

ALAMOSA CITY COUNCIL

Regular Meeting Agenda

Alamosa City Council Chambers
300 Hunt Avenue, Alamosa, CO
November 5, 2014

As a full service municipal government, our mission is to enhance the quality of life for our residents, visitors, and businesses. We strive to provide balanced business, employment, recreational, and residential opportunities.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

LINK TO COUNCIL CALENDAR

7:00 p.m. – Regular Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. AGENDA APPROVAL

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak up to three minutes may obtain and complete a speaker card through the City Clerk at the start of the meeting.

- A. Audience Comments
- B. Follow-Up

V. CEREMONIAL ITEMS

- A. Proclamation – Complex Regional Pain Syndrome Awareness – presented to Tamara Brown.

VI. CONSENT CALENDAR A

The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

- C. 1. a. Alamosa County – Request for Fee Relief
- C. 1. b. AM West Bid Award for WWTP SCADA Upgrades
- C. 7. a. Approve Minutes of Regular Meeting October 15, 2014
- C. 7. b. Appoint Advisory Board Member

VII. REGULAR BUSINESS

A. Presentations from Outside Agencies

- 1. Update on Alamosa Round-Up 2015, Dawn Honeycutt
- 2. DOLA Update and Overview of Services, Christy Culp

C. Business Brought Forward by City Staff

1. Public Works

- a. Public Hearing, Ordinance No. 14, 2014. An Ordinance re-zoning the cell tower tract of the Russell Subdivision lying generally north of County Road 8 South and South of West Eleventh Street, as portrayed on the attached Exhibit A. in the City of Alamosa, Colorado from residential Medium (RM) to Commercial Business.

- b. First Reading, Ordinance No.15, 2014. An Ordinance approving the annexation of the 2014 Foote Annexation for the annexation of a tract of land located in the southwest quarter of the northeast quarter (SE1/3NE1/4) Section 4, township 37 north, range 10 east, New Mexico Principal meridian, Alamosa County Colorado.
 - c. First Reading, Ordinance No.16 , 2014. An Ordinance amending sections 21-1, (concerning definitions) and 21-97 Schedule A (concerning use groups and permitted uses) and adding a new section 21-121 specific to the conditions and design standards to be considered during the evaluation of applications for approval of permitted use by special review for the erection, maintenance and operation of telecommunications facilities.
 - d. Resolution No. 17, 2014. A Resolution approving the final plat of the People Place subdivision of Block No. 1, a tract of land located in the southeast quarter (SE1/4) of Section 16, Township 37 North, Range 10 East of the New Mexico Principal Meridian, City of Alamosa, Alamosa County, Colorado.
 - e. Permitted Use by Special Review – Viaero Cell Tower
- 8. City Manager/Legal**
- a. Grant Application for Pink Elephant Project.

D. Committee Reports

E. Staff Announcements

COUNCIL COMMENT

EXECUTIVE SESSION

Pursuant to CRS 24-6-402(4)(e) To Discuss Matters Subject to Negotiations, Develop Strategies For Negotiations, and Instruct Negotiators. Specific topic to be discussed in the executive session is Water Acquisition.

ADJOURNMENT

Alamosa City Council Meetings and Events

Updated 10/28/2014

All events are held in Alamosa Colorado unless otherwise noted

CITY HALL IS LOCATED AT 300 HUNT

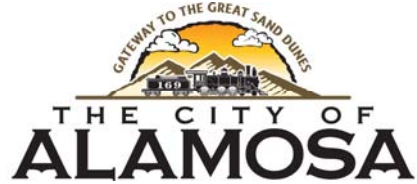
Date	Time	Event	Location	Additional Information
November 12, 2014	6:00 p.m.	Work Session with Golf Board	Fire Training Room	*
November 21, 2014	5:30 p.m.	Celebration of Lights	City Hall	***

* Work sessions are informal Council meetings for the purpose of discussion among Council members. No action is taken. The public is invited to attend, but public comment is generally not received unless otherwise noted.

**Sponsored by outside entity. Council members have been invited to attend. Please check with originating entity for registration information

*** Citizens are encouraged to attend this community event

**** This is a purely social event and not open to the public



PROCLAMATION

Complex Regional Pain Syndrome ~ Reflex Sympathetic Dystrophy Awareness Day November 3, 2014

WHEREAS, Complex Regional Pain Syndrome (CRPS) also known as Reflex Sympathetic Dystrophy (RSD) is a rare nerve disorder which causes the brain to send pain signals to the body, causing chronic pain, usually affecting one of the arms, hands, feet or legs and;

WHEREAS, symptoms of CRPS/RSD include dramatic changes in the color and temperature of the skin over the affected limb or body part accompanied by intense burning pain, skin sensations, swelling and sensitivity; and

WHEREAS, CRPS/RSE can occur after an injury or trauma to the affected area of the body; and

WHEREAS, the causes of CRPS/RSE are uncertain and there is currently no cure; and

WHEREAS, treatment can relieve painful symptoms; and

WHEREAS, the National Institute of Neurological Disorder and Stroke (NINDS), is dedicated to research for the brain and central nervous system, have scientists that are studying new approaches to treat CRPS/RSE and intervene more aggressively after a traumatic injury to lower the chances of developing this condition; and

WHEREAS, this research is encouraging to everyone who hopes CRPS/RSD will one day be eliminated; and

WHEREAS, on November 3, 2014, members of the Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy Community will be celebrating the first annual *"Color the World Orange"* day to spread awareness of this poorly understood disorder.

NOW, THEREFORE, I, Josef P. Lucero, Mayor of the City of Alamosa, on behalf of the entire City Council and Staff do hereby proclaim November 3, 2014 as:

COMPLEX REGIONAL PAIN SYNDROME/REFLEX SYMPATHIETIC DYSTROPHY DAY

Given under my hand and the seal of the City of Alamosa this 5th day of November, 2014.

Josef P. Lucero, Mayor

Attest:

Kristi Duarte, City Clerk

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VI, C, I, a	SUBJECT: Alamosa County – Request for Fee Relief
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council waive the \$100 land use application fee associated with the Peoples Place Subdivision of Block No. 1.

Background: The county intends to subdivide the property lying generally west of Independence Way and respectfully requests that the Alamosa City Council waive the fees associated with this application.

Issue Before the Council: Does Council wish to approve this fee waiver.

Alternatives: Council can approve this fee waiver as presented or disapprove this request with or without providing staff additional guidance.

Fiscal Impact: Approval of this action will cost \$100 from the general fund.

Legal Opinion: City Attorney will be present for comment.

Conclusion: This subdivision is intended to better prepare the property for anticipated use, to more positively represent current development patterns, and to simplify legal descriptions that have been created in the past with repeated re-plats and divisions. All lots have available city water and sewer, are served by existing paved streets, and the subdivision is in full compliance with our development standards.

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, 1, f	SUBJECT: Award of Bid to AmWest Control Inc. for WWTP SCADA Upgrades and repairs
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council award the WWTP SCADA upgrade and repair contract to AmWest in the amount of \$77,222.00.

Background: We had monies in last year's budget to install a System Control and Data Acquisition (SCADA) system for the WWTP. This was deferred while we engaged the services of an outside engineer to help us develop a scope of work and RFP for the project as staff lacked the technical knowledge to prepare the documents and design a system that would most efficiently accomplish our needs. The project was over scoped for our available budget with the lowest bid coming in at nearly \$225,000. Subsequent to that bid, two companies that we have worked with in the past and who are each familiar with our plant were asked to provide an abbreviated bid that would essentially bring the plant back to its original control and reporting capabilities with modern and more readily available technology. Our current system is based on an older DOS based software package, and as the plant ages, the hardware that controls it is becoming difficult if not impossible to source. This bid includes an \$8,330.00 addition for the continuous monitoring of plant effluent and pH as it is a brand new requirement for our new discharge permit that went into effect on November 1 of this year, which would have resulted in a net original bid of 68,892. The other bidder, Five Star Automation, Inc. bid \$55,670.00 for the project but their bid did not include many of the RFP requirements including the purchase, installation, or trouble shooting of field conduits, wire, or devices i.e. instrumentation, and e-mail only callouts in the event of an alarm, which would have resulted in an open ended contract that staff ultimately felt would exceed the fees charged by AmWest, whose final bid was based on information gathered during an on-site visit. This, coupled with the facts that AmWest has extensive experience with our water treatment plant, and that they were more willing to cast a wider net to work with the city resulting in better compliance reporting and operational control of the entire plant and treatment process in general resulted in the recommended award to AmWest.

Issue Before the Council: Does council wish to approve this engineering proposal to AmWest in the amount of \$77,222.00?

Alternatives: Council can approve the award as presented; approve with modifications; or award the bid to Five Star Automation, Inc.

Fiscal Impact: This request is within the \$80,000 budgeted for this project, staff does not anticipate this phase of the project to require any additional funds.

Legal Opinion: City Attorney will be present for comment.

Conclusion: Our current plant SCADA system is not operating properly and will be costly to repair. That will still leave us with a limited system that is well past its design life.



To: Farron Hall- City of Alamosa

Subject: Proposal for Control System Replacement for the Alamosa Wastewater Treatment Facility

From: Glenn Allison/Rod Gottsch
AmWest Control

Date: October 14, 2014

The following proposal is for the Controls System Replacement for the City of Alamosa Wastewater treatment plant.

Equipment and Services Not Included:

1. Equipment not specifically listed in this proposal
2. Replacement of any field instrumentation or hardware external to the control hardware identified in this proposal. If existing instrumentation is found to be faulty the replacement of this hardware will require a change order prior to proceeding.
3. Operators PC will be provided the City of Alamosa IT department and will include operating system as well as Microsoft Office.
4. Taxes, licenses or bonds of any kind.

Summary:

The current control system is installed in a NEMA 12 enclosure. The existing enclosure will be retained and changes to the panel will be minimized.

The existing panel contains a Modicon PLC, a Cutler Hammer PanelMate Operator Interface Terminal (OIT) and a strip chart recorder.

The proposed replacement control system will include the following:

Removal of the Modicon PLC, Panelmate and stripchart recorder.

Procurement and field installation of an Allen Bradley Micrologix PLC with required I/O in the existing panel where the Modicon PLC is currently located.

Procurement and installation the following Software on a computer provided by Alamosa (the operating system and Microsoft Office will also be provided, installed and configured by the Alamosa IT department):

- Rockwell FactoryTalk View SE station standalone HMI package
- Rockwell FactoryTalk Studio software for HMI code development
- RSLogix 5000 programming software for PLC programming

SyTech XLReporter Software for report generation

1 lot- PLC and HMI programming- Rockwell FactoryTalk View SE software will be installed on the PC and will be used as the user interface for the system. The PC with the FactoryTalk View software will be referred to as the "HMI". Programming of the Rockwell PLC and HMI will be implemented to provide the functionality that is currently available with the current system.

1 lot- Start-up and training

The proposed scope of work does not include integrating the wastewater plant into the water plant SCADA system.

Project implementation Plan:

Planning Phase

AmWest will make one field trip with the following objectives:

1. Upload the existing code if possible.
2. Meet with Alamosa staff to develop and review loop descriptions for the existing system operation and finalize the implementation plan.
3. Verify physical installation of the existing system and confirm the required field modifications.

Implementation Phase

The final electrical and control design will be developed and hardware procured and prepared for field installation.

PLC programming and HMI programming will be developed with as much testing as possible by AmWest at our shop.

One field trip will be performed to install the new hardware, download and test the new programs and train the City of Alamosa operators. All efforts will be made to begin this installation as early as possible on Monday and have the system in operation by the end of the day on Friday. In the event that the system is not fully functional by the end of this week, the system will be operated in the hand mode and final configuration and training will be performed the following week.

A follow-up trip will be performed to review operation of the system and perform minor changes if needed.

All pricing includes standard warranty for the software licensing which for Rockwell software. If an extended software licensing is desired, it is my recommendation that Alamosa contract directly with Rockwell.

The schedule for the project will be defined after authorization to proceed, there are no long lead time items identified on the project and all work should be able to be completed 8 to 14 weeks after authorization to proceed.

The price for the proposed scope of work is \$64,642.00.

Options:

Eight Channel Autodialer-

This option includes the addition of a hardware 8 channel autodialer. Scope includes the installation and programming of the unit.

The phone line connections to the autodialer will be the responsibility of others.

Price for the Autodialer option is \$4,250.00

Options:

pH and Temperature Probe and Effluent Temperature Monitoring and Reporting-

This option includes the addition of a combined pH and Temperature probe and programming for monitoring and reporting of temperature based on the permit requirements.

Based on site conditions, Alamosa personnel or a contracted Electrical Contractor should be able to make modifications to the existing grating to provide access for and a mounting location for this probe.

It appears that the existing conduit is adequate to install the additional cables needed for these devices. Included in this estimate is labor for AmWest Control personnel to remove existing cables and then pull new cables for the temperature and pH probe. The estimate assumes that the existing conduit and cable can be used for this installation. If it is determined that the conduit cannot be used and needs to be replaced, these activities are outside the scope of this proposal.

Price for the pH/Temperature monitoring option is \$8,330.00.

Option Price for Temperature only monitoring without pH is \$7230.00.

Total price for project with autodialer and pH/Temperature monitoring option is \$77,222.00

OR- \$76,122.00 for project with autodialer and Temperature monitoring option and NO pH.

Please review the scope above and let me know how you would like to proceed.

Thank you for the opportunity to work with the City of Alamosa on this project.

Sincerely,



Glenn Allison
AmWest Control, Inc.



589 E. Industrial Blvd., Bldg. C-1
Pueblo West, CO 81007
Toll Free: 1-866-891-9383
PHONE: (719) 547-1852
FAX: (719) 547-1849
EMAIL keithkidd@qwestoffice.net

Quote # 07151401

Estimate is good for 30 days

July 15, 2014

Mr. Randy Martinez
Lead Operator
Alamosa Waste Water Treatment Plant
1124 Old Airport Road
Alamosa, CO. 81101

Re: Control System Replacement proposal for the Alamosa Wastewater Treatment Facility

Dear Randy:

We are pleased to provide pricing options for the replacement of Controls System in the Waste Water treatment plant.

Enclosed below is our understanding of the scope, exceptions and pricing.

Scope:

Five Star Automation Inc. to remove the existing control components:

1. Modicon PLC And Associated I/O cards
2. Cuttler Hammer Panelmate 2000 Operator
3. Strip Chart Recorder.....City is responsible for verifying and complying with regulatory requirements regarding the use and demoing of the strip chart recorder.

