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**CITY COUNCIL AGENDA
WEDNESDAY, OCTOBER 5, 2022
250 NORTH 5TH STREET - AUDITORIUM
[VIRTUAL MEETING - LIVE STREAMED](#)
BROADCAST ON CABLE CHANNEL 191
5:30 PM – REGULAR MEETING**

Call to Order, Pledge of Allegiance, Moment of Silence

Proclamations

Proclaiming October 9 - 15, 2022 as Fire Prevention Week in the City of Grand Junction

Appointments

To the Forestry Board

Citizen Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

Citizens have four options for providing Citizen Comments: 1) in person during the meeting, 2) virtually during the meeting (registration required), 3) via phone by leaving a message at 970-244-1504 until noon on Wednesday, October 5, 2022 or 4) submitting comments [online](#) until noon on Wednesday, October 5, 2022 by completing this form. Please reference the agenda item and all comments will be forwarded to City Council.

City Manager Report

Council Reports

CONSENT AGENDA

The Consent Agenda includes items that are considered routine and will be approved by a single motion. Items on the Consent Agenda will not be discussed by City Council, unless an item is removed for individual consideration.

1. Approval of Minutes

- a. Summary of the September 19, 2022 Workshop
- b. Minutes of the September 21, 2022 Regular Meeting

2. Set Public Hearings

All ordinances require two readings. The first reading is the introduction of an ordinance and generally not discussed by City Council. Those are listed in Section 2 of the agenda. The second reading of the ordinance is a Public Hearing where public comment is taken. Those are listed below.

- a. Legislative
 - i. Introduction of an Ordinance amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code relating to Municipal Campaign Finance and Setting a Public Hearing for October 19, 2022
 - ii. Introduction of an Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements and Setting a Public Hearing for October 19, 2022
- b. Quasi-judicial
 - i. Introduction of an Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue and Setting a Public Hearing for October 19, 2022
 - ii. Introduction of an Ordinance Zoning Approximately 27.83 Acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation, Located at 2855 C ½ Road, and Setting a Public Hearing for October 19, 2022
 - iii. Introduction of an Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road and Setting a Public Hearing for October 19, 2022

3. Agreements

- a. 2022 Community Development Block Grant (CDBG) Subrecipient Agreements between STRiVE, Riverside Educational Center, Hilltop Community Resources, HomewardBound of the Grand Valley, Counseling and Education Center and Housing Resources of Western Colorado and the City of Grand Junction

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

4. Public Hearings

- a. Legislative
 - i. A. An Ordinance Creating the Housing Advisory Board (**Continued from September 21, 2022**)
 - B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board
 - ii. An Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code

5. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

6. Executive Session - City Hall Administration Conference Room

- a. EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 244 N. 7th STREET, GRAND JUNCTION, COLORADO

- b. EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY SPECIFICALLY REGARDING ORCHARD MESA POOL

7. Conclusion of Executive Session and Adjournment of October 5, 2022 City Council Meeting Will Take Place in the City Hall Administration Conference Room

The Council will return to Open Session to conclude the Executive Session; the City Council will not be returning to Open Session in the City Council chambers. Adjournment of the October 5, 2022 City Council meeting will occur in the City Hall Administration Conference Room.



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** the City of Grand Junction is committed to ensuring the safety and security of all those living in and visiting Grand Junction; and
- Whereas,** fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and
- Whereas,** home fires caused 2,580 civilian deaths in the United States in 2020, and fire departments in the United States responded to 356,000 home fires; and
- Whereas,** smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as two minutes to escape safely; and
- Whereas,** Grand Junction residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and
- Whereas,** Grand Junction residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and
- Whereas,** the 2022 Fire Prevention Week theme, “Fire won’t wait, plan your escape,” effectively serves to remind Grand Junction it is important to have a home fire escape plan.

NOW, THEREFORE, I, Anna Stout, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim October 9-15, 2022 as

“Fire Prevention Week”

in the City of Grand Junction and urge all citizens to check their smoke alarms, develop and practice a home fire escape plan with everyone in the home during Fire Prevention Week 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 5th day of October, 2022.



A handwritten signature in black ink, appearing to read "Anna Stout".

Mayor



Grand Junction City Council

Regular Session

Item #

Meeting Date: October 5, 2022

Presented By: Amy Phillips, City Clerk

Department: City Clerk

Submitted By: Kerry Graves

Information

SUBJECT:

To the Forestry Board

RECOMMENDATION:

To appoint the interview committee's recommendation to the Forestry Board.

EXECUTIVE SUMMARY:

There is one full-term vacancy on the Forestry Board.

BACKGROUND OR DETAILED INFORMATION:

Bennett Boeschstein's term expires on November 30, 2022.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendation to the Forestry Board.

Attachments

None

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY September 19, 2022

Meeting Convened: 5:30 p.m. The meeting was held in person at the Fire Department Training Room, 625 Ute Avenue, and live streamed via GoToWebinar.

City Councilmembers Present: Councilmembers Chuck McDaniel, Randall Reitz, Dennis Simpson, Rick Taggart, Mayor Pro Tem Abe Herman and Mayor Anna Stout. Councilmember Phil Pe'a was absent.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Planning Supervisor Felix Landry, Director of Parks and Recreation Ken Sherbenou, Finance Director Jodi Welch, City Clerk Amy Phillips, and Deputy City Clerk Selestina Sandoval.

1. Discussion Topics

a. Discussion Regarding the Zoning & Development Code Update

Community Development Director Tamra Allen introduced the item and Elizabeth Garbin of Clarion Associates, and Planning Supervisor Felix Landry presented the item. Ms. Garbin noted that the revisions regarding the City's Zoning and Development Regulations, Title 21 in the Grand Junction Municipal Code, will work toward three primary goals:

1. Better implementation of the City's vision and goals as described in the 2020 One Grand Junction Comprehensive Plan
2. Achieve greater simplicity, efficiency, consistency, and legal effectiveness in the code language
3. Identify opportunities to facilitate the development of affordable and attainable housing

The first module of the revised Code has been drafted and is available for public review and comment on the City's Zoning and Development Code webpage. Information pertaining to the update can also be found on GJSpeaks.

Module 1 includes sections: 21.01 General Provisions, 21.02 Administration and Procedures, 21.12 Nonconformities, 21.13 Violations and Enforcement, and 21.14 Measurements and Definitions.

The Zoning & Development Code Committee discussed Module 1 at their September 6 meeting and the Planning Commission discussed Module 1 at their September 8 workshop.

Summary of Changes in Module 1: Administration and Procedures

Z&DC content has been edited into more “plain” language, but regulatory drafting still has some legalese.

When the Z&DC refers to “Director” it also includes Community Development staff, the actual Director is not required to do all the specific tasks identified in the Code.

The Z&DC is being drafted in four modules, each containing several chapters.

1. All Chapters

- Added more detailed table of contents and page headers/footers to make information easier to find.
- Tables and flow charts added to summarize information where helpful as a quick reference.
- Cross-references have been added or updated.

2. Chapter 21.01 General Provisions

- Created a process to retire the current Z&DC but maintain the regulations for future use as needed.
- Add transitional standards that address development applications in process when the updated Z&DC is adopted.

Chapter 21.02 Administration and Procedures

- Table 21.02-1: New summary of decision-making table added to provide quick information and improve Code navigation.
- Updated the review and decision-making standards to be more objective and predictable.
- Reorganized specific procedures into four groups: Administrative Permits, Administrative Approvals, Major Development Applications, and Historic Preservation, and organized the procedures within each section alphabetically.
- Added complete procedures for Annexations and Boundary Adjustments.

The following were outcomes generated from group discussions.

A. Pre-Application Meetings

Section 21.02.030(b)(2), Pre-Application Meetings, was changed from “highly encouraged” to mandatory for three types of applications: major site plans, preliminary subdivision plans, and planned developments. This is to ensure that the applicant is notified of possible issues or concerns and to help set shared

expectations about the review process. This is based on best practices in communities that are generally perceived by applicants as well-functioning.

B. General Meetings

Section 21.02.030(b)(3), Neighborhood Meetings, was changed to require neighborhood meetings for applications that require a public hearing and are decided by the City Council based on an interpretation of Z&DC requirements. The specific goal of this change is to alert applicants of issues of concern to the surrounding neighborhood. The Director is allowed to waive the neighborhood meeting requirement for projects that will have minimal impacts on surrounding properties.

C. Administrative Adjustments

21.02.040(d), Administrative Adjustment, has been revised to allow targeted adjustments to specific standards in the Code, either in conjunction with a specific application or as part of an application amendment when issues are found during field work.

D. Rezoning Review Criteria

21.02.050(d)(3)(iii), Review Criteria, have been revised to allow rezonings that are consistent with the adopted comprehensive plan. The desired outcome is longer-term change that aligns the zoning map with the One Grand Junction Future Land Use Plan. Staff and consultant team will provide more detailed discussion about how to reflect housing goals and impacts of redevelopment on existing housing in the rezoning process.

E. Readability

The Code has been revised to make it more readable with plain language and the addition of charts, graphs, and tables. The discussion groups are hoping the same level of detail will exist in the codified version.

F. Project Schedule Adjustments

Consultants are requesting more time for Public Outreach which will push the overall completion date from late December to mid-March or early April.

Discussions concerned, the revised timeline and how the April election could affect final adoption, rezoning process and ensuring that Council will have final decision on rezones, how public comments are gathered and incorporated into final document since the draft modules will not be revised, how modular homes will be addressed and regulated, assurance that the codified code will have the level of detail in the codified version.

Councilmembers with additional questions or concerns will submit comments to the City Manager, and he will forward all to members of Council for review.

Concluding discussion, it was confirmed that the ADU section of the Code will be expedited through the process as previously suggested for a possible review in December.

Community Recreation Center Planning (3rd and Final Session)

Parks and Recreation Director Ken Sherbenou introduced the item and speakers William Findlay, Chair of the Parks and Recreation Advisory Board, and representatives Craig Bauck and Jason Jaynes of Barker Rinker Seacat Architecture (BRS) presented.

The Community Recreation Center (CRC) planning is divided into three core work sessions or phases. Work session #1 occurred June 13 and 14 and focused on the site of a potential CRC. Parks & Recreation Advisory Board (PRAB) analyzed all public input received, along with numerous other data points, and made a unanimous recommendation to City Council to pursue Matchett Park as the location. City Council approved the recommendation on July 6 and Matchett is now the site for the CRC.

Work session #2 occurred on July 18 and 19 and focused on the funding and the building program. PRAB analyzed all public input received, along with numerous other data points, and made a unanimous recommendation to City Council to pursue a 0.15% sales tax increase to supplement the revenue from a tax on cannabis sales devoted to parks and recreation to build an 83,000 square foot CRC. City Council approved this recommendation on August 17.

The final work session on September 20 will focus on the operational plan and design. The plan includes defining fees and projecting utilization, which estimates operational revenue. The operational plan includes operating hours and requirements, staffing needs, supplies and costs for operating the CRC, as well as the annual debt service.

The concept design presentation included the building layout and potential future improvements on the overall site plan. The total project cost of \$70M and approximately 83,000 square feet in size includes a leisure pool, lap pool, therapy pool, hot tub, water slide, fitness/weights/aerobic rooms, gymnasium for pickleball (9 courts), volleyball (3 courts) and basketball (3 for middle school, which allows one high school court), a walk/jog indoor track, multi-purpose meeting rooms, catering kitchen, administrative space, climbing wall, family game area, senior space, locker rooms, family changing rooms, and an area for child watch.

Mr. Bauck explained the use of design threads and how they were developed. He stated that they asked residents to help define the people of Grand Junction and their aspirations, where they live, work and play, and what experiences and pace of life do they seek? They also asked, how do residents describe Grand Junction, what places or events do they say visitors must see and do when they are here, and why do you live here and what do you want the community to be? The results provided the threads:

- faceted - embracing many different aspects or features,
- convergence – flowing together,
- adaption – continually changing to better suit the environment

On September 26, PRAB will be presented with all public feedback for their consideration and will meet again to compose another recommendation to City Council tentatively planned for their October 19 meeting.

Council took a quick 10-minute break and then reconvened at 6:51 p.m. Councilmember Taggart left the meeting during the break.

Source of Sales Tax Study Presentation

Jodi Welch, Finance Director reported that the City's sales tax revenue is the single largest revenue source that supports General Government operations. Over the last 30 years the City has engaged financial consultants six times to analyze where the City's sales tax revenue comes from on an annual basis. The recent analysis was conducted by BBC Research & Consulting (BBC) for a cost of \$10K. She introduced Kevin Williams representing BBC.

He gave background information reporting that 60% of the City General Fund revenues come from sales, use and lodging tax, and that the sales tax rate changed in 2020 to 3.25 percent.

The analysis looked at four main sources for sales tax which comes from purchases from City households, County households, businesses, and visitors (mainly shoppers outside of Mesa County, travelers, and tourists). It is important to understand where that revenue is coming from and who is paying it, especially when evaluating the value of services to our residents. He explained the methodology behind the analysis. Based on the analysis, the portion of sales tax paid by City households is estimated as 30%, the portion paid by Mesa County households (outside of the City) is 23%, the portion paid by visitors (non-residents of Mesa County) is 25%, and the portion paid by businesses is 22%. For this analysis, BBC and staff applied additional assumptions for certain categories including motor vehicle purchases, motor vehicle parts, on-line sales, and building materials to ensure that the resulting portion paid by City households was not understated.

Given the unique nature of business during the pandemic along with questions from Council and residents about methodology, BBC and City staff reviewed each aspect of the analysis using information from City business data, other Colorado city sales tax information, and data from the Consumer Expenditure Survey. Additionally, BBC and City staff calculated the share of residential contributions to sales tax for three years: 2018, 2019, and 2020. Two key insights considered by BBC during this analysis were:

- Online sales provide a greater share of sales tax than in previous studies and City data and processes account for these revenues in a more robust manner than in past studies; and
- The study team and City staff reviewed the classification of businesses remitting sales tax to ensure they were appropriately classified for the sales tax analysis. The staff and study team paid particular attention to areas where residents and staff have had questions about past sales tax sources results (e.g., automobile sales, online sales, and building materials).

The analysis was completed for three years from 2018 through 2020. The two years prior to the pandemic showed a slightly higher percentage paid by visitors, which makes sense based on the impact of the pandemic on the tourism industry. BBC will provide a model that can be used by staff each year to update the analysis between formal studies.

Discussion concerned questions asked by community member Richard Swingle, regarding the makeup of the \$9.3M in the motor vehicle purchases, ATVs, parts and services, and on-line sales and the proportion of 41% given to Grand Junction residents. Staff will follow-up with Mr. Swingle regarding any additional questions.

2. City Council Communication

None

Next Workshop Topics

City Manager Caton stated the October 3 & 17 Workshops are for Budget presentations and discussions and both will begin at 4:00 p.m. and are slated to adjourn at 8:00 p.m.

October 31st will be the date for the Workshop prior to the November 2nd City Council meeting.

There being no further business, the Workshop adjourned at 7:20 p.m.

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

September 21, 2022

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 21st day of September 2022 at 5:30 p.m. Those present were Councilmembers Chuck McDaniel, Randall Reitz, Dennis Simpson, Rick Taggart and Mayor Pro Tem Abe Herman. Councilmember Phil Pe'a and Council President Anna Stout were absent.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Amy Phillips, Deputy City Clerk Selestina Sandoval, Utilities Director Randi Kim, Housing Manager Ashley Chambers, Principal Planner Nicole Galehouse, Principal Planner David Thornton and Principal Planner Kristen Ashbeck.

Mayor Pro Tem Herman called the meeting to order and Councilmember McDaniel led the Pledge of Allegiance, followed by a moment of silence.

Proclamations

Proclaiming September 17 - 23, 2022 as Constitution Week in the City of Grand Junction

Councilmember Simpson read the proclamation and Vice Regent for the National Society of Daughters of the American Revolution Mount Garfield Chapter Lenna Watts accepted the proclamation.

Appointments

To the Planning Commission

Councilmember Reitz moved and Councilmember McDaniel seconded to reappoint Sandra Weckerly to the Planning Commission for a term expiring October 2026. Motion carried by unanimous voice vote.

To the Parks and Recreation Advisory Board

Councilmember Reitz moved and Councilmember Simpson seconded to appoint Lilly Grisafi, currently an alternate to the Parks and Recreation Advisory Board, to a full member for a term expiring June 30, 2024. Motion carried by unanimous voice vote.

City Manager Report

City Manager Caton invited the public to Coffee with the City Manager at Kiln Coffee

Bar, 326 Main Street, at 10 a.m. on September 22, 2022.

Citizen Comments

Robert Gramont expressed concern with the 5th Street bathroom being locked during the day.

Christopher Terry, residential staff for The House, asked for a mandate that Coricidin Cold and Cough pills be kept behind locked counters at stores due to the dangerous effects he has observed from teen abuse of the drug.

Ed Kowalski spoke of his visit to Wood River, Nebraska.

Bruce Lohmiller asked for the status of the new shelter and for a resolution on public camping for the houseless community.

Council Reports

Councilmember Taggart gave an update on the Grand Junction Regional Airport Authority.

Councilmember Reitz gave an update of the ARPA Committee and thanked the members for their work.

Councilmember Simpson spoke of the new Horizon Drive Association Business Improvement District Director Jonathon Purdy.

Mayor Pro Tem Herman spoke of the Bike and Pedestrian Master Plan Open House, gave updates on the Grand Junction Economic Partnership and Downtown Development Association meetings.

CONSENT AGENDA

Councilmember Taggart moved and Councilmember Simpson seconded to adopt Consent Agenda items #1 - #4.

1. Approval of Minutes

- a. Minutes of the September 7, 2022 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements;

Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code and Setting a Public Hearing for October 5, 2022

3. Procurements

- a. Purchase of Lead Service Line Puller Equipment
- b. Authorize a Contract for the Odor Control Improvements Project

4. Resolutions

- a. A Resolution Adopting the North Avenue Enhanced Transit Corridor Study
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the State of Colorado Department of Local Affairs (DOLA) FY 2022 – 2023 Gray & Black Market Marijuana Enforcement Grant

REGULAR AGENDA

An Ordinance Adding Chapter 13.40 Graywater Control Program

Colorado’s Graywater Control regulations require cities adopt an ordinance for graywater that specifies requirements, prohibitions, and standards for the use of graywater for non-drinking purposes, to encourage the use of graywater, and to protect public health and water quality.

Utilities Director Randi Kim presented this item.

Conversation ensued regarding the fee structure of the program (not yet determined), who will pay the fees (property owner), the requirement of a permit to utilize graywater systems, range of costs of new and retrofitted systems, and water conservation potential with graywater systems.

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

Robert Gramont asked for more information.

Ed Kowalski said this might help with water conservation.

The public hearing closed at 6:06 p.m.

Mayor Pro Tem Herman commended City staff for their work.

Councilmember Simpson moved and Councilmember Reitz seconded to adopt Ordinance No. 5094, an ordinance adding Chapter 13.40 Graywater Control Program

on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

Ordinance Placing a Charter Amendment to Change the Authorized Length of Leases of City Property for Housing from 25 Up to 99 Years on the Election Ballot for the Special Municipal Election to be Held November 8, 2022

The City Council is considering a question to present to the City voters to change the City Charter to allow the City to lease City property for up to 99 years for affordable housing. Increasing the possible lease term from 25 up to 99 years will benefit the public by allowing the highest and best use of certain property and in turn contribute to reducing the shortage of affordable housing in the community. Voter approval of the ballot question will only change the possible lease term for affordable housing on City property now owned or after acquired.

City Attorney Shaver presented this item.

Discussion ensued regarding the need to define affordable housing, why this change is necessary (for purposes of financing structures because the current term precludes some financing options), potential leases would come back to Council for approval, and clarification that Resolution No. 48-22 adopted in October 2022 set an affordable housing definition.

The public hearing opened at 6:18 p.m.

Jodi Cole, Chief Executive Officer of the Grand Junction Housing Authority, said the lease extension to 99 years is essential to allow developments to comply with the requirements of the funding sources such as the federal low-income housing tax credit.

The public hearing closed at 6:19 p.m.

Councilmember Taggart moved, Councilmember McDaniel seconded to adopt Ordinance No. 5096, an ordinance placing a Charter amendment on the November 8, 2022 ballot to change the authorized length of leases on City property from 25 up to 99 years for affordable housing, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Creating the Housing Advisory Board

Councilmember McDaniel moved to continue this item to October 5, 2022, seconded by Councilmember Simpson, to give staff time to present the bylaws at the same time as the ordinance. Motion carried by unanimous roll call vote.

An Ordinance Vacating a 15-Foot x 325-Foot Strip of Land Located on a 144-Acre Parcel Located at 675 23 ½ Road

Foothills Housing 2, LLC requested the vacation of a 15-foot strip of land in the middle of parcel #2945-052-17-001, 675 23 ½ Road, beginning at the western property line and going east approximately 325-feet. The vacation area contains approximately 0.11-acre of land. The subject property is part of the Community Planned Development (also known as Mesa Trails development and formerly known as Three Arrows). The applicant is preparing development applications and the cleanup of this right-of-way is necessary for future development on the site.

Principal Planner Nicole Galehouse presented this item.

The public hearing opened at 6:25 p.m.

There were no public comments.

The public hearing closed at 6:25 p.m.

Councilmember Simpson moved and Councilmember Taggart seconded to adopt Ordinance No. 5098, an ordinance to vacate a 15-foot x 325-foot strip of land located on a 144-acre parcel located at 675 23 ½ Road, on final passage and ordered final publication in pamphlet form. Motion carried by unanimous voice vote.

An Ordinance Vacating a 0.13-Acre Portion of the Undeveloped G Road Public Right-of-Way on the Northeast Corner of Horizon Drive and G Road at 702 Horizon Drive

Sid Squirrell requested the vacation of a portion of undeveloped G Road public right-of-way located in the southern portion of G Road along the north boundary of 702 Horizon Drive, beginning at Horizon Drive and going east for approximately 240 feet. The vacation area is approximately 25 feet in width and contains 0.13-acre of land. The applicant is currently in the process of a Simple Subdivision application review to develop a two-lot subdivision (2.58-acre Horizon Cache Subdivision) with lot 1 planned for a Starbucks restaurant and two other retail businesses on 1.45 acres in an existing C-1 (Light Commercial) zone district currently under review as a Site Plan application. As part of the subdivision process, a new right-of-way (0.74 acres) will be granted to the City to accommodate the location of the necessary infrastructure for the future G Road roundabout on Horizon Drive.

Principal Planner David Thornton presented this item.

The public hearing opened at 6:32 p.m.

There were no public comments.

The public hearing closed at 6:32 p.m.

Conversation ensued regarding barriers on G Road to access this property and how that will be changed with the development.

Councilmember Reitz moved and Councilmember Taggart seconded to adopt Ordinance No. 5099, an ordinance vacating a portion of G Road public right-of-way located at the northeast corner of Horizon Drive and G Road at 702 Horizon Drive, vacated contingent on and subject to the applicant recording a plat for a two-lot subdivision known as the Horizon Cache Subdivision, which plat will include the following conditions:

1. Dedication of certain interests in land for the G Road roundabout on Horizon Drive
2. Dedication of a multi-purpose easement for the entire vacated area
3. Dedication of a new slope easement as found adequate by the City

on final passage and ordered final publication in pamphlet form. Motion carried by unanimous roll call vote.

An Ordinance Rezoning 6.15 Acres from I-2 (General Industrial) to I-1 (Light Industrial), Located at 2415 Blue Heron Road

JGMS Government Services, LLC requested the rezone of one 6.15-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 2415 Blue Heron Road. The requested I-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Industrial.

Principal Planner Kristen Ashbeck presented this item.

The public hearing opened at 6:40 p.m.

There were no public comments.

The public hearing closed at 6:40 p.m.

Councilmember Taggart moved and Councilmember Reitz seconded to adopt Ordinance No. 5100, an ordinance rezoning one parcel totaling 6.15 acres from I-2 (General Industrial) to I-1 (Light Industrial), located at 2415 Blue Heron Road on final passage and ordered final publication in pamphlet form. Motion carried by unanimous voice vote.

Non-Scheduled Citizens & Visitors

Richard Swingle spoke regarding sources of Sales Tax and thanked Finance Director Jodi Welch for taking the time to explain the City's process for determining the amounts.

Other Business

There was none.

Adjournment

The meeting adjourned at 6:44 p.m.



Amy Phillips, CMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: October 5, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

Introduction of an Ordinance amending Chapter 2. Section 20.040(d) of the Grand Junction Municipal Code relating to Municipal Campaign Finance and Setting a Public Hearing for October 19, 2022

RECOMMENDATION:

Approve the ordinance on first reading, pass for publication and set a public hearing for October 19, 2022.

EXECUTIVE SUMMARY:

The proposed ordinance will amend the Grand Junction Municipal Code to limit campaign contributions, including contributions in-kind, by one person in a particular election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado gubernatorial candidate.

BACKGROUND OR DETAILED INFORMATION:

The City Charter and the Colorado Constitution allow for certain election regulations and restrictions. In 2002 a citizen's initiative was adopted by popular vote. That initiative, which became Article XXVIII of the Colorado Constitution, had as its primary purpose a recognition that large campaign contributions to political candidates create the potential for corruption and the appearance of corruption. Colo. Const. Art. XXVIII, § 1. Like Article XXVIII, the proposed Ordinance limits the amount of money any person, including a political committee may contribute to a political candidate. Similarly, the proposed Ordinance provides for adjustment to the spending limit to account for inflation.

The proposed ordinance will amend the Grand Junction Municipal Code to limit campaign contributions, including contributions in-kind, by one person in a particular election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado candidate for Attorney General, State Treasurer, Secretary of State, and for Governor.

In January 2022, Greg Lopez, as a candidate for Colorado Governor, and Rodney Pelton, as a candidate for Colorado Senate District 35, challenged the contribution limits established by Article XVIII. In March, United States District Court Judge John Kane denied the request for an order permanently enjoining the Secretary of State from enforcing the contribution limits. Based on that order and a request from the City Council Agenda Committee that the City Council consider imposing contribution limits, this Ordinance has been presented.

FISCAL IMPACT:

There is no direct fiscal impact from the adoption of the Ordinance.

SUGGESTED MOTION:

I move to introduce an ordinance amending Municipal Campaign Finance on first reading, pass for publication and set a public hearing for October 19, 2022.

Attachments

1. ORD-Campaign Finance 092222

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 2 SECTION 20.040(d) OF THE GRAND JUNCTION MUNICIPAL CODE RELATING TO MUNICIPAL CAMPAIGN FINANCE

Recitals:

The City of Grand Junction is a home rule municipality, established by Charter in 1909. Article XX of the Colorado Constitution confers upon home rule cities power over all matters pertaining to municipal elections.

Article XXVIII of the Colorado Constitution is the primary campaign finance law in Colorado. It was offered as a citizen's initiative and approved by voters in 2002. A primary purpose of Article XXVIII is to address the reality that "large campaign contributions to political candidates create the potential for corruption and the appearance of corruption." Colo. Const. Art. XXVIII, § 1.

Article XXVIII places limits on the amount any "person, including a political committee" may contribute to a political candidate. Id. § 3(1). Individual contribution limits are adjusted to account for inflation. Id. § 3(13); 4(7). Adjustments are "based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver-Boulder-Greeley, all items, all consumers, or its successor index." Id. The indexed number is rounded down to the nearest twenty-five dollars. Id.

In October 2020, following SB 19-232 the City adopted Title 2, Chapter 20 of the Grand Junction Municipal Code (GJMC) regarding campaign and political finance regulations for Municipal elections. After due consideration the City Council has determined that certain contribution limits, consistent with those provided by Article XXVIII but as specifically provided in this ordinance, should be imposed in the City.

With this Ordinance the GJMC is amended to limit contributions, including contributions in-kind, by one person in a particular election cycle to one candidate and/or candidate committee(s) an aggregate amount of \$625.00. The \$625.00 sum is the current individual limit for a campaign contribution to a Colorado gubernatorial candidate. 8 CCR 1505-6 Rule 10.17.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That 2.20.040(d) of the Grand Junction Municipal Code is hereby amended as follows. Amending text is shown in **bold face type**:

Section 2.20.040(d) is amended to read as follows:

(d) Campaign finance complaints must be filed in writing and can be submitted by hardcopy or electronically. Electronic signatures are permitted for any complaint documentation that requires a signature.

1. Municipal Campaign Contribution Limits. For any election cycle, no person shall make contributions, including contributions in-kind, to a candidate and/or that candidates committee(s) that, in the aggregate, exceeds \$625.00 per City Council candidate, per election cycle as defined by Section 2(6) of Article XXVIII of the Colorado Constitution.

2. No candidate committee shall accept any contributions, including contributions in-kind, from any person if that person's contributions on behalf of the candidate have an aggregate amount or value more than \$625.00.

3. Any contribution or portion thereof exceeds the \$625.00 limit shall be returned to the contributor within seventy-two (72) hours of receipt.

4. The limitations imposed by subsections 1 and 2 of this section shall not apply to contribution of a candidate's personal funds to the candidate's own campaign, or to any loan which is personally guaranteed by the candidate or is secured by property owned by the candidate.

5. Each election-cycle limit on contributions described in subsection 1 of this section shall be adjusted by an amount based upon the percentage change over a two-year period in the United States bureau of labor statistics consumer price index for Denver-Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars (\$25.00). The first adjustment shall be done in the fourth quarter of 2024 and then every two (2) years thereafter. The City Manager shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with GJMC 2.20.044 or any successor section of this Code.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN PAMPHLET FORM this 5TH day of October 2022.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED
PUBLISHED IN PAMPHLET FORM this _____ day of _____ 2022.

CITY OF GRAND JUNCTION, COLORADO

Anna M. Stout
President of the City Council

Attest:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #2.a.ii.

Meeting Date: October 5, 2022
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver

Information

SUBJECT:

Introduction of an Ordinance Approving Loans from the Colorado Water Conservation Board to Finance Improvements to the City's Water System; Authorizing the Form and Execution of Loan Contracts and Promissory Notes to Evidence Such Loans and Security Agreements and Setting a Public Hearing for October 19, 2022

RECOMMENDATION:

Approve the ordinance on first reading, pass for publication and set a public hearing for October 19, 2022.

EXECUTIVE SUMMARY:

The ordinance will authorize and approve certain project loans from the CWCB for improvements to the City water system.

BACKGROUND OR DETAILED INFORMATION:

In 2020, the Utilities Department negotiated an agreement with the CWCB for reconstruction of the Purdy Mesa flowline. That agreement was supported by adoption of Resolution No. 62-20. In January 2021 and June 2022, the Utilities Department negotiated agreements with the CWCB for Kannah Creek Flowline and Carson Dam funding. The Council authorized Resolution Numbers 07-21 and 51-22 concerning Carson Dam. On the same agenda in June 2022, the Kannah Creek Flowline was also approved by Resolution No. 52-22. Grants are typically adopted and approved by resolutions, however, in the course of completing an amendment to the Carson Dam agreement, it was determined that bond counsel opinions and ordinances are required. Certain project description/contracting discrepancies will be addressed with the amendment and through and with adoption of the ordinance.

FISCAL IMPACT:

There is no fiscal impact from this action.

SUGGESTED MOTION:

I move to introduce an ordinance approving loans from the Colorado Water Conservation Board to finance improvements to the City's Water System; authorizing the form and execution of loan contracts and promissory notes to evidence such loans and security agreements on first reading, pass the ordinance for publication in pamphlet form and set a public hearing for October 19, 2022.

Attachments

1. Approving Ordinance-CWCB Loans 092822

ORDINANCE NO. _____

**AN ORDINANCE APPROVING LOANS FROM THE
COLORADO WATER CONSERVATION BOARD TO
FINANCE IMPROVEMENTS TO THE CITY'S WATER
SYSTEM; AUTHORIZING THE FORM AND EXECUTION
OF LOAN CONTRACTS AND PROMISSORY NOTES TO
EVIDENCE SUCH LOANS AND SECURITY
AGREEMENTS**

WHEREAS, the City of Grand Junction, Colorado (the "City"), is a home rule city duly existing under the Constitution and laws of the State of Colorado and its City Charter (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, the Council has determined and does hereby determine that the City's water system (the "System") is an enterprise within the meaning of Article X, Section 20 of the Colorado Constitution ("TABOR") and Section 37-45.1-103 of the Colorado Revised Statutes, as amended; and

WHEREAS, the Council has heretofore determined that the interest of the City and the public interest and necessity require certain improvements to the System, including, without limitation, certain repairs and improvements to the Carson Reservoir Dam, Kannah Creek Flowline, and Purdy Mesa Flowline (collectively, the "Project"); and

WHEREAS, the Council has determined that in order to finance the Project it is necessary, advisable, and in the best interests of the City to enter into loan contracts (the "Loan Contracts") with the State of Colorado for the use and benefit of The Department of Natural Resources, Colorado Water Conservation Board (the "CWCB"), pursuant to which the CWCB will make loans the City (the "Loans") for such purposes; and

WHEREAS, the City's repayment obligations under each Loan Contract shall be evidenced by a Promissory Note (the "Note") to be issued by the City to the

CWCB and further secured by a Security Agreement to be executed by the City, as borrower, to the CWCB, as secured party; and

WHEREAS, the obligation to repay the Loans shall comprise a revenue obligation of the City payable from the Pledged Revenues (as defined herein), and pursuant to TABOR and Article XII, Section 93(f) of the Charter may be approved by the Council without an election; and

WHEREAS, forms of each Note, Loan Contract, and Security Agreement (collectively, the "Financing Documents") have been filed with the City Clerk; and

WHEREAS, the Council desires to approve the forms of the Financing Documents and authorize the execution thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. Approvals, Authorizations, and Amendments. The forms of the Financing Documents filed with the City Clerk are incorporated herein by reference and are hereby approved. The City shall enter into and perform its obligations under the Financing Documents in the forms of such documents, with such changes as are not inconsistent herewith and as are hereafter approved by the City Manager. The City Manager and City Clerk are hereby authorized and directed to execute the Financing Documents and to affix the seal of the City thereto, and further to execute and authenticate such other documents or certificates as are deemed necessary or desirable in connection therewith. The Financing Documents shall be executed in substantially the forms approved at this meeting.

