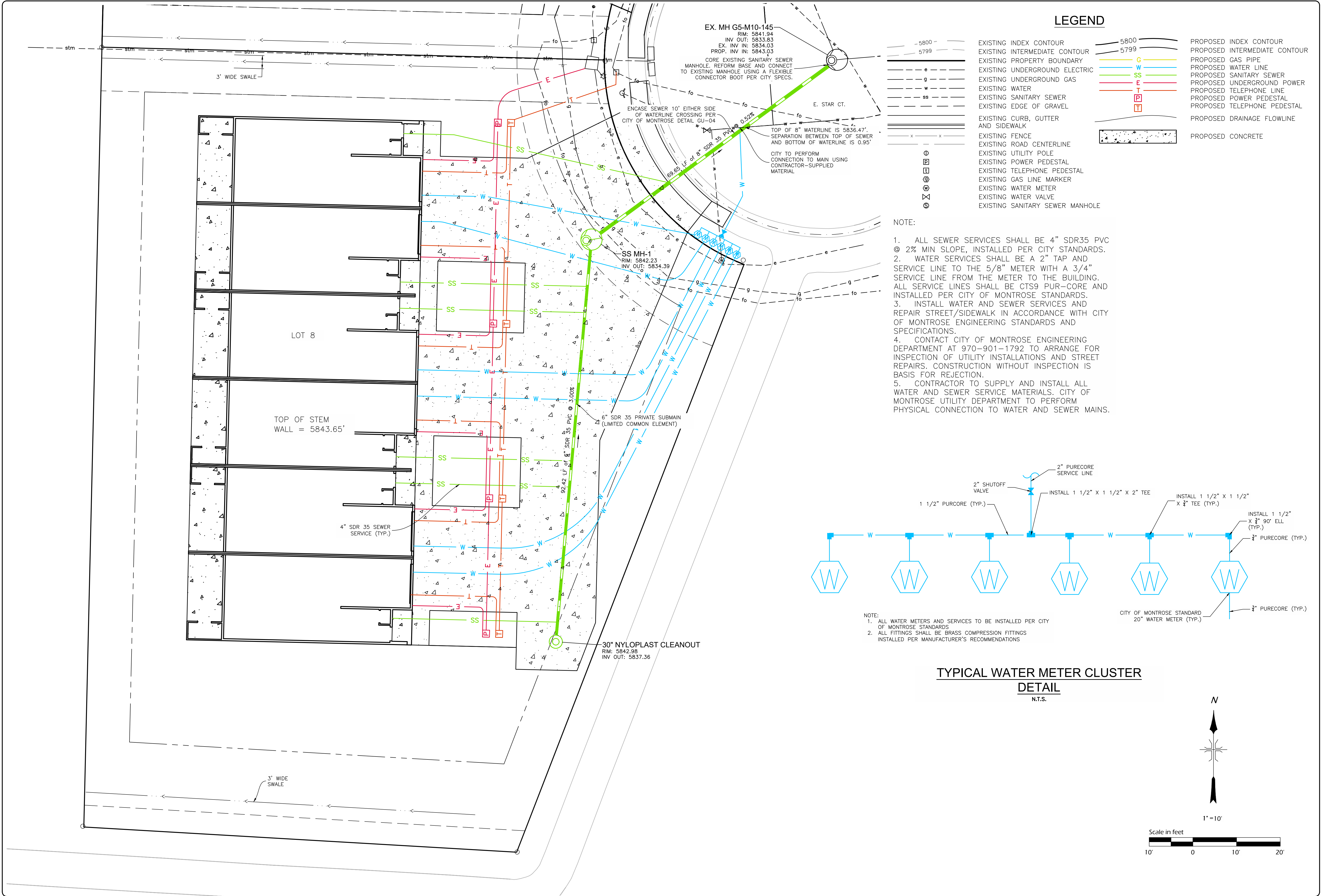
	DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. ■ Montrose, CO 81401 ■ (970) 249-2251 www.del-mont.com ■ service@del-mont.com		
	SCALE AS NOTED		
DESIGN BY BAJ	DATE ISSUED 2026-04-13		

FORZA RED, LLC STAR CT. LOT 8 MONTROSE, CO	SITE PLAN
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PLOTTED BY BJULIAN, FILE PATH & NAME = \NMS\PROJECTS\ACTIVE PROJECTS\2026\26023-TANNER STAR COURT LOT 8\C3D\26023C_BASE.DWG, PLOT DATE = 4/13/2028 8:42 AM



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NO	DATE	REVISIONS	BY



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

CHECKED BY:

SCALE:

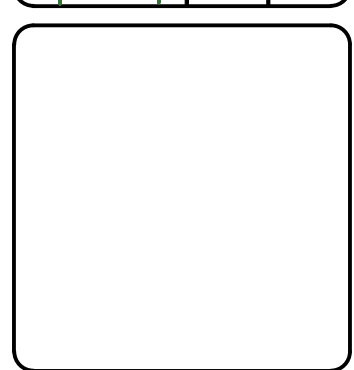
DATE ISSUED:

2026-04-13

AS NOTED

BAU

BAU



FORZA RED, LLC

STAR CT. LOT 8

MONTROSE, CO

UTILITY PLAN

DMC JOB NO.:

26023

SHEET NO.:

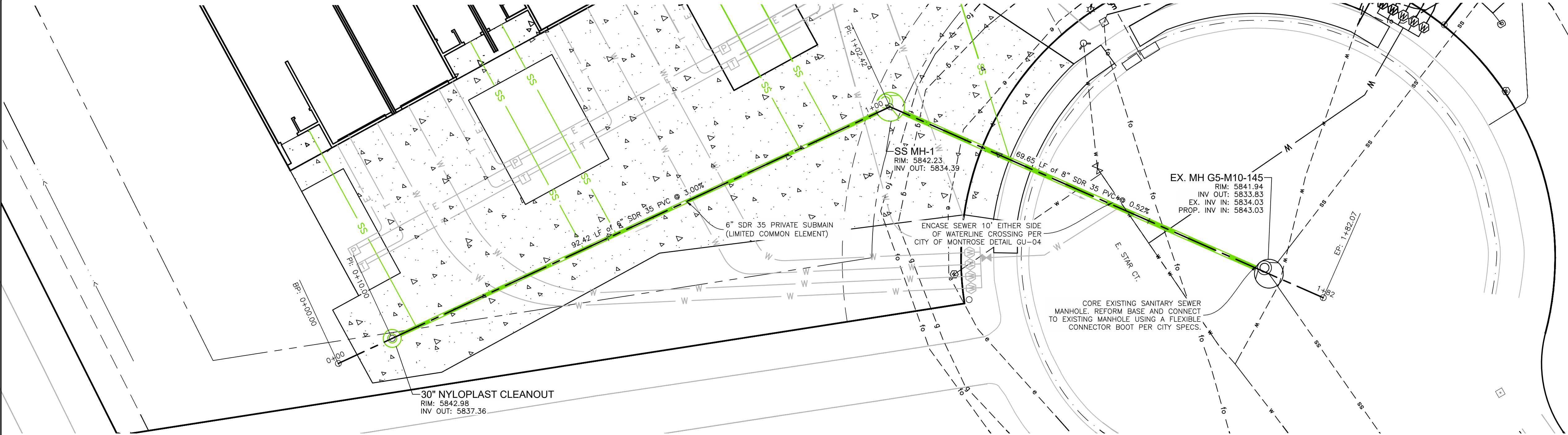
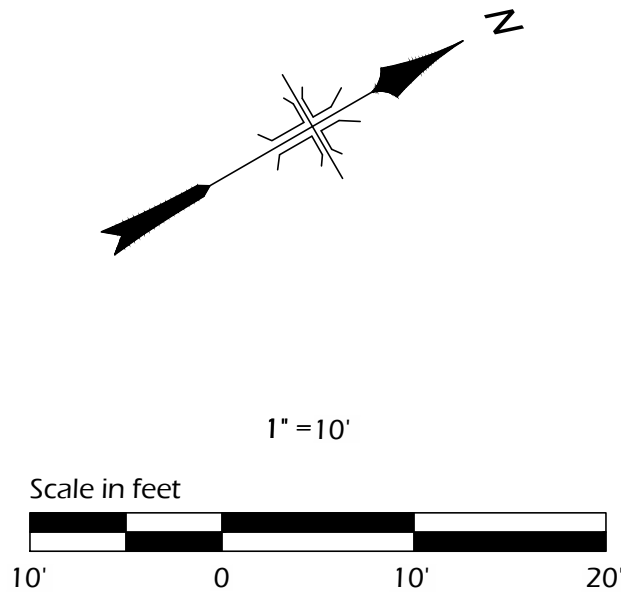
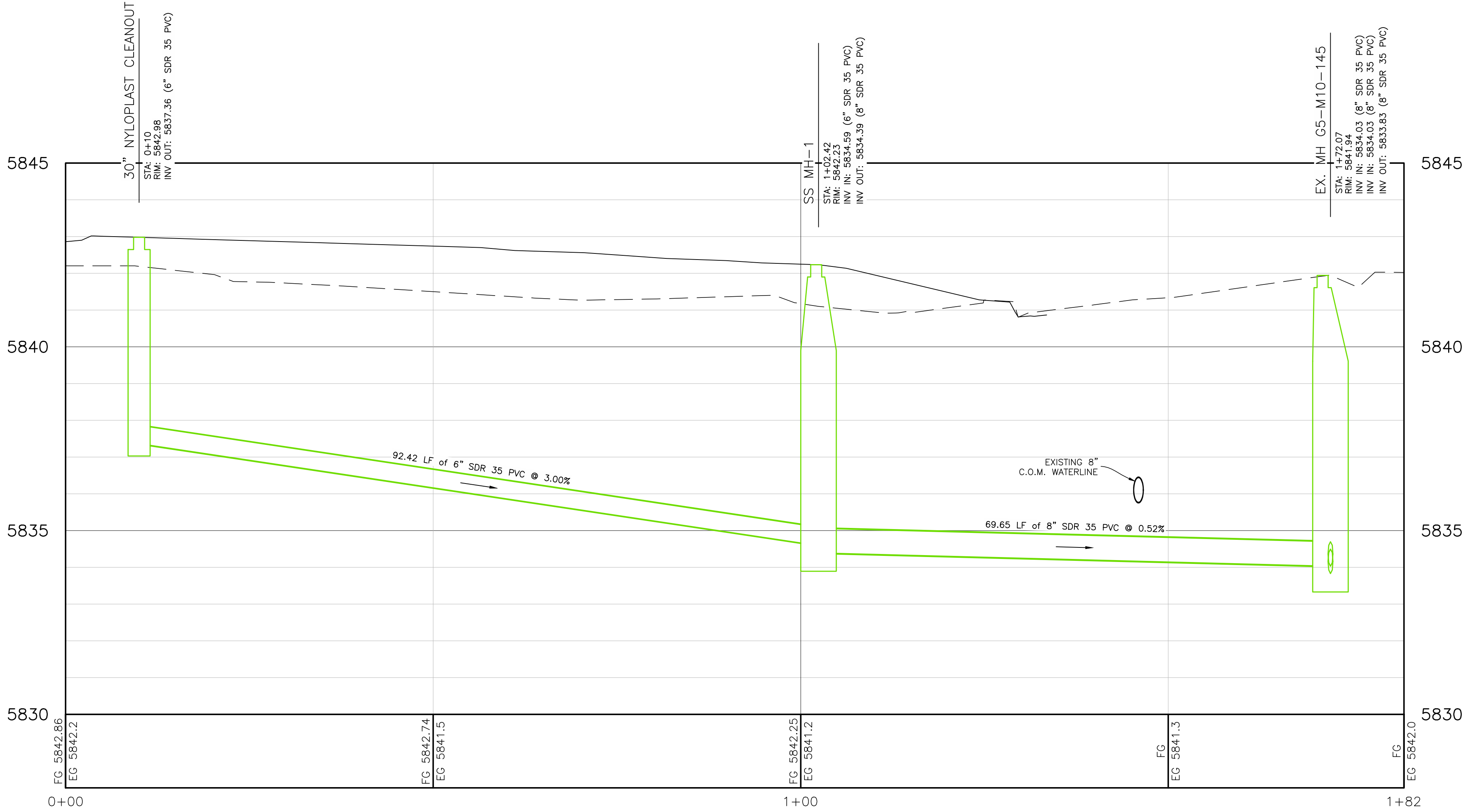
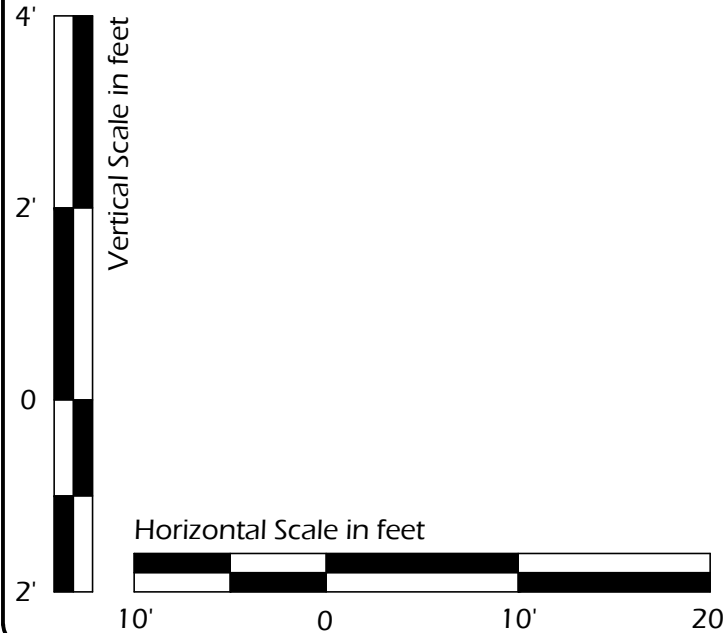
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OF

8

SHEETS

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FORZA RED, LLC
 STAR CT. LOT 8
 MONTROSE, CO

SANITARY SEWER PLAN AND PROFILE

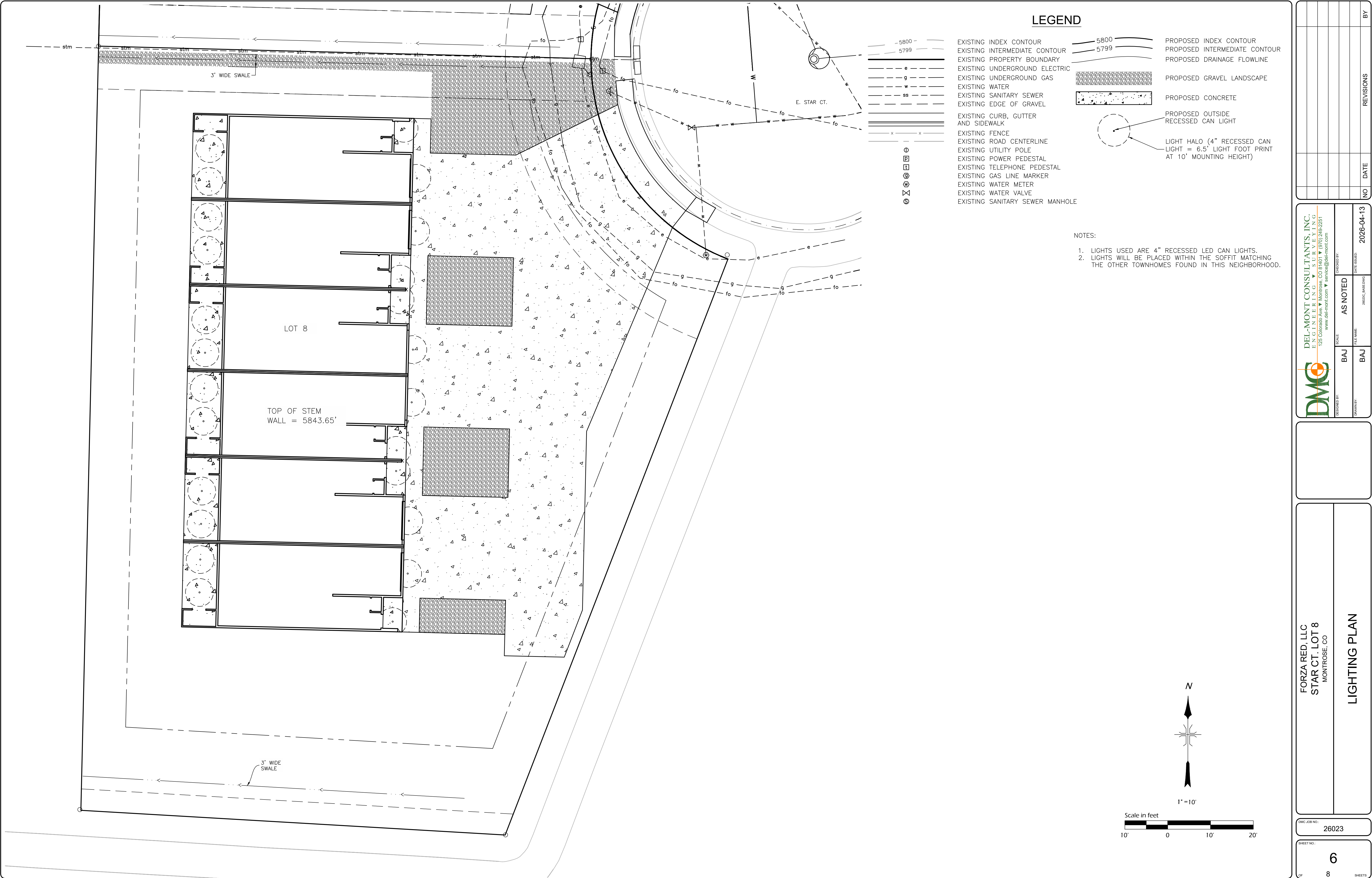
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 SHEET NO.: 4
 OF 8 SHEETS

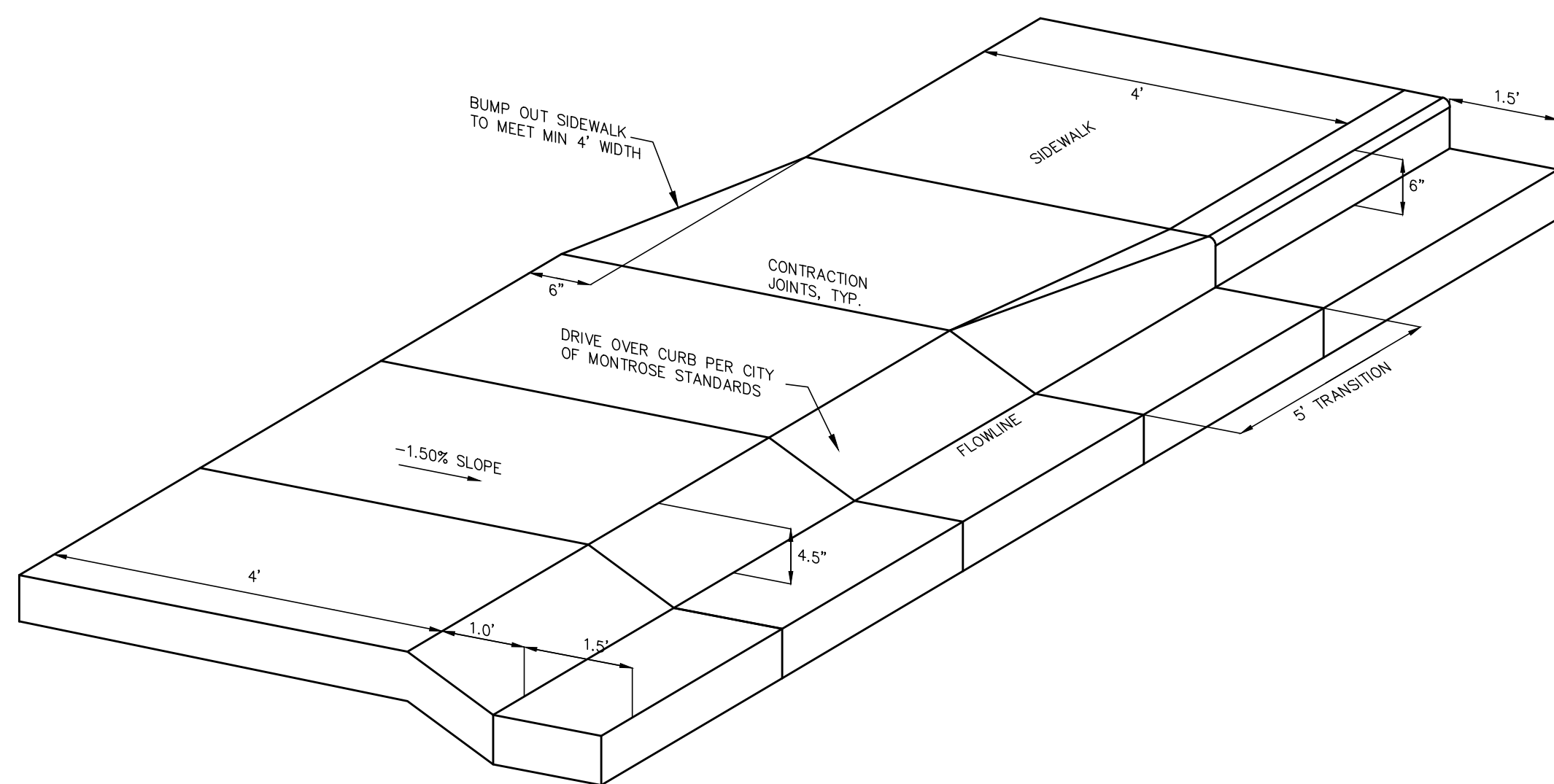
DEL-MONT CONSULTANTS, INC.
 ENGINEERING & SURVEYING
 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251
 www.del-mont.com service@del-mont.com

DESIGNED BY: BAU
 CHECKED BY: DWS
 DATE ISSUED: 2026-04-13

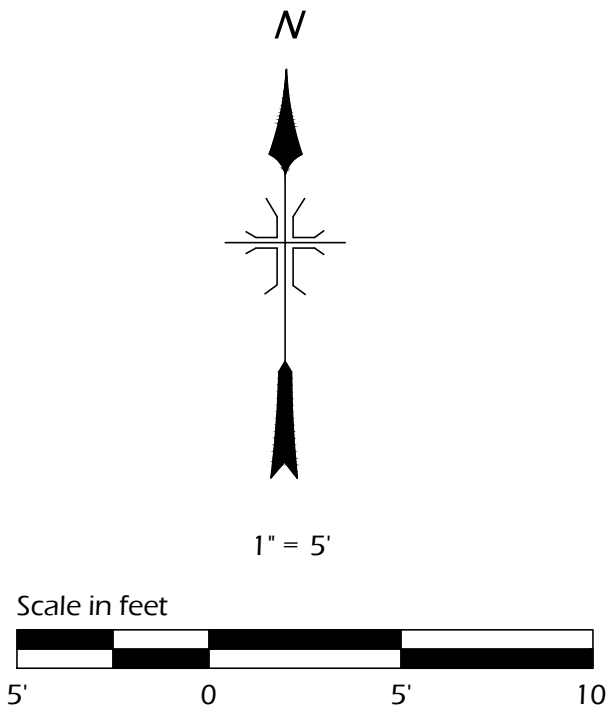
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VERTICAL TO DRIVE OVER CURB TRANSITION



FORZA RED, LLC STAR CT. LOT 8 MONTROSE, CO	SANITARY SEWER MANHOLE GEOMETRY PLAN
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DMC JOB NO.:	26023
SHEET NO.:	8
OF	8
	SHEETS

	DEL-MONT CONSULTANTS, INC. ENGINEERING • SURVEYING 125 Colorado Ave • Montrose, CO 81401 • (970) 249-2251 www.delmont.com • info@delmont.com	
	DESIGNED BY:	CHECKED BY:
DRAWN BY:	SCALE:	DATE:
BAJ	AS NOTED	2026-04-13

[illegible]

CHAPTER 11-5. SUBDIVISION REGULATIONS¹

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) Encourage the harmonious, orderly and progressive development of land;
 - (3) Ensure the development of economically sound and compatible neighborhoods;
 - (4) Require the construction of necessary improvements and utilities;
 - (5) Ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) Ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) Ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and
 - (8) Ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.
- (C) References in this Chapter to the term "lot" include, as the context requires, "tracts" or "parcels" of real property, to the extent the same are or can be legally described and capable of individual transfer.

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

Sec. 11-5-2. Major subdivisions.

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

¹Ord. No. 2677, § 1(exh. A), adopted Dec. 17, 2024, repealed the former Ch. 11-5, §§ 11-5-1—11-5-14, and enacted a new Ch. 11-5 as set out herein. The former Ch. 11-5 pertained to similar subject matter and derived from Ord. No. 2626, § 3(exh. A), adopted May 16, 2023.

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- (C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

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

Sec. 11-5-3. Minor subdivisions.

- (A) *New Subdivisions.* A parcel of land is eligible for subdivision through the minor subdivision process if it meets the following criteria:

- (1) The subdivision results in no more than three lots except as permitted within a common interest community subdivision. See Subsection (B) below.
- (2) All lots are adjacent to a dedicated and accepted public street.
- (3) The public improvements required by these regulations are:
 - (a) Already in existence and available to serve each lot, or
 - (b) Individual lot service line stub improvements are completed and services are available at each lot, or
 - (c) Only for lots in commercial zoning districts with no existing building on the lot, and such improvements may be deferred until construction of a building on said lot. A Certificate of Occupancy shall not be issued until the improvements required by these regulations for said lot are installed, inspected, and approved by the City. The plans for such improvements shall be reviewed and approved by the City prior to commencement of construction. The plat shall specify what improvements are so required, and may include additional easements, plat notes or restrictions as appropriate to implement these provisions, or
 - (d) For minor subdivisions creating only two lots in which one lot is already devoted to use as a single household dwelling and to which services for that lot are already in place. The remaining lot may not be issued any building or construction permits until the public improvements necessary to serve the same have been installed, inspected and approved by the City, or the lot is approved for further subdivision.
- (4) Each proposed lot will meet requirements of Chapter 7, Zoning, without the necessity for any variance.
- (5) No part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of submission of the minor subdivision plat.
- (6) No material changes to prior plat notes, restrictions or easements are proposed.

- (B) *Common Interest Community Subdivisions.* A common interest community subdivision may be processed as a minor subdivision if all of the following criteria are met:

- (1) Is proposed for development of properties contained within a previously approved and recorded subdivision plat.
- (2) Meets all applicable conditions of the plat governing the original subdivision.
- (3) Complies with the required City platting conditions in Subsection (A) above.

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- (4) Complies with the requirements of C.R.S. § 38-33.3-101 et seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (5) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot proposed to be further subdivided as a common interest community subdivision.
 - (6) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot being proposed for common interest community subdivision was based.
- (C) *Minor Plat Amendments.* Previously-approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance. No material changes to prior plat notes, restrictions or easements are proposed.
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; dedication of additional right-of-way, easements, open space or park land; or installation of additional improvements. Final plats shall not be recorded until required public and private improvements are installed and approved by the City.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.

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

Sec. 11-5-4. Sketch plan.

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

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

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision, engineering design studies, and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;

-
- (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for compatibility with unique or distinctive natural areas, scenic areas and views, natural landmarks, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The preliminary plat and proposed improvements shall comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.
- (D) *Notice to Proceed.* No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a reproducible mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the reproducible mylar of the preliminary plat, and supporting documentation as required, the City shall provide signed copies of the preliminary plat which shall serve as notice to proceed with construction of the required subdivision improvements, both public and private.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:

-
- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for the preservation and conservation of unique or distinctive natural areas, scenic areas and views, natural landmarks, including rock outcroppings and unique landforms, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The final plat is generally consistent with the preliminary plat, as applicable and proposed improvements comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.

(D) *Additional Provisions.*

- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Section.
- (2) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or accompanied by the appropriate security under Section 11-5-12, prior to approval by the City Council.
- (3) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved as a part of the preliminary plat, or if subsequent to that time, as an amendment of the approved preliminary plat.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat.

This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.

- (4) No final plat shall be approved by the City Council until:
- (a) All of the public improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 11-5-12 on forms approved by the City.
 - (b) As-built plans, supporting documentation, certificates and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer and provided in a digital format acceptable to the City and compatible with City computer systems. All as-built plans, supporting documentation, certificates and data for completed utility and infrastructure improvements shall be signed and stamped by a registered Colorado professional engineer.
 - (c) The final plat has been submitted in final form on reproducible mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any atypical costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two-calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (5) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

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

Sec. 11-5-7. Reserved.

Sec. 11-5-8. Issuance of building permits.

- (A) Until any required public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
- (1) All required public and private on- and off-site improvements have been completed;
 - (2) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (3) A final plat has been approved and recorded.
- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.

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

Sec. 11-5-9. Land dedication and fees in lieu.**(A) Purpose and Intent.**

- (1) The purpose of the land dedication requirement is to provide public park, open space, trail, and school facilities and/or services made necessary as a consequence of a subdivision, in an amount roughly proportional to the impact of the subdivision upon such facilities and/or services or the increased need for them brought about by a subdivision. New residential subdivisions require these services provided through municipal facilities which are constructed, in part, through dedication of land necessary to construct the facilities. Absent land dedication by new subdivisions, sufficient land may not be made available at the time of subdivision to provide necessary services to new residents. In order to provide public services, the City requires certain dedications of land or in the appropriate circumstances, payment of fees-in-lieu of such dedication.
- (2) It is the intent of this Section to preserve natural and scenic areas and provide for the public health, recreational, and educational needs by ensuring that school, recreational, and open space land and trails are available to the residents and/or employees of developments in conformance with the City's Comprehensive Plan as updated from time to time.

(B) Dedication Procedure.

- (1) The amount, location, and nature of land interests to be dedicated shall be established prior to final subdivision plat approval. Land dedications and/or conveyances shall be made as a condition of final plat approval and shall be implemented in one or more of the following ways, as appropriate and as provided in the final plat approval:
 - (a) A fee simple dedication to the City granted via plat note on the final plat;
 - (b) A fee simple conveyance to the City granted via general warranty deed;
 - (c) A fee simple dedication to the school district of a school site via plat note on the final plat;
 - (d) A fee simple conveyance to the school district via general warranty deed; and/or
 - (e) Payment of fees-in-lieu of land dedications where permitted and approved by the City.
- (2) Whenever a subdivision application involves land that is to be dedicated and/or conveyed to the City, the applicant shall submit, with the final plat application, a title insurance commitment indicating the land is owned by the applicant free and clear from all liens, encumbrances and restrictions.
 - (a) Title insurance shall be provided by the applicant in an amount equal to the approximate value of the property to be dedicated and/or conveyed, as approved by the City.
 - (b) The executed deed, if applicable, and the payment of the premium for the title insurance policy shall be delivered to the City prior to the recording of the final plat.

(C) Land Dedication Standards.

- (1) **General Requirements.** Every approved subdivision shall convey land for the purpose of providing parks, open space, trails, school sites, and other public uses. The

standards herein are minimum standards and the City may require dedications and improvements greater than the minimum to adequately meet the needs created by the development.

- (a) The City Council shall determine the suitability of the land and improvements proposed for dedication in consideration of the intended purpose of the dedication.
 - (b) The City may consider recommendations from other agencies which would be directly involved in the development and service of those areas.
 - (c) Parks, open space, and trails shall be dedicated to the City in conformance with the requirements herein and the adopted standards of the City Comprehensive Plan as may be updated from time to time.
 - (d) Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.
- (2) *Improvement Required.* Any land to be dedicated to the City shall be improved by the developer per the timetable specified at time of final plat subdivision approval for use as park, open space, and/or trails.
- (D) *Park Land Standards.* Dedication of land for park purposes shall be based upon the following standards. In the event the subdivider disagrees with the calculation provided by the City, the subdivider may request continuation of final plat review and fund an independent study under Section 11-5-9(I):
 - (1) Subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house an average of two and one-half residents.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) Developed park land proposed for dedication or conveyance to the City shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
 - (4) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
 - (5) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (E) *Trail and Sidewalk Standards.*
 - (1) Trails shall be dedicated as needed to serve the recreational and transportation needs of the subdivision in conformance with the Comprehensive Plan, and shall provide

links to schools, the local and regional trail system, parks and open space areas, commercial and employment areas, public transit, community facilities such as libraries, and other destinations. Trails should be provided adjacent to or within natural and scenic areas and open space areas, when possible, in a manner that provides a recreational corridor without degrading the natural or scenic resource.

- (2) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (3) All sidewalk and recreational trails shall be available for use by the public.

(F) *Open Space and Watercourse Standards.*

- (1) If required by the City, open space shall be dedicated as necessary to preserve significant natural areas such as buttes, bluffs, and other geologic formations, water bodies/resources, wildlife habitat areas, fragile ecosystems (wetlands) riparian areas, floodplains, native trees and shrubs and/or other significant native vegetation. Open space shall also be dedicated as necessary to preserve lands which preserve significant views, provide transitions between different densities and uses (buffers) and otherwise serve to give shape and form to the proposed development and surrounding community.
- (2) Public access is not required for open space dedications.
- (3) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible.

