

CITY OF GRAND JUNCTION

ORDINANCE NO. 3641

AN ORDINANCE AMENDING ORDINANCE NO. 2750 AS CODIFIED AS SECTION 6.2 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE CONCERNING TRANSPORTATION CAPACITY PAYMENTS INCLUDING CALCULATIONS THEREOF, CREDITS AND APPROVED METHODOLOGIES

Recitals:

The existing City ordinances require that a developer of land adjacent to a right-of-way which is unimproved or does not meet current standards ("under-improved") either improve the abutting half of the right-of-way for the frontage of the development or pay a sum of money determined by an assumption of additional traffic that will be created from the development. Also, current City policy allows the City to require additional improvements to the existing roadway system when it is determined that the proposed development has negative impacts to the capacity and/or safety of the existing system.

While this method assures that a development pays its fair share of the cost of the associated impact to the transportation system, there has been concern raised that this method of addressing traffic impacts is not always fair. This method has the disadvantage of requiring the first development in an area of under-improved public infrastructure to complete these improvements but allows others, who follow later, to develop without similar costs.

Another disadvantage is that a developer of land immediately adjacent to one or more unimproved or under-improved streets may be required to pay for the improvement of all adjacent street improvements, yet another development, due to location or the configuration of the parcels such that it does not abut an unimproved street, may not be required to make the same improvements to the street system, even though each development may add the same amount of traffic.

Because safe and efficient streets are one of the most important services provided by the City, the Council does hereby amend the Code to provide a specific financing mechanism, which will continue to allow safe and functional streets while refining the calculation of payment for and costs attributable to development.

The Council determines that the resources of the City are properly allocated to maintaining and improving, including capital additions to, the existing 370 miles of streets and roads and that, as resources permit, additional improvements to the system should be made near and around developing areas of the City as growth occurs. The citizens and users of the street system pay for the upkeep and general improvement to

the system nearly exclusively by the payment of sales and use taxes. Sales and use taxes are not sufficient, however, to pay for all the road needs and there are limited resources available to the City, from other sources, to add to the system or to make improvements in the rapidly developing areas of the City.

Therefore, the Council finds and affirms that it is in the public interest to continue the practice of collecting Transportation Capacity Payments (TCP) and appropriately increase the amount of that fee to more accurately reflect the cost of improvements that are reasonably attributable to new development, new residents and new business activities (collectively "Growth").

The Council further finds that the TCP shall be set at a level that a substantial portion of the cost to build new transportation facilities caused by Growth is paid for by the Growth that has caused the need.

The Council is well aware that Growth and new development creates additional vehicular traffic that consumes a portion of the existing transportation infrastructure capacity. In support of the TCP methodology, the City has adopted the data, assumptions and conclusions of the Institute of Transportation Engineer's Trip Generation Manual ("ITE") for purposes of projecting the number of trips created by development. The ITE is a valid, nationally recognized basis to estimate traffic generated by a development and shall continue to be used by the City. The most recent version of the ITE is incorporated herein by this reference as if fully set forth.

The Council has found and affirms that a fair method of imposing a portion of the costs of paying for additional or improved capacity, necessitated because of Growth, is a fee based on a formula that considers among other things the number of trips generated by different types of development (based on ITE), the average trip length, and the percentage of new trips as variables. The specific formula for the TCP provided for herein has been studied and found to be valid by the 2002 Transportation Impact Fee Study prepared by Duncan Associates. That study is incorporated herein by this reference as if fully set forth.

Because the traffic impacts of new trips are not always easily ascertained or allocated to a particular intersection or street, and because the City is not so large that there are distinct areas of the City which are wholly unrelated to the others, the Council finds that it is not reasonable to define discrete time and distance limits for the spending of TCP funds in relation to each development. Nevertheless, expenditure and the prioritization of projects for expenditure shall, to the extent reasonable, be as near in time and distance as is possible to the location from which the payment was derived.

The Council has considered, but rejected as impracticable, a proposal whereby the City would be divided into quadrants or other sub-areas, in which quadrant or sub-area funds attributable to a particular subdivision or development must be spent within certain specified time limits. Such a method, while attractive to a developer, ignores the professional judgments which traffic engineers must make and ignores the reality that

sub-funds, which track TCP funds from particular areas or neighborhoods, may never have enough money to pay for needed improvements.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT SECTION 6.2 B1& B2 OF THE ZONING AND DEVELOPMENT CODE ARE AMENDED AS SHOWN:

Additions are shown in ALL CAPS, except for the entire section entitled “Growth and Development Related Street Policy” which is new, even though it is not capitalized. Adoption of this ordinance shall constitute a repeal of inconsistent terms and provisions of the existing ordinance and/or the codification including the analytical and other justification and descriptive materials which were adopted by reference in Ordinance No. 2750.6.2B1 (f) Dedications required by subparagraph shall be at no cost to the City. Dedications shall not be eligible for, or require a refund or TCP credit.