The execution by appropriate officers of the City of any instrument or certificate or other document in connection with the matters referred to herein shall be conclusive evidence of the approval by the City of such instrument or certificate or other document.

Section 2. Election to Apply Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, of the Colorado Revised Statutes, as amended (the "Supplemental Act"), provides that a

public entity, including the City, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The Council hereby elects to apply all of the provisions of the Supplemental Act to the Financing Documents.

Section 3. Certain Definitions. For all purposes of the Financing Documents and this Ordinance, the following terms shall have the following meanings:

“Capital Improvements” means the acquisition of land, easements, facilities and equipment (other than ordinary repairs and replacements), and the construction or reconstruction of improvements, betterments and extensions, for use by or in connection with the System.

“Gross Revenues” means all income and revenues directly or indirectly derived by the City from the operation and use of the System, or any part thereof, including without limitation, any rates, fees (including without limitation plant investment fees and availability fees) and charges for the services furnished by, or for the use of, the System, and all income attributable to any past or future dispositions of property or rights or related contracts, settlements, or judgments held or obtained in connection with the System or its operations, and including investment income accruing from such moneys; provided however, that there shall be excluded from Gross Revenues: ad valorem property taxes; any moneys borrowed and used for providing Capital Improvements; any money and securities and investment income therefrom in any refunding fund, escrow account, or similar account pledged to the payment of any bonds or other obligations; and any moneys received as grants or appropriations from the United States, the State of Colorado, or other sources, the use of which is limited or restricted by the grantor or donor to the provision of Capital Improvements or for other purposes resulting in the general unavailability thereof, except to the extent any such moneys shall be received as payments for the use of the System, services rendered thereby, the availability of any such service, or the disposal of any commodities therefrom. Notwithstanding anything contained above, amounts deposited in a rate stabilization account shall not be deemed Gross Revenues in the calendar year

deposited and amounts withdrawn from the rate stabilization account shall be deemed Gross Revenues in the year withdrawn.

“Operation and Maintenance Expenses” means all reasonable and necessary current expenses of the City (referred to as the Borrower in the Financing Documents), paid or accrued, for operating, maintaining, and repairing the System, including without limitation legal and overhead expenses of the City (referred to as the Borrower in the Financing Documents) directly related to the administration of the System, insurance premiums, audits, professional services, salaries and administrative expenses, labor and the cost of materials and supplies for current operation; provided however, that there shall be excluded from Operation and Maintenance Expenses any allowance for depreciation, payments in lieu of taxes or franchise fees, expenses incurred in connection with Capital Improvements, payments due in connection with any bonds or other obligations, and expenses that are otherwise paid from ad valorem property taxes.

“Pledged Revenues” for any period means the Gross Revenues during such period less Operation and Maintenance Expenses.

“System” means all of the City’s water facilities and properties, now owned or hereafter acquired, whether situated within or without the City’s boundaries, including all present or future improvements, extensions, enlargements, betterments, replacements, or additions thereof or thereto, which facilities and properties are used exclusively for the City’s water activity enterprise.

Section 4. Delegation and Parameters.

(a) Pursuant to Section 11-57-205 of the Supplemental Act, the Council hereby delegates to the President, the City Manager, the Finance Director, or any member of the Council the authority to make the following determinations relating to and contained in the Financing Documents, subject to the restrictions contained in paragraph (b) of this Section 3:

- (i) The interest rate on each Loan;
- (ii) The principal amount of each Loan;

(iii) The amount of principal of each Loan maturing in any given year and the final maturity of the Loan;

(iv) The conditions on which and the prices at which each Loan may be paid prior to maturity;

(v) The dates on which the principal of and interest on each Loan are paid; and

(vi) The existence and amount of capitalized interest or reserve funds for each Loan, if any.

(b) The delegation in paragraph (a) of this Section shall be subject to the following parameters and restrictions: (i) the interest rate on any Loan shall not exceed 2.00%; (ii) the aggregate principal amount of the Loans shall not exceed \$15,000,000; and (iii) the final maturity of any Loan shall not be later than twenty years from the date CWCB determines the Project to be substantial complete.

Section 5. Conclusive Recital. Pursuant to Section 11-57-210 of the Supplemental Act, the Financing Documents shall contain a recital that they are issued pursuant to the Supplemental Act. Such recital shall be conclusive evidence of the validity and the regularity of the issuance of the Financing Documents after their delivery for value.

Section 6. Pledge of Revenues. The creation, perfection, enforcement, and priority of the pledge of revenues to secure or pay the Financing Documents provided herein shall be governed by Section 11-57-208 of the Supplemental Act and this Ordinance. The revenues pledged to the payment of the Financing Documents shall immediately be subject to the lien of such pledge without any physical delivery, filing, or further act. The lien of such pledge shall have the priority described in the Financing Documents. The lien of such pledge shall be valid, binding, and enforceable as against all persons having claims of any kind in tort, contract, or otherwise against the City irrespective of whether such persons have notice of such liens.

Section 7. Limitation of Actions. Pursuant to Section 11-57-212 of the Supplemental Act, no legal or equitable action brought with respect to any legislative

acts or proceedings in connection with the Financing Documents shall be commenced more than thirty days after the date of adoption of this Ordinance.

Section 8. Limited Obligation; Special Obligation. The Financing Documents are payable solely from the Pledged Revenues and the Financing Documents do not constitute a debt within the meaning of any constitutional or statutory limitation or provision.

Section 9. No Recourse against Officers and Agents. Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the Council, or any officer or agent of the City acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal of or interest on the Loans. Such recourse shall not be available either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the Financing Documents and as a part of the consideration of making the Loans, the CWCB specifically waives any such recourse.

Section 10. Disposition and Investment of Loan Proceeds. The proceeds of the Loans shall be applied only to pay the costs and expenses of acquiring, constructing and equipping the Project, including costs related thereto and all other costs and expenses incident thereto, including without limitation, the costs of obtaining the Loan.

Section 11. Neither the CWCB nor any subsequent owner(s) of the Financing Documents shall be responsible for the application or disposal by the City or any of its officers of the funds derived from the Loans. In the event that all of the proceeds of the Loans are not required to pay such costs and expenses, any remaining amount shall be used for the purpose of paying the principal amount of the Loans and the interest thereon.

Section 12. Direction to Take Authorizing Action. The appropriate officers of the City and members of the Council are hereby authorized and directed to take all other actions necessary or appropriate to effectuate the provisions of this

Ordinance, including but not limited to the execution and delivery of such certificates and affidavits as may reasonably be required by the CWCB.

Section 13. Ratification and Approval of Prior Actions. All actions heretofore taken by the officers of the City and members of the Council, not inconsistent with the provisions of this Ordinance, relating to the Financing Documents, or actions to be taken in respect thereof, are hereby authorized, ratified, approved, and confirmed.

Section 14. Repealer. All acts, orders, ordinances, or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

Section 15. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

Section 16. Ordinance Irrepealable. After the Financing Documents are executed and delivered, this Ordinance shall constitute an irrevocable contract between the City and the CWCB, and shall be and remain irrepealable until the Loans and the interest thereon shall have been fully paid, satisfied, and discharged. No provisions of any constitution, statute, charter, ordinance, resolution, or other measure enacted after the execution and delivery of the Financing Documents shall in any way be construed as impairing the obligations of the City to keep and perform its covenants contained in this Ordinance.

Section 17. Disposition of Ordinance. This Ordinance, as adopted by the City Council shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk and by the certificate of publication.

Section 18. Effective Date. This Ordinance shall be in full force and effect 30 days after publication following final passage.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 5TH day of October, 2022.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2022.

CITY OF GRAND JUNCTION, COLORADO

President of the City Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: October 5, 2022
Presented By: Daniella Acosta, Senior Planner
Department: Community Development
Submitted By: Dani Acosta, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance Rezoning 0.21 Acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity), Located at 1313 Bunting Avenue and Setting a Public Hearing for October 19, 2022

RECOMMENDATION:

Planning Commission heard this item at its September 27, 2022 meeting and voted (6-0) to recommended approval of the request.

EXECUTIVE SUMMARY:

The applicant, CS Assets, LLC, is requesting the rezone of one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) located at 1313 Bunting Avenue. The purpose of the rezone to a form-based district is to provide additional flexibility in the bulk standards, thus allowing more compact residential development and pedestrian-oriented urban design in an area prioritized by the 2020 Comprehensive Plan for urban infill. The requested MXR-3 form district conforms with the Comprehensive Plan Land Use Map designation of Residential High.

BACKGROUND OR DETAILED INFORMATION:

The proposed rezone comprises one parcel totaling 0.21 acres situated at 1313 Bunting Avenue, within the University District, just west of the CMU campus along the 12 Street and North Avenue corridors. The subject site was annexed into the City in 1946 as part of the Northeast Addition.

As indicated, the subject site is currently zoned R-16 and is occupied by a single-family detached home. To the south is a mix of single-family residential, multifamily

residential, retail and professional services uses. Along the eastern property line, the subject site abuts another single-family residence. To the west are more single-family and multifamily residential uses, parking lot uses, as well as eating/drinking establishments, and school/educational uses. To the north exists primarily a mix of multifamily and single-family residential uses.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property as Residential High. Under the Grand Junction Zoning & Development Code, the zone districts that may implement the Residential High Land Use classification include R-16 (Residential 16 du/ac), R-24 (Residential 24 du/ac), Community Services and Recreation (CSR), Residential Office (R-O), Neighborhood Business (B-1), Mixed Use (M-U), MXR-3, 5, 8 (Mixed Use Residential), MXG-3, 5 (Mixed Use General), and MXS-3, 5 (Mixed Use Shopfront) zone districts.

The Comprehensive Plan classified the neighboring blocks to the west and south as a mix of Mixed Use and Residential High and classified the neighboring blocks to the north and east as Residential Medium.

The Applicant is now requesting a rezone to MXR-3, which would provide additional flexibility for the creation of more compact low-intensity development by relaxing several of the bulk standards, such as setbacks. Additionally, form districts differ from Euclidean zoning by focusing on the physical form of the building (i.e., design) as the organizing principle rather than the separation of uses. As a result, form-based districts lend themselves to the development of more aesthetically diverse buildings that help activate streetscapes and promote mixed-use neighborhoods and pedestrian-scaled density.

If the rezone application is approved, the applicant intends to proceed with a Pre-Application submittal for five attached rowhomes with alley-accessed rear loaded garages. The application will be required to go through a Major Site Plan review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held virtually via the platform Zoom on June 22, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No members of the public were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on July 6, 2022. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 16, 2022. The notice of the Planning Commission public hearing was published on September 20, 2022, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning & Development Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

- (1) Subsequent events have invalidated the original premises and findings; and/or

The current zoning, R-16, is within the range of allowable zone districts for Residential High, as is the proposed MXR-3 form district. As such, there are no identified subsequent events that have invalidated the original premise of R-16 being able to implement the 2020 Comprehensive Plan. Therefore, staff finds that this criterion has not been met.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The subject site is within the University District. This district has seen steady development activity for the past five years. Development activity has been dispersed among the commercial areas along North Avenue and within the surrounding residential areas to the north. The majority of the residential development activity has consisted of redeveloping properties for multifamily or increasing residential density through rezones.

These include the redevelopment for a three-unit multifamily building (SPN-2022-336), the construction of a 15-unit multifamily apartment complex (SPN-2020-468), the addition of a third unit to an existing duplex (SPN-2019-90), the up zoning of a property from R-16 to R-24 (RZN-2018-1422) and converting a garage to an accessory dwelling unit (SPN-2017-614). Other development that has occurred include the construction of a 2,750 square foot office building (SPN-2019-701), a home occupation permit for a hair salon (HOM-2019-208), a cell tower modification (PCN-2019-1047), a lot consolidation (SSU-2018-257), the construction of a Starbucks drive-thru coffee shop (SPN-2017-624), and a change of use permit for converting an existing structure from a restaurant to an apartment building (COU-2017-363).

As mentioned, the 2020 Comprehensive Plan has identified the area that the subject site is situated in as a University District, which is one of the five Mixed-Use Policy Areas. Mixed Used Areas are defined as corridors and centers where there is a mixture of shopping and service within walking distance to where people live and work. The University District Policy Area in particular aims to concentrate university or university-adjacent development activity within proximity to the businesses along the North Avenue Corridor with the goal of contributing to a vibrant university area for CMU student population, faculty and staff to live and easily access personal services, employment opportunities, retail, entertainment and restaurants.

Furthermore, the University District Policy Area designates that buildings within this district should be built near the edge of right-of-way to reinforce the urban, pedestrian-oriented character of the streetscapes.

Much of the development occurring in the University District has followed the aforementioned land development and urban design patterns. Specifically, several properties along North Avenue and within the University District opted into the “optional standards” under the North Avenue Overlay. These optional standards include reducing setbacks to zero feet, which helps to create a more urban-style building environment. These properties include the Optical Center, Papa John’s, Starbucks and Taco John along North Avenue. All are within 400 feet of the subject property. The built environment of the immediate area is evolving more towards the type of urban design that encourages pedestrian activity, as well as encouraging more development that contributes to pedestrian-oriented urban design that is achievable through MXR-3 and other form districts. As such, staff finds this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

The subject site is currently served by City of Grand Junction Water and Sewer District, the Grand Valley Irrigation Company, the Grand Valley Drainage District, and Xcel Energy. A 1,500-10,000 gallons per minute fire hydrant is located at the corner of N 13th Street and Bunting Avenue. City Water runs to the house on the property and there is a 6-inch water line in Bunting Avenue. The property is located within the 201 Persigo boundary and there is an 8-inch sanitary sewer line that runs along the south side of the property within the alley.

The subject site is serviced by a secondary truck route that runs along N 12th Street with access via Bunting Avenue. The stretch of N 12th Street that runs to the west of the subject site is classified as an Active Transportation Corridor. Additionally, there is an off-street multiuse path that is split into a cycle track and a pedestrian sidewalk approximately 500 feet away. Thus, the site has sufficient access to low-stress facilities for biking and walking. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the preceding information, staff finds this criterion has been met

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

There are significant differences between the R-16 zone district and the MXR-3 form district. R-16 zone district is a Euclidean-based zone district, which separates districts by uses and employs land use as the organizing principle for urban development. In contrast, MXR-3 is a form district, focusing on the physical context of an area by specifying regulations for building form.

The R-16 zone district primarily allows high-density residential uses and some institutional and civic uses. The MXR-3 form district does not prescribe restrictions for the types of uses, promoting the development of mixed-use areas. Rather, MXR-3 form district specifies building placement, orientation, architectural standards, and building façade elements. The R-16 zone district accounts for approximately 0.7 percent of City zoned land. In contrast, there does not exist a single parcel in the City to date that is zoned MXR-3.

While there is no other site within the immediate area that has the MXR-3 form district, there is not a deficit of other zone districts in the area that are also able to implement the Residential High Future Land Use Designation, which include B-1, R-O and R-16. Therefore, staff finds that this criterion has not been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community will benefit from the proposed amendment because it directs residential development to the urban core that does not require the extension of infrastructure or the expansion of City services. The subject property is located within the Tier 1 – Urban Infill tier as identified in the City’s Growth Plan. Rezoning to MXR-3 opens up opportunities for more compact development that preserves the low-density character of missing middle housing typologies in an area that the 2020 Comprehensive Plan identifies as a priority for infill. Rezoning to MXR-3 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

The proposal for the subject site is poised to benefit from the close proximity to CMU, which is not only an institution of higher education but also a community employer. Close proximity to the university and to the services, amenities, and employment opportunities along the North Avenue corridor could support alternative modes of transportation, such as walking, and help ease capacity constraints along North Avenue.

Walking is as much a psychological experience as it is a physical experience, with the built environment sending the human brain signals of how comfortable an area is for walking. This psychological feedback influences the decision to walk by creating a sense of enclosure. A sense of enclosure is a principle of urban design that measures to varying degrees how comfortable a public space is and how “protected” a pedestrian feels based on the proportions of the height and width of buildings and their relation to the street. These proportions are often dictated by building setbacks.

The flexibility of form-based districts as it relates to the MXR-3 setbacks, lends to the creation of engaging streetscapes and a dense walkable network that encourages mode shifts that may promote increased investment in nearby brick and mortar retailers, keeping more dollars within the local economy. The community will benefit

from the pedestrian-oriented urban design that is achieved through MXR-3. An MXR-3 zone district would allow for the development of compact housing types that are compatible in scale with transitional neighborhoods or single-family neighborhoods, and which are within walking distance of commercial and retail uses. Therefore, staff finds that this criterion has been met.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill
- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

Plan Principle 3.6.c. Walkable Centers – Support the development of walkable community/neighborhood commercial centers that provide a variety of services and amenities to the immediate area, expand housing options, and/or provide live-work opportunities.

Plan Principle 4.3.d. Design for Knowledge – Promote urban design approaches in the University of District that foster creativity, respond to global trends, and establish strong local character. Engage economic opportunities and land development opportunities that contribute to making the University District the premier academic hub in Western Colorado.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the 1313 Bunting Rezone, RZN-2022-471, rezoning one parcel totaling 0.21 acres from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential-3, Low Intensity) for the property located at 1313 Bunting Avenue, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no direct fiscal impact.

SUGGESTED MOTION:

I move to introduce an ordinance to rezone the property located at 1313 Bunting Avenue from R-16 (Residential 16 du/ac) to MXR-3 (Mixed Use Residential, Low Intensity), publish in pamphlet form and set a public hearing for October 19, 2022.

Attachments

1. Exhibit 1. Development Application
2. Exhibit 2. Map Exhibits
3. Exhibit 3. Neighborhood Meeting Documentation
4. Exhibit 5. Applicant Presentation
5. ORD-Bunting 092222 (1)

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation <input type="text" value="High Density Residential"/>	Existing Zoning <input type="text" value="R-16"/>
Proposed Land Use Designation <input type="text" value="Mixed-Use Residential-3, Low Intensity"/>	Proposed Zoning <input type="text" value="MXR-3"/>

Property Information

Site Location: <input type="text" value="1313 Bunting Avenue"/>	Site Acreage: <input type="text" value="Approx. 0.21 acre"/>
Site Tax No(s): <input type="text" value="2945-123-20-001"/>	Site Zoning: <input type="text" value="R-16"/>
Project Description: <input type="text" value="To rezone from R-16 to MXR-3. The intent is to create a residential neighborhood with a mix of housing options"/>	

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

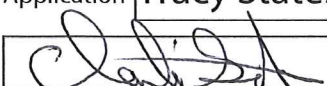
Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application <input type="text" value="Tracy States"/>	<small>Digitally signed by Tracy States Date: 2022.06.20 15:40:55 -06'00'</small>	Date <input type="text" value="June 20, 2022"/>
Signature of Legal Property Owner 		Date <input type="text" value="6/21/22"/>

General Project Report

CS Assets LLC Rezone

1313 Bunting Ave., Grand Junction, CO

Parcel No. 2945-123-20-001

June 20, 2022

Prepared for:

CS Assets LLC

218 Easter Hill Drive, Grand Junction, CO 81507

Prepared by:



215 Pitkin, Grand Junction, CO 81501

Grand Junction, CO 81506

Phone: (970) 241-4722

info@rccwest.com

A. Project Description

1) Location: The parcel is located at 1313 Bunting Avenue, on the corner of N. 13th Street and Bunting Avenue (Parcel No. 2945-123-20-001).

2) Acreage: The subject parcel contains approximately 0.21 acres.

3) Proposed Use: This submittal is for the Rezoning of the parcel from R-16 (residential high density) to MXR-3 (mixed used residential-3, low intensity). The future land use is Residential High (12 + DU/Acre). The MXR-3 (mixed use residential-3, low intensity) zone district is intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment. It is intended as a transition from mixed use center or corridor to the surrounding neighborhoods and is comprised of apartment, townhouse and civic building types. The proposed zoning has no maximum density cap and meets the intent of the 2020 Comprehensive Plan.

The applicant is making this request to take advantage of the more flexible setbacks due to the project corner lot location, creating a pedestrian friendly project without increasing the density.

B. Public Benefit

The proposed Rezone will provide an opportunity for mixed-use housing options needed to keep up with growth and demand for attainable housing.

C. Neighborhood Meeting

A neighborhood meeting was held virtually via a zoom meeting on Wednesday, June 22, 2022. A summary of the meeting is included with this submittal.

D. Project Compliance, Compatibility, and Impact

1) Adopted plans and/or policies:

The proposed Rezoning, in conjunction with the 2020 Comprehensive Plan, will comply with the adopted codes, plans and requirements for the property. The MXR-3 zoning is an appropriate district for the Residential High category of the Comprehensive Plan.

2) Land use in the surrounding area:

The uses contained within the surrounding area are a mix of large lot medium density residential, commercial uses along N. 12th Street and the Colorado Mesa University campus located within walking distance of the subject property. The proposed rezone is compatible with development in the surrounding area.

3) Site access and traffic patterns:

Not applicable for this submittal.

4) Availability of utilities, including proximity of fire hydrants:

The subject parcel is served by the following:

City of Grand Junction Water
City of Grand Junction Sewer
Grand Valley Irrigation Company
Xcel Energy (Gas & Electric)
City of Grand Junction Fire – Station 2
Spectrum/Charter
CenturyLink/Lumen

A Fire Flow Form will be obtained at the Preliminary/Final submittal stage.

5) Special or unusual demands on utilities:

There will be no unusual demand on utilities as a result of the Rezone.

6) Effects on public facilities:

The Rezone will have no adverse effect on public facilities.

7) Hours of operation:

Not applicable.

8) Number of employees:

Not applicable.

9) Signage:

Not applicable.

10) Site Soils Geology:

Not applicable.

11) Impact of project on site geology and geological hazards:

None are anticipated.

E. Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted

Section 21.02.070 (6) of the Zoning and Development Code:

General Approval Criteria. No permit may be approved unless all of the following criteria are satisfied:

(i) Compliance with the Comprehensive Plan and any applicable adopted plan.

The Rezone request is in compliance with the newly adopted 2020 Comprehensive Plan.

(ii) Compliance with this zoning and development code.

The Rezone request is in compliance with the zoning and development code.

(iii) Conditions of any prior approvals.

There are no conditions of prior approvals.

(iv) Public facilities and utilities shall be available concurrent with the development.

All public facilities and utilities will be available concurrent with the rezoning of this property.

(v) Received all applicable local, State and federal permits.

All applicable permits will be obtained for this project.

Section 21.02.140 Code amendment and rezoning:

(a) **Approval Criteria.** In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

(1) Subsequent events have invalidated the original premises and findings; and/or

Subsequent events have not invalidated the original zoning. The proposed MXR-3 zoning will allow for flexibility in future product to be offered.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The amendment would allow the continuation of mixed-use residential, attainable, quality housing and is consistent with the Comprehensive Plan.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Public and community facilities are existing and adequate and will support mixed-use residential development and are not affected as a result of the Rezone request.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

This parcel of land is adequately serviced by utilities and roadways. There is an inadequate supply of mixed-use residential development parcels in this area to meet demand.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The area will benefit with the development of mixed-use residential inventory and the extension of services.

F. Development Schedule

Not applicable for this submittal.

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) CS Assets LLC ("Entity") is the owner of the following property:

(b) 1313 Bunting Avenue, Grand Junction, CO

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Member for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) None

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: *Charlie Gechter*

Printed name of person signing: Charlie Gechter, Member

State of Colorado)

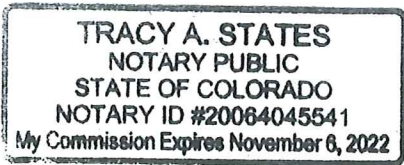
County of Mesa) ss.

Subscribed and sworn to before me on this 21st day of June, 2022

by Charlie Gechter, Member

Witness my hand and seal.

My Notary Commission expires on 11/06/2022



Tracy A. States
Notary Public Signature

RETURN RECORDED DOCUMENT TO:
CS Assets LLC, a Colorado Limited Liability Company
218 Easter Hill Drive, Grand Junction, CO 81507

Document Fee: **\$38.50**

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, dated 14th day of April, 2022, is made between **Maria Antonia Serafino-Noble** ("Grantor"), of the County of Mesa and the State of Colorado.

AND

CS Assets LLC, a Colorado Limited Liability Company ("Grantee"), of the County of Mesa and the State of Colorado, whose legal address is 218 Easter Hill Drive, Grand Junction, CO 81507.

WITNESS, that the Grantor(s), for and in consideration of **THREE HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$385,000.00)** and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of **Mesa** and State of Colorado, described as follows:

Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in Block 2 of DEVOE SUBDIVISION, County of Mesa, State of Colorado

ALSO KNOWN AS: **1313 Bunting Avenue, Grand Junction, CO 81501**

TOGETHER WITH, all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor(s), either in law or in equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the heirs, successors and assigns of the Grantee forever. The Grantor, for the Grantor and the heirs, successors and assigns or the Grantor, **warrants title to the same**, subject to ***the Statutory Exceptions***

EXECUTED AND DELIVERED by Grantor on the date first set forth above.

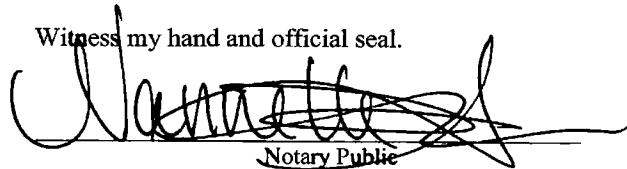

Maria Antonia Serafino-Noble

State of : **Colorado** }
County Of **Mesa** } ss.

The foregoing instrument was subscribed, sworn to, and acknowledged before me this **April 14, 2022**, by **Maria Antonia Serafino-Noble**

My Commission expires:

NANNETTE J. ALLEN-BROWN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20014031863
My Commission Expires October 14, 2025

Witness my hand and official seal.

Notary Public

****If tenancy is unspecified, the legal presumption shall be tenants in common (C.R.S. 38-31-101)**

After Recording Return To:
CS Assets LLC
218 Easter Hill Drive
Grand Junction, CO 81507

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named: CS Assets LLC
2. The Entity is a: Limited Liability Company
3. The Entity is formed under the laws of: Colorado
4. The mailing address for the entity is:

218 Easter Hill Drive
Grand Junction, CO 81507
5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

Wendi Gechter, Member
Charlie Gechter, Member
6. The authority of the foregoing person(s) to bind the entity: Not Limited
7. Other matters concerning the manner in which the entity deals with interests in real property: NONE
8. This Statement of Authority is executed on behalf of the Entity pursuant to the provisions of C.R.S. Section §38-30-172.

Executed this 31st day of March, 2022.

CS Assets LLC
Wendi Gechter
Wendi Gechter, Member of
CS Assets LLC, a Colorado Limited Liability Company

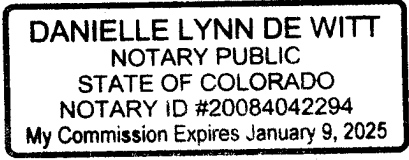
STATE OF: Colorado
COUNTY OF: Mesa

The foregoing instrument was acknowledged before me this 31st day of March, 2022, by Wendi Gechter as Member of CS Assets LLC, a Colorado Limited Liability Company.

Witness my hand and seal.

Danielle DeWitt
Notary Public

My commission expires:



LEGAL DESCRIPTION

**Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in
Block 2 of
DE VOE SUBDIVISION,
County of Mesa, State of Colorado**

**AFFIDAVIT
(Scrivener Error)**

THIS AFFIDAVIT FOR SCRIVENER ERROR ("Affidavit") is made pursuant to C.R.S. 38-35-109(5) and is given on **August 18, 2022** by **Susan J. Ottman** ("Affiant").

The Affidavit relates to that certain real property, together with the fixtures and improvements located thereon, if any, known as and now numbered **1313 Bunting Avenue Grand Junction, CO 81501** ("Property") and more particularly described as follows:

**Lots 1, 2, 3 and the West 10.9 feet of Lot 4 in
Block 2 of
DEVOE SUBDIVISION,
County of Mesa, State of Colorado**

Affiant, being first duly sworn upon oath, does hereby depose and state the following:

1. I have actual knowledge of the facts set forth herein and can and will testify in a court of competent jurisdiction regarding such facts.
2. Pursuant to that certain **General Warranty Deed** recorded on **April 14, 2022** at Reception No. **3027382**, the record owner of the Property at the time of recording of this Affidavit is :
CS Assets LLC, a Colorado Limited Liability Company
3. The instrument which contains a scrivener error to be corrected by this Affidavit is:
**Instrument: General Warranty Deed
Recording Date: April 14, 2022
Reception Number: 3027382**
4. The scrivener error to be corrected by this Affidavit is:
**The name of the subdivision has a grammatical error;
The correct subdivision name is:
DE VOE SUBDIVISION.**

MADE AND EXECUTED UNDER PENALTY OF PERJURY



Susan J. Ottman

STATE OF COLORADO

} ss.

COUNTY OF Mesa

The foregoing instrument was acknowledged before me this **August 18, 2022** by **Susan J. Ottman**.