Item 1: The Modicon PLC and associated I/O cards:

It is Five Star's intention to replace the Modicon field installed PLC system with an Allen Bradley PLC and associated I/O. It will be our intention to re-use the NEMA 12 enclosure, which is presently housing the Modicon PLC, to mount the new Allen Bradley PLC and I/O Components. Five Star will be responsible for the following panel modifications caused by the physical size differences of the PLC Components:

1. Mounting of the new Allen Bradley PLC and associated I/O cards
2. The wire from the existing NEMA 12 control panel terminal blocks to the new Allen Bradley PLC I/O in the cabinet.
 - a. *-Note- Five Star will try to re-utilize the existing wire and cable. In instances when the wire is too short we will re-run the cable from the I/O cards to the existing terminals in the cabinet.
3. Additional scope pertaining to the new PLC and I/O
 - a. Five Star will develop and implement the Allen Bradley PLC programming required to provide the present functionality of the current PLC system.

Item 2: Cuttler Hammer Panelmate 2000 Operator

Exception: Five Star Automation is proposing replacing the present Cutler Hammer Panel Mate Operator Interface Terminal with a Red Lion G series operator interface. This HMI has a built in Web Browser. *Note- Alarm E-Mailing and texting can be set through an auth smtp provider for a yearly fee. Five Star to show City personnel how to access and set-up auth SMTP. City is responsible for the internet connection, yearly fee and access passwords.

*-Notes-

- A. Five Star will show the town Water Operator how to access Auth SMTP so he can set up site passwords, as well as, E-Mail and text messaging information/ priorities. Auth SMTP is an approximate yearly fee of \$40.00. Customer will need to pay for this fee on line with a Credit Card.
1. Note this site also provides the town operator/s the following diagnostics:
 - a. Messaging usage
 - b. Initiate test alarm

*Note- Five Star's price does not include a dial out enclosure for general alarms. If required we can price under a separate scope.

Five Star will be responsible for the following:

1. Mounting of the new HMI...I.e. Fabrication to fit existing Panel Mate hole etc.
2. DC Power Supply to power new Red Lion HMI
3. Five Star will develop and implement the HMI programming required to provide the present functionality of the current Panel Mate display

Item 3: Strip Chart Recorder

Five Star will demo the existing strip chart recorder. Screens for the strip chart function will be developed in the HMI. The HMI can record the information to a compact flash card. The HMI saves the information to a CSV file.

*Note- The City personnel are responsible for verifying and complying with regulatory requirements regarding the use and demoing of the strip chart recorder. City personnel to set up Excel spreadsheet requirements to utilize CSV file info.

Additional scope/ notes:

4. Five Star's Price includes start-up and training
5. Five Star's Price includes a Desktop computer with the following software:
 1. The latest version of Red Lion HMI development software
 2. RSLogix 5000 PLC programming software
 - a. Five Star will register the software in a contact person's name within the City
 1. City personnel to provide contact person name, phone number, address & e-mail info.
 2. Software will carry manufacture warranty
 - b. Please note- to include the RS Logix 5000 PLC development software is a cost to the City of approximately **\$3,800.00.** Do you need this additional expense or the hassles of maintaining the software license? How often are you going to do your own PLC development? Five Star has the development license. Five Star will also provide the final edited PLC program file copy to the City, as well as, keep a copy in our files.
6. Exception- The Wastewater plant will not be integrated into the Water Plant SCADA
7. Exception- Our price does not include an uninterruptible power supply.
 1. We would recommend one sized for the PLC and HMI loads, or two separate ones, in case of loss of power.
8. Purchase, Install or troubleshooting of field conduits, wire or devices (I.e. Instrumentation), are not included in our quoted price.
9. After receipt of purchase order Five Star will perform the following:
 1. Project Planning:
 - a. Meet with City staff to develop and review existing system operations.
 1. Gather existing system documentation, etc.
 - b. Review field mounting requirements, etc.
 2. Project Development:
 - a. Develop electrical and control design
 - b. Procure Hardware
 - c. Develop PLC and HMI programs
 - d. Test PLC and HMI programs at Five Star Shop
 3. Field Installation:
 - a. Install Hardware
 - b. Trouble Shoot and debug system
 4. Training
 - a. Five Star to provide a one training for City Personnel after completion of the job
 5. Schedule for the project will be defined after authorization to proceed.

Chart 1A Price

Item Number	Description	Quantity	Price Each	Price Extended	Notes
1.	Alamosa Control System retrofit	1	\$55,670.00	\$55,670.00	See Scope, notes and exceptions above

Randy we appreciate the opportunity and your business!

If you have any questions, please feel free to contact me.

Best regards,

Keith Kidd
Five Star Automation Inc.
Sent Via E-mail

Standard Terms and Conditions of Sale

FOB. Materials are quoted FOB point of origin. Five Star's responsibility for loss ceases upon delivery to the carrier. Buyer must make claims for loss or damage in transit against the carrier. In the absence of Buyer shipping instructions, Five Star reserves the right to ship all material upon completion by the common carrier of its choice.

Freight. Freight is not allowed to the job site. Field off loading has not been included in Five Star's pricing.

Quote Basis. This proposal is limited to the supply of equipment for the detailed specific technical specification listed. No commercial, technical, general, or specific specifications, other than those of the specifications, have been considered in the preparation of this proposal or pricing of the equipment. Five Star's proposal is firm for 30 days from the date of offering.

Delays. Any delays of release to manufacturing and shipment by parties other than Five Star or its agents will result in escalation of the quoted price at the rate of 1.5% per month or part thereof.

Payment. Payment terms are net 30 days on a work-in-progress basis, subject to Five Star's approval of the Buyer's credit. Any materials ready for shipment will be considered complete and billable. Five Star will provide insurance coverage for these stored materials and will invoice for same. No retainages shall be deductible from or withheld by buyer from payments due Five Star. Payment to Five Star is not contingent on other payments to Buyer by other third parties or upon any other thing or event other than the shipment of the equipment. A service charge of 2% Per Month (24% Per Year) shall be added on any past due accounts. If the account is not paid when due the buyer agrees to pay attorney fees and all other reasonable costs of collection.

Field Installation. Conduit, wire, wiring devices, mounting stands, fixtures, terminations, etc. are not included. Unless Specifically stated in the body of the proposal, installation, termination of connections or start-up of Five Star's Equipment is not provided for in the costs of the quotation.

Cancellation. Buyer agrees to pay for Five Star's loss, damage and expense incurred due to cancellation of the order. These charges include, but are not limited to the cost of special materials, non resalable goods completed or in process, Assembly and fabrication labor, engineering and submittal labor, overhead, profit and reasonable attorney's fees incurred by Five Star during collection proceedings.

Shipment times. Shipment times will be based upon receipt of an order and all signed approval drawings and Engineering requests for information necessary to release the order to manufacturing. Five Star and its suppliers will be indemnified against loss and delays for causes of delay beyond our reasonable control, such as labor disruption, accidents, fires or other casualties, acts of God or Government.

Taxes. Sales, use, excise or other taxes have not been included in this proposal. When required by law, taxes will be billed and collectible as a separate item at the time of shipment unless proof of a valid exemption satisfactory to the taxing authority is provided to Five Star.

Bonding and Special Insurance. Costs of surety bonding and special insurance coverage are not included in this Proposal.

Limitations of Liability. Five Star shall not be liable for any liquidated, consequential or incidental damage due to defects in, malfunctions, or failure of its products to perform, late delivery or loss of use. Five Star shall not be responsible for repairs made outside its plant by others unless such repairs are authorized in writing in advance of repair. Buyer shall be responsible for proper storage and handling following shipment.

Five Star Automation, Inc.
589 East Industrial Blvd, C1
Pueblo, CO 81007
Ph: 719-547-1852 Fax: 719-547-149

ALAMOSA CITY COUNCIL
Wednesday, October 15, 2014
Minutes of the Meeting

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Josef Lucero at 7:00 p.m. The Pledge of Allegiance was recited. Present at roll call: Mayor Lucero, Councilors Greg Gillaspie, Jan Vigil, Rusty Johnson, Michael Stefano, and Charles Griego. Councilor Ty Coleman previously requested to be excused. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Kristi Duarte.

AGENDA APPROVAL. It was moved by Councilor Johnson and seconded by Councilor Gillaspie to approve the agenda as presented and to excuse Councilor Coleman. The motion carried unanimously.

CITIZEN COMMENT

A. **Audience Comments.**

Amy Scavezze of Alamosa gave an update on the programs and upcoming events at La Puente.

Wilburn Gibson of Alamosa spoke about the need for street repairs and routine maintenance on Catlin.

B. **Follow up.** Staff will look into Mr. Gibson's request.

CEREMONIAL ITEMS

A. **Introduce new Police Officer, Caylum Atencio.**

Chief Duane Oakes introduced new police officer Caylum Atencio, who was welcomed by Council.

CONSENT CALENDAR A. It was moved by Councilor Griego and seconded by Councilor Vigil to approve Consent Calendar A as presented. The motion carried unanimously. Items:

- C. 2. a. Receive September 2014 Expenditure Report
- C. 7. a. Approve Minutes of Regular Meeting October 1, 2014
- C. 8. a. Receive September 2014 Monthly Reports

REGULAR BUSINESS

C. **Business Brought Forward by City Staff**

1. **Public Works**

a. **2014 Foote Annexation**

1. **Eligibility Public Hearing**

Mayor Lucero opened the hearing at 7:22 p.m. and asked for those wishing to speak on the matter.

Dan McCann of Alamosa spoke in favor of the annexation.

There being no one further wishing to speak, the hearing closed at 7:24 p.m.

2. Resolution No. 14, 2014, A Resolution finding Property Subject to the 2014 Foote Petition for Annexation to be Eligible for Annexation.

Councilor Gillaspie moved, seconded by Councilor Stefano to adopt Resolution No. 14, 2014 as presented. The motion carried unanimously.

b. Resolution No. 16, 2014. A Resolution approving the final plat of the Russell Subdivision, City of Alamosa, Alamosa County, Colorado.

Councilor Vigil moved, seconded by Councilor Stefano to adopt Resolution No. 16, 2014 as presented. The motion carried unanimously.

c. First Reading, Ordinance 14, 2014. An Ordinance re-zoning the cell tower tract of the Russell Subdivision lying generally north of County Road 8 South and South of West Eleventh Street, as portrayed on the attached Exhibit A. in the City of Alamosa, Colorado from residential Medium (RM) to Commercial Business.

Councilor Johnson moved seconded by Councilor Vigil, to approve Ordinance No. 14, 2014, on first reading, and set it for public hearing thereon on Wednesday, November 5, 2014 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

8. City Manager/Legal

a. Direction on Enforcement of Landscaping Requirement of 2011 Building Permit for San Luis & Rio Grande Railroad.

Ms. Brooks presented information to Council on the progress with the Railroad Property. She advised that the slats for the fencing have been installed, the rocks will be put in within the next week and weather permitting, the trees will also get planted.

b. Public Hearing, Ordinance 12, 2014. An Ordinance Establishing the Employee Pay Plan.

Mayor Lucero opened the Public Hearing at 7:42 p.m. and asked for those wishing to speak on this matter.

There being no one wishing to speak, the hearing closed at 7:43 p.m.

Councilor Griego moved, seconded by Councilor Johnson that Ordinance No. 12, 2014 be finally adopted. The motion carried unanimously.

c. Public Hearing, Ordinance 13, 2014, An Ordinance Adopting the Proposed 2015 Budget.

Mayor Lucero opened the Public Hearing at 7:50 p.m. and asked for those wishing to speak on this matter.

Dan McCann of Alamosa spoke in favor of approving the ordinance as presented and wished the Council good luck.

Darryl Cooper of Alamosa also spoke in favor of approving the ordinance as presented.

There being no one further wishing to speak, the hearing closed at 7:53 p.m.

It was moved by Councilor Griego, seconded by Councilor Vigil to add an additional \$1000.00 to the 2015 budget for funding for the La Puente's Homeless Prevention Program. Motion failed; three yes votes to three no votes, with Mayor Lucero and Councilors Johnson and Gillaspie casting the no votes.

Councilor Johnson moved, seconded by Councilor Stefano to finally adopt Ordinance No. 13, 2014. The motion passes 5 to 1 with Councilor Griego casting the no vote.

E. Committee Reports

Councilor Johnson reported on the Marketing Board.

Councilor Vigil reported on the Alamosa School Board.

Councilor Griego reported on the Adalante meeting that he attended.

F. Staff Announcements

Heather Brooks:

- Advised Council that the water bottles that were presented to them were from the 2nd Annual City of Alamosa's Employee Wellness Fair.
- Asked Council about having a Council Member serve as the liaison for the ACEDC Board or continue having the City Manager. Discussion was held and Council agreed by consensus to have the City Manager to continue to serve in this role. The ACEDC meetings are held the 3rd Thursdays at 12:00 p.m. and Council can attend these as desired.

Heinz Bergann:

- Updated Council on the progress of Dog Park. A grand opening for the dog park will be schedule early next year.
- Advised Council that the elevator at the Recreation Center was being installed this week.

COUNCIL COMMENT

Mayor Lucero and Council welcomed back IT Director Jim Belknap. They also thanked Jose Trujillo for stepping in and handling IT needs while Jim was gone.

Councilor Johnson thanked the Valley Courier for the article on Alamosa Youth Jonathan Archuleta as being selected to the CHASA Hall of Fame. Mr. Archuleta is a 1995 graduate of Alamosa High School.

Councilor Gillaspie commented about the right turning lane on Clark Street to Craft Drive.

Councilor Griego welcomed Christy from DOLA for her attendance at the meeting and invited her back to do a presentation for Council.

Mayor Lucero asked staff if there were any plans on having benches installed at the tennis courts.

ADJOURNMENT. The meeting adjourned at 8:20 p.m.

Kristi Duarte, City Clerk

Josef P. Lucero, Mayor

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. B. 1. a.	SUBJECT: Appoint Patty Campbell to the Library Board
Department Head: Kristi Duarte, City Clerk		
City Manager: Heather Brooks		
PRESENTED BY: City Council		

Recommendation

Appoint Patty Campbell to the Library Board with a term through 6/1/2019.

Background

Patty Campbell has applied for a vacancy on the Library Board. She is the sole applicant for this position, and was interviewed by Council on October 15, 2014.

Issue Before the Council

Does Council wish to make this appointment?

Alternatives

- Make the appointment as recommended.
- Do not make the appointment and continue recruiting for this seat.

Fiscal Impact

N/A

Legal Opinion

N/A

Conclusion

Making this appointment will fill one of the two vacancies on this board and allow its continued effective operation. Taking steps to keep advisory boards at full capacity furthers Council's goal of community through citizen involvement.

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, I, a	SUBJECT: Rezone Request, Cell Tower Tract, Russell Subdivision
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council conduct a public hearing and unless evidence to the contrary is presented, accept Ordinance No. 14-2014 approving the re-zoning of the Cell Tower Tract in the Russell Subdivision.