(G) *Fees in Lieu of Dedication.*

- (1) In the event the dedication of required park land is not deemed suitable or not in the public interest within the development, the City Manager is hereby authorized to require the applicant, in-lieu thereof, to pay the City a fee-in-lieu-of land based on the amount of required land dedication as calculated in Section 11-5-9(D) above, and prorated using the average value of land in the City plus the cost per acre of constructing the improvements for that type of facility. Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the City's fee schedule.
- (2) Alternatively, and if approved by the City Manager, the subdivider may develop or contribute to the improvement of an off-site facility if said facility conforms to the adopted standards in the Comprehensive Plan. Nothing contained herein shall be construed to prevent the City Manager from requiring that part of the park land dedication requirement be made in the form of dedicated land, and that part of such requirement be made in the form of cash in-lieu of the remaining requirements for such land.
- (3) When in-lieu payments are permitted, the following standards apply:
 - (a) Lot or Unit x 0.0175 (acres park land per lot or unit) x \$90,000.00 (value per developed park land acre, based upon \$25,000.00 per acre undeveloped land value plus \$65,000.00 park land development cost) = \$1,575.00 per lot or unit.

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- (b) Monies collected in lieu of park land dedication shall be collected at time of issuance of building permit, and placed into a City park development fund to be earmarked for future acquisition or development of parks, opens space, or trails. No security as set forth in Section 11-5-12 shall be required.
 - (4) Monies paid in lieu of park land dedication pursuant to this Section are to enable the City to provide parks in the proper locations, and of the proper sizes to serve the citizens of the City.
- (H) *Relationship to Useable Open Space.*
- (1) Useable open space, as defined in Section 11-15-2 of this Title, shall not be a substitute for the dedication of park land, or money in lieu of park land dedication.
 - (2) All non-public common areas, parks and open spaces shall be held in private ownership and maintained in perpetuity, with appropriate platted restrictions on use and covenants for ownership and maintenance in accordance with the provisions of Section 11-5-11(B).
 - (3) For useable open space within Planned Developments, see Section 11-7-8(B)(2).
- (I) *Site Specific Dedication Study.*
- (1) In the event that the applicant disagrees with the City's determination concerning dedication of land and/or payment in lieu of dedication, the applicant may request a continuation of any subdivision processing and review by the City, in order for the applicant to prepare a private study evaluating the demand for public facilities made necessary or generated by the proposed development. Upon receipt by the City of the applicant-funded study, the subdivision review process shall recommence.
 - (2) Such study shall be undertaken at the applicant's cost by a licensed professional engineer or other professional approved in advance by the City.
 - (3) To the greatest extent possible, the study shall include an evaluation of the City's present supply or capacity and present demand for all public facilities and/or services required by the proposed development.
 - (4) The study shall identify and quantify the additional demand placed upon such public facilities and/or services by the proposed development.
 - (5) The study shall identify the necessary public land and improvements required to be dedicated or constructed by the applicant in order to serve the demand generated by the proposed development.
 - (6) Such study shall be considered by the City in determining the required dedication of land.
- (J) *School Land Dedication Requirements.*
- (1) Based upon conversations with both the City staff and School District staff during the pre-application phase of any project at the time of filing a sketch plan or preliminary plat for approval, the applicant shall, as part of such filing, either:
 - (a) Designate the general area or areas the applicant proposes to set aside for school site(s) and shall indicate the number of acres proposed for such uses and the number of proposed dwelling units in the development; or
 - (b) Agree to make payment of cash-in-lieu of land in an amount as set forth in Section 3-1 of the City of Montrose Regulations Manual; or

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- (c) Request waiver of the requirement to provide for school land dedication or payment in lieu, per Section 11-5-9(K) below.
 - (2) The preliminary plat and final plat of a proposed subdivision shall designate specific areas proposed for use as school sites, the number of acres so designated, and the proposed number of lots by dwelling unit type in the subdivision; or, the waiver of this requirement and agreement to provide cash in-lieu-of land; or a plat note indicating that no children will be generated by the development.
 - (3) School sites dedicated through this procedure shall conform to the school site size requirements and site criteria policy adopted by the School District and incorporated herein by this reference.
 - (4) *Determination of School Land Dedication.* If the City Council determines that the dedication of land for school purposes is appropriate, then the applicant shall convey the property and all improvements located thereon in the manner permitted by Section 11-5-9(B) to the School District at the time of recording of the final plat.
 - (5) *Fees in-Lieu of Land or Guarantee of Future Land Dedication.* When, after recommendation of the School District, dedication of all or portions of required school lands is not deemed feasible or in the public interest, in that event the City Council shall require the payment of fees in-lieu thereof.
 - (6) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and disbursed to the School District on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
 - (7) The following shall be exempted from school land dedication requirements or payment in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-2 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.
- (K) *Waiver of Requirements.*
- (1) The City Council may waive the required dedication of land or the payment in lieu of dedication of open space, parks, trails and/or school lands in the following cases:
 - (a) When the project has already been fully developed and the subdivision of land is necessary to bring the land into conformance with the as-built or as-constructed development;
 - (b) When the development does not result in any increase in demand for parks, trails, or open space; or
 - (c) With respect to school land dedication, the School District approves a waiver request under Section 11-5-9(J).
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-10. Required public improvements.

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
- (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements as identified in the subdivision's Traffic Impact Study as necessary to safely support the development.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Parks, open space and recreation trails.
 - (4) Public utilities:
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and
 - (d) Other public utilities, including gas, electricity, and a minimum of three conduits for telecommunications.
 - (5) Drainage facilities and waterways.
 - (6) Survey monuments.
 - (7) As applicable, off-street parking, mailbox location areas and bus stops with accessibility ramps.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (C) Public improvements shall be secured by warranty and security instruments as required by Section 11-5-12.

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

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, or may be required to provide as a condition of certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
- (1) Recreational facilities, parks, open space and trails;
 - (2) Drainage facilities and waterways;
 - (3) Mailbox location areas;

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- (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants, in form approved by the City Attorney, governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed prior to issuance of building permits pursuant to Section 11-5-8.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-12. Security, warranty and acceptance of improvements.

- (A) If the subdivider wishes to have the final plat approved prior to the installation, inspection and approval of all required improvements, the subdivider must provide security incorporated into a subdivision improvement agreement to guarantee the completion of all required improvements within one year, and all landscaping improvements within two calendar years after approval of the final plat in accordance with this Section.
- (1) Said security shall be in the form of:
 - (a) A subdivision improvements agreement, in a form approved by the City Attorney, in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots; or
 - (b) A cash escrow deposited with the City or a clear irrevocable letter of credit in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots.
 - (2) Funds in any escrow account shall be returned to the subdivider upon the issuance of either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances.
 - (3) Security shall not be required for money in lieu of payments relative to park land and school land dedications provided in Section 11-5-9(D) and (J), as such money payments shall be collected upon issuance of building permits relative to subdivided lots or units.
 - (4) Even though a final plat will have been recorded, when a subdivider chooses to secure required improvements with a subdivision improvement agreement, as a part of that agreement, the subdivider shall agree not to sell, transfer, offer for sale or otherwise convey any portion of the property, including lot, unit or outlot, prior to the issuance of a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances. A sale or other transfer of the entire subdivision is permitted once the purchaser has provided the necessary security.
- (B) The subdivider shall complete all required improvements within one year, and all landscaping improvements within two calendar years of the approval of the final plat by the City Council. In the event that all necessary on- and off-site improvements are not completed, inspected and approved within two calendar years of the date of the approval of the final plat by the City Council, no further building permits, occupancy permits, water taps or sewer taps shall be allowed by the City in such subdivision until such improvements are

completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.

- (C) The City Council may authorize extensions of time to complete all improvements beyond the one and two-year limitations as set forth herein.
- (D) Following the completion of required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
 - (1) A Letter of Substantial Completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12(A) of this Section.
 - (a) In the case of subdivisions that have been issued a Letter of Substantial Completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all required improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the public improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal within public rights-of-way in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.
 - (b) At the end of the warranty period, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and Acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.

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- (ii) All public improvements, including all physical facilities constructed by the subdivider necessary for the extension, maintenance and repair of municipal utility services and other public facilities constructed by the subdivider in public rights-of-way, easements, streets or alleys shall become the property of the City immediately upon the issuance of the Letter of Infrastructure Completion and Acceptance by the City Engineer.
 - (iii) Following such conveyance, the City shall be solely responsible for the maintenance of such public improvements, unless otherwise provided for by agreement, except for any correction work required during the warranty period.
 - (c) Any repairs or replacements noted in the final inspection shall be completed prior to the issuance of the Letter of Infrastructure Completion and Acceptance.
 - (i) Upon notification, the subdivider shall promptly make all repairs or replacements in accordance with a repair plan prepared by the subdivider and approved by the City, which repair or replacement, in the opinion of the City, arose out of defects or failures and became necessary during the construction warranty period.
 - (ii) The subdivider shall warrant each repaired and/or replaced improvement or any portion or phase thereof for one calendar year following acceptance of such repair and/or replacement.
 - (iii) Inspection of any improvements does not constitute a waiver by the City of any rights or remedies that it may have on account of any defect in or failure of the improvements that are detected. The construction warranty shall continue until the Letter of Infrastructure Completion and Acceptance is provided in writing to the subdivider.
 - (3) The subdivider may, at the subdivider's option, provide the City financial security for the two-calendar year construction warranty in one or a combination of the following forms only:
 - (a) A cash escrow in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (b) A letter or letters of credit on forms acceptable to the City, in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (c) It is the responsibility of the subdivider to maintain the necessary amount of security at all times until all public improvements are completed and accepted by the City.
 - (d) The City shall not be obligated to administer burdensome security arrangements.
 - (e) The City shall require a construction warranty backed by financial security prior to issuance of a Preliminary Letter of Infrastructure Completion.
 - (f) The security shall be available for the City to use to correct any defects or failures in accordance with City specifications during or after the construction warranty period in the event the subdivider is unable or unwilling to perform any repair or replacement of the improvements in a timely fashion. The use of the proceeds from the security is a remedy that is cumulative in nature and is in addition to any other remedies that the City has at law or in equity.

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

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

- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision shall have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access for up to no more than four dwelling units each, subject to City Manager approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units sharing a contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City and respective 911 authority.
- (m) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.1.

Table 5.1
Minimum Dedicated Rights-Of-Way and Street Widths

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width (Distance Between Curb Flowlines)
Major Arterial	124 feet*	92 feet
Minor Arterial	80 feet*	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths
Collector	70 feet	46 feet
Local	50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk
Planned Developments	40 feet	27 feet with attached 6-foot sidewalks. Supplemental off-street parking may be required.
* ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		

- (n) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.

- (o) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.2.

Table 5.2 Maximum Street Grade

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

- (p) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.

(2) *Curb, Gutter, Sidewalks and Trails.*

- (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
- (i) Six-foot detached concrete sidewalks are required on collector streets.
 - (ii) Five-foot detached or six-foot attached concrete sidewalks are required for local streets.
 - (iii) A ten-foot wide concrete recreation trail on one side and 6 foot detached concrete sidewalk are required on the other side of major and minor arterial roadways, as directed by the City.
 - (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete recreation trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.
- (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
- (c) Accessibility ramps shall be provided in accordance with the U.S. Access Board Public Right-of-Way Accessibility Guidelines (PROWAG).
- (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
- (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
- (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.

(3) *Blocks and Lots.*

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- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11(B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front of the building line of the principal structure.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front of the building line of the principal structure. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. With the exception of terminal lines and fire hydrant laterals where sufficient hydraulic capacity can be demonstrated, all water mains shall be a minimum eight inches diameter in all zoning districts. At a minimum, eight-inch diameter sewer main lines shall be provided in all zoning

districts. Individually conveyable lots shall each require a singular water and sewer lateral connection to a public main line.

- (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*
- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications, stormwater retention on site shall be

discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.

- (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
 - (c) No discharges of urban stormwater into any irrigation supply facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless approved in writing by the owning interest in said drainage facilities.
- (6) *Monuments.* Monument quantity, type, and location shall be established and set in accordance with to Section 38-51-105, Colorado Revised Statutes, as amended from time to time.
- (7) *Street Lights.*
- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections.
 - (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections with major or minor arterials.
 - (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.
- (8) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.
- (9) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5(G) of this Title.
- (10) Nonfunctional turf, artificial turf, or invasive plant species. On and after January 1, 2026, no subdivision approved under this Chapter shall permit the installation, planting, or placing of any nonfunctional turf, artificial turf, or invasive plant species as a public or private improvement within the subdivision, except for residential property or as otherwise permitted by C.R.S. § 37-99-101 et seq.

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

Sec. 11-5-14. Deviations from standards.

The Planning Commission may recommend to the City Council a deviation from the standards of Section 11-5-13 during preliminary or final plat review, if one or more of the below criteria are met. The City Council may accept or deny the recommendation accordingly.

- (1) Unusual topography or a non-financial hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan; or

-
- (4) Alternative standards will more effectively conform to existing improvements within the subdivision, which existing improvements have been previously approved by either the City or the County of Montrose in accordance with applicable laws and regulations.

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

MEMO



To: Honorable Mayor and Members of the City Council

From: William Reis, Senior Planner

Date: September 15, 2026

Re: Chelsi Lane & Townhomes Amended PD Plan

Attachments:

- Exhibit A: Maps
- Exhibit B: Chelsi Replat Amended PD Plan and Preliminary Plat
- Exhibit C: Excerpts from City of Montrose Municipal Code

City Council Consideration:

The City Council shall approve, deny, or approve with conditions the Chelsi Lane & Townhomes Amended PD Plan. The City Council will consider all of the information in this memo in making a decision.

Application Background:

The Chelsi Replat Subdivision is located on Margot Court. The original Chelsi Replat Amended PD Plan and Preliminary Plat was recorded under Reception #580058 on August 20, 1992. This PD plan approved 36 townhome units split amongst 6 buildings, as well as a cul-de-sac off of Margot Court known as Chelsi Court. Two buildings were completed under this plat, addressed as 990 and 1020 Margot Court. The other 24 units were never developed, but are still approved under the 1992 PD Plan. This PD Plan Amendment reduces this number to 23 units.

The Planning Commission unanimously recommended approval of the Chelsi Lane & Townhomes Amended PD Plan during the August 12, 2026 Planning Commission meeting. A Final PD Plan will also be required within five (5) years of approval of this Preliminary PD Plan (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Fiscal Impact

The proposed development is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Selvin Sandoval, El Chapin Investment Group, LLC

Staff Analysis:

1. Planned Development Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Planned Development applications. The preliminary plat and proposed improvements shall comply with all requirements of the zoning regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 11-7 and summarized below: (See Exhibit B)

- a. A planned development must be in substantial conformity with the Comprehensive Plan.
 - b. A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - c. Planned developments in the “RL” zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - d. Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - e. Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - f. Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
2. Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map identifies this parcel as located Residential Mixed Density Low. The Residential Mixed Density Low district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.
 - Objective LU 5.4: Promote infill and development of improved lots and subdivisions.
 - Objective HN 1.1: Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - Objective HN 1.2: Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
 3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(4): The “R-2” Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - The proposed use has already been approved through the Chelsi Replat Amended PD Plan and Preliminary Plat on August 20, 1992. The applicant may request a reduction in the number of units through an Amended Planned Development application.
 4. The Chelsi Lane & Townhomes Amended PD Plan does not appear to be adverse to the public health, safety and welfare and is in compliance with the City’s Subdivision Regulations.

Planning Commission Recommendation:

The Planning Commission Planning Commission recommended approval of the Chelsi Lane & Townhomes Amended PD Plan during the August 12, 2026 meeting. It was a unanimous vote. "The approval of this Preliminary PD Plan is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final PD Plan. The City staff is not authorized by this approval to execute the Final PD Plan prior to all conditions being satisfied."

City Council Options:

1. Accept the Planning Commission recommendation and approve the Chelsi Lane & Townhomes Amended PD Plan with the following condition. "The approval of this Preliminary PD Plan is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final PD Plan. The City staff is not authorized by this approval to execute the Final PD Plan prior to all conditions being satisfied."
2. Approve the preliminary PD plan subject to conditions necessary to implement the provisions of Chapter 11-5 – Subdivision Regulations.
3. Disapprove the PD plan if Council finds the requirements of these regulations have not been met.

EXHIBIT A: Maps



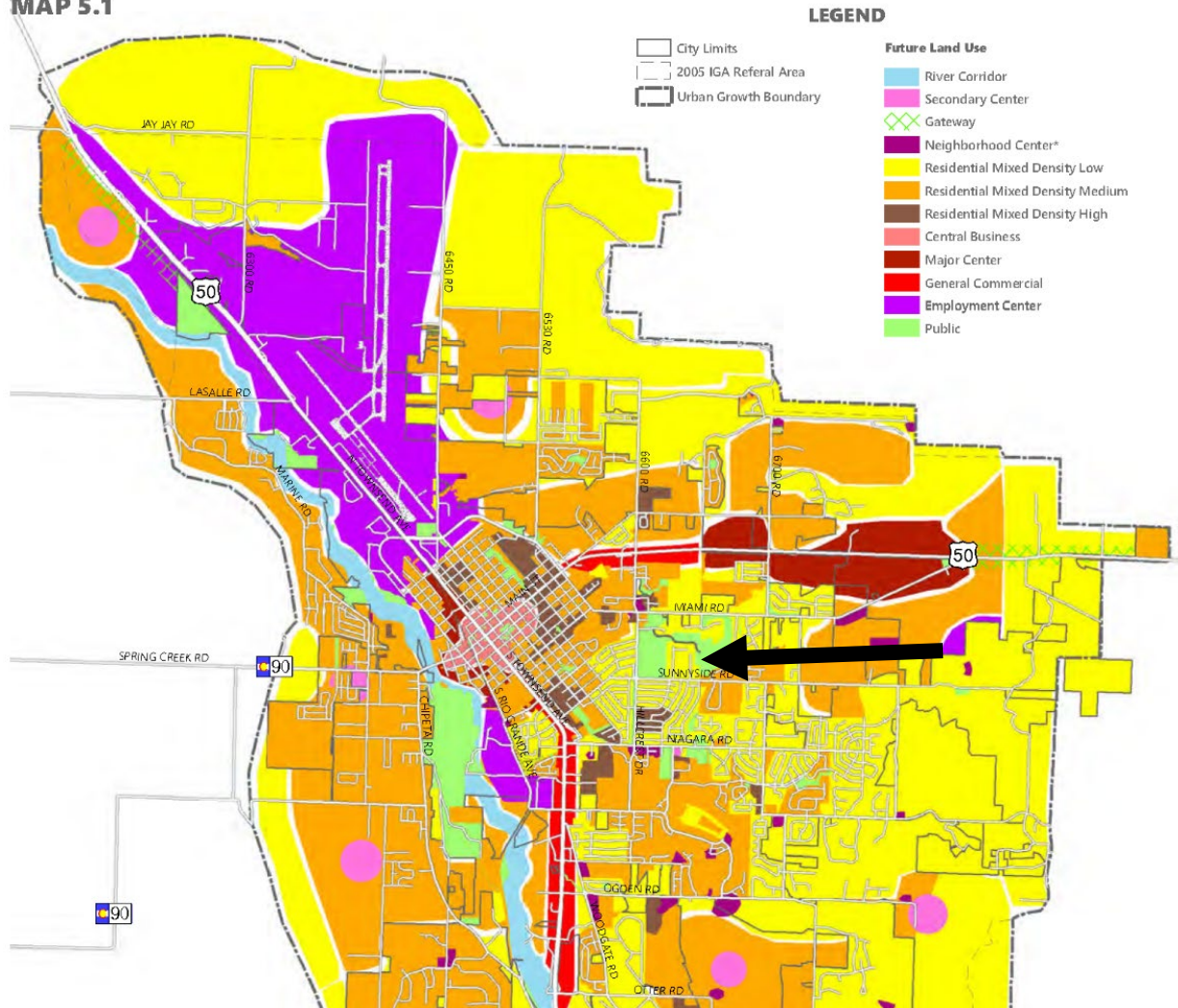
Chelsi Lane Preliminary PD/Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

MAP 5.1

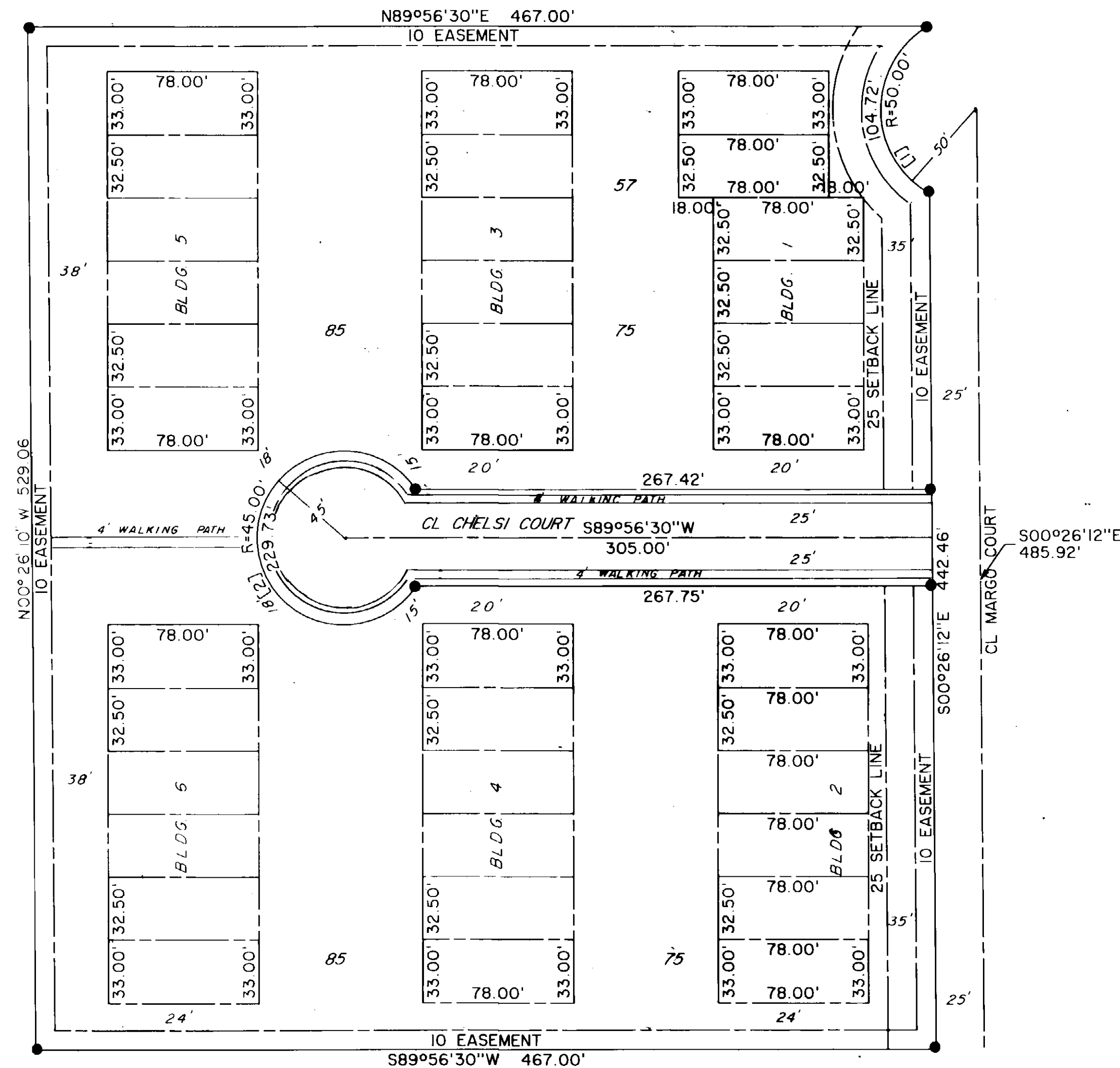


CHELSI REPLAT

AMENDED PD PLAN & PRELIMINARY PLAT FOR LOT 19. AMENDED REPLAT OF SUNNYSIDE VILLAGE SUBDIVISION

CITY OF MONTROSE MONTROSE COUNTY, COLORADO

- AMENDED PLANNED DEVELOPMENT PLAN
- NOTES:
1. Lot 19 CHELSI REPLAT will have 6 buildings with 6 units each (as shown)
 2. The CUL-DE-SAC will a 90 foot diameter with a minimum paved turn around of 80 feet (outside diameter)
 3. A four (4) foot wide side-walk/walking path is required to connect the existing side-walk to the CUL-DE-SAC on CHELSI COURT
 4. A four (4) foot wide walking path (as shown) on both sides of CHELSI COURT and the CUL-DE-SAC will be constructed for access and drainage control
 5. BUILDINGS 6, 5, 4 & 3 are allowed up to a five (5) foot variance from the required 20 foot set-back at their respective corners for the placement of the CUL-DE-SAC (as shown)



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS: that the undersigned being the owners of certain lands in the City of Montrose, Montrose County, Colorado, to wit: the portion shown hereon of Lot 19, Amended Replat of Sunny Village Subdivision according to the plat as recorded in Book _____ Page _____ Reception No. _____ Montrose County Records Have by these presents laid out, platted and subdivided the same into lots as shown on this plat under the name and style of CHELSI REPLAT and do hereby dedicate, grant, and convey to the City of Montrose, Colorado, for the use of the public, Chelsi Court as hereon shown. The easements shown are dedicated, granted and conveyed to the City of Montrose, Colorado, for public utility and drainage purposes, including, but not limited to, electric, gas, telephone, water, storm sewer and sewer lines and CATV lines, together with perpetual right of ingress and egress for installation, maintenance and replacement of such lines.

Executed this 24 day of July, 1992
Phillips Construction Co. Inc.
By Larry A. Phillips
Larry A. Phillips President

STATE OF COLORADO]
COUNTY OF MONTROSE]
The foregoing dedication was acknowledged before me this 24 day of July, 1992, A.D. by Larry A. Phillips President Phillips Const. Co. Inc. Witness my hand and official seal. My commission expires March 22, 1996.

Roma B. Larsen
Roma B. Larsen
1500 Bristol Drive
Montrose, Colorado 81401

ATTORNEY'S CERTIFICATE

I, DANIEL M. MASTERS, an attorney at law, duly licensed to practice in Colorado do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication and that title to such land is in the owners and dedicators and that the title to the land dedicated hereon, including the dedication for utility and drainage easements and streets is free and clear of all liens and encumbrances

Daniel M. Masters
Attorney at Law

July 24, 1992
Date

SURVEYOR'S STATEMENT

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

Pete P. Larsen
Pete P. Larsen
7970
LAND SURVEYOR
STATE OF COLORADO

July 24, 1992
date

CERTIFICATE OF RECEIPT OF SECURITY

I, Maya Watt, City Clerk for the City of Montrose, Colorado, hereby certify that security, in an amount and with conditions as required by the City's Subdivision Regulations, has been received from the subdividers providing for and securing to the City the actual construction and installation of the following improvements and utilities: water lines, sewer lines, streets, including base and rest, concrete, and street lights.

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, Frank Mearns, City Engineering Department, certify that all improvements and utilities required by the current subdivision regulations of the City of Montrose, have been constructed and installed in this subdivision in accordance with applicable City Regulations and specifications except as follows: INSTALLATION OF WATER LINES, SEWER LINES, STREETS INCLUDING BASE AND REST, CONCRETE, AND STREET LIGHTS.

APPROVAL OF CITY ATTORNEY

Approved for recording this 18 day of Aug, 1992, by John Kappa City Attorney

John Kappa
John Kappa City Attorney

APPROVAL OF CITY MANAGER

Approved this 30th day of July, 1992, by Theodore A. Conley City Manager

Theodore A. Conley
City Manager

APPROVAL OF PLANNING COMMISSION

Approved by the Montrose City Planning Commission this 12 day of July, 1992.

B. Dianne Warren
Chairman

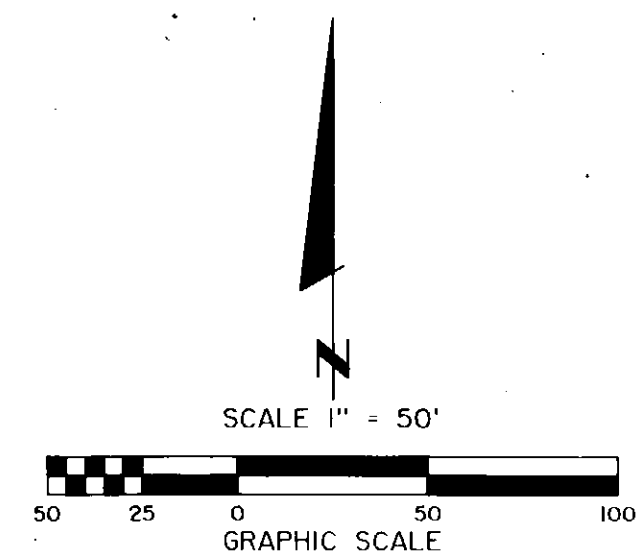
APPROVAL OF CITY COUNCIL

Approved by the Montrose City Council this 29 day of July, 1992.
Margaret A. Carey
Mayor

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk & Recorder of Montrose County, Colorado, at 9 A.M., on the 20 day of August, 1992, in

Book 12 Page 1069 Reception No. 580058
Ruth E. Heath
Montrose County Clerk & Recorder
Noema Salas
Deputy



LEGEND

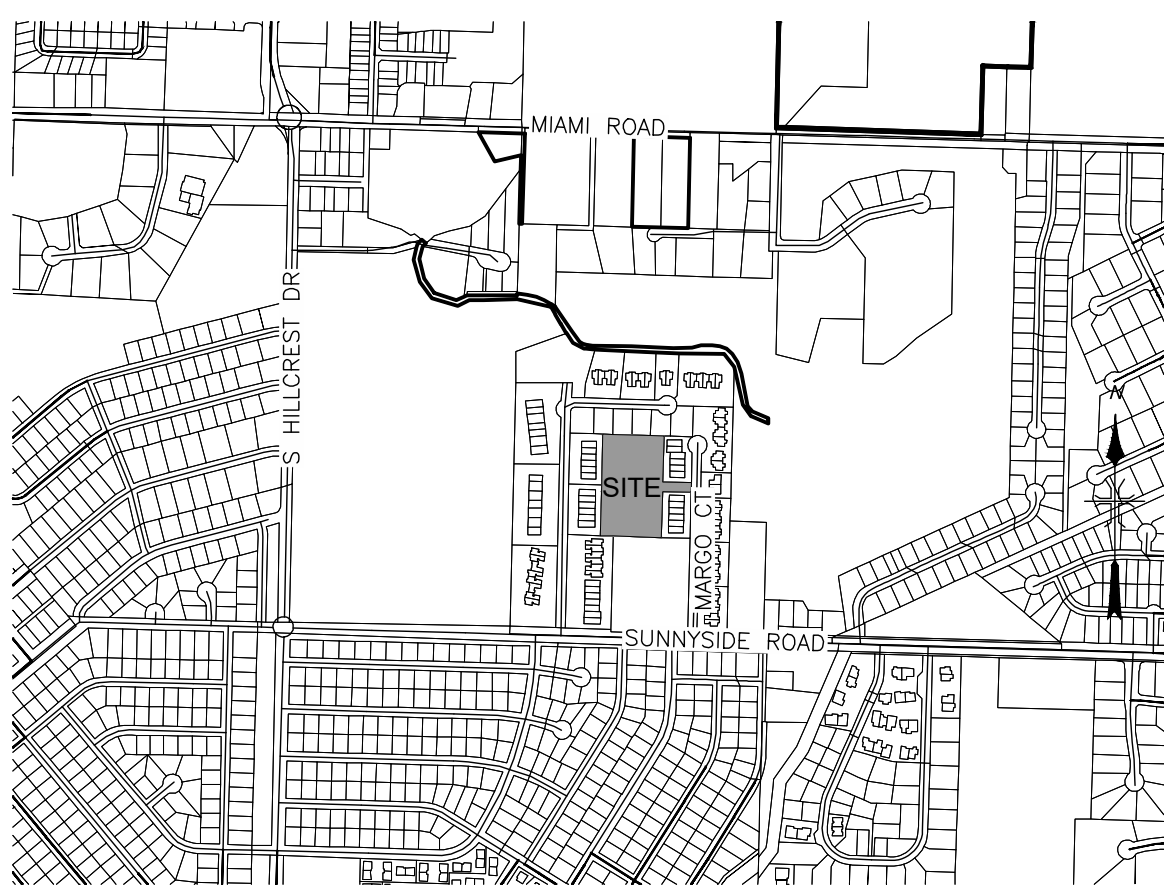
LCE = LIMITED COMMON ELEMENT
GCE = GENERAL COMMON ELEMENT
● = SET REBAR & CAP L.S. #7970

NO	RADIUS	ARC	DELTA	TANGENT	CHORD
1	50.00	104.72	120°00'17"	86.61	86.60
2	45.00	229.73	292°30'14"	---	50.00
3	75.00	109.54	083°40'43"	67.15	100.06
4	60.00	284.61	271°47'13"	---	83.52

CHELSEI LANE & TOWNHOMES

AMENDED PD PLAN FOR CHELSI REPLAT

SITUATED IN SE1/4 SW1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.