My Commission Expires:

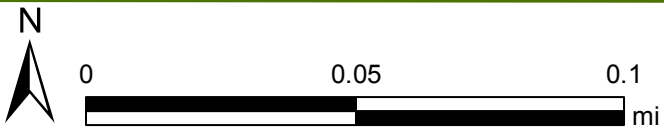
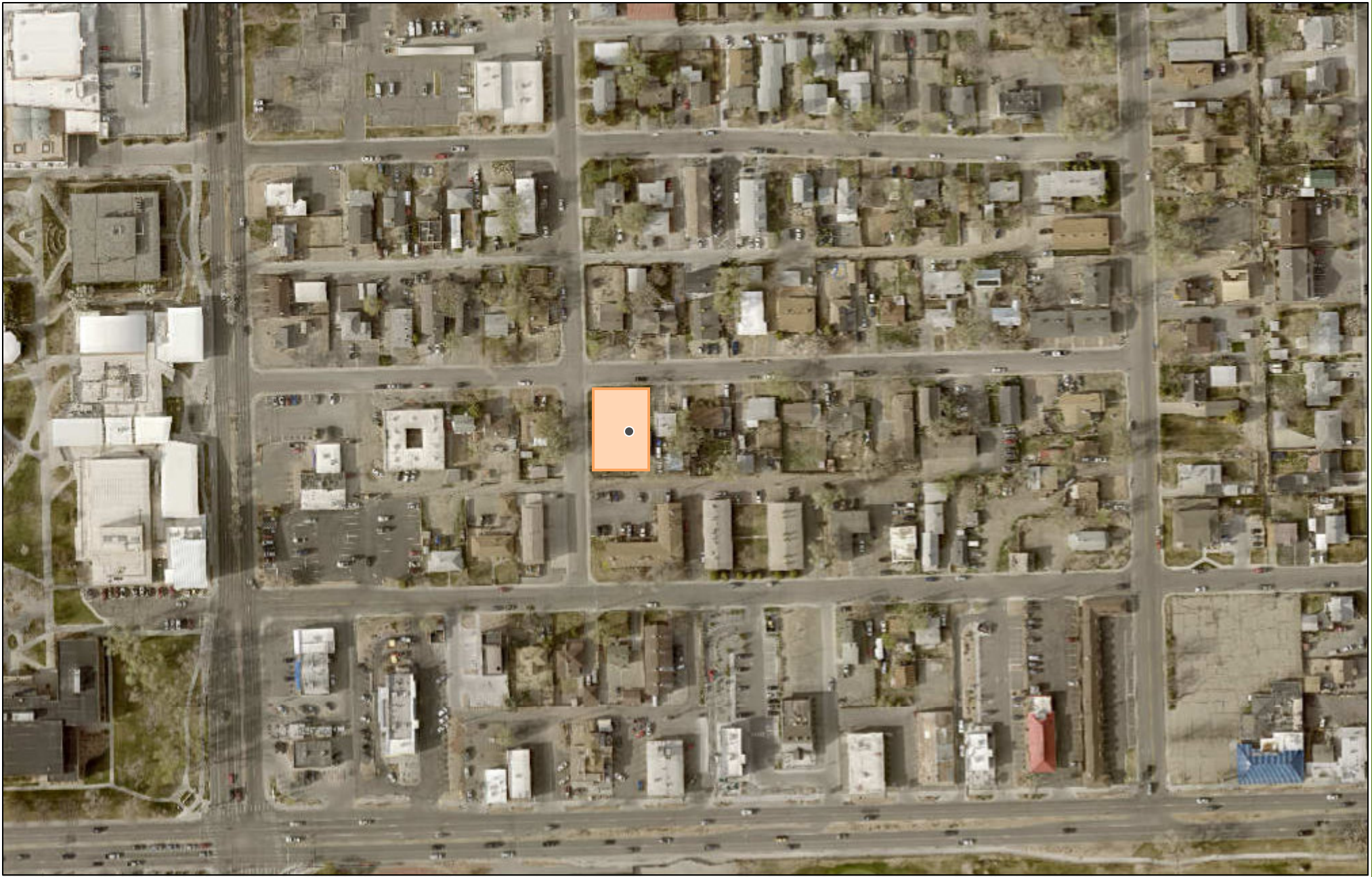
JAMIE ROBERTSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20194014275
My Commission Expires April 12, 2023



Notary Public

15936 cem

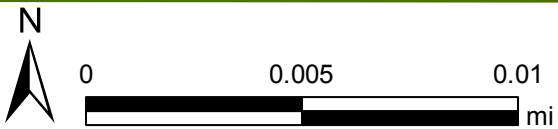
Vicinity Map



Printed: 9/5/2022

1 inch = 188 feet

Site Map

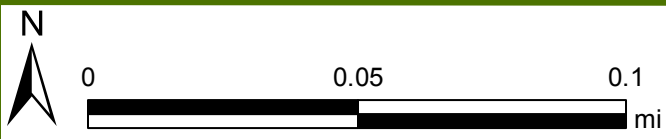


Printed: 9/5/2022

1 inch = 24 feet



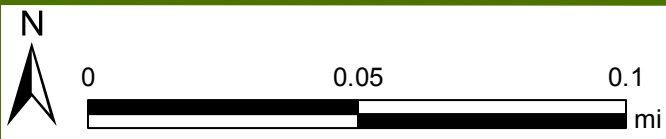
Comprehensive FLU Map



Printed: 9/5/2022

1 inch = 188 feet

Zoning Map



Printed: 9/5/2022

1 inch = 188 feet



**1313 Bunting Avenue, REZONE
(Parcel No. 2945-123-20-001)**

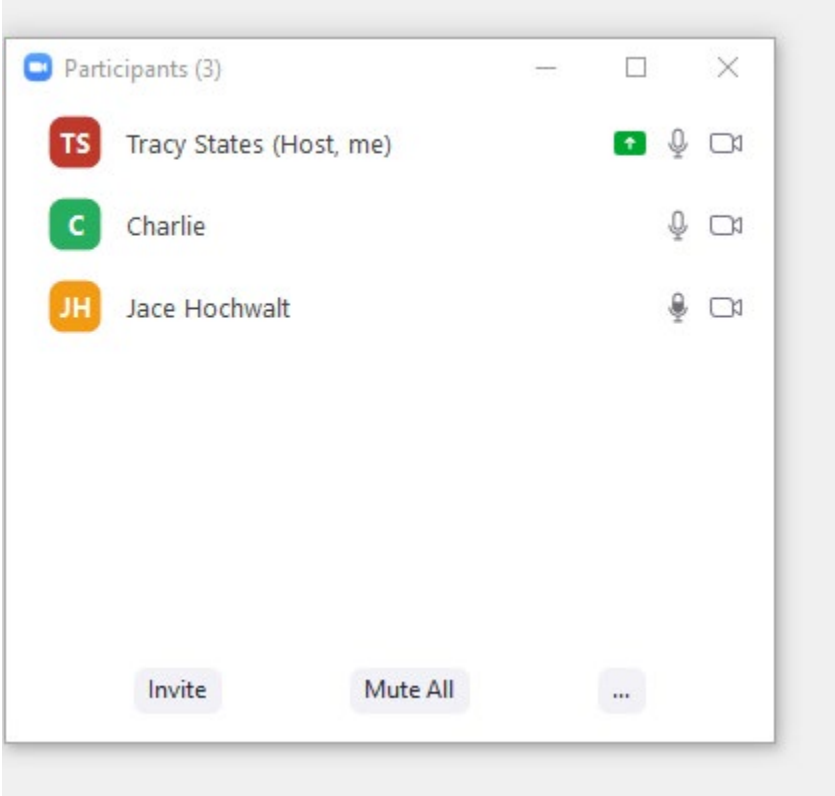
**SUMMARY OF VIRTUAL NEIGHBORHOOD MEETING
WEDNESDAY, JUNE 22, 2022, @ 5:30 PM
VIA ZOOM**

A virtual neighborhood meeting for the above-referenced Rezone, was held Wednesday, June 22, 2022, via Zoom, at 5:30 PM. The initial letter notifying the neighboring property owners within the surrounding 500 feet was sent on June 9, 2022, per the mailing list received from the City of Grand Junction. There were three attendees including Tracy States, Project Coordinator, with River City Consultants, Jace Hochwalt, Senior Planner with the City of Grand Junction, and Charlie Gechter, representing the developer. There was no one from the public in attendance.

The meeting began at approximately 5:30 PM. After it was determined that no one from the public was going to attend, Tracy shared with Jace and Charlie the maps that would have been presented and also a zoning summary of both the R-16 and the MXR-3 zone districts. It was discussed that the objective of the zoning change request was to be able to take advantage of the more flexible setbacks due to the parcel's location on a corner lot. Charlie also wishes to create a more pedestrian friendly product while not increasing the density. The parcel is located both in the University District, as well as being identified as a mixed-use area by the 2020 Comprehensive Plan.

It was also discussed that Tracy and Charlie would prepare a small presentation for the public hearings to convey the concept to the Commissioners and City Council members.

The meeting adjourned at approximately 5:45 PM.



Location Map



Printed: 6/22/2022
1 inch equals 94 feet
Scale: 1:1,128

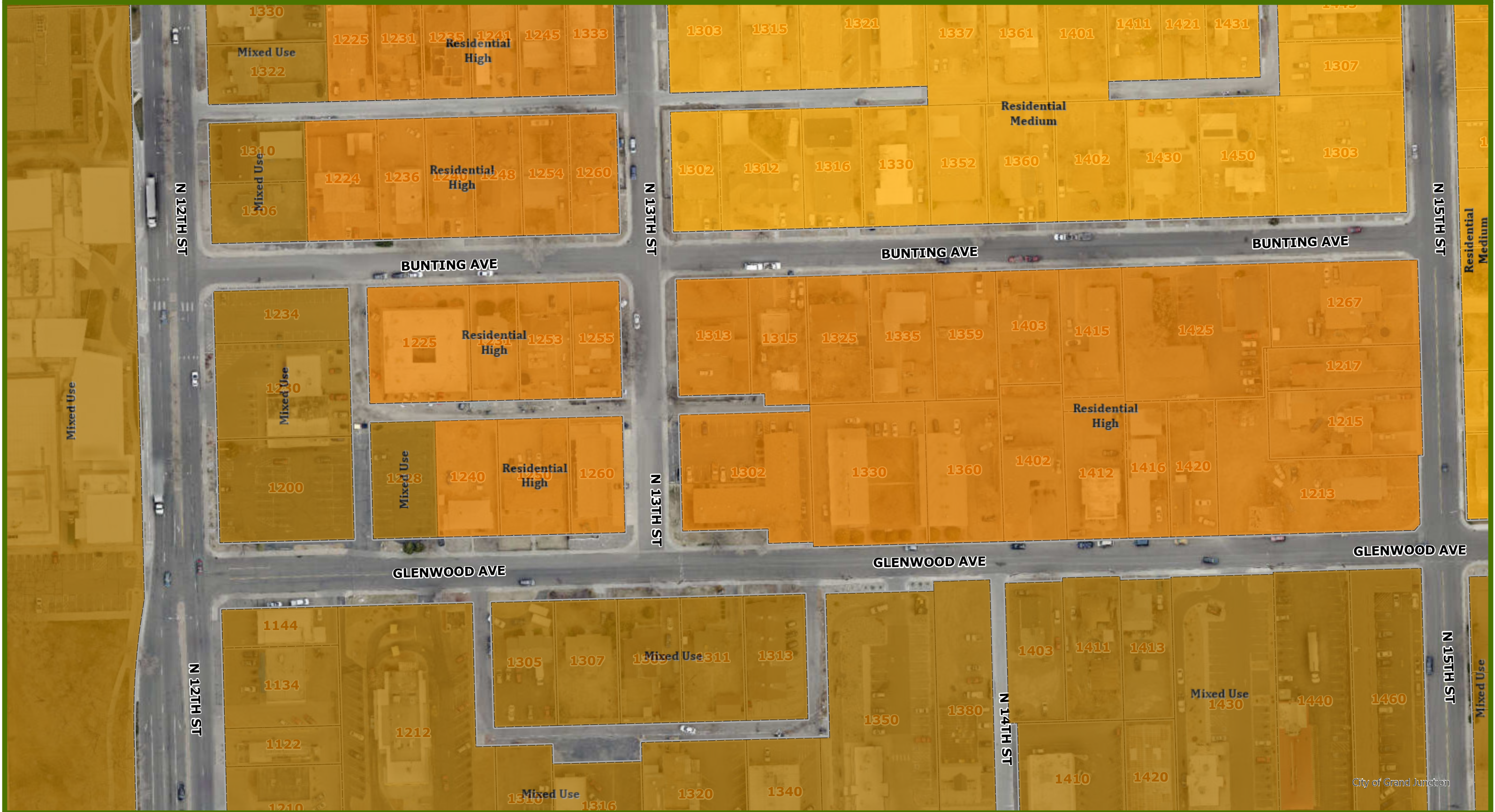


Zoning Map



Printed: 6/22/2022
1 inch equals 94 feet
Scale: 1:1,128

2020 Comprehensive Plan



Printed: 6/22/2022
1 inch equals 94 feet
Scale: 1:1,128

University District

The city's University District is the center of activity for students, faculty, and businesses associated with Colorado Mesa University.

Mix and Relationship of Uses

The University District should develop with a compact mix of residential and commercial uses contributing to an active and vibrant university area for students and faculty to live and easily access personal services, restaurants, retail, and entertainment. Concentrate active, ground floor retail and commercial uses along 12th street and North Avenue within a quarter mile of the CMU boundary. The area should include vertical mixed-use, with ground-floor commercial and multifamily or office above, as well as horizontal mixed-use with retail, restaurant and office uses adjacent to an array of different housing types.

MXG-3,
MXR-3,
MXOC

MXG-3, MXR-3, MXOC

LOT		HEIGHT	
Area (min. ft.²)	1,200	Ⓝ Stories (max.)	3
Ⓜ Unit width (min. ft.)	16	Ⓝ Feet (max.)	50
Lot coverage (max.)	75%	Ⓝ Ground story elevation (min. ft.)	1.5
FRONT SETBACK AREA		BUILDING FACADE	
Primary street (min./max. ft.)*	0/15	Ⓝ Street-facing entrance required***	yes
Side street (min./max. ft.)	0/15	ACCESSORY STRUCTURE SETBACKS	
REQUIRED STREET FACADE**		Ⓜ Separation from primary structure (min. ft.)	10
Ⓜ Primary street (min.)	75%	Ⓝ Side, interior (min. ft.)	5
Ⓜ Side street (min.)	35%	Ⓝ Side, street (min. ft.)	10
PARKING SETBACK		Ⓜ Rear (min. ft.)	5
Ⓜ Primary street (min. ft.)	30	ACCESSORY STRUCTURE HEIGHT	
Ⓜ Side street (min. ft.)	10	Ⓝ Stories (max.)	2
SIDE/REAR SETBACKS		Ⓝ Feet (max.)	30
Ⓜ Side, interior (min. ft.)	5	ALLOWED USE	
Ⓜ Rear (min. ft.)	10	Ⓜ All stories	Residential
		Ⓜ Accessory structure	Accessory uses, accessory dwellings

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	15	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	5.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	4	5.5	8	12	16	n/a
Cluster allowed	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Notes										
Note: Minimum lot area, lot width and lot frontage do not apply to two-family dwellings or multifamily.										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.										
R-5: Min. lot area civic - 20,000 sf.										
R-8: Min. lot area civic - 20,000 sf.										

R-16: Residential - 16.

- (1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-16 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.
- (2) Performance Standards.
 - (i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.
 - (ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure with 15 feet for the remainder of the principal structure.

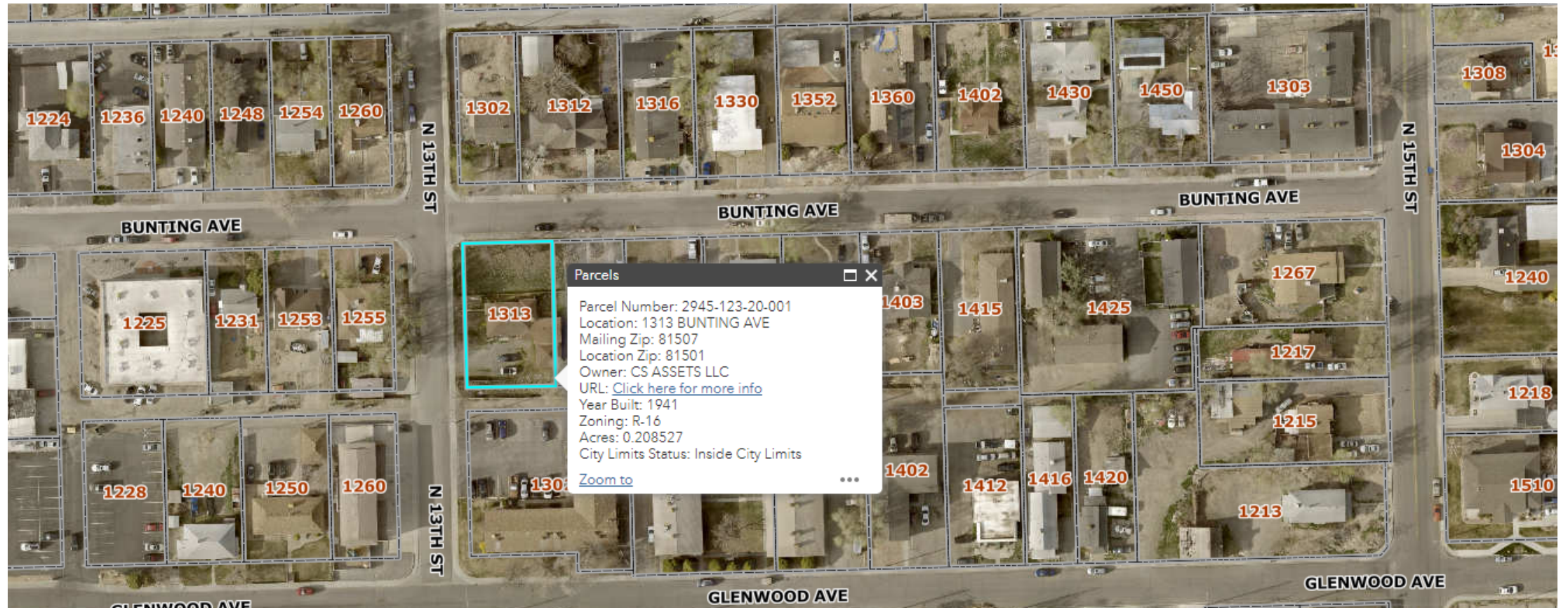
The MXR-3 (mixed use residential-3, low intensity) zone district is intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment. It is intended as a transition from mixed use center or corridor to the surrounding neighborhoods and is comprised of apartment, townhouse and civic building types.

CS Assets LLC Rezone – RZN 2022-471

Located at 1313 Bunting Ave., Grand Junction, CO

Owner/Applicant: CS Assets LLC

Representative: River City Consultants, Inc.



Existing Zoning R-16

R-16: Residential – 16.

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-16 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

The minimum density to be developed in the R-16 zone district is 12 dwelling units per acre. The maximum density allowed is 16 dwelling units per acre. The setbacks call for 15' from the front lot line (20' for the garage portion), 5' from the side lot line and 10' from the rear lot line. Under the existing zoning and because of right-of-way adjacent to the site, the site could accommodate between three and six units.

Proposed MXR-3 Zoning

Mixed Use Residential (MXR-3, -5, -8). The mixed use residential (MXR) districts are:

- (1) Intended to create residential neighborhoods with a mix of housing options in a pedestrian-friendly environment.
- (2) Divided into three intensities: low (MXR-3), medium (MXR-5), and high (MXR-8).
- (3) Intended as a transition from a mixed-use center or corridor to the surrounding neighborhoods.
- (4) Comprised of the apartment, townhouse and civic building types.

The main reason the MXR-3 zoning is being requested is due to the flexibility in setbacks, particularly the front and side street setbacks which for the principal structure is 0'. It is not intended to increase the allowed density. There is no maximum density in the MXR-3 zone district.

The applicant concurs with staff's findings and report. There was no public participation at the rezone neighborhood meeting. This brief presentation is to present the applicant's vision for the site in a visual manner.

Vision

The applicant is in the process of submitting a Pre-Application submittal. No apartments are planned for this site. The proposal will be for five, attached row homes with entries facing N. 13th Street and rear loading garages and parking, accessed by a drive aisle extending north from the alley adjacent to the south. Another neighborhood meeting will be held prior to a formal development submittal to share the proposal.

This use implements the intent of the proposed form district and the future land use of Residential High while still fitting in with the surrounding uses. A two-story apartment building is located directly south of the property on the south side of the alley. Another small apartment building is located on the corner of N. 13th Street and Glenwood Ave.



Examples













CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING LOT 1, 2, 3, AND THE WEST 10.9 FEET OF LOT 4 IN
BLOCK 2 OF
DE VOE SUBDIVISION LOCATED AT 1313 BUNTING AVENUE, GRAND JUNCTION
COLORADO FROM R-16 (RESIDENTIAL 16 DU/AC) TO MXR-3 (MIXED USE
RESIDENTIAL-3, LOW INTENSITY)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code ("Code"), the Grand Junction Planning Commission recommended zoning Lot 1, 2, 3, and the West 10.9 Feet of Lot 4, Block 2 of De Voe Subdivision to the MXR-3 (Mixed Use Residential-3, Low Intensity).

The Planning Commission found that the MXR-3 zoning is consistent with the Code, conforms to and is consistent with the Future Land Use Map designation of Residential High of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the MXR-3 (Mixed Use Residential-3, Low Intensity) zone district is in conformance with at least one of the stated criteria of §21.02.140 of the Code.

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

Lot 1, 2, 3, and the West 10.9 Feet of Lot 4 in Block 2 of De Voe Subdivision is and shall be zoned MXR-3 (Mixed Use Residential-3, Low Intensity) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 5th day of October 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

Amy Phillips
City Clerk

Anna M. Stout
President of City Council



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: October 5, 2022
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Introduction of an Ordinance Zoning Approximately 27.83 Acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation, Located at 2855 C ½ Road, and Setting a Public Hearing for October 19, 2022

RECOMMENDATION:

The Planning Commission heard this request at its September 27, 2022 meeting and voted (6-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, M & D Enterprises LLC is requesting a zone of annexation to CSR (Community Services and Recreation) for the C ½ Road Gravel Pit Annexation. The approximately 27.83 acres consists of one parcel of land located at 2855 C ½ Road. The property is undeveloped. The property is Annexable Development per the Persigo Agreement. The zone district of CSR is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan.

BACKGROUND OR DETAILED INFORMATION:

Annexation Request:

The Applicant, M & D Enterprises LLC is requesting annexation of approximately 27.83 acres consisting of one parcel of land located at 2855 C ½ Road. There is no road right-of-way included in the annexation. The subject property is vacant and is planned for gravel extraction and is currently being reviewed for a conditional use permit for a gravel pit. There are no existing residential dwellings on the property.

The property is Annexable Development per the Persigo Agreement. The Applicant is

requesting annexation into the City limits. Annexation is being sought in anticipation of the gravel extraction. The request for zoning will be considered by City Council with the annexation request.

The schedule for the annexation and zoning is as follows:

- Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use – September 7, 2022.
- Planning Commission considers Zone of Annexation – September 27, 2022.
- Introduction of a Proposed Ordinance on Zoning by City Council – October 5, 2022.
- Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council – October 19, 2022.
- Effective date of Annexation and Zoning – November 20, 2022.

Zone of Annexation Request:

The Applicant is requesting a zone district of CSR (Community Services and Recreation). The property is currently zoned in the county as RSF-R (Residential Single Family Rural – one dwelling per five acres). The proposed zone district of CSR is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan. The surrounding county zoning is generally RSF-R, a zone district that provides zoning for interim agricultural uses prior to urbanization that is expected by the Comprehensive Plan. Zoning will be considered in a future action by City Council and requires review and recommendation by the Planning Commission.

The annexation area has sewer service and all other urban amenities to the property providing the ability for urban land uses following gravel extraction and future reclamation of the property. It is located within Tier 1 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The comprehensive plan goal to “continue to allow responsible mineral and resource extraction and processing” supports the Applicant’s request of a zone of annexation of CSR. The Pear Park Neighborhood Plan supports gravel extraction for this property further supporting the requested zone of annexation to CSR which allows gravel extraction through a Conditional Use Permit.

The CSR zoning establishes the ability to extract the gravel in the land which is abundant in this area. When the extraction is complete, a required reclamation plan will allow for more urban uses that are allowed within the other zone districts that implement the Residential Medium Land Use category. It is expected that a future rezone to accommodate such urban uses will be applied for.

In addition to the CSR zoning requested by the petitioner, the following zone districts would also be consistent with the proposed Comprehensive Plan designation of Residential Medium (5.5 to 12 du/ac).

- a. R -8 (Residential – 5.5 to 8)
- b. R-12 (Residential – 8-12 du/ac)
- c. Mixed Use Residential (MXR-3)
- d. Mixed Use General (MXG-3)

e. Mixed Use Shopfront (MXS-3)

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held in-person on June 29, 2021, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were in attendance as well as seven members of the public.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on August 5, 2022. Mailed notice of the public hearing before Planning Commission in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on August 12, 2022. The notice of the Planning Commission public hearing was published August 16, 2022 in the Grand Junction Daily Sentinel.

Public comment was offered through the GJSpeaks.org platform and no public comments were received.

ANALYSIS

Zone of Annexation

The criteria for review are set forth in Section 21.02.140 (a) and includes that the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

(1) Subsequent events have invalidated the original premises and findings; and/or The property owners have petitioned for annexation into the City limits and requested zoning of CSR which is compatible with the Comprehensive Plan Land Use Map designation of Residential Medium (5.5 to 12 du/ac). Since the Applicant's properties are currently in the county, the annexation of the property is a subsequent event that will invalidate one of these original premises, a county zoning designation. However, staff has found this to not be enough justification and finds this criterion has not been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The character or condition of the area is changing with the further development of the C 1/2 Road area. The neighborhood is urbanizing with the construction of The Eddie, a multi-family and RV development to the west. Two convenience stores and one car wash have developed in the past few years a short distance to the north at the intersection of 29 Road and Riverside Parkway further introducing urbanization in the immediate area. However, infill development is also occurring throughout the Pear Park planning area and the C 1/2 Road area is in a prime location for urban infill to occur. However, with this zoning request to CSR allowing for the consideration of gravel extraction with a conditional use permit the immediate expected land use is not urban

infill development therefore this criterion has not been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Existing public and community facilities and services are available in close proximity to and can be extended into the annexation area. These services are sufficient to serve land uses associated with the proposed CSR zone district for this property, and the potential gravel operation. Water and sewer services are available. This property is within the Ute Water District service area. The area can be served by Xcel Energy for natural gas and Grand Valley Power for electricity.

The property is currently within the Persigo 201 Sewer Service Area and has an 8-inch sewer line in the C ½ Road right-of-way with available capacity to accommodate future development of this property.

This property is in the Grand Junction Rural Fire Protection District served by the Grand Junction Fire Department through an intergovernmental agreement between the City and the rural fire district. No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 4 at 2884 B ½ Road and from that location response times are within National Fire Protection Association guidelines. Fire Station 4 has the capacity to handle calls for service resulting from this annexation.

Pear Park Elementary School is approximately two miles to the east. The site is within the enrollment boundaries of East Middle School and Grand Junction High School. Two convenience stores with gas are located less than one mile to the north. Major goods and services can be found nearby on North Avenue two miles to the north and downtown Grand Junction is located less than two miles to the west.

Staff has found the public and community facilities are adequate to serve the type and scope of urban land uses in the future at such time the property is further urbanized, and existing public facilities can accommodate the commercial operation of gravel extraction in the near term. Therefore this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

The subject property and surrounding area are designated on the Comprehensive Plan Land Use Map as Residential Medium (5.5 to 12 du/ac). The proposed zoning designation of CSR meets the intent of permitting mineral extraction uses including gravel extraction to provide the needed gravel for a growing community.

For unincorporated areas of Pear Park surrounding this annexation, Mesa County has zoned the majority of the area as RSF-R, a zone district established as an interim zoning until the area is annexed by the city and urban development occurs supportive of the Comprehensive Plan. Much of the adjacent surrounding area in unincorporated Mesa County is agriculturally used and consisting of larger properties.

The Land Use Map defines much of the immediate half mile area around the subject property as Residential Medium and located in Tier 1 of the Intensification and Growth Tiers Map. Staff finds that the CSR zone district provides zoning that accommodates mineral extraction of a gravel resource needed for the urbanization of the community with the future reclamation of the site as urban land uses supported by the Pear Park Neighborhood Plan and the 2020 One Grand Junction Comprehensive Plan. Therefore, staff finds this criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Annexation and zoning of the properties will create additional land within the City limits for city growth and as a first step it helps fill in the larger patchwork of unincorporated area that is adjacent to the City limits. The property is located within Tier 1 of the Intensification and Growth Tiers Map found in the 2020 One Grand Junction Comprehensive Plan. Tier 1 is an Urban Infill Area as defined in the Comprehensive Plan where services already exist and generally meet service levels and where the focus is on intensifying residential and commercial areas through infill and redevelopment. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides for mineral extraction, of known gravel resources identified in the Pear Park Neighborhood Plan, on the property through a conditional use permit and a future reclamation plan for the site that can accommodate urban residential and other appropriate land uses.

The mineral extractive uses are supported and encouraged by the Comprehensive Plan goal to “continue to allow responsible mineral and resource extraction and processing” and the Pear Park Neighborhood Plan’s support for gravel extraction for this area of C ½ Road. Therefore, staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Though the R-8 and R-12 zone districts as well the MX-R-3, MXG-3 and MXS-3 zone districts could be considered in a Residential Medium Land Use area, the CSR zone district is consistent with the recommendations of the Comprehensive Plan and provides the ability for gravel extraction as a use with a conditional use permit.

Consistency with Comprehensive Plan

Further, the zoning request is consistent with the following chapters, goals and principles of the Comprehensive Plan:

Chapter 2

Plan Principle 2: Resilient and Diverse Economy, Goal: Promote Business Growth for a Diverse and Stable Economic Base through support of Mineral Extraction. Continue to allow responsible mineral and resource extraction and processing as well as businesses that support these industries.

Plan Principle 3: Responsible and Managed Growth, Goal: Support fiscally responsible growth and annexation policies that promote a compact pattern of growth...and encourage the efficient use of land. Goal: Encourage infill and redevelopment to leverage existing infrastructure.

Chapter 3, Intensification and Tiered Growth Plan. Subject property is located within Tier 1 where the focus is on intensifying residential and commercial areas through infill and redevelopment. In Tier 1, the City should promote the annexation of those parcels which are surrounded by, and or have direct adjacency to, the City limits of Grand Junction. Annexation and development of these parcels will provide development opportunities while minimizing the impact on infrastructure and City services.

The Pear Park Neighborhood Plan supports gravel extraction for this property further supporting the requested zone of annexation to CSR which allows gravel extraction through a Conditional Use Permit.

Relationship to Existing Zoning. Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation.

- Guide future zoning changes. Requests for zoning changes are required to implement the Comprehensive Plan.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the C ½ Road Gravel Pit Zone of Annexation, ANX-2021-613 request for the properties located at 2855 C ½ Road from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation), the following findings of facts have been made:

1. The request conforms with Section 21.02.140 of the Zoning and Development Code.
2. The request is consistent with the vision (intent), goals, and policies of the Comprehensive Plan.

Therefore, Planning Commission recommends approval of the request.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as future development and related construction may have direct fiscal impact depending on type of use.

SUGGESTED MOTION:

I move to introduce an ordinance zoning the C ½ Road Gravel Pit Annexation to CSR (Community Services and Recreation) zone district, from Mesa County RSF-R (Residential Single Family Rural) and set a public hearing for October 19, 2022.

Attachments

1. Development Application

2. Annexation Schedule - Table - C 1-2 Road Gravel Pit Annexation
3. C 1-2 Road Gravel Pit Annexation Plat-Annexation Plat
4. Maps and Photos - C 1-2 Rd Gravel Pit Annex
5. Public Comments Received
6. ORD-C.5 Zoning 092222



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below **only** for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location:

Site Acreage:

Site Tax No(s):

Site Zoning:

Project Description:

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

STATEMENT OF AUTHORITY

This Statement of Authority concerns an entity named:

M&D Enterprises LLC
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

The type of entity is: LLC

The entity is formed under the laws of the State of Colorado

The mailing address for the entity is: 2323 River Road
Grand Junction CO 81505

The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

Andrew Azcarraga; Donna Azcarraga, member
Martin Azcarraga, member

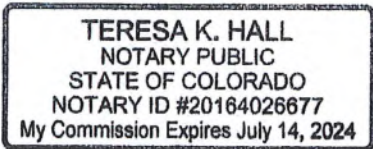
The authority of the foregoing person(s) to bind the entity is (not limited) (limited as follows):

Andrew Azcarraga; Donna Azcarraga; Martin Azcarraga

Other matters concerning the manner in which the entity deals with interests in real property:

2855 Ck Road
Grand Junction CO 81501

Executed this 15th day of June, 2021



Donna Azcarraga
Signature (Type or Print Name Below)
Donna Azcarraga

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 15th day of June, 2021, by Donna Azcarraga (insert name of individual) as Secretary/Treasurer (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for M&D Enterprises (insert name of corporation or LLC).

Witness my hand and official seal.
My commissioner expires: July 14, 2024

Teresa K. Hall
Notary Public



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For:

Please fill in blanks below **only** for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation <input type="text" value="Agricultural"/>	Existing Zoning <input type="text" value="RSF-R"/>
Proposed Land Use Designation <input type="text" value="Gravel/sand Extraction"/>	Proposed Zoning <input type="text" value="CSR"/>

Property Information

Site Location: <input type="text" value="2855 C 1/2 Road"/>	Site Acreage: <input type="text" value="25.2"/>
Site Tax No(s): <input type="text" value="2943-194-00-248"/>	Site Zoning: <input type="text" value="RSF-R"/>
Project Description: <input type="text" value="Creation of gravel extraction pit; annexation to City of GJ, zone to CSR + CUP"/>	

Property Owner Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Representative Information

Name:

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

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Martin Azcarraga, member

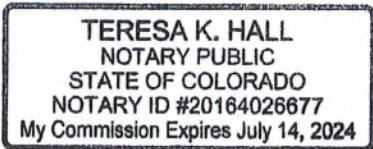
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Grand Junction CO 81501

Executed this 15th day of June, 2021



Donna Azcarraga
Signature (Type or Print Name Below)
Donna Azcarraga

STATE OF COLORADO)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 15th day of June, 2021, by Donna Azcarraga (insert name of individual) as Secretary/Treasurer (insert office held or role (President, Vice President or member, manager or managing member for LLCs) for M&D Enterprises (insert name of corporation or LLC).

Witness my hand and official seal.
My commissioner expires: July 14, 2024

Teresa K. Hall
Notary Public

Location Map – 2855 C 1/2 Road – Request for Annexation of Property



**C ½ ROAD GRAVEL PIT ANNEXATION
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 2855 C ½ Road
Tax ID # 2943-194-00-248

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, Township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

Said parcel containing an area of 25.22 +/- Acres, as herein described.

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, "C ½ Road Gravel Pit Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Andrew Azcarraga, Vice President (Title), M & D Enterprises LLC, of lawful age, being first duly sworn, upon oath, deposes and says:

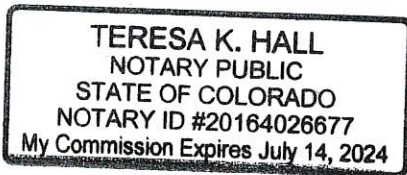
That they are the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Andrew Azcarraga
Andrew Azcarraga
Title: Vice President
M & D Enterprises LLC

Subscribed and sworn to before me this 7th day of September, 2021.

Witness my hand and official seal.



Teresa K. Hall
Notary Public

2420 Wintergreen Drive
Address
Grand Junction, CO 81506

My commission expires: July 14, 2024

Andy Azcarraga

Andrew Azcarraga
(Print Name)

Title: Vice President

M & D Enterprises LLC

Andy Azcarraga
SIGNATURE

9-7-21
DATE

(C ½ Road Gravel Pit Annexation Petition)

**C ½ ROAD GRAVEL PIT ANNEXATION
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Andy Azcarraga

Andrew Azcarraga
(Print Name)

Title: Vice President
M & D Enterprises LLC

Andy Azcarraga
SIGNATURE

9-7-21
DATE

(C ½ Road Gravel Pit Annexation Petition)

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

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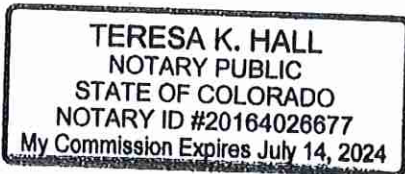
That they are the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Andrew Azcarraga
Andrew Azcarraga
Title: Vice President
M & D Enterprises LLC

Subscribed and sworn to before me this 7th day of September, 2021.

Witness my hand and official seal.