6.2B1(f) Dedications required by subparagraph 6.2B1c shall be at no cost to the City. Dedications shall not be eligible for or require a refund or TCP credit.

6.2B2 Transportation Capacity Payment (TCP) and Right-of-Way Improvements.

6.2B2 a. The developer shall pay to the City a Transportation Capacity Payment (TCP) and Right-of-Way Improvements as required by the Public Works Director (DIRECTOR.)

a. The developer shall pay to the City a Transportation Capacity Payment (TCP) as required by the Public Works Director (DIRECTOR).

b. THE DIRECTOR MAY REQUIRE THAT THE DEVELOPER PAY FOR AND/OR CONSTRUCT IMPROVEMENTS necessary for the safe ingress and/or egress of traffic to the development. THOSE IMPROVEMENTS ARE DEFINED AS MINIMUM STREET ACCESS IMPROVEMENTS. MINIMUM STREET ACCESS IMPROVEMENTS SHALL BE DEFINED BY THE MOST RECENT VERSION OF THE CITY’S GROWTH AND DEVELOPMENT RELATED STREET POLICY AND/OR TEDS. THE GROWTH AND DEVELOPMENT RELATED STREET POLICY SHALL BE REVIEWED BY CITY STAFF AND ADOPTED ANNUALLY BY COUNCIL RESOLUTION.

c. No PLANNING CLEARANCE FOR A building permit for any use or activity requiring payment of the TCP pursuant to this Ordinance shall be issued until the TCP HAS BEEN PAID AND MINIMUM STREET ACCESS IMPROVEMENTS HAVE BEEN CONSTRUCTED, PAID FOR OR ADEQUATELY SECURED AS DETERMINED BY THE DIRECTOR. ADEQUATE SECURITY SHALL BE THAT ALLOWED OR REQUIRED FOR A DEVELOPMENT IMPROVEMENT AGREEMENT (DIA) UNDER SECTION 2.19 OF THIS CODE.

d. The amount of the TCP shall be as set forth ANNUALLY BY THE CITY COUNCIL in ITS adopted fee RESOLUTION. THE TCP IS MINIMALLY SUBJECT

TO ANNUAL ADJUSTMENT FOR INFLATION BASED ON THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), WESTERN REGION, SIZE B/C, PUBLISHED MONTHLY BY THE UNITED STATES DEPARTMENT OF LABOR. (THIS INFORMATION CAN BE FOUND AT THE INTERNET SITE OF <http://data.bls.gov/labjava/outside.jsp?survey=cu>)

e. THE TCP shall be used BY THE DIRECTOR TO MAKE capital improvements to the transportation facilities in the City IN ACCORDANCE WITH THE CITY'S GROWTH AND DEVELOPMENT RELATED STREET POLICY, THIS ORDINANCE, AND OTHER APPLICABLE PROVISIONS OF THE ZONING AND DEVELOPMENT CODE.

(1) TO PAY DEBT SERVICE ON ANY PORTION OF ANY CURRENT OR FUTURE GENERAL OBLIGATION BOND OR REVENUE BOND ISSUED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE AND USED TO FINANCE MAJOR ROAD SYSTEM IMPROVEMENTS;

(2) FOR THE RECONSTRUCTION AND REPLACEMENT OF EXISTING ROADS, THE CONSTRUCTION OF NEW MAJOR ROAD SYSTEMS, AND IMPROVEMENTS AND/OR FOR THE PAYMENT OF REIMBURSABLE STREET EXPENSES (AS THAT TERM IS DEFINED FROM TIME TO TIME BY THE CITY'S GROWTH AND DEVELOPMENT RELATED STREET POLICY) THAT ARE INTEGRAL TO AND THAT ADD CAPACITY TO THE STREET SYSTEM;

(3) TRAFFIC CAPACITY IMPROVEMENTS DO NOT INCLUDE ONGOING OPERATIONAL COSTS OR DEBT SERVICE FOR ANY PAST GENERAL OBLIGATION BOND OR REVENUE BOND ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION OR ANY PORTION OF ANY CURRENT OR FUTURE BOND ISSUED AFTER THE EFFECTIVE DATE OF THIS SECTION AND NOT USED TO FINANCE MAJOR ROAD SYSTEM IMPROVEMENTS.

(4) Capital spending decisions shall be guided by the principles, among others, that TCP funds shall be used to make capacity AND SAFETY improvements but not used to upgrade existing deficiencies except incidentally in the course of making improvements; TCP fund expenditures which provide improvements which are near in time and/or distance TO the development FROM WHICH THE FUNDS ARE COLLECTED are preferred over expenditures for improvements which are more distant in time and/or distance.

(5) No TCP funds shall be used for maintenance.

(6) TCP funds will be ACCOUNTED FOR SEPARATELY BUT may be commingled with other funds of the City.