AREA SUMMARY:
RIGHT-OF-WAY 0.45 ACRES
COMMON ELEMENTS 2.21 ACRES
LOTS 1.55 ACRES
TOTAL 4.01 ACRES

DEVELOPER: EL CHAPIN INVESTMENT GROUP, LLC
909 S. TOWNSEND
MONTROSE, CO 81401

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

CERTIFICATE OF OWNERSHIP

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

Chelsi Replat as shown on Plat recorded August 20, 1992 in Book 12 at Page 1069, Less and Except second Amended Plat of Lot Split, Filing No. 1, Chelsi Replat as shown on Plat recorded February 9, 1994 in Book 12 at Page 1240, And Also Except Plat of Lot Split, Filing No. 2, Chelsi Replat, Amended PD Plan and Plat for Lot 19, Amended Replat of Sunnyside Village Subdivision as shown by Plat recorded October 8, 1993 in Book 12 at Page 1200, County of Montrose, State of Colorado.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Chelsi Lane & Townhomes Preliminary Plat.

The undersigned Declarants and owners named herein, hereby submit this Planned Development Plan under the name and style of Chelsi Lane & Townhomes, in accordance with the requirements of Section 4-4-21 of the Official Code of the City of Montrose, Colorado, and hereby declare this Plan to be a covenant which shall run with the land described hereinbelow for the mutual benefit of the owners thereof, which Plan may be amended in accordance with the procedures for an amendment set forth in Section 4-4-21 of the Official Code of the City of Montrose, Colorado.

Executed this ____ day of _____, 20____.

Selvin O. Sandoval, Member
El Chapin Investment Group LLC, a Colorado Limited Liability Company

STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Selvin O. Sandoval.

My commission expires _____.

Witness my hand and seal _____
Notary Public

AMENDED PLANNED DEVELOPMENT PLAN

- Chelsi Lane & Townhomes will have 3 buildings with 6 units each and 1 building with 5 units.
- The CUL-DE-SAC will be a 90 foot diameter with a minimum paved turn around of 80 feet outside diameter.
- A four (4) foot wide side-walk/walking path is required to connect the existing sidewalk to the CUL-DE-SAC on Chelsi Lane.
- A four (4) foot wide walking path (as shown) on both sides of CHELSI LANE and the CUL-DE-SAC will be constructed for access and drainage control.
- Buildings 6, 5, 4, & 3, are allowed up to a five (5) foot variance from the required 20 foot set-back at their respective corners for the placement of the CUL-DE-SAC (as shown).

BASIS OF BEARINGS:

The bearing between the found 1 1/2" aluminum cap on 5/8" rebar LS 7970 and the set 1 1/2" aluminum cap on 5/8" rebar PLS 37690 along the West line of the Chelsi Lane & Townhomes Plat bears N01°20'57"E (ASSUMED).

LINEAL UNITS STATEMENT:

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

ATTORNEY'S CERTIFICATE

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

Based on a review of title commitment # _____

Attorney
Registration No. _____
Date: _____

SURVEYORS CERTIFICATE

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

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Fidelity National Title Company, dated February 7, 2024 bearing policy number 210-F01340-24.

APPROVAL OF CITY MANAGER

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

Deputy City Manager

APPROVAL OF CITY ATTORNEY

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

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

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

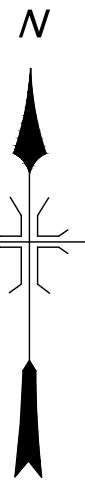
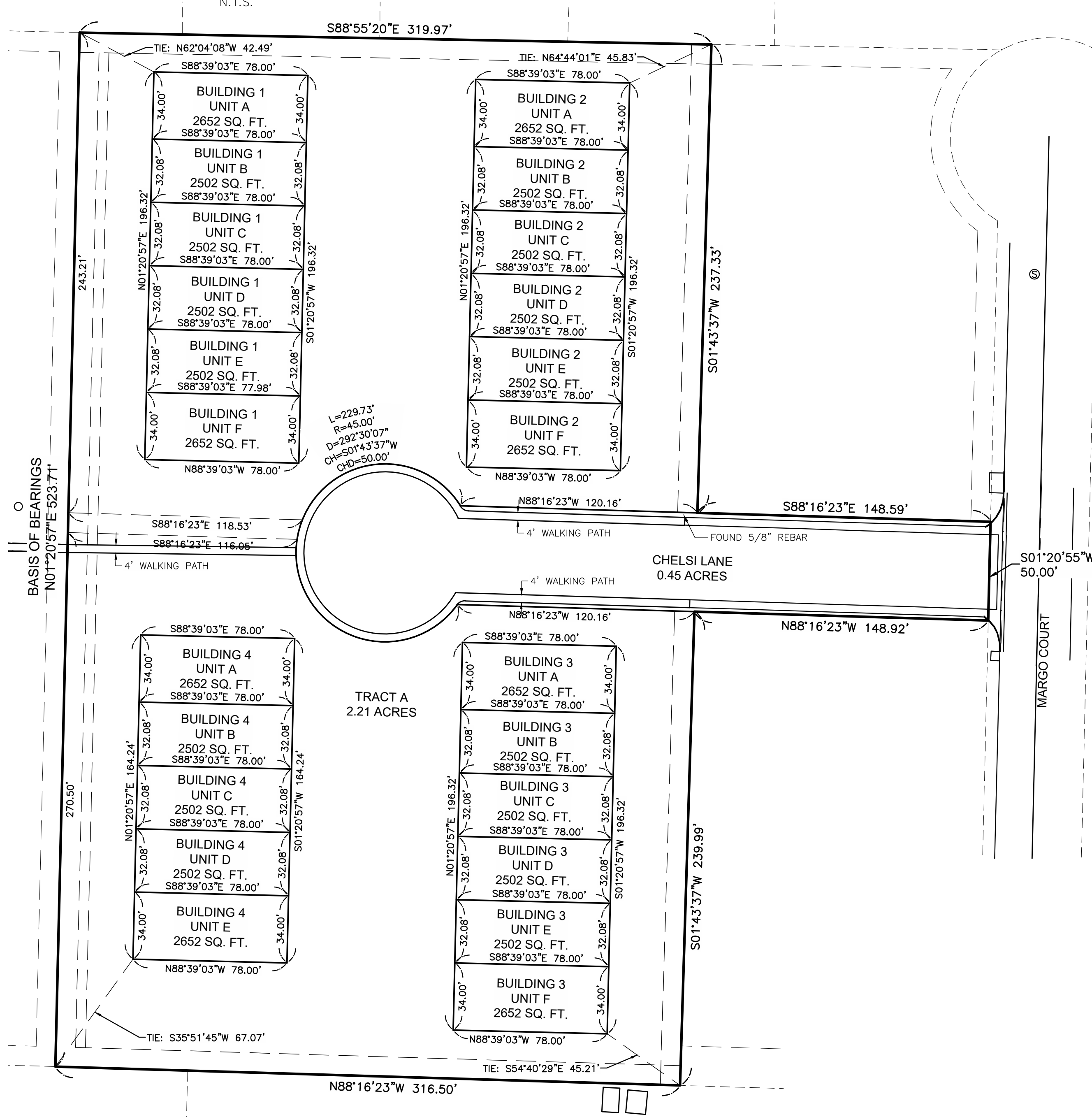
Mayor

RECORDER'S CERTIFICATE

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

County Clerk and Recorder

Deputy



Scale in feet
40' 0 40' 80'

LEGEND

- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 36054)
- ▼ = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 7970)
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 9189)

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

\\DMS14\PROJECTS\ACTIVE PROJECTS\2024\24090-MARGO COURT DEVELOPMENT\C3D\24090V_PLAT-AMND-PD.DWG

Colorado Registered Land Surveyor:
Frederick Ballard
Registration No. 37690
Date: _____

TITLE: CHELSEI LANE & TOWNHOMES AMENDED PD PLAN		
CLIENT: SANDOVAL CONSTRUCTION, LLC		
ADDRESS & PHONE:		
FIELD BOOK: 918	DRAWN BY: MGW	DATE: 2026-07-14
SHEET: 1 of 1	FILE: 24090V_PLAT-AMND-PD	JOB NO.: 24090
TYPE: PD PLAN		

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

- (A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units.
- (B) *General Provisions.*
- (1) A planned development must be in substantial conformity with the Comprehensive Plan.
 - (2) A minimum of 20 percent of the gross area of the planned development must be preserved as useable open space, as defined in Section 11-15-2. The 20 percent useable open space requirement shall not apply to a proposed PD containing six or fewer units and processed under Subsection C(5).
 - (3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - (4) Residential dwellings may be clustered, including the use of single-household dwelling, duplex and multi-household dwellings.
 - (5) Affordable housing, as defined in Section 11-15-2, may be included in a planned development.
 - (6) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
- (C) *Permitted Uses in a PD.*
- (1) Any use permitted in the underlying zone district, limited as to its status as a use by right, a conditional use, or a temporary use, unless otherwise limited or permitted on the PD plan.
- (D) *Administrative PD Procedure.* This procedure is applicable for planned developments containing six or fewer units:
- (1) All lots or tracts are adjacent to a dedicated and accepted public street;
 - (2) The lots are part of a subdivision or PD plat that has been previously approved and/or accepted by the City and recorded in the Montrose County Records;
 - (3) All improvements required by applicable City ordinances and regulations, including those related to PD Plans, are already in existence and available to serve each lot, or secured;
 - (4) No part of the Administrative PD has been approved as part of an Administrative PD within three years prior to the date of submission of the Administrative PD plat;
 - (5) No material changes to prior restrictions or easements are proposed; and
 - (6) Provisions of Section 11-5-3(B) through and including (E) of this Title shall apply.
 - (7) Approval of an Administrative PD by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not

accept all conditions, that development must adhere to standard subdivision or PD requirements, and proceed through the applicable approval process.

- (8) Prior to any review of the Administrative PD, the applicant shall provide written consent of all property owners within the proposed Administrative PD plan area. To the extent only a portion of a prior-approved Administrative PD plan area is proposed to be amended by the Administrative PD Plan application, then only the consent of the property owners within such portion shall be required.
- (9) Amendments to Administrative PDs may be submitted for review and approval in the same manner as the initial Administrative PD.

(E) *Dimensional Requirements, Densities.*

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

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

- (1) The sketch plan, preliminary plan and final PD plans shall be reviewed pursuant to the procedures and requirements for subdivisions as set out in Chapter 11-5 of this Title. The Planning Commission shall take no formal action at the conclusion of its public hearing on the sketch plan; however, comments by the public and the Commission shall be reflected in the minutes of the hearing as a part of the record on the application as it moves through the entire review process. For the approval of any preliminary PD Plan or a substantial amendment to a PD plan, a hearing shall be held before City Council.
- (2) Prior to any review of the Sketch, Preliminary and Final PD Plan, the applicant shall provide written consent of all property owners within the proposed PD plan area. For the purposes of this Section, "PD plan area" is the entirety of the territory proposed to be included in a PD plan; provided, however, that for applications for PD plan amendments, only the portion of the PD plan area being amended or affected shall constitute the PD plan area for such application for purposes of consent; nevertheless, all owners of property within the PD must be given notice of the public hearing at which the amendment is to be considered.
- (3) Conditions may be imposed as appropriate to assure that the PD plan is consistent with the Comprehensive Plan and promotes the public health, safety and welfare.
- (4) The plan shall show the location, size, number of dwelling units, and other uses, and shall further set out the location of all parks, open space, parking areas, streets, sidewalks, trails, bike paths and other improvements and structures. All information necessary to show compliance with the requirements of this Section shall be submitted. Where appropriate, in lieu of exact locations, numbers and sizes, parameters or limits may be set out.
- (5) The PD Plan as approved shall be recorded.

-
- (6) The final PD plan may be treated as a vested right pursuant to the procedure in 11-4-9.

(G) *Required Improvements.*

- (1) All PDs shall provide the same improvements as required for subdivisions in Chapter 11-5 of this Title, and security therefore shall be provided as set out in Section 11-5-12 of this Title.
- (2) All improvements shall be constructed in accordance with standard City design and construction specifications and standards, in substantial conformity with the PD plan, and in accordance with subdivision design standards as set out in Chapter 11-5 of this Title, except as modified by the PD plan.
- (3) An entity shall be established or provided for ownership and maintenance of all facilities and open spaces, which are approved for common ownership or not dedicated to the City.
- (4) Flexibility in the scope and design of required improvements and design standards may be allowed to provide for innovative urban design which promotes the public health, safety and welfare. A public street shall be dedicated to the City and developed at the developer's cost to provide direct access to each building with residential units or to the parking lot serving the building.

(H) *Enforcement and Amendments.*

- (1) The PD plan may be enforced in accordance with or in the same manner as the provisions of the Planned Unit Development Act of 1972, as amended, C.R.S. 1973, § 24-67-101 et seq., as amended or in any lawful manner. In addition, no occupancy permit shall be issued for any building unless all site improvements to serve that unit and any commonly-owned facilities have been completed and approved unless security for completion is provided substantially similar to the security required for subdivision improvements by 11-5-12 of this Title, except that cash must be placed in the escrow account prior to issuance of the occupancy permit.
- (2) Amended PD plans may be submitted for review and approval in the same manner as the initial PD Plan. An applicant for an Amended PD plan shall submit written consent of the property owners of the portion of the PD plan area to which the application applies, prior to and as a condition of the initiation of review of the application. Written consent from all property owners within the prior-approved PD plan area is not required as part of the Amended PD plan application. Advance notice of any review of an Amended PD plan application by the Planning Commission shall occur pursuant to Chapter 11-4 of this Title, with the added requirement that advance written notice shall be provided to all property owners of record within the prior-approved PD plan area, in addition to all property owners of record adjoining or within 300 feet of the proposed Amended PD plan area.

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

MEMO



To: Honorable Mayor and Members of the City Council
From: William Reis, Senior Planner
Date: September 15, 2026
Re: Chelsi Lane & Townhomes Subdivision Preliminary Plat
Attachments:

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

City Council Consideration:

The City Council shall approve, deny, or approve with conditions the Chelsi Lane & Townhomes Subdivision Preliminary Plat. The City Council will consider all of the information in this memo in making a decision.

Application Background:

The Chelsi Lane & Townhomes Subdivision Preliminary Plat is located on an undeveloped portion of the Chelsi Replat Amended PD Plan and Preliminary Plat Subdivision off of Margot Court. This preliminary plat proposes subdividing the townhome units into individually conveyable properties. The property is approximately 4.01 acres in size, and is zoned "R-2" Low Density District. The property is within a PD plan that allows for 24 residential units within this space. The plat is also associated with a proposed amendment to the PD plan to reduce this count to 23 units.

The Planning Commission unanimously recommend approval of the Chelsi Lane & Townhomes Subdivision Preliminary Plat during the August 12, 2026 Planning Commission meeting. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 11-4-8(A)(3)).

Fiscal Impact

The proposed subdivision is not anticipated to have a significant immediate fiscal impact on the City. Review and permitting activities associated with future development will generate applicable fees, and any required public infrastructure improvements will be constructed or financed by the developer in accordance with the City's subdivision regulations and development standards. Future maintenance responsibilities for any public improvements accepted by the City will be incorporated into the City's ongoing operational responsibilities.

Applicant: Selvin Sandoval, El Chapin Investment Group, LLC

Staff Analysis:

1. Subdivision Application Details & Review Standards:

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

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.
- 2. Comprehensive Plan - Land Use Map Designation:
 - The Comprehensive Plan Future Land Use Map identifies this parcel as located Residential Mixed Density Low. The Residential Mixed Density Low district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.
 - Objective LU 5.4: Promote infill and development of improved lots and subdivisions.
 - Objective HN 1.1: Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - Objective HN 1.2: Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
- 3. Zoning Regulations:
 - Municipal Code, Section 11-7-5 (A)(4): The “R-2” Low Density District is intended to provide primarily for development of single-household detached and duplex dwellings, along with certain other compatible land uses.
 - The proposed use has already been approved through the Chelsi Replat Amended PD Plan and Preliminary Plat on August 20, 1992. The applicant has requested a reduction in the number of units through an Amended Planned Development application.
- 4. The Chelsi Lane & Townhomes Subdivision Preliminary Plat does not appear to be adverse to the public health, safety and welfare and is in compliance with the City's Subdivision Regulations.

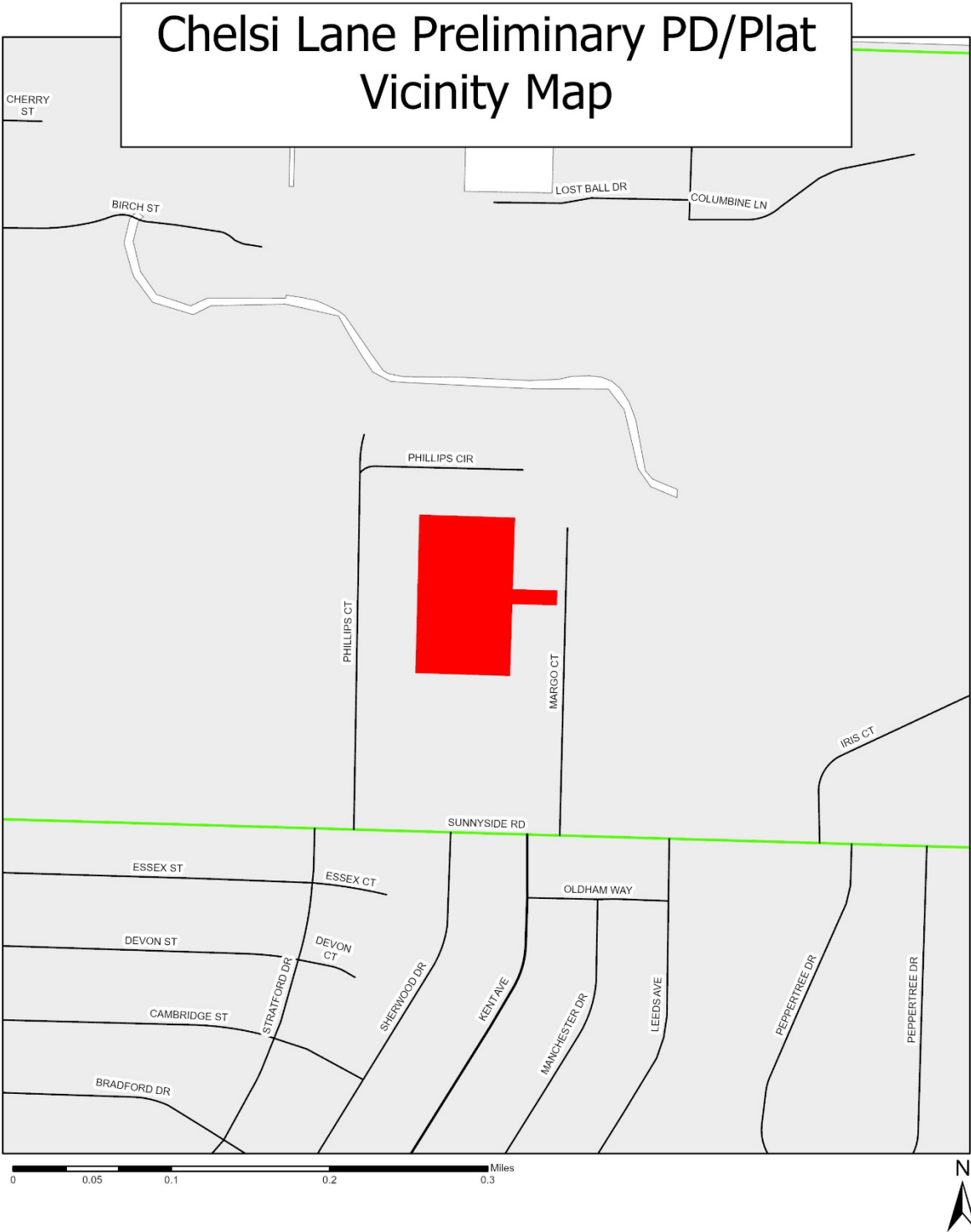
Planning Commission Recommendation:

The Planning Commission Planning Commission recommended approval of the Chelsi Lane & Townhomes Subdivision Preliminary Plat during the August 12, 2026 meeting. It was a unanimous vote. “The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.”

City Council Options:

1. Accept the Planning Commission recommendation and approve the Chelsi Lane & Townhomes Amended Subdivision Preliminary Plat with the following condition. "The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied."
2. Approve the preliminary plat subject to conditions necessary to implement the provisions of Chapter 11-5 – Subdivision Regulations.
3. Disapprove the preliminary plat if Council finds the requirements of these regulations have not been met.

EXHIBIT A: Maps



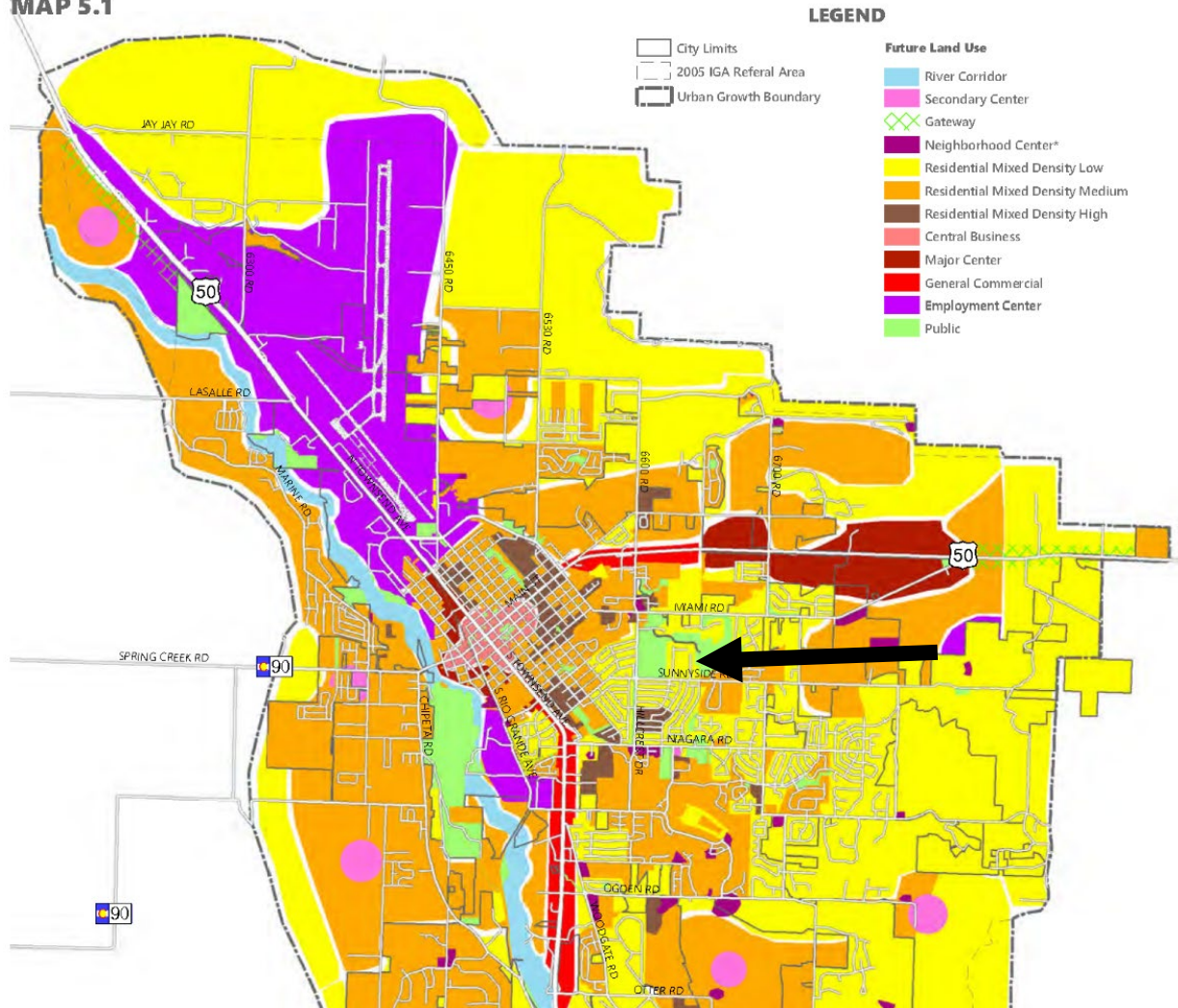
Chelsi Lane Preliminary PD/Plat Zoning Map



Comprehensive Plan Future Land Use Map

FUTURE LAND USE

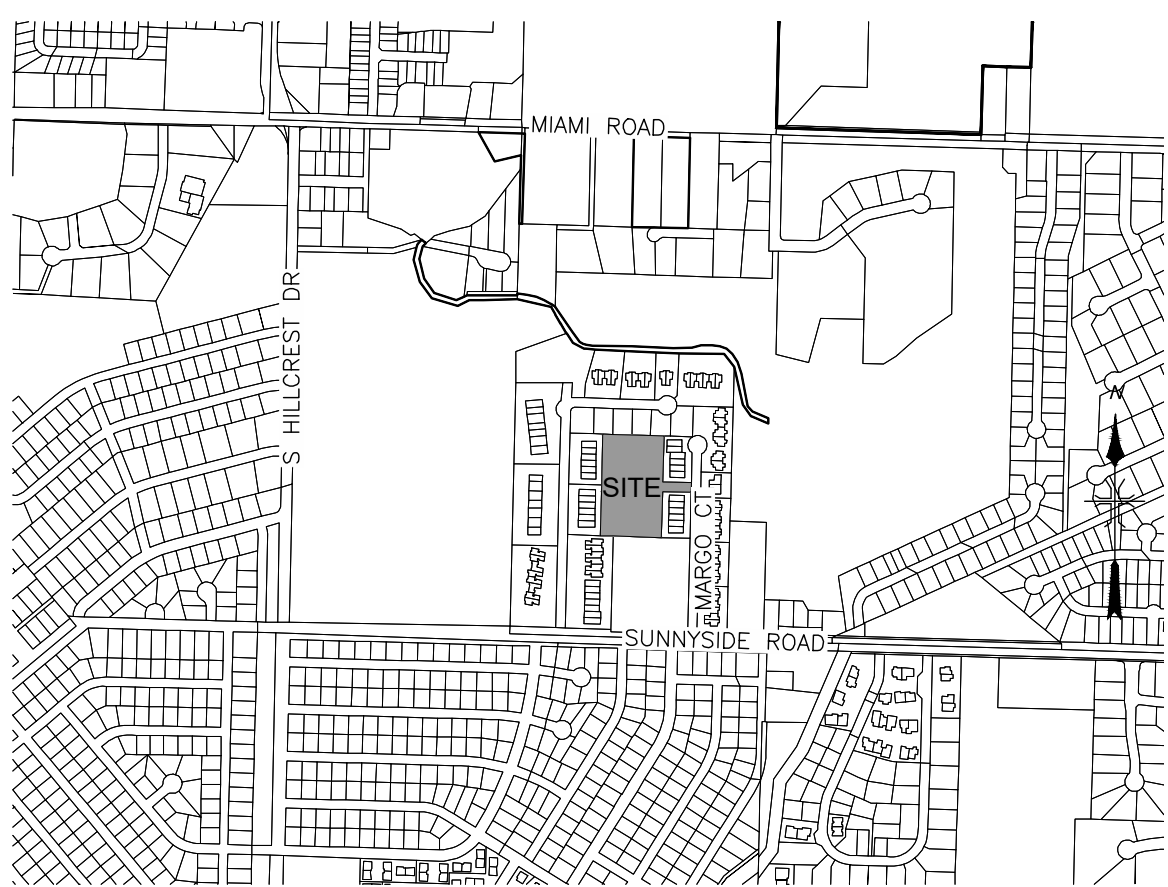
MAP 5.1



CHELSEI LANE & TOWNHOMES

PRELIMINARY PLAT

SITUATED IN SE1/4 SW1/4 SECTION 26, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP

AREA SUMMARY:
RIGHT-OF-WAY
COMMON ELEMENTS
LOTS

0.45 ACRES
2.21 ACRES
1.35 ACRES

TOTAL 4.01 ACRES

DEVELOPER:

EL CHAPIN INVESTMENT GROUP, LLC
909 S. TOWNSEND
MONTROSE, CO 81401

ENGINEER:

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

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

Chelsi Replat as shown on Plat recorded August 20, 1992 in Book 12 at Page 1069, Less and Except second Amended Plat of Lot Split, Filing No. 1, Chelsi Replat as shown on Plat recorded February 9, 1994 in Book 12 at Page 1240, And Also Except Plat of Lot Split, Filing No. 2, Chelsi Replat, Amended PD Plan and Plat for Lot 19, Amended Replat of Sunnyside Village Subdivision as shown by Plat recorded October 8, 1993 in Book 12 at Page 1200, County of Montrose, State of Colorado.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Chelsi Lane & Townhomes Preliminary Plat, and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Chelsi Lane as hereon shown.

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

Executed this ____ day of _____, 20____.

Selvin O. Sandoval, Member
El Chapin Investment Group LLC, a Colorado Limited Liability Company

STATE OF COLORADO }
COUNTY OF MONTROSE }

The foregoing certificate was acknowledged before me this _____ day of _____, 20____ by Selvin O. Sandoval.

My commission expires _____.

Witness my hand and seal _____, Notary Public

Deputy

MISCELLANEOUS PLAT NOTES

1. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by Chelsi Lane Homeowners Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Chelsi Lane & Townhomes, jointly and severally. General common elements include, but are not limited to landscaping improvements, walking paths, drainage infrastructure, detention ponds, driveways, and private sewer subdrains within Tract A.

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

b. Easements are reserved on, over, and under Tract A and the units as shown on the Plat, for construction, maintenance, and repair of public and/or private utilities.

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

d. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

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

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

FINAL PLAT CONDITIONAL APPROVAL

The approval of the Chelsi Lane & Townhomes Final Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met, and that the Applicant adequately addresses all of staff's concerns.

BASIS OF BEARINGS:

The bearing between the found 1 1/2" aluminum cap on 5/8" rebar LS 7970 and the set 1 1/2" aluminum cap on 5/8" rebar PLS 37690 along the West line of the Chelsi Lane & Townhomes Plat bears N01°20'57"E (ASSUMED).

LINEAL UNITS STATEMENT:

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

ATTORNEY'S CERTIFICATE

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

Based on a review of title commitment # _____

Attorney
Registration No. _____

Date: _____

SURVEYORS CERTIFICATE

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

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title report issued by Fidelity National Title Company, dated February 7, 2024 bearing policy number 210-F01340-24.

Colorado Registered Land Surveyor:
Frederick Ballard
Registration No. 37690

Date: _____

ENGINEER'S CERTIFICATE

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

Nicholas Barrett, P.E. Registration No. 42106
Date: _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

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

City Engineer
Registration No. 47555

Date: _____

APPROVAL OF CITY MANAGER

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

Deputy City Manager

APPROVAL OF CITY ATTORNEY

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

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

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

Mayor

RECORDER'S CERTIFICATE

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

County Clerk and Recorder

Deputy

TITLE: **CHELSEI COURT & TOWNHOMES**
PRELIMINARY PLAT

CLIENT: **SANDOVAL CONSTRUCTION, LLC**

ADDRESS & PHONE:

TYPE: **PRELIMINARY**



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

FIELD BOOK: **918**

DRAWN BY: **DCC**

DATE: **2026-05-05**

SHEET: **1 of 1**

FILE: **24090V_PLAT-PRE**

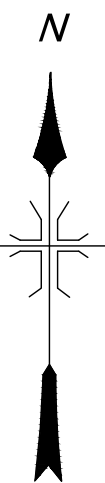
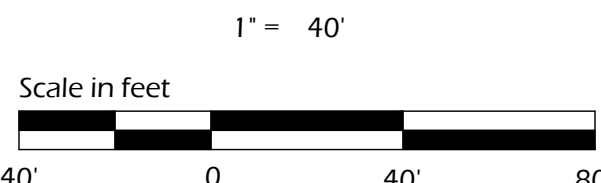
JOB NO.: **24090**

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

\\DMS14\PROJECTS\ACTIVE PROJECTS\2024\24090-MARGO COURT DEVELOPMENT\C3D\24090V_PLAT-PRE.DWG

LEGEND

- = SET 5/8" REBAR, 18" LONG, WITH A 1 1/2" ALUMINUM CAP STAMPED "DEL-MONT, PLS 37690"
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (PLS 36054)
- ▼ = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 7970)
- = FOUND 1 1/2" ALUMINUM CAP ON 5/8" REBAR (LS 9189)



CHELSEI LANE & TOWNHOMES

MONTROSE, COLORADO

NOTES AND SPECIFICATIONS

GENERAL

ALL WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MONTROSE STANDARDS AND SPECIFICATIONS, AVAILABLE FROM PUBLIC WORKS DEPARTMENT, (970) 240-1480 EXCEPT AS OTHERWISE NOTED. IF THE CONTRACTOR IDENTIFIES A CONFLICT BETWEEN PROJECT SPECIFICATIONS, GENERALLY THE HIGHEST STANDARD SHALL CONTROL. CONTACT ENGINEER IF UNCERTAIN.

THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS APPROXIMATE ONLY. SOME UTILITIES MAY NOT BE SHOWN. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CONTACT UNCC (811) AND UTILITY OWNERS TO DETERMINE EXACT LOCATIONS.