Teresa K. Hall
Notary Public

2420 Wintergreen Drive
Address
Grand Junction, CO 81506

My commission expires: July 14, 2024

**General Project Report
2855 C ½ Road – Gravel Pit
Annexation/Zoning/CUP Submittal**

Project Description (Location, Acreage, Proposed Use):

The purpose of this submittal is to obtain approval from the City of Grand Junction and applicable agencies to construct a gravel pit with associated parking and landscaping. The location of the project site is depicted below:



The 2855 C ½ Road property consists of approximately 25.23 acres. The applicant proposes to annex the property into the City of Grand Junction with a rezone from RSF-R (Residential Single Family – Rural) to CSR (Community Services and Recreation) to allow a gravel extraction operation. A conditional use permit (CUP) will be required after the annexation and rezone in order to move forward with the gravel pit. According to the 2020 Comprehensive Plan, the property is in a residential medium density area, which would allow for CSR. The property consists of agricultural land with a covering of native grasses. It should be noted that the applicant intends to return the property to residential use after the implementation of the 10-year gravel extraction operation.

Surrounding Land Uses and Zoning:

The following adjacent properties are zoned accordingly:

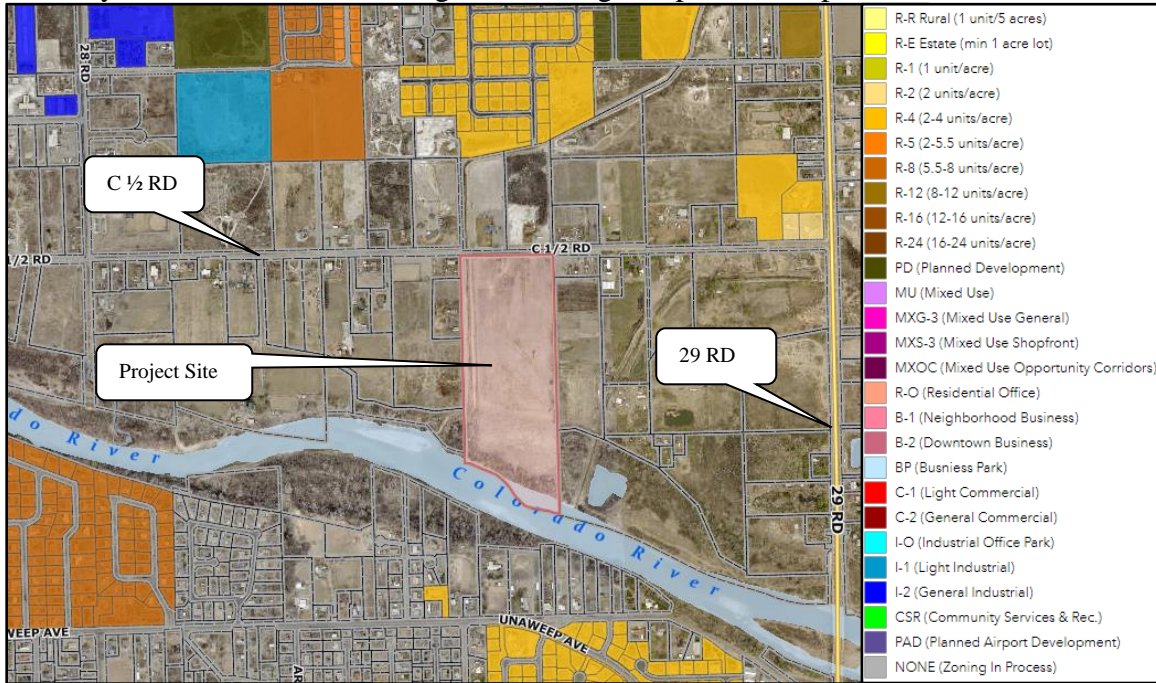
DIRECTION	ZONING	CURRENT LAND USE
North:	RSF-R	Residential
South:	N/A	Colorado River
East:	RSF-R	Residential/Agricultural
West	RSF-R	Residential/Agricultural

General Project Report

2855 C ½ Road – Gravel Pit

Annexation/Zoning/CUP Submittal

The City of Grand Junction zoning surrounding this parcel is depicted below:



Current City of Grand Junction Zoning

Site Access:

Access to the property is gained from a single-family gravel driveway in the middle of the north edge of the property. It provides access to the existing single-family structure on-site. A rebuild of the driveway to meet anticipated access requirements will be part of this project.

ROW/Easements:

C ½ Road is a minor collector street with 52’ of required ROW. The existing ROW is 40’ from the subject property line to the opposite property line at approximately the center of pavement. A 14’ multi-purpose easement is given along the street frontage.

The Active Transportation Corridor map shows a trail on the west side of the parcel and another one near the river at the southern edge of the property. Easements will be granted for these trails as a condition of approval.

Utilities:

All utility services required for this project are currently located on, or adjacent to, the project site.

Sanitary Sewer: There is an existing 8” VCP sanitary sewer line that runs along C ½ Road fronting the property. This project will not need to tap into the system as there will be no new buildings constructed on the property.

Domestic Water: Ute Water services the area and a water main is located along C ½ Road.

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Stormwater & Drainage: The site is within Grand Valley Drainage District and currently drains south toward the Colorado river. A storm conduit drainage ditch runs southerly along the western edge of the property (US Structure # C2-282-009) before emptying into the Colorado River. Permanent water quality control and stormwater BMPs are provided within the site plan. Additionally, the gravel excavation operation will serve as a retention pond during and after construction.

Irrigation Water: No change to irrigation is anticipated with this project.

Dry Utilities: Electrical service and gas are provided by Grand Valley Power.

Parking:

The design number of spaces for parking was taken from the city off-street required parking. For this site parking can be provided by a “low-traffic storage yard” because the average daily trips for the site is 15, and a “low-traffic storage yard” is classified as less than 30 average daily trips.

Use Category	Quantity	Spaces required	Spaces required
Mining	3 employees 12 vehicles	1 per employee 1 per vehicle	15

Response to Development Regulations 21.04.30 (k) Use Specific Standards: Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants

(1) *Purpose.* The purpose of this subsection is to establish reasonable and uniform limitations, safeguards and controls to wisely utilize natural resources and to reclaim mined land.

(i) *Gravel extraction and/or processing activities should occur on parcels of sufficient size so that extraction and reclamation can be undertaken while still protecting the health, safety and welfare of the citizens.*

Response: The parcel is large enough that all activities can take place within the buffer required by these regulations.

(ii) *Where gravel extraction and/or processing is adjacent to zoning or land uses other than I-1 or I-2, mining, handling and batch processing activities may be restricted, buffering may be required and/or disturbance/reclamation may be accelerated to be compatible with the adjacent zone or use.*

Response: Buffers have been added to the site plan to determine where gravel extraction/processing is allowed to take place. These buffers are based on the locations of the property lines, adjacent residences, and waterways.

(2) *Procedure.*

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(i) Commercial extraction of mineral deposits shall not begin or occur until an excavation and land reclamation plan have been approved in writing by the Colorado Mined Land Reclamation Board.

Response: A Construction Materials Regular 112 Operation Reclamation Permit will be requested from the State of Colorado after a determination is made by Mesa County to issue a Conditional Use Permit (CUP). The CUP is required before the 112 Permit can be issued. The applicant also wants assurance that a CUP can be issued before moving forward with the project and submitting the 112 Permit to the State of Colorado.

(ii) A plan approved as part of a CUP and/or a reclamation/development schedule being followed under previous regulations fulfills this requirement.

Response: An excavation and rehabilitation plan meeting the above requirement is included with this submittal application.

(iii) Asphalt, cement and/or other batch plant operations shall be subject to CUP requirements.

Response: There will be no batch plants for this project.

(iv) A plan for a use under this subsection shall contain, in addition to those relevant requirements outlined for a CUP, the following:

(A) Detailed description of the method of extraction and reclamation to be employed, including any necessary accessory uses such as, but not limited to, crushers, batch plants and asphalt plants;

Response: Of the total 25.2-acres within the project, 18.3-acres will be mined for sand and gravel. The site will be mined in one phase encompassing the entire 18.3-acres.

The sand and gravel pit operations will have screening, crushing, and conveying equipment for the gravel processing in addition to the trackhoes and front-end loaders.

Earthwork operations will begin at the south end and move to the north end of the site. Appropriate buffers for the Colorado River are accounted for. The topsoil will be removed and stockpiled in berms around the perimeter of the excavation site. Next, the sands and gravel will be mined using trackhoes, front-end loaders, and bulldozers. To process the sand and gravel, screens and crushers located near the center of the project area will be utilized. Once the materials are processed, they will be piled onsite or loaded into trucks and trucked offsite. Given the high water table, material stockpiles will be established to allow for drying. After the sand and gravel have been removed, the area will be backfilled and compacted

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using the stockpiled overburden material, the overburden from the next mining area, and imported fill materials. The project area will be regraded to reflect the final grades depicted on the reclamation plan.

(B) An extraction plan showing the areas to be mined, location of stockpile area, location of structures, general location of processing equipment, with accompanying time schedules, fencing if applicable, depth of deposit, tons in the deposit and other pertinent information;

Response: The proposed site plan drawings, included with this conditional use permit application, depicts the items requested above. The gravel mining process will be completed in one phase lasting approximately ten years, depending on market conditions. Reclamation of the site will be completed no more than 2 years after sand and gravel mining termination. The additional two years is required to deplete all stockpiled sand and gravel and complete reclamation efforts.

Stockpiled materials and sand/gravel processing areas will generally be in the center of the project site.

According to the US Department of Agriculture, Department of Natural Resource Conservation Service (NRCS), the overburden soil in the north half of the property consists of a silty clay loam, and has been used for agricultural purposes in the past. The overburden soil at the southern half of the property consists of a clay loam with low salinity. Vegetation on the project site consists of Siberian elm, Russian knapweed, chicory, Russian thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. See the wetland delineation for a more detailed list of vegetation. Several of these plants are listed on the State of Colorado's noxious weed list.

(C) A detailed reclamation plan showing proposed reclamation with time schedules including, but not limited to, finish contours, grading, sloping, placement, and amount and type of revegetation, post-extraction land use plans and any other relevant information;

Response: A reclamation plan drawing, included with this conditional use permit application, depicts the information requested above. The reclamation for the site will be completed approximately 12 years after the start of sand and gravel mining operations.

The reclamation proposed for the project site is to return the project site to its original condition for consideration as a future residential development. The applicant is considering a 5-lot subdivision (1-acre minimum for CSR), but that specific decision has yet to be determined. Properties adjacent to this project are zoned for residential uses, and the future zoning of this parcel as Residential Medium appears to support CSR.

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In general, reclamation of the site will consist of backfilling and compacting the sand and gravel mined area with the onsite overburden material and imported fill. The site will be regraded in accordance with the reclamation plan, which is essentially the original site condition. However, a 9-acre retention pond will be constructed in the middle of the property to address drainage issues associated with the project site.

Once all sand and gravel have been mined and stockpile materials are depleted, the 25.2-acre site will be fine graded to the final contours proposed on the reclamation plan map. All internal site gravel haul roads will be eliminated. The site will have a slight gradient to the south, with no slopes greater than 1%. The US Department of Agriculture, Natural Resource Conservation Service (NRCS), indicates the existing site soils are fair to poor topsoil. The Mesa County Revegetation Guide recommends the site be revegetated using a mix of Western wheatgrass, Intermediate wheatgrass, Smooth Brome, and Perennial Rye applied at 7.4 lbs. per acre if drilled, and 14.7 lbs. per acre if broadcast. This mix does not require irrigation.

(D) Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application;

Response: Drawings identifying the existing conditions and reclamation plan, included with this conditional use permit application, are attached which depict the information requested. The slope on the existing site is approximately 0.5% to the south. The slope of the land after reclamation will be approximately 0.5% to the south side of the property.

(E) Type, character, and density of proposed vegetation both during excavation and as a component of rehabilitation;

Response: The existing site is approximately 70% covered with vegetation. The vegetation on the site consists of Siberian elm, Russian knapweed, chicory, Russian thistle, cheatgrass, bindweed, kochia, Russian olive, cottonwood, and tamarisk. Much of the vegetative cover is classified as noxious. The type of vegetation for reclamation will be dictated by the Mesa County Revegetation Guide.

(F) The operator's estimated cost at each of the following segments of the reclamation process, including where applicable, backfilling, grading, reestablishing topsoil, planting, revegetation management, irrigation, protection of plants and soil prior to vegetation establishment and administrative cost;

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Response:

ITEM	QUAN	RATE	TOTAL
Grading	LS	\$ 8,000	\$8,000
Planting	6 acres	\$350	\$2,100
Revegetation Management	6 acres	\$50	\$300
Total Estimated Cost			\$10,400

(G) A drainage plan and report prepared by a Colorado registered professional engineer with consideration of natural drainage, drainage during excavation and drainage after reclamation such that the proposed reclamation and excavation will have no adverse effect in excess of natural conditions. Where applicable, the Director may require a floodplain permit (see GJMC [21.07.010](#), Flood damage prevention);

Response: A drainage report has been prepared and is included with this conditional use permit application request. The site will be utilize onsite retention.

(H) Traffic analysis, which reviews road capacity and safety conditions/considerations for and within the neighborhood, as that term may be defined and applied by the Director. The Director may reduce or enlarge the neighborhood to be analyzed upon a finding of a hazard or hazardous condition. The traffic analysis shall generally conform to and address TEDS standards (GJMC Title 29) and shall include but not be limited to ingress/egress, parking and loading, on-site circulation, number of trucks per day and the capacity of roads, streets, bridges, intersections, etc.;

Response: A traffic analysis review plan has been prepared and is included with this conditional use permit application request. Access for the site will be from C 1/2 Road only.

(I) An erosion control plan for runoff and wind-blown sediments shall be provided for the mining operation and the reclamation;

Response: A Stormwater Management Plan (SWMP) is attached as a condition of approval.

(J) Additional information that is required because of unique site features or characteristics may be required by the Public Works and Planning Departments; and

Response: There are no unique features currently identified on this project site.

(K) Upon approval, the excavation and reclamation plans shall be filed with the City and recorded with the Mesa County Clerk and Recorder. Any change in

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excavation or reclamation plan shall be prohibited unless amended through the conditional use permit process.

The excavation and reclamation plans will be filed with the City and recorded with the Mesa County Clerk and Recorder upon approval.

(3) *Standards.*

(i) Mineral extraction, washing, crushing, cement and asphalt batch planting and other mined products related uses shall be subject to an approved excavation permit, well permit, air pollution permit, reclamation plan and any and all other permits, certifications or requirements of the State or federal agencies having jurisdiction as required;

Response: A sand and gravel mining permit will be acquired as part of this project.

(ii) Excavation or deposit of overburden is not permitted within 30 feet of an abutting parcel, an easement, an irrigation ditch or canal or right-of-way unless by written agreement of the owner of such property, easement, irrigation ditch, canal or right-of-way;

Response: A setback of 30-ft will be provided at the locations specified above.

(iii) Excavation within 125 feet of an existing residence is not permitted unless by written agreement of the owners and occupants of the residence. No rock crushing, asphalt/cement plant or other similar equipment or operations shall take place any closer than 250 feet of a residence. The Planning Commission may require a greater distance if the operation is abutting a residential zone district. Excavation, loading, handling, processing and batch operations adjacent to residentially zoned parcels shall not exceed 65 decibels at the property line of any adjacent parcel;

Response: There are three residences adjacent to the property. A minimum 250-ft buffer will be provided between each residence and all rock crushing activities, and a minimum 125-ft buffer for all mining activities.

(iv) At a minimum, 100 feet greenbelt setback shall be provided from jurisdictional wetlands or navigable watercourses as the same are defined by the U.S. Army Corps of Engineers (USACE). The Director upon recommendation and consent of the USACE may vary this standard;

Response: A 100-ft greenbelt setback is provided from the Colorado River along the southern edge of the property.

(v) Existing trees and vegetation shall, to the extent practicable, be preserved and maintained in the required setback to protect against and reduce noise, dust and erosion. The Director may require vegetative screening and/or buffering in

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accordance with this code in order to minimize the impact to dissimilar adjacent uses or zoning districts;

Response: The existing trees and vegetation in the greenbelt setback will be left in place.

(vi) The owner or operator shall submit a traffic analysis;

Response: A traffic analysis has been prepared and is included with this submittal.

(vii) The Director of Public Works may place restrictions on right-of-way use after review of the traffic analysis. Restrictions may include but are not limited to the owner or operator being responsible for the extraordinary upgrade and maintenance of the designated haul route;

Response: A haul road plan has been included with this submittal. Access to and from the project site will be from C 1/2 Road only.

(viii) Streets, bridges and highways designated as haul route shall be maintained by the owner/operator in a reasonably clean condition. This may include, depending on local conditions, watering, oiling, or sweeping as determined by the Director;

Response: C 1/2 Road and 28 Road will be maintained by the owner/operator in a reasonably clean condition.

(ix) Hours of operation shall be restricted to 6:00 a.m. to 6:00 p.m. The Director may authorize different hours; however, the Director may also restrict as part of the CUP the hours of operation near residential or urbanized areas;

Response: The planned hours of operation are 7:00 a.m. to 5:30 p.m.

(x) In no event shall a slope of steeper than 2:1 be left for dry pits. A pit with a slope of 3:1 or steeper shall not exceed a depth of 10 feet. The floor of excavation pits, whether wet or dry, shall be left in a suitable condition;

Response: The excavation of the gravel pit will follow these guidelines.

(xi) The owner/operator shall not excavate, store overburden or mined material or dike the property in such a manner as to increase any drainage or flooding on property not owned by the operator or damage public facilities and/or property;

Response: There is no offsite drainage onto the property, and all runoff occurring within the property will be contained in earth berms at the edge of the site.

(xii) Prior to starting operation, where the operation is adjacent to subdivided and/or developed commercial or residential property, the Director may require

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buffering and/or screening. Required fencing, screening and/or buffering shall not be removed until reclamation has been completed;

Response: The site will have a minimum buffer of 30' around the entirety of the property, and will also follow the required excavation and crushing buffers.

(xiii) After mining has been completed, the site shall not to be used to stockpile sand and/or gravel except in I-1 and I-2 with a CUP. In any event the owner/operator is to reclaim the site as rapidly as possible;

Response: Once mining is complete all processed materials will be removed and the site will be reclaimed.

(xiv) Operations shall comply with the noise, vibration and other applicable standards and requirements of this code. If there are conflicting or competing provisions in this code, the most stringent shall apply;

Response: Operations will work within the applicable standards in the City of Grand Junction Zoning and Development Code.

(xv) All air emissions shall comply with standards established by the Mesa County Health Department, State Health Department and Colorado Air Quality Control Commission;

Response: This project will comply with all applicable standards.

(xvi) All water use and/or discharge shall conform to standards established by law and administered by the Environmental Protection Agency (EPA), the Colorado Department of Public Health and Environment (CDHPE), the City of Grand Junction and the Mesa County Health Department;

Response: This project will not directly discharge any water from the site.

(xvii) All slopes shall be stabilized. Land remaining at the natural water level must be revegetated in a manner compatible in type as/with the immediately prevailing area. Revegetation plans are required and shall minimally meet the standards of the Colorado Mine Land Reclamation Board;

Response: A reclamation plan is included with this submittal, and revegetation will take place as dictated in the Mesa County Revegetation Guide.

(xviii) All disturbed areas shall be revegetated in accordance with the vegetation plan;

Response: All vegetation shall be according to the Mesa County Revegetation Guide.

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(xix) Following initial revegetation efforts, the revegetated area shall be maintained for a period of three years or until all vegetation is firmly established in the reclamation area;

Response: The reclaimed area will be monitored to ensure that vegetation is established.

(xx) A timetable for reclamation shall be placed on each project. Time lines, including but not limited to milestones, if any, shall be dependent upon the type and size of reclamation effort;

Response: Reclamation shall be completed approximately two years after mining operations are complete.

(xxi) Proof of a reclamation bond shall be submitted, along with the required reclamation plan;

Response: A reclamation plan has been included with this submittal, and proof of a reclamation bond will be included as part of the conditions of approval.

(xxii) A development schedule shall be submitted describing the life span of the project in years (ranges are acceptable) and, if applicable, the years per phase;

Response: The mining will take place in one phase lasting approximately ten years. Reclamation is expected to be completed two years after mining is completed.

(xxiii) If the development schedule is not met the conditional use permit:

(A) May be revoked;

(B) The Director may grant a two-year extension per request;

(C) The Planning Commission shall have the power, after hearing, to revoke any conditional use permit for any violation;

(D) Upon at least 10 days' written notice to the owner, the Planning Commission may hold a hearing to determine the nature and extent of the alleged violation, and shall have the power, upon showing of good cause, to revoke the permit and the plan and to require reclamation of the land;

(E) If not extended or revoked, a new application and extraction plan will need to be submitted and reviewed in the manner described in this subsection;

(F) An extension request shall provide information in writing detailing the reasons for the request. The Director shall consider the stated reasons, as well as

General Project Report
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the extent conditions have changed in the area, if any, before granting an extension;

(G) If a written request to extend the development schedule is submitted to the Director it shall include but not necessarily be limited to the factors and reasons for the requested extension. New conditions may be imposed as a part of the granting of an extension. New conditions, if any, may be appealed to the Planning Commission to be considered at a public hearing;

(H) The Director may forward any extension request to the Planning Commission;

(I) Extension requests will be evaluated by the Director and/or Planning Commission on the same basis and with the same information as per the conditional use permit process;

(xxiv) If the use has not operated or if no material has been extracted in accordance with the development schedule or any extension thereof, the conditional use permit shall expire;

(xxv) Signage for public safety is required

Response: A freestanding sign will be erected near the proposed entrance at the north end of the project site to post State of Colorado required identification information. The sign will be less than 1.5 square feet.

(xxvi) Fencing around the perimeter of the property is required.

Response: A 6-foot perimeter screening fence will be provided as part of the construction process.

IMPROVEMENT SURVEY OF PARCELS LOCATED IN NW1/4 SE1/4 SECTION 19, T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO

PROPERTY DESCRIPTION

A parcel of land in the Northwest Quarter of the Southwest Quarter (NW¼ SE¼) of Section 19, Township 1 South, Range 1 East of the Ute Meridian and more particularly described as follows

BY DEED:

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

BY SURVEY:

COMMENCING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) Section 19, T1S, R1E of the Ute Meridian, whence the Northeast corner of said NW¼ SE¼ Section 19 bears South 89°39'16" East, a distance of 1319.93 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°07'25" West, a distance of 40.00 feet to a point on the South right-of-way line of C½ Road and being the POINT OF BEGINNING; thence South 89°39'16" East, a distance of 660.00 feet, along the South right-of-way line of C½ Road; thence South 00°07'25" West, a distance of 1282.10 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence South 00°07'25" West, a distance of 303.90 feet, to a point on the North bank of the Colorado River; thence North 77°51'36" West, a distance of 337.39 feet, along said North bank of the Colorado River; thence North 83°26'37" West, a distance of 332.10 feet, along said North bank of the Colorado River; thence North 00°07'25" East, a distance of 195.00 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence North 00°07'25" East, a distance of 1286.10 feet, along the West line of said NW¼ SE¼ Section 19 to the POINT OF BEGINNING.

Said parcel containing an area of 23.11 Acres, as herein described.

SPECIAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Per said title commitment there is a NOTICE OF RIGHT-OF-WAY recorded at Reception 2224921 for the MC 50 Lateral Company, that crosses this property. The only definition of said right-of-way is "extend for a distance from 17½ feet from the centerline of the lateral on the right side facing downstream and 7½ feet from the centerline of the lateral on the left side facing downstream".

Due to lack of definition of said RIGHT-OF-WAY in said recorded document it is plotted per the centerline of existing 2.0' ditch bottom as surveyed August, 2020.

Property shown herein is from plat of Bevier Subdivision as platted in 1894 at Reception 21700. Plat records lots as to top of the bank of the Colorado River.

Approximate location of extended boundary of this survey to approximate centerline of river as digitized.

GENERAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Basis of bearings is the North line of the NW¼ SE¼ of Section 19 which bears South 89°38'16" East, a distance of 1319.93 feet, established by observation of the MCGPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical Information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

All lineal units shown herein in U.S. Survey feet.

LEGEND

- ALIQUOT SURVEY MARKER, AS NOTED
- ◆ SET ALIQUOT SURVEY MARKER PLS 24953, AS NOTED
- FOUND REBAR, AS NOTED
- SET 2" ALUMINUM CAP ON 24" No. 5 REBAR, PLS 24953
- FLUSH WITH SURFACE UNLESS OTHERWISE NOTED
- 1.0' WC - SE 1.0' = Distance WC = Witness Corner - SE = Direction
- G- UNDERGROUND GAS LINE
- UGE- UNDERGROUND ELECTRIC LINE
- UGT- UNDERGROUND TELEPHONE LINE
- OHE- OVERHEAD ELECTRIC LINE
- POWER POLE
- STORM INLET
- ⊕ STORM MANHOLE
- ⊕ SANITARY MANHOLE
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT

LAND SURVEY DEPOSITS

MESA COUNTY SURVEYOR'S OFFICE
BOOK _____ PAGE _____
DATE _____
DEPOSIT NO. _____

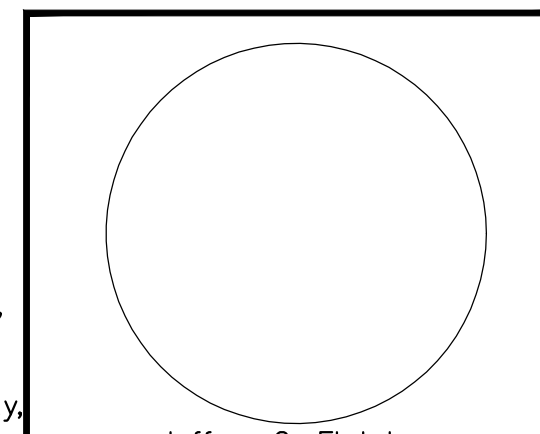
Prepared for: M & D Enterprises, LLC
2855 C1/2 Rd, Grand Junction, CO

IMPROVEMENT SURVEY

NW¼ SE¼ SECTION 19
T1S, R1E, UTE MERIDIAN
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC

1673 Highway 50, Unit C
Grand Junction, Colorado 81503
Telephone: 970-254-8649 Fax 970-241-0451

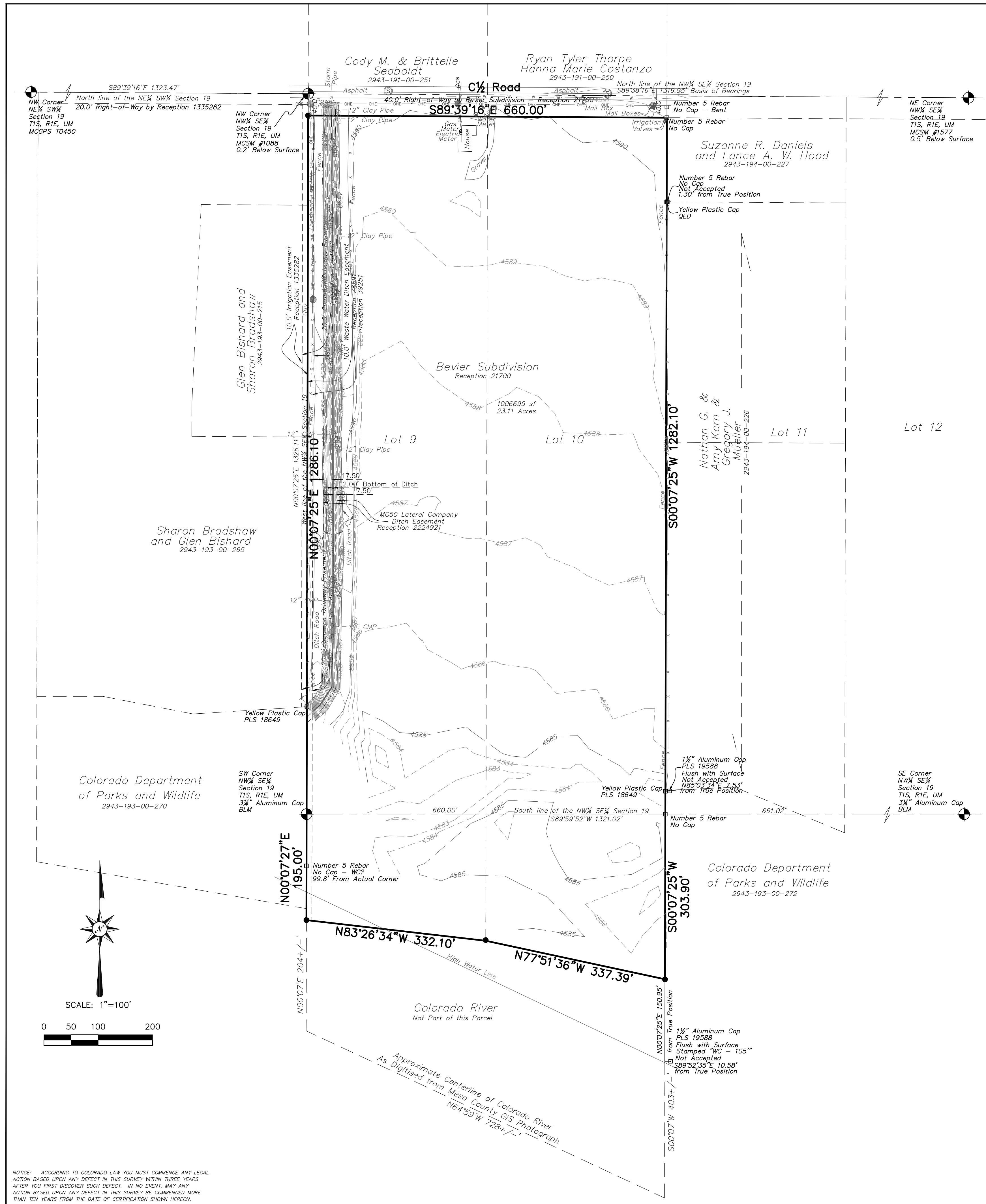


Jeffrey C. Fletcher
COLORADO PROFESSIONAL LAND SURVEYOR
P.L.S. NO. 24953

PROJ. NO. 20-90	SURVEYED	DRAWN	CHK'D	SHEET	OF
DATE: February, 2022	be/bo	knr	jef	1	1

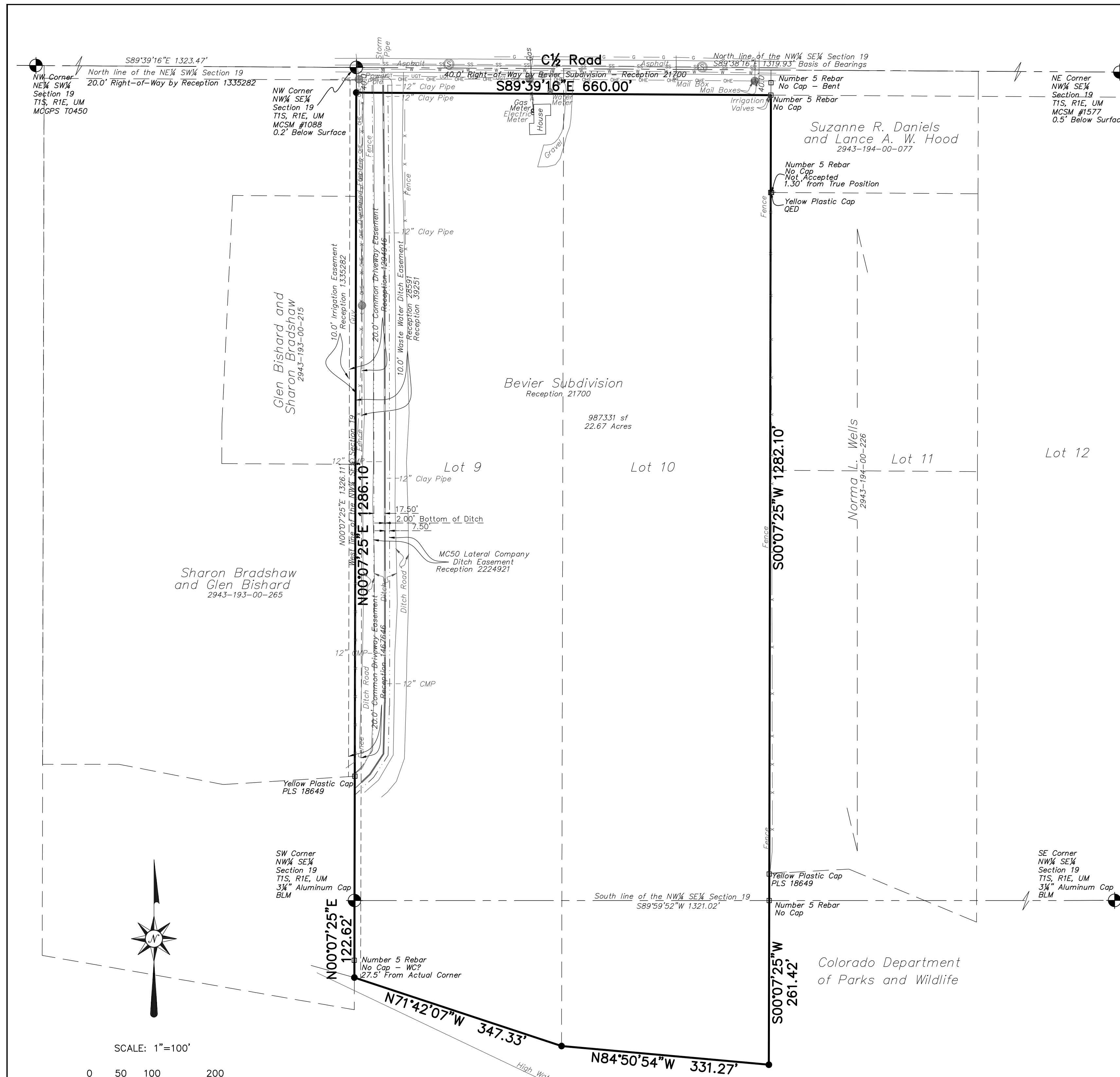
SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during August, 2020 and January, 2022, and that both have been prepared according to the standards of practice and the laws of the State of Colorado, and are correct to the best of my knowledge. This survey is not a guaranty or warranty, either expressed or implied.



