

## ORDINANCE NO. 1926

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING TITLE IV, BUILDING REGULATIONS, SECTION 4-1-15(A) OF THE OFFICIAL MUNICIPAL CODE OF THE CITY OF MONTROSE, COLORADO.

WHEREAS, the purpose of this amendment is to promote and protect the public health, safety and welfare by ensuring that Site Development Standards apply to all highway corridors within the City of Montrose, Colorado.

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

**Section 1. Section 4-1-15 is hereby amended to read as follows:**

### **4-1-15 SUPPLEMENTAL SITE DEVELOPMENT STANDARDS FOR HIGHWAY CORRIDORS**

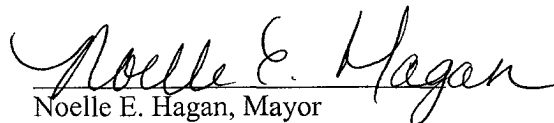
- (A) Property located within 400 feet of a right-of-way line of U.S. Highway 50, east of Hillcrest and north of North 9<sup>th</sup> Street; of U.S. Highway 550, south of East Oak Grove Road; and of Highway 90 west of the Uncompahgre River; and of North San Juan Avenue between Main Street and Townsend Avenue, shall be subject to the following Supplemental Site Development Standards in addition to other applicable requirements. Whichever City ordinance or regulation requires the more stringent or restrictive requirement shall apply.
- (1) No building or structure other than fences may be constructed within 50 feet of a highway right-of-way, except in the following circumstances:
    - (a) A variance is granted pursuant to Sections 4-4-26 and 4-4-29 of the City Zoning Regulations.
    - (b) The property is on a lot approved as part of a City subdivision which provides for different setbacks or setbacks in accordance with City zoning dimensional standards.
  - (2) No fence, freestanding wall, or berm located within 50 feet of a highway right-of-way shall exceed 4 feet in height above grade,

except for screening required by state or federal law or City ordinances or regulations.

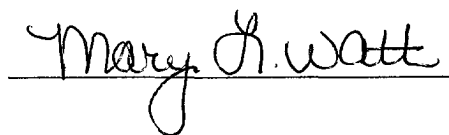
- (3) No building or structure shall exceed 40 feet in height or the maximum height set out in City zoning dimensional requirements, whichever is more restrictive, unless a variance is granted pursuant to Sections 4-4-26 and 4-4-29 of the City Zoning Regulations.
- (4) Building facades which are constructed of smooth-face concrete, smooth-face concrete block, metal siding, or similar monolithic building materials in a flat plane, shall be designed to include other surface materials (minimum 25% of area of the front, 20% on each side and rear), which may include, but are not limited to, contrasting materials such as brick, stucco, wood or stone veneers. Other architectural elements must also be included in the design which include but are not limited to architectural projections such as dormers, roof overhangs, protective canopies, and creatively shaped window openings.
- (5) Exterior mechanical equipment shall either be incorporated in the overall form of the building or screened from view from any street by materials consistent with the landscaping and the main building.
- (6) Refuse collection containers and areas shall be screened from view from any street or residential area by materials consistent with the landscaping and building.
- (7)
  - (a) Landscaping shall be installed and maintained to a minimum depth of 15 feet along 70% of the State Highway frontages, excluding driveways and sidewalks. Such landscaping shall consist of trees, shrubs, and ground covers, and may include up to a maximum 20% coverage in inert materials such as decorative paving stones, lava rock, pea gravel, etc.
  - (b) Landscaping shall be installed and maintained to a minimum depth of 15 feet along a minimum of 25% of the secondary street frontages, excluding driveways and sidewalks. Such landscaping shall consist of trees, shrubs, and ground covers, and may include up to a maximum 20% coverage in inert materials such as decorative paving stones, lava rock, pea gravel, etc.

- (c) Parking areas located on the front or side of a building with 25 or more spaces shall incorporate landscaped islands disbursed throughout the parking with areas totaling a minimum of 6% of the parking area.
- (B) The regulations of this section shall apply to the entire building, lot, parcel or contiguous lots or parcels which constitute a single site, when any part thereof is located within 400 feet of the right-of-way of the highway segments described in Subsection (A) above.
- (C) The City Manager is hereby authorized to adopt regulations as may be appropriate to interpret and administer the provisions of this Section.
- (D) The standards of this Section shall be applied to all Site Development Plans processed by the City pursuant to Section 4-1-12.
- (E) Any use, parcel, building or structure which at the effective date of this Section or at the time of annexation, if annexed subsequent to the effective date of this Section, was lawfully existing and maintained in accordance with the previously applicable County or City regulations and ordinances but which does not conform or comply with all of the regulations provided in this Section, may continue to be maintained and used as a lawful non-conforming use only in compliance with the provisions and limitations imposed by Subsection 4-4-25(C ). Uses, parcels, structures or buildings which were unlawful or illegal and not in compliance with previously applicable regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.

INTRODUCED, READ and PASSED on first reading this 19<sup>th</sup> day of Sept, 2002.

  
Noelle E. Hagan, Mayor

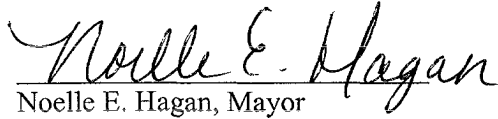
ATTEST:

  
Mary R. Watt

Mary L. Watt, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Thursday, the 3rd day of Oct., 2002 at the hour of 7:00 p.m. at Montrose City Hall in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this 3rd day of Oct., 2002.

  
Noelle E. Hagan, Mayor

ATTEST:

  
Mary L. Watt, City Clerk