THE CONTRACTOR SHALL CONTACT UTILITY COMPANIES FOR CONNECTION AND SERVICE EXTENSION DETAILS. WORK GENERALLY INCLUDES:

- DMEA ELECTRICAL POWER TRENCHING & BEDDING BY CONTRACTOR, WITH CONDUIT PROVIDED BY UTILITY CO.
- CENTURYLINK TELEPHONE AND CHARTER CABLE TV TRENCHING & BEDDING BY CONTRACTOR WITH 2-3" PVC CONDUIT PROVIDED BY CONTRACTOR OR BY THE UTILITY COMPANY.
- BLACK HILLS ENERGY TRENCHING & BEDDING BY CONTRACTOR WITH GAS PIPING PROVIDED BY UTILITY CO.

IN THE EVENT OF PHYSICAL CONFLICT, THE LOCATION OF SANITARY SEWER AND WATER SYSTEMS IN THESE PLANS SHALL TAKE PRECEDENCE OVER OTHER UTILITIES AND SHALL NOT BE RELOCATED WITHOUT APPROVAL OF THE ENGINEER.

THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR JOBSITE SAFETY AND SHALL PERFORM ALL WORK IN FULL COMPLIANCE WITH FEDERAL, STATE AND LOCAL SAFETY REGULATIONS.

SUBGRADE PREPARATION

REMOVE ALL DEBRIS AND ORGANIC MATERIAL FROM WORK AREAS AND REPLACE AS A WELL-COMPACTED STRUCTURAL FILL. THE RESULTING SUBGRADE BELOW STRUCTURAL FILL OR ANY SUBGRADE IN AREAS OF PLANNED GENERAL SITE FILL SHOULD BE SCARIFIED 10 INCHES, MOISTURE CONDITIONED TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT AND COMPACTED TO AT LEAST 95% OF STANDARD PROCTOR (ASTM D698) MAXIMUM DRY DENSITY. STRUCTURAL FILL SHOULD BE PLACED IN 10 INCH MAXIMUM LOOSE LIFTS, MOISTURE CONDITIONED TO WITHIN 2% OF OPTIMUM MOISTURE CONTENT AND COMPACTED TO AT LEAST 90% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY. THIS COMPACTION REQUIREMENT SHALL ALSO APPLY TO UTILITY TRENCH BACKFILL. STRUCTURAL FILL SHALL BE CDOT CLASS 2 OR CDOT CLASS 6 GRANULAR SUBBASE/BASE MATERIAL OR OTHER MATERIAL AS APPROVED BY THE ENGINEER. ON SITE SOILS, DEVOID OF ORGANICS, DEBRIS AND OTHER DELETERIOUS MATERIALS ARE SUITABLE FOR REUSE AS STRUCTURAL FILL IN LANDSCAPED AREAS ONLY. SUBBASE & SUBGRADE IN PAVED AREAS SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE CIVIL OR SOILS ENGINEER.

BASE COURSE

PLACE UNIFORMLY GRADED CDOT CLASS 2 & CLASS 6 ROAD BASE. MOISTURE CONDITION TO WITHIN 2% OF OPTIMUM MOISTURE AND COMPACT TO 95% MODIFIED PROCTOR DENSITY.

FINISHED CLASS 6 ROAD BASE SHALL BE PROOF ROLLED IN THE PRESENCE OF THE CIVIL OR SOILS ENGINEER AND CITY REPRESENTATIVE.

A MINIMUM THICKNESS OF 4" CLASS 6 BASE COURSE AGGREGATE IS REQUIRED UNDER ALL SIDEWALKS AND OTHER CONCRETE FLATWORK.

SITE CONCRETE & PAVING:

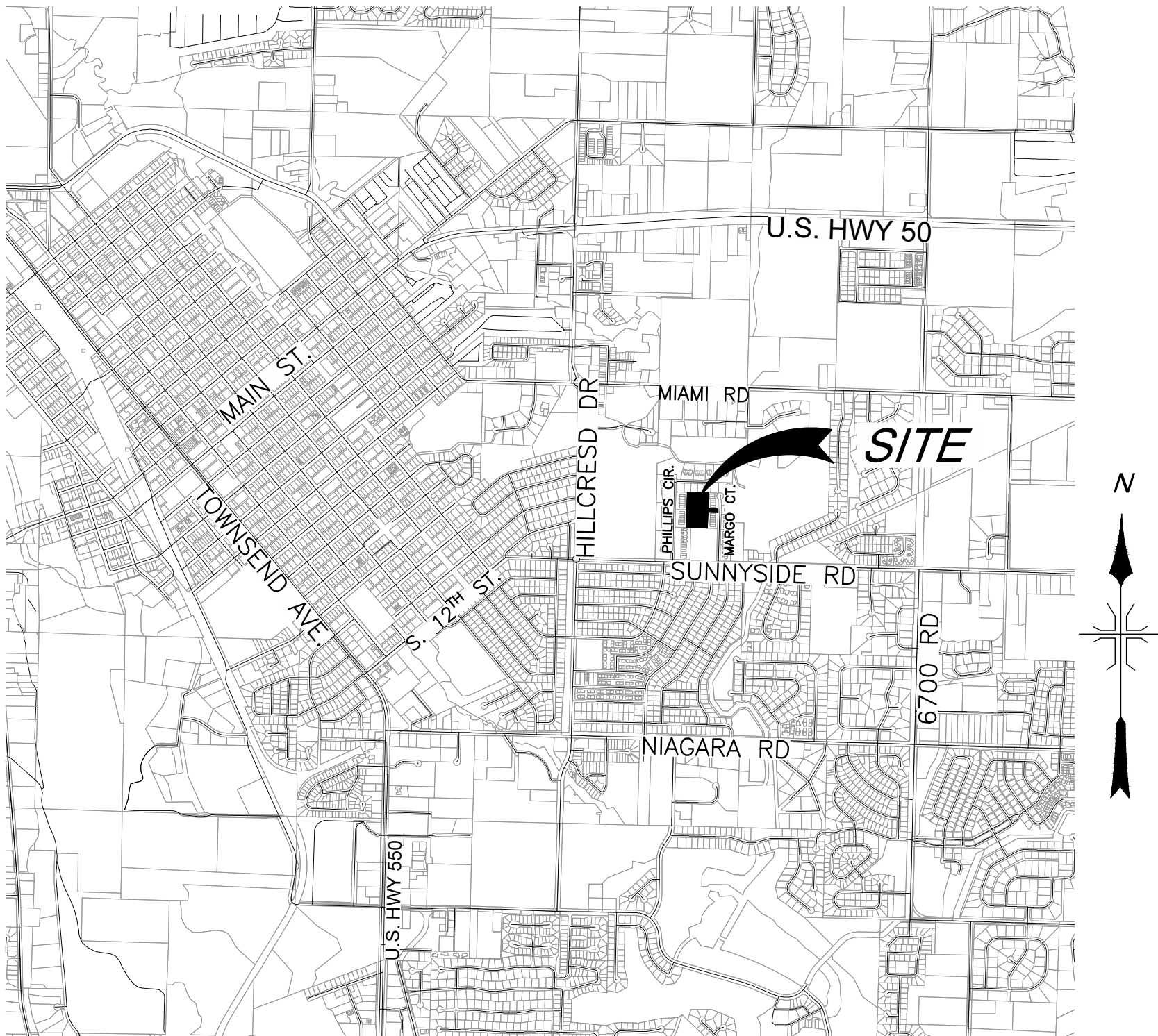
ALL CONCRETE SHALL MEET THE REQUIREMENTS OF THE CITY OF MONTROSE CURRENT SPECIFICATIONS FOR CURB, GUTTER & SIDEWALK EXCEPT AS SUPPLEMENTED OR SUPERSEDED BELOW.

ALL CONCRETE SHALL BE CDOT CLASS B OR D.

CONTRACTOR SHALL SUBMIT A MIX DESIGN TO THE PROJECT CIVIL ENGINEER FOR APPROVAL A MINIMUM OF 72 HOURS PRIOR TO PLACEMENT OF PAVEMENT OR CONCRETE.

DRY UTILITIES:

DRY UTILITIES (ELECTRICITY, TELEPHONE, GAS, CABLE TV) SHOWN HEREON ARE APPROXIMATE. DESIGN SHALL BE BY THE PURVEYORS, AND INSTALLATION PAID FOR BY OWNER. CONTRACTOR SHALL PROVIDE REQUIRED TRENCHING & BEDDING, AND SHALL PROVIDE 3" PVC CONDUIT FOR THE TELEPHONE & 3" PVC CONDUIT FOR THE CABLE TV SERVICE. COORDINATE WITH OWNER AND UTILITY COMPANIES FOR THE SPECIFICATIONS, TIMING, AND INSTALLATION OF UTILITIES.



LOCATION MAP

NOT TO SCALE

DRAWING INDEX

SHT. No.	SHEET NAME
1	COVER SHEET
2	CONSTRUCTION NOTES
3	HORIZONTAL SITE PLAN
4	CONSTRUCTION DETAILS
5	CONSTRUCTION DETAILS
6	CONSTRUCTION DETAILS
7	OVERALL GRADING PLAN
8	CUL-DE-SAC CURB RAMP GRADING DETAIL
9	POND 1 OUTLET STRUCTURE DETAILS
10	POND 2 OUTLET STRUCTURE DETAILS
11	CHELSEI LANE PLAN AND PROFILE
12	UTILITY PLAN
13	WATER SERVICE PLAN
14	SANITARY SEWER PLAN
15	SANITARY SEWER PROFILES
16	GENERAL EROSION CONTROL PLAN

UTILITY CONTACTS				
Utility	Owner	Contact	Phone	Email
Natural Gas	Black Hills Energy	Nathan Hajar	(970) 808-5036	Nathan.Hajar@blackhillscorp.com
Telephone/Fiber	Century Link	Mark Preston	(970) 318-1891	Mark.Preston@lumen.com
Cable/Fiber	Charter	Todd Andrews	(970) 316-1700	Todd.Andrews1@charter.com
Power	DMEA	Phil Sanchez	(970) 275-8982	Phil.Sanchez@dmea.com
Fiber	Elevate	Jonathan Nelson	(970) 240-6818	Jonathan.Nelson@elevatefiber.com
Fiber	Clearnetworkx	Doug Seacat	(970) 240-6600	support@clearnetworkx.com
Water	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us
Water	Tri-County Water	Kyle Thompson	(970) 249-3369	Kyle@tricitywater.org
Sanitary Sewer	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us
Storm Sewer	City of Montrose	Scott Murphy	(970) 901-1792	smurphy@ci.montrose.co.us



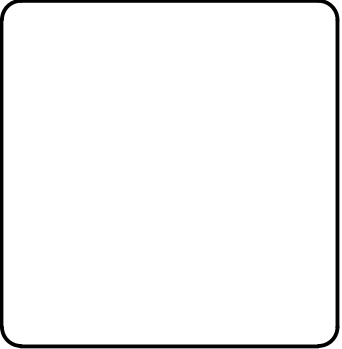
Know what's below.
Call before you dig.

SUBMITTAL SET
NOT FOR CONSTRUCTION

VERTICAL DATUM: NAVD 88

2	06/04/26	ADDRESS C.O.M. COMMENTS	NB	BY
1	05/04/26	ADDRESS C.O.M. COMMENTS	NB	
NO	DATE	REVISIONS		

DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 www.del-mont.com service@del-mont.com		CHECKED BY:	DATE DRAWD:	2026-06-04
SCALE:	MGW	FILE NAME:	24090C_SHEET.DWG	
DESIGNED BY:		DRAFT		



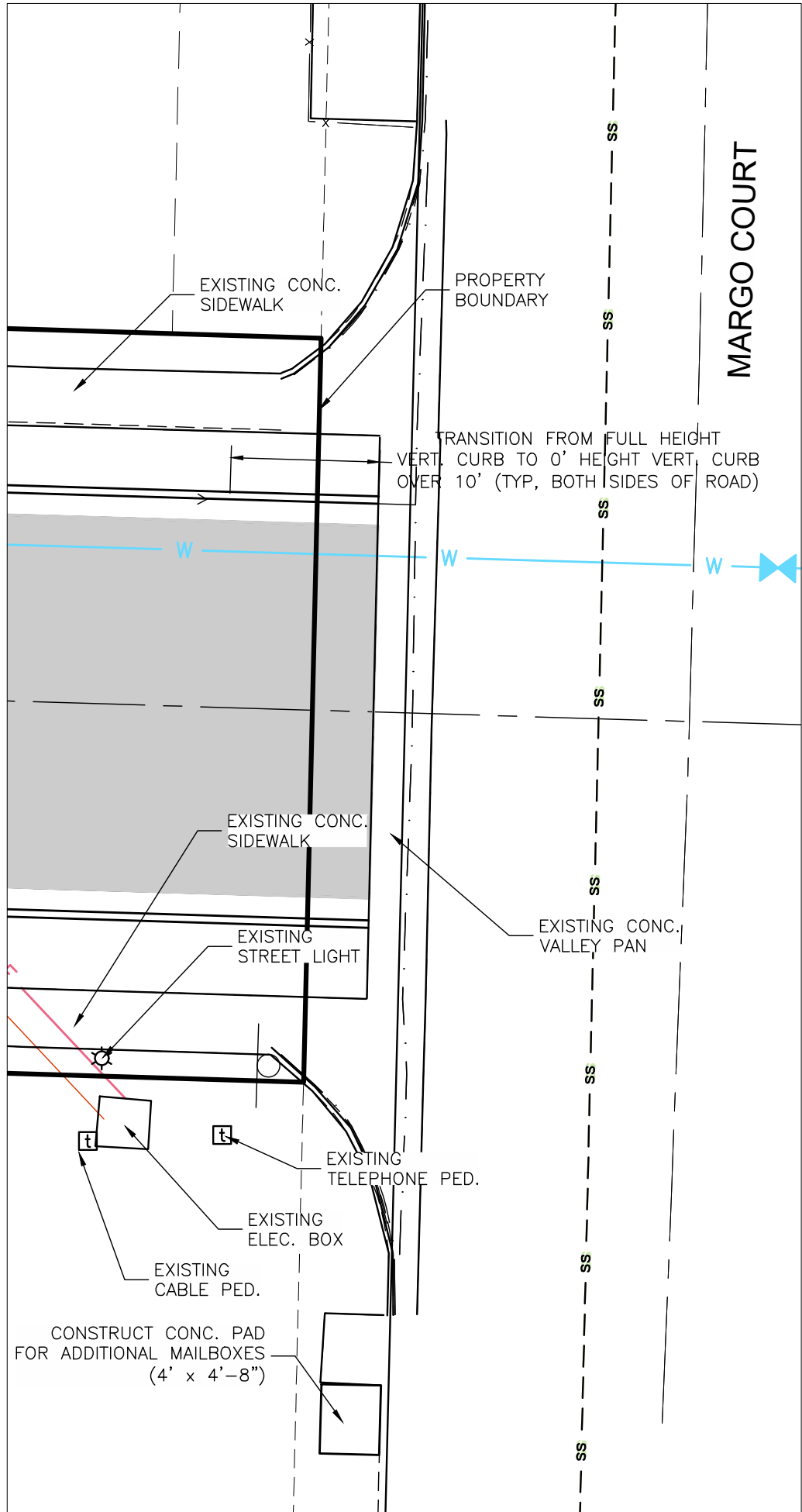
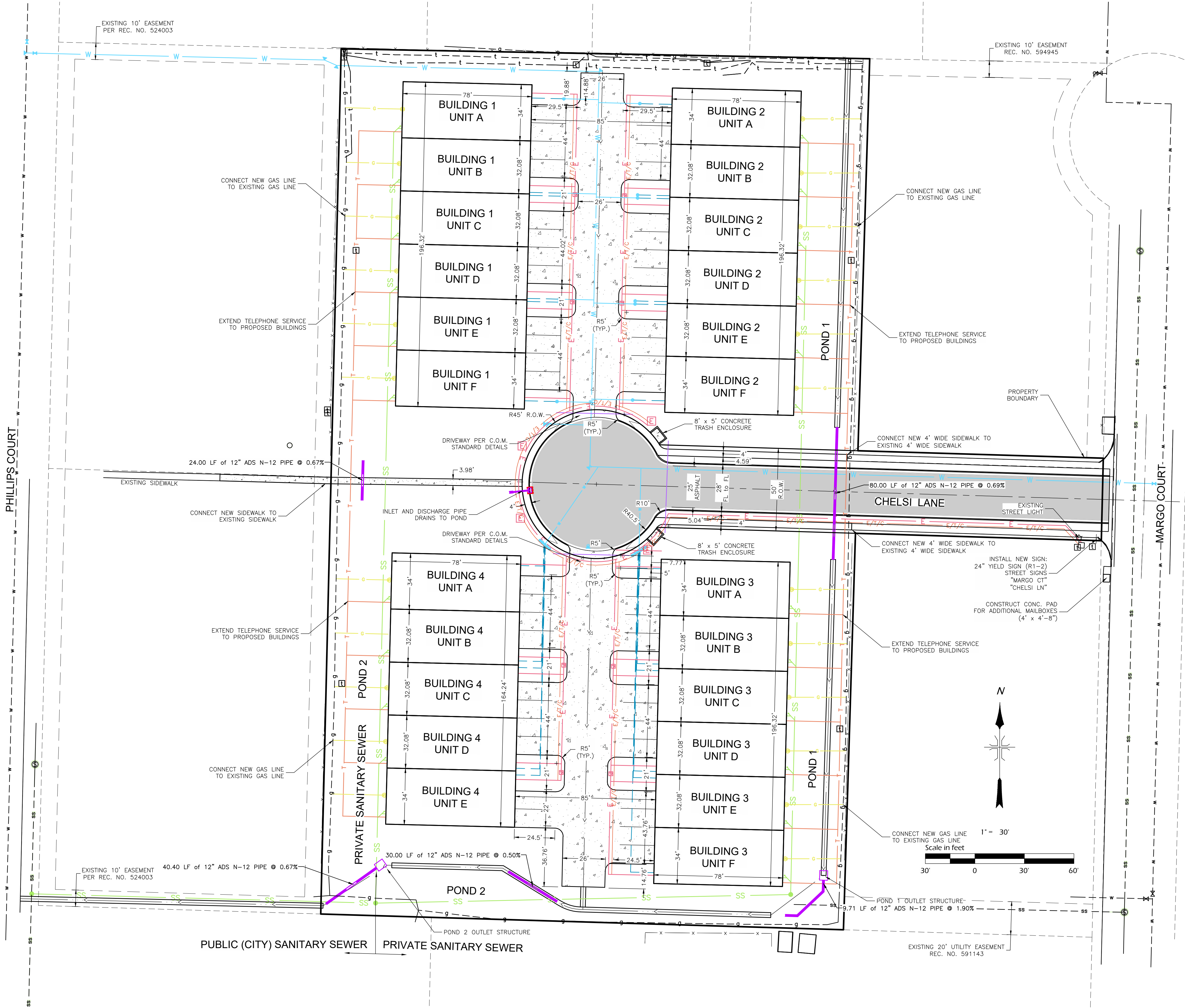
SANDOVAL CONSTRUCTION, LLC CHELSEI LANE & TOWNHOMES MONTROSE, COLORADO	COVER SHEET
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DWG JOB NO.:	24090
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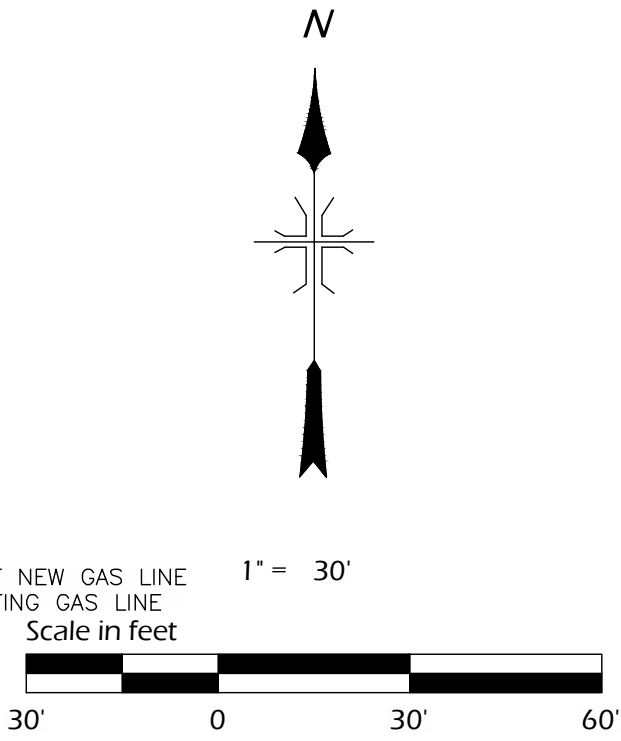
SHEET NO.:	1
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OF	16	SHEETS
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INTERSECTION DETAIL
 SCALE: 1" = 10'



SUBMITTAL SET
 NOT FOR CONSTRUCTION

NO	DATE	REVISIONS	BY
2	06/04/26	ADDRESS C.O.M. COMMENTS	NB
1	05/04/26	ADDRESS C.O.M. COMMENTS	NB

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

DESIGNED BY: **MGW**
 CHECKED BY: **MGW**
 DATE DRAFTED: **2026-06-04**
 DATE REVIEWED: **2026-06-04**

Sandoval Construction, LLC
 Chelsi Lane & Townhomes
 Montrose, Colorado

DRAFT

SANDOVAL CONSTRUCTION, LLC
 CHELSI LANE & TOWNHOMES
 MONTROSE, COLORADO

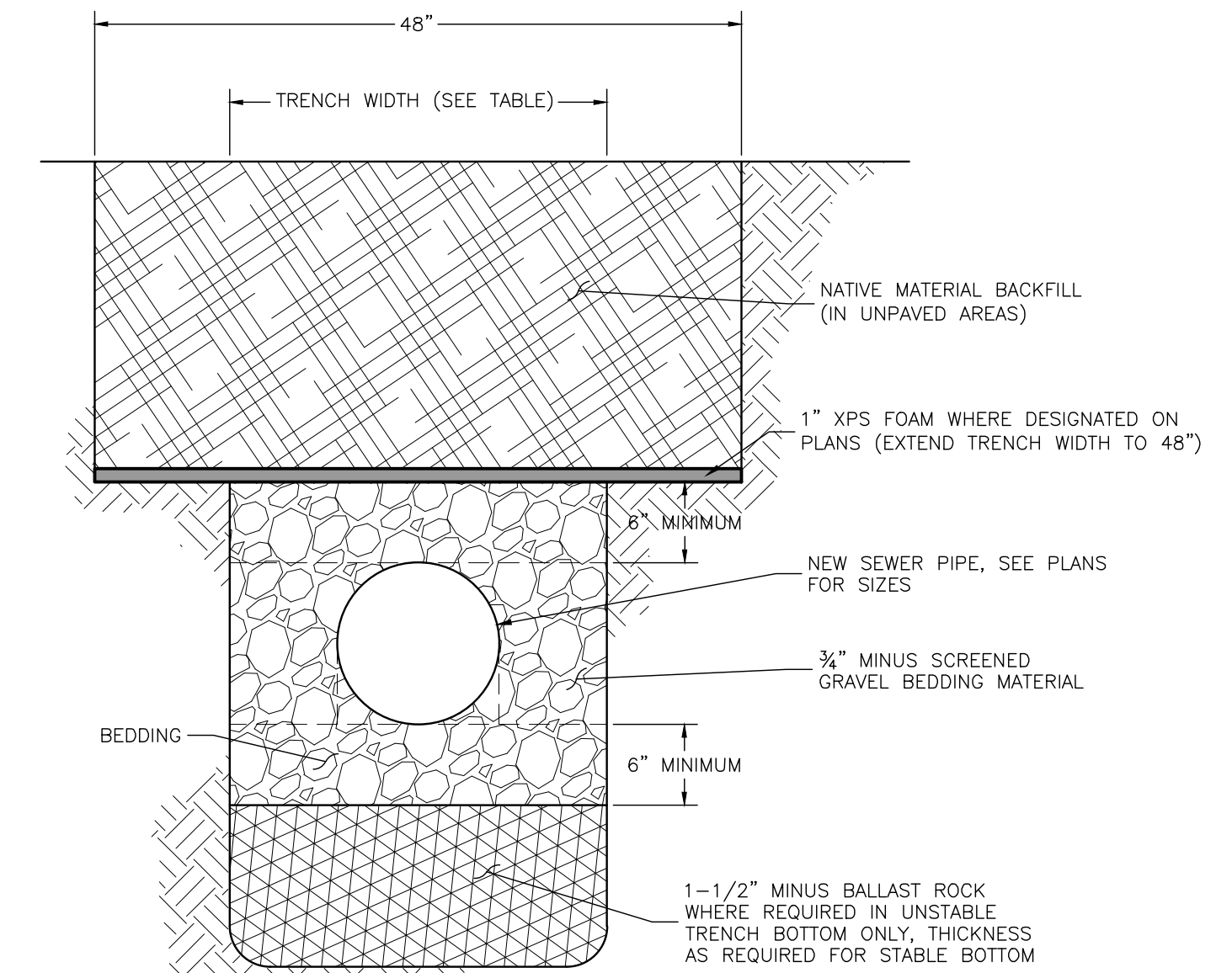
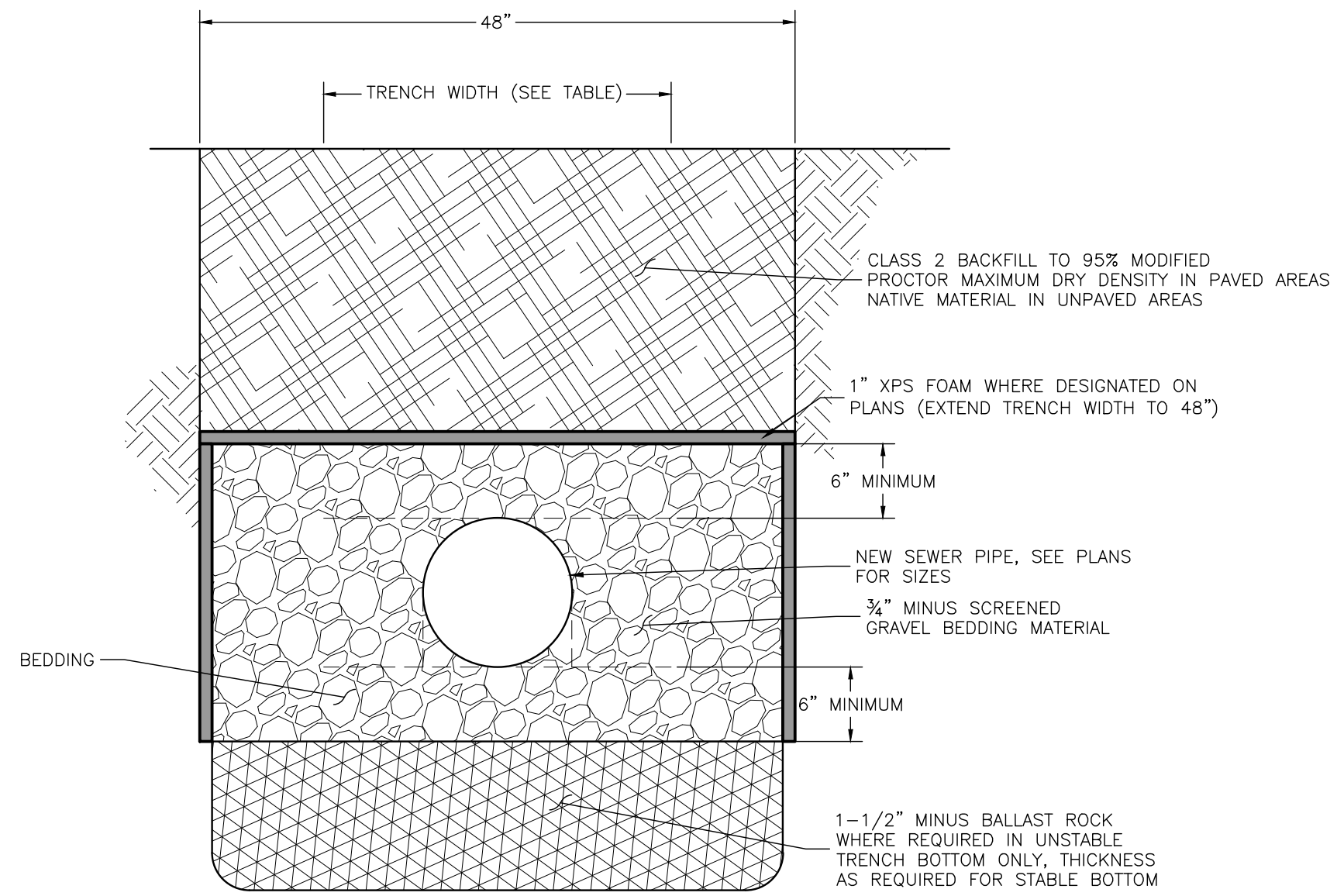
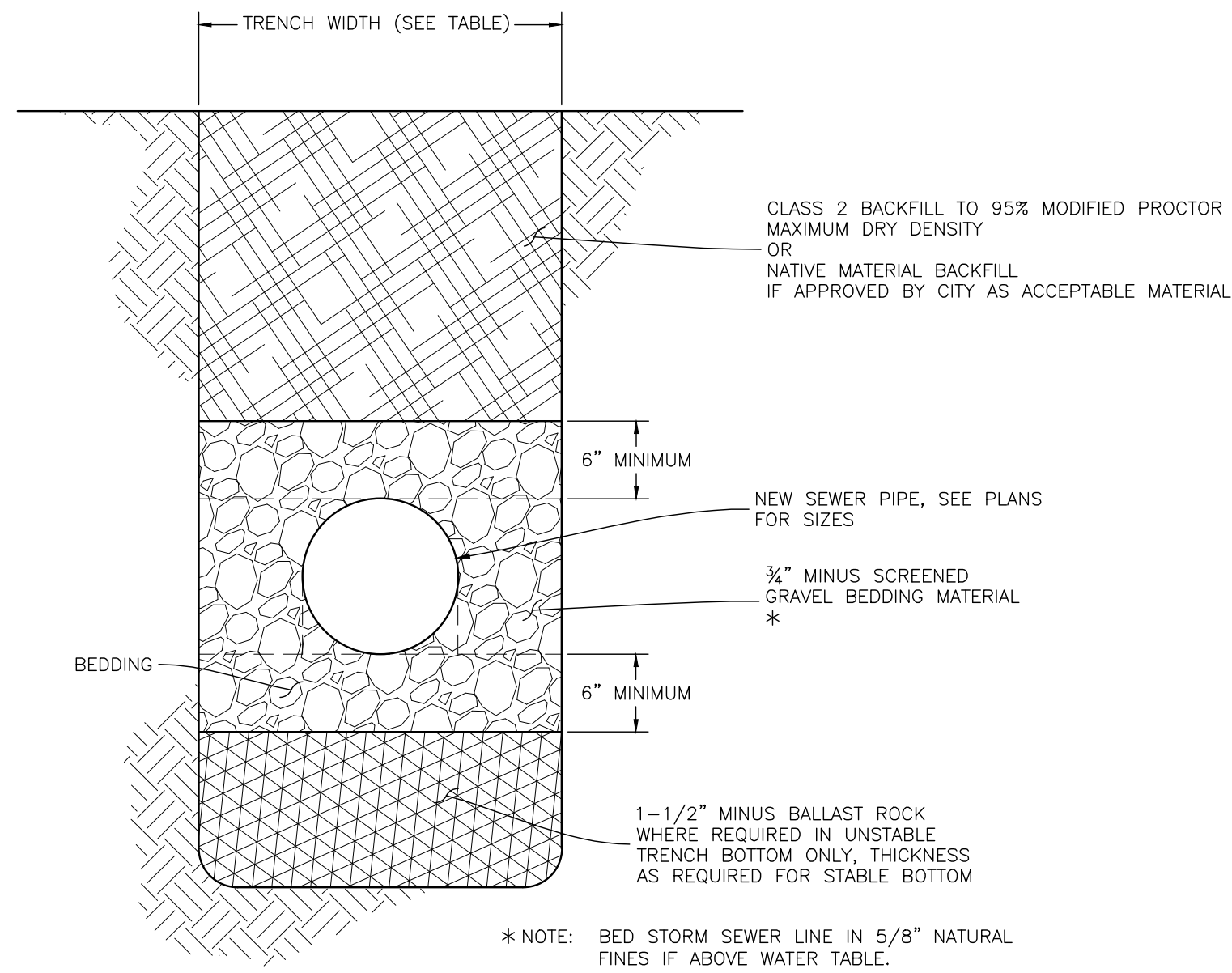
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DMC JOB NO.: 24090