NOTICE: 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 CERTIFICATION SHOWN HEREON.

IMPROVEMENT SURVEY OF PARCELS LOCATED IN NW1/4 SE1/4 SECTION 19, T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO



PROPERTY DESCRIPTION

A parcel of land in the Northwest Quarter of the Southwest Quarter (NW¼ SE¼) of Section 19, Township 1 South, Range 1 East of the Ute Meridian and more particularly described as follows

BY DEED:

Lots 9 and 10 of Bevier's Subdivision, Together with easement for common driveway over and across the East 10 feet of Lot 4, township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

BY SURVEY:

COMMENCING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) Section 19, T1S, R1E of the Ute Meridian, whence the Northeast corner of said NW¼ SE¼ Section 19 bears South 89°39'16" East, a distance of 1319.93 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°07'25" West, a distance of 40.00 feet to a point on the South right-of-way line of C½ Road and being the POINT OF BEGINNING; thence South 89°39'16" East, a distance of 660.00 feet, along the South right-of-way line of C½ Road; thence South 00°07'25" West, a distance of 1282.10 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence South 00°07'25" West, a distance of 261.44 feet, to a point on the North bank of the Colorado River; thence North 84°50'54" West, a distance of 331.27 feet, along said North bank of the Colorado River; thence North 71°42'07" West, a distance of 347.33 feet, along said North bank of the Colorado River; thence North 00°07'25" East, a distance of 122.62 feet, to a point on the South line of said NW¼ SE¼ Section 19; thence North 00°07'25" East, a distance of 1286.10 feet, along the West line of said NW¼ SE¼ Section 19 to the POINT OF BEGINNING.

Said parcel containing an area of 22.67 Acres, as herein described.

SPECIAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Per said title commitment there is a NOTICE OF RIGHT-OF-WAY recorded at Reception 2224921 for the MC 50 Lateral Company, that crosses this property. The only definition of said right-of-way is "extend for a distance from 17½ feet from the centerline of the lateral on the right side facing downstream and 7½ feet from the centerline of the lateral on the left side facing downstream".

Due to lack of definition of said RIGHT-OF-WAY in said recorded document it is plotted per the centerline of existing 2.0' ditch bottom as surveyed August, 2020.

LAND SURVEY DEPOSITS

MESA COUNTY SURVEYOR'S OFFICE
BOOK _____ PAGE _____
DATE _____
DEPOSIT NO. _____

Prepared for: M & D Enterprised, LLC

GENERAL NOTES

Easement and Title Information provided by Westcor Title Insurance Company, Commitment No. 9241CEM, dated December 20, 2018.

Basis of bearings is the North line of the NW¼ SE¼ of Section 19 which bears South 89°38'16" East, a distance of 1319.93 feet, established by observation of the MCOPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plot.

All lineal units shown hereon in U.S. Survey feet.

NOTICE: 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 CERTIFICATION SHOWN HEREON.

LEGEND

- ALIQUOT SURVEY MARKER, AS NOTED
- ◆ SET ALIQUOT SURVEY MARKER PLS 24953, AS NOTED
- FOUND REBAR, AS NOTED
- SET 2" ALUMINUM CAP ON 24" No. 5 REBAR, PLS 24953 FLUSH WITH SURFACE UNLESS OTHERWISE NOTED
- 1.0' WC - SE 1.0' = Distance WC = Witness Corner - SE = Direction
- G- UNDERGROUND GAS LINE
- UGE- UNDERGROUND ELECTRIC LINE
- UGT- UNDERGROUND TELEPHONE LINE
- OHE- OVERHEAD ELECTRIC LINE
- POWER POLE
- STORM INLET
- STORM MANHOLE
- SANITARY MANHOLE
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT

SURVEYOR'S CERTIFICATION

I hereby certify that this plot represents a field survey completed under my direct supervision during August, 2020, and that both have been prepared according to the standards of practice and the laws of the State of Colorado, and are correct to the best of my knowledge. This survey is not a guaranty or warranty, either expressed or implied.

<p>Jeffrey C. Fletcher COLORADO PROFESSIONAL LAND SURVEYOR P.L.S. NO. 24953</p>	IMPROVEMENT SURVEY NW¼ SE¼ SECTION 19 T1S, R1E, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO High Desert Surveying, LLC 1673 Highway 50, Unit C Grand Junction, Colorado 81503 Telephone: 970-254-8649 Fax 970-241-0451				
	PROJ. NO. 20-90 DATE: August, 2020	SURVEYED be	DRAWN knr	CHK'D jcf	SHEET 1

A ■ C ■ G

Austin Civil Group, Inc.

Land Planning ■ Civil Engineering ■ Development Services

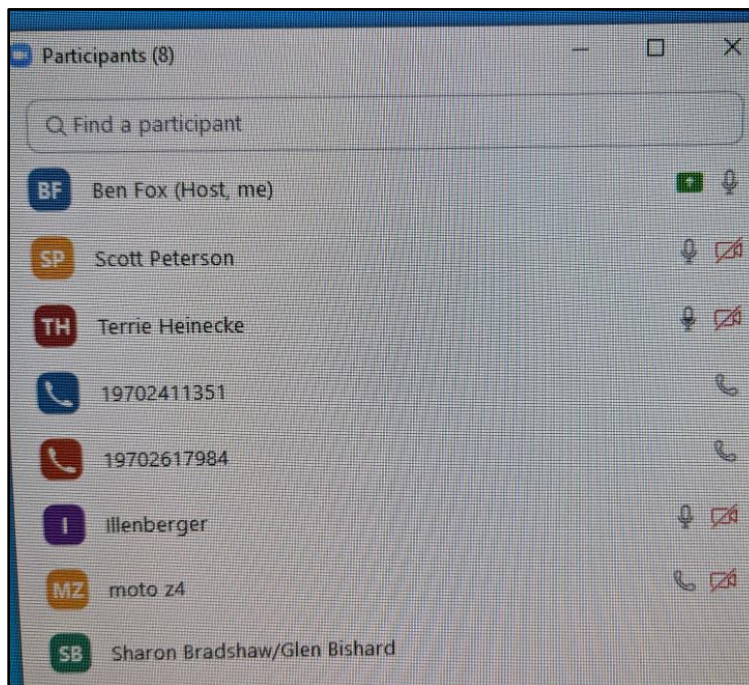
June 30, 2021

Mr. Scott Peterson
Senior Planner
City of Grand Junction Planning Division
250 North 5th Street
Grand Junction, CO 81501

**Re: C-1/2 Road Annexation / Rezone / Gravel Pit Conditional Use
Neighborhood Meeting Summary**

Dear Mr. Peterson,

The purpose of this letter is to notify the City of Grand Junction Planning Department that a virtual Neighborhood Meeting was conducted on June 29, 2021, via Zoom, at 5:30 P.M., for the Annexation / Rezone / Gravel Pit Conditional Use Permit for the 25-acre property located at 2855 C-1/2 Road in Grand Junction, Colorado. There were 8 participants in the Zoom display, however at least 9 individuals actively participated (two individuals used the same device), and there may have been more members sharing devices while listening in. A screen shot of the participant list is depicted below:



Participant List from Zoom Virtual Neighborhood Meeting

Listed below is a summary of the meeting items:

1. Ben Fox presented an overview of the annexation and rezone process, including the need to annex and zone into the City of Grand Junction because of the Persigo Agreement. The proposed zoning for the property is Community Services and Recreation (CSR).
2. Ben Fox indicated that, if approved, the property would be developed into a sand and gravel mining operation by M & D Enterprises, LLC (the current landowner). Their goal would be to mine sand and gravel and then potentially construct a small subdivision where the sand and gravel was mined from the property. He also emphasized that the Neighborhood Meeting was purely for the proposed gravel pit, and that upon conclusion of gravel/sand mining operations any further development (i.e., future subdivision) would be at the owner's discretion and would require a separate development application. There will not be an asphalt or concrete batch plant on the property.
3. Ben Fox stated the City of Grand Junction has requested a trail easement along the Colorado River and along the western edge of the project for future trails. This is one of at least two properties the City of Grand Junction is seeking to obtain easements from to complete the trail connection from Las Colonias Park to 29 Road.
4. Ben Fox indicated the topsoil material would be scraped off the site and used to create a screening berm between C-1/2 Road and the adjacent residential properties. The screening berm would be seeded to provide a visual and sound buffer to adjacent residential properties.
5. Ben Fox indicated the southern half of the site is in the FEMA Floodway and because of this, material stockpiles, mining operations, and screening berms would be restricted in these areas.
6. Ben Fox stated the City's code required a 125-ft buffer from existing homes adjacent to excavation areas and a 250-ft buffer from homes adjacent to any gravel processing equipment, such as crushers. He also mentioned that anticipated hours of operation were 7:00 AM – 5:30 PM.
7. Once Ben Fox had concluded the initial presentation, Scott Peterson provided the attendees a general overview of the planning process and detailed the two public hearings where members of the public would be able to provide their input or objections to the development.
8. Sharon Bradshaw and Glen Bishard expressed concerns regarding development after the cessation of sand/gravel operations. Ben Fox re-stated that the applicant expected 10 years of operations, after which the applicant would begin the approved site reclamation plan and consider their options, one of which was the development of a small subdivision.

9. Glen Bishard stated that the overview map depicting the future trail development appeared to be on his side of the ditch. Ben Fox clarified that the overview map was not an official site plan and that the applicant would construct any future paths (as required by the City) on their side of the ditch.
10. Multiple residents expressed concerns regarding dust and noise mitigation and impacts to fish and wildlife. Ben Fox replied that an appropriate environmental assessment and requisite local and state permits would be required as the project moved forward. He also stated that if the applicant/operator was found out of compliance with those dust/noise permits during recurring inspections (every two weeks), they may be shut down and that the enforcement penalties were substantial. Additionally, the City of Grand Junction has a noise restriction at the perimeter of the gravel mining operations that must be met, or the applicant could lose their right to mine.
11. Residents expressed concerns with the depth of mining as it relates to the existing water table. Ben Fox replied that current estimates for mining depth would be 10-15 feet and that the site did appear to have a shallow water table, but he could not provide precise details on the manner of mitigation. He did state that—in general—City, County, State, and Federal regulations governing gravel mining operations would be taken into account as the project moved forward and that the appropriate mitigation procedures would be followed.
12. Property owners also asked about the access location into the site. Ben Fox indicated the City of Grand Junction typically wants access locations to “align” with an existing access location or offset 150-ft from existing accesses. Ben Fox stated they were in the process of determining a specific access location. They were initially considering the western side of the property, but the trail easement requested by the City may cause this to be poor location.
13. Many property owners were concerned with traffic, especially with the number of bikes and pedestrians using C-1/2 Road since it is the Bike/Ped route between 29 Road and Las Colonias. The existing road does not have shoulders for these uses and the gravel truck traffic will be a problem. Ben Fox stated that a traffic study looking at these items had been conducted and indicated relatively low impact as of now, but the study will be reviewed as part of the application. The project will also pay “Traffic Impact Fees” to the City to help pay for offsite impacts from the project.
14. When questioned by several residents about needed improvements to C ½ Road, Scott Peterson explained that C-1/2 Road resides in Mesa County while the Traffic Impact Fees are paid primarily to the City of Grand Junction. As such, it can be a challenge to get both agencies to work and pay for street improvements. Scott indicated he would bring this up with planning and engineering staff, but at this time the majority of improvements would fall on Mesa County.

15. Resident Illenberger asked about the effects of traffic downstream from the project, particularly at Las Colonias and the apartments around that area. Scott Peterson explained that the City's intent was for bike and pedestrian-friendly trails to exist in the future and that construction of those trails was part of the process.
16. Ken and Terrie Heinecke expressed safety concerns about family, children, and heavy trucks running along the same narrow road and asked what they were supposed to do about it. Ben Fox and Scott Peterson acknowledged their concerns and explained that the planning commission has the right to put additional restrictions on the gravel pit operation. They also recommended they bring up those concerns at future public hearings.
17. Terrie Heinecke asked about historical properties and if the gravel pit would negatively affect those areas. Ben Fox indicated that he was not aware of any designated historical sites within the area, but explained that he would look into it as the project progressed and that an evaluation of impact to historical sites was part of the permitting process.
18. Linda McBride asked where the bike trail would run, asked about Las Colonias Park noise restrictions, and about bike path operating time restrictions. Scott Peterson answered that, while not directly connected with gravel pit operations, the City intends to eventually have a bike path along the Colorado River. Las Colonias and bike paths would fall under standard City noise restrictions. Ms. McBride also asked what the largest concern was in terms of pollutants, to which Ben Fox replied it would likely be small spills from trucks/mining equipment. She expressed that she was not happy about decisions to trash the City and valuable riverfront areas with gravel pits, and did not approve of a future subdivision in a rural area.
19. Ken Heinecke brought up concerns regarding the property's location within the 100-year floodplain and how that would affect open-pit gravel mining operations. If a flood were to happen, how would the flow of sediment off-site be mitigated? Ben Fox did not have a detailed answer to the question, but knew that it was partially accounted for in the Stormwater Management Plan and stated that he would investigate the issue further as they moved forward with a more concrete development plan.
20. Another resident expressed concerns with the existence of a bike path and people parking on their property near C ½ Rd street frontage to access the paths. Scott Peterson answered that it is technically illegal to park in those locations, so that should be dealt with by law enforcement.
21. Residents asked about the timing of the trail construction. Some were concerned with trespass if people walking along the trail had no place to go. Ben Fox indicated he expects the City to require, at a minimum, trail dedication. It is not clear when trail construction would occur, and that trespassing still remains trespassing.

Mr. Scott Peterson

June 30, 2021

Page 5 of 5

22. Towards the end of the meeting, Ben Fox re-emphasized that this was a preliminary Neighborhood Meeting designed to alert the public to a development application in the process of being submitted to the City for approval. Many specifics of the project had not yet been ironed out, and they should keep their comments/concerns in mind and bring them up at the upcoming hearings. Scott Peterson informed the attendees that they would be notified via letter of the times/locations of those future hearings.

In summary, the biggest issues for the project were dust/noise, environmental impacts, and traffic/bike/pedestrians along C-1/2 Road and how improvements could be made to accommodate those users.

It should be noted that Nathaniel Mueller (the direct westerly neighbor) emailed Austin Civil Group separately from the meeting and requested a pullout from the property to C ½ Road, a dedication of the southern portion of the property, and the withholding of funds for future road repairs. A copy of the email is attached.

Sincerely,



Austin Civil Group, Inc.

Benjamin Fox, E.I.T., Staff Engineer

From: Nathaniel Mueller <nathaniel.g.mueller@gmail.com>
Date: June 29, 2021 at 4:16:15 PM MDT
To: Mark Austin <MarkA@austincivilgroup.com>
Cc: pariahlaw@aol.com, Akcolomed <akcolomed@aol.com>
Subject: 2855 C 1/2 Rd neighborhood mtg.

Dear Mr. Austin and team,

We would like to thank you for hosting a neighborhood meeting concerning your re-zoning and future development of 2855 C 1/2 Rd. Giving notice for any changes in this area is greatly appreciated, particularly for such a large parcel in a part of town that contains a key bike vein and the Colorado River.

As your direct westerly neighbors, of 2869 C 1/2 Rd, we are certain that your activities will conform with best practices and relevant oversight guidelines. We are of the impression that the property is to initially be used as a gravel pit. Considering that the project at 2855 C 1/2 appears to have a long timeline, we would hope that you consider our three requests, as we believe they would benefit the surrounding properties as well as benefit the local community as a whole.

The three requests are, as follows:

1. **Expand the pullout onto C 1/2 Rd.** In the interest of safety for drivers and potential licensees entering and exiting the property, a dedicated turn lane should be created appurtenant to the road.
2. **Dedicate the southern portion of the property.** It would appear that the majority of the land on the northern bank of the Colorado River is already held by the James M. Robb State park, and future plans of civic development appear to include a bike path that would run the length of the river through the Grand Valley. Currently, C 1/2 Rd. is the major bicycle thoroughfare in the area. 2855 C 1/2 Rd. appears to be the last property that actually touches the river. We request a dedication of the southern portion of 2855 to the relevant entity. The benefits of safety and community development opportunities, we hope, appear obvious in this respect.
3. **Withhold funds for future road repairs.** With C 1/2 Rd. already buckling in many spots, increased road usage by larger vehicles could lead to accelerated damage in the coming years. While we are aware that use permits and taxes for undertaking such a project tend to be funneled into road and highway maintenance, the proposed use at 2855 would be distinct among other properties in the area. We hope that a certain amount can be voluntarily withheld in order to cover repairs once the gravel pit is exhausted.

Thank you for your time, and welcome to the neighborhood.

Sincerely,

Nathaniel Mueller
(808)224-6951

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 02-16-21

Project Name: 2855 C 1/2 Road

Project Street Address: 2855 C 1/2 Road Grand Junction

Assessor's Tax Parcel Number: 2943-194-00-248

Project Owner Name: M&D Enterprises LLC

City or County project file #: _____

Name of Water Purveyor: Ute Water

Applicant Name/Phone Number: M&D Enterprises

Applicant E-mail: _____

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be N/A square feet.
 - b. All dwelling units will , will not include an approved automatic sprinkler system.Comments: _____
 2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
N/A
 - b. List each building that will be provided with an approved fire sprinkler system:

 3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code[IFC]):
0 gpm
- Comments:
- Gravel Pit with no buildings and typical equipment operations

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction

2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

SEE ATTACHED MAP. THE DISTRICT HAS AN EXISTING 3-INCH IN C.5; NEAREST EXISTING FIRE HYDRANTS ARE IN 29 RD AND 28 RD NEAR C.5 (APPROX 1/2 MILE FROM PROJECT SITE).

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

SEE ATTACHED RESULTS

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain: _____

Print Name and Title of Water Supplier Employee completing this Form:

DUSTY KRIEGSHAUSER MAINTENANCE II/HYDRANT MAINTENANCE

Date: 2/17/2021

Contact phone/E-mail of Water Supplier: 970-256-2882 hydrant@utewater.org

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master With Graph



Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Test Date: 8/7/20 10:30 am

NFWA Classification:	
Blue	AA
4216.14	

Work Order: 997
Operator: DUSTY K, JOE I, JESSE K.

Test did not reach recommended drop of 25% per NFWA 291

Test Hydrant: 3396
Address: 365 29 RD
Cross Street:
Location:
District:
Sub-Division:

Latitude: 715000.925
Longitude: 4326111.053
Elevation: 4599.17
State X / Y: _____ / _____

Pumpers:

Nozzles:

Open Dir:

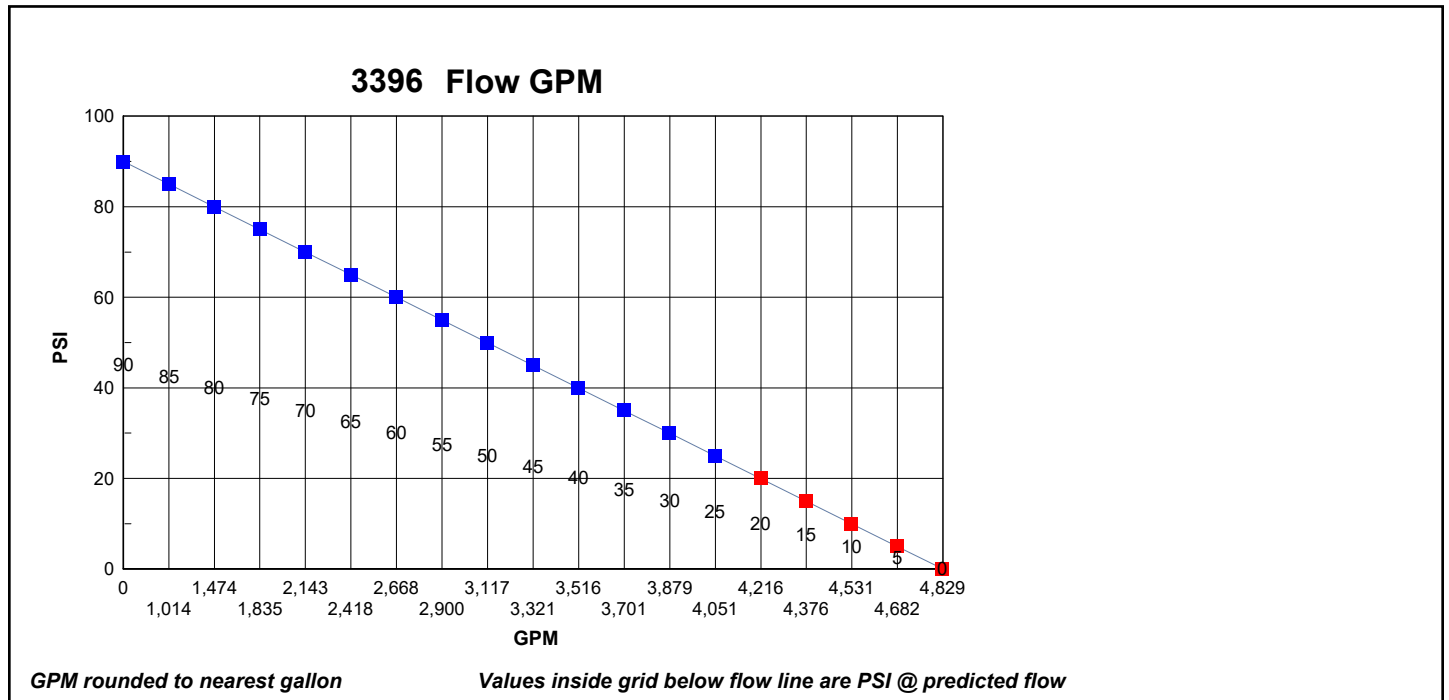
Manuf: Mueller
Model: Centurion 5 1/4

Installed: 01/01/2005
Main Size: 0.00

Vandal Proof:
Bury Depth: 0.00

	<u>Flow Hydrant</u>	<u>Flow Device</u>	<u>Diameter</u>	<u>GPM</u>	<u>Gallon Used</u>
1:	3395	2.5" Hose Monster	2.50	1118.83	5594.15
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 44.00	Total Gallons Used: 5594.15
Static PSI: 90.00	Max GPM during test: 1,118.83
Residual PSI: 84.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 6.67	Predicted GPM @ 20 PSI: 4216.14





FLORIDA ST

29 1/2 RD

C 3/4 RD

FLOW HYDRANT

12" WATERLINE

TEST HYDRANT

29 RD

29 5/8 RD

FENWICK LN

C 1/2 RD

C 1/2 RD



LEGAL DESCRIPTION:

Lots 9 and 10 of BEVIER'S SUBDIVISION, TOGETHER WITH easement for common driveway over and across the East 10 feet of lot 4, Township 1 South, Range 1 East of the Ute Meridian, according to the instrument recorded at Reception No. 1467646, County of Mesa, State of Colorado

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) M&D Enterprises LLC ("Entity") is the owner of the following property:

(b) 2855 C 1/2 Road, Grand Junction, CO 81501

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Representative for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- My legal authority to bind the Entity both financially and concerning this property is unlimited.
- My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

- The Entity is the sole owner of the property.
- The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Gravel Pit

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e)

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

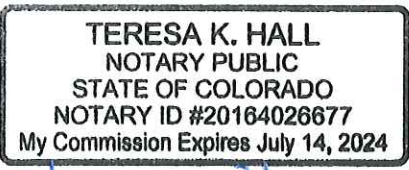
I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Martin Azcarraga

Printed name of person signing: Martin Azcarraga

State of Colorado)

County of Mesa) ss.



Subscribed and sworn to before me on this 22nd day of February, 20 21

by Martin Azcarraga

Witness my hand and seal.

My Notary Commission expires on July 14, 2024

Teresa K. Hall
Notary Public Signature

Instructions

An ownership statement must be provided for each and every owner of the property.

- (a) Insert complete name of owner as it appears on deed by which it took title. If true name differs from that on the deed, please provide explanation by separate document
- (b) Insert legally sufficient description of land for which application has been made to the City for development. Include the Reception number or Book and Page for recorded information. Assessor's records and tax parcel numbers are not legally sufficient description. Attach additional sheet(s) as necessary, and reference attachment(s) here. If the legal description or boundaries do not match those on the plat, provide an explanation.
- (c) Insert title/capacity within the Entity of person who is signing.
- (d) Insert the type of development application request that has been made. Include all pending applications affecting the property.
- (e) Insert name of all other owners, if applicable.
- (f) Insert the type of development application request(s) that has/have been made. Include all pending development applications affecting the property.
- (g) Explain the conflict and/or possible conflict and describe the information and/or evidence available concerning the conflict and/or possible conflict. Attach copies of written evidence.

RECEPTION#: 2868032, at 1/28/2019 8:15:45 AM, 1 of 1
Recording: \$13.00, Doc Fee \$20.68 Tina Peters, Mesa County, CO. CLERK AND RECORDER



9241067

PERSONAL REPRESENTATIVE'S DEED (Testate Estate)

THIS DEED is made by Robyn Ann Baldwin, as Personal Representative of the Estate of Herbert Lloyd Alderman, deceased, Grantor, to M & D Enterprises, LLC, a Colorado Limited Liability Company, Grantee, whose legal address is P.O. Box 2072, Grand Junction, CO 81502.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated May 6, 2013, which Will was duly admitted to probate on December 19, 2018, by the District Court in and for the County of Mesa, State of Colorado, Probate/Case No. 2018PR30358.

WHEREAS, Grantor was duly appointed Personal Representative of said Estate on January 3, 2019, and is now qualified and acting in said capacity.

NOW THEREFORE, for and in consideration of two-hundred six thousand eight hundred thirty-three and 33/100 U.S. Dollars (\$206,833.33) paid by Grantee, receipt of which is hereby acknowledged, and pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell and convey unto Grantee the following described real property situated in Mesa County, State of Colorado:

Lots 9 and 10 of
BEVIER'S SUBDIVISION,
TOGETHER WITH easement for common driveway
over and across the East 10 feet of Lot 4, Township 1 South,
Range 1 East of the Ute Meridian, according to the
instrument recorded at Reception No. 1467646,
County of Mesa, State of Colorado

also known as street number: 2855 C $\frac{1}{2}$ Road, Grand Junction, Colorado 81501

assessors schedule or parcel number: 2943-194-00-248

State Documentary fee: \$20.68

With all appurtenances, subject to covenants, easements and restrictions of record, and subject to general property taxes for the year 2019, and subject to those of record.

As used herein, the singular includes the plural and the plural the singular.

Dated this 22 day of January, 2019.

Robyn Ann Baldwin, as Personal Representative of
the Estate of HERBERT LLOYD ALDERMAN

STATE OF WASHINGTON }
 } ss.
COUNTY OF CLARK }

The foregoing instrument was acknowledged before me this 22 day of January, 2019, by Robyn Ann Baldwin, Personal Representative of the Estate of HERBERT LLOYD ALDERMAN.

My commission expires: Jan. 2 2021

Witness my hand and official seal.

SEAL



Notary Public

C ½ ROAD GRAVEL PIT ANNEXATION SCHEDULE

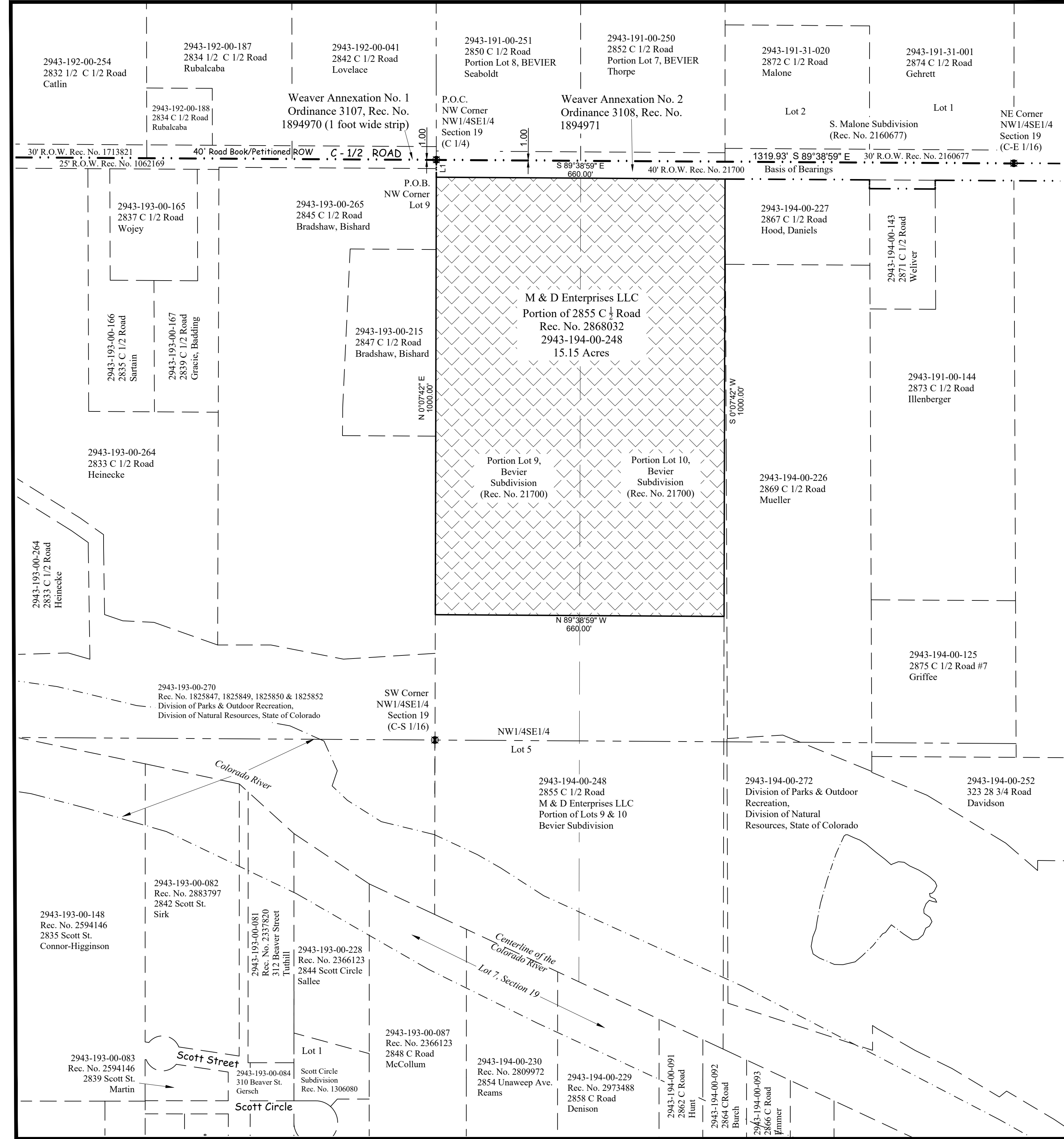
September 7, 2022	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
September 27, 2022	Planning Commission considers Zone of Annexation
October 5, 2022	Introduction of a Proposed Ordinance on Zoning by City Council
October 19, 2022	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
November 20, 2022	Effective date of Annexation and Zoning

ANNEXATION SUMMARY

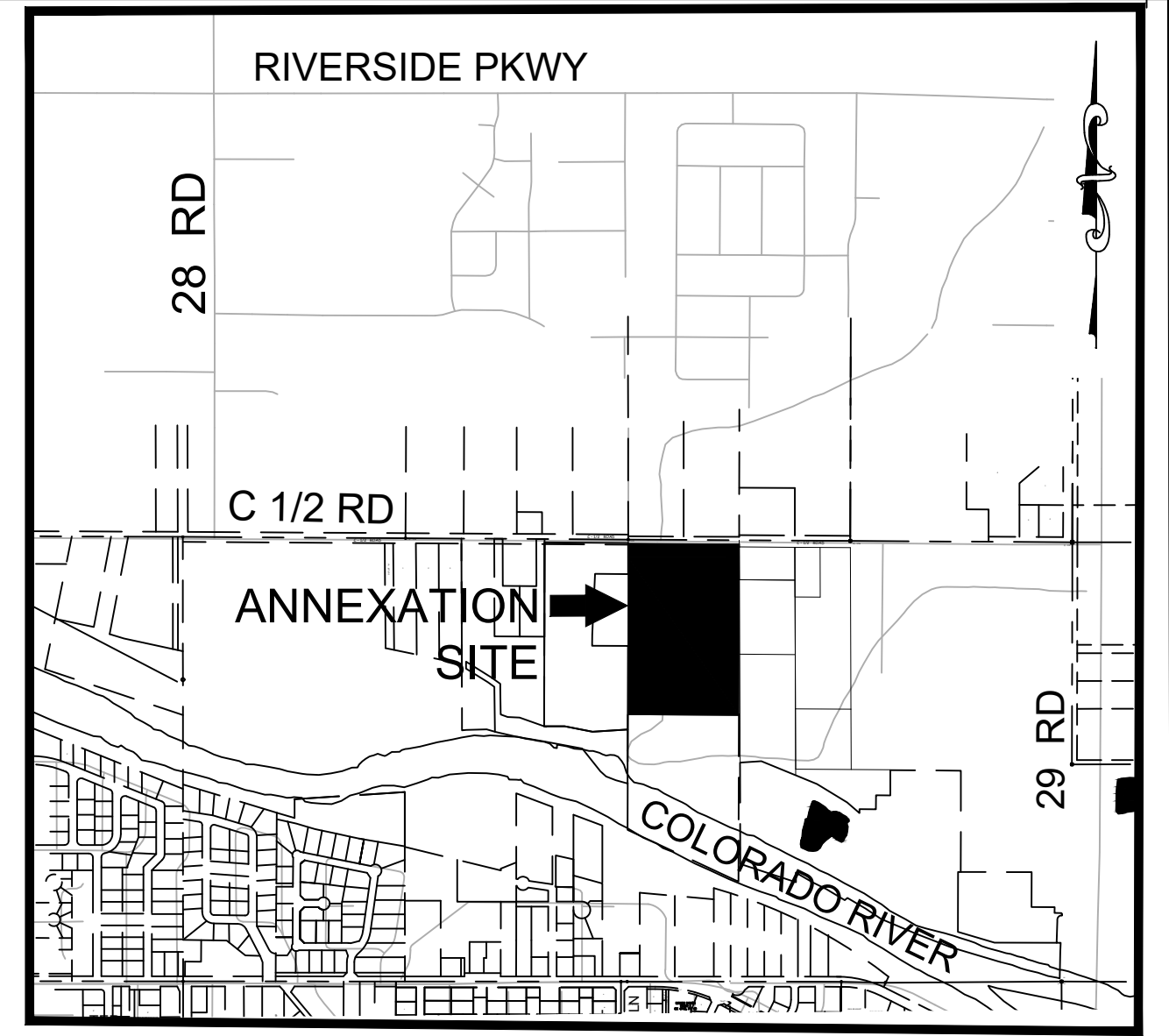
File Number:	ANX-2021-613	
Location:	2855 C ½ Road	
Tax ID Numbers:	2943-194-00-248	
# of Parcels:	1	
Existing Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	27.83	
Developable Acres Remaining:	25	
Right-of-way in Annexation:	None	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	CSR	
Current Land Use:	Vacant	
Comprehensive Plan Land Use:	Residential Medium	
Values:	Assessed:	\$14,330
	Actual:	\$168,230
Address Ranges:	2849 thru 2861 C ½ Road (Odd only)	
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural Fire Protection District
	Irrigation/Drainage:	Grand Valley Irrigation Company
	School:	District 51
	Pest:	Grand River Mosquito District & Upper Grand Valley Pest
	Other:	Colorado River Water Conservancy

C 1/2 Road Gravel Pit Annexation No. 1

Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



THIS IS NOT A BOUNDARY SURVEY



SITE LOCATION MAP

SCALE: 1" = 800'

LEGAL DESCRIPTION

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:
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Containing 15.15 Acres or 659995 Square Feet more or less as described.