Background: At its regularly scheduled meeting on August 6th, 2014, Council heard the request of Viaero Wireless for the approval of a Special Use Permit to allow the installation of a 120' free-standing, open lattice style cell tower on real property with an underlying zoning classification of Commercial Business (CB). At that meeting, expressing the same concerns of visual impacts and site incompatibilities as identified by the Planning Commission, Council referred the action back to staff to re-negotiate with the applicant in an attempt to find some middle ground that better protects the interests of the citizens while continuing to meet the needs of Viaero Wireless. Diligent efforts to work within the requests of council by the applicant have resulted in a new proposed location for the telecommunications facility, this new location will require a change in zoning to allow the installation of the tower. The proposed zoning change will result in an extension of County Commercial zoning to the east, maintaining the same transition from commercial to residential as currently exists. Section 21-76 of the City of Alamosa Code of Ordinances requires for the purpose of establishing and maintaining sound, stable and desirable development within the city, that re-zonings be discouraged and only considered if:

1. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the city's comprehensive plan;
2. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area;
3. The proposed re-zoning is necessary in order to provide land for a community related use which was not anticipated at the time of the adoption of the city's comprehensive plan (master plan), and that such rezoning will be consistent with the policies and goals of the plan.

It is staff's opinion that it could be argued that this location meets each of the required conditions for the consideration and approval of a rezoning action.

Issue Before the Council: Does Council wish to approve this ordinance on first reading and set for a public hearing.

Alternatives: Approve on first reading and set for a public hearing; disapprove on first reading with or without referral to the Planning Commission for further consideration.

Fiscal Impact: This plat in and of itself has no significant financial impact, but this subdivision may signal the beginning of further development in the area.

Legal Opinion: City Attorney will be present for comment.

Conclusion: This rezoning is in conformance with all pertinent requirements and the proposed use is complimentary to the industrial use in the adjoining CDOT property.

Attachments:

Planning Commission Packet

Ordinance 14-2014

Ordinance No. 14 - 2014

AN ORDINANCE RE-ZONING THE CELL TOWER TRACT OF THE RUSSELL SUBDIVISION LYING GENERALLY NORTH OF COUNTY ROAD 8 SOUTH AND SOUTH OF WEST ELEVENTH STREET AS PORTRAYED ON THE ATTACHED EXHIBIT A, IN THE CITY OF ALAMOSA COLORADO FROM RESIDENTIAL MEDIUM (RM) TO COMMERCIAL BUSINESS.

WHEREAS, the property owners of the subject property as portrayed on the attached exhibit A have filed an application to have said property re-zoned from RM to CB; and

WHEREAS, the adjoining property to the east is county zoned Commercial Business; and

WHEREAS, the area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area; and

WHEREAS, the Planning Commission has considered the application in accordance with the guidelines established in Chapter 21 of the *Code of Ordinances of the City of Alamosa, Colorado*, has passed said application on to City Council with a recommendation that it be approved;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado:

Section 1. The Zoning District map for the City of Alamosa shall be and is hereby amended to re-zone the subject properties as depicted on the attached exhibit A, City of Alamosa, Colorado, from RM to CB.

Section 2. General Repealer. All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

Section 3. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

Section 4. Publication and Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 5. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED this 15th day of October, 2014 and a public hearing hereon fixed for November 5th, 2014 or as soon thereafter as the matter may be heard.

APPROVED, PASSED, ADOPTED AND SIGNED after public hearing this ____ day of _____, 2014.

CITY OF ALAMOSA

By _____
Josef P. Lucero, *Mayor*

ATTEST:

Kristi Duarte, City Clerk



COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, 1, b	SUBJECT: First Reading, Annexation Ordinance – Foote Annexation
Department Head: Public Works Pat Steenburg		- - -
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council accept Ordinance number 15, 2014 approving the Foote Annexation on first reading and set it for public hearing on November 19th, 2014.

Background: This property lies generally east of the east end of Leroy Street and extends across the levee into the river channel. This is a fairly unique situation in that the property west of the levee is already in the city limits while the river channel portion of the property still remains in the county. The applicant wishes to annex with the intent to subdivide the property to create an additional building site. We already serve the property with City water and sewer so the only utility lines required to serve the newly created home site will be service lines installed by the owner.

Issue Before the Council: Does the council wish to annex the subject property?

Alternatives: Accept the ordinance on first reading with or without amendment; not accept the ordinance on first reading, with or without further guidance to the applicants or staff.

Fiscal Impact: No significant fiscal impact is anticipated.

Legal Opinion: City Attorney will be present for comment.

Conclusion: The proposed zoning of RL for this property is in line with the development of adjacent City properties and appears to address existing market needs.

ORDINANCE NO. 15-2013

**AN ORDINANCE APPROVING THE ANNEXATION OF THE 2014 FOOTE
ANNEXATION PETITION FOR THE ANNEXATION OF A TRACT OF LAND
LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER
(SE1/4NE1/4) SECTION 4, TOWNSHIP 37 NORTH, RANGE 10 EAST, NEW
MEXICO PRINCIPAL MERIDIAN, ALAMOSA COUNTY, COLORADO**

WHEREAS, the owners of 100% of the real property included in an area proposed to be annexed, lying generally east of the easterly end of Leroy Street, Alamosa County, Colorado (which area is described in exhibit A attached hereto and made a part hereof by reference), excluding public streets and alleys and any land owned by the City of Alamosa, hereby found by the Alamosa City Council to be in substantial compliance with Section C.R.S. § 31-12-107(1); and

WHEREAS, all applicable requirements of the *Code of Ordinances of the City of Alamosa, Colorado*, have been fulfilled; and

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

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado:

Section 1. That the property described in the attached Exhibit A is hereby annexed to the City of Alamosa, Colorado, which property has no street address applicable to the property as a whole.

Section 2. The zoning for said property is hereby determined and established to be: "RL", (Residential Light).

Section 3. That, in annexing said property to the City of Alamosa, Colorado, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets, or any other services or utilities in connection with the property hereby annexed except as may be expressly provided by the ordinances of the City of Alamosa, Colorado, and that the owners of such annexed property shall be responsible for the cost of extension of such services and utilities.

Section 4. General Repealer. All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

Section 5. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

Section 6. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 7. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ AND ORDERED published the 5th day of November, 2014, and a public hearing hereon fixed for the 19th day of November, 2014 at 7:00 p.m., or as soon thereafter as the matter may be heard.

APPROVED, AND ADOPTED after public hearing this ___ day of _____, 2014.

CITY OF ALAMOSA

By: _____
Josef Lucero, Mayor

ATTEST:

Kristi Duarte, City Clerk

EXHIBIT A

ORDINANCE NO. 15-2014

LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED INTO THE CITY OF ALAMOSA

A tract of land located in Southwest Quarter of the Northeast Quarter (SW 1/4NE 1/4) of Section 4, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, more particularly described by metes and bounds as follows:

Beginning at a point of intersection of the east line of the existing city limits of the City of Alamosa and the north line of a tract of land described at Book 223, Page 41, Alamosa County records, monumented by a 3/4" smooth bar, from which the Northwest corner of said Section 4 bears N 63°03'03" W a distance of 3124.11 feet; thence S 89°54'07" E along the North line of said tract a distance of 464.37 feet to a point monumented by a 24" No. 4 rebar with 1.5" aluminum cap marked "Russell 22583"; thence S 60°03'37" W along the South line of said tract a distance of 399.81 to a point monumented by a 24" No. 4 rebar with 1.5" aluminum cap marked "Russell 22583"; thence N 30°28'44" W along said existing city limits a distance of 232.46 feet to the Point of Beginning, containing 1.067 acres, more or less, and subject to any and all existing easements and/or rights of way of whatsoever nature.

FOOTE ANNEXATION

TO THE CITY OF ALAMOSA
LOCATED IN SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW ¼ NE ¼)
OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 10 EAST,
NEW MEXICO PRINCIPAL MERIDIAN,
ALAMOSA COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS that the undersigned "PETITIONERS" in accordance with the Municipal Annexation Act of 1932 (Article 12, Chapter 31, C.R.S., as amended) hereby petition the City Council of the City of Alamosa, Colorado, for annexation to the City of Alamosa of the unincorporated territory more particularly described as follows:

A tract of land located in Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section 4, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, more particularly described by metes and bounds as follows:

Beginning at a point of intersection of the east line of the existing city limits of the City of Alamosa and the north line of a tract of land described at Book 223, Page 41, Alamosa County records, monumented by a ¾" smooth bar, from which the Northwest corner of said Section 4 bears N 63°03'03" W a distance of 3124.11 feet; thence S 89°54'07" E along the North line of said tract a distance of 464.37 feet to a point monumented by a 24" No. 4 rebar with 1.5" aluminum cap marked "Russell 22583"; thence S 60°03'37" W along the South line of said tract a distance of 399.81 feet to a point monumented by a 24" No. 4 rebar with 1.5" aluminum cap marked "Russell 22583"; thence N 30°28'44" W along said existing city limits a distance of 232.46 feet to the Point of Beginning, containing 1.067 acres, more or less, and subject to any and all existing easements and/or rights of way of whatsoever nature.

SIGNED: _____
Stacey J. Foote, Executor
SYLVIA JOYCE FOOTE ESTATE

STATE OF COLORADO } SS
COUNTY OF ALAMOSA }

The foregoing was acknowledged before me this ____ day of ____, 2012, by Stacey J. Foote, as executor of the Sylvia Joyce Foote Estate. Witness my hand and seal. My commission expires _____.

SIGNED: _____
Notary Public

ACCEPTANCE OF ANNEXATION

The Annexation as shown on this plat is hereby accepted and approved by the City of Alamosa on this ____ day of ____, 2012.

SIGNED: _____ ATTEST: _____
Mayor City Clerk

SURVEYOR'S STATEMENT

I, Daniel M. Russell, a duly registered land surveyor in the State of Colorado, do hereby state that this plat was prepared from the notes of an actual field survey performed by me or under my direct supervision and is true and correct to the best of my knowledge and belief.

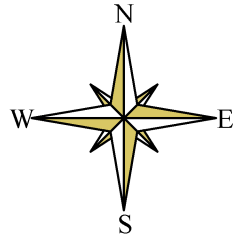
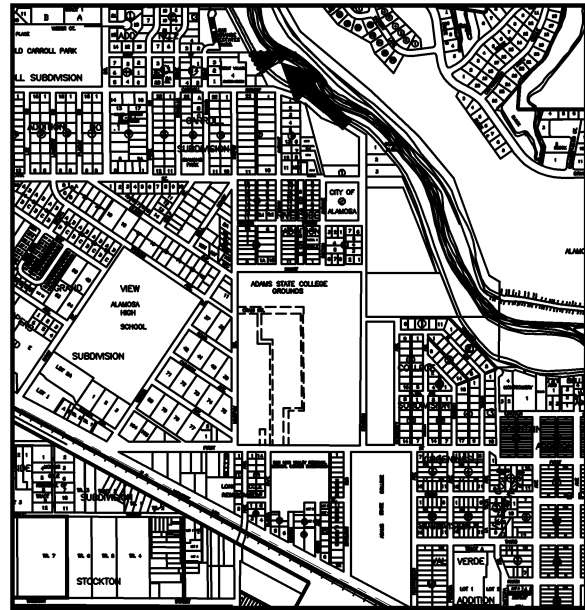
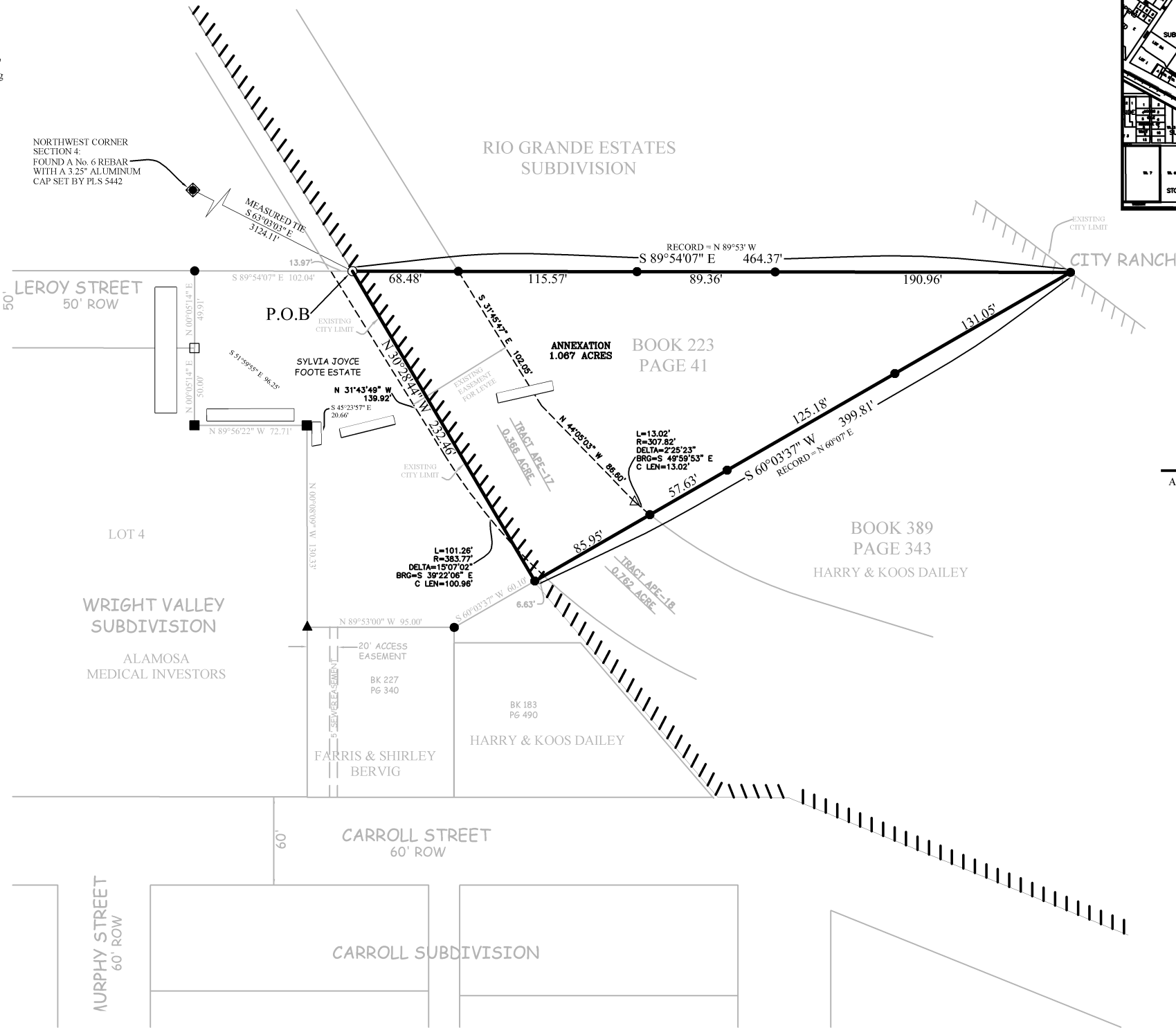
Date

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } SS
COUNTY OF ALAMOSA }

I hereby certify that this instrument was filed in my office at ____ O'Clock, __M, the ____ day of ____, 2012, and is duly recorded under Reception No. ____, and is Filed In Plat Cabinet ____, Map No. ____.