(7) The DIRECTOR shall determine when and where TCP funds shall be spent.

(i) AS PART OF THE TWO-YEAR BUDGET PROCESS

(ii) AS REQUIRED TO KEEP PACE WITH DEVELOPMENT

(8) The TCP shall not be payable if THE DIRECTOR IS SHOWN by clear and convincing evidence, that at least one of the following applies:

(i) alteration or expansion of an existing structure will not create additional trips;

(ii) the construction of an accessory structure will not create additional trips produced by the principal building or use of the land. A garage is an example of an accessory structure which does not create additional trips;

(iii) the replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use that does not create additional trips;

(iv) a structure is constructed in a development for which a TCP fee has been paid within the prior EIGHTY FOUR (84) months or the structure is in a development with respect to which the developer constructed Street Access Improvements and the City accepted such improvements and the warranties have been satisfied.

f. IF THE TYPE OF IMPACT-GENERATING DEVELOPMENT FOR WHICH A BUILDING PERMIT IS REQUESTED IS FOR A CHANGE OF LAND USE OR FOR THE EXPANSION, REDEVELOPMENT OR MODIFICATION OF AN EXISTING DEVELOPMENT, THE FEE SHALL BE BASED ON THE NET INCREASE IN THE FEE FOR THE NEW LAND USE TYPE AS COMPARED TO THE PREVIOUS LAND USE TYPE.

g. IN THE EVENT THAT THE PROPOSED CHANGE OF LAND USE, REDEVELOPMENT OR MODIFICATION RESULTS IN A NET DECREASE IN THE FEE FOR THE NEW USE OR DEVELOPMENT AS COMPARED TO THE PREVIOUS USE OR DEVELOPMENT, THE DEVELOPER MAY APPLY FOR A REFUND OF FEES PREVIOUSLY PAID WITH THE CONSENT OF THE PREVIOUS PERSON HAVING MADE THE PAYMENT AND OR CONSTRUCTED THE IMPROVEMENTS.

h. FOR FEES EXPRESSED PER 1,000 SQUARE FEET, THE SQUARE FOOTAGE SHALL BE DETERMINED ACCORDING TO GROSS FLOOR AREA, MEASURED FROM THE OUTSIDE SURFACE OF EXTERIOR WALLS AND EXCLUDING UNFINISHED BASEMENTS AND ENCLOSED PARKING AREAS.

THE FEES SHALL BE PRORATED AND ASSESSED BASED ON ACTUAL FLOOR AREA, NOT ON THE FLOOR AREA ROUNDED TO THE NEAREST 1,000 SQUARE FEET.

- i. Any claim for credit shall be made not later than the time of application or request for a planning clearance. Any claim not so made shall be deemed waived. Credits shall not be transferable from one project or development to another nor otherwise assignable or transferable.

2.5 MINIMUM STREET ACCESS IMPROVEMENTS INCLUDE street and road improvements required to PROVIDE FOR THE SAFE ingress and egress needs of the development AS DETERMINED BY THE DIRECTOR.

- a. Quality of service FOR ANY NEW DEVELOPMENT AND/OR FOR TRAFFIC CAPACITY IMPROVEMENTS shall be DETERMINED BY THE DIRECTOR. THE DIRECTOR SHALL DETERMINE THE ACCEPTABLE QUALITY OF SERVICE TAKING INTO CONSIDERATION EXISTING TRAFFIC, STREETS, AND PROPOSED DEVELOPMENT.

- b. REQUIRED RIGHT-OF-WAY DEDICATIONS SHALL BE AT NO COST TO THE CITY.

2.6 Definitions. The following terms and words shall have the meanings set forth for this section.

- a. Average trip length: The average length of a vehicle trip as determined by the limits of the City, the distance between principle trip generators and as modeled by the CITY'S, THE COUNTY'S, THE STATE'S OR THE MPO'S COMPUTER program(S). IN THE EVENT THAT THE MODELS ARE INCONSISTENT, THE MOST ADVANTAGEOUS TO THE CITY SHALL BE USED.
- b. "Convenience store," "hotel/motel," "retail," and other terms contained and with the meaning set forth in the Trip Generation Manual.
- c. Lane-mile: Means one paved lane of a right-of-way mile in length fourteen (14) feet in width, including curb and gutter, sidewalk, storm sewers, traffic control devices, earthwork, engineering, and construction management including inspections. The value of right-of-way is not included.
- d. Percentage of new trips: Based on THE MOST CURRENT VERSION of ITE Transportation and Land Development Manual, and of the ITE Trip Generation Manual.
- e. Unimproved/under-improved floor area: Has the meaning as defined in the adopted building codes.

