



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, March 15, 2022 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 and via Zoom at the following link: https://us02web.zoom.us/webinar/register/WN_61Fu2-7NRKC9CUU9E-C2VQ Telephone participation is available at 1-346-248-7799, 1-669-900-9128, or 1-253-215-8782. Webinar ID: 882 5203 3001.

The meeting can be viewed via livestream at <https://www.cityofmontrose.org/759/Live-Meetings-Viewer>.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please email planningmail@ci.montrose.co.us at least three days before the meeting.

- 1) City Council meeting called to order by Mayor Doug Glaspell
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions
- 5) Water Conservation Month Proclamation **5**
- 6) 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 note that the times listed are estimates only. Actual times may vary depending upon discussion and public comment received.*



Personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial or gender-oriented slurs are prohibited, as is any “disorderly conduct” which violates state or local law and shall not be permitted.

7) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the March 1, 2022 regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo* **6-15**

Action: Consider making a motion to approve the minutes of the March 1, 2022 regular City Council meeting as presented.

8) ORDINANCE 2581 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2581 on second reading, an Ordinance of the City of Montrose, Colorado, updating Title 4 Chapter 4, Sections 2, 10, 14, 17, and 18 Zoning Regulations of the City of Montrose: amending Title 4 Chapter 4 Sections 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) regarding zoning regulations to add a definition of supportive housing, barrier(s) to employment and housing stability, on-site supportive service, skilled nursing facility, and assisted living facility and specify where supportive housing is allowed. *Staff: Community Engagement Specialist Ross Valdez* **16-30**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2581 on second reading as presented.

9) ORDINANCE 2582 - SECOND READING (5 minutes)

City Council consideration of Ordinance 2582 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Niagara Road Addition: *Staff: Planner I William Reis* **31-40**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2582 on second reading as presented.

10) ORDINANCE 2583 - SECOND READING (5 minutes)

City Council consideration of Ordinance 2583 on second reading, an Ordinance of the City of Montrose, Colorado, providing for the zoning of the Niagara Road Addition as a "B-2", Highway Commercial District. *Staff: Planner I William Reis* **41-42**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2583 on second reading as presented.

11) ORDINANCE 2584 - SECOND READING (5 minutes)

City Council consideration of Ordinance 2584 on second reading, an Ordinance of the City of Montrose, Colorado, for the annexation of the Mier Addition. *Staff: Planner I William Reis* **43-54**



Action: Accept public comment. Consider making a motion to adopt Ordinance 2584 on second reading as presented.

12) ORDINANCE 2585 - SECOND READING (10 minutes)

City Council consideration of Ordinance 2585 on second reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Mier Addition as "R-3" Medium Density District. *Staff: Planner I William Reis* **55-56**

Action: Accept public comment. Consider making a motion to adopt Ordinance 2585 on second reading as presented.

13) ORDINANCE 2586 - FIRST READING (5 minutes)

City Council consideration of Ordinance 2586 on first reading, an Ordinance of the City of Montrose, Colorado, amending Ordinance 2567 which appropriated funds for defraying the expenses and liabilities of the City of Montrose, Colorado, during the fiscal year beginning January 1, 2022. *Staff: Finance Director Shani Wittenberg* **57**

Action: Hold a hearing. Consider making a motion to pass Ordinance 2586 on first reading as presented.

14) WEST MAIN REVITALIZATION DESIGN CONTRACT (10 Minutes)

City Council consideration of a professional services contract award to KLJ Engineering in the amount of \$367,001.30 for completion of design studies, alternatives evaluations, and civil design associated with the West Main Revitalization Project. *Staff: City Engineer Scott Murphy* **58-60**

Action: Accept public comment. Consider making a motion to award a professional services contract to KLJ Engineering in the amount of \$367,001.30 for completion of design studies, alternatives evaluations, and civil design associated with the West Main Revitalization Project as presented. Contract award is contingent upon concurrence to award from the Colorado Department of Transportation.

15) MONTROSE PAVILION CARPET REPLACEMENT CONTRACT AWARD (5 minutes)

City Council consideration of the authorization and award of funds in the amount of \$114,030.64 for the replacement of the carpet within the Montrose Pavilion, including the award of a contract with Carpetrends, Inc. in the amount of \$103,664.22. *Staff: Public Works Manager Jim Scheid* **61-62**

Action: Accept public comment. Consider making a motion to authorize and award funds in the amount of \$114,030.64 for the replacement of the carpet within the Montrose Pavilion, including the award of a contract with Carpetrends, Inc. in the amount of \$103,664.22 as presented.



16) STAFF REPORTS

- A) Sales, Use, and Excise Tax Report (5 minutes)
Staff: Finance Director Shani Wittenberg **63-68**

17) YOUTH CITY COUNCIL COMMENTS

18) CITY COUNCIL COMMENTS

19) MOTION TO ADJOURN



PROCLAMATION

Water Conservation Month

April 1 - 30, 2022

- WHEREAS,** water is a vital resource for the long-term sustainability of our community and;
- WHEREAS,** it is important for the future of Colorado's water resources that all communities, individuals, and organizations strive to reduce indoor and outdoor water use; and
- WHEREAS,** every person, business, school and household can make a difference when it comes to conserving water, an essential natural resource for all living things; and
- WHEREAS,** the City of Montrose is dedicated to implementing water conservation efforts and inspiring residents to join us in becoming better environmental stewards; and
- WHEREAS,** during the month of April 2022, the City will participate in the 11th annual Wyland National Mayor's Challenge for Water Conservation, pledging to reduce our impact on regional water resources and to continue pursuing long-term water conservation strategies; and
- WHEREAS,** the City encourages residents to join us in this goal by making a series of online pledges at mywaterpledge.com to reduce their water consumption and to take specific, measurable actions throughout the year to improve the sustainable use of natural resources;

NOW, THEREFORE, we, the City Council and Youth City Council of the City of Montrose, Colorado, do hereby proclaim the month of April 2022 as

Water Conservation Month

in the City of Montrose and encourage all Montrose residents to take part in the Challenge.

IN WITNESS WHEREOF, we have hereunto set our hands and caused to be affixed the official Seal of the City of Montrose, this 15th day of March, 2022.

Douglas Glaspell, Mayor

Gunnison Clamp, Youth City Council Mayor

A regular meeting of the Montrose City Council was held on Tuesday, March 1, 2022 at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law. Public participation for this meeting was held in person and via Zoom. The meeting agenda included a Zoom link and phone numbers for public participation.

PRESENT: Doug Glaspell, Dave Frank, Barbara Bynum, J. David Reed, Anthony Russo, Grace Hotsenpiller, Bill Bell, Ann Morgenthaler, Greg Story, Lisa DelPiccolo, Chris Dowsey, Matthew Magliaro, David Bries, Scott Murphy, Jim Scheid, Blaine Hall, Amy Sharp, William Reis, Ross Valdez, Christine Aslakson, Shani Wittenberg

GUESTS: Rich Dana, Lana Kinsey, Mike Surak, Calvin Mier, Bob Thompson, Benjamin Figa, Cindy Allen

CALL TO ORDER

Mayor Doug Glaspell called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Youth City Council Representative Grace Hotsenpiller.

CHANGES TO THE AGENDA

Mayor Pro Tem Dave Frank removed Item 8, Youth City Council Applicant Interview, from the agenda.

CALL FOR PUBLIC COMMENT

No comments were received.

MOBILE HOME PARK REHABILITATION PROJECT PRESENTATION

Deputy City Manager Ann Morgenthaler provided an overview of a project to upgrade three mobile home parks within the City. In August of 2021, the City agreed to contribute \$500,000 toward the project including \$200,000 for the removal of asbestos and uninhabitable mobile homes and \$300,000 from ARPA funds for new water and sewer infrastructure.

Owner Rich Dana reported on the progress at Cottonwood, Green Acres and San Juan Mobile Home Parks. Mr. Dana stated that at Cottonwood, asbestos has been abated, 21 abandoned mobile homes were removed, a dump was removed, 80 percent of tree trimming is completed, a vacant house was remodeled and rented, a new fence was installed, the office and workshop were updated, and roads were added for enhanced emergency access.

Mr. Dana said the Green Acres and San Juan parks were combined into one facility. All asbestos has been abated, 25 mobile homes, 9 apartments and 2 cottages were removed, a dump was

removed, old steel gas lines were replaced, 25 percent of tree trimming is complete, dangerous playground equipment was removed, and problematic residents were evicted.

Mr. Dana said that the next steps in the project include the installation of new water, sewer, and fire lines, street lights, improved emergency access, new playgrounds and parks, new community entrances, improved off-street parking, and road paving.

Mr. Dana thanked staff members involved in the project, and City Councilors thanked Mr. Dana for participating in the public/private partnership to eliminate blighted properties.

APPROVAL OF MINUTES

City Council considered the minutes of the February 15, 2022 regular City Council meeting.

A motion was made by Dave Frank, seconded by Barbara Bynum, to approve the minutes of the February 15, 2022 regular City Council meeting as presented. All voted yes. Motion passed.

ORDINANCE 2563 - SECOND READING

City Council considered Ordinance 2563 on second reading, an Ordinance of the City of Montrose, Colorado, extending the temporary moratorium to prohibit the establishment of any new or relocation of existing adult gaming arcade uses within the City limits of the City of Montrose; providing that the moratorium shall be in effect for a period which shall terminate at the earliest of the City's adoption of an amendment to Title 4, Chapter 14 Adult Business Regulations, or the expiration of three hundred sixty-five (365) days from date of passage of Emergency Ordinance 2560; providing for legislative findings, intent, and purpose; providing for a revised definition of the use of adult gaming arcades for the purposes of this Ordinance; providing repealing clauses; and providing an effective date.

Assistant City Attorney Matthew Magliaro reported that Ordinance 2563 extends the existing moratorium on adult gaming arcade uses until September 21, 2022, and updates definitions. Mr. Magliaro stated that clean and redline version of the ordinance are included in the meeting packet, and he reported no changes since first reading. Mr. Magliaro said staff is requesting authority from City Council to request a formal attorney general opinion regarding the legality of the gaming machines and whether a home rule municipality can ban these establishments.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David reed, to adopt Ordinance 2563 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2577 - SECOND READING

City Council considered Ordinance 2577 on second reading, An Ordinance of the City of Montrose, Colorado, updating Title 6 Chapter 1, Miscellaneous Offenses: repealing and recodifying Title 6 Chapter 1 Section 27 (6-1-27) only regarding underage possession of tobacco/cannabis and paraphernalia, adding Title 6 Chapter 1 Section 26 (6-1-26) regarding

underage possession of tobacco and tobacco paraphernalia; repealing and replacing Title 6 Chapter 1 Section 27 (6-1-27) regarding underage possession of cannabis and cannabis paraphernalia.

Assistant City Attorney Matthew Magliaro reported that Ordinance 2577 repeals one discreet provision regarding underage possession, separates the existing ordinance into two sections, and updates definitions. Mr. Magliaro stated that redline and clean versions of the Ordinance are included in the meeting packet along with a summary memo. Mr. Magliaro reported no changes since the first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to adopt Ordinance 2577 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2581 - FIRST READING

City Council considered ordinance 2581 on first reading, an Ordinance of the City of Montrose, Colorado, updating Title 4 Chapter 4, Section 2, 10, 14, 17, and 18 Zoning Regulations of the City of Montrose: amending Title 4 Chapter 4 Sections 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) regarding zoning regulations to add a definition of supportive housing, barrier(s) to employment and housing stability, on-site supportive service, skilled nursing facility, and assisted living facility and specify where supportive housing is allowed. A hearing was held.

Community Engagement Specialist Ross Valdez provided an overview of proposed changes to the Municipal Code that would increase options for individuals and families experiencing homelessness or at risk of homelessness. The Ordinance would allow supportive housing as a conditional use in the OR, Office Residential District, B-3, General Commercial District, I-1, Light Industrial District, and I-2, General Commercial District. Mr. Valdez stated that the proposed definition of supportive housing specifies that this use is not on an emergency or nightly basis and therefore does not include homeless shelters.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Dave Frank, seconded by J. David Reed, to pass Ordinance 2581 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2578 - SECOND READING

City Council consideration of Ordinance 2578 on second reading, an Ordinance of the City of Montrose, Colorado, updating Title 4, Chapter 15, Historic Preservation Regulations of the City

of Montrose: Amending Title 4 Chapter 15 Section 2 (4-15-2) regarding the composition of the Historic Preservation Commission.

Planner I William Reis reported that Ordinance 2578 codifies the process of appointment of an alternate member to the Historic Preservation Commission. Mr. Reis reported no changes since first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to adopt Ordinance 2578 on second reading as presented. All voted yes. Motion passed.

ORDINANCE 2579 - SECOND READING

City Council considered Ordinance 2579 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning designation of the Yocum Addition from "R-2" Low Density District to "R-3A" Medium High Density District. A hearing was held.

City Councilor J. David recused himself from this agenda item stating that he represents the represent owner/applicant. Mr. Reed left the meeting at 6:33 p.m.

Senior Planner Amy Sharp reviewed the location of the 7.3 acres south of Ogden Road and east of the Community Recreation Center and said the request to change the zoning designation to R-3A is for future development of multi-family housing.

Ms. Sharp recommended approval stating that the proposal meets rezone criteria, meets the intent of the R-3A Medium High Density District, is in compliance with the Comprehensive plan, and is compatible with existing uses in the surrounding area. The Planning Commission recommended approval on January 26.

Public comment was accepted.

A motion was made by Dave Frank, seconded by Barbara Bynum, to adopt Ordinance 2579 on second reading as presented. All present voted yes. Motion passed.

Mr. Reed rejoined the meeting at 6:37 p.m.

ORDINANCE 2580 - SECOND READING

City Council considered Ordinance 2580 on second reading, an Ordinance of the City of Montrose, Colorado, designating the S.H. Nye Building, 428 E Main Street, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 4-15 of the Official Code of the City of Montrose.

Planner I William Reis reported that the S.H. Nye building is eligible for inclusion on the City's historic register due to its association with significant historical events, its association with

prominent businessman, rancher, and community leader Samuel H. Nye, and its distinctive architecture. Mr. Reis reported no changes since first reading of the Ordinance.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by J. David Reed, to adopt Ordinance 2580 on second reading as presented. All voted yes. Motion passed.

NIAGARA ROAD ADDITION ANNEXATION

A hearing was held on the annexation of the Niagara Road Addition.

Planner I William Reis reviewed the annexation schedule and the location of the .456 acres along the northern half of Niagara Road at intersection with St. Mary's Drive. Mr. Reis stated that the property is within the City's Urban Grown Boundary, meets contiguity requirements, and is located within the City of Montrose water and sewer services areas. The City is the applicant, and an annexation agreement is not required. Mr. Reis reviewed the zoning of the surrounding area and the intent of the B-2, Highway Commercial District.

Mr. Reis recommended approval of the annexation and proposed zoning designation stating that the proposal is consistent with public health, safety and welfare, City annexation policies and the Comprehensive Plan.

Resolution 2022-05: City Council considered Resolution 2022-05, Findings of Fact for the Niagara Road Addition.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Barbara Bynum, to adopt Resolution 2022-05 as presented. All present voted yes. Motion passed.

Ordinance 2582 - First Reading: City Council considered Ordinance 2582 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Niagara Road Addition. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Barbara Bynum, seconded by J. David Reed, to pass Ordinance 2582 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2583 - FIRST READING

City Council considered Ordinance 2583 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Niagara Road Addition as "B-2" Highway Commercial District. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2583 on first reading as presented. All voted yes. Motion passed.

