

CITY OF MONTROSE PLANNING SERVICES DIVISION



Phone: 970.240.1407 Fax: 970.240.1499

March 2, 2022

# To Whom It May Concern:

This letter is in reference to Lot 30 of the Colorado Outdoors Subdivision Filing No. 1 Final Plat, Reception #904227 located in the City of Montrose, Colorado. This is an addendum to the letter dated 2/22/2022.

- 1. Zoning designation "I-1" Light Industrial District
- 2. Allowed Uses See Exhibit A Excerpt from City of Montrose Municipal Code
- 3. Per the Colorado Outdoors Amended Planned Development #2, Reception #933767, plat note #3 (attached), allowed uses include those uses allowed in the B-3 zoning District, which also includes uses by right in the B-1, B-2, and B-2A zoning districts.
- 4. Parking Requirements See Exhibit B Excerpt from City of Montrose Municipal Code
  - a. Parking requirements are determined based upon the proposed use. There are no known parking violations.
- 5. Acknowledgment that the Land is in compliance with current zoning and/or referencing any known zoning violations. And if there are any violations, addressing the variances which may have been granted in connection therewith.
  - a. The land noted above is in compliance with current zoning. There are no known zoning violations.

Sincerely,

Amy Sharp

Senior Planner City of Montrose

Amy Sharp

. (970) 240-1478



### **EXHIBIT A.** Excerpt from City of Montrose Municipal Code

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.
- (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.
- (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)

# Sec. 4-4-12. "B-1" Central Business District.

- (A) Intent. The "B-1" Central Business District is intended as a shopping and business center for the City and surrounding area. The most intensive commercial use of buildings and land is encouraged with parking primarily of public concern. No off-street parking is required, except where otherwise specified. This district is oriented to pedestrian traffic.
- (B) Uses by Right.
  - (1) Retail stores, business and professional offices, and service establishments which cater to the general shopping public.
  - (2) Libraries and museums.
  - (3) Government buildings and facilities.
  - (4) Public utility service facilities.
  - (5) Private and fraternal clubs.
  - (6) Theaters.
  - (7) Restaurants and taverns.
  - (8) College or other place of adult education.
  - (9) Fueling stations which comply with the following criteria:
    - (a) All fuel storage, except propane, shall be located underground.
    - (b) All fuel pumps, lubrication and service facilities shall be located at least 20 feet from any street right-of-way line.
  - (10) Places of worship.
  - (11) Childcare facilities.
  - (12) Parks and playgrounds.
  - (13) Accessory uses.
  - (14) Hotels and motels (off-street parking required).
  - (15) Single-family homes, duplexes, and multiple-family residences (off-street parking required).
  - (16) Parking facilities.
  - (17) Public transportation facilities.
  - (18) Renewable energy facilities.
  - (19) Short-term rentals.
  - (20) Daytime social service activities by a social service provider, to include food storage; food distribution without monetary remuneration as a food pantry and/or food service without monetary remuneration as a soup kitchen; laundry facilities not for profit; showers; and counseling to include alcohol and/or substance abuse counseling. This use by right expressly excludes the overnight sheltering of people. For the purposes of this use by right authorization, "daytime" shall mean from 6:00 a.m. to 6:00 a.m. to 6:00 p.m.
    Mountain Standard Time. "Night" shall mean from 6:00 p.m. to 6:00 a.m. Mountain Standard Time.
  - (21) Family child care home.
- (C) Conditional Uses.

- (1) Schools.
- (2) Funeral homes.
- (3) Building materials businesses.
- (4) Automobile and other vehicle sales or service establishments.
- (5) Automobile body shops.
- (6) Distribution, warehouse and wholesale operations.
- (7) Drive-in or drive-through restaurants.
- (8) Storage facilities.
- (9) 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.
- (D) Outdoor Storage Businesses. Businesses that need outdoor storage are not compatible with this district.

(Ord. No. 2472, § 4-4-12, 5-7-2019; Ord. No. 2540, 5-4-2021; Ord. No. 2561, 10-19-2021)

# Sec. 4-4-13. "B-2" Highway Commercial District.

- (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.
- (B) Uses by Right.
  - (1) Those listed in the "B-1" district as uses by right.
  - (2) Self-service laundry facilities.
  - (3) Drive-in or drive-through restaurants.
  - (4) Car washes.
  - (5) Childcare facilities.
  - (6) Rental storage units inside a building.
  - (7) Veterinary clinics or hospitals for small animals.
  - (8) Skilled nursing and assisted living facilities and hospitals.
  - (9) Retail building material supply businesses.
  - (10) Parking facilities.
  - (11) Renewable energy facilities.
  - (12) Short-term rentals.
- (C) Conditional Uses.
  - (1) Those conditional uses listed for the "B-1" district.
  - (2) Recreational vehicle parks and campgrounds.
  - (3) Retail stores, business and service establishments serving the general public but which also involve limited manufacturing of the products supplied.