2.7 CALCULATION OF FEE.

a. ANY PERSON WHO APPLIES FOR A BUILDING PERMIT FOR AN IMPACT-GENERATING DEVELOPMENT SHALL PAY A TRANSPORTATION IMPACT FEE IN ACCORDANCE WITH THE MOST RECENT FEE SCHEDULE PRIOR TO ISSUANCE OF A BUILDING PERMIT. IF ANY CREDIT IS DUE PURSUANT TO SECTION i ABOVE, THE AMOUNT OF SUCH CREDIT SHALL BE DEDUCTED FROM THE AMOUNT OF THE FEE TO BE PAID.

Land Use Type	ITE Code	Unit	Fee	Factor
Residential				
Single Family	210	Dwelling	\$1,500	1.00
Multi-Family	220	Dwelling	\$1,039	0.69
Mobile Home/RV Park	240	Pad	\$ 754	0.50
Hotel/Motel	310/320	Room	\$1,414	0.94
Retail/Commercial				
Shopping Center (0-99KSF)	820	1000 SF	\$2,461	1.64
Shopping Center (100-249KSF)	820	1000 SF	\$2,311	1.54
Shopping Center (250-499KSF)	820	1000 SF	\$2,241	1.49
Shopping Center (500+KSF)	820	1000 SF	\$2,068	1.38
Auto Sales/Service	841	1000 SF	\$2,223	1.48
Bank	911	1000 SF	\$3,738	2.49
Convenience Store w/Gas Sales	851	1000 SF	\$5,373	3.58
Golf Course	430	Hole	\$3,497	2.33
Health Club	493	1000 SF	\$2,003	1.34
Movie Theater	443	1000 SF	\$6,216	4.14
Restaurant, Sit Down	831	1000 SF	\$3,024	2.02
Restaurant, Fast Food	834	1000 SF	\$6,773	4.52
Office/Institutional				
Office, General (0-99KSF)	710	1000 SF	\$1,845	1.23
Office, General >100KSF	710	1000 SF	\$1,571	1.05
Office, Medical	720	1000 SF	\$5,206	3.47
Hospital	610	1000 SF	\$2,418	1.61
Nursing Home	620	1000 SF	\$ 677	0.45
Church	560	1000 SF	\$1,152	0.77
Day Care Center	565	1000 SF	\$2,404	1.60
Elementary/Sec. School	520/522/530	1000 SF	\$ 376	0.25
Industrial				
Industrial Park	130	1000 SF	\$1,091	0.73
Warehouse	150	1000 SF	\$ 777	0.52
Mini-Warehouse	151	1000 SF	\$ 272	0.18

b. IF THE TYPE OF IMPACT-GENERATING DEVELOPMENT FOR WHICH A BUILDING PERMIT IS REQUESTED IS NOT SPECIFIED ON THE FEE SCHEDULE, THEN THE DIRECTOR SHALL DETERMINE THE FEE ON THE BASIS OF THE FEE APPLICABLE TO THE MOST NEARLY COMPARABLE LAND USE ON THE FEE SCHEDULE. THE DIRECTOR SHALL DETERMINE

COMPARABLE LAND USE BY TRIP GENERATION RATES CONTAINED IN THE MOST CURRENT EDITION OF ITC *TRIP GENERATION MANUAL*.

c. IN MANY INSTANCES, A BUILDING MAY INCLUDE SECONDARY OR ACCESSORY USES TO THE PRINCIPAL USE. FOR EXAMPLE, IN ADDITION TO THE PRODUCTION OF GOODS, MANUFACTURING FACILITIES USUALLY ALSO HAS OFFICE, WAREHOUSE, RESEARCH AND OTHER ASSOCIATED FUNCTIONS. THE TCP FEE SHALL GENERALLY BE ASSESSED BASED ON THE PRINCIPAL USE. IF THE APPLICANT CAN SHOW THE DIRECTOR IN WRITING BY CLEAR AND CONVINCING EVIDENCE THAT A SECONDARY LAND USE ACCOUNTS FOR OVER 25% OF THE GROSS FLOOR AREA OF THE BUILDING AND THAT THE SECONDARY USE IS NOT ASSUMED IN THE TRIP GENERATION FOR THE PRINCIPAL USE, THEN THE TCP MAY BE CALCULATED ON THE SEPARATE USES.

d. TCP FEE CALCULATION STUDY -- AT THE ELECTION OF THE APPLICANT OR UPON THE REQUEST OF THE DIRECTOR, FOR ANY PROPOSED DEVELOPMENT ACTIVITY, FOR A USE THAT IS NOT ON THE FEE SCHEDULE OR FOR WHICH NO COMPARABLE USE CAN BE DETERMINED AND AGREED BY THE APPLICANT AND THE DIRECTOR OR FOR ANY PROPOSED DEVELOPMENT FOR WHICH THE DIRECTOR CONCLUDES THE NATURE, TIMING OR LOCATION OF THE PROPOSED DEVELOPMENT MAKES IT LIKELY TO GENERATE IMPACTS COSTING SUBSTANTIALLY MORE TO MITIGATE THAN THE AMOUNT OF THE FEE THAT WOULD BE GENERATED BY THE USE OF THE FEE SCHEDULE, A TCP FEE CALCULATION STUDY MAY BE PERFORMED.

