



REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, August 2, 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 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.

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- 1) City Council meeting called to order by Mayor Dave Frank
 - 2) The Pledge of Allegiance
 - 3) Roll call by the City Clerk
 - 4) Changes to the agenda including additions and deletions
 - 5) 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.

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.



6) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the July 19, 2022 regular City Council meeting. *Staff: City Clerk Lisa DelPiccolo* **4-6**

Action: Consider making a motion to approve the minutes of the July 19, 2022 regular City Council meeting as presented.

7) SPECIAL EVENTS ALCOHOL PERMIT (5 minutes)

City Council consideration of the approval of a Special Events alcohol permit in conjunction with the closure of Apollo Road for FUNC Fest on August 13, 2022. *Staff: City Clerk Lisa DelPiccolo* **7-9**

Action: Accept public comment. Consider making a motion to approve a Special Events alcohol permit in conjunction with the closure of Apollo Road for FUNC Fest on August 13, 2022, as presented.

8) ORDINANCE 2593 - FIRST READING (10 minutes)

City Council consideration of Ordinance 2593 on first reading, an Ordinance of the City of Montrose, Colorado, delegating authority to the Board of Directors of the Montrose Emergency Telephone Service Authority to set the rate of the charge imposed on service users pursuant to C.R.S. §§ 29-11-102, 102.5 and 103. *Staff: City Attorney Ben Morris* **10-12**

Action: Hold a hearing. Consider making a motion to pass Ordinance 2593 on first reading as presented.

9) RESOLUTION 2022-12 (10 minutes)

City Council consideration of Resolution 2022-12 authorizing the City of Montrose Police Department to file a Victim Assistance Law Enforcement (VALE) Grant for two victim's advocate positions through the 7th Judicial District Victims Assistance Board for the total of \$48,080, authorizing the Chief of Police to act in connection with the application and to provide such additional information as required, and authorizing the City Manager, Chief of Police and Finance Director to sign the grant application and reporting documents. *Staff: Police Chief Blaine Hall and Victim's Advocate Chantelle Bainbridge* **13-14**

Action: Accept public comment. Consider making a motion to adopt Resolution 2022-12 as presented.

10) CITY OF MONTROSE HOUSING NEEDS ASSESSMENT CONTRACT AWARD
(10 minutes)

City Council consideration of the award of a professional services agreement to Points Consulting in the amount of \$48,890.00 for completion of a City of Montrose Housing Needs Assessment. *Staff: Community Engagement Specialist Ross Valdez* **15-16**



Action: Accept public comment. Consider making a motion to award a professional services agreement to Points Consulting in the amount of \$48,890.00 for completion of a City of Montrose Housing Needs Assessment as presented.

11) WATER RESOURCE INVENTORY AND MASTER PLAN PROFESSIONAL SERVICES CONTRACT (15 minutes)

City Council consideration of a professional services contract award to LRE Water in the amount of \$75,000 for completion of a water resource inventory and master plan. *Staff: City Engineer Scott Murphy 17-20*

Action: Accept public comment. Consider making a motion to award a professional services contract to LRE Water in the amount of \$75,000 for completion of a water resource inventory and master plan as presented.

12) CEDAR CREEK TOWNHOMES SUBDIVISION PRELIMINARY PLAT (10 minutes)

City Council consideration of the Cedar Creek Townhomes Subdivision Preliminary Plat. *Staff: Planner II William Reis 21-33*

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

13) STAFF REPORTS

14) CITY COUNCIL COMMENTS

15) MOTION TO ADJOURN

A regular meeting of the Montrose City Council was held on Tuesday, July 19, 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.

PRESENT: Dave Frank, Barbara Bynum, Doug Glaspell, J. David Reed, Ed Ulibarri, Bill Bell, Ben Morris, Ann Morgenthauer, Chris Dowsey, Matthew Magliaro, Eric Haynes, Matt Smith, Jim Scheid, Greg Story, Lisa DelPiccolo, Blaine Hall

GUESTS: Janet Chapman, David White, Jeremy Master

CALL TO ORDER

Mayor Dave Frank called the meeting to order at 6:00 p.m. Mayor Frank was attending virtually and announced that Mayor Pro Tem Barbara Bynum would run the meeting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

City Councilor Doug Glaspell removed Item 8, Acceptance of Opioid Settlement Funds, from the agenda.

PARK AND RECREATION MONTH PROCLAMATION

Mayor Pro Tem Barbara Bynum and the Montrose City Council proclaimed the month of July 2022 as Park and Recreation Month in the City of Montrose. Ms. Bynum presented the proclamation to Jeremy Master with the Montrose Recreation District.

CALL FOR PUBLIC COMMENT

David White spoke regarding a meeting he had with Police Chief Blaine Hall and Commander Matt Smith. Mr. White requested the opportunity to meet with City Councilors to discuss crime statistics and prevention options.

Janet Chapman spoke regarding the renovation of the former Wells Fargo building on Main Street for use as City Hall. Ms. Chapman encouraged the installation of solar panels on the roof.

APPROVAL OF MINUTES

City Council considered the minutes of the July 5, 2022, regular City Council meeting.

A motion was made by Doug Glaspell, seconded by J. David Reed, to approve the minutes of the July 5, 2022, regular City Council meeting as presented. All voted yes. Motion passed.

FUEL CONTRACT AMENDMENT

City Council considered the amendment of an existing fuel contract with Parish Oil Company.

Public Works Manager Jim Scheid reported that Parish Oil Company requested an amendment to the existing 2020 fuel contract to cover substantial increases in surcharges and delivery fees. Mr. Scheid stated that the contract with the increased rates remains less than other bids received in 2020. Mr. Scheid recommended continuing with the contract through March 2023 as opposed to rebidding the contract. Mr. Scheid said that the increase totals approximately \$8,000.00 and will not result in budget overruns.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to amend the existing fuel contract with Parish Oil Company as presented. All voted yes. Motion passed.

CITY HALL RENOVATION CONTRACT AWARD

City Council considered the authorization of an award of \$1,500,000.00 for the renovation of City Hall at 400 E. Main Street (formerly Wells Fargo), including the award of a contract with FCI Constructors, Inc. as the Construction Manager/General Contractor.

Public Works Manager Jim Scheid reported that this CMGC approach was used for the Police Department and amphitheater construction projects with advantages to schedule and cost control. Mr. Scheid stated that the CMGC contract, asbestos abatement, and roofing replacement are all included within the \$1.5 million.

Mr. Scheid reviewed the RFP process and selection of FCI Constructors. Mr. Scheid said that FCI will work closely with the architect and design team and offer pricing updates and alternates to stay on budget. Ultimately, FCI will generate a guaranteed maximum price and award a construction contract for that price, which is also included in the \$1.5 million. Mr. Scheid said that Blythe Group is also designing renovations to the exterior of the building. The façade upgrades are not included in the \$1.5 million, but the completed design will allow budgeting for the project in the future.

Public Comment was accepted.

David White asked the total cost of the building acquisition and the improvements. City Manager Bill Bell stated that the property was acquired for \$1.5 million, and the City will spend \$1.5 million on renovations. Mr. Bell said that the remodel of the current City Hall was estimated at \$6-\$7 million.

A motion was made by Doug Glaspell, seconded by J. David Reed, to authorize the award of \$1,500,000.00 for the renovation of City Hall at 400 E. Main Street, including the award of a contract with FCI Constructors, Inc. as the Construction Manager/General Contractor as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report: Assistant Finance Director Eric Haynes presented a sales, use, and excise tax report for the month of May 2022. Mr. Haynes reported that total sales and use tax collections were up 14.8 percent as compared to May 2021 with a positive budget variance of 67.9 percent. Year-to-date collections were up 12.6 percent with a positive budget variance of 50.3 percent.

CITY COUNCIL COMMENTS

City Councilor Ed Ulibarri requested an update on a letter received regarding Kinikin Processing. City Manager Bill Bell reported he will meet with the owners on July 20 and discuss options to alleviate the problem. Mr. Bell said he will report back to City Council after the meeting.

MOTION TO ADJOURN

At 6:44 p.m., a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:

David Frank, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
CITY CLERK

MEMO

DATE: July 27, 2022
TO: City Council
FROM: Lisa DelPiccolo, City Clerk
RE: Special Events Alcohol Permit for FUNC Fest

Montrose Black Canyon Rotary Club has applied for a Special Events Permit to sell and serve alcohol during the annual FUNC Fest on Saturday, August 13, at the Montrose Watersports Park and in Riverbottom Park. As part of this event, Apollo Road will be closed. The Municipal Code and Regulations Manual require City Council approval for Special Events Permits issued in conjunction with a street closure.

The alcohol permit application is attached and includes a premises map. The premises were posted in compliance with state statute, and no comments were received.



Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- | | | |
|------------------------------------|--|---|
| ☐ Social | ☐ Athletic | ☐ Philanthropic Institution |
| ☐ Fraternal | ☐ Chartered Branch, Lodge or Chapter | ☐ Political Candidate |
| ☐ Patriotic | ☒ National Organization or Society | ☐ Municipality Owned Arts Facilities |
| ☐ Political | ☐ Religious Institution | |

LIAB Type of Special Event Applicant is Applying for: 2110 ☒ Malt, Vinous And Spirituous Liquor Fee: \$100.00 per event Payable to the City of Montrose 2170 ☐ Fermented Malt Beverage	DO NOT WRITE IN THIS SPACE Liquor Permit Number
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1. Name of Applicant Organization or Political Candidate Montrose Black Canyon Rotary Club		State Sales Tax Number (Required)	
2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) Rotary Club of Montrose Black Canyon Inc. P.O. Box 563 Montrose, CO 81402		3. Address of Place to Have Special Event (include street, city/town and ZIP) Montrose Watersports Park / Riverbottom Park 205 Apollo Road Montrose, CO 81401	
4. Authorized Representative of Qualifying Organization or Political Candidate Ashley Pietak, President		Date of Birth	Phone Number
Authorized Representative's Mailing Address (if different than address provided in Question 2.) P.O. Box 563, Montrose, CO 81402			
5. Event Manager Kathryn Schroer		Date of Birth	Phone Number
Event Manager Home Address (Street, City, State, ZIP) Office of Business & Tourism, P.O. Box 790, Montrose, CO 81402		Email Address of Event Manager kathryn@visitmontrose.com	
6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? ☐ No ☒ Yes How many days? <u>2</u>		7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? ☒ No ☐ Yes License Number _____	

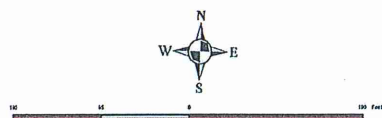
8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☐ Yes ☐ No				
List Below the Exact Date(s) for Which Application is Being Made for Permit				
Date 08/13/22	Date	Date	Date	Date
Hours From 12:00 p.m. To 9:30 p.m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.
Date	Date	Date	Date	Date
Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.
Date	Date	Date	Date	Date
Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.		
Signature	Title President	Date 07/27/22

Report and Approval of Local Licensing Authority (City or County)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.		
THEREFORE, THIS APPLICATION IS APPROVED.		

Local Licensing Authority (City or County)	☐ City ☐ County	Telephone Number of City/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY			
Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$.



Alcohol Permitted Area
FuncFest
 Montrose, CO



Date: 6/23/2016

ORDINANCE NO. 2593

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, DELEGATING AUTHORITY TO THE BOARD OF DIRECTORS OF THE MONTROSE EMERGENCY TELEPHONE SERVICE AUTHORITY TO SET THE RATE OF THE CHARGE IMPOSED ON SERVICE USERS PURSUANT TO C.R.S. §§ 29-11-102, 102.5 AND 103

WHEREAS, on February 1, 1988, the Board of County Commissioners of the County of Montrose, Colorado, a body politic and corporate (“Montrose County”), the City of Montrose, Colorado, a municipal corporation, the Town of Olathe, Colorado, a municipal corporation (“Olathe”), the Montrose Fire Protection District, a political subdivision of the State of Colorado (“MFPD”), the Olathe Fire Protection District, a political subdivision of the State of Colorado (“OFPD”) entered into an Intergovernmental Agreement “E-911” “Emergency Telephone Service” establishing an “Emergency Telephone Authority” (the “Intergovernmental Agreement”); and

WHEREAS, on December 4, 1989, Montrose County, the City of Montrose, Olathe, the Town of Naturita, Colorado, a municipal corporation (“Naturita”), the Town of Nucla, Colorado, a municipal corporation (“Nucla”), MFPD, OFPD, the Nucla-Naturita Fire Protection District, a political subdivision of the State of Colorado (“Nucla – Naturita FPD”), and the Norwood Fire Protection District, a political subdivision of the State of Colorado (“Norwood FPD”) entered into an Intergovernmental Agreement Concerning the Implementation of an “E-911” “Emergency Telephone Service” establishing the Montrose Emergency Telephone Service Authority (“METSA”); and

WHEREAS, on December 4, 1989, Montrose County, the City of Montrose, Olathe, Naturita, Nucla, MFPD, OFPD, Nucla-Naturita FPD, Norwood FPD and the Paradox Fire Protection District, a political subdivision of the State of Colorado (“PFPD”) entered into an Amendment Re Intergovernmental Agreement Concerning the Implementation of an “E-911” “Emergency Telephone Service,” amending the Intergovernmental Agreement to include PFPD and its residents; and

WHEREAS, on December 11, 2015, Montrose County, the City of Montrose, Olathe, Naturita, Nucla, MFPD, OFPD, Nucla – Naturita FPD, the Ouray County Emergency Telephone Service Authority (“OCETSA”), the San Miguel County E-911 Emergency Telephone Service Authority (“SMETSA”), and PFPD (collectively, the “Members”) adopted an Amended and Restated Intergovernmental Agreement Concerning the Implementation of an “E-911” “Emergency Telephone Service” (the “Amended and Restated IGA”); and

WHEREAS, on May 27, 2020, Montrose County, the City of Montrose, Town of Olathe, Town of Naturita, Town of Nucla, Montrose Fire Protection District, Olathe Fire Protection District, Nucla – Naturita Fire Protection District, Ouray County Emergency Telephone Service Authority (“OCETSA”), and the San Miguel Emergency Telephone Service Authority (“SMETSA”), (collectively, the “Members”) adopted an Amended and Restated

Intergovernmental Agreement Concerning the Implementation of an “E-911” “Emergency Telephone Service” (the “Amended and Restated IGA”); and

WHEREAS, on July 16, 2020, METSA adopted the Amended and Restated Bylaws of the Montrose Emergency Telephone Service Authority (the “Amended Bylaws”); and

WHEREAS, the City of Montrose is a member of the Montrose Emergency Telephone Service Authority (“METSA”) pursuant to the Amended and Restated IGA; and

WHEREAS, the Board of Directors of METSA (the “Board”) is comprised of representatives from Members of METSA; and

WHEREAS, pursuant to Article VI, Section A of the Amended and Restated IGA, each Member of METSA shall annually pass an ordinance or a resolution imposing a charge pursuant to C.R.S. §§ 29-11-102, 102.5 and 103, on each Service User (as defined in such statute) within its jurisdiction in an amount, together with any surplus funds carried forward, which is sufficient to fund the expenditures of the Authority, or such Member shall delegate to the Board for the Authority the ability to set such rate; and

WHEREAS, the City of Montrose desires to delegate authority to the Board of METSA to set a surcharge rate.

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

The City of Montrose hereby delegates authority to the Board to set the charge imposed on Service Users pursuant to C.R.S. §§ 29-11-102, 102.5 and 103.

INTRODUCED, READ, and PASSED on first reading by the City Council of the City of Montrose, Colorado, this 2nd day of August, 2022.

CITY OF MONTROSE, COLORADO

By: _____
David Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

INTRODUCED, READ, and ADOPTED on second reading by the City Council of the City of Montrose, Colorado, this 16th day of August, 2022.

CITY OF MONTROSE, COLORADO

By: _____
David Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

RESOLUTION 2022-12

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

WHEREAS, the Montrose Police Department received approximately 32,028 Calls for service in 2021; and

WHEREAS, the Montrose Police Department has seen a 67% rise in cases that require Victim Services involvement within the past 10 years from 349 victims to 583 and continue to see a rise in cases that require Victim Services involvement and wish to expand the Victim Services program (this number does not include unattended death or suicide response); and

WHEREAS, there has been a rise in requests to meet with the Victim Advocate for immediate in person, crisis intervention purposes by 34% from 22 responses midyear 2021 to 35 responses midyear 2022; and

WHEREAS, there has been a rise in the total number of crime victims assisted by 41% from 96 total victim midyear of 2021 versus 128 midyear 2022; and

WHEREAS, there has been a significant rise in the number of sexual assault victims that we have assisted by 91% from 23 midyear of 2021 versus 44 midyear 2022; and

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

WHEREAS, the Victim Rights Act continues to grow regularly to include additional crimes, eight of which have been added within the past three years and five of the eight being added within the past two years with an additional crime currently pending approval by the governor; and

WHEREAS, the Victim Advocate has accumulated additional necessary responsibilities that take up a large portion of her time, such as facility dog handler, community education, neighboring agency Victim Rights Act training and Academy Instructor for Victim Rights Act and Domestic Violence, thus making it extremely difficult to focus on other activities that would immensely benefit crime victims and the community; and

WHEREAS, the Montrose Police Department wishes to improve upon the services currently provided to include Sunday Advisement coverage, with intention to create a weekend work schedule, days specifically geared towards helping victims with obtaining civil protection orders, apply for Crime Victim Compensation or access other community resources, regular

follow up with crime victims, court room training with our facility dog and can only accomplish this with an additional Victim Advocate; and

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

WHEREAS, the Montrose Police Department is mandated by the Colorado Constitution to guarantee certain rights to victims of violent crimes, employs one full time Victim Advocate to ensure compliance and to provide services to crime victims, and wish to apply for a portion of the Victim Advocate's salary in the amount of \$28,000.00; and

WHEREAS, the Montrose Police Department has recognized that due to the crime rate and requirements the Victim Rights Act has placed on law enforcement agencies; the need has outgrown one Victim Advocate and the Montrose Police Department wishes to employ an additional full time Victim Advocate to accommodate the new and current requirements as well as expected future growth of the Victim Rights Act and rising crime rate and wish to apply for a portion of the Victim Advocates Salary in the amount of \$20,080.