MIER ADDITION ANNEXATION

A hearing was held on the annexation of the Mier Addition.

Senior Planner Amy Sharp reviewed the annexation schedule and the location of the 14.67 acres north of Locust Road and west of N. Hillcrest Drive. Ms. Sharp stated that an annexation agreement is required, and the annexation will allow for future housing development. Ms. Sharp said the area is urbanizing, meets contiguity requirements and is located within City's Urban Growth Boundary, Tri-County Water service area, and City sewer service area. The zoning of the surrounding area was reviewed. Ms. Sharp stated that the initial proposed zoning of R-4 was changed to R-3, Medium Density District, and was subsequently approved by the Planning Commission on February 23. Ms. Sharp stated that the developer can proceed with multi-family housing with a conditional use permit.

Ms. Sharp recommended approval of the annexation and R-3 zoning designation stating that the request is consistent with public health, safety, and welfare, City annexation policies and the Comprehensive Plan.

Resolution 2022-06: City Council considered Resolution 2022-06, Findings of Fact for the Mier Addition.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to adopt Resolution 2022-06 as presented. All voted yes. Motion passed.

Ordinance 2584 - First Reading: City Council considered Ordinance 2584 on first reading, an Ordinance of the City of Montrose, Colorado for the annexation of the Mier Addition. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by J. David Reed, seconded by Dave Frank, to pass Ordinance 2584 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2585 - FIRST READING

City Council considered Ordinance 2585 on first reading, an Ordinance of the City of Montrose, Colorado providing for the zoning of the Mier Addition as "R-3" Medium Density District. A hearing was held.

Mayor Doug Glaspell opened the hearing.

Public comment was accepted. No comments were received.

Mayor Glaspell closed the hearing.

A motion was made by Barbara Bynum, seconded by Dave Frank, to pass Ordinance 2585 on first reading as presented. All voted yes. Motion passed.

HOME OF THE BRAVE PRELIMINARY PLAT

City Council considered the Home of the Brave Preliminary Plat.

Senior Planner Amy Sharp reviewed the location of the 39.4 acres north of Highway 50 along N. Mesa Road. Ms. Sharp said the residential subdivision includes 148 residential lots and 180 dwelling units, as well as a clubhouse and park. The property is zoned R-3, Medium Density District and was annexed in 2000.

Ms. Sharp recommended approval of the Preliminary Plat with the standard condition stating that the request is in compliance with subdivision regulations and the Comprehensive Plan and meets intent of the R-3 zoning designation. The Planning Commission recommended approval on February 9.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the Home of the Brave Preliminary Plat expressly conditioned upon City staff ensuring that all policies, regulations, ordinance and municipal code provisions are met and that the applicant adequately addresses all of staff's concerns prior to execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. All voted yes. Motion passed.

RIVERBEND RV PARK TRAVEL HOME PARK PERMIT

City Council considered a revised travel home park permit for Riverbend RV Park located at 65120 Old Chipeta Trail.

Senior Planner Amy Sharp reported that Riverbend RV Park, located by Chipeta Lake, is requesting to revise the original site plan for the existing travel home park permit to add five more RV sites. Ms. Sharp stated that additional conditional use permits and variances are not required for the added sites.

Ms. Sharp recommended approval stating that the site plan for the travel home park permit meets the requirements of the Municipal Code. The Planning Commission recommended approval of the request on February 9.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Barbara Bynum, to approve the Travel Home Park Permit for Riverbend RV Park as detailed in the staff report. The request meets the Code criteria and standards based on the evidence and testimony presented at this hearing and in the staff report. All voted yes. Motion passed.

LOT A, REPLAT OF MCKINLEY SUBDIVISION, AMENDMENT NO. 1

City Council considered the Lot A, Replat of McKinley Subdivision, Amendment No. 1 plat.

City Engineer Scott Murphy reported that before the Woodgate realignment project began, the City purchased an adjacent house to minimize construction impacts and secure right of way for a future roundabout. Mr. Murphy stated that the plat amendment dedicates the right of way for that future use.

Public comment was accepted. No comments were received.

A motion was made by Barbara Bynum, seconded by Dave Frank, to approve the Lot A, Replat of McKinley Subdivision, Amendment No. 1 plat to include dedication of rights of way and easements for the future construction of a roundabout at the intersection of East Oak Grove and Woodgate Roads. All voted yes. Motion passed.

NIARAGA-HILLCREST ROUNDABOUT DESIGN CONTRACT

City Council considered a contract award to Felsburg, Holt, and Ullevig in the amount of \$183,422.50 for completion of design studies and civil design associated with the Niagara-Hillcrest Roundabout Project.

City Engineer Scott Murphy reported that a traffic study identified roundabouts as long-term traffic solutions for the major intersections on Hillcrest Drive, and the Niagara roundabout is the last to be completed. Mr. Murphy said that recent studies project that within 3 to 5 years the

intersection will experience a lower level of service due to larger volumes and queues from traffic growth in the area.

Mr. Murphy reviewed the RFP process for the design, and said that because of the specialized nature it was conducted as a qualifications-based selection. Mr. Murphy recommended awarding a contract to Felsburg, Holt, and Ullevig which designed the Miami Hillcrest roundabout with favorable results. Mr. Murphy said the design will be completed this year, with the footprint finalized by the end of the year, followed by property acquisitions, and then construction within 3 to 5 years.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Barbara Bynum, to award a contract to Felsburg, Holt, and Ullevig in the amount of \$183,422.50 for completion of design studies and civil design associated with the Niagara-Hillcrest Roundabout Project as presented. All voted yes. Motion passed.

PAVEMENT MARKING CONTRACT EXTENSION

City Council considered of the extension of a pavement marking contract with Stripe A Lot, Inc., of Montrose, Colorado, for the not-to-exceed amount of \$175,000.00.

Public Works Manager Jim Scheid requested the extension of an existing contract with Stripe A Lot, Inc. for annual striping of City streets. Mr. Scheid stated that this expenditure is included in the 2022 budget.

Public comment was accepted. No comments were received.

A motion was made by J. David Reed, seconded by Dave Frank, to approve the extension of a pavement marking contract with Stripe a Lot, Inc. for the not-to-exceed amount of \$175,000.00 as presented. All voted yes. Motion passed.

STAFF REPORTS

Acknowledgement of Senior Planner Amy Sharp: Deputy City Manager Ann Morgenthaler reported that this is the last City Council meeting for Senior Planner Amy Sharp. Ms. Sharp was acknowledged as a great leader and excellent colleague.

Project Updates: City Engineer Scott Murphy reported that the mainline portion of the Townsend Avenue water line project is complete. The road will receive a temporary patch and then will be milled and repaved as part of the upcoming CDOT project.

The Southeast Water Transmission Main project is ahead of schedule and will likely proceed through Fox Park this spring.

The utility cabinets are in place for the Woodgate Realignment Project and splicing is underway. A date has not been set for the City to resume the project.

Public Works Update: Public Works Manager Jim Scheid reported that the City is focused on pothole repair and recommended using the Better Montrose app to report pothole locations. Deputy City Manager Ann Morgenthaler reported an issue with the app on Android phones and said that pothole locations can be reported on the City website.

Mr. Scheid reported that a new traffic signal is being installed at the Main and Nevada intersection along with ADA ramps and sidewalks.

Police Department Update: Police Chief Blaine Hall reported that 18 community members have signed up for the Citizens Police Academy that begins March 2 and meets Wednesdays through May 11. A Latinx academy will be conducted in Spanish on April 12, 19 and 26, from 6:30 until 9:00 p.m. at MADA.

The summer police academy will begin in May, and recruitment is underway.

Chief Hall and Mayor Doug Glaspell met with 25 youth participating in the Trailblazers organization. Questions were asked about the airport, the Colorado Outdoors project, and street improvements.

YOUTH CITY COUNCIL COMMENTS

Youth City Council Representative Grace Hotsenpiller reported that the Youth City Council is working with counselors at Montrose High School to develop additional college planning resources for students. Ms. Hotsenpiller also reported that Columbine Middle School has started a youth council and a partnership is planned to feed students into the City's Youth City Council program.

CITY COUNCIL COMMENTS

Mayor Pro Tem Dave Frank reported that he was appointed to represent Western Colorado on the State Opioid Abatement Council.

MOTION TO ADJOURN

At 7:30 p.m., a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:

Douglas Glaspell, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE

MEMO

TO: City Council
FROM: Ross Valdez, Community Engagement Specialist
DATE: March 15, 2022
RE: Code Modification for Supportive Housing
ATTACHMENTS: Ordinance Amending MC 4-4 of Zoning Code (Redline Version & Clean Version)

City Staff have undertaken a review of the Municipal Code Title 4, Chapter 4, Sections 2, 10, 14, 17, and 18 in order to add a definition for supportive housing and define where these uses are allowed. This Code amendment increases solutions available to help individuals and families experiencing homelessness or at-risk of homelessness, and have a barrier to employment and housing stability by allowing supportive housing as a conditional use in the following zoning districts: “OR” Office-Residential District, “B-3” General Commercial District, “I-1” Light Industrial District, and “I-2” General Commercial District. The Code currently does not allow for facilities that have ongoing, onsite supportive services and housing for those experiencing homelessness or at-risk of homelessness. The proposed definition of supportive housing specifies that this use is not on an emergency or nightly basis, and therefore does not include facilities that are commonly referred to as homeless shelters. Occupancy of supportive housing is intended to be long term with stays of thirty (30) consecutive days or more.

This code modification provides additional definitions for barrier(s) to employment and housing stability, on-site supportive services, skilled nursing facility, and assisted living facility to further distinguish supportive housing as a use separate from existing uses in the City of Montrose. Nursing care facilities and assisted living residences are licensed by the State of Colorado as such and are separate from supportive housing. This Code amendment will make an important clarification in our Code, in order for supportive housing developers to understand the allowed locations for this type of use.

Recommended Definition for Supportive Housing:

Supportive housing means housing that is designed to provide ongoing and on-site supportive services to help individuals and families experiencing homelessness or at risk of homelessness, and which persons have barrier(s) to employment and housing stability. Occupancy of supportive housing shall be designed and operated for stays of 30 consecutive days or more and not on a nightly or emergency basis.

Additional Definitions Included in Code Amendment:

Barrier(s) to employment and housing stability means social, economic or health conditions, including mental illness, chemical dependency, or other disabling chronic health conditions which prevent or diminish a person's ability to obtain and remain in safe and permanent housing.

On-site supportive services include, but are not limited to, health and dental care, behavioral health care, mental health services, substance abuse services, case management, life skills training, food access, assistance with transportation, child care assistance, and dependent care, when offered in connection with supportive housing.

Skilled Nursing Facility means health care or residential facility licensed by the State of Colorado to provide continuous inpatient services.

Assisted Living Facility means a residential structure licensed by the State of Colorado to provide health-related and personal care.

Recommended Actions:

1. Update Municipal Code Title 4, Chapter 4, Sections 2, 10, 14, 17, and 18 to add a definition for supportive housing and define that this use is allowed in "OR" Office-Residential District, "B-3" General Commercial District, "I-1" Light Industrial District, and "I-2" General Commercial District as a conditional use. To further clarify this modification, update Municipal Code to add definitions for barrier(s) to employment and housing stability, on-site supportive services, skilled nursing facility, and assisted living facility.



ORDINANCE NO. 2581

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 4 CHAPTER 4, SECTION 2, 10, 14, 17, and 18 ZONING REGULATIONS OF THE CITY OF MONTROSE: AMENDING TITLE 4 CHAPTER 4 SECTIONS 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) REGARDING ZONING REGULATIONS TO ADD A DEFINITION OF SUPPORTIVE HOUSING, BARRIER(S) TO EMPLOYMENT AND HOUSING STABILITY, ON-SITE SUPPORTIVE SERVICES, SKILLED NURSING FACILITY, AND ASSISTED LIVING FACILITY AND SPECIFY WHERE SUPPORTIVE HOUSING IS ALLOWED.

WHEREAS, the City of Montrose is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, in the exercise of this authority the City Council has previously enacted Chapter 4 of Title IV of the Official Code of the City of Montrose, concerning land use and zoning (the "Zoning Regulations"); and

WHEREAS, the City Council finds that the Zoning Regulations require amendment to add definitions and associated references pertaining to supportive housing, and in to specify the zone districts in which this use is allowed; and

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

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

Section 1. Zoning Regulations Amended

The following Sections of Title 4 Chapter 4 Sections 2, 10, 14, 17, and 18 of the Official Code of the City of Montrose, Colorado are hereby amended as follows: Title 4 Chapter 4 Sections 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) are hereby amended. This version supersedes all previous versions of Montrose Municipal Code § 4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18, to read in full as follows:

Sec. 4-4-2. Definitions, is amended by the following new definitions, at their appropriate alphabetical locations:

Supportive housing means housing that is designed to provide ongoing and on-site supportive services to help individuals and families experiencing homelessness or at risk of homelessness, and which persons have barrier(s) to employment and housing stability. Occupancy of supportive housing shall be designed and operated for stays of 30 consecutive days or more and not on a nightly or emergency basis.

Barrier(s) to employment and housing stability means social, economic or health conditions, including mental illness, chemical dependency, or other disabling chronic health conditions which prevent or diminish a person's ability to obtain and remain in safe and permanent housing.

On-site supportive services include, but are not limited to, health and dental care, behavioral health care, mental health services, substance abuse services, case management, life skills training, food access, assistance with transportation, child care assistance, and dependent care, when offered in connection with supportive housing.

Skilled Nursing Facility means health care or residential facility licensed by the State of Colorado to provide continuous inpatient services.

Assisted Living Facility means a residential structure licensed by the State of Colorado to provide health-related and personal care.

Sec. 4-4-10. "OR" Office-Residential District.

- (A) *Intent.* The "OR" Office-Residential district is intended to allow for a mix of offices and residences in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.
- (B) *Uses by Right.*
- (1) 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.
 - (2) Single-family homes.
 - (3) Duplexes.
 - (4) Government buildings and facilities.
 - (5) Places of worship.
 - (6) Parks and recreation facilities owned or operated by a homeowner association.
 - (7) Public utility service facilities.
 - (8) Childcare facilities.
 - (9) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet, providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.

- (10) Hospitals.
 - (11) Parking facilities.
 - (12) Accessory uses.
 - (13) Short-term rentals.
 - (14) Family child care home.
 - (C) *Conditional Uses.*
 - (1) Multifamily residences.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Offices not allowed as a use by right.
 - (4) Schools.
 - (5) Retail sales and services establishments which cater to the general shopping public.
 - (6) Supportive housing.
 - (D) *Performance Standards.* Buildings with offices must be architecturally compatible with the residential character of the area and comply with City design standards.
- (Ord. No. 2472, § 4-4-10, 5-7-2019; Ord. No. 2561, 10-19-2021)

Sec. 4-4-14. "B-3" General Commercial District.

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
- (B) *Uses by Right.*
 - (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
 - (7) Feed storage and sales establishments.
 - (8) Veterinary clinics or hospitals for large animals.
 - (9) Automobile body shops.
 - (10) Automotive repair and service establishments.
 - (11) Construction and contractor's office and equipment storage facilities.
 - (12) Above ground storage facilities for hazardous fuels.
 - (13) Parking facilities.
 - (14) Renewable energy facilities.