e. THE COST AND RESPONSIBILITY FOR PREPARATION OF A FEE CALCULATION STUDY SHALL BE DETERMINED IN ADVANCE BY THE APPLICANT AND THE DIRECTOR.

f. THE DIRECTOR MAY CHARGE A REVIEW FEE AND/OR COLLECT THE COST FOR RENDERING A DECISION ON SUCH STUDY. THE DIRECTOR'S DECISION ON A FEE OR A FEE CALCULATION STUDY MAY BE APPEALED TO THE ZONING BOARD OF APPEALS IN ACCORDANCE WITH 2.18B OF THIS CODE.

g. THE TCP FEE CALCULATION STUDY SHALL BE BASED ON THE SAME FORMULA, QUALITY OF SERVICE STANDARDS AND UNIT COSTS USED IN THE IMPACT FEE STUDY. THE FEE STUDY REPORT SHALL DOCUMENT THE METHODOLOGIES AND ALL ASSUMPTIONS.

h. THE TCP FEE CALCULATION STUDY SHALL BE CALCULATED ACCORDING TO THE FOLLOWING FORMULA.

FEE	=	VMT X NET COST/VMT X RF
WHERE:		
VMT	=	TRIPS X % NEW X LENGTH ÷ 2
TRIPS	=	DAILY TRIP ENDS GENERATED BY THE DEVELOPMENT DURING THE WORK WEEK
% NEW	=	PERCENT OF TRIPS THAT ARE PRIMARY, AS OPPOSED TO PASSBY OR DIVERTED-LINK TRIPS
LENGTH	=	AVERAGE LENGTH OF A TRIP ON THE MAJOR ROAD SYSTEM
÷ 2	=	AVOIDS DOUBLE-COUNTING TRIPS FOR ORIGIN AND DESTINATION
NET COST/VMT	=	COST/VMT - CREDIT/VMT
COST/VMT	=	COST/VMC X VMC/VMT
COST/VMC	=	AVERAGE COST TO CREATE A NEW VMC BASED ON HISTORICAL OR PLANNED PROJECTS (\$306 EXCLUDING MAJOR STRUCTURES)
VMC/VMT	=	THE SYSTEM-WIDE RATIO OF CAPACITY TO DEMAND IN THE MAJOR ROAD SYSTEM (1.0 ASSUMED)
CREDIT/VMT	=	CREDIT PER VMT, BASED ON REVENUES TO BE GENERATED BY NEW DEVELOPMENT (\$82)
RF	=	REDUCTION FACTOR ADOPTED BY POLICY AT 52.6%

i. A TCP FEE CALCULATION STUDY SUBMITTED FOR THE PURPOSE OF CALCULATING A TRANSPORTATION IMPACT FEE MAY BE BASED ON DATA, INFORMATION AND ASSUMPTIONS THAT ARE FROM:

- (1) AN ACCEPTED STANDARD SOURCE OF TRANSPORTATION ENGINEERING OR PLANNING DATA; OR
- (2) A LOCAL STUDY ON TRIP CHARACTERISTICS PERFORMED BY A QUALIFIED TRANSPORTATION PLANNER OR ENGINEER PURSUANT TO AN ACCEPTED METHODOLOGY OF TRANSPORTATION PLANNING OR ENGINEERING THAT HAS BEEN APPROVED BY THE DIRECTOR.

Growth and Development Related Street Policy

The City of Grand Junction requires that new development pay a Transportation Capacity Payment to help defray the cost to the City for the impact of development on City streets. The City has experienced steady growth for over a decade and during that time has struggled with how to fairly collect and administer impact fees assessed against development, how to credit some or all of those fees against taxes otherwise paid and what, if any, role the City should have in funding/contributing to the cost of providing additional traffic/street capacity and/or traffic/street capacity in accordance with community expectations.

The City has determined that there are three key components to a meaningful growth and development related street/traffic policy. They are:

1. Collection of a realistic TCP for all new development projects. The TCP shall be annually reviewed and adjusted in accordance with 6.2B2d of the ZDC.
2. A clear articulation of what minimum requirements (in addition to the TCP) each development must construct; and
3. City funding and/or other means of participation in construction of street improvements.

Because the City has determined that traffic is a community problem, the TCP shall be uniform throughout the City and subject to criteria stated below; funding may be provided to street improvements anywhere within the City.