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

- Authorizes the City of Montrose Police Department to file a Victim Assistance Law Enforcement (VALE) Grant through the 7th Judicial District Victims Assistance Board for the total of \$48,080.00, to cover a portion of both the current Victim Advocate's Salary and a new Victim Advocates salary.
- Authorizes the Chief of Police to act in connection with the application and to provide such additional information as required.
- Authorizes the City Manager, Chief of Police and Finance Director to sign the grant application and reporting documents.

ADOPTED this 2nd day of August, 2022, by the Montrose City Council

CITY OF MONTROSE, COLORADO

By _____
David Frank, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

CONTRACT AWARD RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Ross Valdez, Community Engagement Specialist
DATE: August 2, 2022
RE: City of Montrose Housing Needs Assessment Contract Recommendation
CC: William Bell, Shani Wittenberg

Action

Consider the award of a professional services agreement to Points Consulting in the amount of \$48,890.00 for completion of a City of Montrose Housing Needs Assessment.

Background

December of 2021, The City of Montrose applied for the DOLA Innovative Housing Strategies Planning Grant after receiving authorization from City Council via approval of Resolution 2021-25. The Planning Grant Program provides grants to local governments to help them better understand their housing needs and adopt policy and regulatory strategies in order to promote the development of affordable housing.

On January 27, the City of Montrose was awarded \$114,000 from DOLA's Planning Grant Program with the understanding that the City would provide a matching contribution of up to \$76,000. Through this grant, the City will conduct a Housing Needs Assessment and will pursue adoption and refinement of affordable housing policy and regulatory strategies supported by the City's Envision 2040 Comprehensive Plan.

Request for Proposals and Design Team Recommendation

On June 17, 2022, the City of Montrose issued a request for proposal to procure a consultant to assess current housing conditions and needs, make projections/predictions of future housing conditions and needs, and provide recommendations for policies, practices, and regulatory changes that can be implemented to address gaps between housing need and supply.

Proposals were publically received on July 11, 2022 from four consultants summarized in Table 1 below. Following receipt of the proposals, each was evaluated by the City of Montrose Planning staff as well as staff members from community housing organizations. A score between 0 and 4 was assigned to each based on weighted evaluation criteria. The resulting scores are summarized in Table 1. The weighted evaluation criteria are intended to objectively quantify the best-value consultant for the project.

TABLE 1 Summary of Consultant Proposals		
Consultant	Price	Rating
Dynamic Planning + Science	\$110,585.00	3.3
Thomas P. Miller & Associates, LLC	\$99,900.00	3.2
Prosono	\$97,600.00	3.3
Points Consulting	\$48,890.00	3.5

Based on the evaluation criteria and ratings, City staff recommends contract award to Points Consulting.

Project Schedule

The Housing Needs Assessment is proposed to be completed by March of 2023 with work commencing as early as August of 2022.

Project Financials

This project is the result of a grant that the City applied for in 2021 and was awarded in 2022. Through adoption of resolution 2021-25, the City committed to a matching contribution up to \$76,000 – 40% of the grant. Funds spent in 2022 will be included in the same year's supplemental budget and project costs in 2023 will be included in the Planning Services budget.

CONTRACT AWARD RECOMMENDATION



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: July 26, 2022
RE: Water Resource Inventory and Master Plan Contract Award Recommendation
CC: William Bell, Shani Wittenberg

Action

Consider the award of a professional services contract to LRE Water in the amount of \$75,000 for completion of a water resource inventory and master plan.

Background

Thanks to the work of our predecessors, the City of Montrose's water resource portfolio is secure and currently has room to grow as we are using less than 50 percent of our currently-available water resources. That being said, it is important that the City responsibly manage and utilize this precious resource for many generations to come; especially in the face of continued growth, prolonged drought, and aridification of the region. To that end, this project looks to accomplish the following goals:

1. Prepare an inventory/master plan report that can be used to educate City Staff/Management, City Council, and the public regarding the City's water resources and their management. This will also prove useful for succession planning within City departments involved with water.
2. Utilize the inventory/master plan findings and report to facilitate and guide responsible development, effective land-use regulations related to water, practical water conservation programs, efficient City water operations, and capital improvements to reduce consumptive water use.
3. Understand if the City's existing water resources are enough to cover the anticipated urban buildout within the City's service area boundary. Based on these data, identify the amount of conservation or water resource expansion that would be required to fully develop the City's service area. The City also receives requests for expansion of our service area from time to time; these growth projections will help to determine if these expansion requests should be entertained.
4. Understand risks to the City's water supply due to prolonged drought, a Colorado River compact call, local calls within the Uncompahgre watershed, climate change, and/or watershed damages (wildfire, spills, etc).
5. Develop Montrose as a local leader in responsible water resource management and ultimately serve as a resource to other communities looking to do the same.

The final report is expected to include the major elements shown in Attachment A. As is typical of other City master planning efforts, this project will include various types of citizen outreach and engagement to understand and incorporate our community's desires as they relate to water resource management and water conservation.

Request for Proposals and Consultant Recommendation

On June 8, 2022 the City of Montrose issued a request for proposals to procure a consultant for this project and proposals were publicly received on July 11, 2022. Proposals were evaluated by the City of Montrose Engineering and Utilities Departments and a score between 0 and 4 was assigned to each based on weighted evaluation criteria. A summary of proposals received and the resulting scores are summarized in Table 1. The weighted evaluation criteria are intended to objectively quantify the best-value consultant for the project.

TABLE 1		
Summary of Consultant Proposals		
Consultant	Location	Rating
LRE Water	Glenwood Springs, CO	3.4
Wright Water Engineers	Durango/Denver, CO	3.0
Lynker	Boulder, CO	3.0
Kaleidoscope	Albuquerque, NM	1.7

Based on the evaluation criteria and ratings, City staff recommends contract award to LRE Water in the amount of \$75,000. It should be noted that the request for proposals did not include any requests for total project costs; only for hourly rate sheets of the team assigned to the project. Given the open-ended nature of this project, the contract would be setup on a time-and-materials, as-needed basis.

Project Schedule

This planning effort is scheduled to extend into the third quarter of 2023. Originally the project was envisioned to be completed in 2022; however, present workload and availability of both City staff and consultants have pushed out the project timeline. The initial 2022 project efforts will focus on answering questions regarding water demand projections and potential expansion of the City's water service area as these requests are becoming somewhat frequent due to continued development interest along the edges of the City's current water service area.

Contract Administration and Project Financials

Contract administration and project management will be performed by the City of Montrose engineering department. The 2022 budget included \$75k in the water fund for this project. Because this project is now planned to span two budget years, the unused balance from 2022 will be requested in the 2023 budget.

ATTACHMENT A



CITY OF MONTROSE WATER RESOURCE INVENTORY AND MASTER PLAN Research and Report Outline July 12, 2022

Below is an outline of the anticipated elements to be included in the City's water resource inventory at a minimum. As the project progresses, this outline is expected to expand.

1.0 WATER TREATMENT AND DISTRIBUTION HISTORY

- a. Original diversions of Uncompahgre River water, wood pipe distribution system
- b. System prior to creation of Project 7 – generally independent providers
- c. Current-day water treatment and distribution (creation of Project 7 and current water districts)
- d. Current plans for second treatment plant near Ridgway

2.0 WATER RESOURCE INVENTORY

For each of the sources below discuss history of how acquired, partnerships/stakeholders in its use, quantity of water available, how utilized (primary source, backup source, water exchanges, etc), what used for (municipal vs. irrigation), infrastructure in place to utilize (hydraulic distribution/diversions or seasonal limitations, etc), limitations on use, etc.