(15) Short-term rentals.

(C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
- (2) Warehouses and storage facilities.
- (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (4) Supportive housing.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:

- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472, § 4-4-14, 5-7-2019; Ord. No. 2561, 10-19-2021)

Sec. 4-4-17. "I-1" Light Industrial District.

(A) *Intent.* The purpose of the "I-1" Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.

(B) *Uses by Right.*

- (1) Uses which meet the intent of Subsection (A) of this Section and the performance standards of Subsection (C) of this Section are uses by right. Typical examples of such manufacturing and non-manufacturing uses include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.
- (2) Parks and open spaces.
- (3) Government buildings and facilities, to include airport and accessory uses.
- (4) Public utility service facilities.
- (5) Warehouse and wholesale distribution centers.
- (6) Renewable energy facilities.
- (7) Single-family homes, duplexes, and multiple-family residences.

- (8) Accessory uses.
- (9) Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.
- (10) Short-term rentals.
- (11) Family child care home.
- (12) Childcare facilities.

(C) *Conditional Uses.*

- (1) Any commercial use other than the uses by right which complies with the performance standards of Subsection (C) of this Section and is consistent with the intent of Subsection (A) of this Section.
- (2) Supportive housing.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of an existing residential zone.

(Ord. No. 2472, § 4-4-17, 5-7-2019; Ord. No. 2561, 10-19-2021)

Sec. 4-4-18. "I-2" General Industrial District.

(A) *Intent.* The "I-2" General Industrial District allows most industrial and manufacturing uses, provided that they do not create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(B) *Uses by Right.*

- (1) Those uses which are uses by right in the "I-1" Light Industrial District.
- (2) Other industrial uses.
- (3) Short-term rentals.

(C) *Conditional Uses.*

- (1) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (2) Supportive housing.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of a residential or commercial district.

(Ord. No. 2472, § 4-4-18, 5-7-2019; Ord. No. 2561, 10-19-2021)

Section 2. Severability

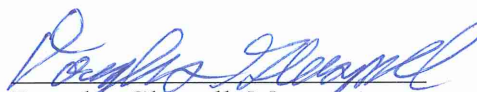
This Ordinance shall be deemed severable. Should any phrase, term, section, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unlawful, the remainder of the Ordinance shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect upon adoption at second reading and publication as required by the charter.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the 1st day of March, 2022, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 1st day of March, 2022.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 15th day of March, 2022.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, UPDATING TITLE 4 CHAPTER 4, SECTION 2, 10, 14, 17, and 18 ZONING REGULATIONS OF THE CITY OF MONTROSE: AMENDING TITLE 4 CHAPTER 4 SECTIONS 2, 10, 14, 17, and 18 (4-4-2, 4-4-10, 4-4-14, 4-4-17, and 4-4-18) REGARDING ZONING REGULATIONS TO ADD A DEFINITION OF SUPPORTIVE HOUSING, BARRIER(S) TO EMPLOYMENT AND HOUSING STABILITY, ON-SITE SUPPORTIVE SERVICES, SKILLED NURSING FACILITY, AND ASSISTED LIVING FACILITY AND SPECIFY WHERE SUPPORTIVE HOUSING IS ALLOWED.

WHEREAS, the City of Montrose is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, in the exercise of this authority the City Council has previously enacted Chapter 4 of Title IV of the Official Code of the City of Montrose, concerning land use and zoning (the “Zoning Regulations”); and

WHEREAS, the City Council finds that the Zoning Regulations require amendment to add definitions and associated references pertaining to supportive housing, and in to specify the zone districts in which this use is allowed; and

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

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

Section 1. Zoning Regulations Amended

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Sec. 4-4-2. Definitions, is amended by the following new definitions, at their appropriate alphabetical locations:

Supportive housing means housing that is designed to provide ongoing and on-site supportive services to help individuals and families experiencing homelessness or at risk of homelessness, and which persons have barrier(s) to employment and housing stability. Occupancy of supportive housing shall be designed and operated for stays of 30 consecutive days or more and not on a nightly or emergency basis.

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Skilled Nursing Facility means health care or residential facility licensed by the State of Colorado to provide continuous inpatient services.

Assisted Living Facility means a residential structure licensed by the State of Colorado to provide health-related and personal care.

Sec. 4-4-10. "OR" Office-Residential District.

(A) *Intent.* The "OR" Office-Residential district is intended to allow for a mix of offices and residences in areas adjacent to commercial zones or in areas in transition from residential to commercial uses.

(B) *Uses by Right.*

- (1) 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.
- (2) Single-family homes.
- (3) Duplexes.
- (4) Government buildings and facilities.
- (5) Places of worship.
- (6) Parks and recreation facilities owned or operated by a homeowner association.
- (7) Public utility service facilities.

- (8) Childcare facilities.
 - (9) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet, providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
 - (10) Hospitals.
 - (11) Parking facilities.
 - (12) Accessory uses.
 - (13) Short-term rentals.
 - (14) Family child care home.
- (C) *Conditional Uses.*
- (1) Multifamily residences.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Offices not allowed as a use by right.
 - (4) Schools.
 - (5) Retail sales and services establishments which cater to the general shopping public.
 - (6) Supportive housing.
- (D) *Performance Standards.* Buildings with offices must be architecturally compatible with the residential character of the area and comply with City design standards.
- (Ord. No. 2472 , § 4-4-10, 5-7-2019; Ord. No. 2561 , 10-19-2021)

Sec. 4-4-14. "B-3" General Commercial District.

- (A) *Intent.* The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.
- (B) *Uses by Right.*
- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
 - (2) Automobile and vehicle sales or service establishments.
 - (3) Farm implement sales or service establishments.
 - (4) Mobile home sales or service establishments.
 - (5) Building materials sales establishments.
 - (6) Rental businesses.
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- (8) Veterinary clinics or hospitals for large animals.
- (9) Automobile body shops.
- (10) Automotive repair and service establishments.
- (11) Construction and contractor's office and equipment storage facilities.
- (12) Above ground storage facilities for hazardous fuels.
- (13) Parking facilities.
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(C) *Conditional Uses.*

- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
- (2) Warehouses and storage facilities.
- (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(4) Supportive housing.

(D) *Not Included in this District.* The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:

- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.

(E) *Performance Standards.*

- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019; Ord. No. 2561 , 10-19-2021)

Sec. 4-4-17. "I-1" Light Industrial District.

- (A) *Intent.* The purpose of the "I-1" Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.

(B) *Uses by Right.*

- (1) Uses which meet the intent of Subsection (A) of this Section and the performance standards of Subsection (C) of this Section are uses by right. Typical examples of such manufacturing and non-manufacturing uses include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.
- (2) Parks and open spaces.
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- (4) Public utility service facilities.
- (5) Warehouse and wholesale distribution centers.
- (6) Renewable energy facilities.
- (7) Single-family homes, duplexes, and multiple-family residences.
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- (9) Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.
- (10) Short-term rentals.
- (11) Family child care home.
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(C) *Conditional Uses.*

- (1) Any commercial use other than the uses by right which complies with the performance standards of Subsection (C) of this Section and is consistent with the intent of Subsection (A) of this Section.

(2) Supportive housing.

(D) *Performance Standards.*

- (1) No structure shall be constructed within 100 feet of an existing residential zone.

(Ord. No. 2472 , § 4-4-17, 5-7-2019; Ord. No. 2561 , 10-19-2021)

Sec. 4-4-18. "I-2" General Industrial District.

- (A) *Intent.* The "I-2" General Industrial District allows most industrial and manufacturing uses, provided that they do not create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(B) *Uses by Right.*

- (1) Those uses which are uses by right in the "I-1" Light Industrial District.

(2) Other industrial uses.

(3) Short-term rentals.

(C) *Conditional Uses.*

(1) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.

(2) Supportive housing.

(D) *Performance Standards.*

(1) No structure shall be constructed within 100 feet of a residential or commercial district.

(Ord. No. 2472 , § 4-4-18, 5-7-2019; Ord. No. 2561 , 10-19-2021)

Section 2. Severability

This Ordinance shall be deemed severable. Should any phrase, term, section, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unlawful, the remainder of the Ordinance shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect upon adoption at second reading and publication as required by the charter.

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its passage on first reading on Tuesday, the ___ day of _____, 2022, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this _____ day of _____, 2022.

_____, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ and ADOPTED on second reading this _____ day of _____, 2022.

_____, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner I
DATE: March 15, 2022
RE: ANX21-0139 – Niagara Road Addition
ATTACHMENTS:

- Exhibit A: Maps

Public notice requirements have been fulfilled in accordance with Section 4-4-31(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 100 feet, and an ad appeared in the Montrose Daily Press.

City Council Consideration:

City Council is considering this annexation application and the associated zoning, which is done by considering approval of an annexation ordinance and a zoning ordinance at a first and second reading. Council will consider all of the information in this memo in making a decision.

Proposed Schedule:

January 18:	Council Work Session Overview
February 9:	Planning Commission zoning hearing
March 1:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
March 15:	2nd reading of annexation and zoning ordinances

Application Background:

The Niagara Road Addition is a proposed annexation approximately 0.456 acres in size. The property is located on the northern half of Niagara Road, approximately centered at the intersection with St. Mary's Dr. It is within the City's Urban Growth Boundary, the City of Montrose Water Service Area, and the City of Montrose Sewer Service Area. Annexation of this property will clean-up an orphaned parcel of City Right of Way.

Proposed Zoning: "B-2" Highway Commercial District

Applicant: City of Montrose

Staff Analysis:

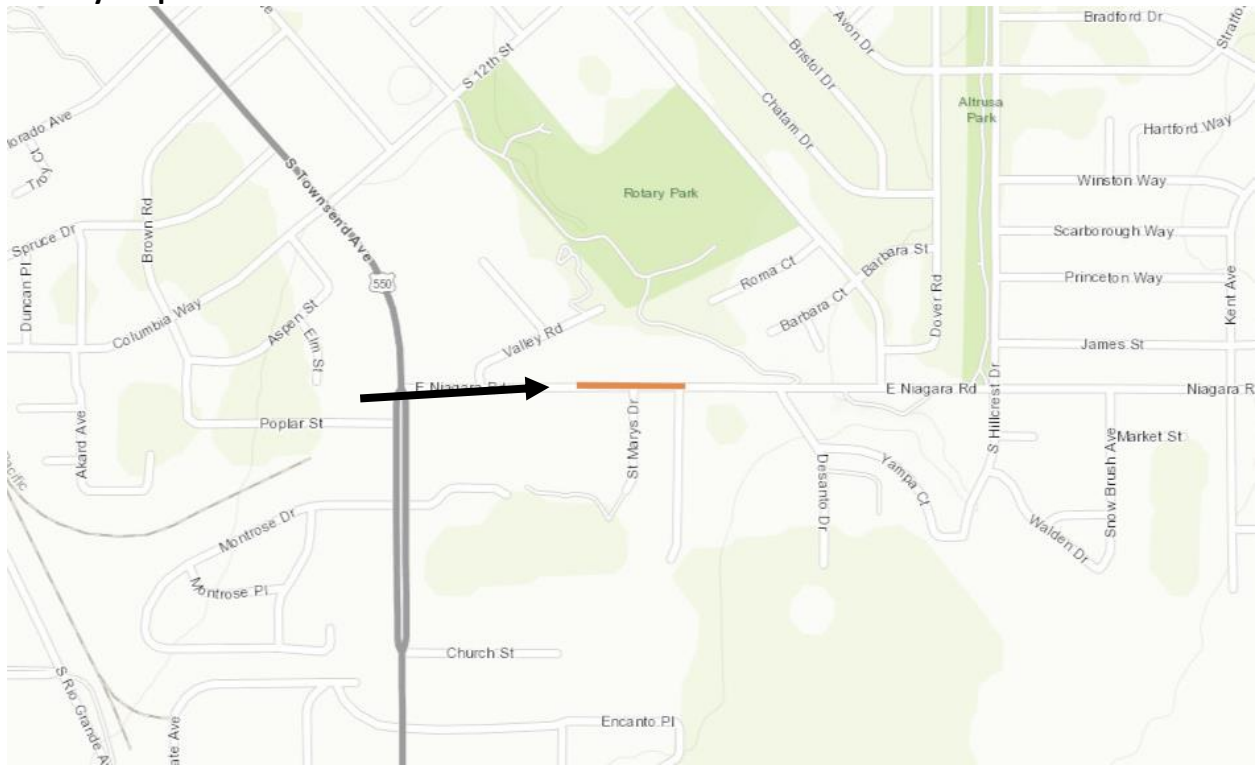
1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. The Petition for Annexation and annexation agreement are not required for this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 4-4-29(B), Zoning of Additions. "The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added)."
 - b. Municipal Code, Section 4-4-11.1 (A) Intent: The "B-2" Highway Commercial District is intended to provide for business oriented toward serving the motoring public. This district provides for the convenient exchange of goods and services along the major thoroughfares of the City.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "B-2" Highway Commercial District on all sides.
4. The Comprehensive Plan Future Land Use Map designates the area of the Niagara Road Addition as Residential Mixed Density Low. This district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes). This low-density residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City.
5. The property is located within Growth Area 1, which represents the most cost-efficient areas for the City to grow, and comprises of platted but unbuilt lots, annexed but unplatted land, and un-annexed small enclaves, according to the Comprehensive Plan.
6. The "B-2" zoning district does not appear to be adverse to the public health, safety and welfare.

Staff Recommendation:

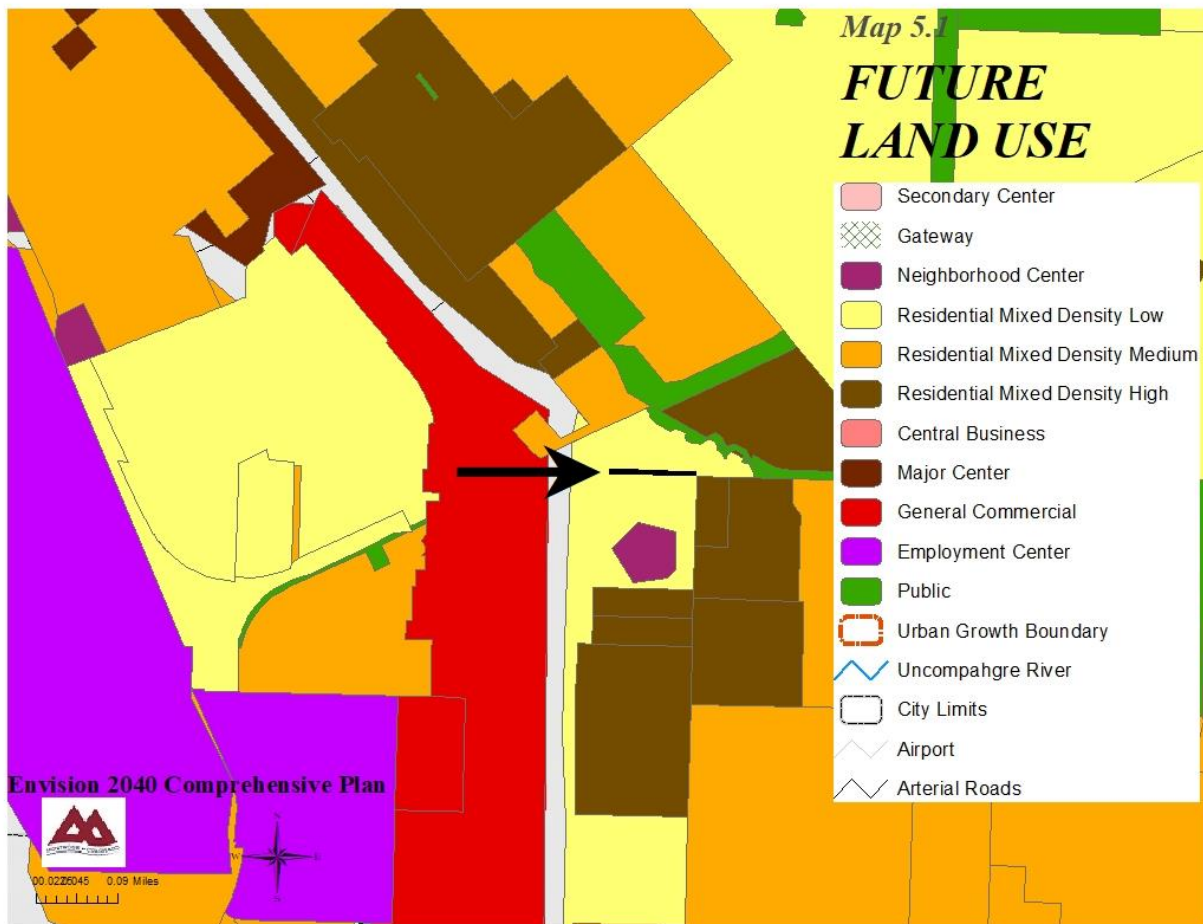
Staff recommends approval of the annexation and "B-2" Highway Commercial District.