The principles of this policy are:

1. All development projects that create a traffic impact, as defined by the City ZDC, shall pay a TCP as established by and in accordance with the ZDC. The fundamental precept of the City's TCP policy is that new development must pay its fair share for the added traffic that development creates.
2. The TCP fee has been set to ensure that trips from each new development are calculated and that the developer contributes to the value of capacity consumption of City streets in proportion to the traffic that the development is reasonably anticipated to generate. The fee also recognizes as a credit the value of taxes generated from development.
3. TCP funds are intended to be used for improvements to the major roadway system as identified on the most current version of the Grand Valley Circulation Plan functional classification map (Minor Collector or above). Improvements to the local

roadway system will continue to be the responsibility of the property owners abutting the local roadway. The TCP fee is not intended to be used for debt service for the Riverside Parkway project.

4. Minimum Street Access Improvements -- The intent of this section is to describe the improvements necessary to connect a proposed development to the existing street system. SUCH IMPROVEMENTS SHALL BE PUBLIC IMPROVEMENTS AND SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE CITY WHETHER SUCH PUBLIC IMPROVEMENTS ARE IDENTIFIED THROUGH A TRAFFIC STUDY OR OTHERWISE MADE A CONDITION OF APPROVAL FOR DEVELOPMENT. Construction of these improvements will be the responsibility of the developer and shall be constructed or guaranteed at the time of development. These improvements are needed to provide safe ingress/egress and shall meet the minimum standards in ~~Section~~ CHAPTERS 5 AND 6 AND THE UNNUMBERED CHAPTER ENTITLED Fire Department Access of the TEDS Manual – Fire Department Access. These improvements are not intended to include off-site, Half Street or perimeter improvements necessary to increase the capacity or improve the safety of adjacent or perimeter streets.

- Absent unique needs or characteristics of the development, Minimum Street Access Improvements shall mean construction of full asphalt radii, and necessary drainage improvements in accordance with the City standard detail for each intersection with a perimeter street and/or improvements necessitated if the proposed development creates lots with direct access to the perimeter street(s) as determined by the Director. An owner or developer may appeal a determination of Minimum Street Access Improvements to the Transportation Engineering Design Standards (TEDS) Exception Committee. That Committee consists of the PW&U Director, the Fire Chief and the Community Development Director.
- Curb, gutter and sidewalk improvements shall be constructed as part of minimum access improvements when connecting directly to a street with like improvements.
- The City's multi-modal plan, including bike lanes, trails, paths, alternate pedestrian connections and bus stops and transit shall be incorporated into determining what improvements are required associated with a connection to the adjacent street system.
- Right of Way - The development shall dedicate necessary ROW (per Code and TEDS) to provide safe ingress/egress to the proposed development.
- Drainage Structures including Bridges - The development shall construct drainage structures and/or bridges associated the connection of the development to the street system.

- Traffic Studies - Preparation of Traffic Studies shall be the responsibility of new development as currently defined by the Code.
- Utilities – The extension of utilities including water, sewer, storm water improvements gas, electric, cable and telephone, etc will continue to be the responsibility of new development.

5. In addition to the TCP and Minimum Street Access Improvements, the developer must fully construct (or if current needs do not require construction, then the developer must guarantee for future construction) all internal streets, roads, alleys, and future connections in accordance with the development's approved plan.

6. The developer is responsible for the cost of the design of all features of the Minimum Street Access Improvements as required by TEDS, the GVCP, and other applicable City code(s), ordinance(s), policy(ies) or resolution(s).

7. Reimbursable Street Expenses – In the event a development triggers the need for public improvements beyond available City funding from the TCP, the City and the developer may enter into an agreement that would provide for the reimbursement of a portion of the costs of the public improvements.

Safe and adequate streets are a priority for the City. To help meet that need, a fund will be established to allow the City to fund and/or partner with developers or other governments. City funding or participation in street improvements shall be used for three purposes:

1. Construction of larger scale improvements along corridors which are deficient in street improvements (i.e., capacity, safety or physical improvements including pavement, curbs, gutters, and sidewalks).

2. Specific street or intersection improvements either adjacent or off-site from a new development where the existing condition is deficient as defined by City code.

3. Participation in a larger regional project in cooperation with the participating agencies of the Grand Valley MPO.

City funding and/or other means of participation in street improvements is conditioned on:

- Construction will improve traffic safety;
- Construction will improve traffic flow;
- Construction will improve pedestrian safety;
- Construction will improve capacity.