- a. 10,000 AF in Ridgway, leased from Tri-County Water (operator of Ridgway Dam), water used by UVWUA, water right exchange with water from Gunnison. Discuss Dallas Creek project and how structured, pools of water available in Ridgway.
- b. 80 shares in the Cimarron Canal company. Use to fill Cerro Reservoir (720 AF). Limited by capacity of fill line, storage in Cerro, capacity of raw water line down Hwy 50. One share can produce 40 AF in a good year but can only divert surface flows – no storage water from Silver Jack available. Not able to utilize full potential. Harder to treat at treatment plant.
- c. Direct flow irrigation water rights. Summarize direct flow rights filed with State, locations, rates, alternate diversion location records. Primarily used for irrigation of parks. Evaluate old Gunnison water right currently on abandonment list. Summarize historic direct-diversion rights (old Uncompahgre River direct flow)
- d. Uncompahgre Valley Water Users Association Shares. Summarize share water, how used, identify which are not currently utilized.
- e. Rice Ditch Shares. Irrigation shares from the private Rice Ditch. Used to irrigate Taviwach Park. Little organization on the ditch. Summarize available shares, organizational structure, historic use.

3.0 MUNICIPAL WATER USE

3.1 Historic Use

- a. Compile total municipal water use by year over the past 20 years, plot alongside population estimates, plot alongside drought index, plot historical water use per capita. Use AMI and GIS tools as appropriate to analyze data.

3.2 Projected Use

- a. Utilize planning department, zoning/density information, GIS, and AMI tools to estimate a range of expected water demand at full buildout of City's water district. This would be analyzed several ways: based on typical use per capita, observed use per capita, and expected use per acre for a given zoning or land use. Compare to available water resources to identify expected shortage or surplus.

4.0 PUBLIC OUTREACH

Summarize results of public outreach efforts (open houses, social media surveys, etc) and feedback received from the public regarding the community's water resources.

5.0 WATER RESOURCE PLANNING

This section will focus on summarizing potential actions that can be taken to reduce demand/promote conservation and potentially expand available water supply. For each item discuss what implementation would entail, pros/cons, political implications, permitting implications, quantity of water that may be saved or made available, and potential costs as applicable. Ultimately looking to identify the cost-benefit and understand where to best focus conservation and expansion efforts.

5.1 Reduce Demand/Promote Conservation

- a. Land Use Policies. Identify land use policies that could be considered to reduce municipal demand on new development such as landscaping restrictions on non-essential turf, turf size limitations, mandatory separate irrigation systems for large-lot subdivisions, etc
- b. Conservation Programs. Turf buyback, graywater reuse, reclaimed wastewater re-use, low turf incentives, sprinkler timer replacement programs, etc
- c. Enforcement. Water waste program and regulations
- d. Educational Resources. Water-smart landscaping and irrigation resources, water conservation marketing and promotion initiatives
- e. City operational and capital considerations. Identify steps the City can take to reduce consumptive use. This would include items such as irrigation operational changes, irrigation system improvements, non-functional turf removal and replacement with desert landscaping, conversion of parks irrigated with treated water to irrigation water, etc. Want to spend a lot of focus here and create tangible plan for implementation over the next 10 to 15 years.

5.2 Expand Water Resources

- a. Feasibility of agricultural to municipal conversions. Not buy and dry but investigating if there is a way to keep unused agricultural water resources or shares here if not being used for agriculture anymore or as subdivisions occupy previously-irrigated land.
- b. Potential expansion of municipal water pool in Ridgway from BOR's non-contract pool.
- c. Evaluation of actions needed to better utilize Cimarron Canal company shares (improved transmission capacity, additional storage, etc).

6.0 VULNERABILITY/RISK ASSESSMENT

- a. Attempt to summarize vulnerability of water supply to shortage taking into consideration probability of early-season call on the river taking Ridgway's fill out of priority. Identify unique considerations that protect against this even though Ridgway's right is relatively junior.
- b. General vulnerability to wildfire or other watershed damages
- c. Recognition of basin-wide shortage on Colorado River and its potential implications on our water supply, especially if a call were placed on the River by the lower basin states.
- d. Quantify climate change's expected impact on water supply. Summary of impact on river yield, timing of runoff, reduction in yield per degree of average temperature rise, etc.



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: August 2, 2022
RE: Cedar Creek Townhomes Subdivision Preliminary Plat
ATTACHMENTS

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

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 approval of the Cedar Creek Townhomes Subdivision Preliminary Plat. City Council will consider all of the information in this memo in making a decision.

Application Background:

The Cedar Creek Townhomes Subdivision is a proposed residential development on the northern side of Montrose. The property is approximately 0.3 acres in size and is located at 708 Cedar Creek Ave, on Lot 46 of the Cedar Creek Subdivision. The proposed subdivision will consist of 5 townhomes with additional common elements. The property is zoned "R-4" High Density District. The Planning Commission recommended approval of the Cedar Creek Townhomes Subdivision Preliminary Plat on July 13, 2022.

Applicant: Garret Smith, Color Red Construction



Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 4-7-5 (A)(2) and summarized below: (See Exhibit B)

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.

2. Comprehensive Plan - Land Use Map Designation:

- The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: **Residential Mixed Density High**. *This high-density residential land use is primarily intended for attached buildings on individual lots (such as townhomes), as well as multi-family structures such as apartments and condominiums. Accessory dwelling units (apartments over garage) are encouraged.*

3. Zoning Regulations:

- 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
- The proposed use is a use-by-right in this zoning district. The current zoning is compatible with general conditions in the area. The property is adjacent to properties that are zoned "R-4" High Density District, and "R-3A" Medium High Density District.

4. Dimensional Requirements:

- Municipal Code, Section 4-4-22. The dimensional requirements in the "R-4" zoning district are included in the table below.



	Minimum Lot				Minimum Setbacks				
District	Use	Width at Building Line	Depth	Size	Front	Rear	Side	Corner Lot	Maximum Building Height
R-4	Single-family	N/A	N/A	6,250	15	25	5	15	35
	Duplexes	N/A	N/A	9,375	15	25	5	15	35
	All others	N/A	N/A	Lgr 9,375 or 2,300/unit	15	20	10	15	35

- This application consists of townhomes, which can be individually conveyed as sublots. The overall, 5-unit building complies with all setback requirements within the lot as a whole.

Planning Commission Action:

The Planning Commission recommended approval of the Cedar Creek Townhomes Subdivision Preliminary Plat at the July 13, 2022 meeting with the following standard condition: “The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff’s concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.” The vote was unanimous.

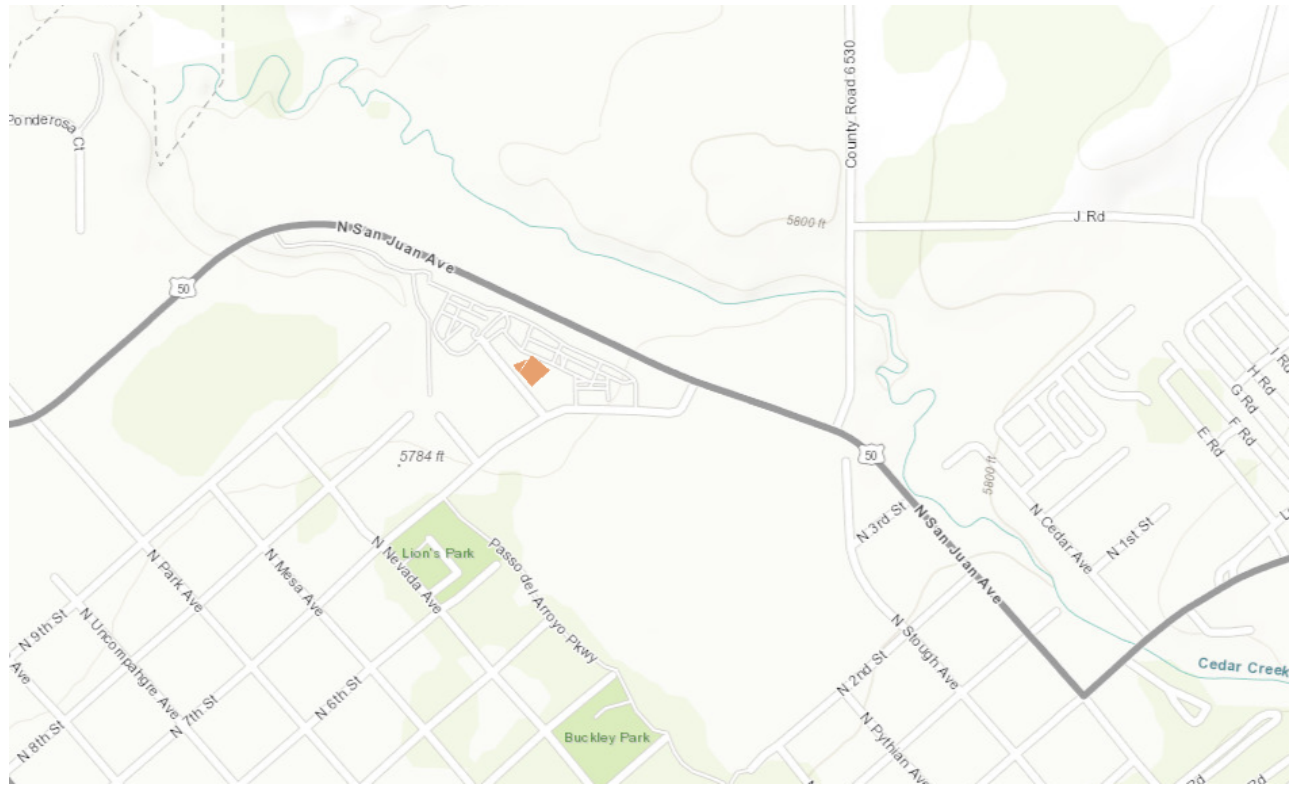
City Council Options for Preliminary Plat:

1. Accept the Planning Commission recommendation and approve the Cedar Creek Townhomes Subdivision Preliminary Plat with the following standard condition:
 - “The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff’s concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.”
2. Disapprove the preliminary plat if Council finds the requirements of the subdivision regulations have not been met.