LINE TABLE	
L1	S0°07'42"W 40.00'

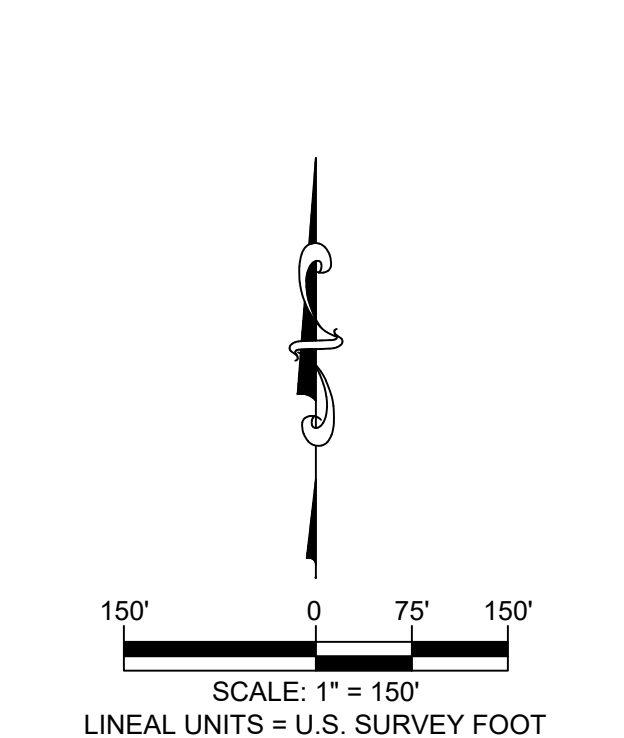
LEGEND	
ANNEXATION BOUNDARY	—
ANNEXATION AREA	
EXISTING CITY LIMITS	- - - - -

SURVEY ABBREVIATIONS		SQ. FT.	SQUARE FEET
P.O.C.	POINT OF COMMENCEMENT	Δ=	CENTRAL ANGLE
P.O.B.	POINT OF BEGINNING	ARC	ARC LENGTH
R.O.W.	RIGHT OF WAY	CHD.	CHORD LENGTH
SEC.	SECTION	CHB.	CHORD BEARING
TWP.	TOWNSHIP	BLK.	BLOCK
RGE.	RANGE	P.B.	PLAT BOOK
U.M.	UTE MERIDIAN	BK.	BOOK
NO.	NUMBER	PG.	PAGE
REC.	RECEPTION	HOR. DIST.	HORIZONTAL DISTANCE

AREAS OF ANNEXATION	
ANNEXATION PERIMETER	3320.00 FT.
CONTIGUOUS PERIMETER	660.00 FT.
AREA IN SQUARE FEET	659995 FT ²
AREA IN ACRES	15.15
AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

ORDINANCE NO.

EFFECTIVE DATE



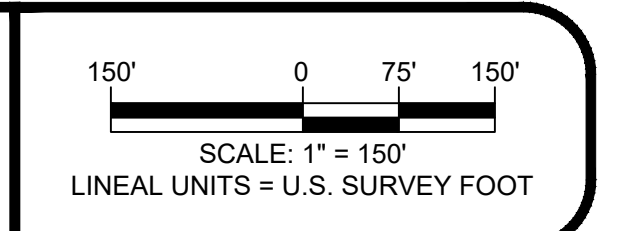
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RENEE BETH PARENT
 STATE OF COLORADO - P.L.S. NO. 38266
 FOR THE CITY OF GRAND JUNCTION
 333 WEST AVENUE - BLDG. C
 GRAND JUNCTION, CO. 81501

G:\Data\SURVEY\Annexations\2021\613 - C Half Road Gravel Pit Annex - Dove\Annexation Map Files\C Half Road Gravel Pit Annexation Plat.dwg - PLOTTED 2022-07-28

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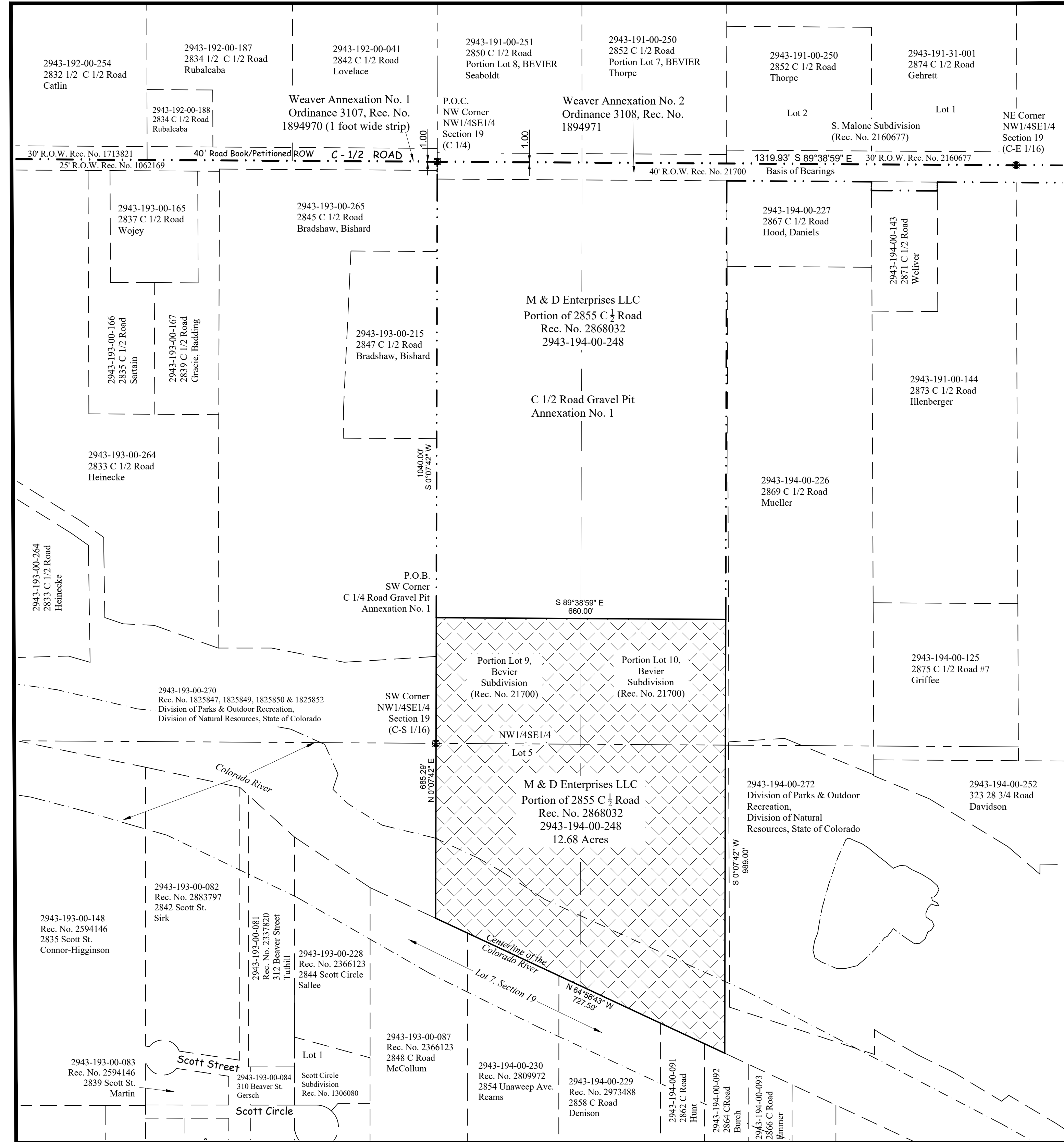


PUBLIC WORKS ENGINEERING DIVISION

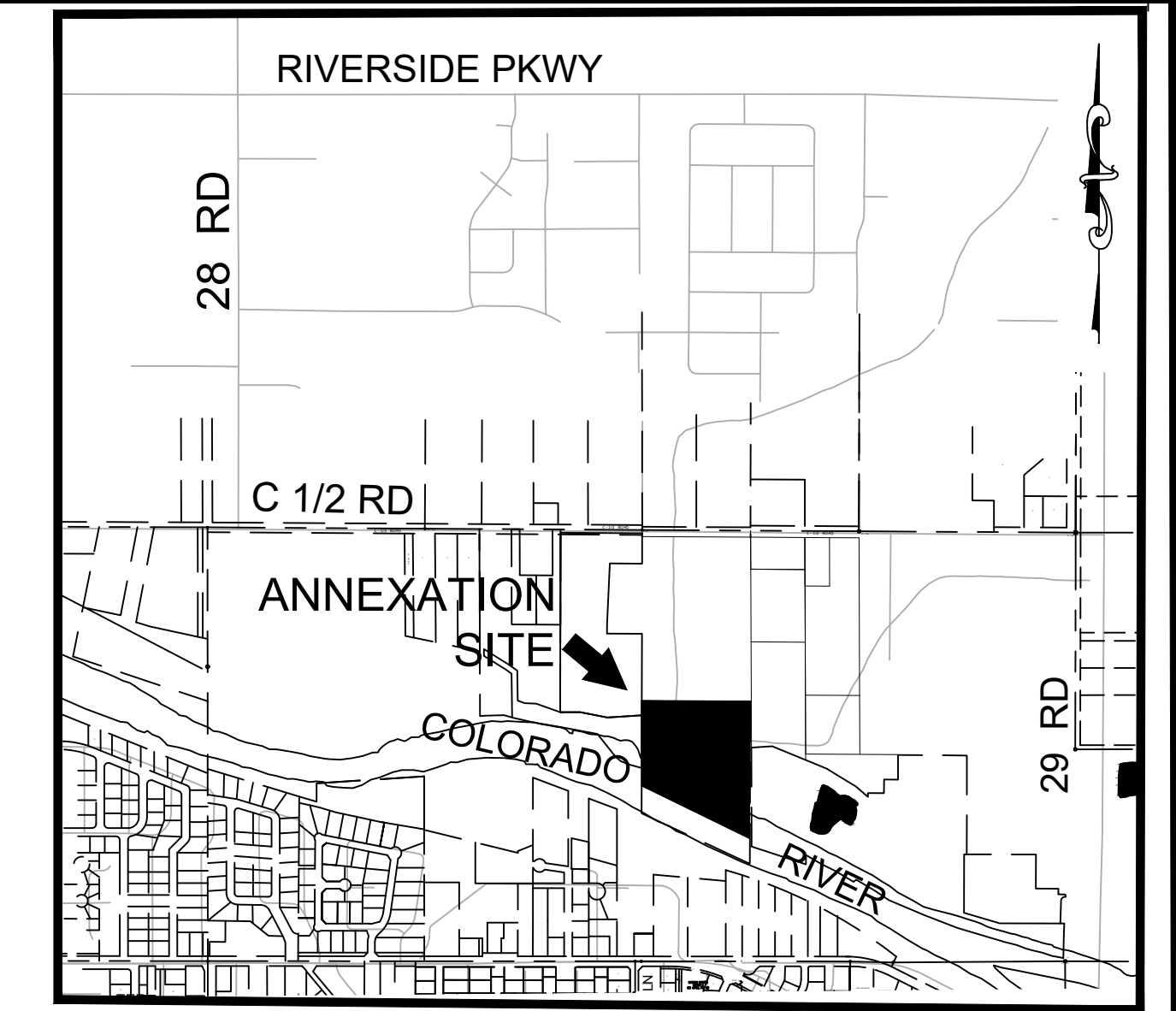
C 1/2 Road Gravel Pit Annexation No. 1
 Located in the NW1/4SE1/4
 SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
 UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

C 1/2 Road Gravel Pit Annexation No. 2

Located in the NW1/4SE1/4 and Lot 5 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



THIS IS NOT A BOUNDARY SURVEY



SITE LOCATION MAP

SCALE: 1" = 800'

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Containing 12.68 Acres or 552513 Square Feet more or less as described.

LEGEND

ANNEXATION BOUNDARY	
ANNEXATION AREA	
EXISTING CITY LIMITS	

SURVEY ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT	Δ	CENTRAL ANGLE
P.O.B.	POINT OF BEGINNING	ARC	ARC LENGTH
R.O.W.	RIGHT OF WAY	CHD.	CHORD LENGTH
SEC.	SECTION	CHB.	CHORD BEARING
TWP.	TOWNSHIP	BLK.	BLOCK
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AREAS OF ANNEXATION

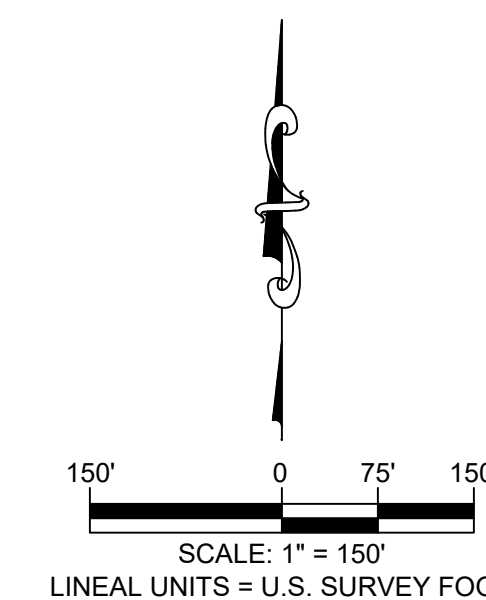
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AREA WITHIN R.O.W.	0 SQ.FT.
	0 ACRES

ORDINANCE NO.

EFFECTIVE DATE

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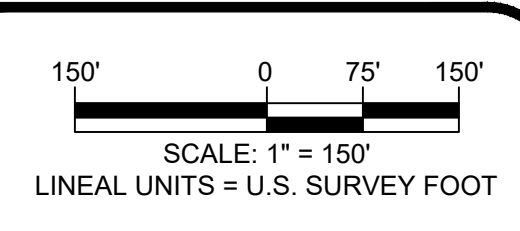
RENEE BETH PARENT
STATE OF COLORADO - P.L.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501



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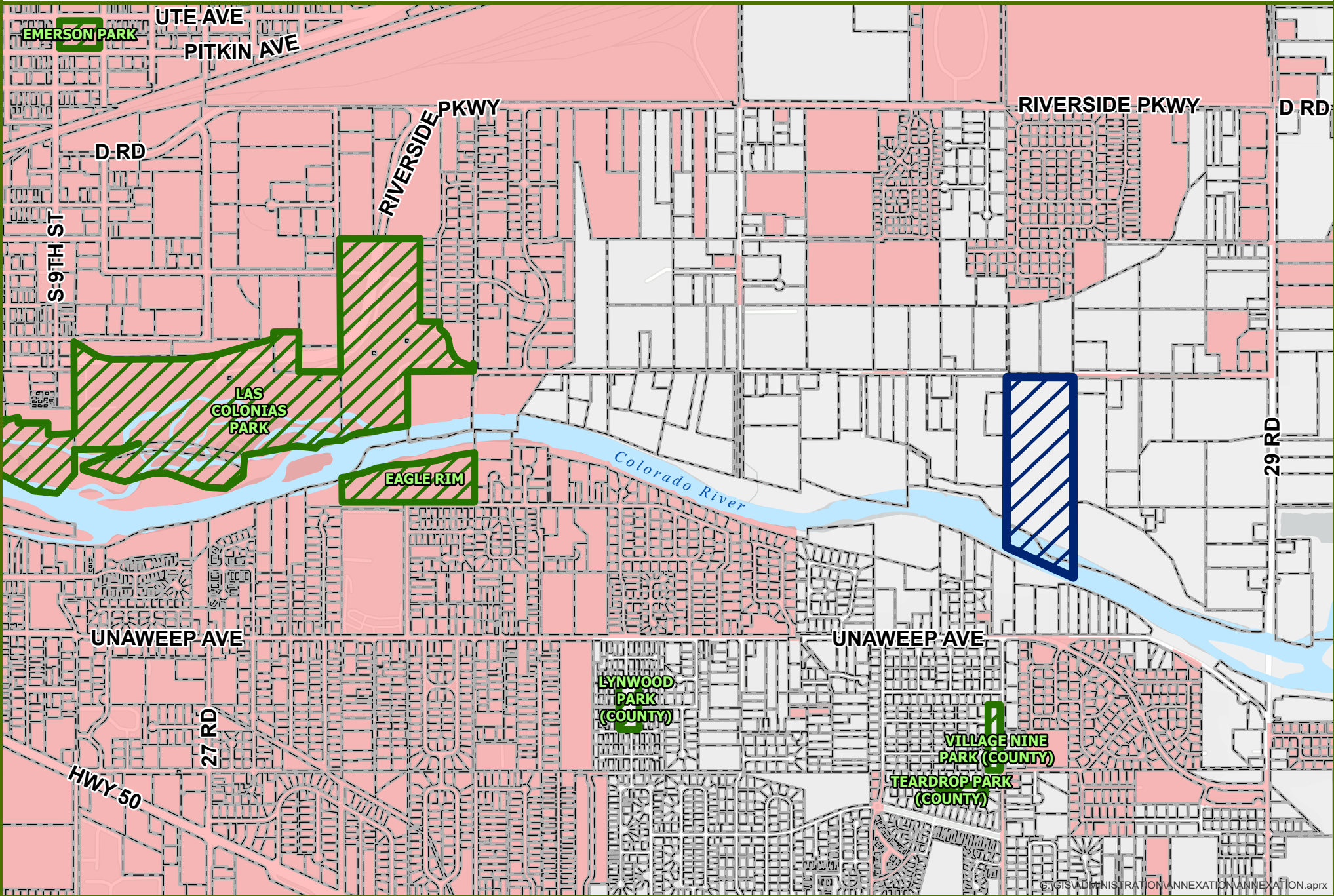
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DESIGNED BY: R.B.P. DATE: 07/27/2022
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APPROVED BY: R.B.P. DATE: _____



PUBLIC WORKS
ENGINEERING DIVISION

C 1/2 Road Gravel Pit Annexation No. 2
Located in the NW1/4SE1/4 and Lot 5
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

C 1/2 ROAD GRAVEL PIT ANNEXATION



© GISADMINISTRATION\ANNEXATION\ANNEXATION.aprx



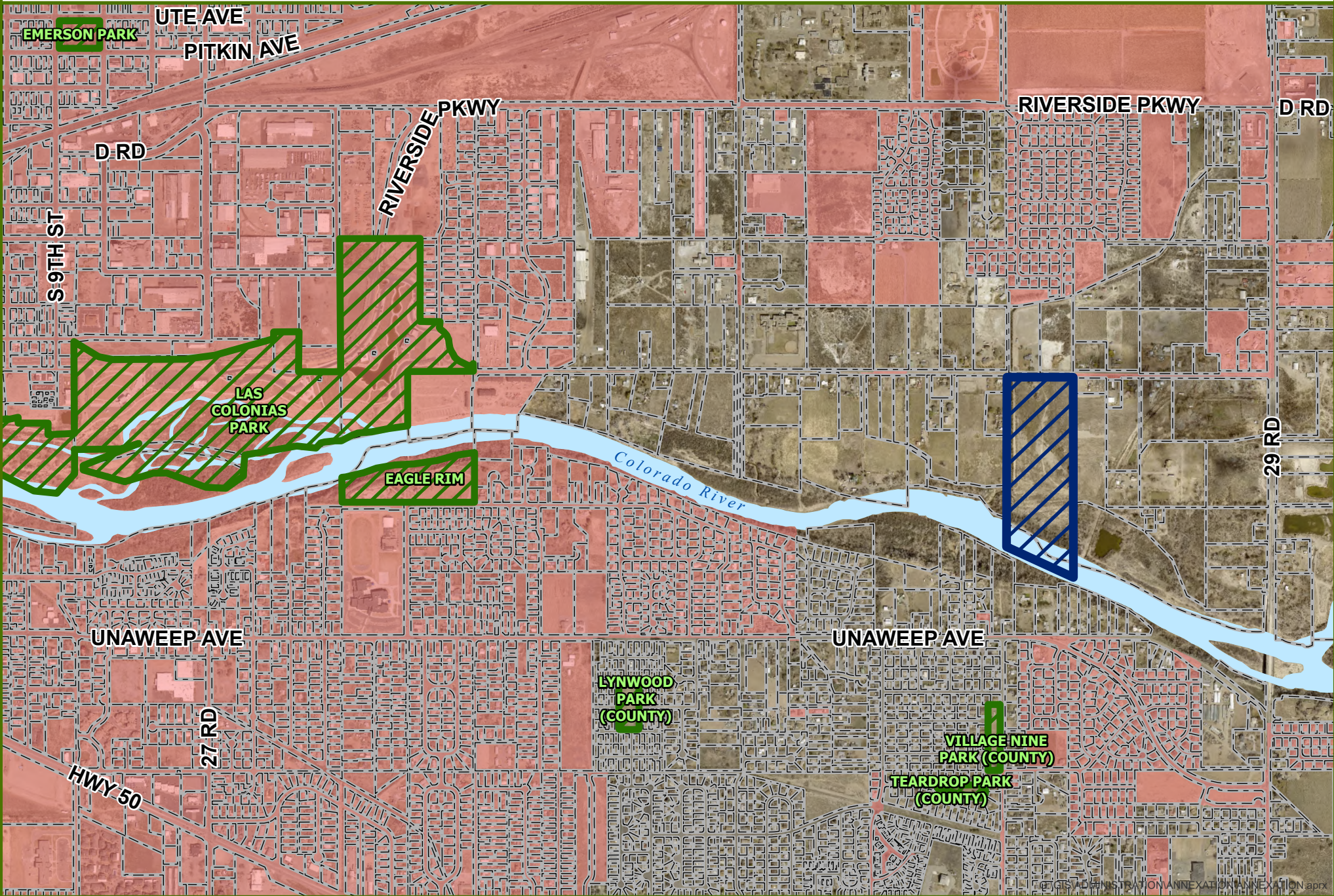
0 0.2 0.4 Miles

 Annexation

 City Limits

 Parks

C 1/2 ROAD GRAVEL PIT ANNEXATION



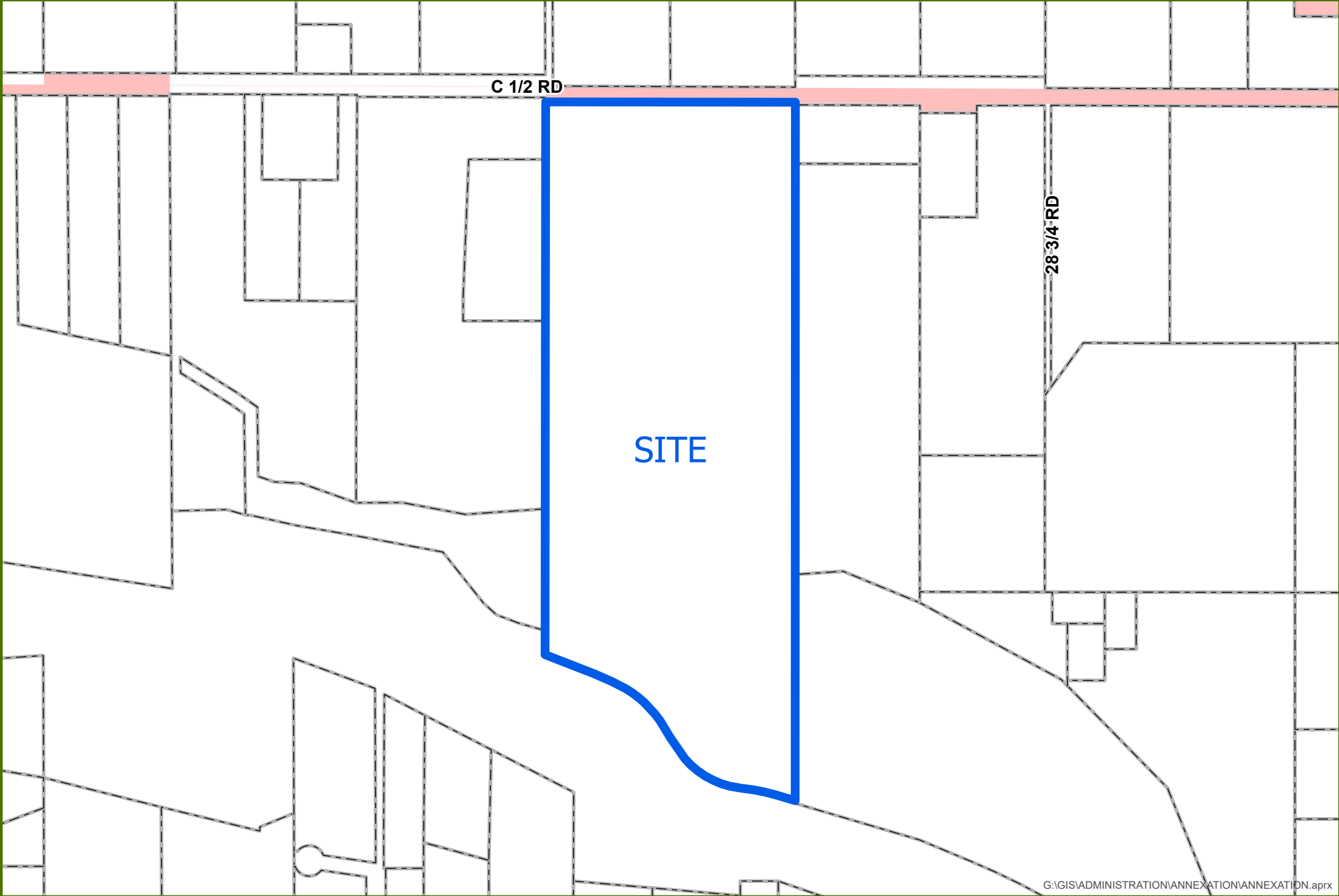
0 0.2 0.4 Miles

 Annexation

 City Limits

 Parks

C 1/2 ROAD GRAVEL PIT ANNEXATION



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0 0.05 0.1 Miles

 Annexation  City Limits



Date Created: 9/27/2021

C 1/2 ROAD GRAVEL PIT ANNEXATION




C 1/2 RD

28 3/4 RD

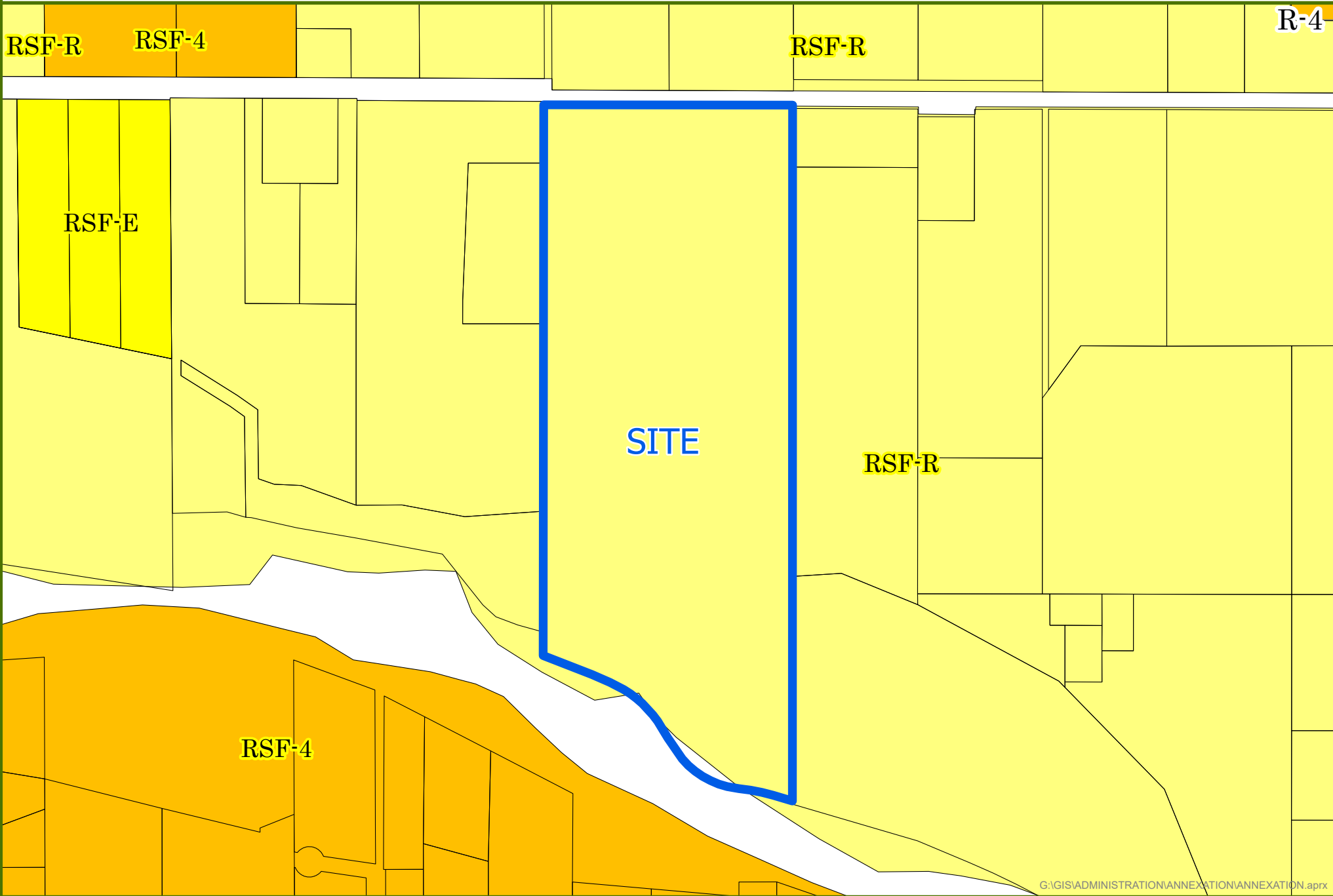
SITE



0 0.05 0.1 Miles

 Annexation  City Limits

C 1/2 ROAD GRAVEL PIT ANNEXATION - ZONING



0 0.05 0.1 Miles

 Annexation

City Zoning
Packet Page 126

County Zoning

Date Created: 9/27/2021



GEOSPATIAL INFORMATION SYSTEMS

C 1/2 ROAD GRAVEL PIT ANNEXATION - LAND USE



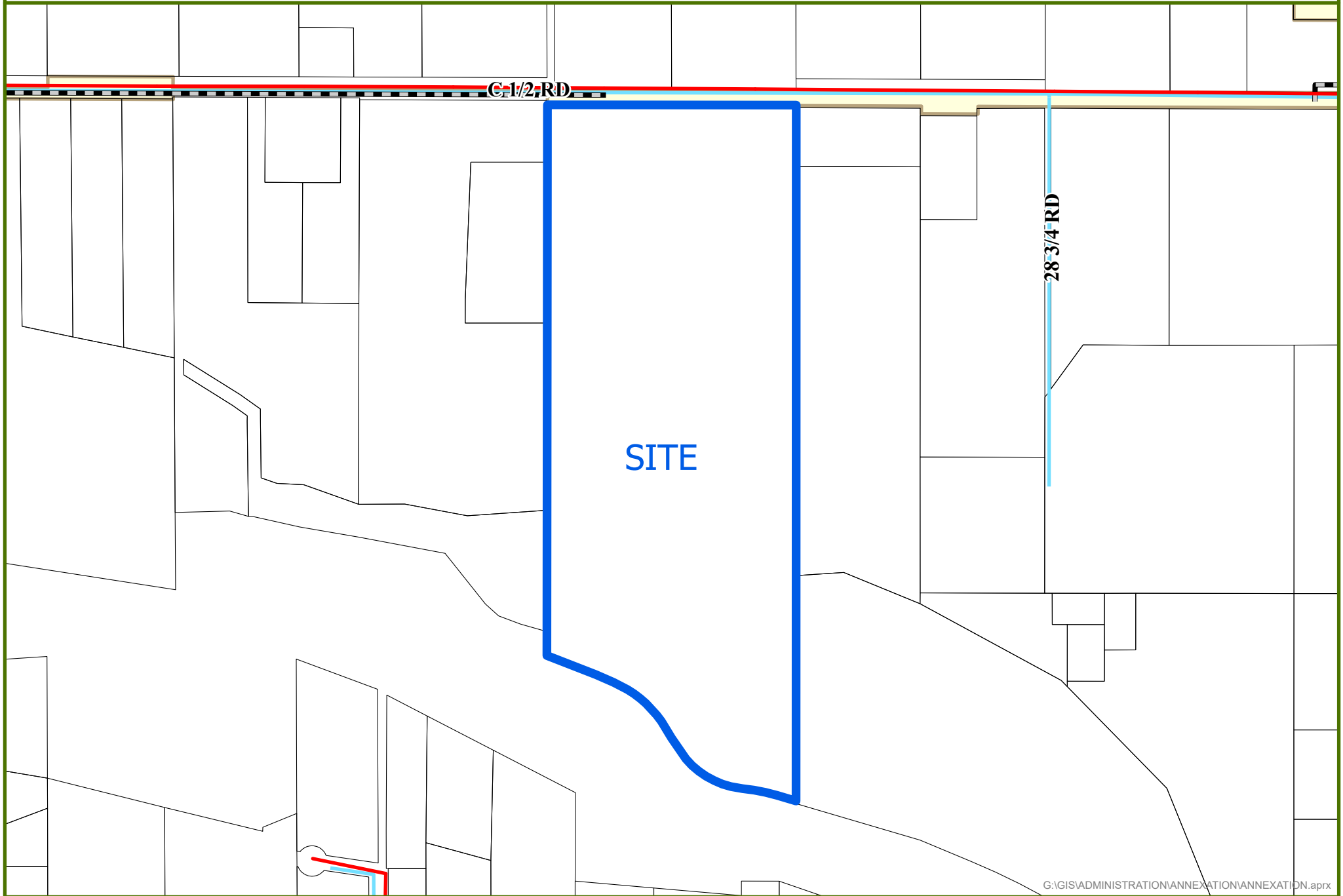
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0 0.05 0.1 Miles