SHEET NO.: 3
 OF 16 SHEETS

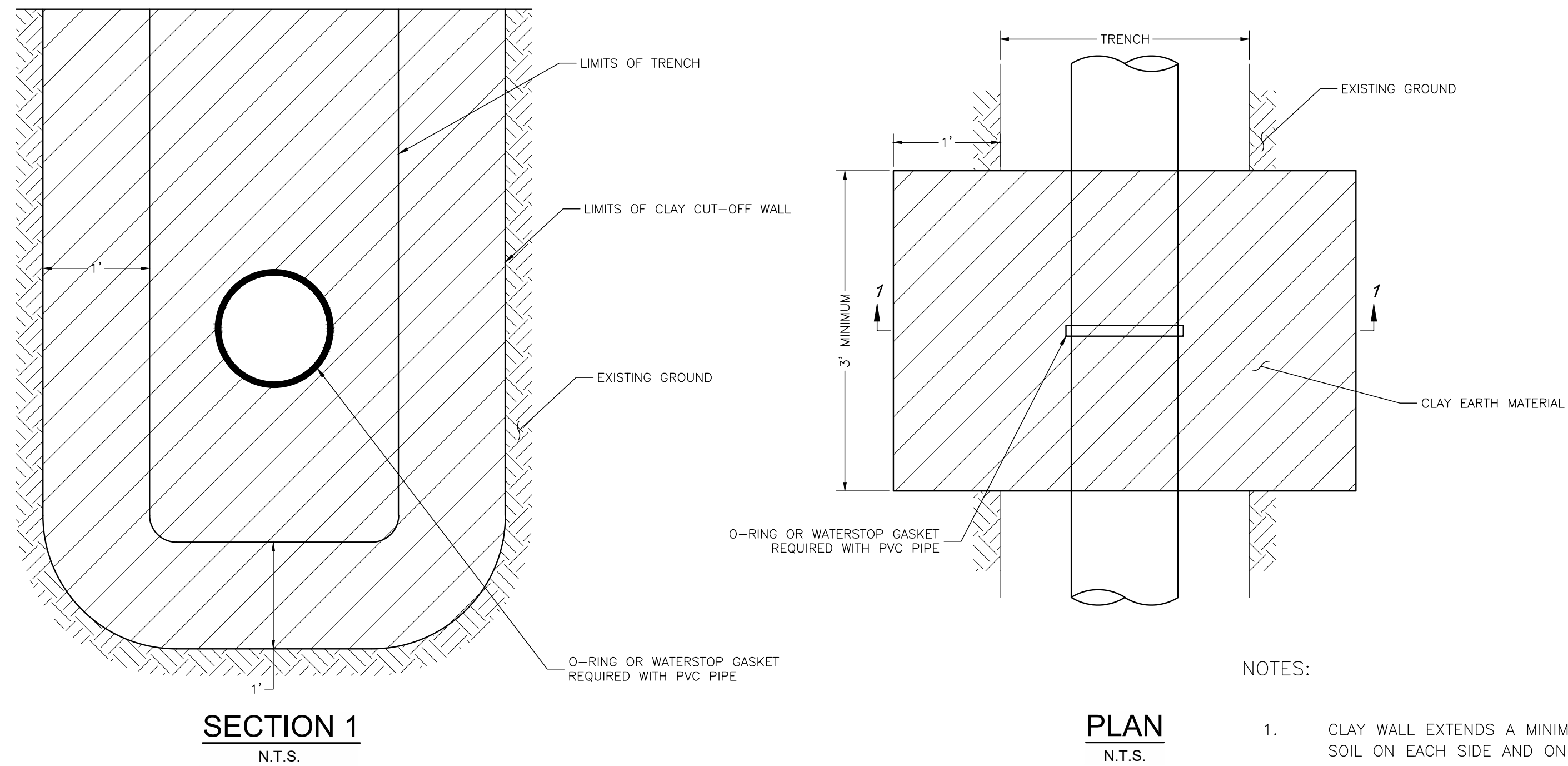
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16

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MINIMUM TRENCH WIDTHS		
PIPE MATERIAL	NOMINAL PIPE SIZE (IN.)	MIN. TRENCH WIDTH (IN.)
C900 PVC	8	36
	12	36
ADS N-12	12	36
	15	36
	18	40
	24	48
	30	56
	36	64
PS46	8	36
	24	48
	30	52

PIPE BEDDING MATERIAL GRADATIONS		
	5/8" MINUS NATURAL FINES	3/4" CRUSHED SCREENED GRAVEL
SCREEN – PERCENT PASSING		
3/4"	100	100
3/8"	–	20 – 55
#8	20 – 85	–
#200	5 – 15	3



- NOTES:
1. CLAY WALL EXTENDS A MINIMUM OF 1' INTO UNDISTURBED SOIL ON EACH SIDE AND ON BOTTOM OF TRENCH.
 2. CLAY MATERIAL TO BE CLASSIFIED AS SC, CL OR ML—CL
 3. CLAY CUT-OFF WALLS TO BE INSTALLED 10' FROM UPHILL WALL OF MANHOLES.
 4. CLAY CUT-OFF WALLS TO BE INSTALLED EVERY 200' IN WATERLINE TRENCHES

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[illegible]

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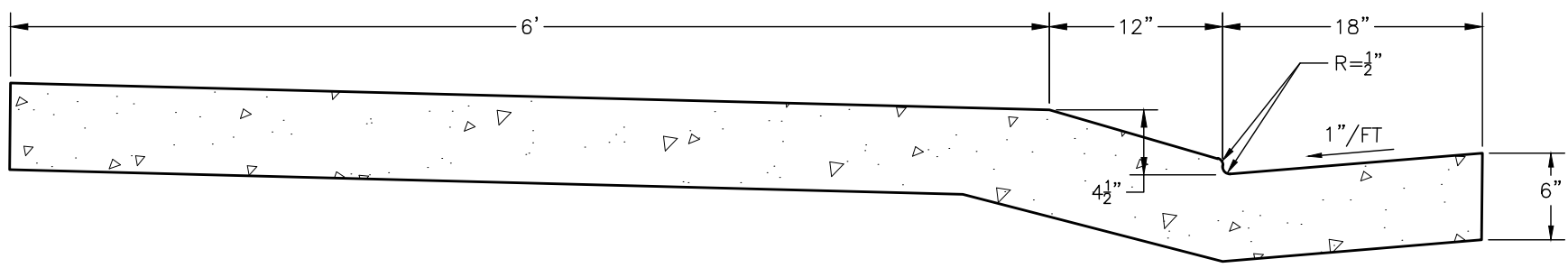
CONSTRUCTION DETAILS

MC JOB NO.: 24090

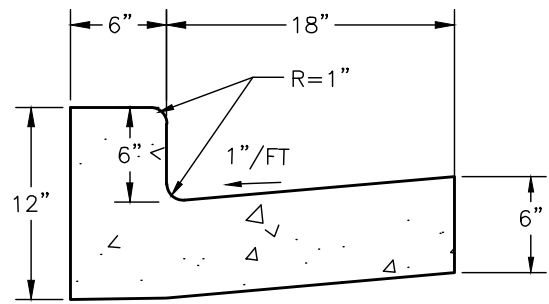
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16 SHEETS

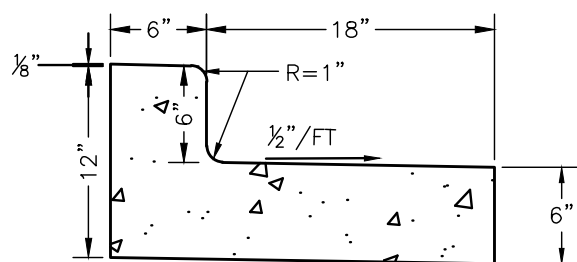
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NOTE: BASE AND SUBGRADE PER TYPICAL ROAD SECTION
TYPICAL DRIVE OVER CURB, GUTTER & SIDEWALK DETAIL
 N.T.S.

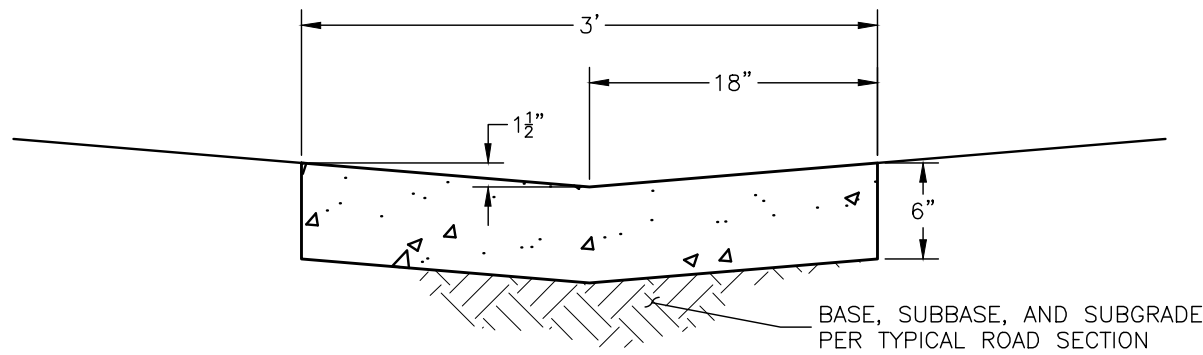


CATCH CURB & GUTTER
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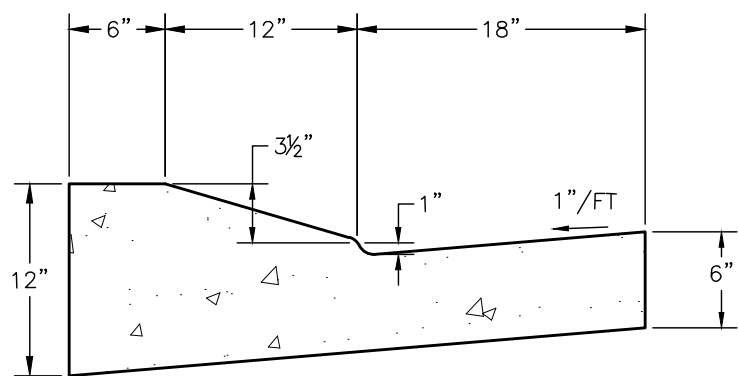


SPILL CURB & GUTTER
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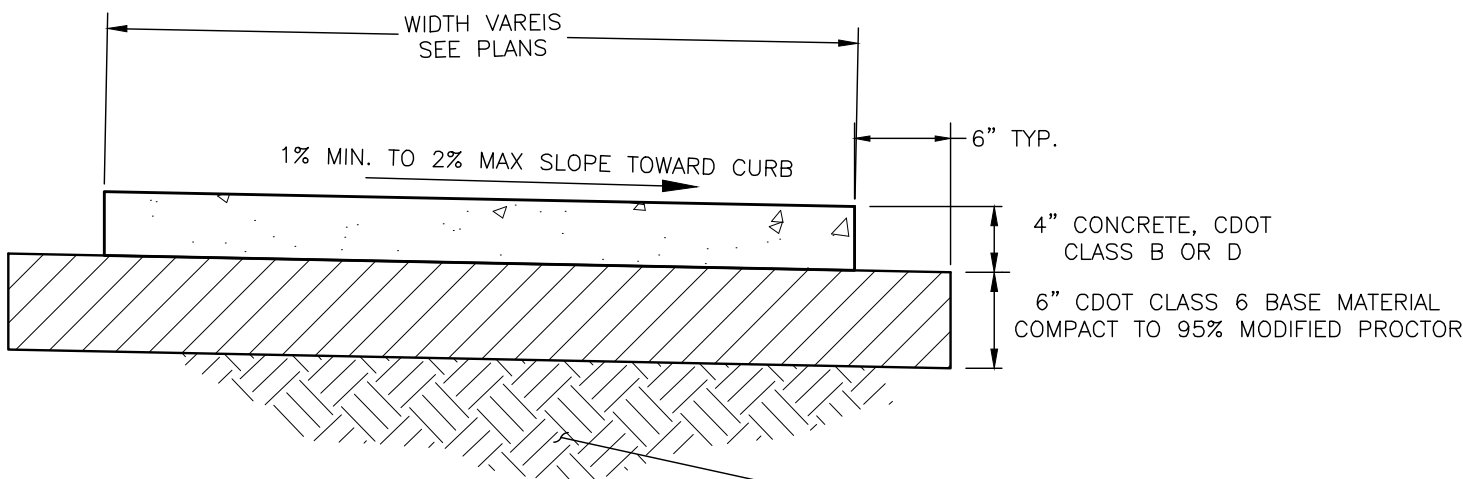
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TYPICAL CURB & GUTTER DETAILS
 N.T.S.



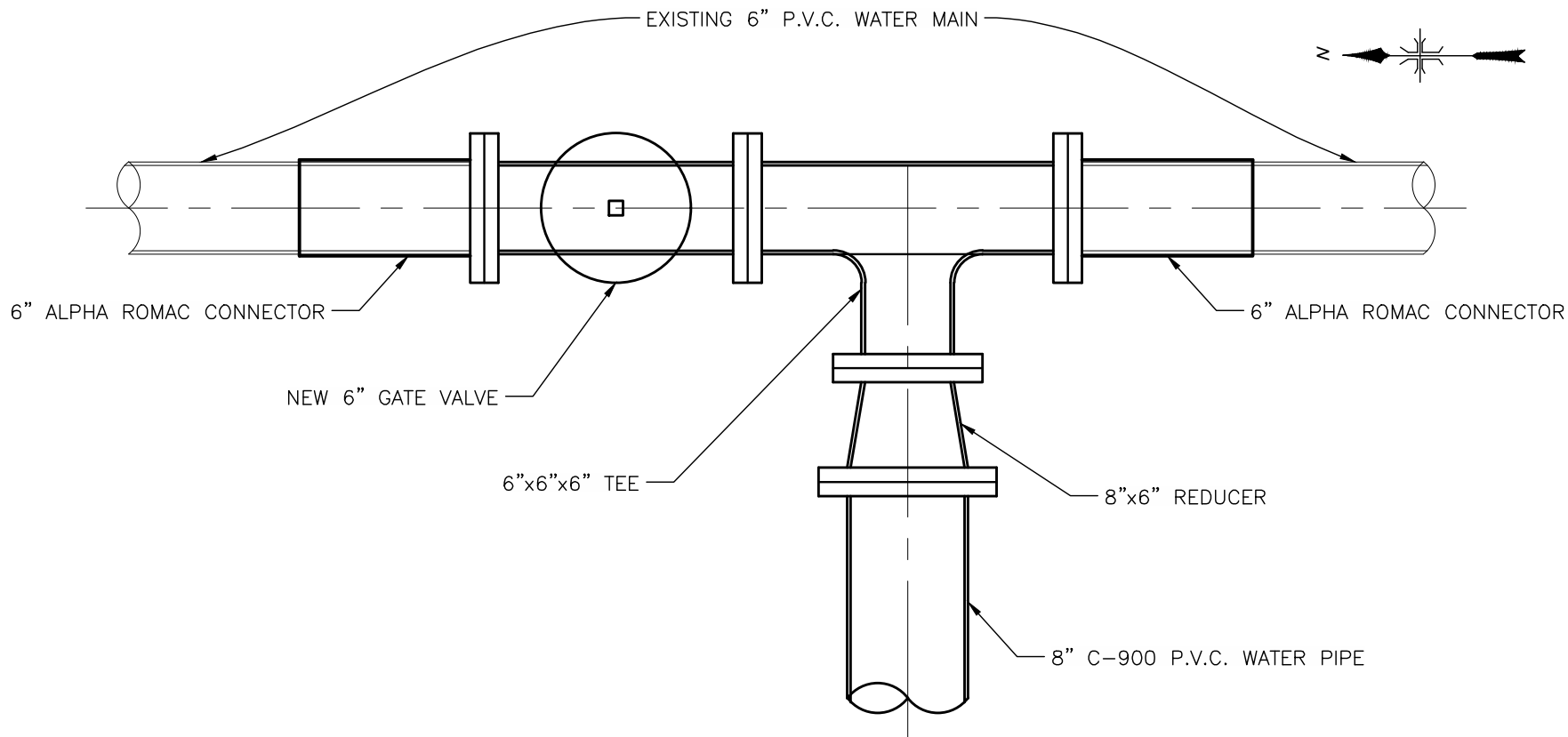
3' VALLEY PAN
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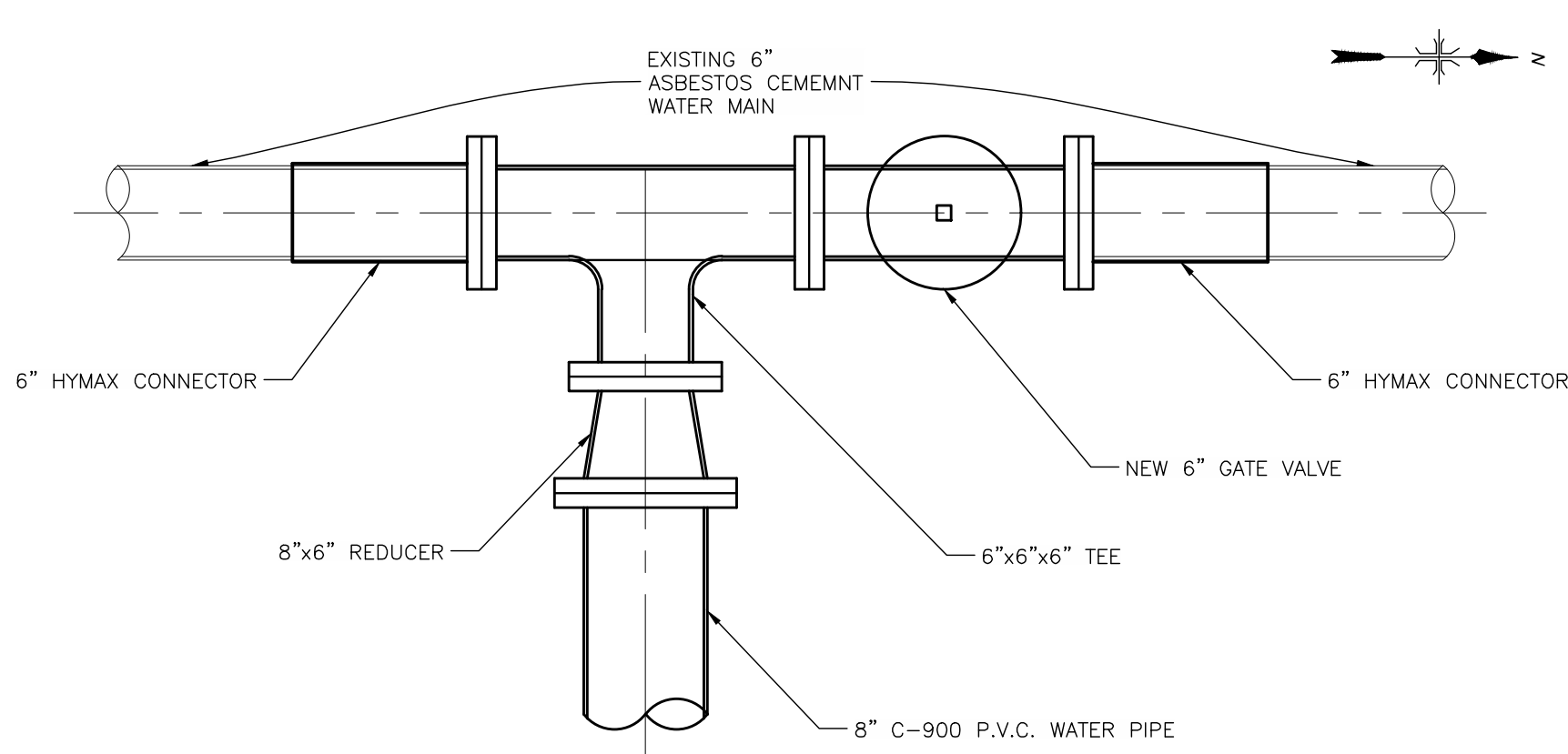
DRIVE OVER CURB & GUTTER
 SCALE 1" = 1'



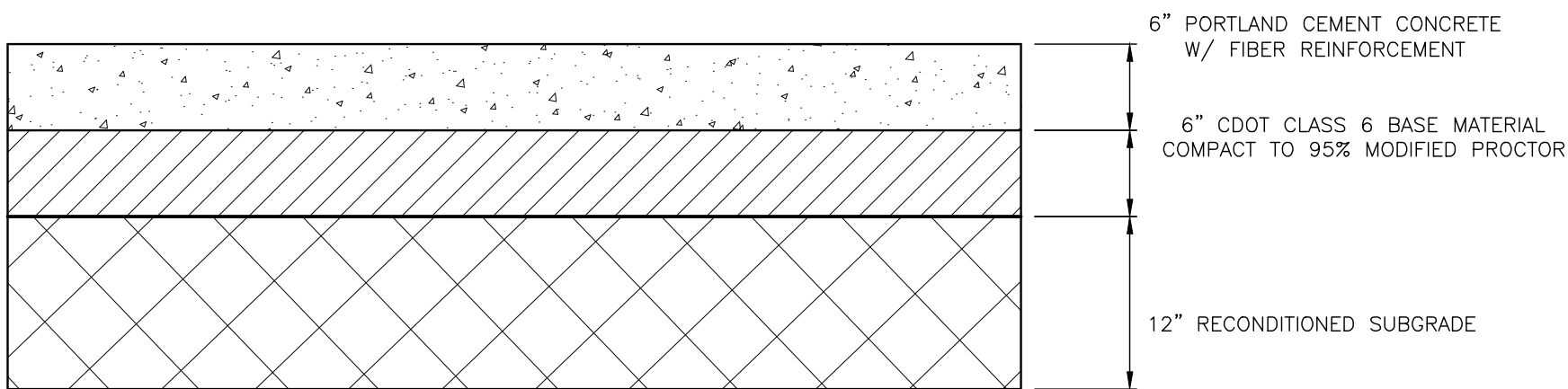
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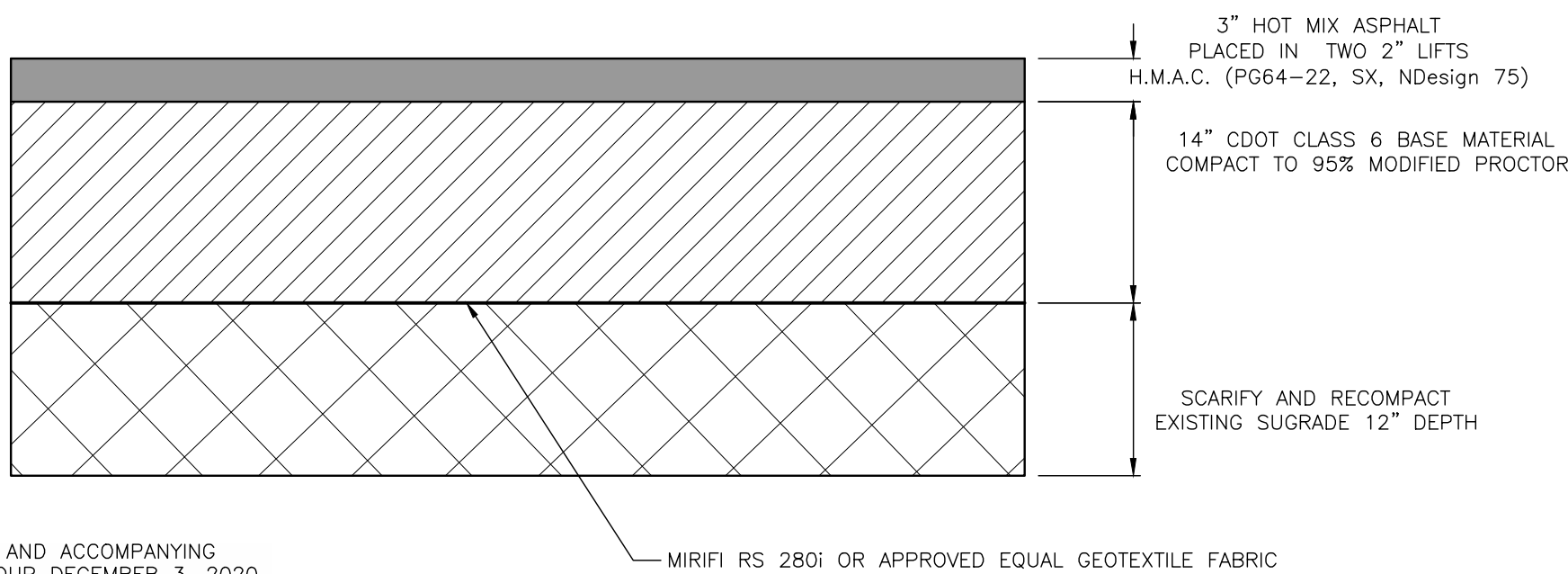
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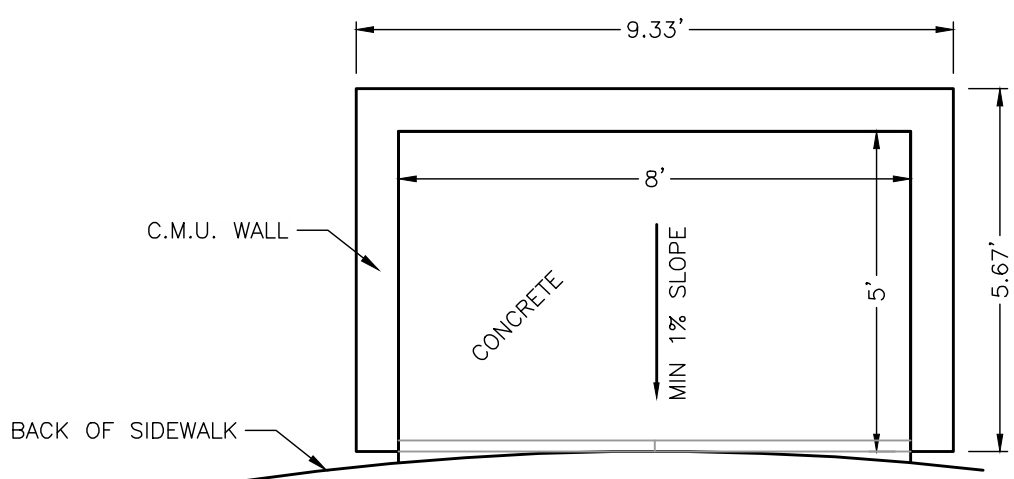
PHILLIPS COURT WATER CONNECTION DETAIL
 N.T.S.



TYPICAL CONCRETE PAVEMENT THICKNESS DETAIL
 N.T.S.



TYPICAL ASPHALT PAVEMENT THICKNESS DETAIL
 N.T.S.



TYPICAL DUMPSTER ENCLOSURE
 N.T.S.

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2	06/04/26	ADDRESS C.O.M. COMMENTS	NB
1	05/04/26	ADDRESS C.O.M. COMMENTS	NB

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 MONTROSE, COLORADO

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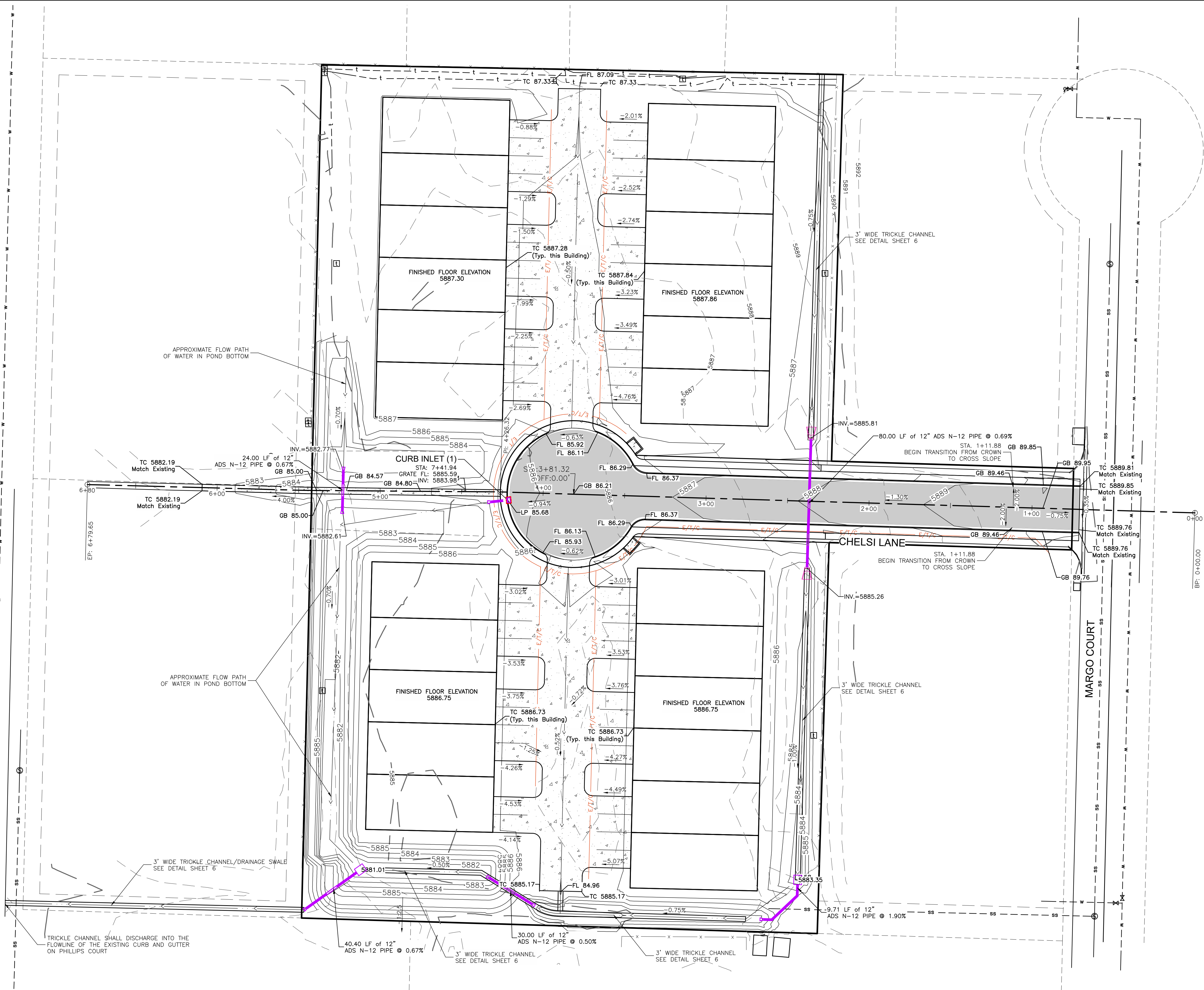
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PHILLIPS COURT



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OVERALL GRADING PLAN

SHEET NO.: **24090**

SHEET NO.: **7**

ADDRESS: C.O.M. COMMENTS
 ADDRESS: C.O.M. COMMENTS

NO. DATE REVISIONS

DMC JOB NO.: 24090

SHEET NO.: 8

OF 16 SHEETS

Page 1

5'

OUTLET PIPE

SAFETY GRATE

Technical drawing of a double-bay safety grate. The drawing shows two rectangular grates, each with vertical bars, connected by a central horizontal structure. The top grate has an outlet pipe extending from its right side. The entire assembly is labeled 'SAFETY GRATE'. Dimensions are indicated: a horizontal dimension of 5' across the top and a vertical dimension of 6' on the right side. The drawing includes various symbols for materials and construction details, such as hatching for concrete and cross-hatching for steel reinforcement.

SAFETY GRATE WITH 5" MAX. CLEAR BETWEEN BARS (BOLTED TO STRUCTURE)

25-YR WSE

WQCV WSE

2"x1/4" ANGLE, TYP.

STEEL ORIFICE PLATE

FINISHED GRADE

ELEV = 5883.71

2"x1/4" ANGLE WITH CONCRETE ANCHORS

6'-0"

6'-6"

2'-6"

2'-6"

2'-10"

6" TYP.

TRICKLE CHANNEL INVERT (5881.04)

ALLOW 1" GAP UNDER TRASH RACK

STAINLESS STEEL TRASH SCREEN (WELL SCREEN—JOHNSONTM VEE WIRE OR EQUIVALENT) ATTACH BY INTERMITTENT WELDS TO C6X8.2 AMERICAN STEEL CHANNEL FORMED INTO CONCRETE BOTTOM AND SIDES OF OPENING IN WALL.

HEIGHT OF ORIFICE PLATE

REINFORCE AROUND DISCHARGE PIPE: #4 REBAR 4' LONG, FOUR SIDES, 2" CLEARANCE MIN. TO OPENING

OUTLET PIPE SEE PLANS FOR ELEVATIONS

ELEV = 5878.21

SECTION (B)
NTS

Diagram illustrating the dimensions and flow direction for a rack and pinion assembly. The diagram shows a cross-section of the rack and pinion teeth. The dimensions are as follows:

- STAINLESS STEEL SUPPORT BARS: TE 0.074" X 0.50", 1" O.C.
- Flow direction: Indicated by an arrow labeled "FLOW" pointing upwards.
- Vertical dimensions: 0.655" (height of the rack teeth) and 0.139" (height of the pinion teeth).
- Horizontal dimensions: 0.090" (width of the pinion teeth).
- Material: NO. 93 STAINLESS STEEL.

Formula for R VALUE:

$$R \text{ VALUE} = (\text{NET OPEN AREA}) / (\text{GROSS RACK AREA}) = 0.60$$

SECTION ©
NTS

SAFETY GRATE

WELDED STRUCTURAL STEEL CHANNEL FRAME FORMED INTO CONCRETE (C6X8.2)

STAINLESS STEEL BOLTS OR INTERMITTENT WELDS, SEE FIGURE OS-5 AND OS-6

HEIGHT OF OFFICE PLATE + 6"

4' WIDTH FOR MAINT.