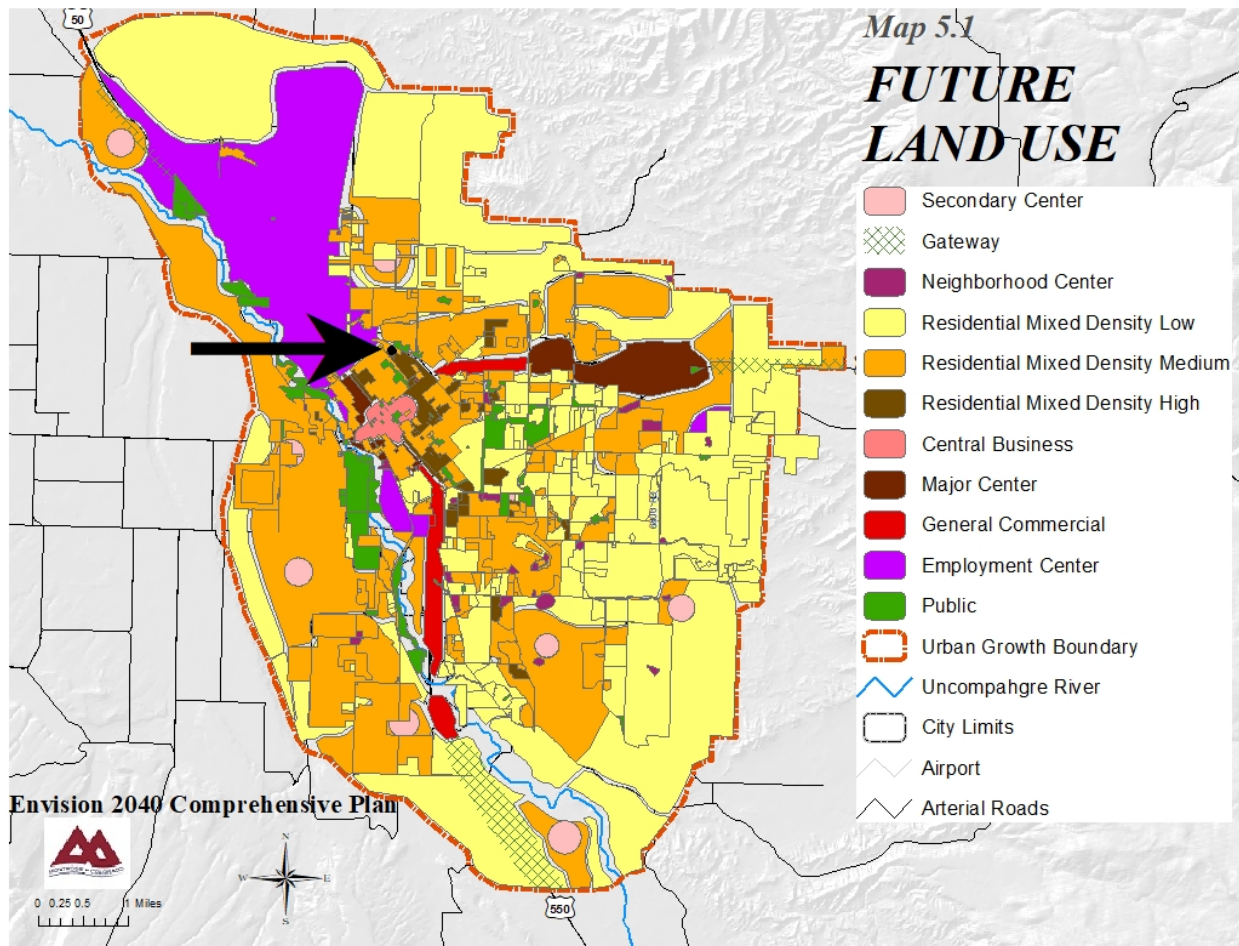


EXHIBIT A: Area Maps

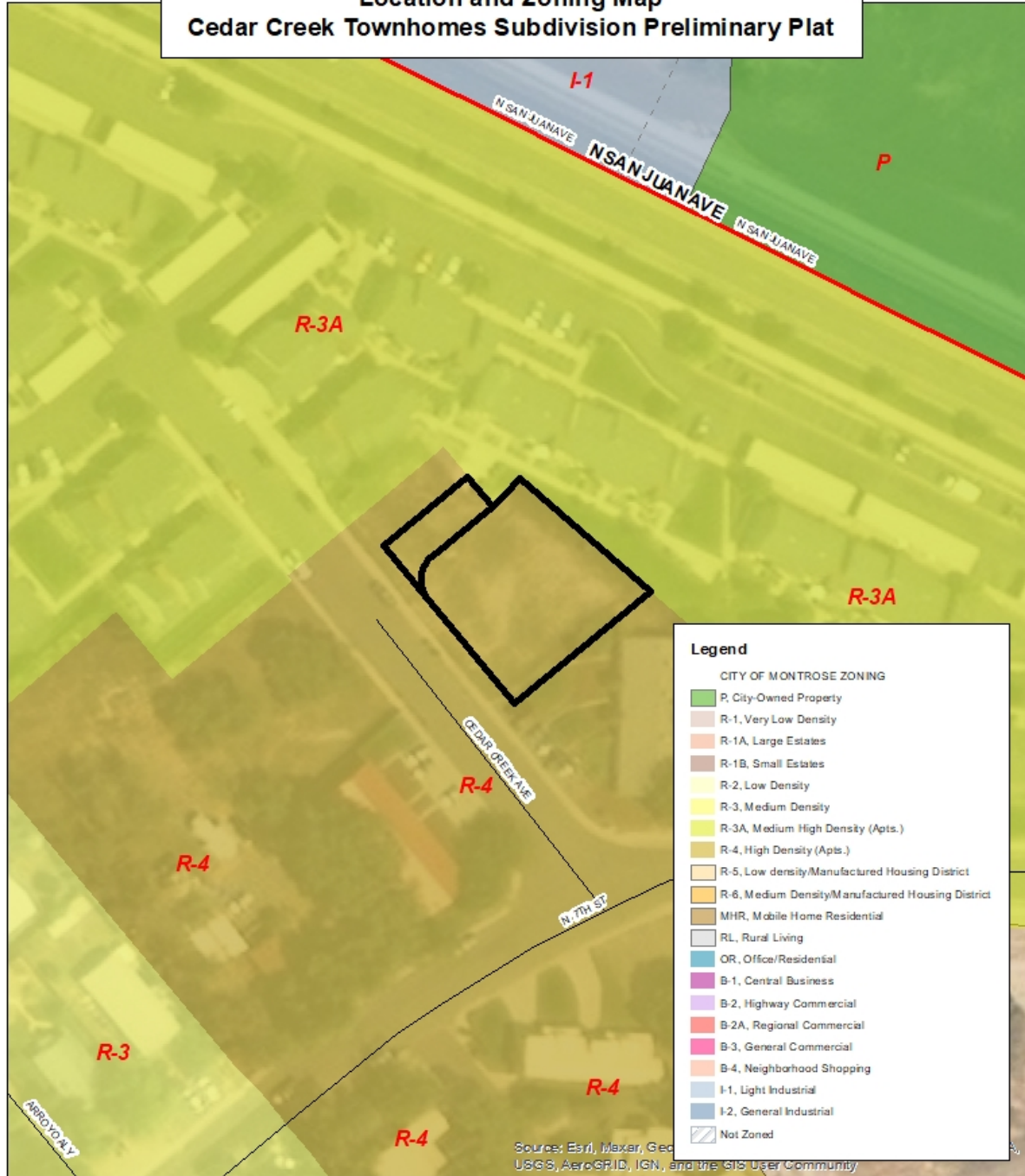
Vicinity Map



Comprehensive Plan Future Land Use Map



Location and Zoning Map Cedar Creek Townhomes Subdivision Preliminary Plat



0 0.0125 0.025 0.05 0.075 Miles



EXHIBIT B: Code Excerpts for Subdivisions

Sec. 4-7-5. - Subdivision procedure.