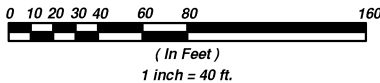
SIGNED: _____
Recorder



BEARING BASIS

ALL BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF THE PROPERTY SHOWN HEREON BEARS S 89°54'07" E MONUMENTED AS SHOWN HEREON.

GRAPHIC SCALE



LEGEND

- Section or Quarter Section Corner, As Described
- Found 1/2" Rebar with 1.5" Aluminum Cap, PLS No. 23891
- Found 3/4" Smooth Bar
- Found 1/2" Rebar with 1.5" Yellow Plastic Cap, PLS No. 16128
- Found 1/2" Rebar with 1.5" Aluminum Cap, PLS Illegible
- Found Smooth Steel Pin, No Cap
- Set a 24" No. 4 Rebar 1.5" Aluminum Cap, marked "Russell 22583"
- Annexation Boundary
- Existing City Limit
- Record Call
- Measured Call
- Adjoiners Boundary

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



RUSSELL SURVEYORS & ASSOCIATES, INC.
6820 S. Hwy. 17, ALAMOSA, COLORADO 81101
(P) 719/587-3630 (F) 719/587-3632

FOOTE ANNEXATION
TO THE CITY OF ALAMOSA
LOCATED IN SOUTHWEST QUARTER OF THE NORTHEAST QUARTER
(SW ¼ NE ¼) OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 10 EAST,
NEW MEXICO PRINCIPAL MERIDIAN,
ALAMOSA COUNTY, COLORADO

SHEET
NUMBER
1 OF 1

DRAWN: CJW
CHECKED: DMR
DATE: 8-7-12
DRAWING NAME:
R01101
FOOTE
ANNEXATION
CLIENT:
ROBERT
FOOTE
REVISIONS:

JOB NUMBER
R01101

TOTAL PERIMETER LENGTH OF ANNEXATION = 1096.64 FEET
CONTIGUOUS WITH EXISTING CITY LIMITS OF ALAMOSA = 232.46 FEET
PARCEL IS 21.19 % CONTIGUOUS



COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, 1, a	SUBJECT: First Reading, Proposed Cell Tower Zoning Ordinance
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council accept Ordinance number 16, 2014 amending the City of Alamosa Zoning Code specific to Telecommunications Facilities on first reading and set it for public hearing on November 19th, 2014.

Background: From time to time, as land uses and use groups evolve and new uses are conceived due to community needs, input, and changes in technology, we find that some definitions and uses are not adequately addressed in our zoning code. With current and anticipated increases in the number of cellular communications applications it became apparent that our existing code was in need of modification to effectively handle these requests. On August 6, 2014, council passed Ordinance No. 9 – 2014, establishing a temporary moratorium to the submission, acceptance, processing and approval of any new special use applications for the operation of telecommunications facilities within the City of Alamosa. It was the intent of this moratorium to provide staff the time to research the issues associated with this type of use request, to learn how other Cities are handling these requests, and to gather information from the public, legal counsel, City Council, and the Planning Commission for inclusion and incorporation into the new ordinance. This proposed ordinance is the result of those efforts. We have tried to capture all of the input and suggestions received while providing predictable, consistent and balanced standards for the siting and screening of wireless telecommunication services facilities and equipment.

- This proposed zoning ordinance sees the addition of several definitions specific to cell towers and the telecommunications industry
- The creation of Use Group C-33 (Wireless Telecommunications Facilities)
- Requires Permitted Use by Special Review for Use Group C-33 in all zoning districts
- Clarifies and outlines the steps and requirements for application
- Establishes a gateway and through-town corridor map of those areas in which cell towers are prohibited
- A site selection process that forces applicants to consider existing structures and towers prior to vacant ground
- Co-location requirements
- Establishes tower height and setback requirements, including prohibition in and a 100' buffer from all residential districts, and
- Prohibits advertisement on towers and outlines lighting requirements

The Planning Commission has considered these changes and unanimously recommended that they be approved.

Issue Before the Council: Does the council wish to consider these changes to the zoning code?

Alternatives: Accept the ordinance on first reading with or without amendment; not accept the ordinance on first reading, with or without further guidance to staff.

Fiscal Impact: No significant fiscal impact is anticipated.

Legal Opinion: City Attorney will be present for comment.

Conclusion: The Zoning Code is a living document, and as such, as issues of clarity or completeness arrive it can and should be modified to address them.

ORDINANCE NO. 16-2014

AN ORDINANCE AMENDING SECTIONS 21-1, (CONCERNING DEFINITIONS) AND 21-97 SCHEDULE A (CONCERNING USE GROUPS AND PERMITTED USES) AND ADDING A NEW SECTION 21-121 SPECIFIC TO THE CONDITIONS AND DESIGN STANDARDS TO BE CONSIDERED DURING THE EVALUATION OF APPLICATIONS FOR APPROVAL OF PERMITTED USE BY SPECIAL REVIEW FOR THE ERECTION, MAINTENANCE AND OPERATION OF TELECOMMUNICATIONS FACILITIES

WHEREAS, established definitions in the zoning ordinance are incomplete or unclear; and

WHEREAS, land uses and use groups continually evolve and new uses are conceived due to community needs, input, and changes in technology; and

WHEREAS, City Council desires to clarify those City of Alamosa regulations specific to telecommunications facilities to ensure such facilities are erected, maintained and operated in a manner that best protects the health, safety and general welfare of its citizens; and

WHEREAS, City Council desires to streamline the special use review process for new telecommunications installations within the City and identify those factors to be considered during the evaluation of these applications; and

WHEREAS, City Council desires to make provision for the appropriate infrastructure necessary to maintain a vibrant and economically sustainable community.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado:

Section 1. Amendment of Section 21-1 of the Code of Ordinances of the City of Alamosa. Section 21-1 is hereby amended in its entirety to read as follows:

Sec. 21-1. Rules of construction and definitions.

(a) *Rules of construction.* The words and terms used, defined, interpreted, or further described in this chapter may be construed as follows:

- (1) The particular controls the general;
- (2) The word "shall" is always mandatory and not directory. The word "may" is permissive;
- (3) Words used in the present tense include the future unless the context clearly indicates the contrary;
- (4) Words used in the singular include the plural, and words used in the plural include the singular, unless the context clearly indicates the contrary.

(b) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory structure or use means a structure or use incidental or subordinate to the main use of the property including a home occupation which is located on the same lot (or a contiguous lot in the same ownership with the main use).

Alley means a minor right-of-way dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street and which may be used for public utility purposes.

Alternative tower structure means man-made trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that are compatible with the natural setting and surrounding structures, and camouflage or conceal the presence of antennas and/or towers. This term also includes any antenna or antenna array attached to the alternative tower structure.

Animal hospital means a veterinary hospital where household pets are brought for medical and surgical treatment and may be held during the time of such treatment. All facilities for holding animals on the premises shall be housed in completely enclosed building and used incidental to such medical and surgical services only.

Antenna means any structure, including but not limited to a monopole antenna, tower, parabolic and/or disk-shaped device in single or multiple combinations of either solid or mesh construction, intended for the purpose of receiving or transmitting communication to or from another antenna, orbiting satellite, cell phone, television, radio, or other telecommunications device, as well as supporting equipment necessary to install or mount the antenna.

Antenna tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. This includes guyed mast, lattice towers, monopole antennas, alternative antenna tower structures and towers taller than 10 feet constructed on top of another building, along with any separate building on the lot used to house any supporting electronic equipment.

Antenna tower height means the distance measured from the anchored base of a tower, at grade, to the highest point of the structure inclusive of any antennas placed on the top of the tower.

Board of adjustment means the zoning board of adjustment of the city.

Boardinghouse means a building other than a restaurant where, for compensation, directly or indirectly, meals are provided for three (3) or more boarders.

Building means a structure built for the shelter or enclosure of persons, animals, chattels, property or substances of any kind, excluding fences.

Building coverage means any area of a portion of a lot which is covered by all buildings on that lot.

Building height means the vertical distance measured from the average elevation of the finished grade along the front of the building:

- (1) To the highest point of the roof surface, if a flat roof;
- (2) To the deck line of a mansard roof; or
- (3) To the mean height level between eaves and ridge for a gable, hip or gambrel roof.

Business and professional office means the office of an engineer, dentist, doctor, attorney, real estate broker, insurance broker, architect or other similar professional persons, and any office used primarily for accounting, correspondence, research, editing or administration.

Cafe, restaurant or cafeteria means a commercial eating establishment where snacks or meals are vended for consumption indoors on the premises.

Central business district means the area bounded by Fourth Street on the north, Denver Avenue on the east, Sixth Street on the south and Bell Avenue on the west.

Child care center means a facility, by whatever name known, which is maintained for the whole or part of a day for the care of five (5) or more children under the age of sixteen (16) years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as "day care centers," "day nurseries," "nursery schools," "kindergartens," "preschools," "play groups," "day camps," "summer camps," "centers for mentally retarded children," and those facilities which give twenty-four-hour care for dependent and neglected children, and includes those facilities for children under the age of six (6) years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school,

except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six (6) grades.

Clinic means offices for three (3) or more physicians, surgeons, dentists, or other practitioners of the healing arts, but not including rooms for the abiding of patients.

Club means any membership organization including a lodge catering exclusively to members and their guests and whose facilities are limited to meeting, eating and recreational uses. *Commercial amusement* means any enterprise whose main purpose is to provide the general public with an amusing or entertaining activity, where tickets are sold or fees collected at the gates of the activity. Commercial amusements include carnivals, expositions, miniature golf courses, driving ranges, arcades, fairs, exhibitions, athletic contest, rodeos, tent shows, bowling alleys, pool parlors and similar enterprises.

Co-Location means locating one or more antennas for more than one provider on a single antenna tower or alternative antenna tower structure on a single lot.

Common open space means a parcel of land or an area of water or a combination of both land and water within any site designated as a planned unit development. Common open space does not include streets, alleys, parks, off-street parking and loading areas, public open space or other facilities dedicated by the developer for public use. Common open space shall be substantially free of structures, but may contain such improvements that are approved as part of the planned unit development and are appropriate for the recreation of residents of the planned unit development.

Common property means a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites in planned unit development or other described land area.

Comprehensive development plan means the comprehensive plan for the city which has been officially adopted to provide long-range development policies for the city and which includes, among other things, the plan for land use, land subdivision, circulation and public facilities.

Corner lot means a lot abutting upon two (2) streets at their intersection or upon two (2) parts of the same street and where, in either case, the interior angle formed by the intersection of street lines does not exceed one hundred thirty-five (135) degrees.

Density means the number of dwelling units per acre of land devoted to housing and related open space.

Disposition means a contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or an assignment of an interest in subdivided land; or any other conveyance of an interest in subdivided land which is not made pursuant to one (1) of the foregoing.

District means an area or areas within the limits of the city for which the regulations and requirements governing use, lot, and bulk of building and premises are uniform.

Drive-in establishment means an establishment which is designed to provide, wholly or in part, service to customers, while they remain in their automobiles parked upon the premises.

Dwelling, multiunit or multifamily means a building used by two (2) or more families living independently of each other in separate dwelling units, but not including hotels, motels or resorts.

Dwelling, single-family, means a detached principal building other than a mobile home designed for or used as a dwelling exclusively by one (1) family as an independent living unit.

Dwelling unit means one (1) room or rooms connected together constituting a separate independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, physically separated from any other rooms or dwelling units which may be in the same structure and served by not more than one (1) gas meter and one (1) electric meter.

Easement means authorization by a property owner for the use by the public, a corporation or person of any designated part of his property for specific purposes.

Employees means all persons including proprietors, working on the premises during the largest shift at peak season.

Essential governmental or public utilities services means the erection, construction, alteration or maintenance by public utilities or municipal departments of underground or overhead gas, electrical, steam or water transmission distribution systems, collection, communication, supplier-disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health, safety or general welfare.

Family means a single individual doing his own cooking and living upon the premises as a separate, independent, housekeeping unit; or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth or marriage; or a group of not more than two (2) unrelated persons doing their own cooking and living together upon the premises as a single housekeeping unit. Single persons of eighteen (18) years of age or older not living with parents or legal guardian are considered to be unrelated to each other.

Family care home means a facility for child care in a place of residence of a family or person for the purpose of providing family care and training for a child under the age of sixteen (16) years who is not related to the head of such home.

Fence or wall means a free-standing structure of metal, masonry, composition, wood or any combination thereof resting on, or partially buried in the ground and rising above ground level which is used for confinement, screening or decorative purposes.

Floodplain means the same as defined in the floodplain ordinance of the city, chapter 8.

Floor area means the area included within the outside walls of a building or portion thereof including habitable tenant houses and attic space, but not including vent shafts, courts or uninhabitable areas below ground level or in attics.

Fraternity, sorority, dormitory or group student house means a building occupied by and maintained exclusively for students affiliated with an academic or vocational institution.

Frontage means that portion of a lot, parcel, tract or block abutting upon a street.

Garage, parking, means a building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except facilities for washing.

Garage, private, means an accessory building or accessory portion of the main building designed for the shelter or storage of motor vehicles owned or operated by occupants of the main building only.

Garage, public, means a building other than a private or parking garage used for the care or repair of self-propelled vehicles or where such vehicles are kept for remuneration, hire or sale.

Gasoline service station means a building or premise on, or in which, the principal use is the retail sale of gasoline, oil or other fuel for motor vehicles which may include as an incidental use only, facilities used for polishing, greasing, washing or otherwise cleaning or light servicing of motor vehicles, but may not include liquefied petroleum gas distribution facilities, facilities for major repairs for motor vehicles or rental operations.

***Gateway* means, for the purpose of this ordinance, those areas identified as such on attached exhibit A.**

Grade (ground level) means the average of the finished ground level at the center of all walls of the building or at the center of the structure.

Guest house means an accessory structure which is physically detached from a single-family dwelling unit, does not contain cooking facilities, is serviced through the same utility meters or connections as the principal use, and is intended for occupancy only by guests of the family residing in the single-family dwelling.

Guest room means a room in a hotel, apartment hotel, motel or tourist home offered to the public for compensation in which room no provision is made for cooking and which room is used only for transient occupancy.