SECTION (A)
NTS

OVERFLOW SAFETY GRATES:

1. ALL SAFETY GRATES SHALL BE MOUNTED USING STAINLESS STEEL HARDWARE AND PROVIDED WITH HINGED AND LOCKABLE OR BOLTABLE ACCESS PANELS.
2. SAFETY GRATES SHALL BE STAINLESS STEEL, ALUMINUM, OR STEEL. STEEL GRATES SHALL BE HOT DIP GALVANIZED AND MAY BE HOT POWDER COATED AFTER GALVANIZING.
3. SAFETY GRATES SHALL BE DESIGNED SUCH THAT THE DIAGONAL DIMENSION OF EACH OPENING IS SMALLER THAN THE DIAMETER OF THE OUTLET PIPE.
4. STRUCTURAL DESIGN OF SAFETY GRATES SHALL BE BASED ON FULL HYDROSTATIC HEAD WITH ZERO HEAD DOWNSTREAM OF THE RACK.

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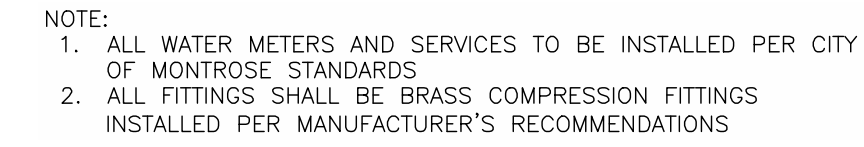
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POND 2 OUTLET STRUCTURE DETAILS

DMC JOB NO.: 24090

SHEET NO.:

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OF 16 SHEETS



DETAIL NOTES:

1. WATER SERVICES SHALL EITHER BE A 2" TAP AND SERVICE LINE TO THE MULTIPLE 5/8" METER CLUSTERS, WITH A 3/4" SERVICE LINE FROM THE METER TO THE BUILDING OR A 1" TAP AND SERVICE LINE TO THE PAIRED 5/8" METERS WITH A 3/4" SERVICE LINE FROM THE METER TO THE BUILDING.
2. ALL SERVICE LINES SHALL BE CT99 PURE CORE AND INSTALLED PER CITY OF MONTROSE STANDARDS.
3. CONTACT CITY OF MONTROSE ENGINEERING DEPARTMENT AT 970-901-1792 TO ARRANGE FOR INSPECTION OF UTILITY INSTALLATIONS AND STREET REPAIRS. CONSTRUCTION WITHOUT INSPECTION IS BASIS FOR REJECTION.
4. CONTRACTOR TO SUPPLY AND INSTALL ALL WATER SERVICE MATERIALS. CITY OF MONTROSE UTILITY DEPARTMENT TO PERFORM PHYSICAL CONNECTION TO WATER MAINS.

WATER MAIN NOTES:

1. EXISTING WATER LINES ARE SHOWN IN APPROXIMATE LOCATIONS; SIZE AND TYPE ARE DERIVED FROM G.I.S. DATA AND FIELD VERIFICATION IS REQUIRED FOR VERTICAL AND HORIZONTAL LOCATION PRIOR TO CONSTRUCTION OR CONNECTION.
2. ANY EXISTING WATER LINES THAT ARE MADE OF ASBESTOS CEMENT OR OTHER HAZARDOUS MATERIAL SHALL BE HANDLED AND DISPOSED OF IN ACCORDANCE WITH CITY AND STATE REGULATIONS.

[illegible]

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WATER SERVICE PLAN

DMC JOB NO.: 24090

SHEET NO.: 13

OF 16 SHEETS

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SANITARY SEWER PLAN

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SHEET NO.: 14

OF 16 SHEETS

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GENERAL EROSION CONTROL PLAN		DESIGNED BY: MGW		CHECKED BY:	
		DRAFT		DATE REVISION	
		FILE NAME 24090C-SHEET 16.DWG		2026-06-04	
		PROJECT NO. 24090			
		SHEET NO. 16			
		DATE 16			
		BY NB			
		REVISIONS			
		NO			
		DATE			
		1 05/04/26			
		ADDRESS C.O.M. COMMENTS			
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		BY			

CHAPTER 11-5. SUBDIVISION REGULATIONS¹

Sec. 11-5-1. General provisions.

- (A) This Chapter, as amended from time to time may be cited and referred to as the City's subdivision regulations.
- (B) The purposes of these subdivision regulations are to:
 - (1) Promote and protect public health, safety and welfare;
 - (2) Encourage the harmonious, orderly and progressive development of land;
 - (3) Ensure the development of economically sound and compatible neighborhoods;
 - (4) Require the construction of necessary improvements and utilities;
 - (5) Ensure safe and convenient circulation of vehicular and pedestrian traffic;
 - (6) Ensure that parks, open spaces, school sites and land needed for other public purposes are either reserved or dedicated;
 - (7) Ensure development is in accordance with the requirements of the City's Comprehensive Plan as such may be amended from time to time; and
 - (8) Ensure that new development bears its fair share of the costs of providing improvements and services necessitated by, or resulting from, the development of subdivisions.
- (C) References in this Chapter to the term "lot" include, as the context requires, "tracts" or "parcels" of real property, to the extent the same are or can be legally described and capable of individual transfer.

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

Sec. 11-5-2. Major subdivisions.

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

¹Ord. No. 2677, § 1(exh. A), adopted Dec. 17, 2024, repealed the former Ch. 11-5, §§ 11-5-1—11-5-14, and enacted a new Ch. 11-5 as set out herein. The former Ch. 11-5 pertained to similar subject matter and derived from Ord. No. 2626, § 3(exh. A), adopted May 16, 2023.

-
- (C) *Procedure.* The major subdivision procedure shall consist of three separate phases, sketch plan, preliminary plat and final plat, in accordance with Sections 11-5-4, 11-5-5, and 11-5-6, respectively.

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

Sec. 11-5-3. Minor subdivisions.

- (A) *New Subdivisions.* A parcel of land is eligible for subdivision through the minor subdivision process if it meets the following criteria:

- (1) The subdivision results in no more than three lots except as permitted within a common interest community subdivision. See Subsection (B) below.
- (2) All lots are adjacent to a dedicated and accepted public street.
- (3) The public improvements required by these regulations are:
 - (a) Already in existence and available to serve each lot, or
 - (b) Individual lot service line stub improvements are completed and services are available at each lot, or
 - (c) Only for lots in commercial zoning districts with no existing building on the lot, and such improvements may be deferred until construction of a building on said lot. A Certificate of Occupancy shall not be issued until the improvements required by these regulations for said lot are installed, inspected, and approved by the City. The plans for such improvements shall be reviewed and approved by the City prior to commencement of construction. The plat shall specify what improvements are so required, and may include additional easements, plat notes or restrictions as appropriate to implement these provisions, or
 - (d) For minor subdivisions creating only two lots in which one lot is already devoted to use as a single household dwelling and to which services for that lot are already in place. The remaining lot may not be issued any building or construction permits until the public improvements necessary to serve the same have been installed, inspected and approved by the City, or the lot is approved for further subdivision.
- (4) Each proposed lot will meet requirements of Chapter 7, Zoning, without the necessity for any variance.
- (5) No part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of submission of the minor subdivision plat.
- (6) No material changes to prior plat notes, restrictions or easements are proposed.

- (B) *Common Interest Community Subdivisions.* A common interest community subdivision may be processed as a minor subdivision if all of the following criteria are met:

- (1) Is proposed for development of properties contained within a previously approved and recorded subdivision plat.
- (2) Meets all applicable conditions of the plat governing the original subdivision.
- (3) Complies with the required City platting conditions in Subsection (A) above.

-
- (4) Complies with the requirements of C.R.S. § 38-33.3-101 et seq. (sublots and common interest community units are not lots for purposes of compliance with this Section).
 - (5) Is consistent with the representations made by the property owner and/or applicant for subdivision approval which created the lot proposed to be further subdivided as a common interest community subdivision.
 - (6) Results in a change of ownership or marketing regime consistent with the basis upon which creation of the lot being proposed for common interest community subdivision was based.
- (C) *Minor Plat Amendments.* Previously-approved subdivision plats may be amended through the minor subdivision process if they meet the following criteria:
- (1) The plat, as amended, reduces the number of lots within the subdivision, i.e., a lot consolidation; or the nature of the amendment is de minimis, e.g., a boundary line adjustment, lot line correction, duplex conversion, easement adjustment, or similar minor plat modification.
 - (2) All lots are adjacent to a dedicated public street.
 - (3) The lots are part of a subdivision plat which has been approved and/or accepted by the City and recorded in the Montrose County Records.
 - (4) The improvements required by these regulations are already in existence and available to serve each lot, or if not yet constructed, are secured as a part of the original subdivision approval.
 - (5) Each lot will meet requirements of the applicable City zoning regulations without the necessity for any variance. No material changes to prior plat notes, restrictions or easements are proposed.
- (D) *Procedure.* Submittals of sketch plans and preliminary plats are not required for minor subdivisions. The minor subdivision application shall conform to all applicable final plat requirements. All fees related to this Section shall be as set forth in Chapter 3-1 of the City of Montrose Regulations Manual. The final plat for a minor subdivision shall contain certification on forms approved by the City to document approval of the plat.
- (1) The City Manager may either approve, disapprove or conditionally approve the final plat subject to compliance with any minimum design standards; dedication of additional right-of-way, easements, open space or park land; or installation of additional improvements. Final plats shall not be recorded until required public and private improvements are installed and approved by the City.
 - (2) Upon approval by the City land use staff, the plat of the minor subdivision shall be submitted in final form on one reproducible mylar, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
- (E) *Limitation of Eligibility.* Any subdivision not qualifying as a minor subdivision is a major subdivision. For the purpose of interpreting the requirements of this Section, any proposed minor subdivision which is clearly intended to evade the major subdivision regulations or would result in a de facto major subdivision through the combination of previous contiguous and/or consecutive minor subdivisions is not eligible for minor subdivision. A minor subdivision shall only be used one time on a previously unsubdivided parcel of land.

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

Sec. 11-5-4. Sketch plan.

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

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

Sec. 11-5-5. Preliminary plat.

- (A) *Purpose.* The purpose of the preliminary plat is to provide the City with an overall master plan for the proposed subdivision. The preliminary plat is more detailed than the sketch plan and should incorporate the comments and guidance provided during the sketch plan process. It includes the layout of the subdivision, engineering design studies, and final engineering design, with all bearings, distances and survey monumentation.
- (B) *Review Procedure.* The preliminary plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A preliminary plat shall comply with the following review and approval criteria:
 - (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;

-
- (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for compatibility with unique or distinctive natural areas, scenic areas and views, natural landmarks, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The preliminary plat and proposed improvements shall comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.
- (D) *Notice to Proceed.* No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a reproducible mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the reproducible mylar of the preliminary plat, and supporting documentation as required, the City shall provide signed copies of the preliminary plat which shall serve as notice to proceed with construction of the required subdivision improvements, both public and private.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-6. Final plat.

- (A) *Purpose.* The purpose of the final plat is to complete the subdivision of land in conformance with all the applicable requirements and standards of the City. The final plat shall correspond in every significant respect with the preliminary plat as previously approved. A complete review is conducted of the final subdivision design, with all bearings and distances, survey monumentation, and certificates of approval included on a document suitable for recordation.
- (B) *Review Procedure.* The final plat application shall be reviewed by the City in accordance with Section 11-4-2 of this Title.
- (C) *Review and Approval Criteria.* A final plat shall comply with the following review and approval criteria:

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- (1) The plat shall be consistent with the City subdivision and zoning regulations, standards and other applicable ordinances and regulations;
 - (2) The plat proposes a harmonious development and lot pattern that is compatible with the neighborhood and community;
 - (3) The lot and development pattern ensures there will be adequate light, air, parks, open space, and other places for public use;
 - (4) The plat design provides for adequate access and efficient emergency response to all lots proposed in the subdivision;
 - (5) Adequate, safe, and efficient public improvements, utilities, and community facilities and services will be provided with sufficient capacity to serve the subdivision;
 - (6) A sufficient supply of water is available and sufficient water rights have been dedicated to the City, in conformance with the City's water standards;
 - (7) The plat design provides for adequate protection from fire, flood, geologic hazards, significant soil constraints, and other dangers, and provides for proper design of stormwater drainage, erosion control, utilities and streets;
 - (8) The plat design provides for the preservation and conservation of unique or distinctive natural areas, scenic areas and views, natural landmarks, including rock outcroppings and unique landforms, significant wildlife habitats and migration areas, drainage areas, riparian areas, wetlands, historic features and archaeologically sensitive sites, recognizing the irreplaceable character of such resources and their importance to the quality of life in Montrose; and
 - (9) The final plat is generally consistent with the preliminary plat, as applicable and proposed improvements comply with all requirements of this Chapter, other applicable City design and construction specifications and standards and all applicable County, State, and Federal Regulations.

(D) *Additional Provisions.*

- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Section.
- (2) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or accompanied by the appropriate security under Section 11-5-12, prior to approval by the City Council.
- (3) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved as a part of the preliminary plat, or if subsequent to that time, as an amendment of the approved preliminary plat.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat.

This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.

- (4) No final plat shall be approved by the City Council until:
- (a) All of the public improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 11-5-12 on forms approved by the City.
 - (b) As-built plans, supporting documentation, certificates and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer and provided in a digital format acceptable to the City and compatible with City computer systems. All as-built plans, supporting documentation, certificates and data for completed utility and infrastructure improvements shall be signed and stamped by a registered Colorado professional engineer.
 - (c) The final plat has been submitted in final form on reproducible mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any atypical costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two-calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (5) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

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

Sec. 11-5-7. Reserved.

Sec. 11-5-8. Issuance of building permits.

- (A) Until any required public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
- (1) All required public and private on- and off-site improvements have been completed;
 - (2) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (3) A final plat has been approved and recorded.
- (B) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.

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

Sec. 11-5-9. Land dedication and fees in lieu.**(A) Purpose and Intent.**

- (1) The purpose of the land dedication requirement is to provide public park, open space, trail, and school facilities and/or services made necessary as a consequence of a subdivision, in an amount roughly proportional to the impact of the subdivision upon such facilities and/or services or the increased need for them brought about by a subdivision. New residential subdivisions require these services provided through municipal facilities which are constructed, in part, through dedication of land necessary to construct the facilities. Absent land dedication by new subdivisions, sufficient land may not be made available at the time of subdivision to provide necessary services to new residents. In order to provide public services, the City requires certain dedications of land or in the appropriate circumstances, payment of fees-in-lieu of such dedication.
- (2) It is the intent of this Section to preserve natural and scenic areas and provide for the public health, recreational, and educational needs by ensuring that school, recreational, and open space land and trails are available to the residents and/or employees of developments in conformance with the City's Comprehensive Plan as updated from time to time.

(B) Dedication Procedure.

- (1) The amount, location, and nature of land interests to be dedicated shall be established prior to final subdivision plat approval. Land dedications and/or conveyances shall be made as a condition of final plat approval and shall be implemented in one or more of the following ways, as appropriate and as provided in the final plat approval:
 - (a) A fee simple dedication to the City granted via plat note on the final plat;
 - (b) A fee simple conveyance to the City granted via general warranty deed;
 - (c) A fee simple dedication to the school district of a school site via plat note on the final plat;
 - (d) A fee simple conveyance to the school district via general warranty deed; and/or
 - (e) Payment of fees-in-lieu of land dedications where permitted and approved by the City.
- (2) Whenever a subdivision application involves land that is to be dedicated and/or conveyed to the City, the applicant shall submit, with the final plat application, a title insurance commitment indicating the land is owned by the applicant free and clear from all liens, encumbrances and restrictions.
 - (a) Title insurance shall be provided by the applicant in an amount equal to the approximate value of the property to be dedicated and/or conveyed, as approved by the City.
 - (b) The executed deed, if applicable, and the payment of the premium for the title insurance policy shall be delivered to the City prior to the recording of the final plat.

(C) Land Dedication Standards.

- (1) **General Requirements.** Every approved subdivision shall convey land for the purpose of providing parks, open space, trails, school sites, and other public uses. The

standards herein are minimum standards and the City may require dedications and improvements greater than the minimum to adequately meet the needs created by the development.

- (a) The City Council shall determine the suitability of the land and improvements proposed for dedication in consideration of the intended purpose of the dedication.
 - (b) The City may consider recommendations from other agencies which would be directly involved in the development and service of those areas.
 - (c) Parks, open space, and trails shall be dedicated to the City in conformance with the requirements herein and the adopted standards of the City Comprehensive Plan as may be updated from time to time.
 - (d) Parks, open space and trails shall be situated within floodplains instead of developed lots when reasonable to do so.
- (2) *Improvement Required.* Any land to be dedicated to the City shall be improved by the developer per the timetable specified at time of final plat subdivision approval for use as park, open space, and/or trails.
- (D) *Park Land Standards.* Dedication of land for park purposes shall be based upon the following standards. In the event the subdivider disagrees with the calculation provided by the City, the subdivider may request continuation of final plat review and fund an independent study under Section 11-5-9(I):
 - (1) Subdividers shall dedicate to the City developed park land based upon a formula of seven acres of developed and usable park land per density of 1,000 residents, calculated at build-out of the proposed subdivision. For the purpose of this calculation, it shall be assumed that each residential unit shall house an average of two and one-half residents.
 - (2) Those developments that dedicate adequate quantities and qualities of park land acceptable to the City, in the City's sole discretion, shall not be required to pay the money in lieu of park land dedication. Only park land dedicated to the City of Montrose, and approved by the City, in the City's sole discretion, that meets the City's Comprehensive Plan, the minimum design standards as set forth herein, and that is improved to meet the City's park standards and specifications, shall qualify to relieve the subdivider of payment of money in lieu of park land dedication.
 - (3) Developed park land proposed for dedication or conveyance to the City shall require prior submittal and approval of a park plan by the City, which plan shall address the City's park standards and specifications.
 - (4) When authorized by the City, the required dedication of developed park land may be partially or wholly substituted by alternative dedication and/or preservation of open space areas such as riparian habitat, wetlands habitat, wildlife habitat and view corridors as approved by the City.
 - (5) Parks that are sized, developed, and located to meet the needs of the City and constructed in accordance with City standards and specifications may be dedicated to the City, and if so dedicated, shall be available for use by the public.
- (E) *Trail and Sidewalk Standards.*
 - (1) Trails shall be dedicated as needed to serve the recreational and transportation needs of the subdivision in conformance with the Comprehensive Plan, and shall provide

links to schools, the local and regional trail system, parks and open space areas, commercial and employment areas, public transit, community facilities such as libraries, and other destinations. Trails should be provided adjacent to or within natural and scenic areas and open space areas, when possible, in a manner that provides a recreational corridor without degrading the natural or scenic resource.

- (2) Sidewalks and recreation trails shall be integrated with existing and planned sidewalks and recreation trails in accordance with the City's Comprehensive Plan. The owner of each project shall dedicate the appropriate easements and/or rights-of-way consistent with said plans.
- (3) All sidewalk and recreational trails shall be available for use by the public.

(F) *Open Space and Watercourse Standards.*

- (1) If required by the City, open space shall be dedicated as necessary to preserve significant natural areas such as buttes, bluffs, and other geologic formations, water bodies/resources, wildlife habitat areas, fragile ecosystems (wetlands) riparian areas, floodplains, native trees and shrubs and/or other significant native vegetation. Open space shall also be dedicated as necessary to preserve lands which preserve significant views, provide transitions between different densities and uses (buffers) and otherwise serve to give shape and form to the proposed development and surrounding community.
- (2) Public access is not required for open space dedications.
- (3) Natural watercourses may be developed and preserved consistent with City floodplain management regulations, Storm Drainage Requirements and Federal Clean Water Act Section 404 Permit requirements, to minimize safety, environmental, and other hazards, and shall be integrated with the City's Comprehensive Plan for such watercourses whenever feasible.

(G) *Fees in Lieu of Dedication.*

- (1) In the event the dedication of required park land is not deemed suitable or not in the public interest within the development, the City Manager is hereby authorized to require the applicant, in-lieu thereof, to pay the City a fee-in-lieu-of land based on the amount of required land dedication as calculated in Section 11-5-9(D) above, and prorated using the average value of land in the City plus the cost per acre of constructing the improvements for that type of facility. Such fee may be updated from time to time to reflect current market land values and costs of the improvements and shall be adopted by Resolution and included in the City's fee schedule.
- (2) Alternatively, and if approved by the City Manager, the subdivider may develop or contribute to the improvement of an off-site facility if said facility conforms to the adopted standards in the Comprehensive Plan. Nothing contained herein shall be construed to prevent the City Manager from requiring that part of the park land dedication requirement be made in the form of dedicated land, and that part of such requirement be made in the form of cash in-lieu of the remaining requirements for such land.
- (3) When in-lieu payments are permitted, the following standards apply:
 - (a) Lot or Unit x 0.0175 (acres park land per lot or unit) x \$90,000.00 (value per developed park land acre, based upon \$25,000.00 per acre undeveloped land value plus \$65,000.00 park land development cost) = \$1,575.00 per lot or unit.

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- (b) Monies collected in lieu of park land dedication shall be collected at time of issuance of building permit, and placed into a City park development fund to be earmarked for future acquisition or development of parks, opens space, or trails. No security as set forth in Section 11-5-12 shall be required.
 - (4) Monies paid in lieu of park land dedication pursuant to this Section are to enable the City to provide parks in the proper locations, and of the proper sizes to serve the citizens of the City.
- (H) *Relationship to Useable Open Space.*
- (1) Useable open space, as defined in Section 11-15-2 of this Title, shall not be a substitute for the dedication of park land, or money in lieu of park land dedication.
 - (2) All non-public common areas, parks and open spaces shall be held in private ownership and maintained in perpetuity, with appropriate platted restrictions on use and covenants for ownership and maintenance in accordance with the provisions of Section 11-5-11(B).
 - (3) For useable open space within Planned Developments, see Section 11-7-8(B)(2).
- (I) *Site Specific Dedication Study.*
- (1) In the event that the applicant disagrees with the City's determination concerning dedication of land and/or payment in lieu of dedication, the applicant may request a continuation of any subdivision processing and review by the City, in order for the applicant to prepare a private study evaluating the demand for public facilities made necessary or generated by the proposed development. Upon receipt by the City of the applicant-funded study, the subdivision review process shall recommence.
 - (2) Such study shall be undertaken at the applicant's cost by a licensed professional engineer or other professional approved in advance by the City.
 - (3) To the greatest extent possible, the study shall include an evaluation of the City's present supply or capacity and present demand for all public facilities and/or services required by the proposed development.
 - (4) The study shall identify and quantify the additional demand placed upon such public facilities and/or services by the proposed development.
 - (5) The study shall identify the necessary public land and improvements required to be dedicated or constructed by the applicant in order to serve the demand generated by the proposed development.
 - (6) Such study shall be considered by the City in determining the required dedication of land.
- (J) *School Land Dedication Requirements.*
- (1) Based upon conversations with both the City staff and School District staff during the pre-application phase of any project at the time of filing a sketch plan or preliminary plat for approval, the applicant shall, as part of such filing, either:
 - (a) Designate the general area or areas the applicant proposes to set aside for school site(s) and shall indicate the number of acres proposed for such uses and the number of proposed dwelling units in the development; or
 - (b) Agree to make payment of cash-in-lieu of land in an amount as set forth in Section 3-1 of the City of Montrose Regulations Manual; or

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- (c) Request waiver of the requirement to provide for school land dedication or payment in lieu, per Section 11-5-9(K) below.
 - (2) The preliminary plat and final plat of a proposed subdivision shall designate specific areas proposed for use as school sites, the number of acres so designated, and the proposed number of lots by dwelling unit type in the subdivision; or, the waiver of this requirement and agreement to provide cash in-lieu-of land; or a plat note indicating that no children will be generated by the development.
 - (3) School sites dedicated through this procedure shall conform to the school site size requirements and site criteria policy adopted by the School District and incorporated herein by this reference.
 - (4) *Determination of School Land Dedication.* If the City Council determines that the dedication of land for school purposes is appropriate, then the applicant shall convey the property and all improvements located thereon in the manner permitted by Section 11-5-9(B) to the School District at the time of recording of the final plat.
 - (5) *Fees in-Lieu of Land or Guarantee of Future Land Dedication.* When, after recommendation of the School District, dedication of all or portions of required school lands is not deemed feasible or in the public interest, in that event the City Council shall require the payment of fees in-lieu thereof.
 - (6) Monies collected in lieu of school land dedication shall be collected at time of issuance of building permit (or Certificate of Occupancy for those buildings commenced prior to final plat approval) and disbursed to the School District on a quarterly basis. No security as set forth in Section 11-5-12 shall be required.
 - (7) The following shall be exempted from school land dedication requirements or payment in-lieu-of fees:
 - (a) Skilled nursing facilities as defined in the Section 11-15-2 of this Title;
 - (b) City-approved subdivisions that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.
- (K) *Waiver of Requirements.*
- (1) The City Council may waive the required dedication of land or the payment in lieu of dedication of open space, parks, trails and/or school lands in the following cases:
 - (a) When the project has already been fully developed and the subdivision of land is necessary to bring the land into conformance with the as-built or as-constructed development;
 - (b) When the development does not result in any increase in demand for parks, trails, or open space; or
 - (c) With respect to school land dedication, the School District approves a waiver request under Section 11-5-9(J).
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-10. Required public improvements.

- (A) All subdivisions shall be provided, at the expense of the subdivider, and subject to applicable zoning criteria, with the following public improvements as required to serve the subdivision and to mitigate its impacts.
- (1) Street improvements:
 - (a) Paved streets;
 - (b) Paved alleys, if required by the City;
 - (c) Street signs;
 - (d) Street lights; and
 - (e) On- and off-site traffic mitigation improvements as identified in the subdivision's Traffic Impact Study as necessary to safely support the development.
 - (2) Curbs, gutters, sidewalks and accessibility ramps.
 - (3) Parks, open space and recreation trails.
 - (4) Public utilities:
 - (a) A water system including fire hydrants and fire mains;
 - (b) A sanitary sewer system;
 - (c) A stormwater system; and
 - (d) Other public utilities, including gas, electricity, and a minimum of three conduits for telecommunications.
 - (5) Drainage facilities and waterways.
 - (6) Survey monuments.
 - (7) As applicable, off-street parking, mailbox location areas and bus stops with accessibility ramps.
- (B) Other improvements required as a condition of approval and found to be roughly proportional to the impacts being mitigated. All public improvements shall be subject to applicable City minimum design standards, regulations and specifications.
- (C) Public improvements shall be secured by warranty and security instruments as required by Section 11-5-12.

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

Sec. 11-5-11. Private improvements.

- (A) The subdivider may provide, or may be required to provide as a condition of certain private improvements, as specifically referenced below, to serve the subdivision and to mitigate its impacts, and in accordance with duly adopted City standards, if applicable, to include:
- (1) Recreational facilities, parks, open space and trails;
 - (2) Drainage facilities and waterways;
 - (3) Mailbox location areas;

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- (4) Berms, screening and buffers; and
 - (5) Other private improvements required as a condition of approval.
- (B) Such improvements shall be privately-owned and/or -maintained, and the plat shall contain appropriate restrictions and/or covenants, in form approved by the City Attorney, governing use, ownership and maintenance in perpetuity enforceable by the City, providing for recovery of the City's costs by liens or assessment against the property in the subdivision. Such improvements shall be completed prior to issuance of building permits pursuant to Section 11-5-8.
- (Ord. No. 2677, § 1(exh. A), 12-17-2024)

Sec. 11-5-12. Security, warranty and acceptance of improvements.

- (A) If the subdivider wishes to have the final plat approved prior to the installation, inspection and approval of all required improvements, the subdivider must provide security incorporated into a subdivision improvement agreement to guarantee the completion of all required improvements within one year, and all landscaping improvements within two calendar years after approval of the final plat in accordance with this Section.
- (1) Said security shall be in the form of:
 - (a) A subdivision improvements agreement, in a form approved by the City Attorney, in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots; or
 - (b) A cash escrow deposited with the City or a clear irrevocable letter of credit in an amount to be verified by the City Engineer equal to 150 percent of the pro rata cost to complete the improvements necessary to serve said lots.
 - (2) Funds in any escrow account shall be returned to the subdivider upon the issuance of either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances.
 - (3) Security shall not be required for money in lieu of payments relative to park land and school land dedications provided in Section 11-5-9(D) and (J), as such money payments shall be collected upon issuance of building permits relative to subdivided lots or units.
 - (4) Even though a final plat will have been recorded, when a subdivider chooses to secure required improvements with a subdivision improvement agreement, as a part of that agreement, the subdivider shall agree not to sell, transfer, offer for sale or otherwise convey any portion of the property, including lot, unit or outlot, prior to the issuance of a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion, depending on the circumstances. A sale or other transfer of the entire subdivision is permitted once the purchaser has provided the necessary security.
- (B) The subdivider shall complete all required improvements within one year, and all landscaping improvements within two calendar years of the approval of the final plat by the City Council. In the event that all necessary on- and off-site improvements are not completed, inspected and approved within two calendar years of the date of the approval of the final plat by the City Council, no further building permits, occupancy permits, water taps or sewer taps shall be allowed by the City in such subdivision until such improvements are

completed. It shall then be unlawful to sell any further lots in the subdivision until all necessary on- and off-site improvements are completed.

- (C) The City Council may authorize extensions of time to complete all improvements beyond the one and two-year limitations as set forth herein.
- (D) Following the completion of required improvements and submission of the as-built plans, the City Engineer shall conduct an inspection and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion as provided herein.
 - (1) A Letter of Substantial Completion may be issued when only landscaping and irrigation facilities are incomplete and secured as provided in Subsection 11-5-12(A) of this Section.
 - (a) In the case of subdivisions that have been issued a Letter of Substantial Completion, upon completion of the outstanding improvements and submission of the as-built plans therefor; the City Engineer shall conduct an inspection and shall issue a Preliminary Letter of Infrastructure Completion, if all required improvements are in accordance with the requirements of these and other applicable codes and regulations and good engineering and construction standards.
 - (2) The subdivider shall warrant the public improvements against defects or failures in workmanship or materials for a period of two calendar years from the date of the Preliminary Letter of Infrastructure Completion. During this two-calendar-year construction warranty period, the City will, as applicable, assume the responsibility for snow removal within public rights-of-way in regard thereto, but the subdivider shall remain responsible for all other maintenance and to correct all defects or failures that appear in any such public improvements during the construction warranty period.
 - (a) The City shall determine what constitutes a defect or failure in its sole discretion, provided that such are not the result of public abuse, misuse or normal wear from use. The City Engineer shall notify the subdivider in writing of such defect or failure, setting forth a list of specific deficiencies. If within 30 days after the City has notified the subdivider of a defect or failure, the subdivider has not started or completed the required repairs, provided construction drawings and a proposed repair schedule for City review and approval, or submitted a written objection to the to the City's request for repair work, the City is hereby authorized to make the repairs or replacements or to order the work be done by a third party. The City may authorize a temporary repair if necessary due to weather conditions or materials availability. The subdivider shall pay the cost of any repair work. Any appeal of the City Engineer's repair or replacement requirements shall follow the appeal process pursuant to Chapter 4-1-6 of the City Code.
 - (b) At the end of the warranty period, the subdivider shall request, in writing, that the City Engineer perform a final inspection of the improvements to facilitate the completion of the construction warranty.
 - (i) The City Engineer shall conduct an inspection of all public improvements, and upon final approval, as evidenced by the City's issuance of a Letter of Infrastructure Completion and Acceptance, the City shall accept the improvements, and the security held by the City shall be returned to the subdivider.

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- (ii) All public improvements, including all physical facilities constructed by the subdivider necessary for the extension, maintenance and repair of municipal utility services and other public facilities constructed by the subdivider in public rights-of-way, easements, streets or alleys shall become the property of the City immediately upon the issuance of the Letter of Infrastructure Completion and Acceptance by the City Engineer.
 - (iii) Following such conveyance, the City shall be solely responsible for the maintenance of such public improvements, unless otherwise provided for by agreement, except for any correction work required during the warranty period.
 - (c) Any repairs or replacements noted in the final inspection shall be completed prior to the issuance of the Letter of Infrastructure Completion and Acceptance.
 - (i) Upon notification, the subdivider shall promptly make all repairs or replacements in accordance with a repair plan prepared by the subdivider and approved by the City, which repair or replacement, in the opinion of the City, arose out of defects or failures and became necessary during the construction warranty period.
 - (ii) The subdivider shall warrant each repaired and/or replaced improvement or any portion or phase thereof for one calendar year following acceptance of such repair and/or replacement.
 - (iii) Inspection of any improvements does not constitute a waiver by the City of any rights or remedies that it may have on account of any defect in or failure of the improvements that are detected. The construction warranty shall continue until the Letter of Infrastructure Completion and Acceptance is provided in writing to the subdivider.
 - (3) The subdivider may, at the subdivider's option, provide the City financial security for the two-calendar year construction warranty in one or a combination of the following forms only:
 - (a) A cash escrow in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (b) A letter or letters of credit on forms acceptable to the City, in the amount of 15 percent of the total construction cost of all public improvements required by the final plat.
 - (c) It is the responsibility of the subdivider to maintain the necessary amount of security at all times until all public improvements are completed and accepted by the City.
 - (d) The City shall not be obligated to administer burdensome security arrangements.
 - (e) The City shall require a construction warranty backed by financial security prior to issuance of a Preliminary Letter of Infrastructure Completion.
 - (f) The security shall be available for the City to use to correct any defects or failures in accordance with City specifications during or after the construction warranty period in the event the subdivider is unable or unwilling to perform any repair or replacement of the improvements in a timely fashion. The use of the proceeds from the security is a remedy that is cumulative in nature and is in addition to any other remedies that the City has at law or in equity.