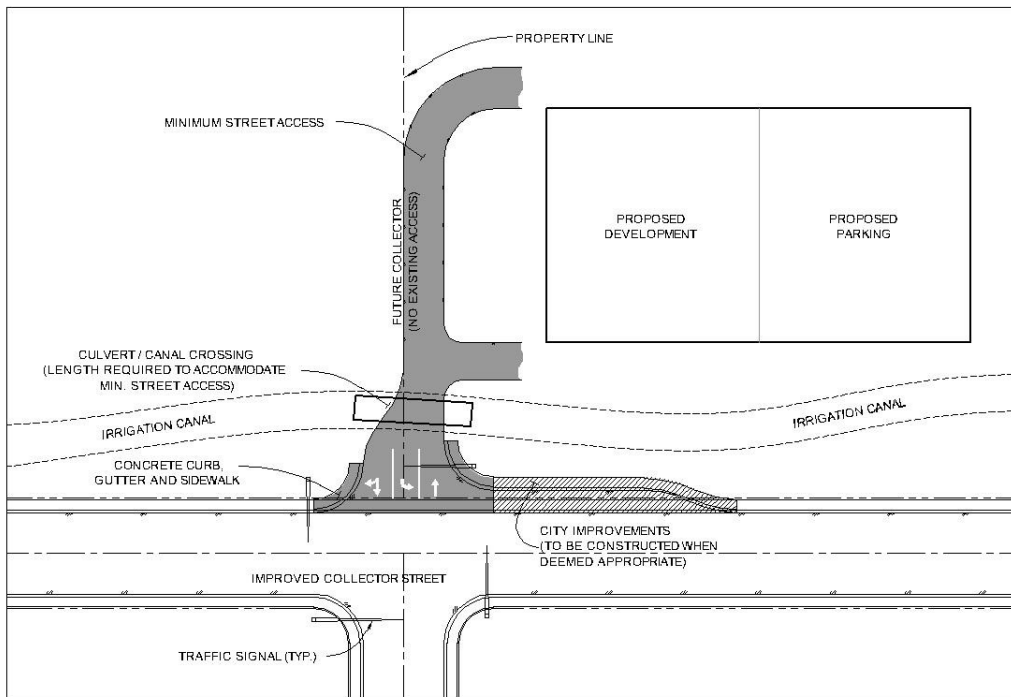
Introduced on First Reading this 19th day of May 2004.

PASSED and ADOPTED on second reading this 2nd day of June 2004.

/s/: Bruce Hill
President of the Council

Attest:

/s/: Stephanie Tuin
City Clerk



MINIMUM STREET ACCESS INCLUDES

- ◆ CULVERT/CANAL CROSSING TO ACCOMMODATE DEVELOPMENT NEEDS (TRAFFIC STUDY). IF LESS THAN LENGTH REQUIRED FOR ULTIMATE STREET SECTION, CITY MAY CONTRIBUTE TO COMPLETE THE LENGTH.
- ◆ FIRE ACCESS IMPROVEMENTS BETWEEN COLLECTOR AND STORE ACCESS (MIN. 20' OF PAVEMENT WIDTH, OR GREATER AS REQUIRED BY THE TRAFFIC STUDY. DOES NOT INCLUDE CURB, GUTTER OR SIDEWALK, UNLESS NECESSARY FOR TRANSITION WITH EXISTING).
- ◆ DEDICATION OF R.O.W. PER DEVELOPMENT NEEDS OR PER MAJOR STREET PLAN, WHICH EVER IS GREATER.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.

CITY OF GRAND JUNCTION BUILDS

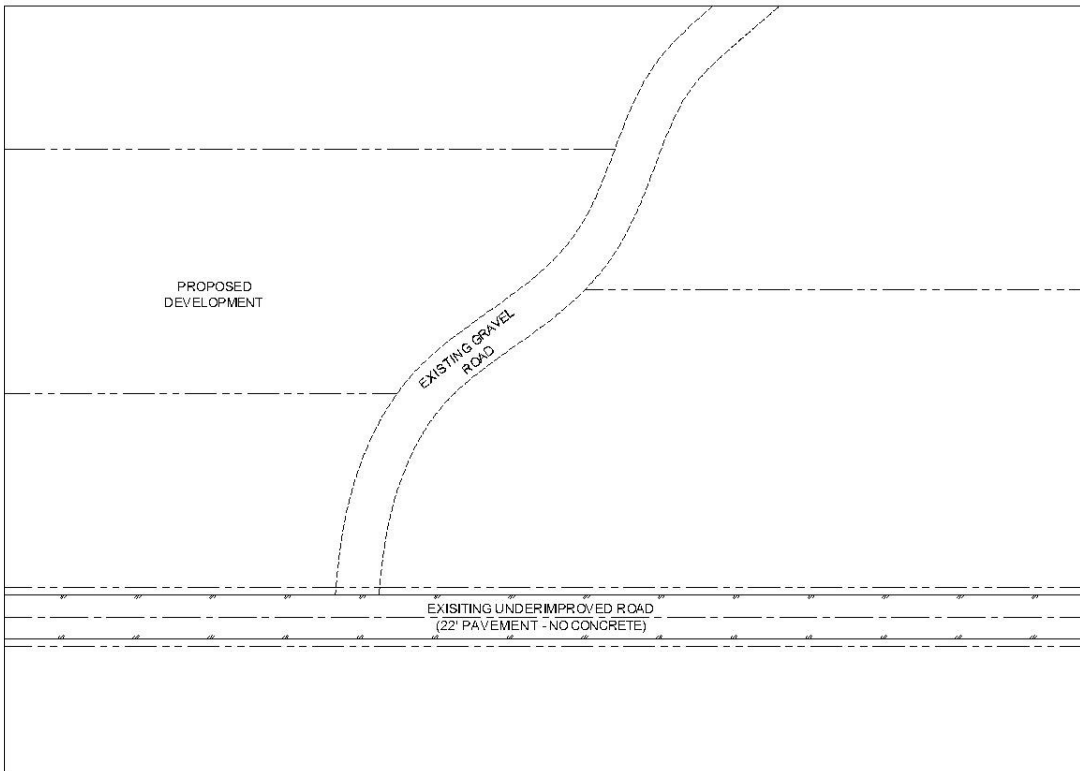
- ◆ TRAFFIC SIGNAL
- ◆ DECELERATION LANE