- (4) 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.
- (D) Not Included in this District. The following uses are not to be construed as a use by right or conditional use in the "B-2" Highway Commercial District:
  - (1) Farm implement sales or service establishments.
  - (2) Construction and contractor's equipment storage facilities.
  - (3) Machine and welding shops.
  - (4) Above ground storage facilities for hazardous fuels.
  - (5) Manufacturing and industrial uses except as allowed by Subsection (C)(3) of this Section.
  - (6) Storage facilities. Small rental storage units are allowed. See Subsection (B)(6) of this Section.
- (E) *Performance Standards.* No use shall be established, maintained or conducted in any "B-2" Highway Commercial District that will result in any public or private nuisance.

(Ord. No. 2472, § 4-4-13, 5-7-2019; Ord. No. 2561, 10-19-2021)

# Sec. 4-4-13.1. "B-2A" Regional Commercial District.

- (A) *Intent.* "B-2A" Regional Commercial District is intended for a full spectrum of retail and services uses including both convenience goods and general merchandise.
- (B) Uses by Right.
  - (1) Uses listed as uses by right in the "B-2" and "B-1" 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) Veterinary clinics or hospitals for large animals.
  - (8) Automobile body shops.
  - (9) Automotive repair and service establishments.
  - (10) Parking facilities.
  - (11) Renewable energy facilities.
  - (12) Short-term rentals.
- (C) Conditional Uses.
  - (1) Uses listed as conditional uses in the "B-1" and "B-2" districts.
  - (2) Warehouses and storage facilities.
  - (3) Manufacturing uses allowed in the "I-1" Light Industrial district.
  - (4) 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.

- (D) Not Included in the District. The following uses are not to be construed as a use by right or a conditional use in the "B-2A" Regional Commercial District:
  - (1) Manufacturing and industrial uses, except as allowed by Subsections (C)(1) and (3) of this Section.
  - (2) Above ground storage facilities for hazardous fuel.
  - (3) Construction and contractor's equipment storage facilities.
  - (4) Animal boarding facilities.
- (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, § 4-4-13.1, 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.
- (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)

# **EXHIBIT B:** Excerpt from City of Montrose Municipal Code

Sec. 4-4-23. - Off-street parking.

- (A) *Intent*. The intent of off-street parking requirements is to alleviate the need of residents, customers, employees or visitors of any use to park on the street in order to improve the safe and convenient movement of traffic on City streets.
- (B) Off-street parking. Each lot or leased premises shall provide a minimum number of off-street parking spaces as specified in Subsection (C) of this Section. If a use is not identified in the table, the City may determine the required minimum number of parking spaces.
- (C) Table for number of spaces required.

Single-Family Homes and Duplex	Two Spaces per Dwelling Unit
Multifamily (three units and above)	One and a half spaces per dwelling unit
Assemblies, including, but not limited to, places of worship, other religious assemblies, movie theatres, performance theatres, entertainment venues, and funeral homes	One parking space for every six seats in main seating area or one parking space per 50 square feet if not permanent seating
Hospitals, Nursing Homes, Group Homes, Skilled Nursing and Assisted Living Facilities	One parking space for every three resident or patient rooms
Retail Stores, Service Establishments, General Office, General Business	Buildings under 10,000 square feet: One parking space per 250 square feet of gross floor area
	Buildings over 10,000 square feet: One parking space per 300 square feet of gross floor area
Restaurants and lounges, including restaurants with counter service	One parking space per 100 square feet of gross floor area
Drive-in and Drive-through Business	One parking space per 100 square feet of gross floor area, plus adequate room off-public right-of-way for four cars queuing at the window and behind the ordering location
Car Wash	One parking space for every bay, plus adequate room off public right-of-way for two cars queuing in front of each bay
Car Rental and Leasing	One parking space per 1,000 square feet of gross floor area
Car Dealerships and Automobile Repair or Service	One parking space per 375 square feet of sales and service building gross floor area
Day Care	One parking space per 375 square feet of gross floor area

Building Material and Lumberyard Businesses	One parking space per 375 square feet of sales and service building gross floor area
Hotels and Motels	One parking space for every guest room, plus one parking space per 600 square feet of meeting/conference area
Bed and Breakfasts	One parking space for every guest room, plus two parking spaces for each dwelling unit
Gas Stations, Auto Service Shops	Four parking spaces, plus one parking space for every enclosed auto stall
Bowling Alleys	Two and a half spaces per every 1000 square feet of gross floor area
Medical Clinics and Offices	Three parking spaces for each examination room
All Industrial; Wholesale Industrial	One parking space per 1,000 square feet of gross floor area
REDO District (Separate Application Required)	One space per dwelling unit
B-1 District	No off-street parking required