- (A) The subdivision of land shall be accomplished in accordance with the procedures provided in this Section, except for those instances where different governing procedures are set forth pursuant to Sections 4-7-9 through 4-7-11, Informal Review and Sketch Plan. The City Council shall set all application fees related to land use action per resolution.
- (1) Prior to submittal of the subdivision application, the subdivider shall make a reasonable effort to consult informally with property owners of record adjoining or within 100 feet of the proposed subdivision, and the City. No fee shall be required for such review or discussions of any plans or data concerning the proposed subdivision, prior to sketch plan review. The City shall not be bound by virtue of any discussions during the informal review stage.
- (2) The proposal shall be consistent with the Master Plan, City subdivision and Zoning Regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
- (a) Conformance with the Master Plan and Zoning Regulations;
 - (b) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (c) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (d) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (e) Adjacent streets and traffic flow, including pedestrian access;
 - (f) Availability of fire, police and other emergency services protection;
 - (g) Impacts on area schools.
- (3) A subdivider who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing his present plans for its eventual development.
- (4) Following informal review when applicable, and in all cases except when not required by other provisions of this Chapter, the applicant shall file copies of the sketch plan application and sketch map, along with all required supporting plans, with the City. The submittal of such application, map and supporting plans shall comply with City's application and fee requirements.

Filing of a sketch plan shall not be required in cases where a subdivision, which does not qualify as a minor or amended subdivision, primarily due to a lack of installed on or off-site public improvements. In no case shall the sketch plan requirement be waived under this provision for subdivision proposals containing more than three divisions of real property, or where any part of the subdivision has been subdivided without a sketch plan under any part of this Official Code of the City of Montrose, Colorado, within the three years prior to the date of submission.

- (5) The sketch plan review shall commence only upon submittal of a completed sketch map, a completed sketch plan application form, which form shall be provided by the City, and all required supplemental information as set forth below, as well as any additional materials determined by City staff to be necessary for processing of the application.



- (a) Sketch Map. The sketch map shall include the following:
- (i) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to major and minor arterial and collector roads or highways.
 - (ii) A detailed map showing property boundaries of the subdivision, north arrow and date. The scale of the map shall not be less than one inch equals 200 feet. The map shall include the name of the subdivision, name of the county, township, range, Section and quarter Section. The map shall further indicate zoning and land use of all lands within 300 feet of any property boundary owned by or under option to the subdivider. A title box shall be located in the lower right corner of the map. In the case of large subdivisions requiring more than one sheet at such a scale, an index map showing the total area on a single sheet shall also be submitted.
 - (iii) A conceptual drawing of the lot and street layout indicating the approximate area and number of individual lots and access to the property.
 - (iv) Significant natural and manmade features on the site, such as streams, lakes, natural drainage ways and wetlands; vegetation types including locations of wood areas; wildlife habitats; scenic corridors; visual impacts; solar access; existing buildings; utility lines and easements; irrigation ditches; bridges and similar physical features; existing development on adjacent property; and footprints of existing buildings.
 - (v) Total acreage of the tract.
 - (vi) Existing and proposed zoning district boundary lines. General land use divisions, including residential types, commercial, industrial, parks, open space and community facilities, including the proposal's relevance to underlying zoning.
 - (vii) Type and layout of all proposed infrastructure, including streets, utilities, water and sewer systems, and impact on existing systems.
 - (viii) Public use areas proposed to be dedicated to the public, the purpose of the dedication, and their relationship to existing public use areas.
 - (ix) Existing and proposed land use patterns, including street system, of both the tract proposed for development and immediately adjacent land.
 - (x) Existing site problems or peculiarities, such as areas of poor drainage, existing floodplain, geological hazards and seepage water.
 - (xi) Existing and proposed stormwater discharge facilities pertaining to the property.
- (b) Sketch Plan Application. The sketch plan application shall include, but not be limited to, the following information pertaining to the proposed subdivision (this information may be provided in a narrative format):
- (i) Estimated total number of gallons per day of water system requirements, source of water to supply subdivision requirements, and proposed dedication of water rights in accordance with existing City ordinances.
 - (ii) Estimated total number of gallons per day of sewage to be treated and means for sewage disposal.
 - (iii) Availability of electrical power, natural gas, CATV, telephone and other utilities necessary or proposed to serve the subdivision.
 - (iv) Access to the property, off-street parking, school bus stop area, and mail box location.
 - (v) Total number of proposed dwelling units.
 - (vi) Demonstrated compatibility with natural features.



- (vii) Identification of all activities of the subdivision which shall require approval by permitting agencies at the local, state and federal level, and a description of the approval so required.
 - (viii) Names and addresses of all property owners of record adjoining or within 100 feet of the proposed subdivision.
 - (ix) Summary of issues or concerns resulting from informal review with neighboring property owners, if applicable.
- (c) Sketch Plan Supplemental Documents. The sketch plan application shall also include the following supplemental documentation:
 - Disclosure of ownership, with supporting documentation from a title insurance company or, if acceptable to the City, an attorney licensed in the State of Colorado, which shall set forth a legal description of the property and title ownership of the property.
- (6) Upon complete submittal of all required information, City staff shall provide initial review of the sketch plan within 45 days. Upon completion of initial review of the plan and submission by the applicant of any supplemental materials or necessary revisions as requested by City staff, the sketch plan application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met.
- (7) Advance notice of the sketch plan review by the City Planning Commission shall be provided by publication, with a location map of the property to be subdivided. Fifteen-day advance written notice shall also be provided, by hand delivery or deposit into the U.S. mail, to all property owners of record adjoining or within 100 feet of the proposed subdivision. The City shall provide such notice. The review and discussion of the Sketch Plan by the Planning Commission shall be informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider.
- (B) Preliminary Plat.
 - (1) An application for preliminary plat shall be submitted to the City and shall comply with applicable City submittal requirements.
 - (2) The City may distribute copies of the preliminary plat and supporting plans or data as appropriate to the County Land Use Department, the school district, the natural gas, CATV, electrical power and telephone companies, the Fire Protection District, the Colorado Department of Transportation, the Federal Aviation Administration, the Uncompahgre Valley Water User's Association, applicable City departments and employees, and other entities as appropriate.
 - (3) The preliminary plat and proposed improvements shall comply with all requirements of these subdivision regulations and other applicable City design and construction specifications and standards. The plat shall be drawn to a scale of not less than one inch equals 100 feet. (See Chapter 4-4 of these Zoning Regulations.)
 - (4) The preliminary plat shall contain, at a minimum, the following:
 - (a) The name of the subdivision and the name, address and phone number of the subdivider, and his representatives, if applicable. Such information shall be contained in a title box located on the lower right corner of the plat.
 - (b) A certificate by the engineer or surveyor preparing the plat attesting to the accuracy of the plat. Such information shall be contained in a title box located on the lower right corner of the plat and



shall be signed and stamped by the licensed professional engineer or registered surveyor, and shall indicate the scale used and direction of true north.

- (c) A certificate by a licensed professional engineer that the water, stormwater, sewer systems, and all other improvements are properly engineered and designed in compliance with applicable requirements of the City and state.
- (d) A certificate of ownership of the subject property.
- (e) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to significant roads or highways. The location map shall be provided both on the preliminary plat and separately on letter size paper.
- (f) Certification on forms approved by the City to document approval of the plat; and the form of the certificates proposed to be used to comply with the requirements imposed for the final plat as found in Subsection (C) of this Section.
- (g) Two-foot elevation contours and the boundaries of the base flood (100-year flood) and floodway and base flood elevation data, as defined and specified in the City's floodplain management regulations.
- (h) The then-current zoning designations of the subdivision and of adjacent properties.
- (i) The names of the owners of record of adjacent properties, and the property lines of adjacent properties as space will allow.
- (j) The location and ownership interest of existing and proposed watercourses including lakes, swamps, ditches and floodprone areas (the inclusion of such watercourses within the jurisdictional authority of local, state or federal regulatory agencies shall also be noted); the location of existing and proposed streets, easements, utility lines, poles and towers, sewer lines, water lines, drains, culverts and other underground utilities and stormwater drainage facilities both on the proposed subdivision and adjacent properties as practical.
- (k) The layout of all lots showing the building lines, dimensions and lot areas and footprints of existing buildings, if any. The plat shall include at least two references to City GPS coordinates.
- (l) The layout and location of all parks and open space.
- (m) The location of all land to be reserved or dedicated for public use.
- (5) The following shall be submitted accompanying the preliminary plat together with plans and specifications prepared by a licensed professional engineer consistent with City standards and specifications, for all required or proposed improvements. All plans and specifications shall be signed and stamped by a licensed professional engineer.
 - (a) Plans for the proposed sanitary sewer system showing location, grade, pipe sizes and invert elevations, and the connection points to the existing system.
 - (b) Plans for the water system and fire protection system showing locations, pipe size, valves, fire hydrants and connection points to the existing system.
 - (c) Plans for the storm drainage system showing location, pipe sizes, grades and discharge points, including off-site improvements. Such plans shall comply with any applicable City stormwater drainage requirements.