Exhibit A: Maps

Vicinity Map

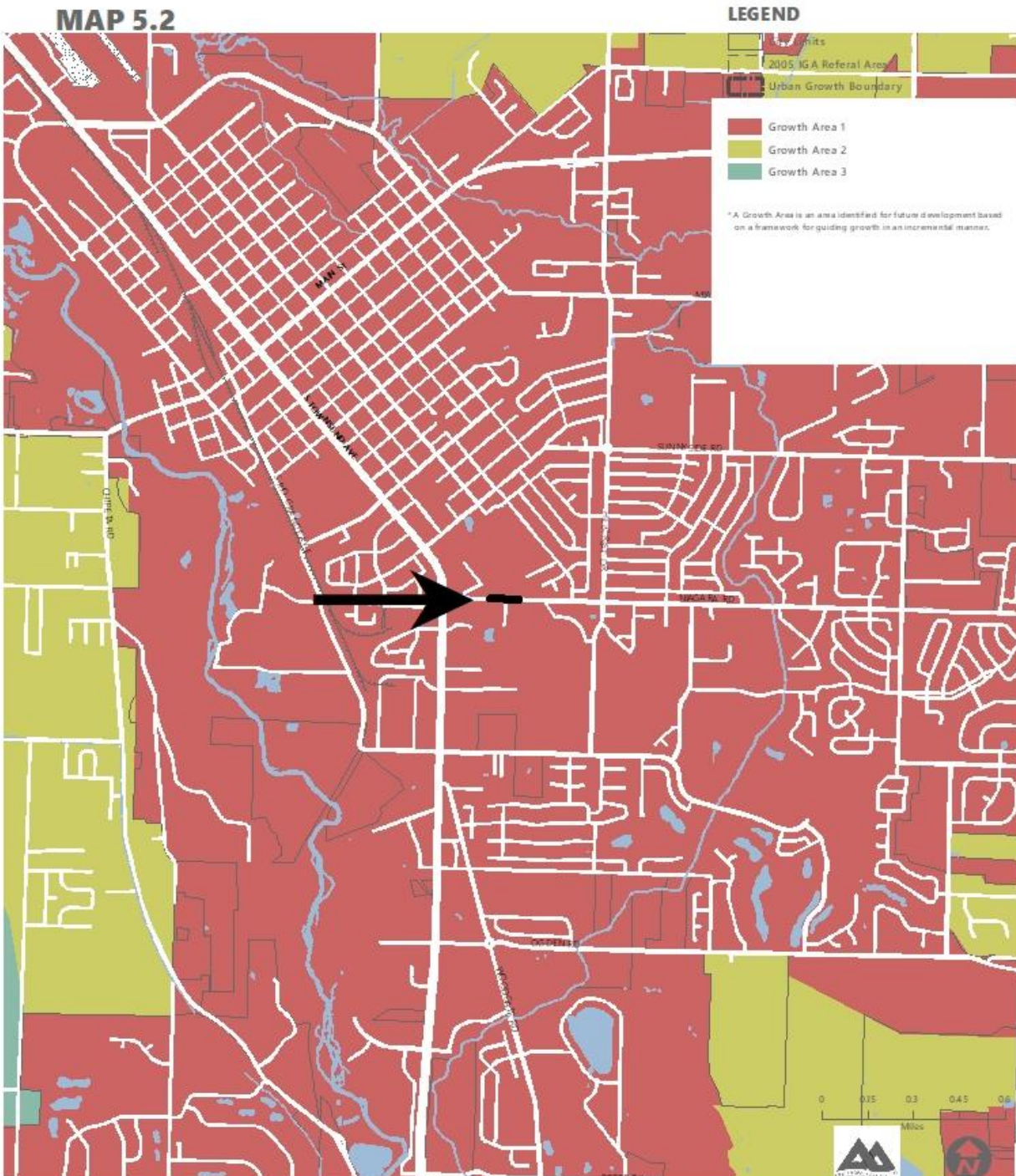


Comprehensive Plan Future Land Use Map



Comprehensive Plan Growth Areas Map

GROWTH AREAS*

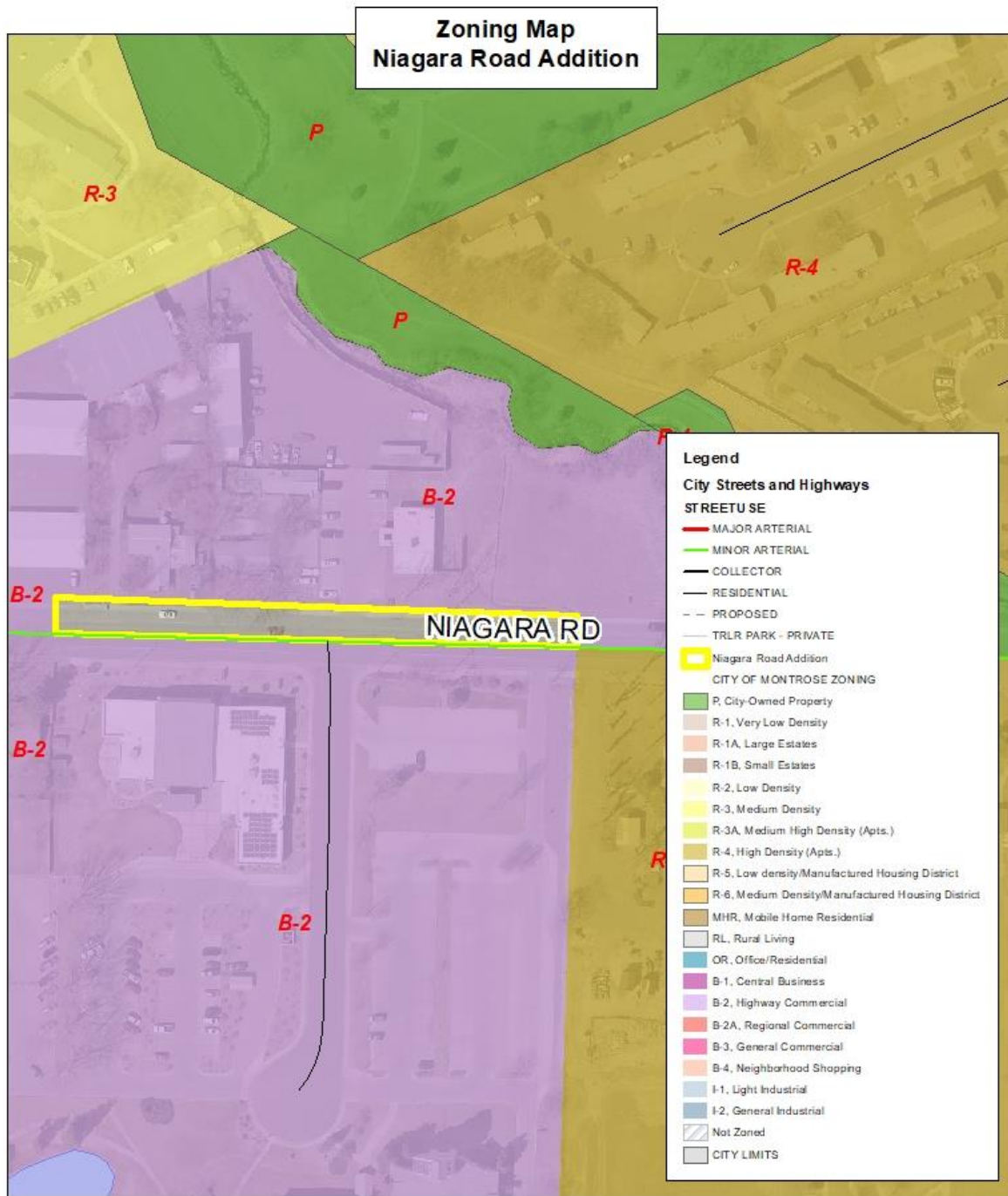




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Map created 1-10-22



0 0.02 0.04 0.08 0.12 Miles



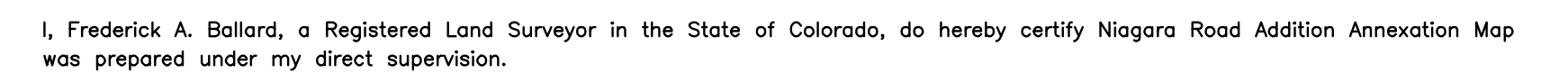
Map created 1-10-22

SITUATED IN SECTION 34, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

 CITY LIMITS
 PROPERTY BOUNDARY / LIMITS OF ANNEXATION

TOTAL PERIMETER = 1073.34'
PERIMETER CONTIGUOUS TO CITY LIMITS = 1073.34'

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



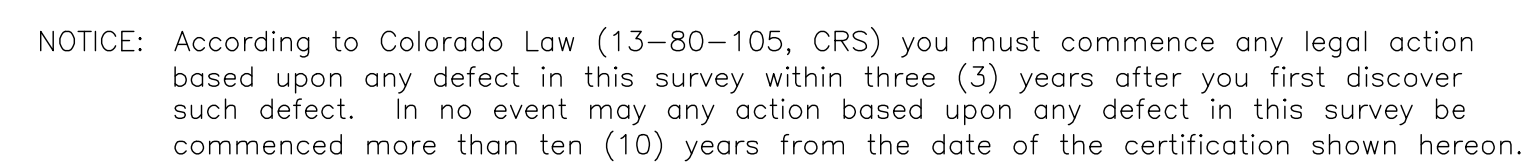
Frederick A. Ballard, P.L.S.
Registration No. 37690

This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado has by its Ordinance No. _____ adopted on the _____ day of _____, 20____, annexed the property hereon to the City of Montrose.

Attest: _____
City Clerk

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

Deputy



 DEL-MONT CONSULTANTS, INC. ENGINEERING ▼ SURVEYING 125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251 ▼ (970) 249-2342 FAX www.delmont.com ▼ service@delmont.com				TITLE: NIAGARA ROAD ADDITION	
FIELD BOOK: N/A				CLIENT: CITY OF MONTROSE	
DRAWN BY: BAJ				ADDRESS & PHONE: 433 S. FIRST ST. MONTROSE, CO 81401 970-240-1498	
DATE: 2021-12-03					
SHEET: 1 of 1		FILE: 21019V ANNX NIAGARA-RO		TYPE: ANNEXATION	
		JOB NO.: 21019			

ORDINANCE NO. 2582

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

WHEREAS, the City of Montrose is the sole owner of an unincorporated tract of land described below which area is proposed to be annexed as the Niagara Road Addition and which is not solely a public street or right of way; and

WHEREAS, such property is eligible for annexation pursuant to C.R.S. §§ 31-12-104(1)(a) and 31-12-105; and

WHEREAS, all applicable requirements of the Montrose Municipal Code and Charter have been fulfilled; and

WHEREAS, the property is eligible for annexation in accordance with the Municipal Annexation Act of 1965 without Notice or Hearing,

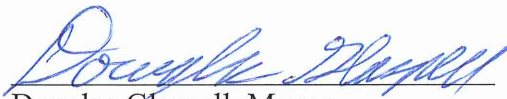
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

SECTION 1:

The property described on **Exhibit A** hereto which is solely owned by the City of Montrose and which is not solely a public street or right of way is hereby annexed to the City of Montrose, Colorado, to be known as the Niagara Road Addition.

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 1st day of March, 2022, at the hour of 6:00 p.m. at Montrose City Hall in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 1st day of March, 2022.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 15th day of March, 2022.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description:

A parcel of land situated in Section 34, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado. Being more particularly described as beginning at the SE Corner of the SW1/4 NE1/4 of said Section 34;
Thence along the north line of the Colorado Ute No. 2 addition N90°00'00"W 496.67 feet;
Thence along east line of the Demmer addition N00°00'00"W 40.00 feet;
Thence along the south line of the Southside addition N90°00'00"E 496.67 feet;
Thence along the west line of the Moore addition S00°00'00"E 40.00 feet to the Point of Beginning.

Containing 0.456 Acres more or less as described.

ORDINANCE NO. 2583

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF NIAGARA ROAD ADDITION AS A "B-2", HIGHWAY COMMERCIAL DISTRICT.

WHEREAS, the Niagara 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.

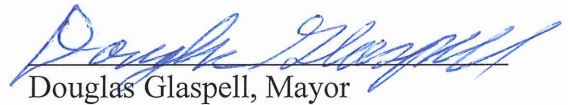
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

SECTION 1:

The Official Zoning Map is hereby amended to designate the **Niagara Road Addition**, according to the Official Annexation Map thereof, as a **"B-2", Highway Commercial 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 1st day of March, 2022, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 1st day of March, 2022.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 15th day of March, 2022.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

Legal Description

A parcel of land situated in Section 34, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado. Being more particularly described as beginning at the SE Corner of the SW1/4 NE1/4 of said Section 34;

Thence along the north line of the Colorado Ute No. 2 addition N90°00'00"W 496.67 feet;

Thence along east line of the Demmer addition N00°00'00"W 40.00 feet;

Thence along the south line of the Southside addition N90°00'00"E 496.67 feet;

Thence along the west line of the Moore addition S00°00'00"E 40.00 feet to the Point of Beginning.

Containing 0.456 Acres more or less as described.



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner I
DATE: March 15, 2022
RE: 21-0110 Mier Addition
ATTACHMENTS:

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

City Council Consideration:

City Council is considering this annexation application and the associated zoning, which is done by considering approval of an annexation ordinance and a zoning ordinance at a first and second reading. Council will consider all of the information in this memo in making a decision.

Proposed schedule:

January 3:	Council Work Session Overview
January 18:	Council Resolution to set a hearing date
February 9:	Planning Commission zoning hearing
February 16:	Annexation Impact Report filing deadline to Montrose County
March 1:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
March 15:	2nd reading of annexation and zoning ordinances

Application Background:

The Mier Addition is a proposed annexation approximately 14.67 acres in size. The parcel is located east of 6530 Road, west of 6600 Road, and north of Locust Road. It is within the City's Urban Growth Boundary, Tri-County Water Service Area, and the City of Montrose Sewer Service Area. Annexation of this property will allow for future housing development. An Annexation Agreement will be required.