***Guyed Mast Tower* means a tall, thin, vertical structure that receives support from guy lines.**

Hedge means a fence or boundary formed by a dense row of shrubs or low trees.

Home occupation means an occupation carried on in the dwelling or accessory building by members of the family occupying the dwelling with no servant, employee, or other person being engaged, provided the residential character of the building is maintained and the occupation is conducted in such a manner as not to give an outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term nor infringe upon the right of neighboring residents to enjoy a peaceful occupancy of their homes.

Homeowners association means an incorporated, nonprofit organization operating under recorded land agreements through which 1) each lot and/or homeowner in a planned unit development or other described land area is automatically a member, 2) each lot is automatically subject to charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and 3) the charge, if unpaid, becomes a lien against the property.

Hospital means any building or portion thereof used for diagnosis and treatment and care of human ailments, but not including medical clinics, rest homes, convalescent homes, nursing homes and retirement homes.

Hotel means an establishment that provides temporary lodging in guest rooms and in which meals, entertainment, and various personal services for the public may or may not be provided.

Junk (salvage) means scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, or scrap zinc and all other scrap metals and their alloys, bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton; used utensils, used boxes or crates, used pipe or pipe fittings, used automobiles or airplane parts, and other manufactured goods that are too worn, deteriorated or obsolete as to make them unusable in their existing condition; and all other products subject to being dismantled or recycled.

Junkyard (salvage yard) means any lot, parcel or tract used for storage, keeping, sale or abandonment of automobiles, or other junk or parts thereof.

Kennel means a lot or building in which four (4) or more dogs or cats at least four (4) months of age are kept commercially for board, propagation or sale.

***Lattice antenna tower* means a self-supporting tower with multiple legs and cross bracing of structural steel or other material.**

Lot means a parcel of land of at least sufficient size to meet minimum requirements for use, coverage and area, and to provide required yards and other open space. Such lot shall have frontage on an improved public street and may consist of the following provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirement of this chapter:

- (1) A single lot of record;
- (2) A portion of a lot of record;
- (3) A combination of complete lots of record, of complete lots of record and portion of lots of record, or of portions of lots of record.

Lot area means the total horizontal area within the lot lines of a lot.

Lot corner: See corner lot.

Lot coverage means the percentage of the total lot area available for bulk or buildings.

Lot depth means the average horizontal distance between front and rear lot lines.

Lot, double frontage, means a lot which runs through a block from street to street.

Lot, interior, means a lot other than a corner lot.

Lot line, front, means the property line dividing a lot from the right-of-way of the street. For a corner lot, the shortest street right-of-way line shall be considered as the front line. The address assignment will be based on the main building entrance for corner lots even if this is not the front lot line.

Lot line, rear, means, except on a double frontage lot, the property line opposite the front lot line.

Lot line, side, means any lot line other than a front or rear lot line.

Lot width means the distance on a horizontal plane between the side lot lines of a lot, measured at right angles to the line establishing the lot depth at the established building setback line.

Mobile home means the same as defined in the mobile home ordinance of the city, section 12-16 et seq.

Mobile home park means the same as defined in the mobile home ordinance of the city.

Monopole antenna tower means a slender un-guyed self-supporting tower on which antennas can be placed that does not include any lattice cross bracing structure.

Motel means a hotel which usually is arranged in such a manner that individual guest rooms are directly accessible from an automobile parking area.

Nonconforming structure or use means a legally existing structure or use at the time this ordinance from which this chapter was derived becomes effective which does not meet all of the requirements of this chapter.

Off-street loading space means a space located outside of a public street or alley for the discharge of passengers or a space directly accessible to the building it serves for bulk pickups and deliveries by delivery vehicles.

Off-street parking area means any parking area located wholly within the limits of one (1) or more lots.

Open space means land which is free of structures which are not directly related to the function of the open space. Examples of such structures include park shelters, grandstands, boathouses and clubhouses.

Parking space means a rectangular area containing not less than two hundred (200) square feet plus adequate, convenient maneuvering and access space.

Permitted use means a use specifically allowed in one (1) or more of the various districts without the necessity of obtaining a use permit.

Personal service shop means an establishment for the purpose of supplying limited personal services such as, but not limited to, barber, shoe, boot or beauty shops.

Planned unit development means a project of a single owner or a group of owners acting jointly, involving a related group of residences, or businesses, or industries and associated uses, planned as a single entity and therefore subject to development and regulation as one (1) land use unit rather than as an aggregation of individual buildings located on separate lots. The planned unit development includes usable, functional, open space for the mutual benefit of the entire tract and is designed to provide variety and diversity through the variance of normal zoning and subdivision standards so that maximum long range benefits can be gained and the unique features of the development or site is preserved and enhanced, while still being in harmony with the surrounding neighborhood. Approval of a planned unit development does not eliminate the requirements of subdividing. A preliminary plat and a final plat must be submitted and processed through the subdivision procedures as provided in the subdivision regulations of the city, chapter 17.

Planning commission means the officially appointed planning commission of the city.

Premises means a general term meaning part or all of any lot parcel or tract or part or all of any building or structure or group of buildings or structures located thereon.

Private utility means any utility other than a municipally owned and operated utility including telephone, electric, gas and other privately owned and operated utilities.

Property line means the boundary of any lot, parcel or tract as the same is described in the conveyance to the owner, and shall not include the streets or alleys upon which the lot, parcel or tract may abut.

Public hearing means a meeting called by a public body for which public notice has been given and which is held in a place in which the general public may attend to hear issues and express their opinions.

Retail means any sale to the ultimate consumer for direct consumption and/or use and not for resale.

Right-of-way, public, means all streets, roadways, sidewalks, alleys and all other areas reserved for present or future use by the public, as a matter of right, for the purpose of vehicular or pedestrian travel.

Roominghouse means a building other than a hotel or motel where for compensation, directly or indirectly, lodging is permitted for three (3) or more roomers.

Rooming unit means a room providing minimal housing accommodations for a roomer, arranged primarily for sleeping and study in which may be included a private bath, but shall not include any kitchen equipment such as refrigerator, sink or cooking device.

Salvage yard: See junkyard.

Screening means decorative fencing, evergreen hedges or earth berms maintained for the purpose of concealing from view the area behind such screening.

Setback line means a line or lines designating the area outside of which buildings may not be erected.

Shopping center means a composite arrangement of shops and stores which provide a variety of goods and services to the general public, when developed as an integral unit.

Sign means any object, device or part thereof situated outdoors or indoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. Signs do not include flags of nations, or an organization of nations, state and cities, fraternal, religious and civic organizations, merchandise, pictures or models of products or services incorporated in a window display; also time and temperature devices not related to a product; national, state, religious, fraternal, professional and civic symbols or crests; works of art which in no way identify a product; and scoreboards located on athletic fields.

If for any reason it cannot be readily determined whether or not an object is a sign, the zoning administrator shall make such determination.

Sign, animated, means any sign or part of a sign which changes physical position by any movement or rotation.

Sign, bulletin board, means a sign not exceeding fifteen (15) feet gross surface area that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcements of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.

Sign, business, means a sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or an entertainment offered, on the premises where the sign is located or to which it is affixed.

Sign, construction, means a temporary sign not exceeding twenty (20) square feet gross surface area indicating the names of architects, engineers, landscape architects, contractors, and similar artisans involved in

the design and construction of a structure or project only during the construction period and only on the premises on which the construction is taking place.

Sign, flashing, means any directly or indirectly illuminated sign either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, ground, means a sign supported by poles, uprights or braces extending from the ground, or an object on the ground but not attached to any part of any building.

Sign, historical, means any sign or marker so designated by the planning commission of the city.

Sign, identification, means a sign not exceeding thirty-two (32) square feet gross surface area giving the name and address of a building, business, development or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol.

Sign, illuminated, means a sign lighted by or exposed to artificial lighting either by lights on the sign or directed toward the sign.

Sign, nameplate, means a sign not exceeding two (2) square feet gross surface area giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, a professional status.

Sign, real estate, means a sign pertaining to the sale or lease of the lot or tract of land on which the sign is located, or to the sale or lease of one (1) or more structures, or a portion thereof located thereon. Maximum gross surface area shall not exceed five (5) square feet, provided that one (1) sign not more than one hundred (100) square feet in area announcing the sale of lots and/or structures in a subdivision may be located on such development. Such signs shall be removed when all of the lots and/or structures in the subdivision have been sold.

Sign, wall, means a sign attached to, painted on, or erected against a wall of a building whose display surface is parallel to the face of the building to which the sign is attached.

Sign, window, means a sign which is applied or attached to or located within three (3) feet of the interior of a window, which sign can be seen through the window from the exterior of the structure.

Special review use means a use which, although not permitted outright in a particular district, may be permitted by the planning commission or city council in accordance with the standards and procedures of this chapter.

Street means the entire width between the boundary line of every way which provides for public use for the purpose of vehicular and pedestrian traffic and placement of utilities and including the term "road," "highway," "land," "planning," "avenue" or other similar designations, but not including the term "alley."

Street, collector, means any street designed primarily to gather traffic from local or residential streets and carry it to the arterial system.

Street, marginal access (frontage), means a local street lying parallel to and adjoining an arterial street or freeway right-of-way, which provides access to abutting properties and protection from through traffic.

Street, minor arterial, means any street serving major traffic movements which is designed primarily as a traffic carrier between various sections of the city, which forms part of a network of through streets, and which provides service and access to abutting properties only as a secondary function and serves a collector function for access to principal arterial streets.

Street, principal arterial, means a highway which is designed primarily as a traffic carrier between cities.

Structural alteration means any change to the supporting members of a structure including foundations, bearing walls, or partitions, columns, beams, girders or any structural change in the roof.

Structure means anything constructed or erected with a fixed location from the ground above grade, but not including poles, lines, cables, or other transmission or other distribution facilities of public utilities.

Through-Town Corridors means, for the purpose of this ordinance, those areas identified as such on attached exhibit A.

Use means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

Use, accessory, means a subordinate use which is customarily incidental to the principal building or to the principal use of the lot.

Use, nonconforming, means a use which lawfully occupies a building or land at the time the ordinance from which this chapter was derived or an amendment hereto becomes effective and which does not now conform with the use regulations applicable in the zone district in which it is located.

Use, principal, means the main use of land or structures as distinguished from a subordinate or accessory use.

Variance means a legal modification of the district provisions such as yard, lot width and yard depth, signs, setback and off-street parking and loading regulations granted due to the peculiar conditions existing within a single piece of property.

Vision clearance area means a triangular area on a lot at the intersection of two (2) streets or a street and a railroad, two (2) sides of which are lot lines measured from the corner intersection of the lot lines to a distance specified in the regulations. The third side of the triangle is a line across the corner of the lot joining the ends of the other two (2) sides. Where the lot lines and intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection. The vision clearance area contains no plantings, walls, structures, or temporary or permanent obstructions exceeding two and one-half (2.5) feet in height measured from the top of the curb or existing grade.

Whip Antenna means an antenna in the form of a long flexible wire or rod.

Wireless telecommunication services facilities and/or equipment means cellular telephone, paging, enhanced specialized mobile radio (ESMR), personal communication services (PCS), commercial mobile radio service (CMRS) and other wireless commercial telecommunication devices affixed to the ground or to buildings, and all associated structures and equipment including transmitters, antennas, monopoles, towers, masts and microwave dishes, cabinets and equipment rooms. These provisions and criteria do not apply to antenna incidental to residential use, including residential satellite dish antenna under two feet in diameter, radio, and television receivers. Amateur radio antenna (HAM radio) are not considered incidental to residential use, and are covered by these provisions.

A. Cellular means an analog or digital wireless communication technology that is based on a system of interconnected neighboring cell sites, each of which contains antenna.

B. Enhanced Specialized Mobile Radio (ESMR) means a digital wireless communication technology that specializes in providing dispatching services.

C. Personal Communication Services (PCS) means a digital wireless communication technology that has the capacity for multiple communications services and will provide a system in which calls will be routed to individuals rather than places, regardless of location.

Yard means an open space on a lot which is unobstructed from the ground upward except as otherwise provided in this chapter.

Yard, front, means the yard between the side lot lines measured horizontally at right angles to the front line to the nearest point of the principal structure.

Yard, rear, means the yard extending between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of the principal structure.

Yard, side, means the yard between a principal structure and the side lot line measured horizontally at right angles to the side lot line from the side lot line to the nearest point of the principal structure.

Section 2. Amendment of Section 21-97, Schedule A of the Code of Ordinances of the City of Alamosa. Section 21-97, Schedule A is hereby amended in its entirety to read as follows:

SCHEDULE A

		ZONING DISTRICTS						
USE GROUPS		A	RE/ RL	RM	RH	CL	CB	I
AGRICULTURAL USE GROUPS								
A-1	Agricultural or commercial crop production	Yes	R	R	R	No	No	R
A-2	Keeping and pasturing of livestock ¹	Yes	R	R	R	No	No	R
A-3	Routine farm production activities	Yes	R	R	R	No	No	R
RESIDENTIAL USE GROUPS								
R-1	Single-Family Detached Dwellings	Yes	Yes	Yes	Yes	R	R	No
R-2	Duplexes	No	No	Yes	Yes	R	R	No
R-3	Townhouses	No	No	Yes	Yes	R	R	No
R-4	Multi-Family Dwellings	No	No	Yes	Yes	R	R	No
R-5	Group Home for the Developmentally Disabled, Mentally Ill, or Elderly	No	No	R	R	R	No	No
R-6	Assisted Living for the Elderly	No	No	Yes	Yes	Yes	No	No
R-7	Fraternity, Sorority, or Group Student House	No	No	R	R	R	No	No
R-8	Mobile Home Parks ²	No	No	R	R	No	No	No
COMMERCIAL USE GROUPS								
C-1	Boarding and Lodging Houses	No	No	R	R	No	No	No
C-2	Family Day Care Home	R	R	Yes	Yes	Yes	No	No
C-3	Day Care Centers	No	No	R	R	R	R	No
C-4	Hotels and Motels (including restaurants and other incidental commercial uses located inside the principal building)	R	No	No	No	Yes	Yes	No
C-5	Bed and Breakfast Inns	No	No	R	R	R	R	No
C-6	Golf Courses; Sports and Recreation Membership Clubs (including tennis and swimming clubs)	R	R	R	R	R	R	R
C-7	Commercial Amusements, Outdoor (excluding firing/gun ranges but including miniature golf, driving ranges, batting cages, amusement parks, archery ranges, boat rental, fishing pier	No	No	No	No	R	R	No

¹ No commercial feed lots are permitted; dog kennels must be located 660 feet or further from any residential district.

² Subject to City of Alamosa Mobile Home Ordinance.