- (d) Plans for any improvements specifically affecting watercourses within the jurisdictional authority of local, state or federal regulatory agencies, noting the required permits therefor.
 - (e) Plans for proposed streets, sidewalks, recreation paths, showing grade and cross Section, trails and walkways and streetlight and street names.
 - (f) A soil or geological report prepared and certified by a professional geologist or soil scientist.
 - (g) Plans for piping ditches, or improvements to waterways.
 - (h) Plans for parks and recreation facilities.
 - (i) A traffic impact study for all developments when estimated vehicle trips per day will exceed 250 and plans for recommended traffic mitigation measures. The study shall provide, but not be limited to, traffic capacity for existing road infrastructure, proper analyses of transportation linkages in conformance with transportation plan, cumulative traffic impact of development at build-out, and proposed infrastructure design to account for such considerations. The scope of the impact study may be broadened to include other nearby subdivisions and developments, allowing for cooperative participation and cost sharing.
- (6) If the applicant intends to develop the project in phases, a phasing plan will be required to be submitted to and approved by the City. The phasing plan must include the numbers of lots in each phase, the infrastructure planned for completion with each phase that is necessary to allow the phase to be properly integrated into City services as determined by the City Engineer, the amenities to be constructed with each phase, and all other information pertinent to the completion of the development.
- (7) Upon submittal of all required information, the City staff shall provide initial review of the preliminary plat within 45 days. Upon completion of initial review of the preliminary plat and submission by the applicant of any supplemental materials and revisions necessary to comply with City regulations, the Preliminary Plat Application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met. City staff shall make a recommendation to the City Planning Commission to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with conditions or modifications.
- (8) Advance notice of the preliminary plat review by the City Planning Commission shall be provided by publication, with location map of the property to be subdivided. The City shall provide such notice at least 15 days in advance of the scheduled meeting.
- (9) Following receipt of a completed Preliminary Plat Application, the applicant shall be required to diligently pursue the application by providing revised plans, plat maps, and other necessary information in a timely fashion. Where the applicant fails to meet this requirement, the City shall, in writing, request the applicant to withdraw the application. If the applicant fails to take any further action on the Preliminary Plat Application for a period of six consecutive months following such request to withdraw, the Preliminary Plat Application shall automatically expire and all applicable fees shall be non-refundable. When a Preliminary Plat Application has expired under this Subsection, in the event the applicant wishes to pursue development of the property the applicant must re-apply and pay any applicable fees.



- (10) Upon review by the City Planning Commission, the commission shall make a recommendation to the City Council to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with modifications or conditions. The reasons for such recommendation shall be included in the minutes of the Planning Commission meeting and provided in writing to the applicant upon request.
- (11) Unless the subdivider withdraws the preliminary plat from review, or it expires as set forth herein, the plat shall be submitted to the City Council for final review and action. Advance notice of the preliminary plat review by the City Council shall be provided by posted notice.
- (12) Council may approve the preliminary plat, approve the plat subject to conditions necessary to implement the provisions of this Chapter, or disapprove the plat if the Council finds that the requirements of these regulations have not been met.
- (13) No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a Mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the Mylar, and supporting documentation as required, the City shall then issue a written notice to proceed.

(Code 2012, § 4-7-5; [Ord. No. 2062](#), 6-2-2005; [Ord. No. 2092](#), 11-17-2005; [Ord. No. 2173](#), 11-15-2007; [Ord. No. 2229](#), 11-5-2009)



CEDAR CREEK TOWNHOMES SUBDIVISION
LOCATED IN LOT 1, SECTION 21, TOWNSHIP 49 NORTH,
RANGE 9 WEST OF THE N.M.P.M., CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

CERTIFICATE OF DEDICATION AND OWNERSHIP
KNOW ALL MEN BY THESE PRESENTS that the undersigned being the owner of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

LOT 46, CEDAR CREEK SUBDIVISION, FILING 1, COUNTY OF MONTROSE, STATE OF COLORADO, and

SOUTHERLY 1/2 OF PINON WAY VACATION being a strip of land situated in the City of Montrose, Montrose County, Colorado and being more particularly described as follows: Beginning at the northwest corner of Lot 46, Cedar Creek Subdivision, Filing No. 1, Lots 1, 2, 46 and 47, said point being on the easterly right-of-way line of Cedar Creek Avenue; thence N41°14'10"W along said easterly right-of-way, 45.00 ft. to a point on the centerline of Pinon Way; thence N48°45'50"E along said centerline, 70.00 ft. to a point on the easterly right-of-way line of said Pinon Way; thence along said easterly right-of-way line S41°14'10"E, 25.00 ft. to a point on the southerly right-of-way line of said Pinon Way, said point being a point on the northerly line of Lot 46, Cedar Creek Subdivision, Filing No. 1, Lots 1, 2, 46 and 47; thence along said southerly right-of-way line of Pinon Way and along said northerly line of Lot 46 the following two courses: S48°45'50"W, 50.00 ft.; 31.42 ft. along the arc of a curve to the left having a central angle of 90°, a radius of 20.00 ft. and a long chord which bears S03°45'50"W, 28.28 ft. to the point of beginning, containing 1,836 square feet.

Have by these presents laid out, platted and subdivided the same into lots as shown on this plat under the name and style of CEDAR CREEK TOWNHOMES SUBDIVISION.

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

Executed this ____ day of _____, 2022.

OWNER: COLOR RED DEVELOPMENT LLC

GARRET SMITH, PRESIDENT/MANAGER

STATE OF COLORADO)
COUNTY OF MONTROSE) ss.

The above Certificate of Dedication and Ownership was acknowledged

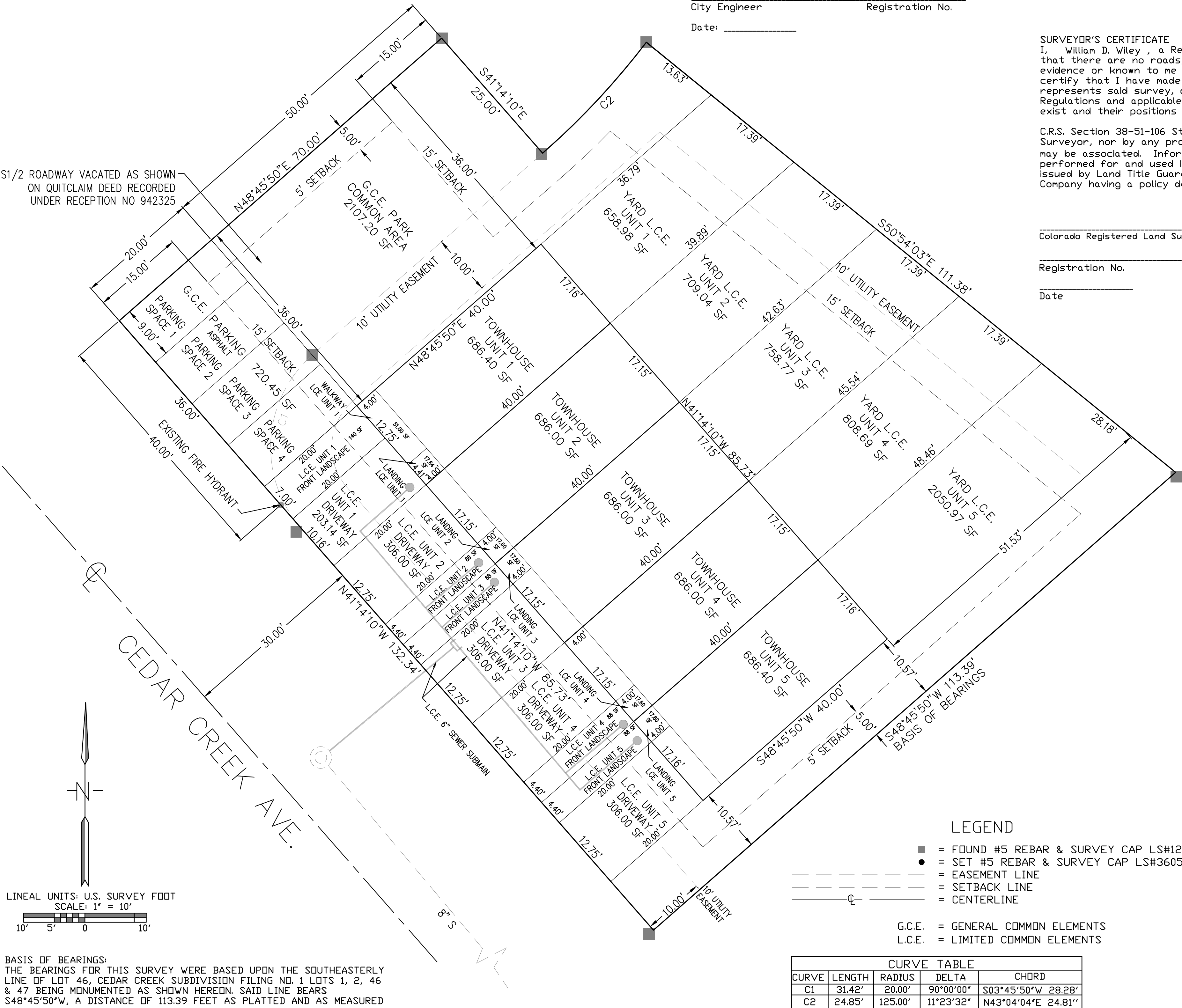
before me on this ____ day of _____, 2022, by Garret Smith.