Proposed Zoning: “R-4” High Density District – Applicant changed request to “R-3” Medium Density District at Planning Commission on February 23, 2022

Applicant: Calvin and Helen Mier

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, 4-4-29(B), Zoning of Additions. “The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added).”
 - b. Municipal Code, Section 4-4-8(A) Intent: The “R-4” High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.
 - c. Municipal Code, Section 4-4-7(A) Intent: The “R-3” Medium Density District is intended to provide an area which is suitable for single-family homes and duplexes. The district provides for other uses which are compatible with such uses.
 - d. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned “R-4” High Density District, “R-2” Low Density District, and agricultural (outside City limits).
4. General Conformance with the Comprehensive Plan:
 - a. The Comprehensive Plan Future Land Use Map (Chapter 5) designates the area of the Mier Addition as **Residential Mixed Density Medium**. This district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes, triplexes, and multi-family housing. The majority of the mixed density medium residential land uses are designated in areas that are not yet developed.
 - b. Goal LU (Land Use) 5: Infill & Redevelopment: Promote higher density infill and redevelopment of underutilized sites and support development in areas that can be easily accessed by foot, bike, and/or public transit.



- c. Goal HN (Housing & Neighborhoods)-1: Housing Variety. Encourage a variety of housing types, tenure, and density to meet the needs of the community.
 - i. Objective 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.
 - ii. Objective 1.2 Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
 - d. Goal HN-2: Affordable Housing. Increase access to affordable housing.
 - i. Objective 2.1 Encourage a mix of housing price ranges, thereby providing choices for residents of all incomes and ages.
- 5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 consists of some level of infrastructure or moderate proximity to existing infrastructure (existing streets, utilities and public services).
 - 6. The “R-3” zoning does not appear to be adverse to the public health, safety and welfare.
 - 7. The Planning Commission recommended approval of the initial zoning of “R-3” Medium Density District at the February 23, 2022 meeting. The vote was unanimous.

Staff Recommendation:

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

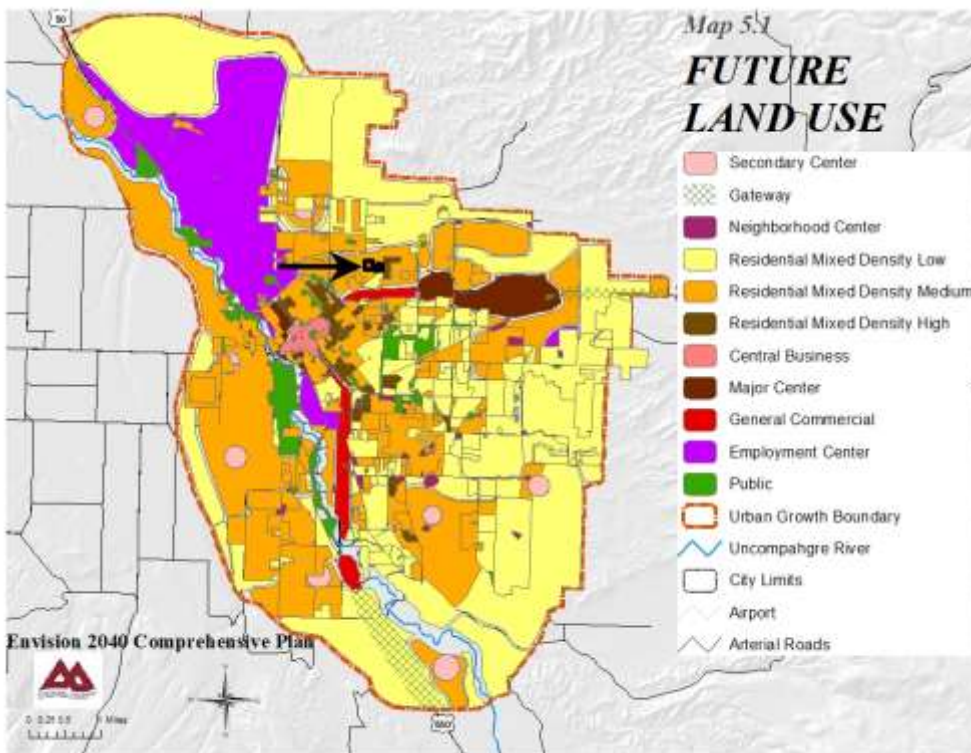


EXHIBIT A: Maps

Vicinity Map

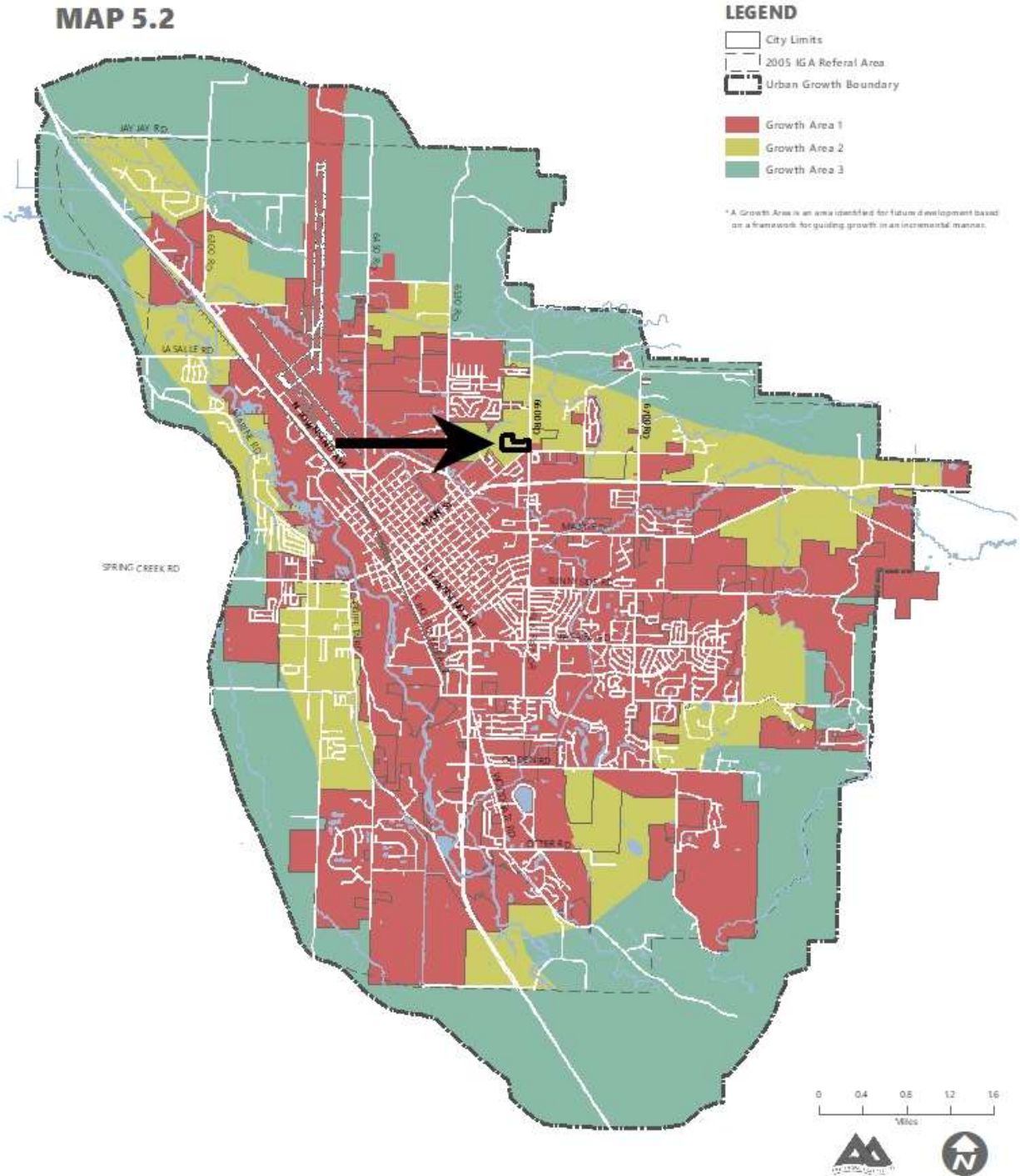


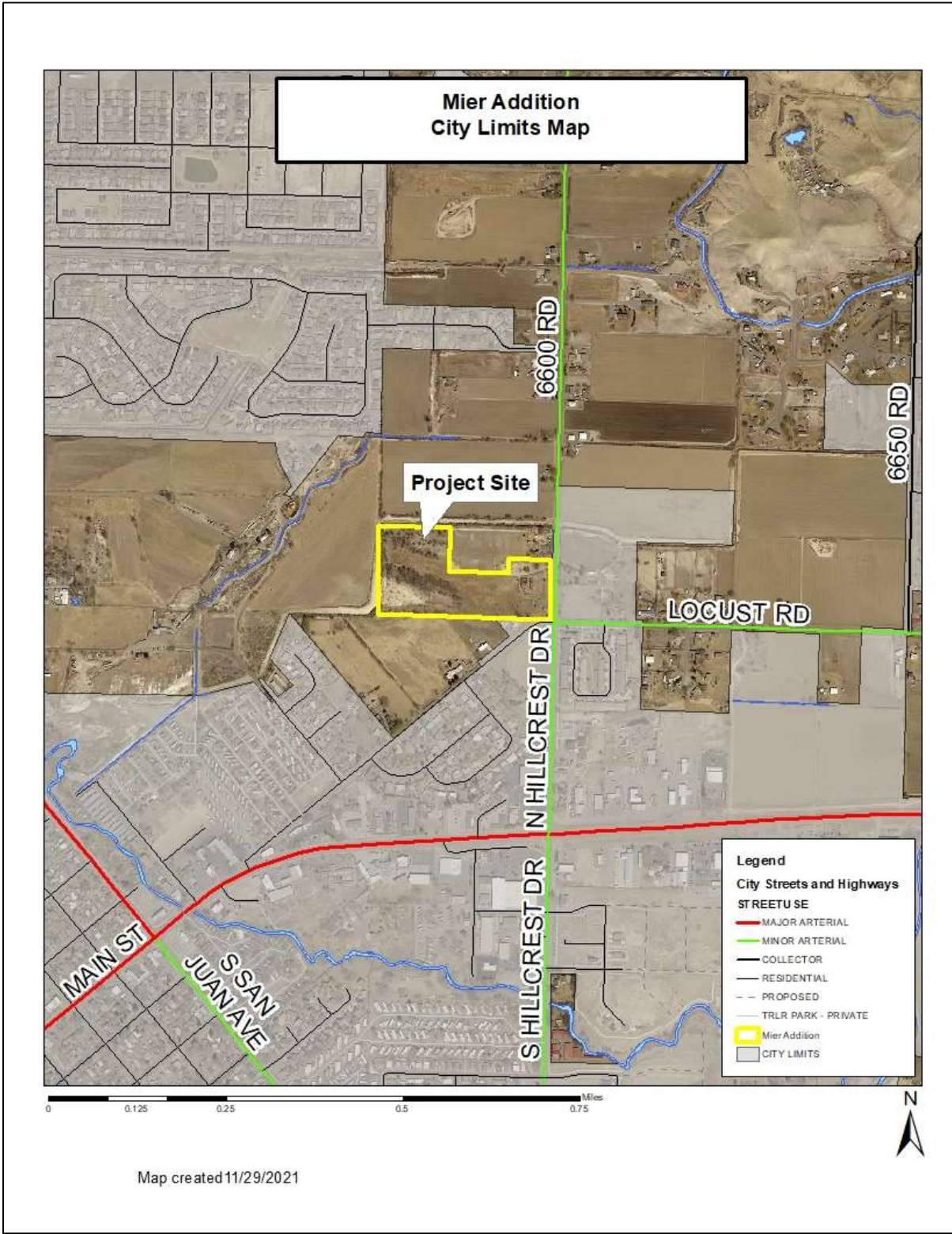
Comprehensive Plan Future Land Use Map

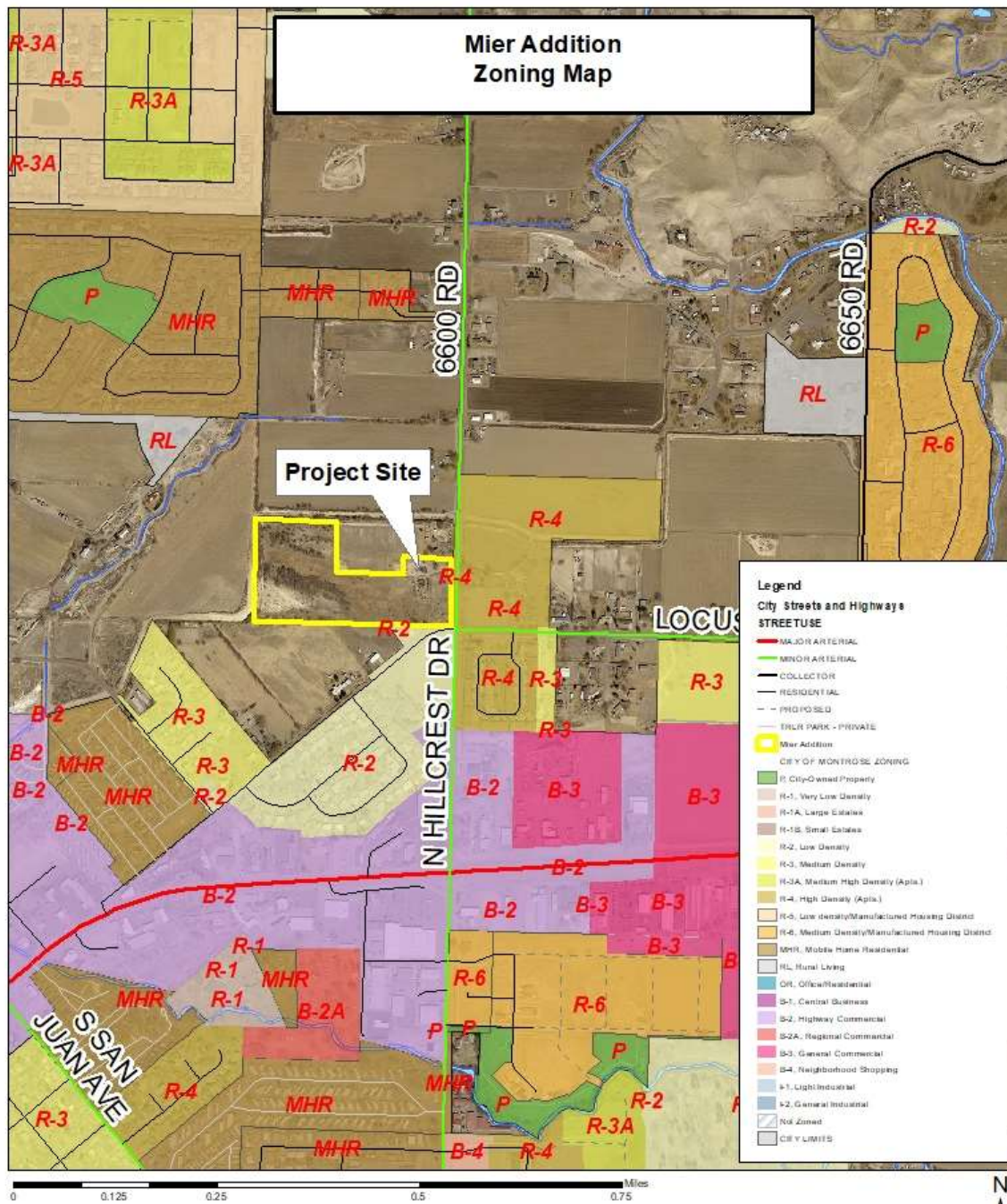


GROWTH AREAS*

MAP 5.2

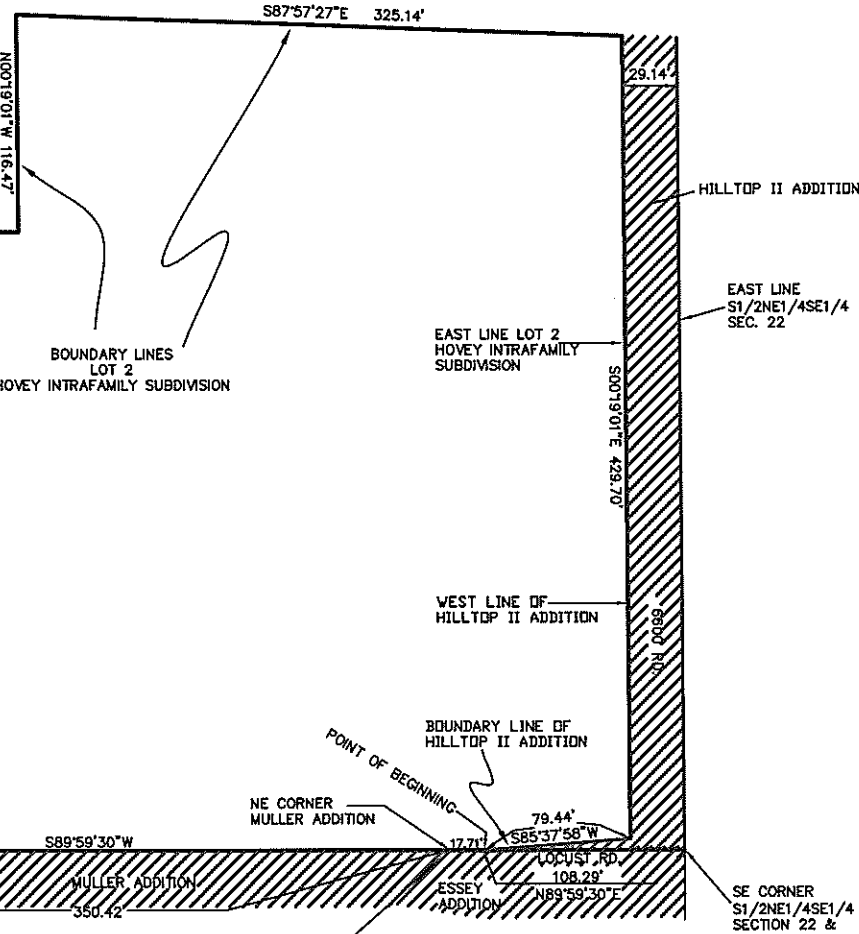
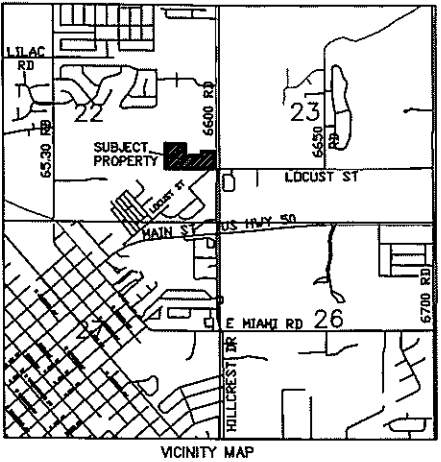
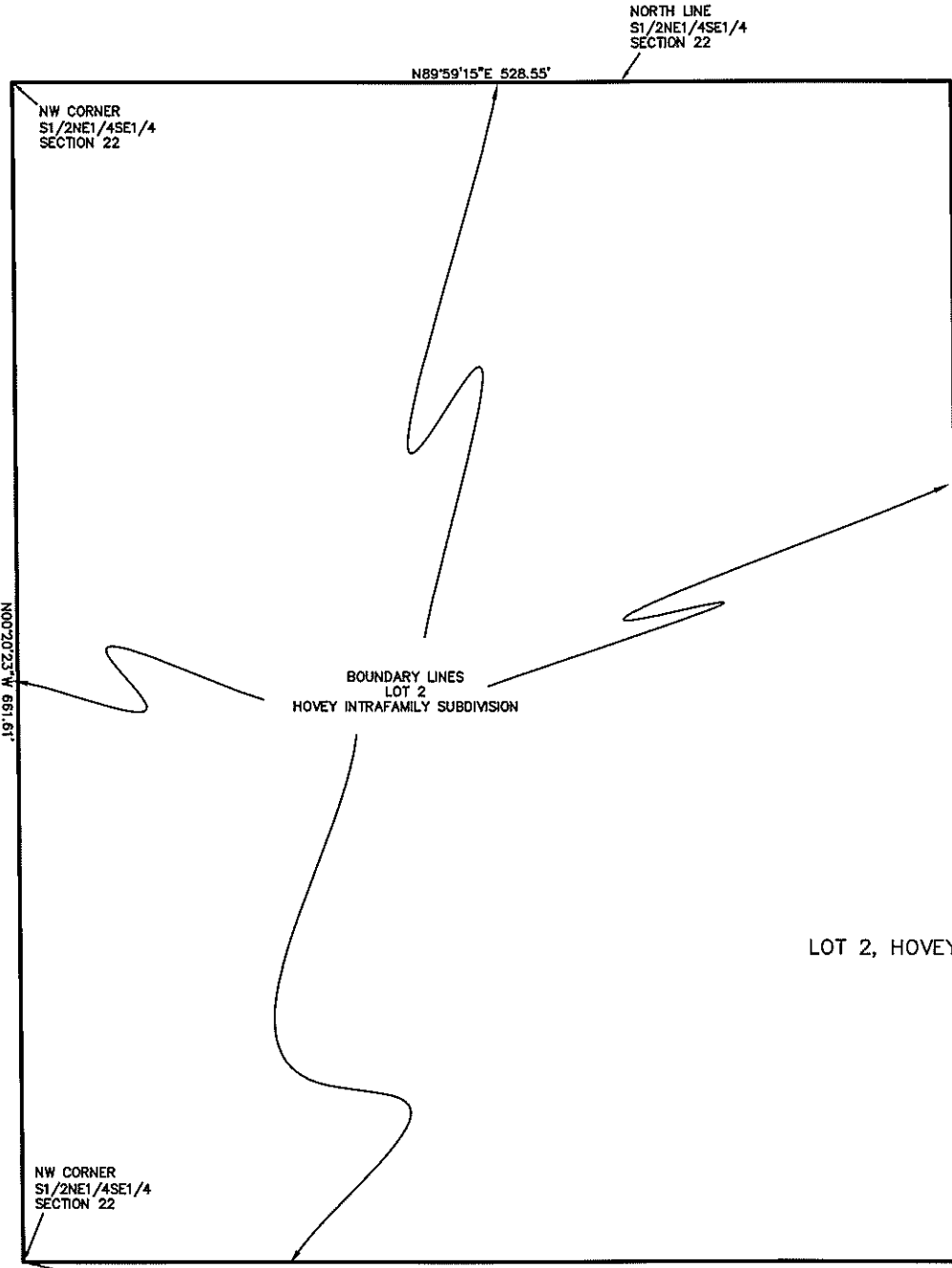






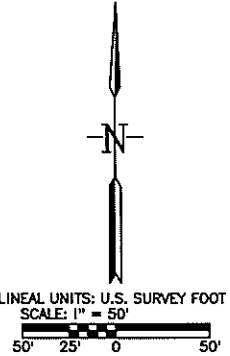
MIER ADDITION

TO THE CITY OF MONTROSE, COLORADO
BEING LOT 2, HOVEY INTRAFAMILY SUBDIVISION
SITUATED IN S1/2NE1/4SE1/4 SECTION 22, T49N, R9W, N.M.P.M.
MONTROSE COUNTY, COLORADO



MIER ADDITION
TOTAL AREA: 14.67 ACRES

LOT 2, HOVEY INTRAFAMILY SUBDIVISION - OWNERS: HELEN & CALVIN MIER



PROPERTY DESCRIPTION OF MIER ADDITION TO THE CITY OF MONTROSE, COLORADO
A tract of land situated in the S1/2NE1/4SE1/4 Section 22, Township 49 North, Range 9 West, N.M.P.M. being Lot 2 of Hovey Intrafamily Subdivision. Said tract is more particularly described as follows: Beginning at a point on the south line of said S1/2NE1/4SE1/4 Section 22 from whence the southeast corner of said S1/2NE1/4SE1/4 Section 22, bears N89°59'30"E, 108.29 ft., said point being a corner of said Lot 2, Hovey Intrafamily Subdivision and the southwest corner of the Hilltop II Addition to the City of Montrose; thence S89°59'30"W along said north line of the Essey Addition and along the south line of said Lot 2 of Hovey Intrafamily Subdivision, 17.71 ft. to the northeast corner of the Muller Addition to the City of Montrose; thence S89°59'30"W along said north line of said Muller Addition and along said Lot 2, Hovey Intrafamily Subdivision, 350.42 ft. to the northwest corner of said Muller Addition; thence the following courses along the boundary line of said Lot 2, Hovey Intrafamily Subdivision: S89°59'30"W, 865.80 ft.; N00°20'23"W, 661.61 ft.; N89°59'15"E, 528.55 ft.; S00°19'01"E, 330.68 ft.; East, 442.31 ft.; N00°19'01"W, 116.47 ft.; S87°57'27"E, 324.28 ft. to a point on the west line of the Hilltop II Addition to the City of Montrose; thence S00°19'01"E along said west line, also being the east line of said Lot 2, Hovey Intrafamily Subdivision 429.70 ft.; thence S85°37'58"W along a boundary line of said Hilltop II Addition, also being a boundary line of said Lot 2, Hovey Intrafamily Subdivision, 79.44 ft. to the point of beginning, containing 14.67 acres.

SURVEYOR'S CERTIFICATE
I, William D. Wiley, a Registered Land Surveyor in the State of Colorado, do hereby state the accompanying Annexation Map of MIER ADDITION to the City of Montrose, Colorado has been prepared under my direction and supervision, that it does not constitute a boundary survey and is only a compilation of existing records for the purpose of annexation.

William D. Wiley
Colorado Registered Land Surveyor
#12180

Date

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 _____, A.D.,
_____ annexed the property described hereon to the City of Montrose.

Mayor

ATTEST:

City Clerk

CLERK & RECORDER'S CERTIFICATE
This plat was filed for record in the office of the Clerk and Recorder of Montrose County

at _____ m. on the _____ day of _____, 20____

Reception No. _____

Montrose County Clerk & Recorder

Deputy

CITY LIMITS
CONTIGUOUS CITY LIMITS: 877.27 SQ. FT.
TOTAL PERIMETER: 4,130.12 SQ. FT.
ACRES ANNEXED: 14.67 ACRES

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon."

CF: 21-135 MIER ADD Plot Scale 1"=50' Book NA Page NA BLW DATE 9/8/2021 REVISIONS: 10/7/21 CITY REVISIONS wpe	MIER ADDITION TO THE CITY OF MONTROSE, COLORADO BEING LOT 2, HOVEY INTRAFAMILY SUBDIVISION SITUATED IN S1/2NE1/4SE1/4 SECTION 22, T49N, R9W, N.M.P.M. MONTROSE COUNTY, COLORADO FOR: HELEN AND CALVIN MIER MESA SURVEYING ASSOCIATES INC. P.O. Box 1287 Montrose, CO 81402 (970)-240-9994 Sheet 1 of 1 File No. 21-135
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EXHIBIT B: Zoning Code Excerpt

Sec. 4-4-7. "R-3" Medium Density District.

- (A) *Intent.* The "R-3" Medium Density District is intended to provide an area which is suitable for single-family homes and duplexes. The district provides for other uses which are compatible with such uses.
- (B) *Uses by Right.*
- (1) Single-family homes and duplexes.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.
 - (7) Short-term rentals.
 - (8) Family child care home.
- (C) *Conditional Uses.*
- (1) Childcare facilities.
 - (2) Skilled nursing and assisted living facilities.
 - (3) Multiple-family residences.
 - (4) Bed and breakfast operations operated solely by the residents of a lot of at least 6,250 square feet providing no more than two bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters.
 - (5) Schools.

(Ord. No. 2472 , § 4-4-7, 5-7-2019; Ord. No. 2561 , 10-19-2021)

Sec. 4-4-8. "R-4" High Density District.

- (A) *Intent.* The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.
- (B) *Uses by Right.*
- (1) Single-family homes, duplexes, and multiple-family residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.



- (i) Bed and breakfast operations operated solely by the residents of a residence providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters. The lot shall be at least 6,250 square feet and at least 3,125 square feet per rental bedroom.
 - (ii) Childcare facilities. A childcare facility shall be considered an accessory use to a residence in all districts, provided no more than eight children under 13 years of age are present on the premises at any one time, including children of the family living in the residence; a childcare facility shall not be considered an accessory use to a residence when a greater number of children is present on the premises at any one time. The facility must comply with all appropriate State Statutes and regulations.
- (7) Short-term rentals.
- (C) *Conditional Uses.*
- (1) Skilled nursing and assisted living facilities.
 - (2) Childcare facilities. A childcare facility shall be a conditional use in all districts if more than eight but less than 16 children under 13 years of age are present on the premises at any one time, including children of the family living in the residence, in accordance with State Statutes and regulations.
 - (3) Schools.

(Ord. No. 2472 , § 4-4-8, 5-7-2019)



ORDINANCE NO. 2584

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, FOR THE ANNEXATION OF THE MIER ADDITION.

WHEREAS, a petition for the annexation of a tract of land known as the **Mier 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 **MIER 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 1st day of March, 2022, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks Building, Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 1st day of March, 2022.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 15th day of March, 2022.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal Description

PROPERTY DESCRIPTION OF MIER ADDITION TO THE CITY OF MONTROSE, COLORADO

A tract of land situated in the S1/2 NE1/4 SE1/4 Section 22, Township 49 North, Range 9 West, N.M.P.M. being Lot 2 of Hovey Intrafamily Subdivision. Said tract is more particularly described as follows: Beginning at a point on the south line of said S1/2 NE1/4 SE1/4 Section 22 from whence the southeast corner of said S1/2 NE1/4 SE1/4 Section 22, bears NB9°59'30"E, 108.29 ft., said point being a corner of said Lot 2, Hovey Intrafamily Subdivision and the southwest corner of the Hilltop II Addition to the City of Montrose and a point on the north line of the Essey Addition to the City of Montrose; thence S89°59'30"W along said north line of the Essey Addition and along the south line of said Lot 2 of Hovey Intrafamily Subdivision, 17.71 ft. to the northeast corner of the Muller Addition to the City of Montrose; thence S89°59'30"W along said north line of said Muller Addition and along said Lot 2, Hovey Intrafamily Subdivision, 350.42 ft. to the northwest corner of said Muller Addition; thence the following courses along the boundary line of said Lot 2, Hovey Intrafamily Subdivision: S89°59'30"W, 865.80 ft.; N00°20'23"W, 661.61 ft.; NB9°59'15"E, 528.55 ft.; S00°19'01"E, 330.68 ft.; East, 442.31 ft.; N00°19'01"W, 116.47 ft.; S87°57'27"E, 324.28 ft. to a point on the west line of the Hilltop II Addition to the City of Montrose; thence S00°19'01"E along said west line, also being the east line of said Lot 2, Hovey Intrafamily Subdivision 429.70 ft.; thence S85°37'58"W along a boundary line of said Hilltop II Addition, also being a boundary line of said Lot 2, Hovey Intrafamily Subdivision, 79.44 ft. to the point of beginning, containing 14.67 acres.