 Annexation Boundary

C 1/2 ROAD GRAVEL PIT ANNEXATION - UTILITIES



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0 0.05 0.1 Miles

NON-CITY FIBER

SEWER

UTE WATER

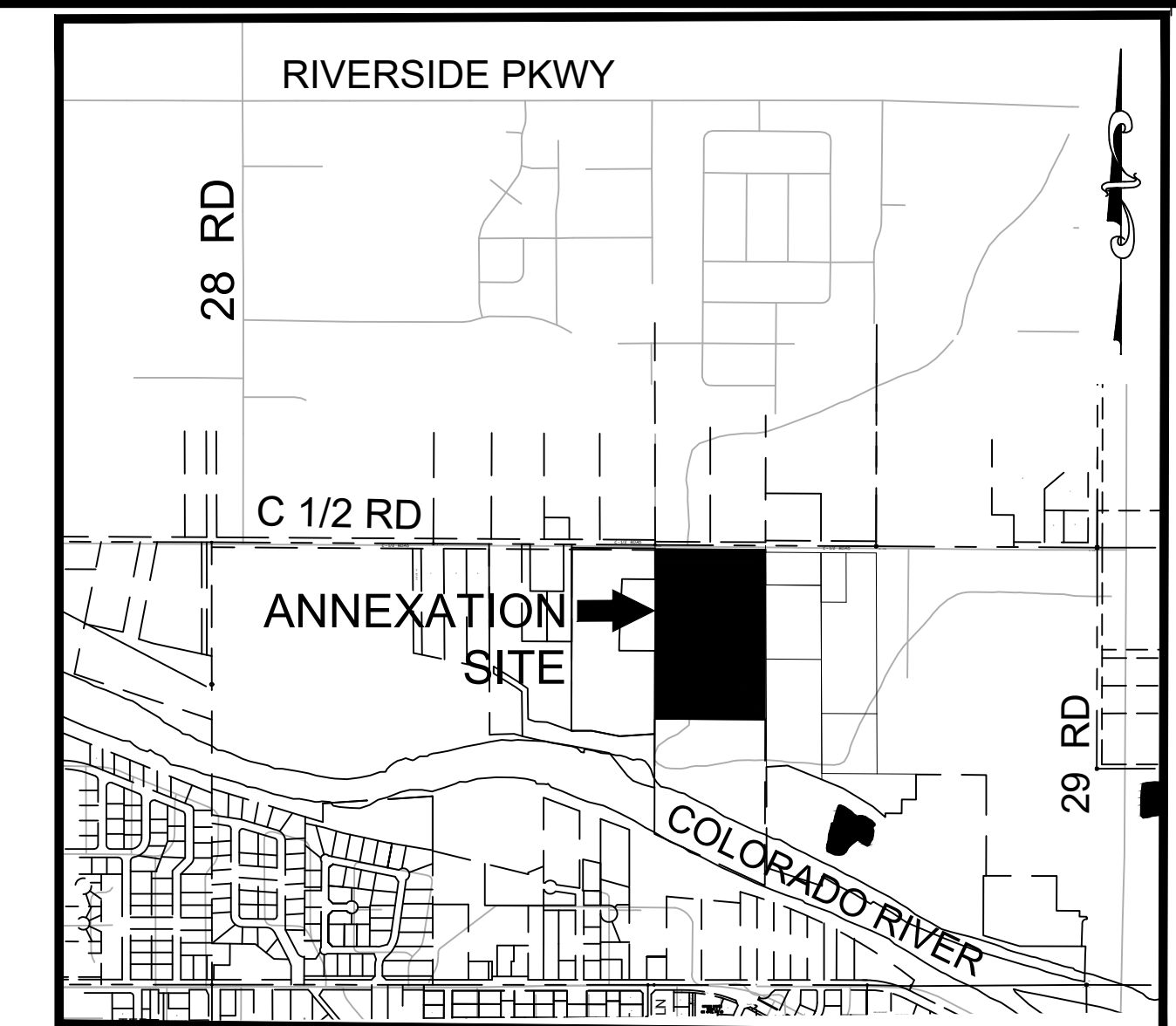
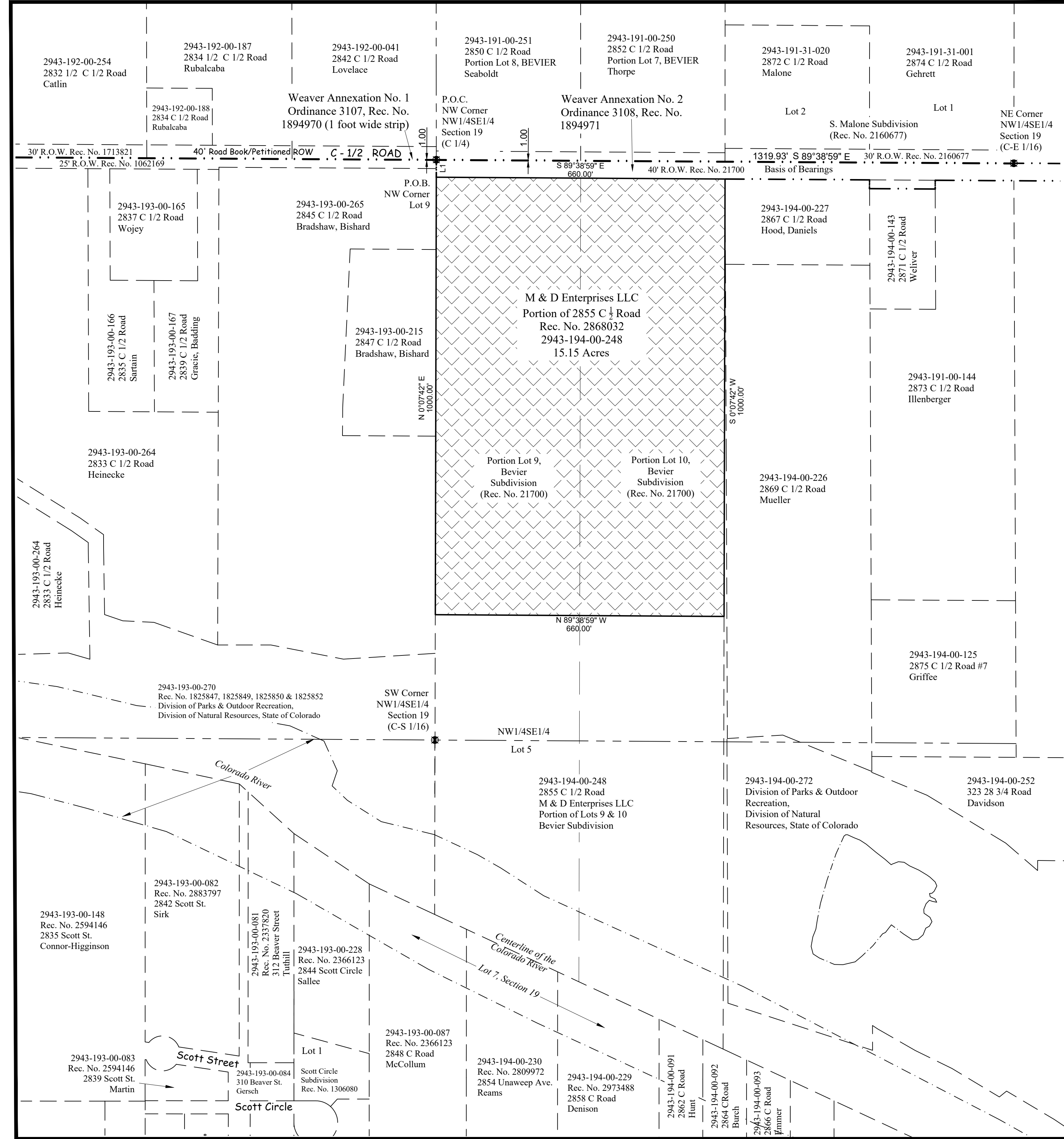
CITY LIMITS

Date Created: 9/27/2021



C 1/2 Road Gravel Pit Annexation No. 1

Located in the NW1/4SE 1/4 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP

SCALE: 1" = 800'

LEGAL DESCRIPTION

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LINE TABLE

L1	S0°07'42"W	40.00'
----	------------	--------

LEGEND

ANNEXATION BOUNDARY	—
ANNEXATION AREA	
EXISTING CITY LIMITS	- - - -

SURVEY ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT	SQ. FT.	SQUARE FEET
P.O.B.	POINT OF BEGINNING	Δ=	CENTRAL ANGLE
R.O.W.	RIGHT OF WAY	ARC	ARC LENGTH
SEC.	SECTION	CHD.	CHORD LENGTH
TWP.	TOWNSHIP	CHB.	CHORD BEARING
RGE.	RANGE	PLK.	BLOCK
U.M.	UTE MERIDIAN	P.B.	PLAT BOOK
NO.	NUMBER	BK.	BOOK
REC.	RECEPTION	PG.	PAGE
		HOR. DIST.	HORIZONTAL DISTANCE

AREAS OF ANNEXATION

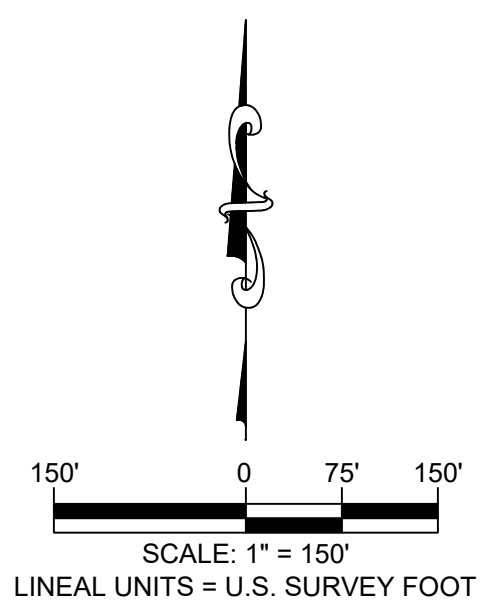
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ORDINANCE NO.

EFFECTIVE DATE

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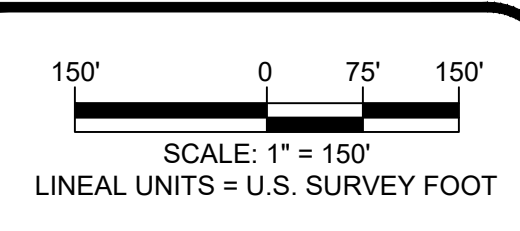
RENEE BETH PARENT
STATE OF COLORADO - P.L.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
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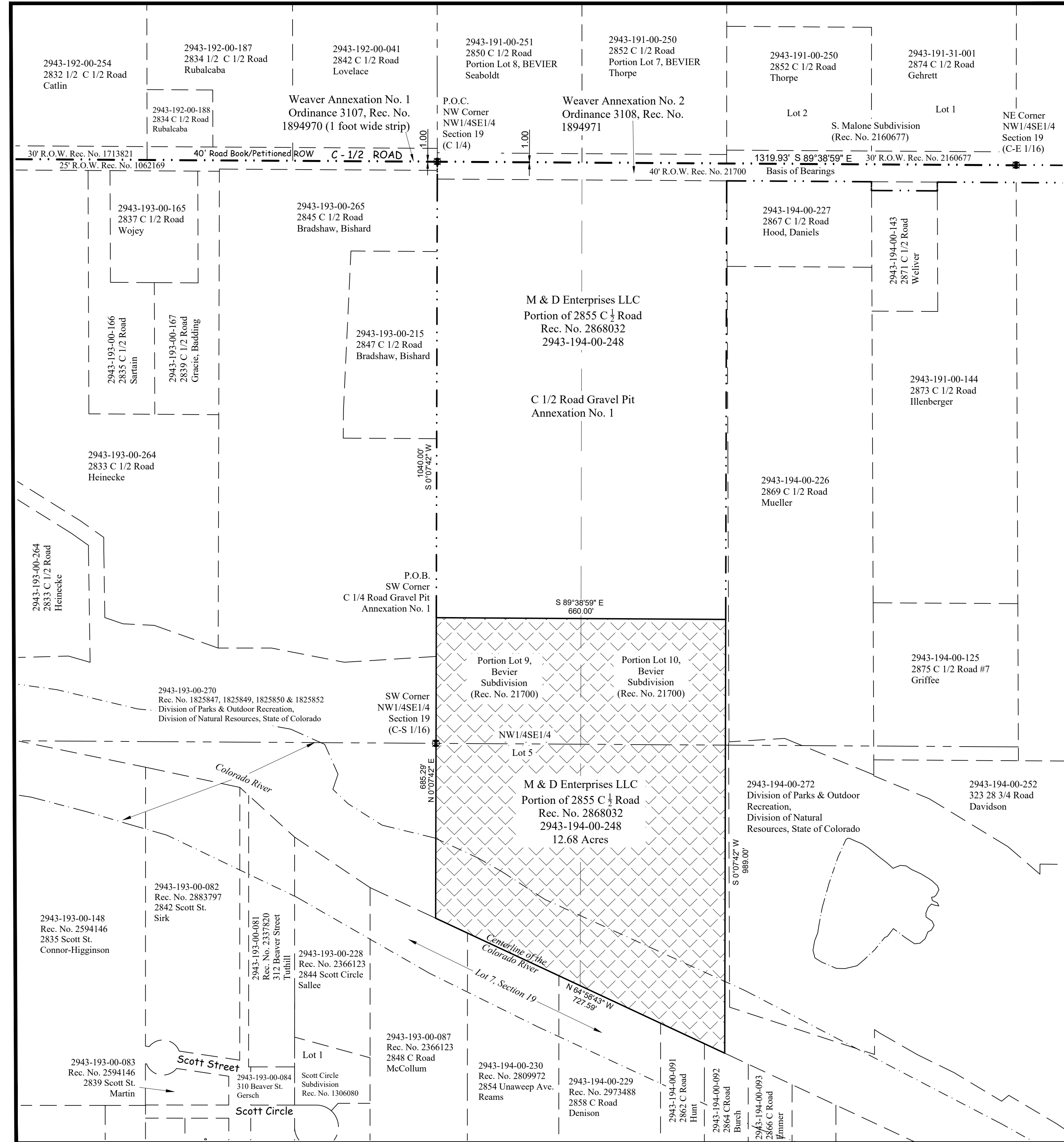


PUBLIC WORKS ENGINEERING DIVISION

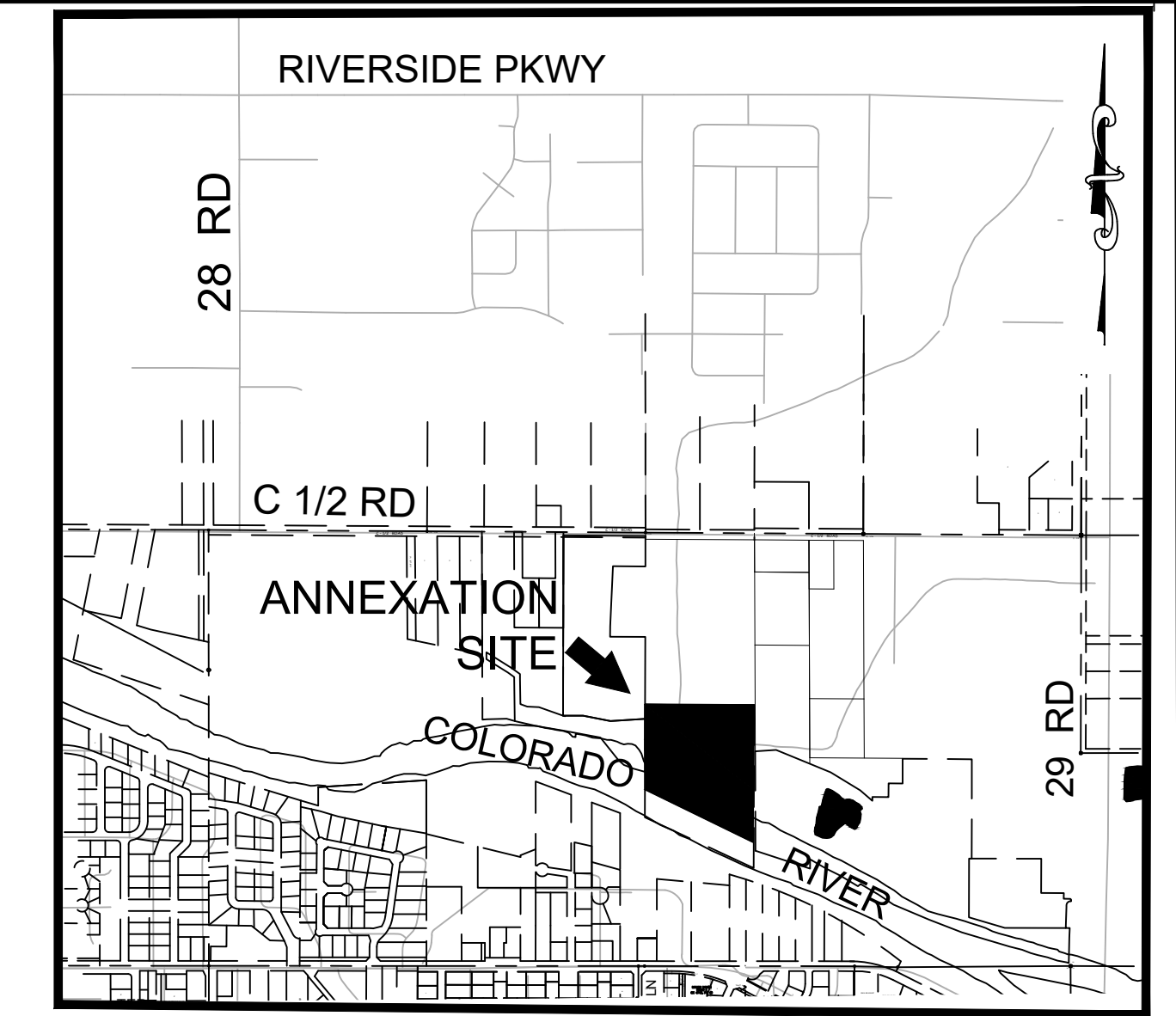
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Located in the NW1/4SE1/4
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

C 1/2 Road Gravel Pit Annexation No. 2

Located in the NW1/4SE1/4 and Lot 5 of SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



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SCALE: 1" = 800'

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ANNEXATION AREA	
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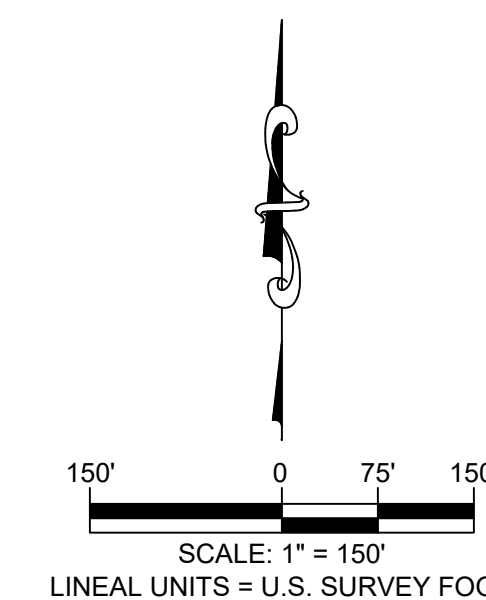
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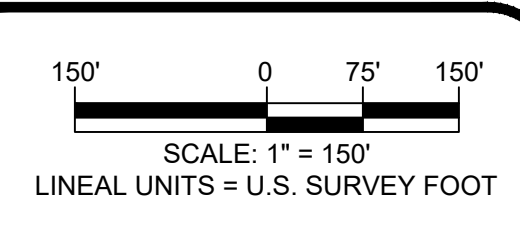
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PUBLIC WORKS
ENGINEERING DIVISION

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Located in the NW1/4SE1/4 and Lot 5
SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



Google Street View looking south from C ½ Road

David Thornton

From: David Thornton
Sent: Tuesday, September 27, 2022 8:38 AM
To: Ryan Lowe
Cc: Kristen Ashbeck
Subject: RE: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C ½ Road

Thanks Ryan for your comments. I have copied another Planner in Community Development that is reviewing the actual Gravel Pit development application. It will be going to public hearing soon and all those who received notice for this annexation will also receive notice of the hearing date for the gravel pit/extraction use that will require a Conditional Use Permit (CUP) and that is considered by Planning Commission in a public hearing as well.

Kristen Ashbeck now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meet the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the Planning Commission and later City Council, are considering the CSR (Community Services and Recreation) zone district which implements the City's' Comprehensive Plan for the property. The CSR zoning permits residential uses, but at a density of one dwelling unit per five acres. It permits gravel extraction with a CUP.

Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or kristena@gjcity.org

Respectfully,

Dave

David Thornton, AICP
Principal Planner
Community Development Department
City of Grand Junction
www.gjcity.org
Phone: 970-244-1450

-----Original Message-----

From: Ryan Lowe <raniac84@gmail.com>
Sent: Monday, September 26, 2022 8:30 PM
To: David Thornton <davidth@gjcity.org>
Subject: ANX-2022-613--C 1/2 Road Gravel Pit Annexation 2855 C ½ Road

** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - **

Hello David-

I wasn't sure where to comment or what to do if I can't attend the hearing.

I own a house across the river from this project on Unawweep Ave(C road). When I bought, one of the reasons was the rural/residential area zoning. We have lots of wildlife over here including Eagles, Bears, Deer, Fox, etc that I feel would be impacted by this gravel pit project due to noise and increased traffic over there.

Thank you for taking my comment.

Ryan Lowe
2850 Unawweep Ave

ANX-2022-613--C 1/2 Road Gravel Pit Annexation
2855 C ½ Road

Sent from my iPhone

David Thornton

From: Daniella Acosta
Sent: Monday, September 26, 2022 2:29 PM
To: David Thornton
Subject: Fwd: [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

This GJ Speaks commented was routed to me instead of you.

Get [Outlook for iOS](#)

From: Grand Junction Speaks <no-reply@gjspeaks.org>
Sent: Monday, September 26, 2022 1:29:32 PM
To: Daniella Acosta <daniellaa@gjcity.org>
Subject: [Grand Junction Speaks] Comment submitted for: C 1/2 Road Gravel Pit Annexation

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****



The following comment has been submitted for C 1/2 Road Gravel Pit Annexation by Sandra Reams:

Hi, I live at 2854 Unaweep Ave. directly south of the proposed application. I purchased this property 5 years ago. I knew the parcel of land in question was zoned for residential single family-Rural development. The back of my property butts up against the Colorado River. My views are incredible.. the solitude is good for the soul... and wildlife is abundant. I can't imagine the constant beeping noise and sounds from the rock haulers. I am retired. I spend a lot of time outside. My windows are open in the summer. I am concerned for my mental health. I am sensitive to annoying noises. i.e. trucks backing up. I am concerned for the wildlife. They have no say but I can tell you they would not be happy !!! I am concerned about the traffic increase on C 1/2 Rd. There are no sidewalks or bike lanes. C 1/2 is used by pedestrians and cyclist to access river trail and new park system. The new apartments west of the land application also have increased the road usage. C 1/2 is now being used as a short cut to D Rd off of 29 Rd. Surely there is somewhere else in the valley that gravel can be found. This application for land use would be a nuisance to all neighbors above and below the Colorado River and those traveling sans vehicles. Thank you SReams

You can approve or reject the comment [here](#).

This email was delivered by gispeaks.org

David Thornton

From: Greg Mueller <pariahlaw@aol.com>
Sent: Monday, September 26, 2022 11:09 AM
To: David Thornton
Subject: Re: ANX-2022-613- C ½ Road

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

Got it, Thanks Dave,

Gregory J. Mueller, Esq.
Gregory J. Mueller, P.C. A Professional Corporation
902 Colorado Avenue
Grand Junction, CO 81501
Telephone: 970.245.1227 Facsimile: 970.245.1257
Email: pariahlaw@aol.com

[NOTICE: This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is confidential AND MAY CONTAIN MATERIAL PRIVILEGED BY ATTORNEY/CLIENT AND/OR WORK PRODUCT PRIVILEGES or CRE 408. It is not to be transmitted to or received by anyone other than the named addressee \(or a person authorized to deliver it to the named addressee\). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email or by calling Gregory J. Mueller at \(970\) 245-1227 \(collect\), so that our address records can be corrected.](#)

On Monday, September 26, 2022 at 09:21:21 AM MDT, David Thornton <davidth@gjcity.org> wrote:

Good Morning Amy, Nathaniel and Greg,

Thank you for your comments. All of your comments are related directly with the proposed CUP (file #CUP-2021-616) that is also going through the Development Review Process with the City, These comments can be considered as conditions to the Conditional Use Permit (CUP) request for the gravel extraction land use. I have copied Kristen Ashbeck, project manager on the gravel extraction CUP request so she now has your comments for that review and consideration. The annexation of a property only considers whether or not the land should become part of the city limits and must meets the Colorado State statutory requirements for annexation. With the annexation of land State law requires the city to zone it within 90 days of the annexation's effective date. By request of the petitioner, the city is considering the CSR zone district which implements the City's' Comprehensive Plan for the property.

Thanks again for your comments and Kristen will incorporate them into her review and file for the proposed CUP. Kristen can be reached at 970-244-1491. Or kristena@gjcity.org

Respectfully,

Dave

David Thornton, AICP
Principal Planner

Community Development Department
City of Grand Junction

www.gjcity.org

Phone: 970-244-1450



From: Greg Mueller <pariahlaw@aol.com>
Sent: Sunday, September 25, 2022 1:35 PM
To: David Thornton <davidth@gjcity.org>
Cc: So, <akcolomed@aol.com>; Nathaniel Mueller <nathaniel.g.mueller@gmail.com>
Subject: Re: ANX-2022-613- C ½ Road

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September 25, 2022

To Dave Thornton, Planner
davidth@gjcity.org

Re: ANX-2022-613- C ½ Road
Public Comment

Dear Commission, Counsel and Owners,

We own the property immediately east of the proposed project and share the property line. Our vacant agricultural land is located at 2869 C ½ Road. We have met with a representative of the proposed annexation company, discussed their project and the anticipated time-line for this mineral extraction project. We are generally in favor of the annexation / changed use application.

Our goal is for the project to benefit the owners as well as the neighborhood and community at large. We propose and request the following provisions be considered by the Commission and City Counsel as part of the annexation request:

A. The proposed site is one of two properties between Las Colonias Park and 29 Road which is blocking the extension of the James M Robb bike trail. We request that after extraction and remediation processes are complete, the owner cede a sufficient amount of their private land to the State of Colorado to permit the extension of the bike trail through this stretch of river front.

The current bike access route is on C ½ Road, a narrow and rough stretch of the trail which places both bikers and drivers at risk. With the proposed extraction processes in place, more heavy trucks will be required to remove the minerals and thus increase traffic on the roadway. Because the project could take years to exhaust the resources, we request the river-front be extracted and remediated first to possibly permit the extension of the bike trail system. This will remove bikes from C ½ Road and nearly complete the bike system from Loma to Palisade. .

B. The working hours of the project should be limited to ½ hour after sunrise until ½ hour before sunset. This will minimize noise and traffic which impacts the adjacent landowners.

C. A dedicated acceleration and deceleration lane should be required on C ½ Road near the entrance to the work site. This road has already been neglected, but with the increased use by heavy vehicles, it can be anticipated to suffer more structural fatigue. Having either a center turn lane or expanded shoulder on the south roadside will reduce the ongoing damage to the existing road.

With these requests being addressed and considered by the Planners and City Counsel, we welcome the beneficial use of the property by our neighbors.

Respectfully,
Amy Mueller, Nathaniel Mueller and Greg Mueller, owners 2869 C ½ Road, Grand Junction, CO

Telephone: 970.245.1227 Facsimile: 970.245.1257

Email: pariahlaw@aol.com

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING C ½ ROAD GRAVEL PIT ANNEXATION
TO CSR (COMMUNITY SERVICES AND RECREATION) ZONE DISTRICT**

LOCATED ON PROPERTIES AT 2855 C ½ ROAD, GRAND JUNCTION, COLORADO

Recitals:

The property owner has petitioned to annex their 27.83 acres into the City limits. The annexation is referred to as the “C ½ Road Gravel Pit Annexation.”

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the C ½ Road Gravel Pit Annexation consisting of 27.83 acres from County RSF-R (Residential Single Family Rural) to CSR (Community Services and Recreation) finding that both the CSR zone district conforms with the designation of Residential Medium as shown on the Land Use Map of the Comprehensive Plan and conforms with its designated zone with 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 the CSR (Community Services and Recreation) zone districts, is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code for the parcel as designated.

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

THE C ½ ROAD GRAVEL PIT ANNEXATION, a parcel of land located in the City of Grand Junction, County of Mesa, State of Colorado is hereby zoned as follows:

PERIMETER BOUNDARY LEGAL DESCRIPTION

C ½ Road Gravel Pit Annexation

A Serial Annexation comprising the C ½ Road Gravel Pit Annexation No. 1
and C ½ Road Gravel Pit Annexation No. 2

C ½ Road Gravel Pit Annexation No. 1

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter

(NW1/4SE1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 40.00 feet to the Northwest Corner of said Lot 9, BEVIER SUBDIVISION also being the southwest corner of WEAVER ANNEXATION No. 2, Ordinance Number 3108 same as filed under Reception Number 1894971 and being the Point of Beginning; thence S89°38'59"E along the south line of said WEAVER ANNEXATION No. 2 a distance of 660.00 feet to the Northeast Corner of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 1000.00 feet; thence N89°38'59"W a distance of 660.00 feet to a point on the west line of said Lot 9 BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 1000.00 feet to the Point of Beginning.

Containing 15.15 Acres or 659995 Square Feet more or less as described.

C ½ Road Gravel Pit Annexation No. 2

A parcel of land being a portion of Lots 9 and 10, BEVIER SUBDIVISION, same as filed under Reception Number 21700, located in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and Lot 5 of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the NW Corner of said NW1/4SE1/4 and assuming the north line of said NW1/4SE1/4 bears S89°38'59"E with all other bearings herein being relative thereto; thence S0°07'42"W along the west line of said NW1/4SE1/4 a distance of 1040.00 feet to the Northwest Corner of C 1/4 Road Gravel Pit ANNEXATION No. 1 being the Point of Beginning; thence S89°38'59"E along the south line of said C 1/4 Road Gravel Pit ANNEXATION No. 1 a distance of 660.00 feet to a point on the east line of said Lot 10, BEVIER SUBDIVISION, thence S0°07'42"W along the east line of said Lot 10 a distance of 989.00 feet to the southeast corner of said Lot 10 also being a point on the southerly line of said Lot 5, Section 19 and a point on the centerline of the Colorado River; thence N64°58'43"W along said centerline of the Colorado River a distance of 727.59 feet to the southwest corner of said Lot 9, BEVIER SUBDIVISION; thence N0°07'42"E along said west line of Lot 9 a distance of 685.29 feet to the Point of Beginning.