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

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

- (h) A straight section of 100 feet shall be provided between reverse curves on all streets.
- (i) All lots in the subdivision shall have direct access to a dedicated street, subject to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access for up to no more than four dwelling units each, subject to City Manager approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Reciprocal access easements may be approved to accommodate subdivisions with multiple commercial units sharing a contiguous parking area in commercial zoning districts.
- (j) Any two local streets which intersect a common third local or collector street shall have centerlines no closer than 175 feet from one another. Any two local streets which intersect a common third minor arterial or major arterial street, shall have centerlines no closer than 350 feet from one another.
 - (i) The City may limit access to major arterial or minor arterial streets to facilitate traffic flows, or to promote public safety.
- (k) The maximum block length, as measured from the centerline of the nearest intersecting streets, shall be a maximum of 700 feet.
- (l) Street names must be approved by the City and respective 911 authority.
- (m) Streets shall be developed in accordance with the City's Comprehensive Plan roadway cross sections, the City's engineering specifications, as applicable, and the table below. The minimum dedicated rights-of-way and street widths shall be as shown in Table 5.1.

Table 5.1
Minimum Dedicated Rights-Of-Way and Street Widths

Street Classification	Minimum Right-of-Way	Minimum Street Width Urban = Width (Distance Between Curb Flowlines)
Major Arterial	124 feet*	92 feet
Minor Arterial	80 feet*	Varies with traffic volume and whether parking is allowed, see engineering specifications for road widths
Collector	70 feet	46 feet
Local	50 feet	28 feet with detached 5-foot sidewalk; 36 feet with attached 6-foot sidewalk
Planned Developments	40 feet	27 feet with attached 6-foot sidewalks. Supplemental off-street parking may be required.
* ROW width shall be increased by 12 feet within 500 feet of an arterial cross street intersection to allow a double left turn lane.		

- (n) Subdivisions which include any part of an existing platted street which does not conform to the minimum right-of-way requirements of these regulations may be required to provide additional width necessary to meet the minimum right-of-way requirements of these regulations.

- (o) No street grade shall be less than one-half of one percent or exceed the maximum grade shown in Table 5.2.

Table 5.2 Maximum Street Grade

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

- (p) Alleys shall be provided at the rear of lots within the commercial zoning districts, or as otherwise approved by the City. Alleys shall be 20 feet in width and shall be paved in accordance with City specifications.

(2) *Curb, Gutter, Sidewalks and Trails.*

- (a) Curb, gutter, and sidewalks or recreation trails shall be provided along all roadways consistent with the City's Comprehensive Plan.
- (i) Six-foot detached concrete sidewalks are required on collector streets.
 - (ii) Five-foot detached or six-foot attached concrete sidewalks are required for local streets.
 - (iii) A ten-foot wide concrete recreation trail on one side and 6 foot detached concrete sidewalk are required on the other side of major and minor arterial roadways, as directed by the City.
 - (iv) Recreation trails with alternative non-hard surfaces and narrower widths may be approved in those instances where such trails are secondary to existing or proposed concrete recreation trails, and do not serve as connectors to the City's recreation trail system, as denoted within the City's Comprehensive Plan.
- (b) Sidewalks shall be located and constructed as necessary to interconnect the subdivision and lots therein with the network of City sidewalks and recreation trails.
- (c) Accessibility ramps shall be provided in accordance with the U.S. Access Board Public Right-of-Way Accessibility Guidelines (PROWAG).
- (d) The City may elect to require over-sizing of any sidewalk and participate in cost sharing thereof.
- (e) The City may require any sidewalk to be wider than those standards set forth herein, upon a finding that such greater widths are necessary to serve the subdivision, due to:
- (i) High density of the subdivision;
 - (ii) Special needs of the residents of the subdivision; or
 - (iii) Connection to existing wider sidewalks or recreation trails.

(3) *Blocks and Lots.*

-
- (a) In residentially zoned districts, blocks shall be wide enough to permit two lots between lengthwise streets.
 - (b) The building line for residential lots on collector streets shall be set back 25 feet from the front property line.
 - (c) The building line on corner lots shall be set back 25 feet from both street front property lines.
 - (d) Lots which abut a street in the front and the rear shall be avoided except where a railroad right-of-way, a major arterial or minor arterial street is located to the rear of the lot, in which case such a lot shall have a minimum depth of 125 feet.
 - (e) Every lot shall front on a designated collector or local street, subject however, to the following exceptions:
 - (i) One or more private shared access drives may be used to provide access up to no more than four dwelling units each, subject to City approval, in residential zoning districts. Shared access drives shall not be used as an extension of a cul-de-sac.
 - (ii) Private access easements may be provided, subject to City approval, in subdivisions within commercial zoning districts across parking lot areas;
 - (iii) In such instances, the shared access improvements shall be subject to City specifications and the restrictions set forth in Section 11-5-11(B).
 - (f) No residential lot shall front on a major arterial or minor arterial street. No access shall be permitted directly from a residential lot to a major arterial or minor arterial street.
 - (g) The lot depth shall not be more than three times the lot width at the front of the building line of the principal structure.
 - (h) Access drives and intersections shall comply with City access standards and the transportation plan. In addition, accesses onto County roads shall comply with applicable County regulations.
 - (i) Lots shall be at least 50 feet in width at the front of the building line of the principal structure. Lots abutting cul-de-sacs shall have at least 25 feet of linear frontage to the cul-de-sac.
 - (j) Sight triangles shall be shown on the plat as per the engineering specifications.
- (4) *Public Utilities.*
- (a) All utilities shall be installed underground unless the City Engineer determines that soil or topographic conditions make that impracticable.
 - (b) Utilities shall be installed prior to the paving of any street under which they are to be located and the individual service lines shall be connected and stubbed out prior to paving, in order to avoid the necessity of cutting into the pavement to connect any abutting lots.
 - (c) Utilities will be sized and placed as necessary to facilitate connection with future subdivisions and developments. With the exception of terminal lines and fire hydrant laterals where sufficient hydraulic capacity can be demonstrated, all water mains shall be a minimum eight inches diameter in all zoning districts. At a minimum, eight-inch diameter sewer main lines shall be provided in all zoning

districts. Individually conveyable lots shall each require a singular water and sewer lateral connection to a public main line.

- (d) The City may elect to require over-sizing of the extended utility and pay for the cost of such materials accordingly.
 - (e) City water and sewer systems shall be provided except where the City has required an alternative supplier by service area agreement with such alternative provider. In cases where alternative utilities are provided on a temporary basis, connection to City services shall be required at such time they are made available to the subject property.
 - (f) In the event that City sewer service will not be available within a reasonable time period following final plat approval, engineered individual sewage disposal systems may be authorized by the City for those subdivisions occurring within the residential rural living zoning districts with lot sizes of five acres or greater. Advance City approval shall be required in each case.
 - (g) All extension of City utilities shall require City approval and proper execution of City utility extension agreements. The extension of utilities shall be at the sole expense of the subdivider.
 - (h) Prior to any installation or construction of utility extensions, the subdivider shall first submit proposed alignment location maps and engineered drawings for City approval. The subdivider shall acquire all necessary easements for the proposed utility location from all affected properties. The easements shall be conveyed to the City and executed on applicable City forms.
 - (i) All utility extensions shall be subject to City inspection and approval.
 - (j) All utility main line extensions, once approved by the City, shall be dedicated to the City with applicable utility easements. As-built plans and data shall be provided on hard copy in accordance with these provisions and in a digital format compatible with City computer systems.
 - (k) Following the completion of any utility extension and submission of the as-built plans, the City Engineer shall conduct an inspection, and if the improvements are in accordance with the requirements of these and other applicable regulations and good engineering and construction standards, shall issue a Preliminary Letter of Infrastructure Completion.
 - (i) For a period of two calendar years thereafter, the subdivider shall be responsible for correcting all defects or failures that appear in such improvements.
 - (ii) At the completion of this two-calendar-year construction warranty period, upon written request from the subdivider, all public and necessary on- and off-site improvements shall again be inspected by the City Engineer, and upon final approval, may be accepted by the City, as evidenced by issuance of a Letter of Infrastructure Completion and Acceptance. The provisions set forth in Section 11-5-12(D) shall apply to improvements and construction covered by this Section.
- (5) *Piped Drainage Facilities and Waterways.*
- (a) Stormwater discharge improvements shall be engineered and approved in accordance with City specifications, stormwater retention on site shall be

discouraged. When feasible to do so and when requested by the City Engineer, all ditches shall be piped and subject to platted easements to be dedicated either to the City or to the applicable owner of the ditch facilities. The City may elect to allow the location of piped ditch facilities within its rights-of-way at its discretion. Perpetual maintenance shall be provided pursuant to plat notes and/or City-approved covenants.

- (b) Permission shall be acquired, in writing, from all applicable owners of ditch facilities prior to improvements thereto.
 - (c) No discharges of urban stormwater into any irrigation supply facilities shall be allowed. No discharges of urban stormwater into agricultural drainage ditch facilities shall be allowed, unless approved in writing by the owning interest in said drainage facilities.
- (6) *Monuments.* Monument quantity, type, and location shall be established and set in accordance with to Section 38-51-105, Colorado Revised Statutes, as amended from time to time.
- (7) *Street Lights.*
- (a) In all subdivisions, except for residential zoned rural living and estate subdivisions, streetlights shall be provided at all intersections.
 - (b) In residential rural living zoning districts and estate subdivisions, street lights shall only be required at street intersections with major or minor arterials.
 - (c) All streetlights shall conform to City standards and specifications, and with Chapter 11-9 of this Title.
- (8) *Outdoor Lighting.* All outdoor and exterior lighting shall conform with Chapter 11-9 of this Title.
- (9) *Flood Hazard Prevention.* All subdivision proposals shall conform to the flood hazard reduction standards in Section 11-6-5(G) of this Title.
- (10) Nonfunctional turf, artificial turf, or invasive plant species. On and after January 1, 2026, no subdivision approved under this Chapter shall permit the installation, planting, or placing of any nonfunctional turf, artificial turf, or invasive plant species as a public or private improvement within the subdivision, except for residential property or as otherwise permitted by C.R.S. § 37-99-101 et seq.

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

Sec. 11-5-14. Deviations from standards.

The Planning Commission may recommend to the City Council a deviation from the standards of Section 11-5-13 during preliminary or final plat review, if one or more of the below criteria are met. The City Council may accept or deny the recommendation accordingly.

- (1) Unusual topography or a non-financial hardship exists;
- (2) Alternative standards will more effectively protect the quality of the subdivision and the public welfare and more effectively achieve the purposes of these regulations;
- (3) Alternative standards will more effectively implement provisions of the City's Comprehensive Plan; or

July 2026 City of Montrose Sales, Use & Excise Tax Collections Report

General Fund Sales and Use Tax

General Fund Retail Sales Tax

Retail sales tax collected in July 2026 at the General Fund tax rate of 3% was \$2,420,564. This amount is 4.4% higher than the revenue collected in July 2025, which totaled \$2,318,980.

2026 year-to-date collections total \$15,424,429, demonstrating an increase of 3.3% compared to the year-to-date total in July 2025, which was \$14,938,140.

General Fund Retail Sales Tax (3%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$1,888,446	\$1,884,785	\$2,361,899	\$2,049,528	\$2,320,295	\$2,498,910	\$2,420,564	\$15,424,429
2025 Revenue	\$1,922,808	\$1,790,588	\$2,253,550	\$2,049,574	\$2,165,011	\$2,437,629	\$2,318,980	\$14,938,140
Percentage Increase or Decrease	- 1.8%	5.3%	4.8%	0%	7.2%	2.5%	4.4%	3.3%

General Fund Construction Use Tax

Construction use tax collected in July 2026 at the General Fund tax rate of 3% was \$36,564. This amount is 55.1% higher than the revenue collected in July 2025, which totaled \$23,573.

2026 year-to-date collections total \$229,686, demonstrating a decrease of 40.7% compared to the year-to-date total in July 2025, which was \$387,108.

General Fund Construction Use Tax (3%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$44,260	\$16,992	\$31,727	\$36,910	\$15,629	\$47,604	\$36,564	\$229,686
2025 Revenue	\$94,018	\$30,200	\$80,558	\$93,233	\$35,801	\$29,725	\$23,573	\$387,108
Percentage Increase or Decrease	-52.9%	-43.7%	-60.6%	-60.4%	-56.3%	60.1%	55.1%	-40.7%

General Fund Use and Auto Use Tax

Use and auto use tax collected in July 2026 at the General Fund tax rate of 3% was \$144,080. This amount is 12% higher than the revenue collected in July 2025, which was \$128,695.

2026 year-to-date collections total \$944,118, demonstrating a decrease of 1.8% compared to the year-to-date total in July 2025, which was \$960,962.

General Fund Use and Auto Tax (3%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$127,131	\$86,620	\$142,871	\$141,506	\$128,012	\$173,897	\$144,080	\$944,118
2025 Revenue	\$130,665	\$98,320	\$217,072	\$140,362	\$120,712	\$125,136	\$128,695	\$960,962
Percentage Increase or Decrease	-2.7%	-11.9%	-34.2%	0.8%	6%	39%	12%	-1.8%

Total Collections, General Fund Sales and Use Tax

Total sales and use tax revenue collected in July 2026 at the General Fund tax rate of 3% was \$2,601,209. This amount is 5.3% higher than the revenue collected in July 2025, which totaled \$2,471,248.

2026 year-to-date collections total \$16,598,232, demonstrating an increase of 1.9% compared to the year-to-date total in July 2025, which was \$16,286,210.

Total Collected General Fund Sales and Use Tax (3%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$2,059,837	\$1,988,398	\$2,536,497	\$2,227,944	\$2,463,936	\$2,720,411	\$2,601,209	\$16,598,232
2025 Revenue	\$2,147,491	\$1,919,108	\$2,551,180	\$2,283,169	\$2,321,524	\$2,592,490	\$2,471,248	\$16,286,210
Percentage Increase or Decrease	-4.1%	3.6%	-0.6%	-2.4%	6.1%	4.9%	5.3%	1.9%

General Fund Sales and Use Tax Budget

The sales and use tax budget for July 2026 was \$2,509,717. Actual collections totaled \$2,601,209, resulting in a positive budget variance of 3.6%.

The cumulative year-to-date budget for 2026 totals \$16,418,410, while actual year-to-date collections total \$16,598,232, resulting in a positive budget variance of 1.1%.

General Fund Sales and Use Tax Budget

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Budget	\$2,137,687	\$2,045,834	\$2,479,842	\$2,239,640	\$2,347,897	\$2,657,794	\$2,509,717	\$16,418,410
2026 Actual Collections	\$2,059,837	\$1,988,398	\$2,536,497	\$2,227,944	\$2,463,936	\$2,720,411	\$2,601,209	\$16,598,232
Percentage of Variance	-3.6%	-2.8%	2.3%	-0.5%	4.9%	2.4%	3.3%	1.1%

Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) Collections

Sales and use tax revenues collected by businesses under the Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) agreement during July 2026 totaled \$41,078. This amount is 4.7% lower than the revenue collected in July 2025, which totaled \$43,093.

2026 year-to-date collections total \$209,114, demonstrating a decrease of 10.7% compared to the year-to-date total in July 2025, which was \$234,264.

MURA TIF Collections

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$17,635	\$20,441	\$28,647	\$26,279	\$31,617	\$43,417	\$41,078	\$209,114
2025 Revenue	\$20,877	\$23,689	\$37,444	\$27,684	\$37,260	\$44,219	\$43,093	\$234,264
Percentage Increase or Decrease	-15.5%	-13.7%	-23.5%	-5.1%	-15.1%	-1.8%	-4.7%	-10.7%

Public Safety Sales and Use Tax

Public Safety Retail Sales Tax

Retail sales tax collected in July 2026 at the Public Safety Sales Tax rate of 0.58% was \$474,400. This amount is 4.2% higher than the revenue collected in July 2025, which was \$455,323.

2026 year-to-date collections total \$3,012,158, demonstrating an increase of 2.9% compared to the year-to-date total in July 2025, which was \$2,926,306.

Public Safety Sales Tax – Retail Sales (0.58%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$366,934	\$367,195	\$460,929	\$399,574	\$452,830	\$490,296	\$474,400	\$3,012,158
2025 Revenue	\$374,894	\$350,063	\$442,162	\$400,326	\$424,415	\$479,123	\$455,323	\$2,926,306
Percentage Increase or Decrease	-2.1%	4.9%	4.2%	-0.2%	6.7%	2.3%	4.2%	2.9%

Public Safety Sales Tax, Construction Use Tax

Construction use tax collected in July 2026 at the Public Safety Sales Tax rate of 0.58% was \$7,069. This amount is 55.1% higher than the revenue collected in July 2025, which totaled \$4,558.

2026 year-to-date collections total \$44,382, demonstrating a decrease of 50.9% compared to the year-to-date total in July 2025, which was \$90,414.

Public Safety Sales Tax – Construction Use Tax (0.58%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$8,557	\$3,308	\$6,087	\$7,136	\$3,022	\$9,203	\$7,069	\$44,382
2025 Revenue	\$19,926	\$6,007	\$17,315	\$29,611	\$7,293	\$5,704	\$4,558	\$90,414
Percentage Increase or Decrease	-57.1%	-44.9%	-64.8%	-75.9%	-58.6%	61.3%	55.1%	-50.9%

Public Safety Sales Tax, Use and Auto Use Tax

Use and auto use tax collected in July 2026 at the Public Safety Sales Tax rate of 0.58% was \$27,856. This amount is 12% higher than the revenue collected in July 2025, which totaled \$24,881.

2026 year-to-date collections total \$182,529, demonstrating a decrease of 1.8% compared to the year-to-date total in July 2025, which was \$185,786.

Public Safety Sales Tax – Use and Auto Use Tax (0.58%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$24,579	\$16,747	\$27,622	\$27,358	\$24,749	\$33,620	\$27,856	\$182,529
2025 Revenue	\$25,262	\$19,009	\$41,967	\$27,137	\$23,338	\$24,193	\$24,881	\$185,786
Percentage Increase or Decrease	-2.7%	-11.9%	-34.2%	0.8%	6%	39%	12%	-1.8%

Total Collections, Public Safety Sales and Use Tax

Total sales and use tax revenue collected in July 2026 at the Public Safety Sales Tax rate of 0.58% was \$509,325. This amount is 5.1% higher than the revenue collected in July 2025, which totaled \$484,762.

2026 year-to-date collections total \$3,239,069, demonstrating an increase of 1.1% compared to the year-to-date total in July 2025, which was \$3,202,506.

Public Safety Sales Tax – Total Collections (0.58%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$400,070	\$387,250	\$494,638	\$434,068	\$480,601	\$533,119	\$509,325	\$3,239,069
2025 Revenue	\$420,082	\$375,079	\$501,444	\$457,074	\$455,046	\$509,020	\$484,762	\$3,202,506
Percentage Increase or Decrease	-4.8%	3.2%	-1.4%	-5%	5.6%	4.7%	5.1%	1.1%

Public Safety Sales and Use Tax Budget

The Public Safety Sales and Use Tax budget for July 2026 was \$497,844. Actual collections totaled \$509,325, resulting in a positive budget variance of 2.3%.

The cumulative year-to-date budget for 2026 totals \$3,249,833, while actual year-to-date collections total \$3,239,069, resulting in a negative budget variance of 0.3%.

Public Safety Sales and Use Tax Budget

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Budget	\$414,897	\$405,227	\$483,719	\$451,028	\$468,229	\$528,890	\$497,844	\$3,249,833
2026 Actual Collections	\$400,070	\$387,250	\$494,638	\$434,068	\$480,601	\$531,119	\$509,325	\$3,239,069
Percentage of Variance	-3.6%	-4.4%	2.3%	-3.8%	2.6%	0.8%	2.3%	-0.3%

Montrose Recreation District Collections

In July 2026, sales and use tax collections at the Montrose Recreation District rate of 0.3% totaled \$263,443. This amount is 5.1% higher than the revenue collected in July 2025, which totaled \$250,758.

2026 year-to-date collections total \$1,675,238, demonstrating an increase of 1.1% compared to the year-to-date total in July 2025, which was \$1,656,645.

Montrose Recreation District (0.3%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$206,933	\$200,302	\$255,816	\$224,513	\$248,581	\$275,650	\$263,443	\$1,675,238
2025 Revenue	\$217,285	\$194,007	\$259,371	\$236,568	\$235,369	\$263,287	\$250,758	\$1,656,645
Percentage Increase or Decrease	-4.8%	3.2%	-1.4%	-5.1%	5.6%	4.7%	5.1%	1.1%

Hotel, Lodging, Short-Term Rental and Restaurant Excise Taxes

Hotel Excise Tax (6%)

Hotel excise taxes collected at the rate of 6% on hotel, lodging and short-term rental retail sales in July 2026 totaled \$191,302. This amount is 15.4% higher than the revenue collected in July 2025, which was \$165,826.

2026 year-to-date collections total \$730,621, demonstrating an increase of 13.2% compared to the year-to-date total in July 2025, which was \$645,298.

Hotel Excise Tax (6%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$44,751	\$51,187	\$72,548	\$72,251	\$119,690	\$178,892	\$191,302	\$730,621
2025 Revenue	\$45,955	\$53,147	\$67,431	\$60,021	\$98,586	\$154,332	\$165,826	\$645,298
Percentage Increase or Decrease	-2.6%	-3.7%	7.6%	20.4%	21.4%	15.9%	15.4%	13.2%

Restaurant Excise Tax (0.8%)

Restaurant excise taxes collected at the rate of 0.8% on restaurant retail sales in July 2026 totaled \$68,878. This amount is 1.2% higher than the revenue collected in July 2025, which was \$68,030.

2026 year-to-date collections total \$448,465, demonstrating an increase of 8.5% compared to the year-to-date total in July 2025, which was \$413,269.

Restaurant Excise Tax (0.8%)

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$55,579	\$58,547	\$66,333	\$59,812	\$69,688	\$69,628	\$68,878	\$448,465
2025 Revenue	\$51,895	\$49,588	\$63,597	\$51,751	\$62,187	\$66,221	\$68,030	\$413,269
Percentage Increase or Decrease	7.1%	18.1%	4.3%	15.6%	12.1%	5.1%	1.2%	8.5%

Total Collections, Hotel and Restaurant Excise Tax

Total hotel and restaurant excise tax revenues collected in July 2026 at the rates of 6% and 0.8%, respectively, total \$260,180. This amount is 11.3% higher than the revenue collected in July 2025, which was \$233,856.

2026 year-to-date collections total \$1,179,086, demonstrating an increase of 11.4% compared to the year-to-date total in July 2025, which was \$1,058,567.

Total Collections, Hotel (6%) and Restaurant (0.8%) Excise Tax

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$100,330	\$109,734	\$138,881	\$132,063	\$189,378	\$248,520	\$260,180	\$1,179,086
2025 Revenue	\$97,850	\$102,735	\$131,028	\$111,772	\$160,773	\$220,553	\$233,856	\$1,058,567
Percentage Increase or Decrease	2.5%	6.8%	6%	18.2%	17.8%	12.7%	11.3%	11.4%

Hotel and Restaurant Excise Tax Budget

The Hotel and Restaurant Excise Tax Budget for July 2026 was \$97,368. Actual collections totaled \$260,180, resulting in a positive budget variance of 167.2%.

The cumulative year-to-date budget for 2026 totals \$528,571, while actual year-to-date collections total \$1,179,086, resulting in a positive budget variance of 123.1%.

Hotel (6%) and Restaurant (0.8%) Excise Tax Budget

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Budget	\$61,121	\$60,482	\$71,467	\$68,906	\$79,117	\$90,110	\$97,368	\$528,571
2026 Actual Collections	\$100,330	\$109,734	\$138,881	\$132,063	\$189,378	\$248,520	\$260,180	\$1,179,086
Percentage of Variance	64.1%	81.4%	94.3%	91.7%	139.4%	175.8%	167.2%	123.1%

Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) Hotel and Restaurant Excise Tax Collections

Hotel and restaurant excise tax revenues collected by businesses under the Montrose Urban Renewal Authority (MURA) Tax Increment Financing (TIF) agreement in July 2026 totaled \$37,717. This amount is 1.4% higher than the revenue collected in July 2025, which totaled \$37,194.

2026 year-to-date collections total \$162,818, demonstrating a decrease of 12.2% compared to the year-to-date total in July 2025, which was \$185,391.

MURA TIF Hotel and Restaurant Excise Tax

Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$11,951	\$14,956	\$21,175	\$17,316	\$24,207	\$35,496	\$37,717	\$162,818
2025 Revenue	\$16,236	\$16,652	\$23,185	\$22,846	\$29,592	\$39,685	\$37,194	\$185,391
Percentage Increase or Decrease	-26%	-10.2%	-8.7%	-24.2%	-18.2%	-10.6%	1.4%	-12.2%

Retail Enhancement Program Collections

Revenues collected by the Retail Enhancement Program in July 2026 totaled \$64,238. This amount is 3.9% higher than the revenue collected in July 2025, which totaled \$61,825.

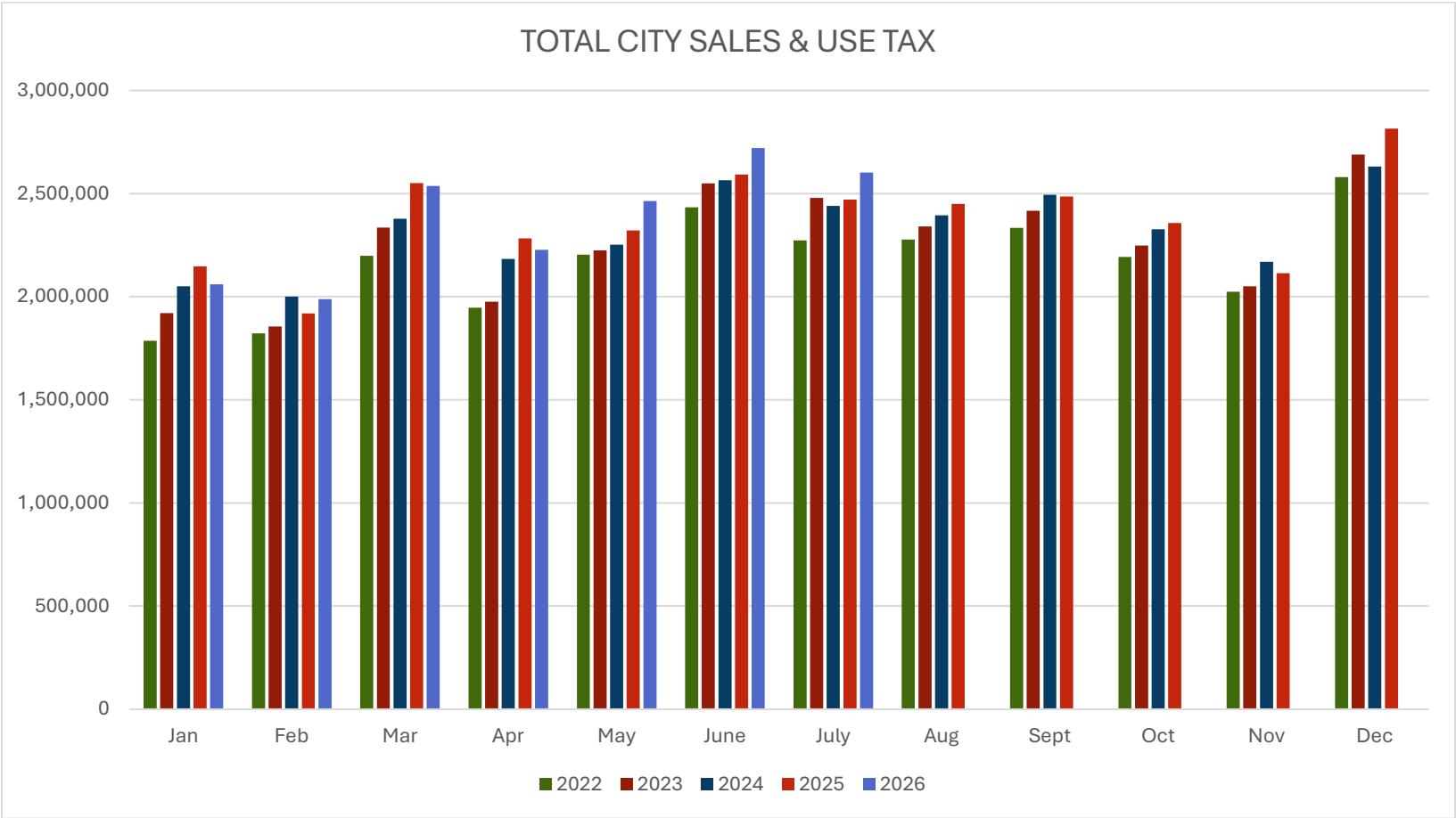
2026 year-to-date collections total \$405,338, demonstrating an increase of 2.7% compared to the year-to-date total in July 2025, which was \$394,850.