ORDINANCE NO. 2585

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, PROVIDING FOR THE ZONING OF THE MIER ADDITION AS AN "R-3", MEDIUM DENSITY DISTRICT.

WHEREAS, the **Mier 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

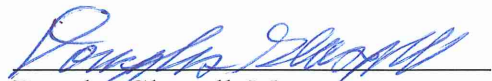
WHEREAS, the proposed recommendation is substantially in accord with the City's Master Plan, is compatible with existing zoning in nearby or adjoining properties, and is in the public interest.

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 **Mier Addition**, according to the Official Annexation Map thereof, as an "R-3", Medium 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 1st day of March, 2022, at the hour of 6:00 p.m. at Montrose City Council Chambers, Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and PASSED on first reading this 1st day of March, 2022.


Douglas Glaspell, Mayor

ATTEST:


Lisa DelPiccolo, City Clerk



INTRODUCED, READ and ADOPTED on second reading this 15th day of March, 2022.

Douglas Glaspell, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

ORDINANCE NO. 2586

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING ORDINANCE NO. 2567 WHICH APPROPRIATED FUNDS FOR DEFRAYING THE EXPENSES AND LIABILITIES OF THE CITY OF MONTROSE, COLORADO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022;

WHEREAS, in Ordinance 2567 it was stated that the Health/Dental Management Fund would be combined into the Internal Service Fund along with Fleet Management, Information Services and Facility Management;

WHEREAS, the Health/Dental Management Fund will need to remain separate to maintain the integrity of a separate checking account.

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

Section 1: The amount appropriated for the Internal Service Funds by Section 1 of Ordinance No. 2567 needs to be hereby amended to read according to the column entitled "Adjusted Budget", below:

Fund #	Fund Name	Budget Ordinance 2567	Change of Appropriation for 2022	Adjusted Budget
600	INTERNAL SERVICE FUNDS	\$ 9,759,086	\$ (3,149,618)	\$ 6,609,468
610	HEALTH & DENTAL MGMT FUND	\$ -	\$ 3,149,618	\$ 3,149,618
		\$ 9,759,086	\$ -	\$ 9,759,086

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on first reading on Tuesday, the 15th day of March, 2022, at the hour of 6:00 p.m. in the City Council Chambers at 107 S. Cascade.

INTRODUCED, READ and PASSED on first reading this 15th day of March, 2022

Doug Glaspell, Mayor

Attest:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ AND ADOPTED on second reading this 5th day of April, 2022.

Doug Glaspell, Mayor

Attest:

Lisa DelPiccolo, City Clerk

CONTRACT AWARD RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: February 22, 2022
RE: West Main Revitalization Design Contract Recommendation
CC: William Bell, Shani Wittenberg

Action

Consider the award of a professional services contract to KLJ Engineering in the amount of \$367,001.30 for completion of design studies, alternatives evaluations, and civil design associated with the West Main Revitalization Project. Contract award is contingent upon concurrence to award from the Colorado Department of Transportation.

Background

West Main Street, a part of State Highway 90, runs approximately 0.5 miles from Townsend Avenue to the Uncompahgre River within the City of Montrose. Although owned and generally maintained by the Colorado Department of Transportation (CDOT), this reach of roadway runs through downtown Montrose's urban core and, as a result, serves as the primary access and frontage for adjacent businesses. West Main also provides a vital vehicular and pedestrian connection between downtown businesses, nearby residential centers/Spring Creek, and the City's Uncompahgre Riverway Trail and West Main Trailhead.

Over the years, the City of Montrose has implemented various capital projects to improve and streetscape portions of Main Street both east and west of Townsend Avenue. This work has generally extended from Park to Selig Avenues and has included the installation of decorated medians, tree rows, decorative lighting, "bulb-out" curb extensions, and conversion of four lane roadways to two lane roadways with diagonal parking (Cascade to Park only). However, West Main Street west of Selig Avenue has generally remained in its outdated vehicular-focused configuration over the past several decades. This includes two travel lanes in each direction, shoulders for undefined parallel parking, and narrow, non-ADA-compliant sidewalks and driveways on each side of the roadway.

In its current configuration, West Main Street is challenging to pass through as a pedestrian or bicyclist due to narrow/non-compliant sidewalks and is generally incompatible with a Main-Street style business that relies on comfortable access, pedestrian activity, and opportunistic sales. Furthermore, outdated and undersized storm sewer and water infrastructure are in need of replacement and upsizing within the West Main corridor.

As a remedy to these shortcomings, the West Main Street Revitalization project looks to accomplish the following:

1. Install ADA-compliant, widened sidewalks along both sides of the street.
2. Install bicycle facilities along one or both sides of the street, as space allows.
3. Improve crosswalk safety within the corridor to the extent practicable.
4. If possible while still accommodating future traffic volumes, reconfigure (and eliminate if possible and necessary) select travel lanes within the corridor.

5. Develop a modern streetscape standard for the corridor and implement streetscaping to include trees, lighting, pedestrian facilities, targeted parking, and restaurant seating areas (as budget allows).
6. Properly size and replace aged water and storm sewer infrastructure. Due to budget constraints, it is likely that storm sewer improvements will be limited to areas directly affected by the project's construction activities (e.g., inlets and laterals may be upgraded as part of curb extensions but not main trunk lines at this time).

To help accomplish these goals, the City of Montrose was recently awarded a \$2M Revitalizing Main Streets Grant from CDOT to be utilized for West Main Street. Combined with the City's match of approximately \$500k (20%), the total project budget is \$2.5M for design and construction.

Request for Proposals and Design Team Recommendation

On December 14, 2021 the City of Montrose issued a request for proposals to procure a design team for the West Main Revitalization Project. This design team would be responsible for performing the following key tasks:

- Perform traffic studies of the entire Main Street corridor. This includes traffic volume projections into the future, analyses of collision data, and simulations for various roadway alternatives to model roadway capacity and delay.
- Perform all property and basemap surveys for the project area.
- Develop and evaluate various alternatives for roadway improvements. These alternatives would include items such as sidewalk widening, changes to parking areas, possible lane reductions, addition of bike lanes, addition of seating areas, etc.
- Develop alternatives for streetscaping of West Main. This includes items such as decorative trees, seating areas, surface finishes (decorative concrete, brickwork, etc), and lighting.
- Once roadway and streetscaping alternatives are developed, perform public outreach and solicit feedback from the public for the project to include press and social media releases, website creation, demonstration videos, open houses, and targeted business outreach.
- Perform geotechnical, hydrologic, and hydraulic design studies to aid in design of project elements (pavement thickness, pipe sizes, etc).
- Prepare project plans, specifications, and cost estimates for the preferred roadway and streetscaping alternatives.

Proposals were publically received on January 18, 2022 from three consultants summarized in Table 1 below. Following receipt of the proposals each was evaluated by a team consisting of the engineering department, streets department, and a representative from CDOT. A score between 0 and 4 was assigned to each based on weighted evaluation criteria. Following assignment of scores, the City then entered into pricing negotiations with the highest-rated consultant. This method of procurement is required by CDOT's grant.

TABLE 1		
Summary of Consultant Proposals		
Consultant	Location	Rating
KLJ Engineering	Montrose, CO	3.40
Kimley-Horn	Denver, CO	3.00
Ayres Associates	Fort Collins, CO	3.00

Using the process described above, the City selected KLJ Engineering as the preferred consultant for design of the project. Following several rounds of negotiations, the negotiated price for completion of this design is \$367,001.30 on a time-and-materials, not-to-exceed basis and this price is within expectations of the City.

Project Schedule

Project design is expected to last into the spring of 2023 and construction is tentatively scheduled to begin shortly after, subject to approval from CDOT and the Montrose City Council.

Contract Administration and Project Financials

Contract administration and project management will be performed by the City of Montrose engineering department. The 2022 budget included \$260k in the grant-funded capital projects line for this design. Assuming that approximately 70% of the project design will be completed in 2022 (remainder in spring of 2023), this places the anticipated 2022 expenses within this budget. It should be noted that project design is eligible for reimbursement from CDOT; as a result, the net expense to the City is only 20% of this amount or approximately \$52k.

CONTRACT AUTHORIZATION RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Jim Scheid, Public Works Manager
DATE: February 28, 2022
RE: 22-002 Montrose Pavilion Carpet Replacement Contract Award Recommendation
CC: William Bell, Ann Morgenthaler, Shani Wittenberg, Mark Armstrong

Action

Consider the authorization and award of funds in the amount of \$114,030.64 for the replacement of the carpet within the Montrose Pavilion. Including the award of a contract with Carpetrends, Inc. in the amount of \$103,664.22

Background

The replacement of the carpet throughout the main level of the event space in the Montrose Pavilion has been scheduled and budgeted for in 2022. The existing carpet was installed in the 1990s and will be replaced with a high quality event venue commercial carpet square. A picture of what this new carpet will look like is shown in the attached rendering (Image 1).

The City received two bids for this project as shown below.

Company	Location	Construction Est.
Carpetrends, Inc	Montrose, CO	\$ 103,664.22
Stryker and Company	Montrose, CO	\$ 105,849.94

Bidders on this project were able to utilize government pricing through a Cooperative Purchasing Agreement for the carpet material.

After review of the proposals, both were determined to be qualified and complete. Staff is recommending award to Carpetrends, Inc.

Contract Administration and Project Financials

This project has been budgeted for in the 2022 budget in the Facilities Internal Service Fund (600-8040-366-000) in the amount of \$125,000.00. The contract amount with Carpetrends in the amount of \$103,664.22 plus a 10% owner's contingency of \$10,366.42 equals the total to be authorized for this project at \$114,030.64 which is \$10,969.36 under budget.

Image 1:

Rendering of what the Miliken Mangrove – cliff would look like in the lobby of the Montrose Pavilion.

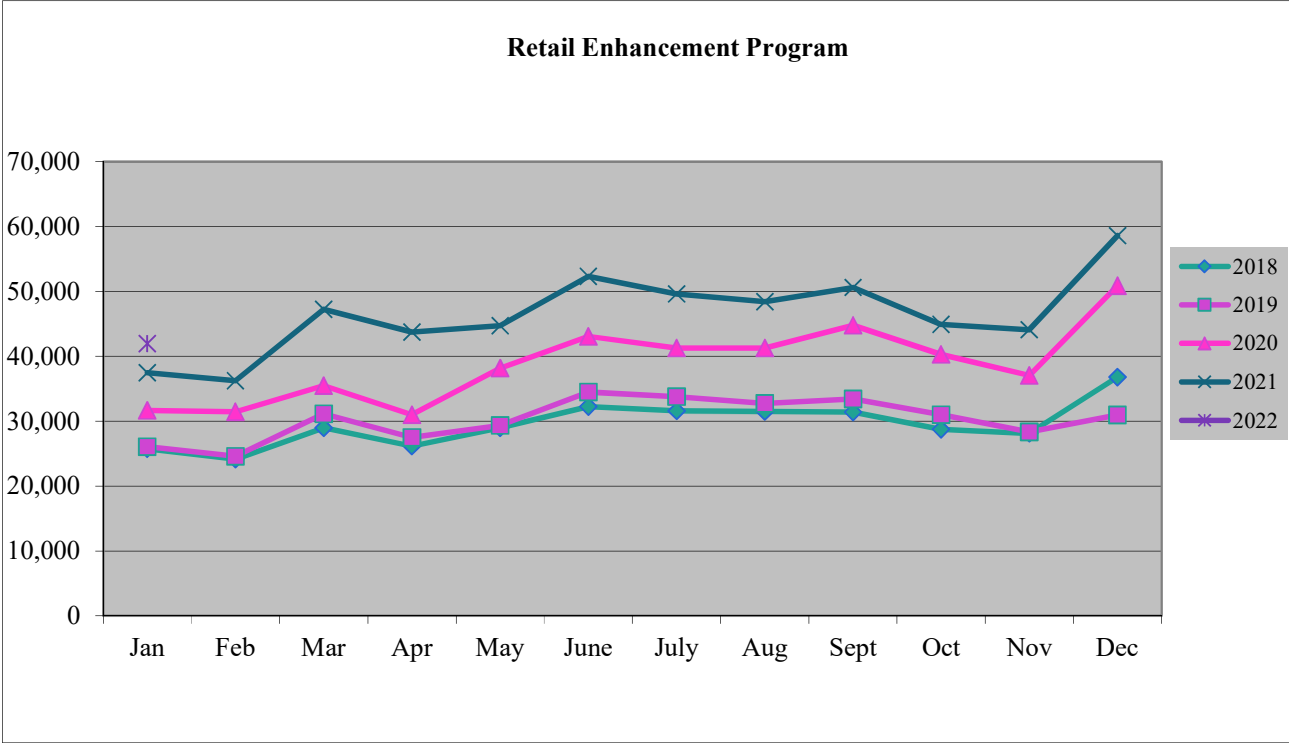
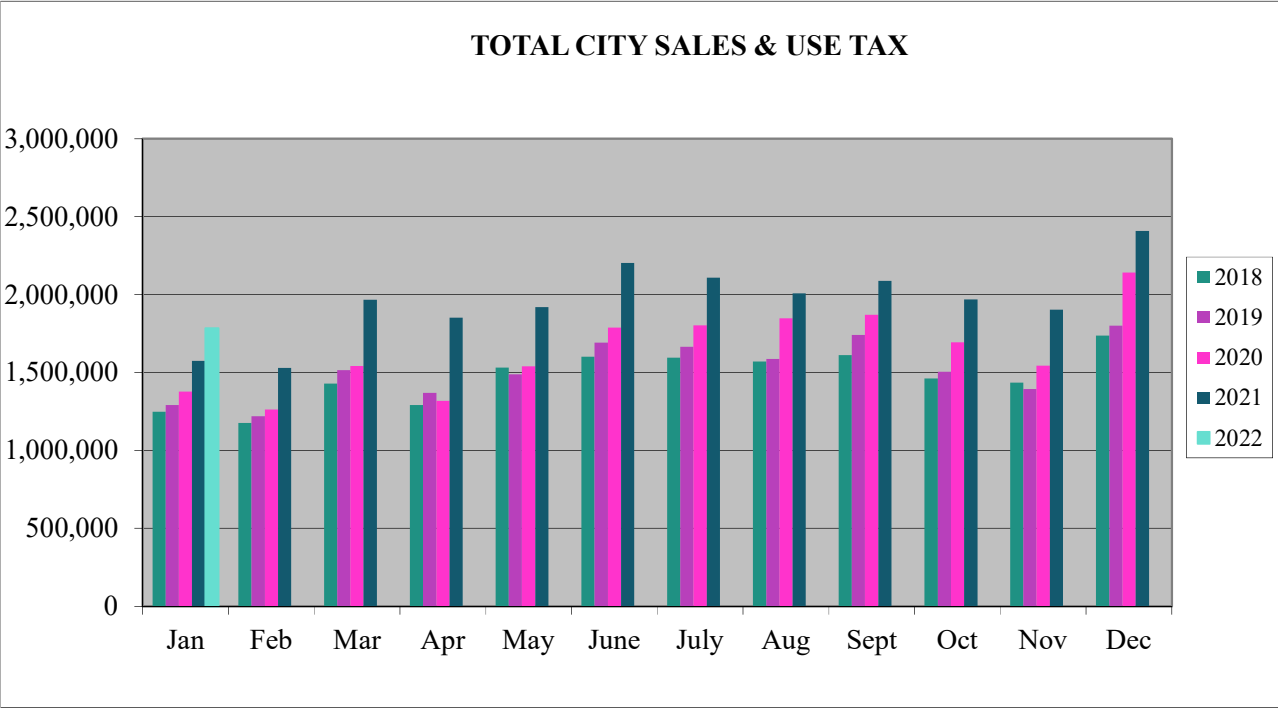