DRAWN BY: JAH
 DATE: 5-10-2004
 SCALE: N.T.S.
 APPR. BY: T.M.
 FILE NO. EXAMPLE.DWG

*PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION*

EXAMPLE 1





MINIMUM STREET ACCESS INCLUDES

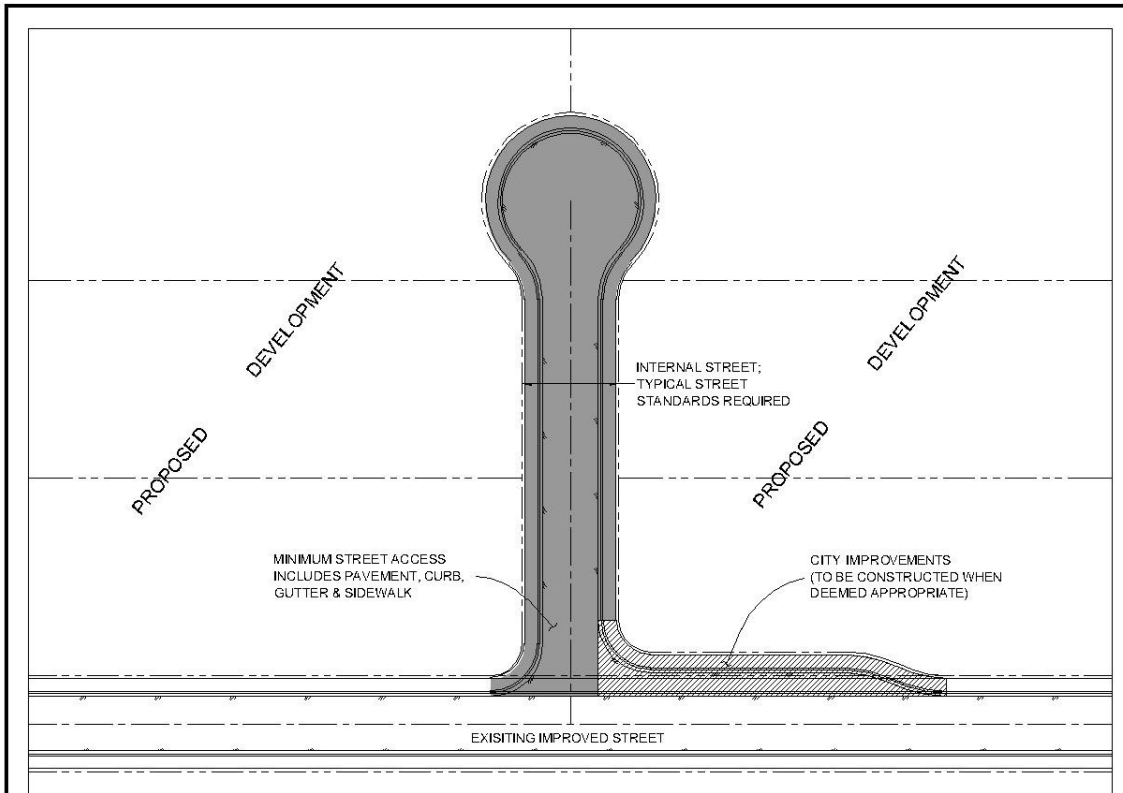
- ◆ IMPROVE GRAVEL ROAD PER FIRE STANDARDS.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.
- ◆ R.O.W. DEDICATION TO ACCOMODATE DEVELOPMENT NEEDS.

DRAWN BY: JAH
 DATE: 5-10-2004
 SCALE: N.T.S.
 APPR. BY: T.M.
 FILE NO. EXAMPLE.DWG

*PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION*

EXAMPLE 2





MINIMUM STREET ACCESS INCLUDES

- ◆ CONNECTION OF CURBS, GUTTERS AND SIDEWALKS TO EXISTING IMPROVEMENTS.
- ◆ DRAINAGE IMPROVEMENTS AS NECESSARY.

CITY OF GRAND JUNCTION BUILDS

- ◆ DECELERATION LANE

DRAWN BY: JAH
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*PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION*

EXAMPLE 3