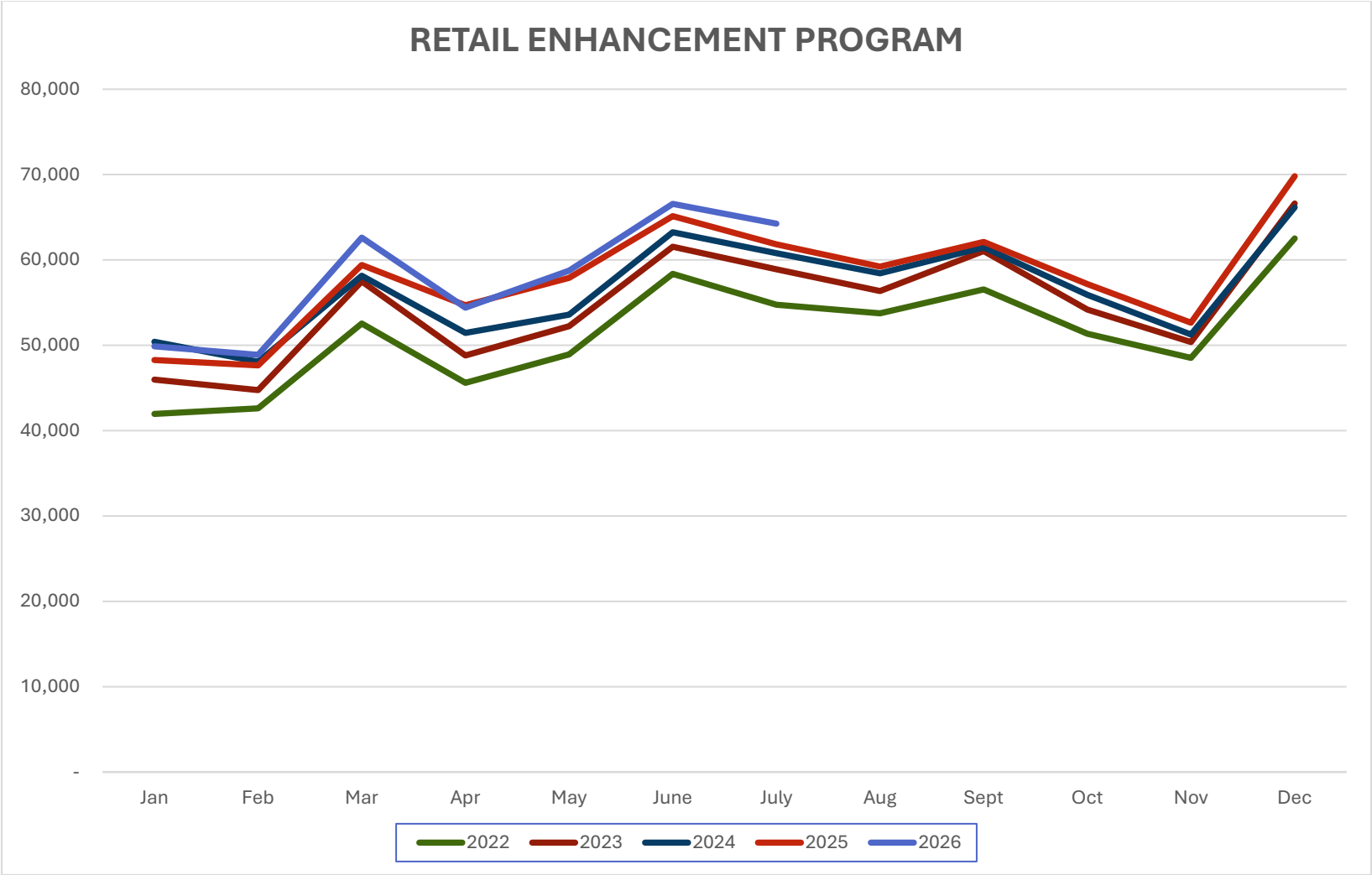
Retail Enhancement Program Collections

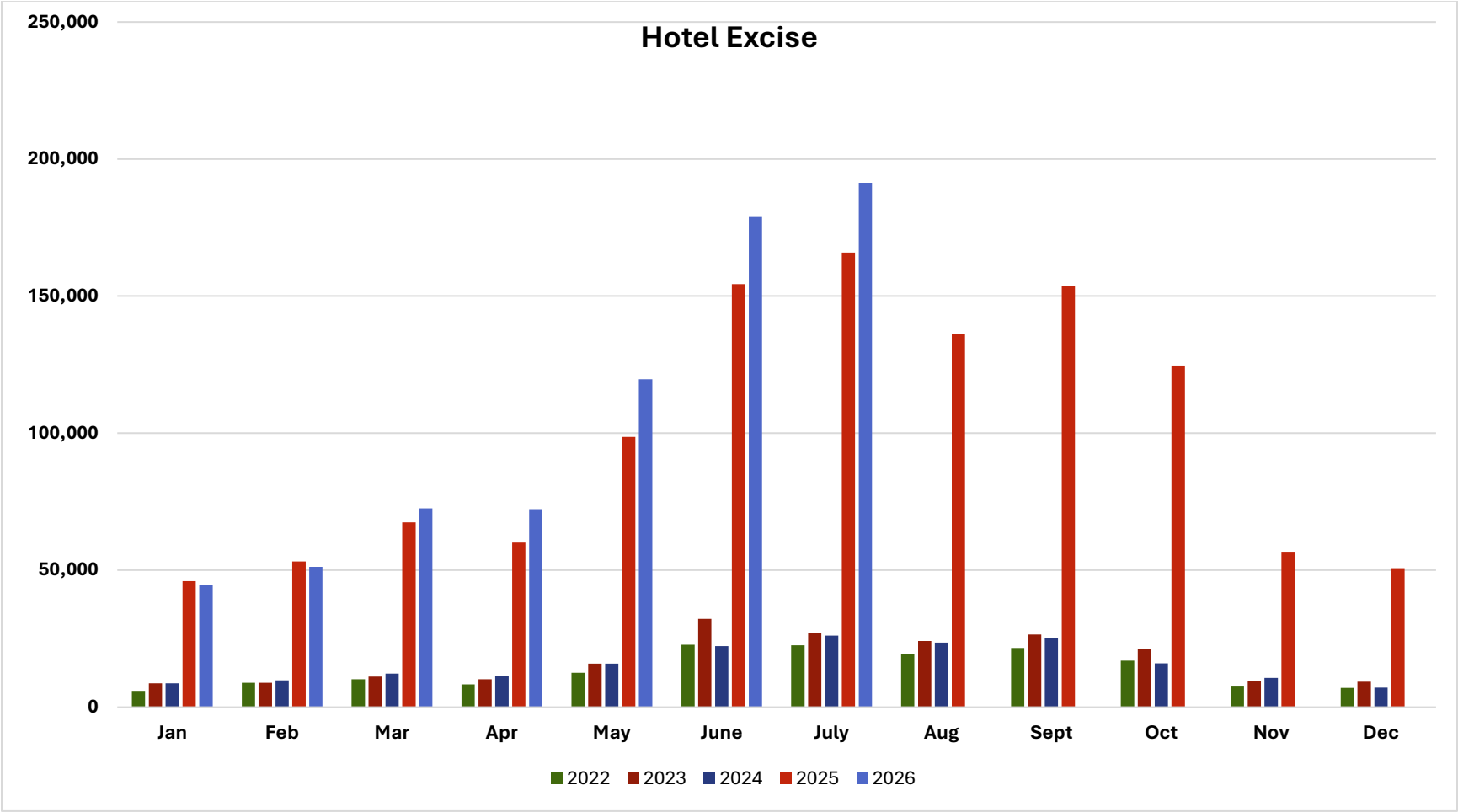
Revenue Category	January	February	March	April	May	June	July	Year-to-Date
2026 Revenue	\$49,888	\$48,878	\$62,626	\$54,414	\$58,730	\$66,564	\$64,238	\$405,338
2025 Revenue	\$48,263	\$47,643	\$59,401	\$54,671	\$57,905	\$65,142	\$61,825	\$394,850
Percentage Increase or Decrease	3.4%	2.6%	5.4%	-0.5%	1.4%	2.2%	3.9%	2.7%

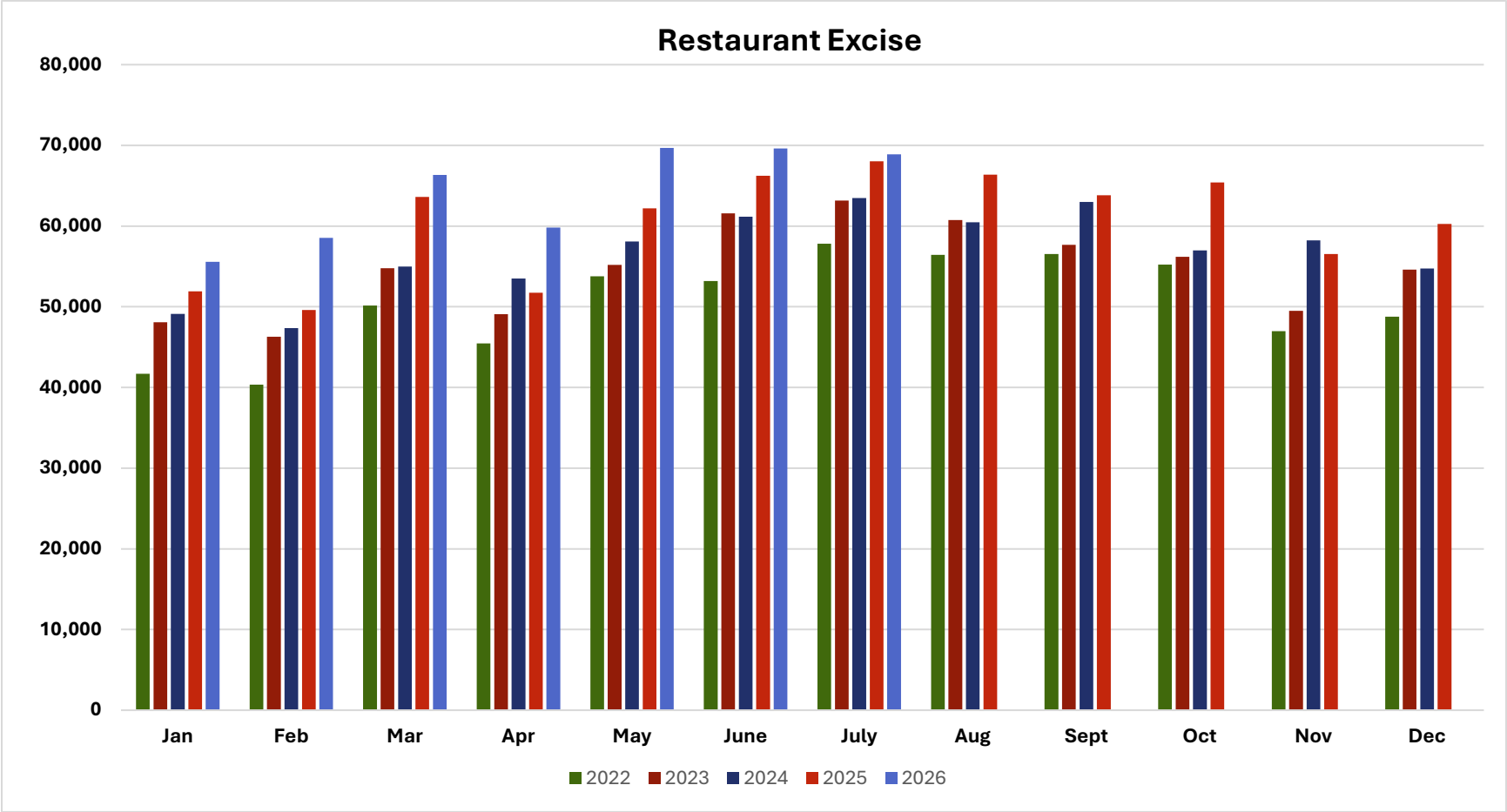
Graphs and Charts:

Total City Sales and Use Tax





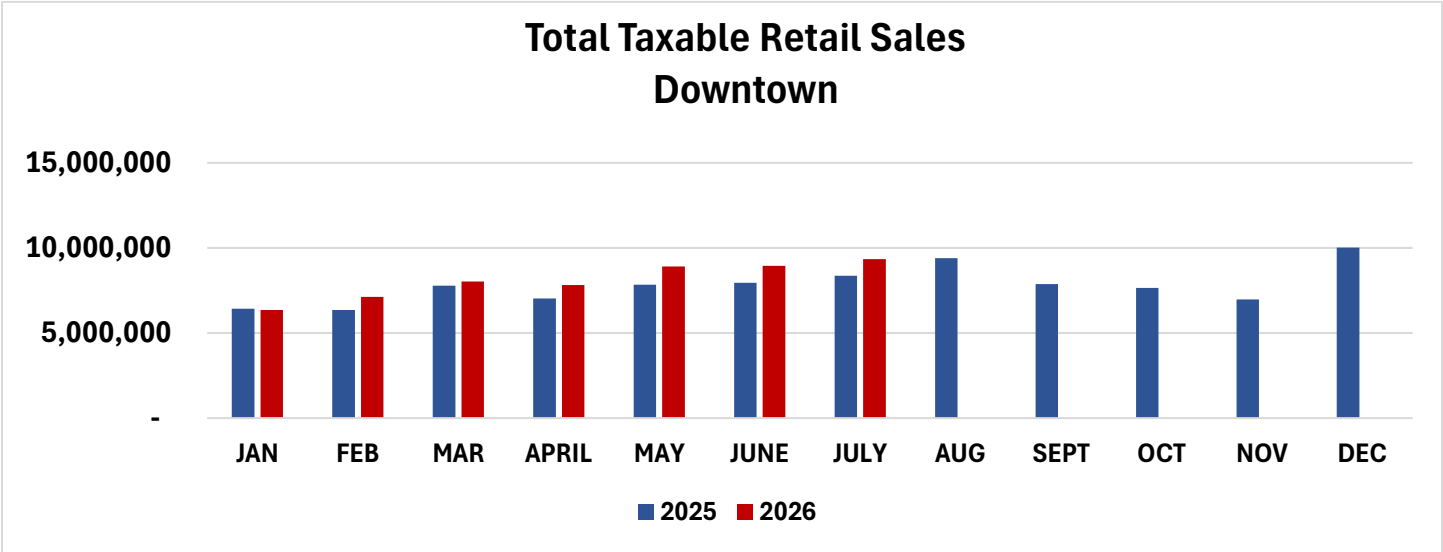




July 2026 Business Area Report

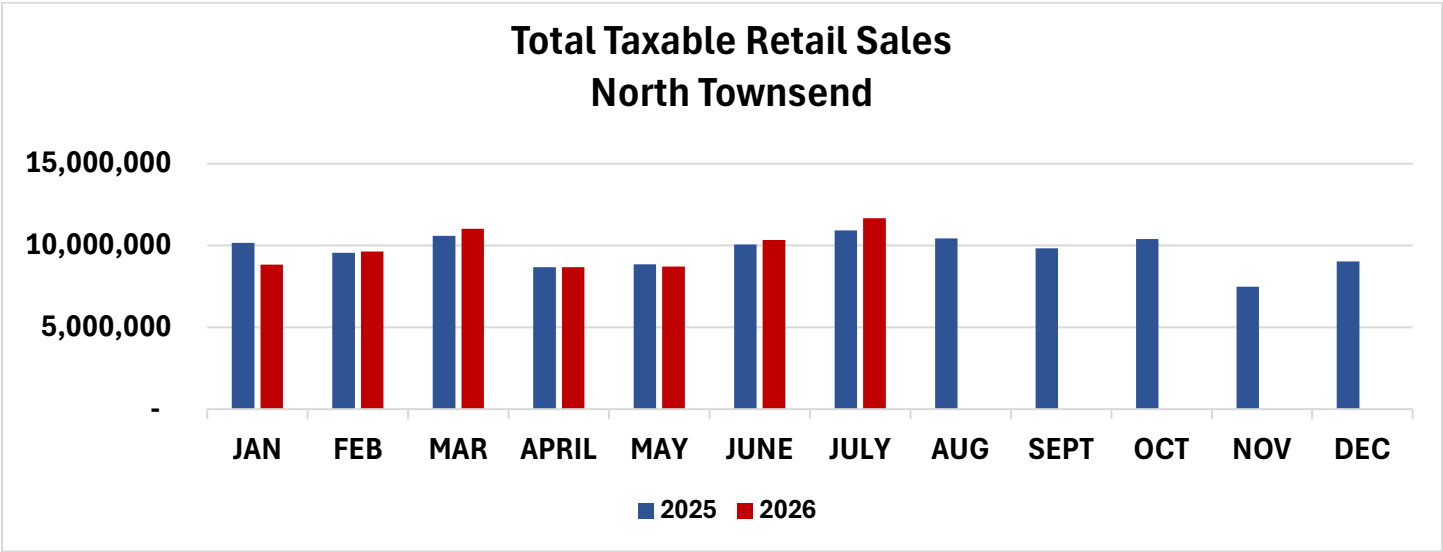
Downtown Total Taxable Retail Sales

July 2026 taxable retail sales in the Downtown business area were higher than July 2025.



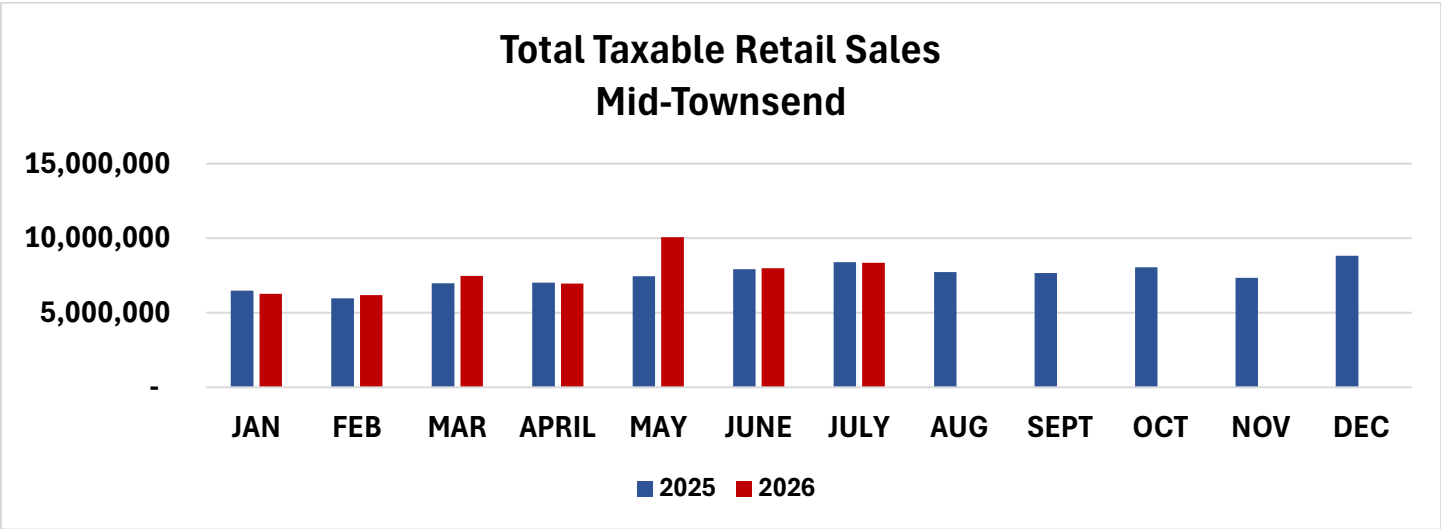
North Townsend Total Taxable Retail Sales

July 2026 taxable retail sales in the North Townsend business area were higher than July 2025.



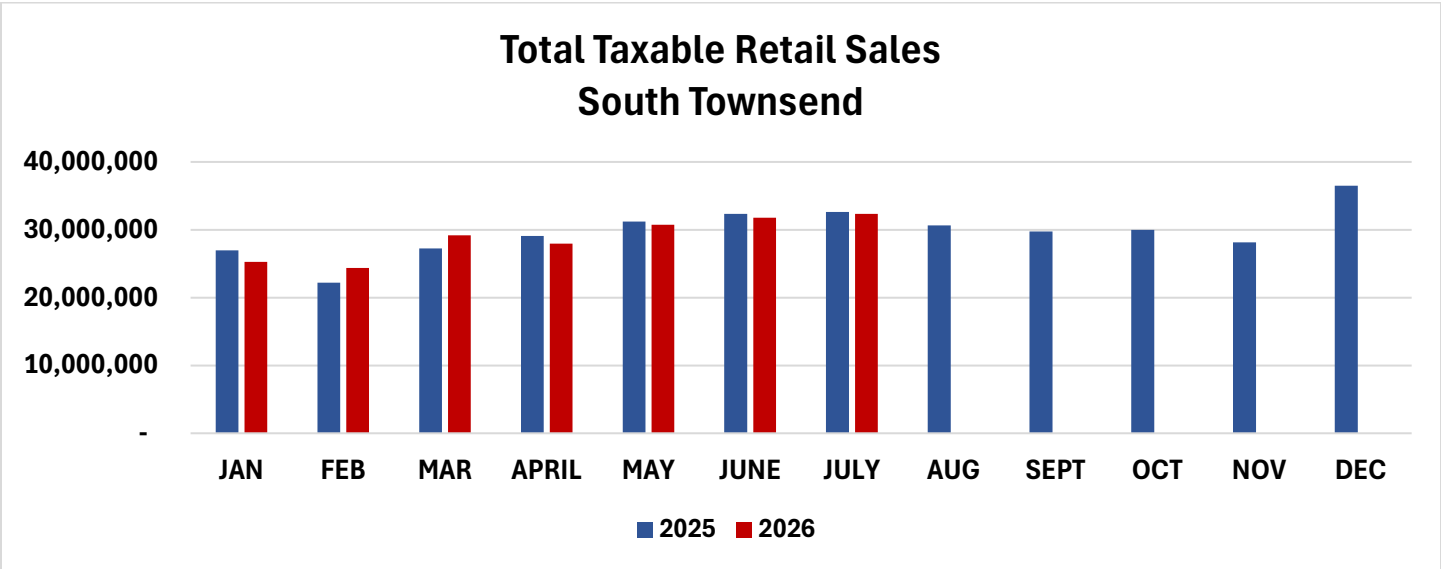
Mid-Townsend Total Taxable Retail Sales

July 2026 taxable retail sales in the Mid-Townsend business area were lower than July 2025.



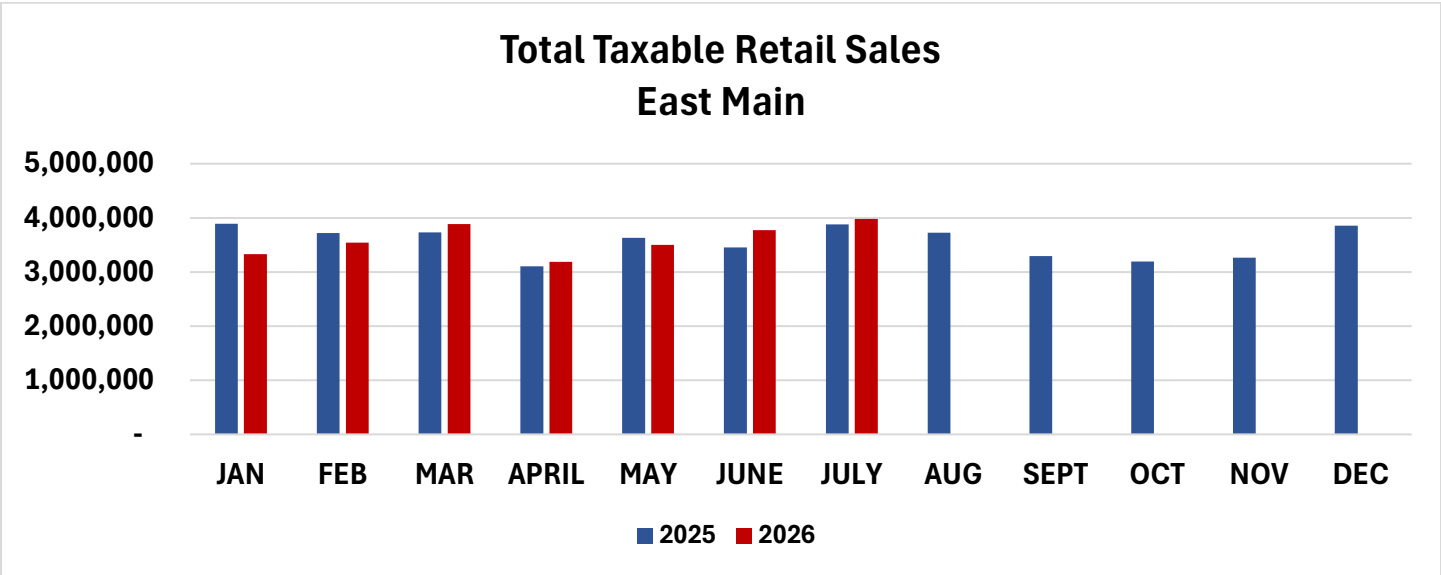
South Townsend Total Taxable Retail Sales

July 2026 taxable retail sales in the South Townsend business area were lower than July 2025.



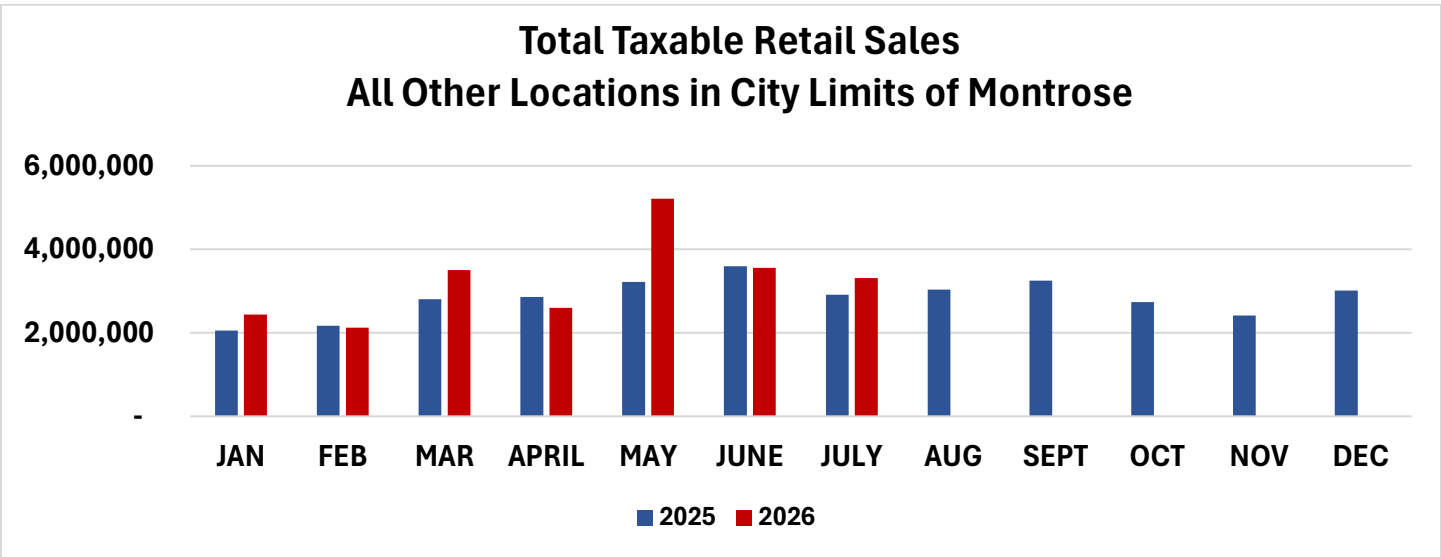
East Main Total Taxable Retail Sales

July 2026 taxable retail sales in the East Main business area were higher than July 2025.



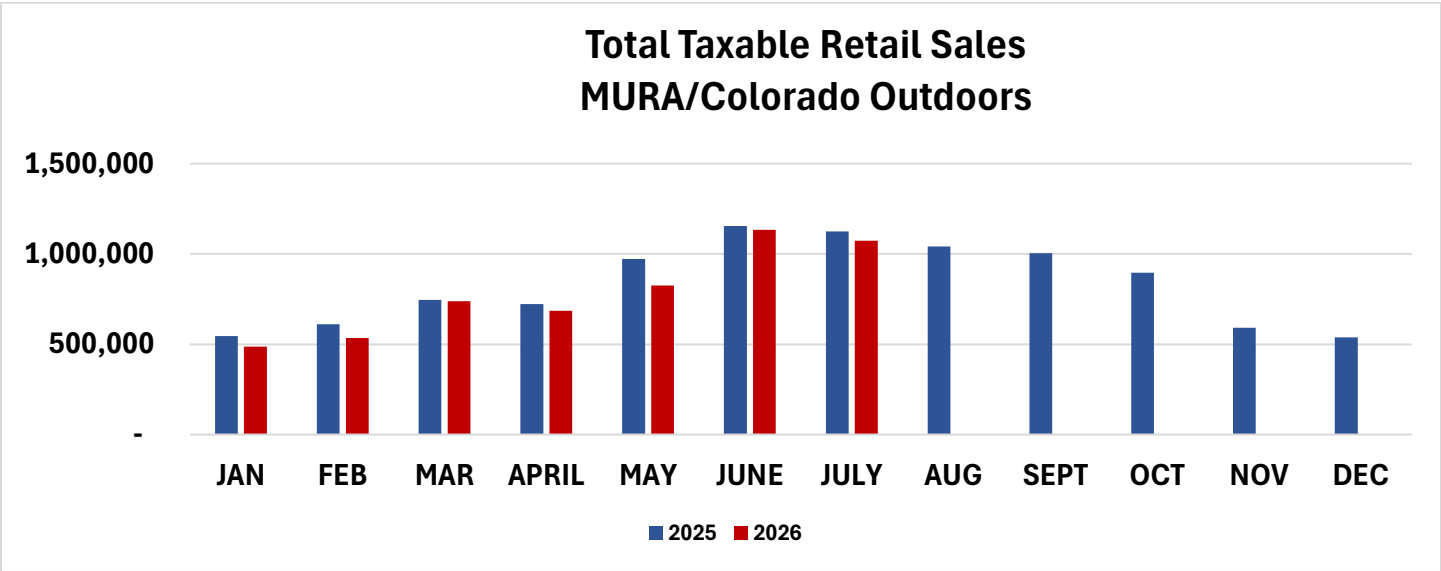
All Other Locations in City Limits of Montrose

July 2026 taxable retail sales from All Other Locations in the City Limits of Montrose were higher than July 2025.



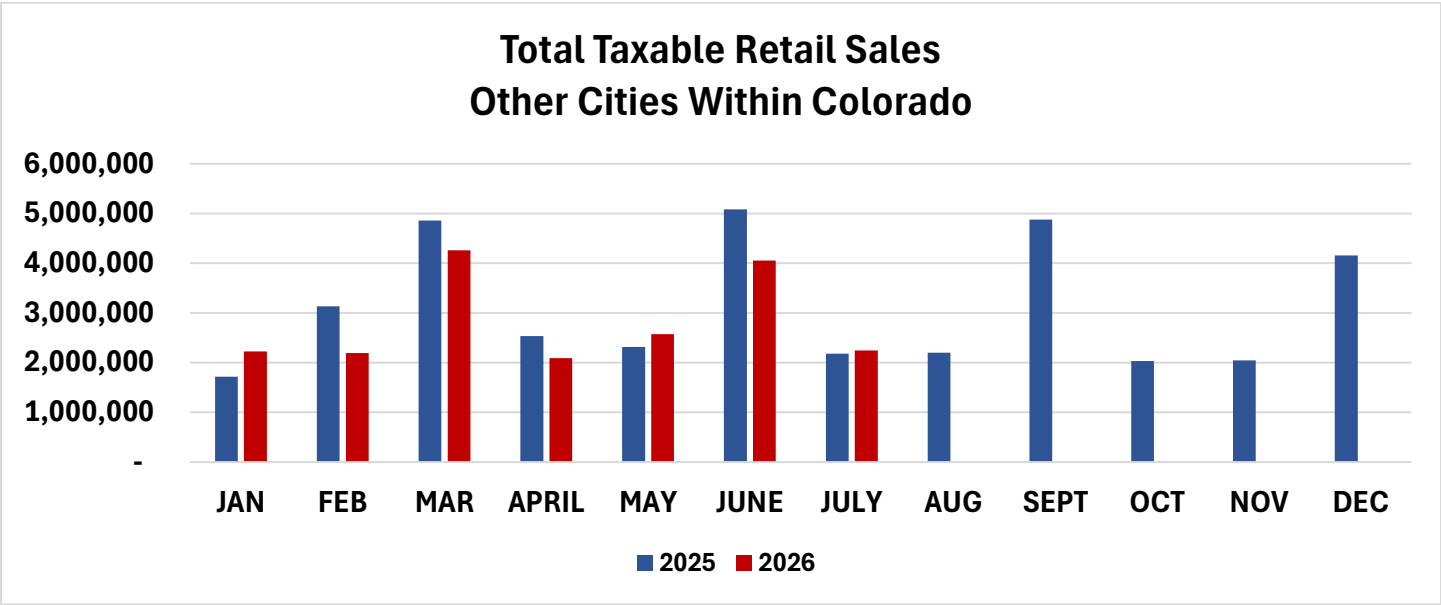
MURA/Colorado Outdoors

July 2026 taxable retail sales in the MURA/Colorado Outdoors business area were lower than July 2025.



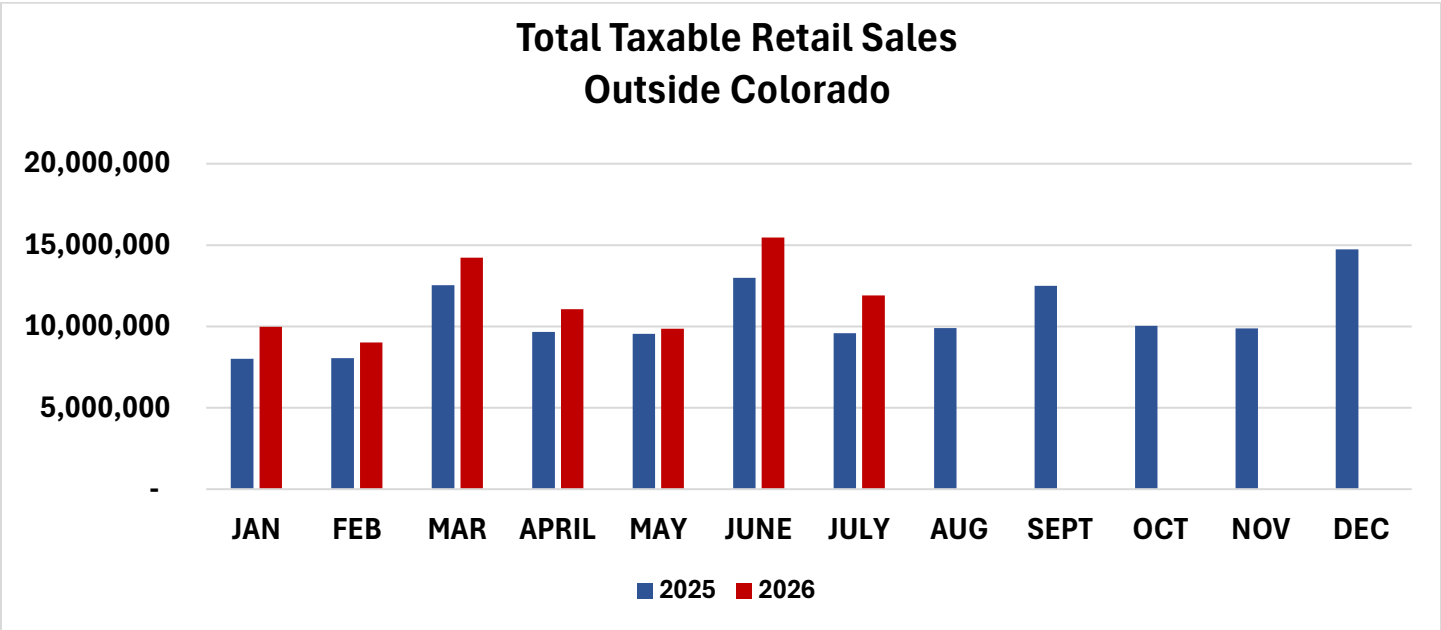
Other Cities Within Colorado

July 2026 taxable retail sales from businesses located in Other Cities Within Colorado were higher than July 2025.



Outside Colorado

July 2026 taxable retail sales from businesses Outside Colorado were higher than July 2025.



Homebase Businesses

July 2026 taxable retail sales from Homebase Businesses were lower than July 2025.