		ZONING DISTRICTS						
USE GROUPS		A	RE/ RL	RM	RH	CL	CB	I
	operations, ice skating rings, and similar activities)							
C-8	Indoor Amusement, Recreation, and entertainment Establishments (including movie theaters, health clubs, aerobic exercise studios, indoor firing/gun ranges, video and amusement arcades, and similar services)	No	No	No	No	Yes	Yes	No
C-9	Indoor firing/gun ranges	No	No	No	No	R	R	Yes
C-10	Campgrounds, RV Parks	R	No	No	No	No	No	No
C-11	Private, Civic, Social, or Fraternal Membership Clubs or Associations	No	No	No	No	R	R	No
C-12	Automobile Parking Lots (as a principal use)	R	No	No	No	Yes	Yes	Yes
C-13	Automobile Parking Garages	R	No	No	No	Yes	Yes	Yes
C-14	Gasoline Service Stations	No	No	No	No	R	R	R
C-15	Automotive Repairs and Services (including vehicle rentals, vehicle repair shops, carwashes, and similar activities)	R	No	No	No	R	R	Yes
C-16	Automotive Dealers	R	No	No	No	No	R	Yes
C-17	Business Services	Yes	No	R	R	Yes	Yes	Yes
C-18	Personal Services (including, but not limited to barbershops and beauty shops, dry cleaning outlets, photographic studios, self-service laundries, shoe repair shops, music/dance studios or schools, and similar activities)	No	No	R	R	Yes	Yes	No
C-19	Repair Services	No	No	No	No	Yes	Yes	Yes
C-20	Retail Establishments (except those retail uses more specifically defined in the Schedule and including but not limited to variety stores, clothing and accessory stores, supermarkets, hardware, sporting goods, shoe stores, drugstores, and general merchandisers)	No	No	No	No	Yes	Yes	R
C-21	Large Retail Establishments (containing more than 25,000 square feet of gross floor area)	No	No	No	No	R	R	No
C-22	Indoor Eating and Drinking Establishments	R	No	No	No	Yes	Yes	R
C-23	Convenience Store (no gas sales permitted)	R	No	R	R	Yes	Yes	R
C-24	Outdoor Sales, Repair, and Activities) including mobile home sales, outdoor eating areas, outdoor garden, nursery, or other retail sales, and similar activities)	Yes	No	No	No	R	R	Yes
C-25	Commercial Uses with Drive-Through Facilities	R	No	No	No	R	Yes	R
C-26	Adult Businesses ³	No	No	No	No	No	R	R

³ Subject to screening, grade of excavations, vehicular access and other requirements of the City of Alamosa and located 660 feet or further from schools and residential districts.

		ZONING DISTRICTS						
USE GROUPS		A	RE/ RL	RM	RH	CL	CB	I
C-27	Self-Service Storage Facilities	No	No	No	R	R	Yes	Yes
C-28	Wholesale Trade Businesses	No	No	No	No	No	Yes	Yes
C-29	Funeral Homes	R	No	R	R	R	R	No
C-30	Medical Clinics and Financial Institutions	R	No	No	R	Yes	Yes	R
C-31	Professional and Business Offices	R	No	R	R	Yes	Yes	R
C-32	Veterinary and Animal Facilities (including animal hospitals and kennels) ⁴	Yes	No	No	No	R	Yes	R
C-33	Wireless Telecommunication Facilities ⁵	R	R	R	R	R	R	R
INSTITUTIONAL/CIVIC/PUBLIC USE GROUPS								
ICP-1	Public and Private Schools (including vocational and business schools)	R	R	R	R	R	R	R
ICP-2	Hospitals	R	No	R	R	R	R	No
ICP-3	Nursing Home Facilities	R	No	R	R	R	R	No
ICP-4	Places of Worship (including churches, chapels, temples and synagogues)	R	R	R	R	R	R	No
ICP-5	City, County, State and Federal Uses and Buildings	R	R	R	R	R	R	R
ICP-6	Essential Governmental or Public Utility Services ⁶	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ICP-7	Private Utility Uses ⁶	R	R	R	R	Yes	Yes	Yes
ICP-8	Public Parks and Recreation Facilities	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ICP-9	Municipal Sewage Treatment Plants and Solid Waste Disposal Sites and Facilities	R	No	No	No	No	No	R
ICP-10	Airports	R	No	No	No	No	No	R
ICP-11	Heliports	R	No	No	No	R	R	R
ICP-12	Cemeteries/Mausoleums	R	No	No	No	No	No	No
ICP-13	Museums and Art Galleries	Yes	No	No	R	Yes	Yes	No
INDUSTRIAL USE GROUPS								
I-1	Extractive Industries	R	No	No	No	No	No	R
I-2	Building Contractors Yards; Lumber Yards, Transportation Center, Terminals, and Maintenance/Repair Services; Warehousing, Distribution and Storage Activities	No	No	No	No	No	R	Yes

⁴ Dog kennels must be located 660 feet or further from any residential district

⁵ See Section 21-121 for specific requirements and restrictions, no towers may be located in residential districts

⁶ Primary structures such as electric substations, sewer lift stations, etc. must be located more than 100 feet from residential units; no office, repair, storage, or production facilities may be located in residential (R) districts

		ZONING DISTRICTS						
USE GROUPS		A	RE/ RL	RM	RH	CL	CB	I
I-3	Industrial uses, provided such use is completely enclosed and provided that no effects from noise, smoke, glare, vibrations, fumes, or other environment factors are measurable at the property line	No	No	No	No	No	R	Yes
I-4	Salvage or Junk yards	R	No	No	No	No	No	R
I-5	Research and Development Facilities	R	No	No	No	R	R	Yes
ACCESSORY USES & STRUCTURES - See Article V, "Use Regulations"								
	Accessory uses and structures	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Section 3. New Section 21-121, of the *Code of Ordinances of the City of Alamosa*. Insert new Section 21-121, to read as follows:

21-121. Wireless Telecommunications Facilities.

A. Intent and Purpose

To provide design standards and permitted use by special review application procedures and requirements specific to cellular and other wireless telecommunication facilities in order to ensure their compatibility with the surrounding environment and existing and anticipated development patterns. The unique and diverse landscapes of the City are among its most valuable assets. Protecting these assets will require that location and design of wireless telecommunication services and/or equipment be sensitive to and in scale and harmony with, the character of the community. The purpose of these regulations is to provide predictable, consistent, and balanced standards for the siting and screening of wireless telecommunication services facilities and equipment on property within the City of Alamosa in order to:

- (1) Preserve the character and aesthetics of areas which are in close proximity to wireless telecommunication services facilities and equipment by minimizing the visual, aesthetic and safety impacts of such facilities through careful design, siting and screening, and; placement for construction or modification of such facilities;
- (2) Protect the health, safety, and welfare of persons living or working in the area surrounding wireless telecommunication services facilities and equipment related to the placement, construction or modification of such facilities;
- (3) Provide development which is compatible in appearance with allowed uses of the underlying zoning district;
- (4) Facilitate the City's permitting process to encourage fair and meaningful competition and, to the greatest extent possible, extend to all people in all areas of the City high quality wireless telecommunication services at reasonable costs to promote the public welfare; and
- (5) Encourage co-location and clustering of antenna sites and structures, when practical, to help reduce the number of such facilities which may be required in the future to service the needs of customers and thus avert unnecessary proliferation of facilities on private and public property.

B. Applicability

All applications for the installation or development of wireless telecommunication services facilities and/or equipment must receive building permits prior to installation. Prior to the issuance of appropriate building permits, wireless telecommunication services facilities and/or equipment shall be reviewed for approval by the City Planning Commission who shall communicate a recommendation for approval, approval with conditions, or denial based on conformance with the provisions and criteria of this section to City Council for ultimate approval or denial in conformance with Chapter 21, Article VI. Wireless telecommunication services facilities and equipment subject to the provisions and criteria of this Section include cellular telephone, paging, enhanced specialized mobile radio (ESMR), personal communication services (PCS), commercial mobile radio service (CMRS) and other wireless commercial telecommunication devices affixed to the ground or buildings and all associated structures and equipment including transmitters, antennas, monopole antennas, towers, masts and microwave dishes, cabinets and equipment rooms. These provisions and criteria do not apply to antenna incidental to residential use, including residential satellite dish antenna under two feet in diameter, radio, and television receivers. Amateur radio antenna (HAM radio) are not considered incidental to residential use, and are covered by these provisions.

C. Application Procedure

1. Preliminary Conference

The applicant shall participate in a pre-application conference with the Zoning Administrator and Public Works Director to discuss proposed facilities, location, any submission requirements in addition to those required by this Chapter 21, Section 121, and any concerns of the applicant or City. All companies and providers of wireless telecommunication service facilities and equipment within the City shall, during their preliminary conference for a new facility, be prepared to verbally outline, to the best of their current knowledge, a master or long-term plan for all proposed sites within one-mile of the existing city limits. In particular, companies and providers should be prepared to discuss their need for the proposed site and how it fits into their existing and proposed coverage grids.

2. Application Review

After the pre-application meeting, the applicant shall submit to the Public Works Department an application for review and approval with payment of all applicable fees, the application shall be reviewed by the Public Works Department for completeness and consistency with the requirements and standards of this Section. Upon determination by the Public Works Department that the application is complete, the application will proceed through the land use approval process as outlined in Chapter 21, Article VI of the City of Alamosa Code of Ordinances.

3. Information Required

Wireless telecommunication services facilities and equipment applications shall contain at least the following information in addition to those requirements outlined in Section 21-117:

- (1) Site plan or plans drawn to a scale of one (1) inch equals ten (10) feet or one (1) inch equals twenty (20) feet, including "before and after" photographs (simulations) specifying the location of antennas, support structures, transmission buildings and/or other accessory uses, access, parking, fences, signs, lighting, landscaped areas and all adjacent land uses within one hundred fifty (150) feet. Such plans and drawings should demonstrate compliance with the review standards of this Section.

- (2) Site improvement survey showing the current status, including all easements and vacated rights of way, of the parcel certified by a registered land surveyor, licensed in the State of Colorado.
- (3) Elevation drawings or "before and after" photographs/drawings simulating and specifying the location and height of antennas, support structures, transmission buildings and/or other accessory uses, fences and signs.
- (4) Evidence that an effort was made to locate on an existing wireless telecommunication services facility site including coverage/ interference analysis, capacity analysis, and a brief statement as to the reasons that co-location on an existing facility is not a realistic expectation for this facility.
- (5) Written documentation in the form of a signed affidavit demonstrating a good faith effort in locating facilities in accordance with site selection order of preference outlined in section 21-121(D)(2).

D. General Provisions and Requirements

The following provisions apply to all wireless telecommunication services facilities and equipment applications, sites and uses.

1. Prohibitions/Restrictions

(1) Guyed mast towers are prohibited within the City of Alamosa.

(2) Towers shall be prohibited in the following Zoning Districts:

Residential Estate (RE)

Residential Light (RL)

Residential Medium (RM)

Residential High (RH)

Towers shall also be prohibited in those areas identified as Gateway and through-town corridors on the attached Exhibit A. Roof mounted antennas are allowed in Gateway areas and residential (R) districts.

2. Site Selection

Wireless communications facilities shall, in accordance with local zoning requirements, be located in the following order of preference:

First: On existing structures such as buildings, communication towers, flagpoles, church steeples, cupolas, ball field lights, water towers, etc.

Second: In locations where existing topography, vegetation, buildings or other structures provide the greatest amount of screening.

Last: On vacant ground or highly visible sites without significant visual mitigation and where screening/buffering is difficult at best.

3. Public Buildings, Structures, Property and Rights of Way

Leasing of public buildings, publicly owned structures and/or public rights-of-way for the purposes of locating wireless telecommunication services facilities and/or equipment is encouraged. In cases where a facility is proposed on City property, specific locations and compensation to the City shall be negotiated in license or lease agreements between the City and the provider on a case-by-case basis and would be subject to all of the review criteria contained in Section 12-121(E). Such agreements would not provide exclusive arrangements that could prevent access

to the negotiated sites or limit competition and must allow for the possibility of "co-locating" (sharing of facilities) with other providers as described with in section 12-121(D)(4) below.

4. Co-location

Co-location or sharing of facilities with other providers is encouraged. Co-location can be achieved as either building-mounted, roof-mounted or ground-mounted facilities. In designing facilities, applicants are strongly encouraged to consider the possibility of present or future co-location of other wireless communication equipment by structurally overbuilding in order to handle the loading capacity of additional antennas, for the use of the company and for other companies to use as well. Applicants shall use good faith efforts to negotiate lease rights to other telecommunications users who desire to use the facility. Co-location on an existing support structure (tower) shall be permitted as an accessory use.

Multiple use facilities are encouraged as well. Wireless telecommunication services facilities and equipment may be integrated into existing or newly developed facilities that are functional for other purposes, such as ball field lights, flagpoles, church steeples, water towers, etc. All multiple use facilities shall be designed to make the appearance of the Antenna relatively inconspicuous.

The co-location requirement may be waived by the appropriate decision-making authority (Planning Commission or City Council, as applicable) upon a showing that federal or state regulations prohibit the use, the proposed use will interfere with the current use, the proposed use will interfere with surrounding property or uses, the proposed user will not agree to reasonable terms, or such co-location is not in the best interest of the public health, safety or welfare.

5. Maintenance

All towers, antennas, related facilities and equipment and subject sites shall be maintained in a safe and clean manner in accordance with project approvals and building codes. The operator/property owner shall be responsible for maintaining the site and its improvements free from graffiti, debris and litter. The applicant shall be responsible for reasonable upkeep of the facility and subject property. All towers, antennas and related facilities shall be subject to periodic inspection by the City to ensure continuing compliance with all conditions of approval and requirements of this Section.

6. Abandonment and Removal

All required approvals shall be in effect only so long as the antennas and other structures are operated at the site. Facilities that are not in use for 180 consecutive days for wireless communication purposes shall be considered abandoned and shall be removed by the facility owner within 45 days of the 180th consecutive day of non-use. The site shall be restored to the condition it was in prior to the installation/location of the facility. Such removal shall be carried out in accordance with proper health and safety requirements.

7. Conditions and Limitations

Approval by the City of Alamosa of a wireless telecommunication services facility and/or equipment application shall not be construed to waive any applicable zoning or other regulations. All requests for modifications of existing facilities or approvals shall be submitted to the Public Works Department for review under all provisions and requirements of this Section. If other than minor changes are proposed, a new, complete application containing all proposed revisions shall be required.