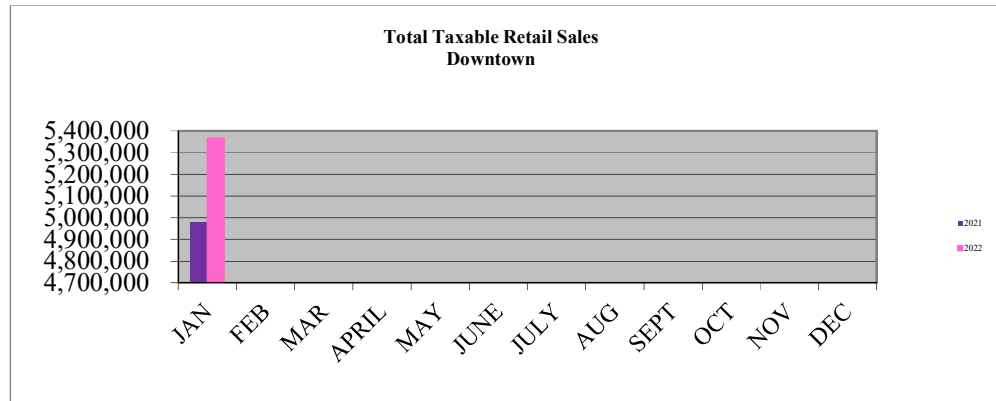
CITY OF MONTROSE
MONTHLY SALES, USE & EXCISE TAX REPORT

Date: March 9, 2022

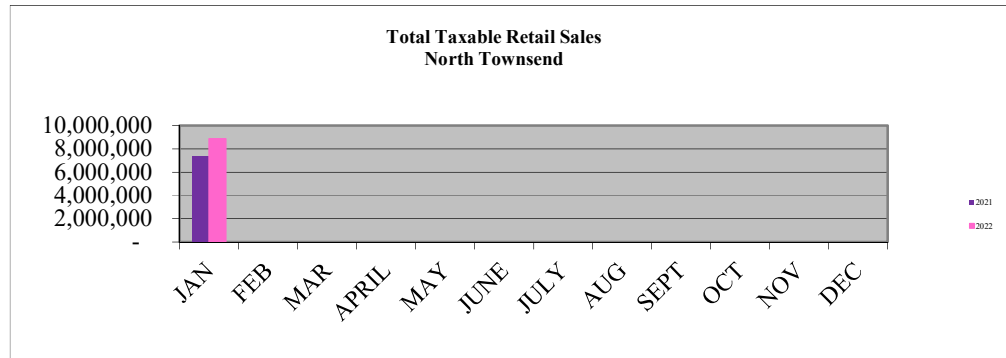
	Retail Sales Tax 3.0%			Construction Use Tax 3.0%			Use & Auto Tax 3.0%			Total Collected Sales and Use Tax			Sales and Use Budget	
Month	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Budget 2022	Budget Variance 2022
Jan	1,574,777	1,411,880	11.5%	105,404	56,829	85.5%	103,384	106,625	-3.0%	1,783,565	1,575,334	13.2%	1,373,456	29.9%
Feb														
Mar														
Apr														
May														
June														
July														
Aug														
Sept														
Oct														
Nov														
Dec														
YTD Total	1,574,777	1,411,880	11.5%	105,404	56,829	85.5%	103,384	106,625	-3.0%	1,783,565	1,575,334	13.2%	1,373,456	29.9%

	PSST Retail Sales Tax 0.58%			PSST Construction Use Tax 0.58%			PSST Use & Auto Tax 0.58%			Total Collected PSST Sales and Use Tax			PSST Budget		Montrose Recreation District 0.3%		
Month	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Current Year 2022	Prior Year 2021	% of Increase/ Decrease	Budget 2022	Budget Variance 2022	Current Year 2022	Prior Year 2021	% of Increase/ Decrease
Jan	306,061	273,697	11.8%	20,501	11,422	79.5%	19,988	20,614	-3.0%	346,550	305,733	13.4%	265,395	30.6%	179,323	158,429	13.2%
Feb																	
Mar																	
Apr																	
May																	
June																	
July																	
Aug																	
Sept																	
Oct																	
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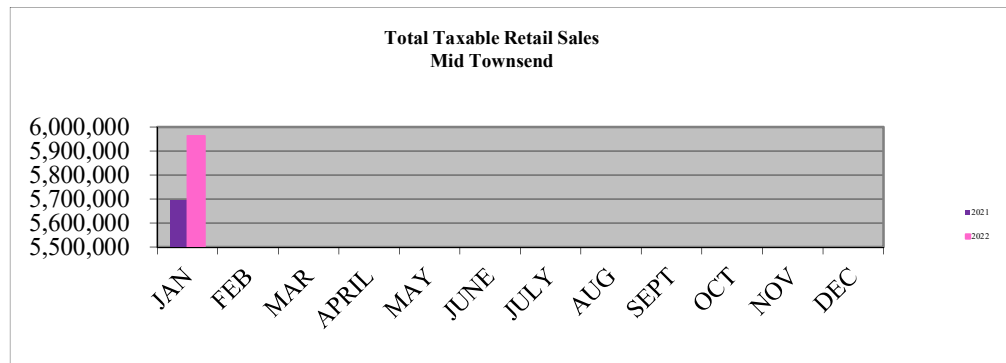




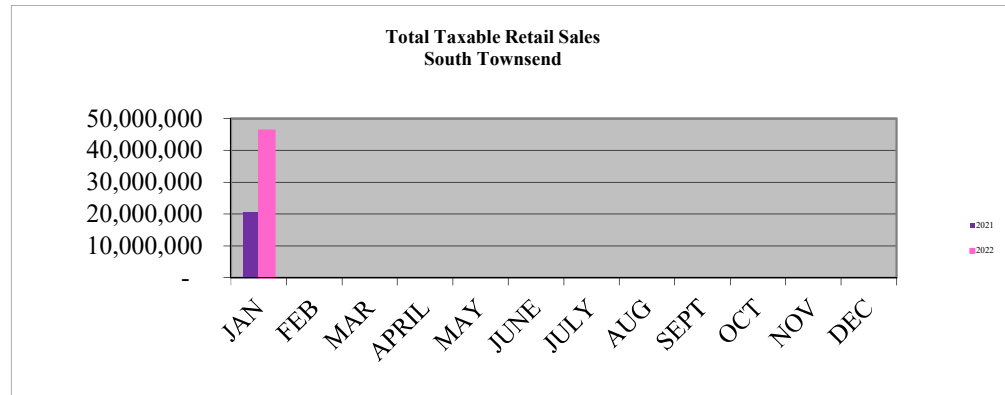
AREA 1: DOWNTOWN BOUNDARY



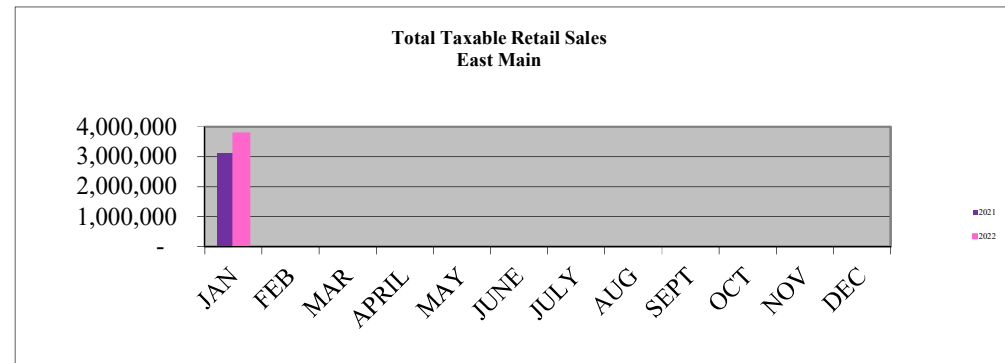
AREA 2: *NORTH CITY LIMIT TO NORTH 2ND STREET



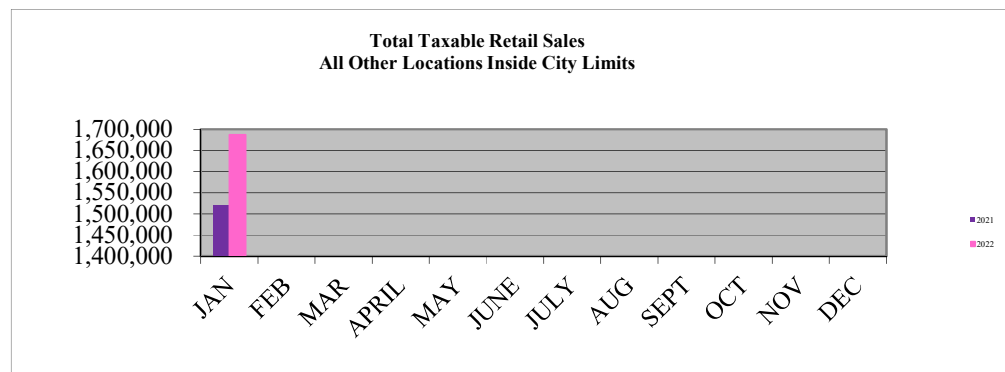
AREA 3: MID TOWNSEND SOUTH 2ND STREET TO E OAK GROVE RD



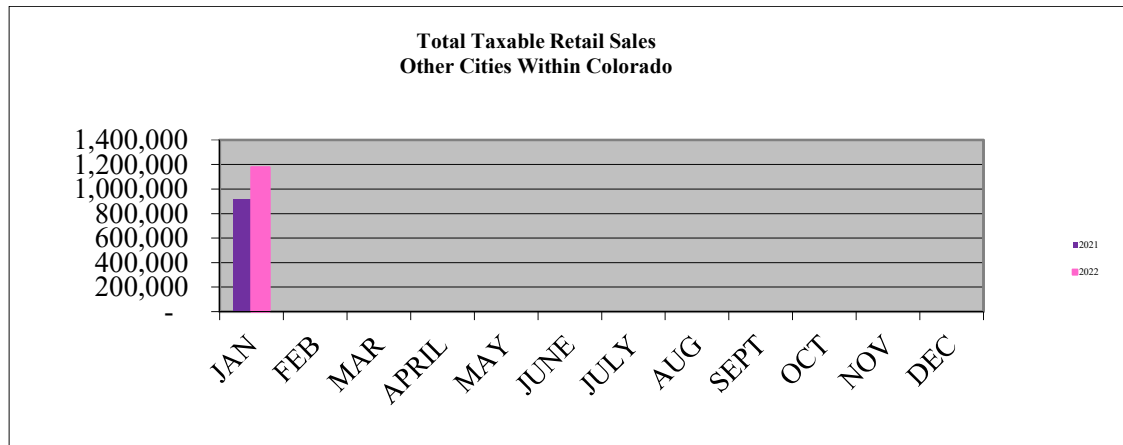
AREA 4: SOUTH TOWNSEND E OAK GROVE RD TO SOUTH CITY LIMIT



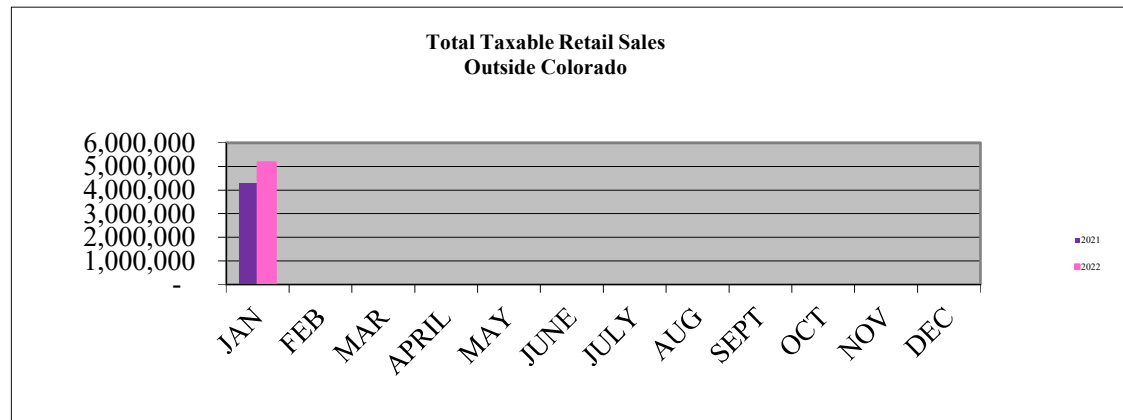
AREA 5: EAST MAIN SAN JUAN AVENUE TO EAST CITY LIMIT



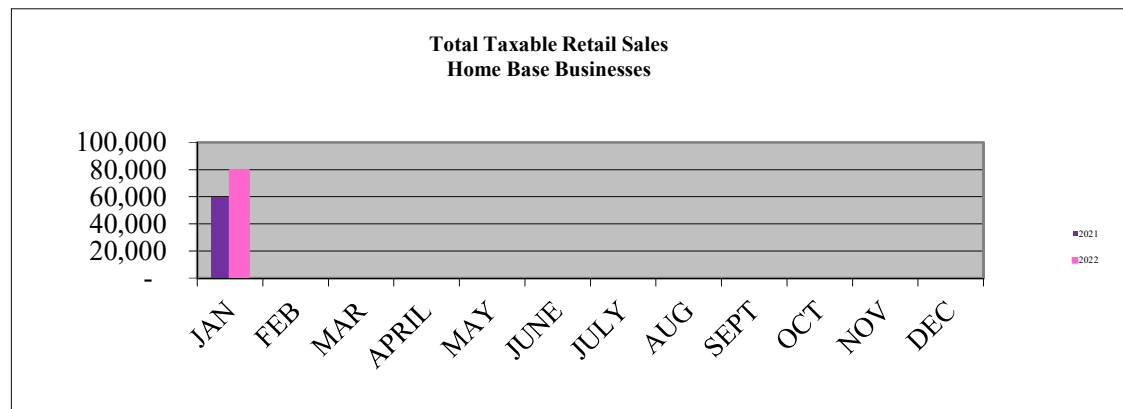
AREA 6: ALL OTHER LOCATIONS INSIDE CITY LIMITS OF MONTROSE



AREA 7: OTHER CITIES WITHIN COLORADO



AREA 8: OUTSIDE COLORADO



AREA 9: HOME BASE BUSINESSES