### (D) Bicycle Parking.

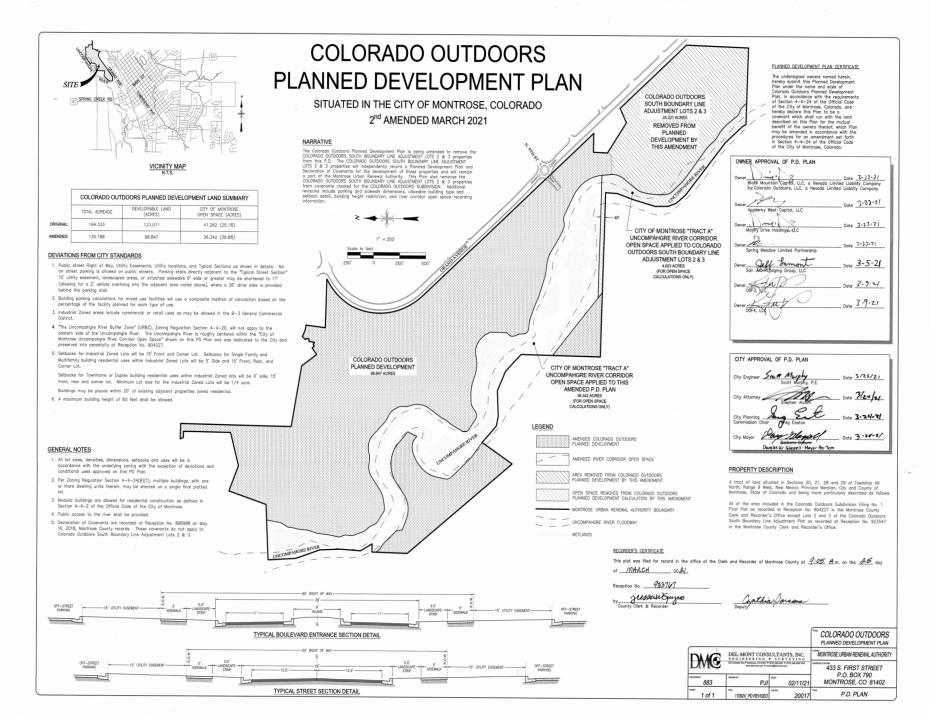
- (1) Bicycle parking is encouraged. Inverted "U" racks and "hitching post" styles are the most versatile and consume the least amount of space. Each "U" or "hitching post" rack is considered to provide two bicycle parking spaces.
- (2) The required vehicular parking may be reduced by one vehicular space for each six bicycle spaces provided.
  - (a) Racks and other fixtures must be securely affixed to the ground and allow for the bicycle to be locked and chained. The design of bicycle racks and fixtures may be included in final site plans and should be separately marked.
  - (b) Bicycle parking spaces shall be located within 75 feet of the primary entrance to the building. Areas used for bicycle parking spaces shall provide an all-weather surface, have adequate drainage, and lighting. Bicycle parking may not be located where it would impede pedestrian movement.
- (3) Bicycle parking spaces shall be a minimum six feet in length. Bike racks shall be separated a minimum of 30 inches side to side. Where more than one row of bicycle parking is provided, rows of bicycle parking shall provide a 48-inch minimum aisle.

### (E) General Requirements.

- (1) Parking spaces shall be sized and designed in accordance with standard City specifications and the provisions of the site development requirements of this Code. All spaces and maneuvering areas shall be paved and maintained in good and safe condition, subject to the following exceptions:
  - (a) Spaces required for employee parking in industrial zoning districts need not be paved if:
    - (i) The employee parking area is delineated and physically separated from the general public parking areas;

- (ii) The employee parking area conforms to City specifications for street sub-base and base course, per plans to be approved by the City Engineer; and
- (iii) General public parking and access areas in all cases shall be paved in accordance with City specifications.
- (b) Equipment yards and storage areas in commercial and industrial zoning districts need not be paved if:
  - (i) Such areas are delineated and physically separated from general public parking areas;
  - (ii) The equipment and storage areas conform to City specifications for street sub-base and base course, per plans to be approved by the City Engineer; and
  - (iii) General public parking and access areas in all cases shall be paved in accordance with City specifications.
- (c) Driveways or parking/maneuvering areas directly adjacent and accessing an unpaved public right-of-way need not be paved.
- (2) Variances to these requirements shall only be allowed in strict accordance with the provisions of Section 4-4-28 of this Code. All variances shall require a restrictive covenant, enforceable by the City, to be recorded on forms approved by the City, limiting the use of the property accordingly.
- (3) Shared parking lots are allowable as long as the aggregate spaces required are provided, and a recorded covenant or lease agreement or plat restriction, on forms approved by the City, allows for exclusive use of the parking by the premises, and further allow the City to enforce maintenance of the parking area.
- (4) Off-street parking requirements may be subject to partial credit of one space for every two spaces of lawfully developed on-street parking within the public right-of-way adjoining the premises, on local and collector streets, in accordance with the provisions of Section 4-1-13 of this Code and the City of Montrose Regulations Manual.

(Ord. No. 2472, § 4-4-23, 5-7-2019)



Amy-

What allowable use zoning would an ambulatory surgery center and medical office building fall under?

David C. Dragoo | Founder & Executive Chairman | Mayfly Outdoors

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**Amy Sharp** 

to me 🕶

David,

Wed, Mar 2, 2:55 PM (23 hours ago) ☆ ← Reply

Medical office would fall under B-1 as a professional office and the ambulatory surgery center would fall under B-2 as a type of hospital.

### **AMY SHARP** Planning Services Senior Planner









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