E. Review Standards

The following standards are designed to foster the City's safety and aesthetic interests without imposing unreasonable limitations on wireless telecommunication services facilities and equipment:

Zoning District	Towers allowed (Guyed mast towers are prohibited)	Maximum Tower Height	Setbacks Towers	Alternative tower structure	Maximum Height of Roof Mounted Antennas	Setbacks Wall/ Roof Mounted	Building-mounted, roof-mounted facilities
RL/RM/RH	Towers Not Allowed	Towers Not Allowed	Towers Not Allowed	Towers Not Allowed	Antenna: 5ft above highest portion of the roof Whip antennas: 10 ft. above highest portion of the roof	Underlying Building Setback	Review
A	Review	150'	Underlying Zoning Requirements, 100' buffer from any Residential Zone	Review	Antenna: 5ft above highest portion of the roof Whip antennas: 10 ft. above highest portion of the roof	Underlying Building Setback	Allowed
CL/CB	Review	100'/100'	Underlying Zoning Requirements, 100' buffer from any Residential Zone	Review	Antenna: 5ft above highest portion of the roof Whip antennas: 10 ft. above highest portion of the roof	Underlying Building Setback	Allowed
I	Review	100'	Underlying Zoning Requirements, 100' buffer from any Residential Zone	Review	Antenna: 5ft above highest portion of the roof Whip antennas: 10 ft. above highest portion of the roof	Underlying Building Setback	Allowed

1. Screening

Roof-and-ground-mounted wireless telecommunication services facilities and equipment, including accessory equipment, shall be screened from adjacent and nearby public rights-of-way and public or private properties by paint color selection, parapet walls, screen walls, fencing, landscaping and/or berming in a manner compatible with the building's and/or surrounding environment's design, color, materials, texture, as appropriate or applicable.

2. Lighting and Signage

In addition to other applicable sections of the City code regulating signage or outdoor lighting, the following standards shall apply to wireless telecommunication services facilities and equipment:

(A) Wireless telecommunication services facilities shall not be illuminated, except in accordance with applicable state and federal regulations, and except for necessary security lighting described herein. Telecommunications facilities including accessory buildings and equipment shall not incorporate dusk to dawn security lighting. The facilities may utilize manual switch or motion activated exterior illumination for repair, maintenance, and security purposes. If lighting is proposed it shall meet these requirements:

(1) The light source for security lighting shall feature down-directional, sharp cut-off luminaires to direct, control, screen or shade in such a manner as to ensure that there is no spillage of illumination off-site.

(2) Light fixtures, whether free standing or tower-mounted, shall not exceed twelve (12) feet in height as measured from finished grade.

(B) The display of any sign or advertising device other than public safety warnings, licenses, certifications or other required seals on any wireless communication device or structure is prohibited.

(C) The telephone numbers to contact in an emergency shall be posted on each facility.

3. Access Ways

In addition to ingress and egress requirements of the Building Code, access to and from wireless telecommunication services facilities and equipment shall be regulated as follows:

(a) No wireless communication device or facility shall be located in a required parking, maneuvering or vehicle/pedestrian circulation area such that it interferes with or in any way impairs the intent or functionality of the original design.

(b) The facility must be secured from access by the general public but access for emergency services must be ensured. Access roads must be capable of supporting all potential emergency response vehicles and equipment.

(c) Any easements required for ingress and egress and for electrical and telephone shall be recorded at the County Clerk and Recorder's Office prior to the issuance of building permits.

Section 4. General Repealer

All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

Section 5. Recording and Authentication

This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

Section 6. Publication and Effective Date

This ordinance shall take effect thirty (30) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 7. Declaration of Public Interest

This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ AND ORDERED published the _____ day of _____, 2014 and a public hearing hereon fixed for the ____th day of _____ 2014, at 7:00 p.m., or as soon thereafter as the matter may be heard.

APPROVED, AND ADOPTED after public hearing the __ day of _____, 2014.

CITY OF ALAMOSA

By _____
Josef Lucero, Mayor

ATTEST:

Kristi Duarte, City Clerk

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, I, e	SUBJECT: Final Plat, Peoples Place Subdivision of Block No. 1
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council conduct a public hearing and unless evidence to the contrary is presented at the hearing, approve the final plat of the Peoples Place Subdivision of Block No. 1.

Background: This subdivision is intended to better prepare the property for anticipated future use, to more positively represent current development patterns, and to simplify legal descriptions that have been complicated in the past with repeated re-plats and divisions. All lots have available city water and sewer, are served by existing paved streets, and the subdivision is in full compliance with our development standards.

Issue Before the Council: Does council wish to approve this final plat as per Planning Commission Recommendation.

Alternatives: Council can approve the plat as presented, approve with conditions or modifications, or deny the final plat with or without referral back to the Planning Commission.

Fiscal Impact: This plat in and of itself has no significant financial impact, but this subdivision may signal the beginning of further development in the area.

Legal Opinion: City Attorney will be present for comment.

Conclusion: This subdivision is in conformance with all pertinent subdivision requirements and will help to allow the development of the surrounding property to reflect current patterns and land use practices in the area.

Attachments:

Planning Commission Packet

Resolution 17-2014

RESOLUTION No. 17-2014

**A RESOLUTION APPROVING THE FINAL PLAT OF THE PEOPLES PLACE
SUBDIVISION OF BLOCK NO. 1, A TRACT OF LAND LOCATED IN THE
SOUTHEAST QUARTER (SE1/4) OF SECTION 16, TOWNSHIP 37 NORTH,
RANGE 10 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CITY OF
ALAMOSA, ALAMOSA COUNTY, COLORADO**

WHEREAS, the owners of the subject property, lying generally west and north of Independence Way, City of Alamosa, Colorado have requested that the final plat of the Peoples Place Subdivision of Block No. 1 as depicted on the attached exhibit A be approved; and

WHEREAS, the requested plat is in accordance with Alamosa City Code; and

WHEREAS, this plat is compatible and in line with other platted properties within the area; and

WHEREAS, all necessary infrastructure and utilities have been installed and in service for many years; and

WHEREAS, the Planning Commission of the City of Alamosa has unanimously recommended that this subdivision be approved;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALAMOSA, COLORADO that the final plat of the Peoples Place Division of Block No. 1, City of Alamosa, State of Colorado as herein depicted on exhibit A, be approved.

ADOPTED this 5th day of November, 2014.

CITY OF ALAMOSA

By: _____
Josef P. Lucero, Mayor

ATTEST:

Kristi Duarte, City Clerk

City of Alamosa
Planning Commission
October 22, 2014
6:00 p.m.
Minutes of the Meeting

The regular meeting of the Planning Commission was called to order on the above date at 6:00 p.m. by Chairperson Shirley White. Present were the following members: Farris Bervig and Mark Manzanares. Excused: Barbara Kruse, Don Martinez, Robert McWhirter and Debbie Clark. A quorum was declared. Staff present: Pat Steenburg, Harry Reynolds and Julie Scott.

Agenda Approval: M/S/C. Manzanares, Bervig. Motion was made to approve the agenda as presented. (Unanimous)

Approval of the Minutes: M/S/C. Bervig, Manzanares. Motion made to approve the minutes of the September 24, 2014 meeting as presented. (Unanimous)

Regular Business - Conduct Public Hearings- Zoning Issues

1A. The request of Riverbend Developers Inc. for a lot line adjustment. The property affected is Lots 4 & 16, Riverbend Estates, City of Alamosa, Alamosa County.

The public hearing opened at 6:02 p.m.

The applicant was not present. The map of the area was pulled up on the video screen and Steenburg presented the request to Planning Commission.

Steenburg: We will go ahead and hear this. It is a simple request. What the applicant would like to do, this is the intersection of Riverwood Dr. and Riverbend Court. The two areas on the corners were originally platted as areas for landscape features. The subdivision is almost built out and they have decided not to do that. In order to turn it over to the P.O.A., they need to clean that up. It is still in the developers name and they will incorporate it to the adjacent lots. It will not affect utilities, right of ways, improvements. It is purely a housekeeping measure.

Manzanares: It will not affect the Postal Service, mail delivery?

Steenburg: No, it will not affect addresses.

White: Is there anyone that would like to speak for or against this request? We will close the public hearing, is there a motion? Questions?

The public hearing closed at 6:02 p.m.

M/S/C. Manzanares, Bervig. Motion made to approve the request of Riverbend Developers Inc. for a lot line adjustment. The property affected is Lots 4 & 16, Riverbend Estates, City of Alamosa, Alamosa County. (Unanimous)

Next Item: Planning Issues

1A. The request of Alamosa County for review of a final plat. The property affected is the Peoples Place Subdivision of Block 1, located in the S.E. ¼ of Section 16, Township 37 North, Range 10 East, New Mexico Principal Meridian, City of Alamosa, Alamosa County.

The public hearing opened at 6:03 p.m.

White: Is there someone here to present the request? State your name and address for the record.

Baird: Rachel Baird, Deputy Land Use Administrator, Alamosa County. Address 721 First St., Alamosa; work address is 8999 Independence Way. Our intention is both to subdivide and replat this area. The piece to the south is our new annex building where we just moved. There is a lot to the north that will remain. As you can see on Google Earth, the northern most lot is about eight acres we've installed the County Food bank in the northeast corner and we'd like to subdivide the rest to build out and possibly sell a portion for a specific type building.

White: Thank you. We will close the public hearing and are there questions?

The public hearing closed at 6:05 p.m.

Bervig: I think you have already answered it; the big open space that will be open for retail sales?

Baird: They are zoned commercially but I don't think retail.

Bervig: I mean private use.

Baird: We're retaining as much as we can. The county's growing. The social services will expand in the next five years, they are already beyond capacity. The Alamosa County Civic Center is being planned and would be open to development of a government nature. We want to be able to have the option.

White: Is there a motion?

M/S/C. Bervig, Manzanares. Motion made to recommend approval of the request of Alamosa County for a final plat. The property affected is the Peoples Place Subdivision of Block 1, located in the S.E. ¼ of Section 16, Township 37 North, Range 10 East, New Mexico Principal Meridian, City of Alamosa, Alamosa County.

The applicant was informed that the recommendations from Planning Commission would be heard by City Council at the next regular meeting to be held on November 5th, 2014 at 7:00 p.m. or shortly thereafter.

Other Business:

1C. Cell tower ordinance changes

Steenburg explained the definitions and consolidated the final changes. We tried to address everything new to the zoning ordinance. We've added a new use group (C-33) for wireless communications facilities, added rooftop units. The applications will be heard as Permitted Uses by Special Review. There will be specific application procedures and pre-application meetings with staff regarding site locations, co-location requirements. In the Gateways and the through town corridors(as depicted by map) towers would be prohibited (except rooftop). All ordinance changes adopted will be updated in the commission members zoning code books.

Staff was commended by the Commission for all the work put into this revision and staff was grateful for the input from the commission.

The first reading on the ordinance change will be at the next regular council meeting to be held on November 5th.

2C. C.I.P. Discussion (Capital Improvement Plan)

The review included the following points:

The process has become more transparent. The process allows comparison between two completely different projects with the new matrix in place. There are seven different matrices and priorities are rated.

Fund balance was briefly explained. Approximately one million dollars will be earmarked from the general reserve over the next five year period for street improvements. The condition of streets is a major concern to council. How streets are rated was briefly explained and what streets warrant slurry, crack seal or plant mix seal coat according to ratings. Right now work on W. 8th St. will continue east and Clark St. west will be continued. Roundabouts may be considered in the future. \$150,000 a year will go to street maintenance for the next five years. This will allow us to keep our good streets good. A First St. design will be started with the engineering and design in 2016. Construction will be done in phases.

Water rights acquisition will be a priority.

Yard waste routes were discussed and there was a suggestion to extend the route for 2-3 weeks this fall.

MVR (Mobile Video Recorders) replacements for police vehicles were explained. They are a critical part of operations. In traffic convictions, they are used in about 90% of the cases.

3C. Appoint two members to review board for Master Plan update.

The following members will participate in the comprehensive plan update: Shirley White and Robert McWhirter. Staff will keep them informed of upcoming meetings.

4C. Schedule of next regular meeting.

Due to the next regular meeting falling on Thanksgiving eve and difficulty in achieving a quorum, the next meeting will be held on Wednesday, December 10th.

Other issues brought forth by the commission:

Lack of bike route on the north side of Alamosa Elementary School or drop off site. Staff did attend a School Board meeting with the City Manager and Police Chief. Hopefully, the addition of the oversized sidewalk should make a difference.

The appearance and possibly burning of tires on the south side of the school at L & M Salvage yard. Would the Lady Bird Johnson law apply? The property is actually not in the City.

The appearance of the Town N Country Trailer Park on the south side of Clark St. Staff stated that the nuisance ordinance would be revamped in the future.

Correspondence: Distributed.

Mr. and Mrs. Atencio, representing Riverbend Developers Inc. arrived at 6:55 p.m. They apologized for the mix up in times and would be in to sign the plat in the morning.

After no further business, the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Julie Scott
Recording Secretary

THE PEOPLES PLACE SUBDIVISION OF BLOCK No. 1
LOCATED IN THE SOUTHEAST QUARTER (SE¼) OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 10
EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, ALAMOSA COUNTY, COLORADO.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned is the owner of that property shown on this plat of the PEOPLES PLACE SUBDIVISION OF BLOCK No.1 of the City of Alamosa, described as follows:

A tract of land located in the Southeast Quarter (SE¼) of Section 16, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, more particularly described by metes and bounds as follows

Beginning at a point on the north right of way for Road 9 South (also known as Airport Road) which is also the southeast corner for Block 1, monumented by a recovered 24" No. 4 Rebar with a 1" Plastic Cap set by PLS 22583 from which the Southeast Corner of Section 16, bears S 88°06'56" E a distance of 1538.85 feet; thence S 89°28'34" W along said right of way a distance of 693.02 feet to the southwest corner of said block; thence N 22°51'17" E along the west boundary a distance of 1423.07 feet to the northwest corner of said block; thence S 89°45'22" E along the north boundary a distance of 774.53 feet to the northeast corner of said block which is also the west right of way for Independence Drive; thence S 00°38'50" E along said right of way a distance of 298.17 feet; thence following the arc of a curve to the right (Curve Data: Radius = 50.00 feet; Central Angle = 95°37'34"; Chord Bearing=S 47°09'57" W; Chord Length = 74.10 feet) a distance of 84.45 feet along the northwesterly right of way of Independence Way for the following six (6) courses;

1. thence following the arc of a curve to the left (Curve Data: Radius = 430.00 feet; Central Angle = 4°45'17"; Chord Bearing = N 87°23'54" W; Chord Length = 35.67 feet) a distance of 35.68 feet;
2. thence N 89°46'33" W a distance of 180.78;
3. thence following the arc of a curve to the left (Curve Data: Radius = 330.00 feet; Central Angle = 67°21'44"; Chord Bearing=S 56°32'35" W; Chord Length = 366.02 feet) a distance of 387.98 feet;
4. thence S 22°51'44" W a distance of 83.31;
5. thence following the arc of a curve to the left (Curve Data: Radius = 430.00 feet; Central Angle = 23°23'09"; Chord Bearing = S 11°10'09" W; Chord Length = 174.29 feet) a distance of 175.51 feet;
6. thence S 00°31'26" E along a distance of 505.99 feet to the Point of Beginning, containing 18.31 acres, more or less. This tract is subject to any and all existing easements and/or rights of way of whatsoever nature.

