

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5045

AN ORDINANCE AMENDING THE CITY OF GRAND JUNCTION COMPREHENSIVE PLAN LAND USE MAP FOR THE PROPERTY LOCATED AT 2020 1/2 SOUTH BROADWAY FROM RURAL (1 DU/5-ACRE) TO RESIDENTIAL LOW (2-5.5 DU/ACRE) AND REZONING FROM RURAL (1 DU/5-ACRE) TO R-4 (RESIDENTIAL – 4 DU/AC) ZONE DISTRICT AND DISCONNECTING A SMALL AREA OF LAND FROM THE CITY

Recitals:

Monument Presbyterian Church owns the property at 2020½ South Broadway, Grand Junction, Colorado (“Property.”) The Church proposes an amendment to the Comprehensive Plan Land Use Map from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and a rezone from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) on a total of 8.77-acres, located at 2020 ½ South Broadway.

A discrepancy between the boundary of the Property and the land to the West (2010/2006 South Broadway) was discovered during the Plan amendment and rezoning process. The owners of both parcels agreed to correct the discrepancy by and with a Boundary Line Agreement pursuant to C.R.S. 38-44-112; however, when the Property was annexed to the City that annexation included a description of the Property that has now been determined to be in error. Accordingly, and in order to correct the City boundary, a “sliver” of land between the Property and 2010/2006 South Broadway is being disconnected (de-annexed) from the City. To the extent necessary or required this ordinance when fully and finally adopted shall serve, as provided by law, to amend the annexation and, as provided in the Boundary Line Agreement, to fix and establish the boundary between 2020 ½ South Broadway, 2010/2006 South Broadway and the western boundary of the City as provided herein.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of an amendment to the Comprehensive Plan Future Land Use designation for the Property from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and recommended subsequent approval of changing the zoning from R-R (Residential – Rural) to R-4 (Residential – 4 du/ac) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Residential Low (2 – 5.5 du/ac) of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that amending the Comprehensive Plan Land Use Map from Rural (1 du/5 ac) to Residential Low (2 – 5.5 du/ac) and rezoning from R-R (Residential – Rural) to R-4 (Residential – 4

du/ac) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the R-4 (Residential – 4 du/ac) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of §21.02.140 of the Grand Junction Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The City Council has determined, as provided herein, that it is in the City's best interests to disconnect a small area ("sliver") of land that lies to the West of the "Agreed to Boundary Line" on Exhibit A to the Boundary Line Agreement. The Boundary Line Agreement is incorporated by this reference as if fully set forth.

Colorado law C.R.S. 31-12-501-503 provides a process to disconnect by ordinance and the owners desire the small area ("sliver") to be disconnected. As such the area of land identified on Exhibit A to the West of the "Agreed to Boundary Line" is hereby disconnected.

Due to the size of the parcel the City Council finds that disconnected land area will neither increase service obligations on any special district nor Mesa County and accordingly the City waives notice as called for by §501(1).

Furthermore, notwithstanding the provisions of §§502 and 503, the City Council specifically finds that for the purposes of City taxation such disconnected property shall be treated as though it had not been annexed.

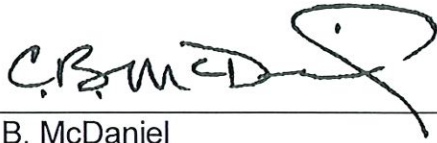
With the disconnection and the setting of the boundary, the Planning Commission has been satisfied. Therefore, the Property, described as follows and in light of the Recitals and the foregoing findings and determinations, shall be designated as Residential low (2 – 5.5 du/ac) on the Land Use Map of the Comprehensive Plan and shall be zoned R-4 (Residential – 4 du/ac) on the zoning map:

Commencing at the W1/4 corner of Section 22, Township 11 South, Range 101 West, of the 6th Principal Meridian, from which the CW1/16 corner of said Section 22 bears S89°29'31"E 1306.62 feet, running thence along said 1/4 section line S89°29'31"E 653.29 feet; thence N00°24'42"W 30.01 feet to the north right-of-way line of South Broadway and a found aluminum cap marked "DH Surveys LS 20677" and the Point of Beginning.

Running thence along said north right-of-way line S89°29'31"E 5.51 feet to the extension of an existing fence line; thence along extended fence line and existing fence N00°16'35"E 635.70 feet; thence N89°29'16"W 13.15 feet to the SWNW1/64 corner of said Section 22 and a found aluminum cap marked "PLS 38428" and the Point of Terminus, said point bearing N00°24'42"W 635.77 feet from the Point of Beginning.

Introduced on first reading this 1st day of December 2021 and ordered published in pamphlet form.

Adopted on second reading this 15th day of December, 2021 and ordered published in pamphlet form.



C. B. McDaniel
President of the City Council



Wanda Winkelmann
City Clerk

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5045 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1st day of December 2021 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of December 2021, at which Ordinance No. 5045 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17th day of December 2021.


Deputy City Clerk

Published: December 03, 2021
Published: December 17, 2021
Effective: January 16, 2022