Witness my hand and official seal. My commission expires _____.

Notary

PLAT NOTES:

- The zoning of this property is R-4 as shown on the City's Official Zoning Map, and as defined and described by the City of Montrose Municipal Code at the time of approval and recordation of this plat, and is subject to change.
- The property shown hereon are subject to the applicable plat notes that were adopted and shown on the final plat of Cedar Creek Subdivision, Filing 1, recorded February 3, 1984 at Reception No. 517063, County of Montrose, State of Colorado.
- The property is subject to the City of Montrose setback requirements being 15 feet on all front lot lines, 25 feet on all rear lot lines being adjusted to 15' on all rear lot lines hereon, and 5 feet on all side lot lines. Townhouse units 1, 2, 3, 4, and 5 are hereby platted with a 0' side setback to accommodate a five-plex.
- COMMON ELEMENTS
All areas designated as "Common Elements" shall be deemed either "Limited Common Elements" (LCEs) or "General Common Elements" (GCEs), all as depicted hereon. Any Common Elements not labeled as LCE's hereon shall be deemed to be GCE's.
- All Common Elements shall be administered by the Cedar Creek Townhome Association, Inc., with all easements, covenants and declaration being set forth in that certain Declaration recorded together herewith at Reception No. _____.
- Utility services to each unit may be situated within common areas. The HDA is responsible for maintenance, restoration, and repairs disturbance that may occur to maintain a utility service line in the common areas. 6' sewer submain is located within the common elements and shall be maintained by the HDA.
- The City is not responsible or liable in any manner for the maintenance, repair, or operation of such Common Elements, nor shall the City be responsible for future dedications of such Common Elements. Upon failure to properly maintain such Common Elements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.
- CERTIFICATE OF GOOD STANDING
The owner(s) whose signature(s) appear on the Certificate of Dedication and Ownership on this Plat have provided the City a current, valid, Certificate of Good Standing bearing Confirmation No. _____ from the Colorado Secretary of State, as proof of the entity's (i) compliance with all applicable requirements of the Colorado Secretary of State, and (ii) good standing with the Colorado Secretary of State.
- AIRPORT INFLUENCE AREA NOTICE
The CEDAR CREEK TOWNHOMES SUBDIVISION is located approximately 1.5 miles southeast of the Montrose Regional Airport. The CEDAR CREEK TOWNHOMES SUBDIVISION is within the Airport Influence Area of a busy airport used by piston and jet aircraft and is open 24 hours a day seven days a week. All property within the CEDAR CREEK TOWNHOMES SUBDIVISION is subject to overflights and the effects thereof, which may include but is not limited to noise, vibration, fumes, and dust.



ATTORNEY'S CERTIFICATE

I, Douglas R. Tueller, an attorney at law, duly licensed to practice in Colorado, do hereby certify that I have examined Title Policy Order No. _____, issued by Land Title Guarantee Company representing Old Republic National Title Insurance Company having a policy date of _____, the "Title Commitment" identifies Color Red Development LLC as the sole owner of title to the land herein platted and described in the above Certificate of Dedication and Ownership, and that the "Title Commitment" also shows said land, including land dedicated for utility easements, to be free and clear of all liens and encumbrances except those mentioned in said policy.

Attorney _____ Date _____

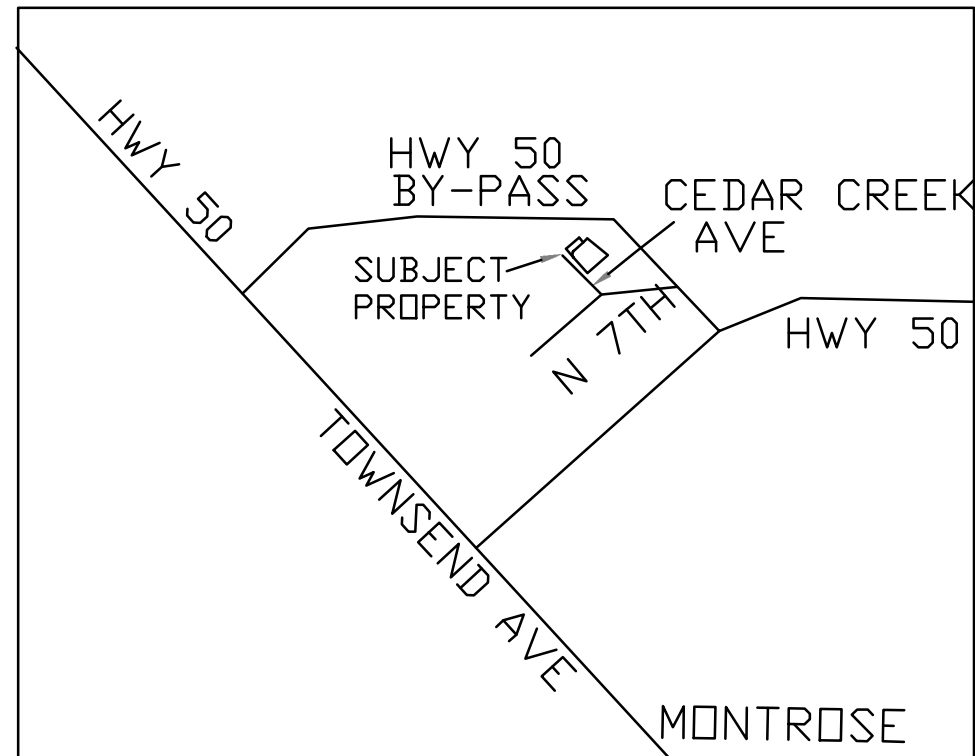
Registration No. _____

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, _____, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City Regulations and Specifications except as follows:

City Engineer _____ Registration No. _____

Date: _____



VICINITY MAP

SURVEYOR'S CERTIFICATE

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

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the "Title Commitment" (the "Title Commitment"), performed for and used in producing this plat may be found in a policy for title insurance, issued by Land Title Guarantee Company representing Old Republic National Title Insurance Company having a policy date of April 23, 2021 bearing Order No. MRR87018739.

Colorado Registered Land Surveyor

Registration No. _____

Date _____

APPROVAL OF CITY MANAGER

Approved this ____ day of _____, 2022,

by _____, City Manager of the City of Montrose, all conveyances of interest in real property made on this plat are hereby accepted by the City.

City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this ____ day of _____, 2022,

by _____, City Attorney of the City of Montrose.

City Attorney

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of

_____ on the ____ day of _____, 2022,

under Reception No. _____.

Clerk & Recorder _____ by _____ Deputy
Montrose County, Colorado

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

CF: COLORADO PLATTING
Plot Scale 1" = 10'-0"
Book 771 Page 15

DATE 10/19/21

REVISIONS:
12/7/21 Per City Comments
4/12/22 Per City Comments
6/8/22 Per City Comments

CEDAR CREEK TOWNHOMES
SUBDIVISION

LOCATED IN THE NE1/4 SW1/4 OF S36,
T49N, R9W, N.M.P.M., CITY OF MONTROSE,
COUNTY OF MONTROSE, STATE OF COLORADO

FOR: GARRET SMITH

MESA SURVEYING
P.O. Box 1287 Montrose, CO 81402
(970)-240-9994

Sheet 1 of 1 File No. 21-79