FURTHER THAT the undersigned have caused said property to be surveyed and laid out as THE PEOPLES PLACE SUBDIVISION OF BLOCK No.1 according to Article IX of the City of Alamosa "Subdivision Regulations" and do hereby dedicate and set apart all of the streets, alleys, other public ways, places and easements shown on the accompanying plat and dedicate these to the public use forever

Signed: _____ Attest: _____

Chairman: Alamosa County Board of Commissioners Clerk: Alamosa County Board of Commissioners

ACKNOWLEDGEMENT

STATE OF COLORADO } SS
COUNTY OF ALAMOSA }

The foregoing was acknowledged before me this _____ day of _____,

2014, by _____, as Chairman of the Alamosa County Board of

Commissioners and _____ as Clerk of the Alamosa County Board of

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

Signed: _____ Notary Public

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } SS
COUNTY OF ALAMOSA }

I hereby certify that this instrument was filed in my office at _____ O'clock, _____ M,

the _____ day of _____, 2014, and is duly recorded under Reception

No. _____, and is Filed In Plat Cabinet _____, Map No. _____.

SIGNED: _____ Recorder

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	83.45'	74.10'	S 47°09'57" W	95°37'34"
C2	430.00'	35.68'	35.67'	N 87°23'54" W	4°45'17"
C3	330.00'	387.98'	366.02'	S 56°32'35" W	67°21'44"

SURVEYOR'S STATEMENT

I, Daniel M. Russell, a duly registered land surveyor in the State of Colorado, do hereby state that this plat was prepared from the notes of an actual field survey performed by me or under my direct supervision and is true and correct to the best of my knowledge and belief.

Date _____



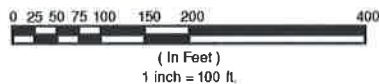
Location Map
Not to Scale



BEARING BASIS

All bearings are based on the plat of the Peoples Place Division of Land, recorded under Reception No. 298411 in the office of the Alamosa County Clerk and Recorder, and are reference to the east line of the railroad right of way with a bearing of N 22°51'17" E, monumented as shown hereon.

GRAPHIC SCALE



LEGEND

- ◆ Section or Quarter Section Corner, As Described
- Set a 24" No. 4 Rebar With a 2" Aluminum Cap, PLS 22583
- Recovered No. 4 Rebar with a 1" Plastic Cap Set by PLS 22583
- ▲ Recovered 5/8" Iron Pin Set By PLS 2281
- Boundary
- Interior Lot Lines
- - - Drainage and Utility Easement

SURVEYOR NOTES

- This survey does not constitute a title search by Russell Surveyors & Associates, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and ownership Russell Surveyors & Associates, Inc. relied upon, unless otherwise noted, information provided by the client. The record easements disclosed in the above referenced information affecting the subject property and apparent easements identified during the course of this survey that may affect this property are shown hereon.
- According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
- This drawing is the property of the surveyor and is not to be reproduced, modified or used for any other project or extension of this project except by express written consent of the surveyor. The surveyor shall not be liable or held responsible for any claims, liability or costs arising out of any reuse or modification of this drawing by others.



RUSSELL SURVEYORS & ASSOCIATES, INC.
6820 S. Hwy. 17, ALAMOSA, COLORADO 81101
(P) 719/587-3630 (F) 719/587-3632

THE PEOPLES PLACE SUBDIVISION OF BLOCK No. 1
LOCATED IN THE SOUTHEAST QUARTER (SE¼) OF SECTION 16, TOWNSHIP 37
NORTH, RANGE 10 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN,
ALAMOSA COUNTY, COLORADO.

SHEET NUMBER
1 OF 1

DRAWN JJC
CHECKED DMR
DATE 10-06-14
DRAWING NAME:
R01451
PEOPLES PLACE
SUBDIVISION

CLIENT:
ALAMOSA
COUNTY
REVISIONS:

JOB NUMBER
R01451



COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO. VII, C, 1, g	SUBJECT: Permitted Use by Special Review – Viaero Cell Tower
Department Head: Public Works Pat Steenburg		
City Manager: Heather Brooks		
PRESENTED BY: Pat Steenburg		

Recommendation: That council approve the request of Viaero Wireless for a Permitted Use by Special Review for the installation of a wireless communications tower.

Background: At your August 6th meeting, you considered a recommendation from staff and the Planning Commission to deny the request for permitted use by special review for the installation of a 120' tall, open lattice style telecommunications tower and associated facilities. At that meeting, expressing the same concerns of visual impacts and site incompatibilities as identified by the Planning Commission, Council referred the action back to staff to re-negotiate with the applicant in an attempt to find some middle ground that better protects the interests of the citizens while continuing to meet the needs of Viaero Wireless. Diligent efforts to work within these requests have resulted in a new proposed location for the telecommunications facility. They are requesting that you consider approval based on this new location.

Issue Before the Council: Does council wish to approve this request.

Alternatives: Council can approve the request as presented; approve with modifications; or deny the request with no further action.

Fiscal Impact: No significant financial impact is anticipated.

Legal Opinion: City Attorney will be present for comment.

Conclusion: This item represents the best efforts of staff and the applicant to find a location for their requested installation that best meets the needs of the citizens while still maintaining the functionality required by Viaero.

COUNCIL COMMUNICATION

DATE: November 5, 2014	AGENDA NO.	SUBJECT: Grant Application for the Pink Elephant Project
Department Head:		
City Manager: Heather Brooks		
PRESENTED BY: Heather Brooks		

Recommendation

Staff recommends that City Council approve the attached application for grant funding from El Pomar.

Background

On October 17, 2012 Council decided to participate in the Pink Elephant Project by contributing \$100,000. Several community partners also provided funds for the project. The overall goal of the project is to take a dilapidated area and make it shovel ready for development. The location is critical based on the number of vehicles that pass and the number of visitors who are drawn to the Welcome Center. Proper construction would better connect pedestrian and vehicular traffic.

Final negotiations have occurred for the last remaining building, Sicc & Twisted, and ACEDC has more concrete demolition estimates. Based on these numbers, a gap remains between the expenses and revenue. Council voted to contribute an additional \$25,000 towards the project to ensure that the redevelopment goals are achieved, that the community partners who contributed to the project see a positive outcome, and that the requirements for the grant funding are met.

Through the efforts of our community partners and Randy Wright, we have been asked to submit a request for grant funds from El Pomar. The regional board for the organization has recommended funding of \$75,000 to the Board of Trustees. As part of that recommendation and review at the final level, El Pomar has indicated that the funds need to come to the City of Alamosa. Additionally, in order to qualify for funding, the project must relieve the pressure on the local government for a project that betters the community. More specifically, the funds cannot be given to ACEDC in order to pay-off the loans that were used for property acquisition. Discussions with representatives from El Pomar indicate that if it was clear that the City intended to cover the \$75,000 if other funding was not found then this could qualify the project. The attached grant application is written with the direction from El Pomar that would allow the project to qualify for funding.

Issue Before the Council

Does Council approve of the attached grant application to El Pomar?

Alternatives

- Council can decide to modify the wording.
- Council can decide not to participate in the application for grant funds.

Fiscal Impact

If the City is successful in obtaining this grant, it will alleviate the pressure on the City for funding of the project.

Legal Opinion

The City Attorney has reviewed this information and will be present for any comments.

Conclusion

The Pink Elephant Project has received support from many community partners and is nearing the demolition stage of the process. The additional \$75,000 will help fill in the gap between actual/expected expenses and the dedicated revenue.

Information Request – El Pomar Foundation
October 28, 2014

Name and address of the organization requesting Funding:

City of Alamosa
Heather Brooks, City Manager
300 Hunt Avenue
PO Box 419, Alamosa CO 81101
(719) 587-2509

Project Director – Randy Wright, ACEDC Executive Director
610 State Avenue
Alamosa CO 81101
(719) 589-3681

Project History, Mission, Partners and Goals:

Several years ago the community of Alamosa came together for the purpose of becoming proactive in economic development. Choosing the project to prime the pump was easy. The Colorado Department of Transportation had recently taken the two-way Main Street in Downtown Alamosa and turned it into two one-way pairs a block apart, and 6th Street became the newly designed east bound lane of highway 160 through our downtown shopping district. A large obtrusive old building on 6th Street which once housed a second hand store called the “Pink Elephant”, now in the heart of downtown Alamosa stood prominently across the street from the building which housed the Alamosa Welcome Center and the Depot for the Rio Grande Scenic Railroad. Over 40,000 new faces to Alamosa each year walked out of that building to be greeted by what was seen as a real barrier to be negotiated before shopping in our existing downtown shops could be possible.

The Building itself was made up of several structures, which over the years had been joined together architecturally in a maze of access. The upstairs had been condemned apartments several years back and remained vacated. A couple of small businesses had remained open downstairs due only to extremely low, but still overpriced rent.

The City of Alamosa, along with a fledgling group of community minded business people who formed a non-profit, dues structured Alamosa County Economic Development Corporation lead the project which easily gained the support of all four major local banks and the Local Marketing Board to purchase the buildings, apply for a Brownfields grant to abate existing contaminants, and demolish the structure in order to provide a shovel ready lot for future development. That development would contain not only a project that would no longer block visitors interested in walking the one block to the shopping district, but it would actually invite those visitors across the street from the Depot to initiate that shopping experience.

The Director of ACEDC, Randy Wright was hired in November of 2011 with direction from his board and the City of Alamosa to begin the task of knocking those buildings down and priming the pump of Downtown Alamosa redevelopment. Now, just three years later, all of the individual structures have now been purchased, The Brownfields Grant was applied for and received, the friable asbestos has been abated, and we are awaiting scheduling with the local contractors and Alamosa County who will be performing the actual demolition and disposal.

The final remaining building, a store named Sicc & Twisted was the last thorn in the project. The owner knew that the project needed his building to succeed and he held out for arguably more money than the building was worth. The additional approximately \$75,000 between the appraisal and the agreed upon selling price became a serious challenge for the community to raise on short notice as closing date was coming due and the owner was threatening to raise his expectation if the contract expired. The City of Alamosa was motivated to complete to project and had prepared to seriously discuss providing the balance of funding if necessary to complete the project. However, they felt that the \$125,000 that they had already contributed was not only a recognizably sizable amount, but providing more could become a real strain on the City's budget. Holding out for other sources of possible local funding, the City and ACEDC decided to get an offered, low interest short term loan in order to close on Sicc & Twisted before the contract expired, knowing that it still may be possible for the City to step in to help pay that loan off if other funding could not be found.

While there are other variable expenses still remaining, we believe that through the use of remaining Brownfields funding, creative negotiating with committed local demolition contractors, and a possible sale to a serious developer, all remaining expenses can be covered. We are looking for this grant to relieve the burden of funding to an already proven partner in this project, the City of Alamosa.

In short, this project has garnered the support from several local partners who have contributed significantly to the project. The community's size and economic demographics are important to keep in mind when assessing these partnership levels. An amount that may seem small in a larger, more affluent community is actually very significant for Alamosa.

- RGS&L - \$25,000
- Alamosa State Bank - \$25,000
- 1st Southwest Bank - \$25,000
- SLV Federal Bank - \$25,000
- Marketing Board - \$25,000
- City of Alamosa - \$125,000
- Alamosa County - \$50,000 in-kind estimate
- Local Contractors – Until we get into the project and identify the scope of the job it is still too early to estimate the in kind commitment from local contractors.

Potential Economic Impact:

While the buildings were not officially designated as blighted, the condition of the buildings and their impact on the neighborhood were definitely creating a blight situation. As mentioned previously, the second level of the buildings had been condemned and the lower levels were not that far behind in deterioration. Located on the main arterial through the city and across the street from the Alamosa Welcome Center, private investment in the area and visitor shopping was greatly dampened. Without a specific development identified, it is hard to quantify the impact this project will have on the community. However, the removal of dilapidated buildings is the first step in revitalizing that area and creating an environment where visitors, residents, and developers feel safe, welcome, and encouraged to invest.

Current Economic Impact is minimal at best with only a couple of small retail stores operating at existence levels. That impact is easily being outweighed by the negative impact the appearance of the building causes.

Future Economic Impact depends entirely on not only the development built on the site but also its invitation to bring visitors across the street to continue shopping on Main Street as well as to bring additional local shoppers downtown. This could realistically bring hundreds of thousands of additional sales dollars to the downtown area. It is very conceivable that the new development could easily half a dozen retail stores with an average of 6 FTE's plus a restaurant with an additional 10 to 12 FTE's, totaling upwards of 50 new jobs.

Project Coordinator:

Randy Wright, Executive Director of ACEDC is the project manager. Under the guidance of his Board of directors at ACEDC as well as the City of Alamosa, Heather Brooks City Manager, his goal is to provide the shovel ready lot for a developer. Randy does not receive additional compensation related to this project.

Request Amount:

The City of Alamosa would like to request \$75,000 to relieve the burden of having to cover costs incurred in the project by ACEDC to purchase the remaining piece of the Pink Elephant Project Puzzle.

Project Budget:

Project Costs					
			To Be Determined		
			Committed		
			Variables		
	Acquisition				
	Contracts	Pink Elephant			\$110,000.00
		Guatamex			\$55,000.00
		Trujillo's on Tap			\$95,000.00
			Acquisition Subtotal		\$260,000.00
		Sic n Twisted			\$150,800.00
		AcquisitionTotal			\$410,800.00
	Abatement, Demolition and Disposal				
		Abatement Over Site			\$5,880.00
		Asbestos clean up			\$52,997.00
		Demolition and Disposal			\$140,000.00
		Landfill Fees			\$52,725.80
	A,D&D Sub Total				\$251,602.80
	Administration				
		Loan Costs, Property Management, Insurance, Taxes, Utilities			\$20,000.00
	Total Costs				
					\$682,402.80
Committed Finances					
		City of Alamosa			\$125,000.00
		Brownfields Grant	(demolition and disposal only)		\$200,000.00
		RGS&L			\$25,000.00
		Alamosa State Bank			\$25,000.00
		1st Southwest Bank			\$25,000.00
		SLV Federal Bank			\$25,000.00
		Marketing Board			\$25,000.00
		Sub Total			\$450,000.00
		Hoped for Property Sales			\$100,000.00
	Total Expected				
					\$550,000.00
	Net Gain-Loss				
					-\$132,402.80