Containing 12.68 Acres or 552513 Square Feet more or less as described.

INTRODUCED on first reading this ____ day of _____, 2022 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2022 and ordered published in pamphlet form.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk

DRAFT



Grand Junction City Council

Regular Session

Item #2.b.iii.

Meeting Date: October 5, 2022
Presented By: Daniella Acosta, Senior Planner
Department: Community Development
Submitted By: Dani Acosta, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance Rezoning 0.920 Acres from C-2 (General Commercial) to C-1 (Light Commercial), Located at 609 24 Road and Setting a Public Hearing for October 19, 2022

RECOMMENDATION:

Planning Commission heard this item at its September 27, 2022 meeting and voted (6-0) to recommend approval of the request.

EXECUTIVE SUMMARY:

The Applicant, M&G, LLC, is requesting the rezone of one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) located at 609 24 Rd. The purpose of the rezone is to expand the potential for mixed-use development on the parcel, allowing the construction of a ground-floor medical office with either multifamily units or a live-work unit above.

The requested C-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial. The C-1 zone district is appropriate for the development of retail and commercial development along arterials, as well as permits multifamily development by right, which the C-2 zone district prohibits.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The proposed rezone comprises one parcel totaling 0.920 acres situated at 609 24 Rd just south of Patterson Rd and north of Hwy 6 & 50. The subject site was annexed into the City in 1995 as part of the Northwest Enclave Annexation. As indicated, the subject site is currently zoned C-2 and is currently being used as a surface parking lot. To the

south and east there is a mix of heavy commercial uses. To the north of the property are professional services uses, mostly medical/healthcare services. To the east is the Mesa Mall Shopping Center, which is separated from the property by 24 Rd.

The 2020 One Grand Junction Comprehensive Plan classifies the subject property as Commercial. Under the Grand Junction Zoning & Development Code, the zone districts that may implement the Commercial Land Use classification include Mixed-Use (M-U), Business Park (B-P), Industrial/Office Park (I-O), Light Commercial (C-1), General Commercial (C-2), Mixed Use Residential, High Intensity (MXR-8), Mixed Use Shopfront, Low-Medium-and-High Intensity (MXS-3, 5, 8), and Mixed-Use Opportunity Corridors (MXOC). The Comprehensive Plan classified the 24 Road Corridor south of F ½ Road and north of Hwy 6 & 50 as Commercial.

The Applicant is now requesting a rezone to C-1 to allow for the creation of new and expanded business opportunities for the subject property and to permit mixed-use development with the possible introduction of multifamily units or a live-work unit above the ground floor commercial. If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at the Pearle Vision Optometrist Office located at 611 24 Road on June 22, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. No members of the public were in attendance.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject property was posted with an application sign on August 4, 2022. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property, as well as neighborhood associations within 1000 feet, on September 16, 2022. The notice of the Planning Commission public hearing was published on September 20, 2022, in the Grand Junction Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning & Development Code, in order to maintain internal consistency between this code and the zoning maps, zoning map amendments must only occur if at least one of the five criteria listed below is met. Staff analysis of the criteria is found below each listed criterion.

(1) Subsequent events have invalidated the original premises and findings; and/or

The current zoning, C-2, is within the range of allowable zone districts for the Commercial Future Land Use Designation, as is the proposed C-1 zone district. As such, there are no identified subsequent events that have invalidated the original

premise of C-2 being able to implement the 2020 Comprehensive Plan. Therefore, staff finds that this criterion has not been met.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The property is within North Grand Junction (North GJ) planning area, which includes a significant commercial center that includes several employment anchors, such as City Market, Mesa Mall, Home Depot, American National Bank, Ulta Beauty, and Timberline Bank, among others. Mesa Mall itself has seen a significant economic revival with the arrival of Dick's Sporting Good, Dillard's, Cabela's and Target, as well as major national restaurant chains. While these developments occurred over a period of 11 years, the introduction has had a significant and positive impact on sales tax revenue and spurred investment in multifamily residential development nearby.

These include the 309-unit, 17-building CTR Apartment complex currently under review (SPN-2022-564), the 170-unit, nine-building Rimrock Landing Apartments (SPN-2016-137, SPN-2016-423), the 168-unit Slate on 25 Apartments (SPN-2022-4008), the 17-unit Rimrock Townhome development, and the 16-unit Flat Top Townhomes development. As a result, the incremental change seen in the North GJ planning area has resulted in a major character change from a solely commercial area to one that integrates high and medium density housing options, creating a mixed-use area. As such, staff has found this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

The subject site is currently served by the Ute Water District, City Sewer, the Grand Valley Irrigation Company, the Grand Valley Drainage District, and Xcel Energy. There is a Ute Water line that runs to the property and there are two fire hydrants located on the northern and southern neighboring properties. The property is located within the 201 Persigo boundary and there is an 8-inch sanitary sewer line that runs along the western side of the property within the private street.

The subject site is serviced by two primary truck routes that run along Patterson Road to the north and along 24 Rd to the east with direct access to each. The stretch of 24 Rd Street that runs to the east of the subject site is classified as an Active Transportation Corridor (proposed bike facility along road corridors). Additionally, there is an off-street multiuse path that is along a drainageway located approximately 650 feet to the north of the property, providing low-stress routes for bikes and pedestrians. The application packet was sent out to applicable utility companies for this proposal, and there were no objections expressed during the review process. Based on the preceding information, staff finds this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

There are some differences between the C-1 zone district and the C-2 zone district. Both C-1 and C-2 permit the majority of the same institutional/civic and retail uses in the Use Table. The primary difference between C-1 and C-2, is the ability to permit multifamily residential under C-1 and the ability to permit heavy commercial uses under C-2.

The C-2 zone district accounts for approximately 3.3 percent of City zoned land, while the C-1 zone district accounts for 5.6 percent. Both C-1 and C-2 may implement the Commercial Future Land Use designation. Additionally, there is not a deficit of other zone districts in the North GJ planning area that are also able to implement the Commercial Future Land Use designation, which also includes M-U. Therefore, staff finds that this criterion has not been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community will benefit from the proposed amendment because it directs mixed-use development to the urban core that does not require the extension of infrastructure or the expansion of City services. The subject property is located within the Tier 1 – Urban Infill tier as identified in the City’s Growth Plan. Rezoning to C-1 opens up opportunities for more ground floor retail with potential multifamily or live-work units above. Rezoning to C-1 may help direct any potential future mixed-used development to an area that has adequate public infrastructure and amenities to accommodate that growth.

While M-U may also provide this potential, the bulk standards for C-1 were more appropriate for the lot in question, as it would not introduce a non-conformity. The lot in question is under an acre and would conform with the C-1 minimum lot size requirement of 20,000 feet. In contrast, M-U minimum lot size is one acre, a little more than double the size of the current lot. Rezoning to M-U rather than C-1 would make the site a non-conforming lot for failing to meet the minimum lot size established for M-U, and staff would want to prevent introducing a non-conformity whenever possible.

The 2020 Comprehensive Plan has identified the area that the subject site is situated in as a Regional Center, which is one of the three Commercial Policy Areas. The Regional Centers Policy Area in particular aims to create large commercial nodes that are pedestrian and bicycle friendly and that support the needs of Grand Junction residents and that of surrounding communities. The Regional Centers are also identified as an appropriate location for multifamily residential as long as they are compatible with the existing uses, and that can support activity generating uses

that define a regional center, such as retail stores that range from small mom and pop shops to large retailers.

While the boundaries of the Regional Policy Center Area include parcels zoned C-2 (located primarily on the western half of 24 Rd), the C-1 zone district lends itself better to implementing the vision and goals of a Regional Center. The C-2 zone district allows more wholesale business and warehousing operations, whereas C-1 restricts the type of heavy commercial uses allowed. C-1 is more appropriate for the development of retail uses that emphasize effective street design and access in the site layout, such as public improvements that make a corridor more walkable, attracting not only car-traffic but pedestrian foot-traffic. C-1 designates a narrower range of commercial uses that better aligns with the vision and objectives defined for Regional Centers. This is done in two ways:

1. By permitting the development of mixed-use development, (e.g. ground floor retail with multifamily) that is not permitted by C-2, thus decreasing spatial mismatch of where people live, work, and shop and creating the necessary land use patterns that support a walkable and bikeable commercial area.
2. Limiting and restricting the light industrial and small warehouse uses permitted under C-2, thereby redirecting those more intensive uses to other areas of the City.

Additionally, while the parcel is in a section of the Regional Policy Center Area that is all zoned C-2, this immediate area already has development that is consistent with light commercial uses, such as the Peale Vision Optometrist office, the American National and the Ginger Oriental Restaurant that would be compatible with the proposed mixed-use building. The same development pattern of light commercial uses can be observed north of Patterson – existing light commercial development in C-2 zoned parcels. These include the Grand Junction Federal Credit Union, the Holiday Inn Express & Suites, Vectra Bank, Starbucks, and the Mi Mexico restaurant. Therefore, staff finds that this criterion has been met.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The rezone criteria provide that the City must also find the request consistent with the vision, goals, and policies of the Comprehensive Plan. Staff has found the request to be consistent with the following goals and policies of the Comprehensive Plan:

Plan Principle 3.1.b. Intensification and Tiered Growth – Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3, Servicing Growth. Prioritize development in the following locations (in order of priority).

Periodically consider necessary updates to the Tiers.

- i. Tier 1: Urban Infill

- ii. Tier 2: Suburban Infill
- iii. Tier 3: Rural Areas and County Development

Plan Principle 3.6.b. Mix of Uses – Support the creation of a mix of uses as in neighborhood centers and along prominent corridors that reflect the needs of adjoining residents and the characteristics of individual neighborhoods, including but not limited to retail, office, entertainment, schools, libraries, parks, recreation amenities, transit facilities, and other amenities.

FINDINGS OF FACT AND RECOMMENDATION

After reviewing the 609 24 Rd Rezone, RZN-2022-525, rezoning one parcel totaling 0.920 acres from C-2 (General Commercial) to C-1 (Light Commercial) for the property located at 609 24 Road, the following findings of fact have been made:

- 1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
- 2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, the Planning Commission recommends approval of the request.

FISCAL IMPACT:

There is no fiscal impact.

SUGGESTED MOTION:

I move to introduce an ordinance to rezone the property located at 609 24 Road from C-2 (General Commercial) to C-1 (Light Commercial), publish in pamphlet form and set a public hearing for October 19, 2022.

Attachments

- 1. Exhibit 1. Development Application
- 2. Exhibit 2. Maps
- 3. Exhibit 3 - Neighborhood Meeting Documentation
- 4. Exhibit 4. Draft Ordinance



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation/Zone of Annexation

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation: Light Commercial

Existing Zoning: C-2

Proposed Land Use Designation: General Commercial

Proposed Zoning: C-1

Property Information

Site Location: 609 24 Road

Site Acreage: 0.92

Site Tax No(s): 2945-054-10-003

Site Zoning: C-2

Project Description: Development of vertical mixed use (ground floor commercial/multifamily upper floors)

Property Owner Information

Name: Milissa Stone

Street Address: 609 24 Road Street

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-210-6897

E-Mail: milissastone@aol.com

Fax #: 970-241-5797

Contact Person: Milissa Stone

Contact Phone #: 970-210-6897

Applicant Information

Name: Milissa Stone

Street Address: 609 24 Road Street

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-210-6897

E-Mail: milissastone@aol.com

Fax #: 970-241-5797

Contact Person: Milissa Stone

Contact Phone #: 970-210-6897

Representative Information

Name: Jon Dyer

Street Address: 2335 Interstate

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970-245-8610

E-Mail: jon@jdyerconstruction.com

Fax #: _____

Contact Person: Jon Dyer

Contact Phone #: 970-250-3295

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application:  Date: 5/23/2022

Signature of Legal Property Owner:  Date: 5/23/2022

Evaluation of Request

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter 21 of the Grand Junction Municipal Code.

21.02.140 Code Amendments and Rezoning

(1) Subsequent events have invalidated the original premises and findings:

Response: The adoption of the Comprehensive Plan in April 2021 designated the subject site as Commercial (C-2) with the opportunity to rezone to Light Commercial (C-1).

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan:

Response: The comprehensive plan identifies adjacent and/or adjoining properties as Commercial (C-2). Rezoning of this site to Light Commercial (C-1) is consistent with similar blended use of Light Commercial, Heavy Commercial, and professional services, as cited in the provided General Project Report.

(3) Public and Community facilities are adequate to serve the type and scope of land use proposed:

Response: The following existing facilities, with available capacity adjoin the subject property:

- Streets/ Roadways (Public and Private)
- Sanitary Sewer
- Domestic Water and Fire Protection
- Electric, Natural Gas, and Communication Lines

Fire Protection is provided by the City of Grand Junction from Station #5 and is located approximately 3.6 miles away. There are no impacts of this rezone on Schools or Parks.

(4) An inadequate supply of suitability designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use.

Response: This site is the last vacant space in the Caldwell Subdivision, already designated for commercial development.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: This commercial rezone request offers expansion of business opportunities to an area of Grand Junction identified by the City and State as an Opportunity and Enterprise Zone. Additionally, development of this site, as proposed, compliments the current zoning designation of the Mesa Mall, directly to the East; separated only by 24 Road.

EVALUATION OF REQUEST

Evaluation of the request is accomplished by using the approval criteria for Code Amendments and rezoning within Chapter the *Grand Junction Municipal Code*.

21.02.140 Code Amendments and Rezoning.

- (1) *Subsequent events have invalidated the original premises and findings;*
RESPONSE: The adoption of the Comprehensive Plan in April, 2021 designated the subject site as “Commercial”.

- (2) *The character and/or condition of the area has changed such that the amendment is consistent with the Plan;*
RESPONSE: Most of the land adjoining the subject property along the north side of US Highway 6 and 50 is designated as Commercial in the Comprehensive Plan.

- (3) *Public and community facilities are adequate to serve the type and scope of land use proposed;*
RESPONSE: The following existing facilities, with available capacity, adjoin the subject property:
 - Streets/Roadways
 - Sanitary Sewer
 - Domestic Water and Fire Protection
 - Electric, Natural Gas, and Communication linesFire Protection is provided by the City of Grand Junction from Station No. 3 approximately 4.5 miles east of the site in a straight line distance. Commercial uses do not create any major impacts to Schools and Parks.

- (4) *An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use;*
RESPONSE: No vacant land was identified within the boundary on the Surrounding Land Use Map.

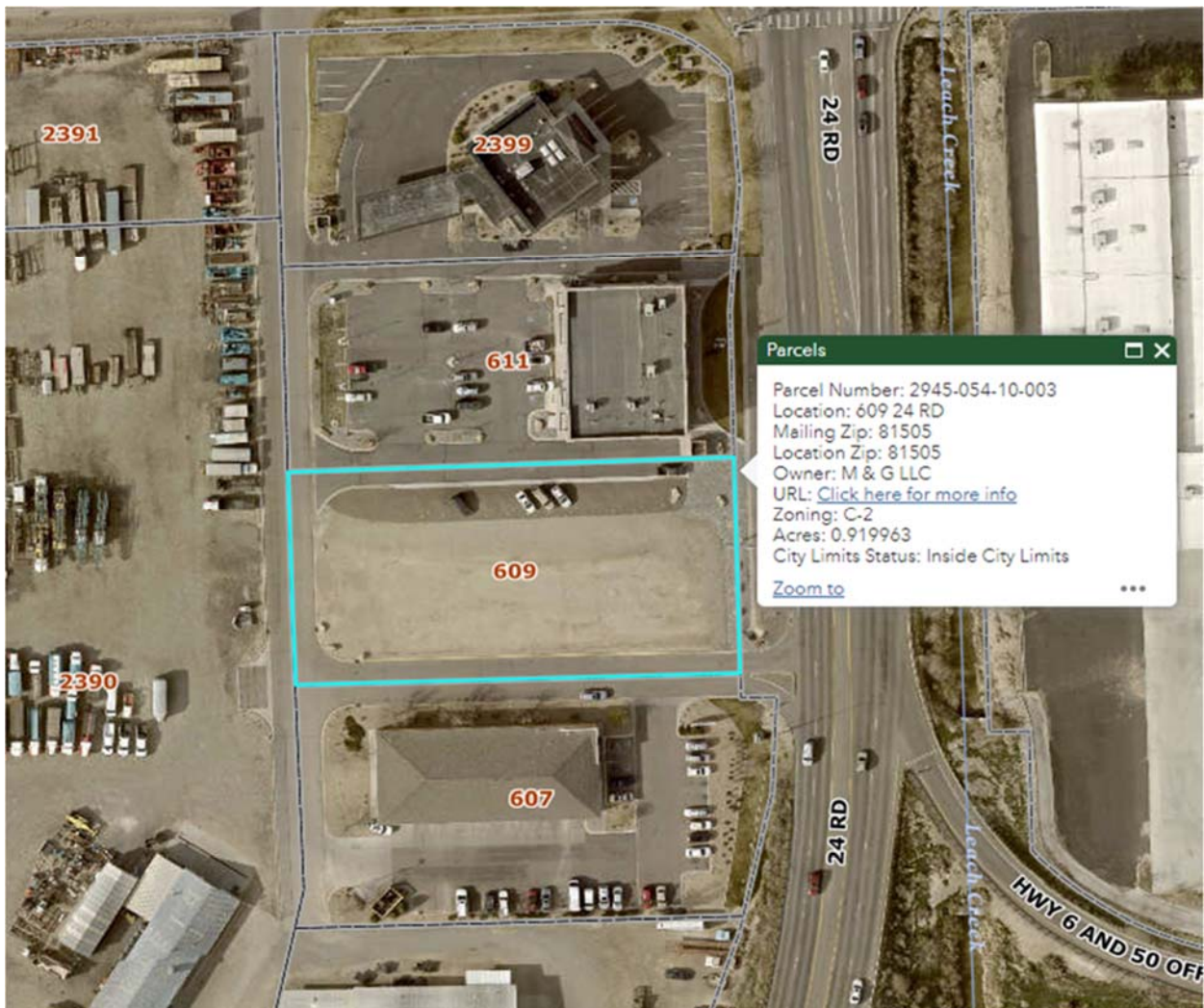
- (5) *The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*
RESPONSE: The commercial zone designation for the property offers a somewhat more extensive uses than the industrial designation. Such as retail sales, which almost non-existent in the surrounding area. The additional uses that the commercial zone designation includes will allow for the creation of new and expanded business opportunities for the subject property.

GENERAL PROJECT REPORT
REZONE REQUEST APPLICATION
July, 2022

SITE LOCATION DATA

Address	609 24 Road
Area	
Tax Parcel Number	2945-054-10-003
Legal Description	LOT 3 CALDWELL SUBDIVISION SEC 9
Approx. Latitude	39.093508
Approx. Longitude	-108.608906

LOCATION MAP



General Project Outline

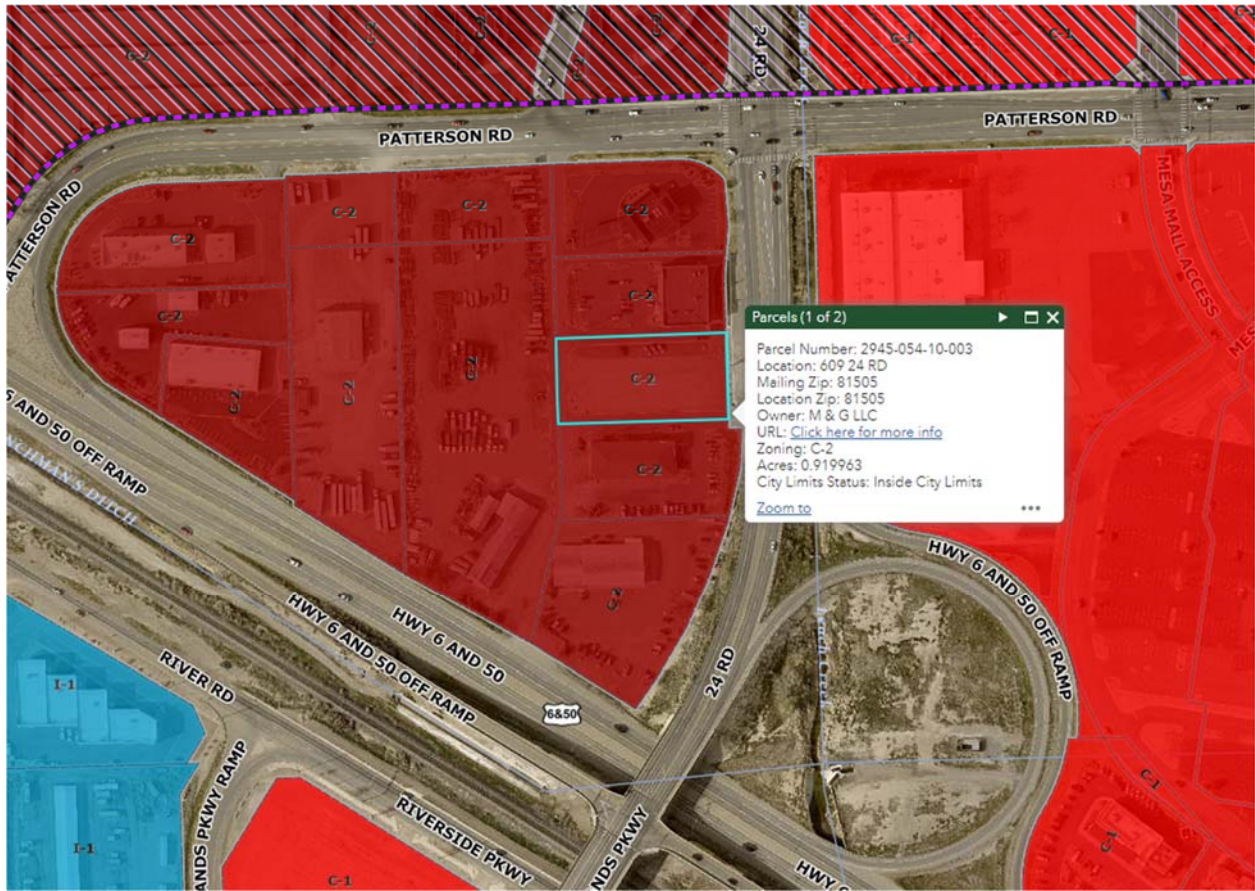
1. Adopted Plans or Policies:	Request, Pg 2-3
2. Land Use in the surrounding areas:	Future Land Use, Pg 3 Current Land Use, Pg 3 Land Use Map, Pg 4
3. Site access and traffic patterns:	Traffic Pattern Map, Pg 5
4. Availability of utilities, including proximity to fire hydrants	Available Utilities, Pg 6
5. Special or unusual demands:	None Applicable
6. Effects on public facilities:	None Applicable
7. Hours of Operation:	TBD, Leasable commercial space
8. Number of Employees:	TBD, Leasable commercial space
9. Signage plans:	TBD
10. Site soils and geology:	See Attached Report from Huddleston & Berry
11. Impact of project on site geology and geological hazards:	See Attached Report from Huddleston & Berry

Request – The accompanying documents and drawings depict the relationship of proposed Zone Change request to the property boundary, roadway access and adjacent properties. The proposal calls for rezoning the property from C-2 (General Commercial) to C-1 (Light Commercial) in accordance with Section 21.02.140, Code Amendments and Zone Change in the City of Grand Junction Municipal Code (GJMC).

According to the GJMC:

C-1, Light Commercial: Purpose is to provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The eC-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure, and provide for orderly transition and buffers between uses.

C-2, General Commercial: Purpose is to provide for commercial activities such as repair shops, wholesale businesses, warehousing, and retail sales with limited outdoor display of goods and even more limited outdoor operations.



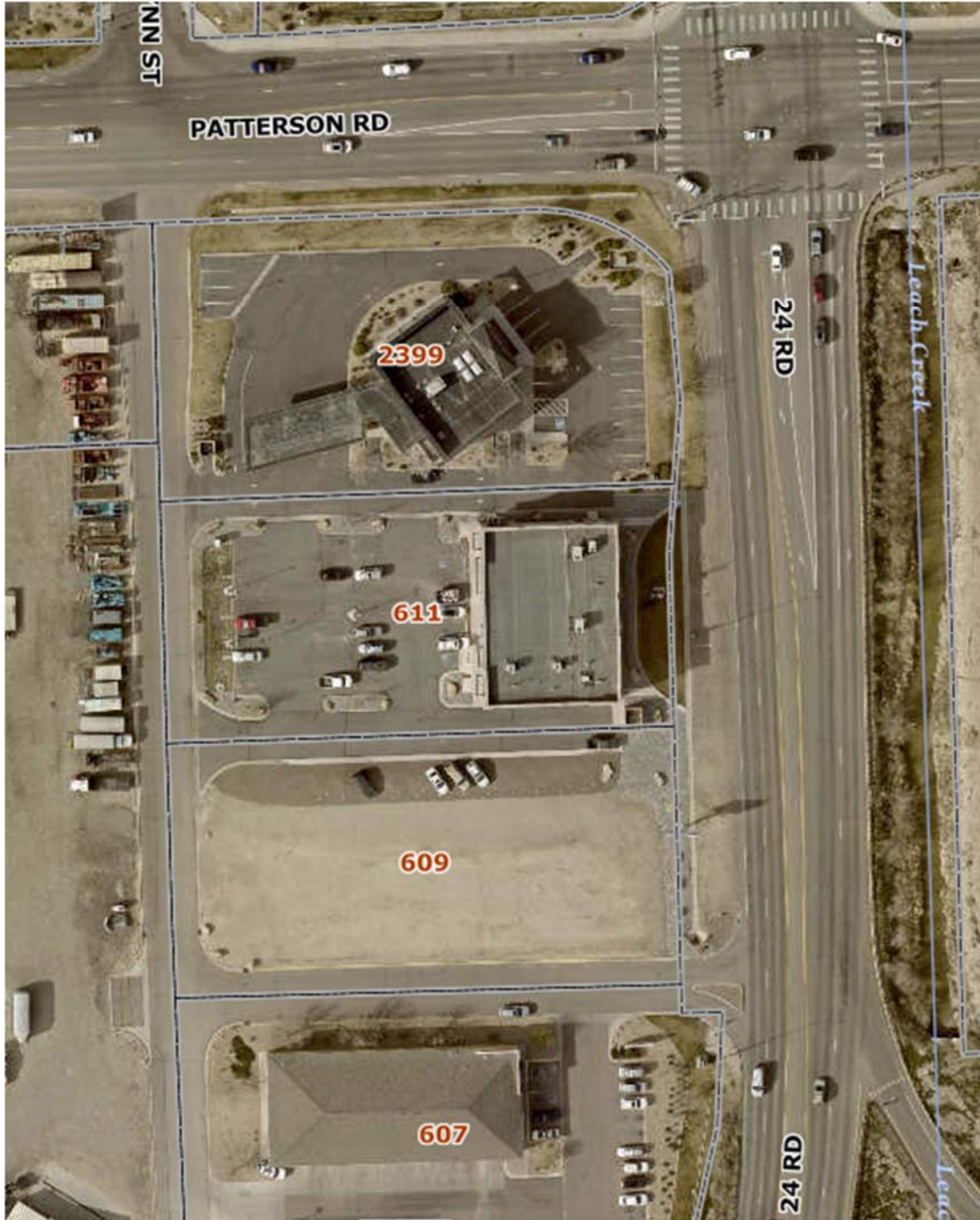
Future Land Use Plan – The One Grand Junction Comprehensive Plan identifies the land use at 609 24 Road, as designated commercial use. Primary land use for commercial, offices, retail, employment, medical campus/hospitals, and service-oriented uses. Parcel is located at intersections along major state and local roadways (HWY 6&50, 24 Road, and F Road (Patterson)). The subject site is located within the Enterprise Zone and Opportunity Zone, created by the State of Colorado, for economically distressed areas of the state.

Current Land Use- The subject site is located at parcel 3 within the Caldwell Subdivision, dedicated in 2005. The .92-acre parcel backs to 24 Road with access to the subdivision via a private road (Caldwell Drive), bisecting 609 24 Road and 607 24 Road. Access to the parcel can also be obtained to the North, off F Road (Patterson) via a private road, bisecting Caldwell Subdivision and 2394 Highway 6 &50. Currently this parcel is vacant, very weed free, dirt.

Maps provided below depict original plot map of the subdivision, subject site highlighted in green, and a map depicting land use of adjacent and nearby land use.

Traffic Patterns- Access from F Road (Patterson Road), is without restriction and accessible without turn lanes. Access from the 24 Road is provided on the south side of the parcel, via right turn in and a right turn out. Adjacent roadways are private property with the exception of Patterson Road and 24.

Traffic Pattern Map



Available Utilities:

Water Service, (Provided by Ute Water) and Identified in Light Blue

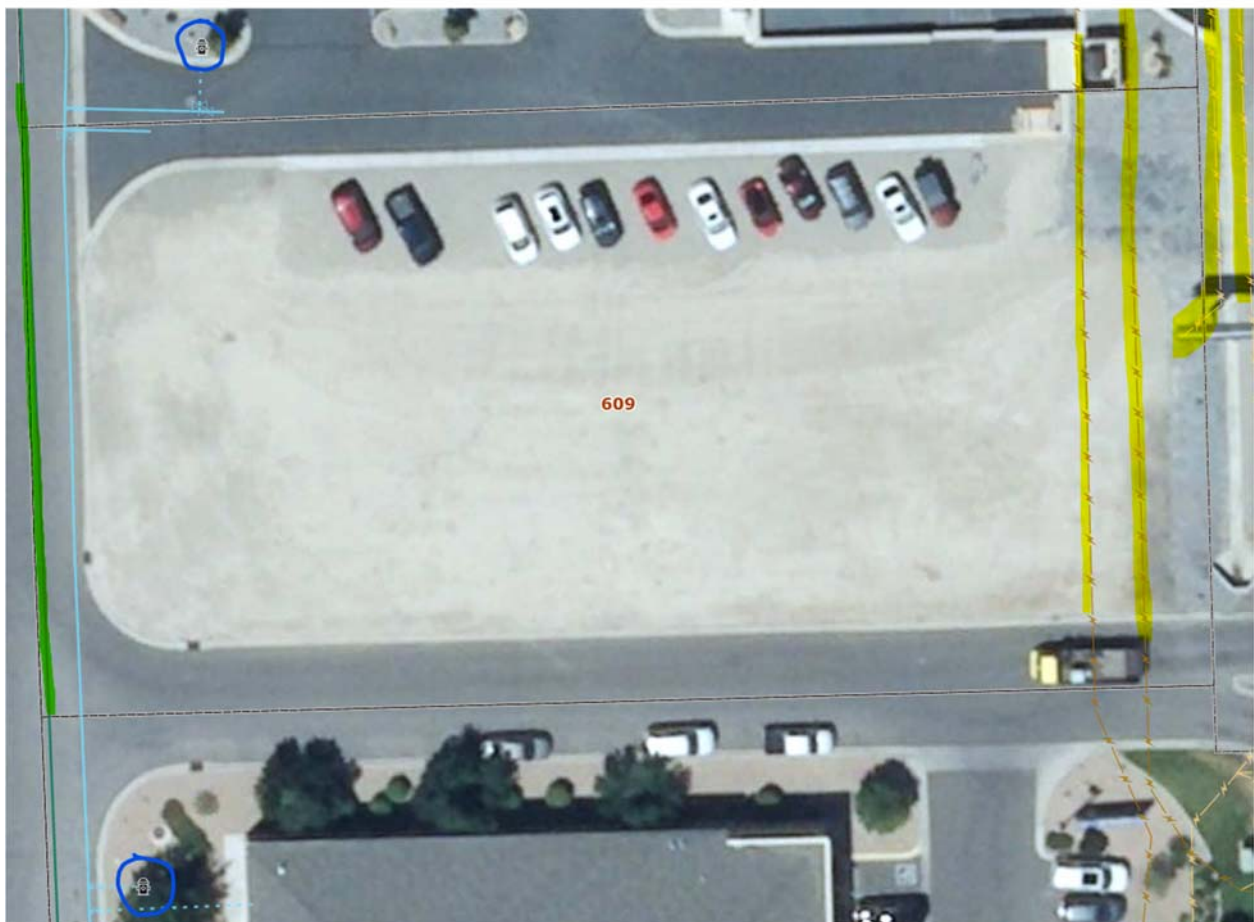
Fire Hydrants, Circled in Blue

Sanitary Sewer Service, Highlighted in Green (City Service)

Electricity, Highlighted in Yellow (Xcel Energy)

Gas Service Available on East Side of Parcel (markings unavailable) but service is provided to adjacent property (611 24 Road)(Xcel Energy)

Utility Map



Legal Description: Lot 3, CALDWELL SUBDIVISION, City of Grand Junction, Mesa County,
Colorado

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) M&G, LLC ("Entity") is the owner of the following property:

(b) 609 24 Road

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

My legal authority to bind the Entity both financially and concerning this property is unlimited.

My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

The Entity is the sole owner of the property.

The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) ReZone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) _____

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: _____

Printed name of person signing: Miss Stone

State of CO

County of Mesa) ss.

Subscribed and sworn to before me on this 24th day of May, 2022
by Milissa Stone

Witness my hand and seal.

My Notary Commission expires on April 7, 2024

ANGELICA CARRILLO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204012938
MY COMMISSION EXPIRES APRIL 7, 2024

Angelica Carrillo
Notary Public Signature



State Documentary Fee
Date: April 17, 2018
\$23.40

Special Warranty Deed
(Pursuant to 20-20-115 C.R.S.)

THIS DEED, made on April 17th, 2018 by FP INVESTMENTS, LLC Grantor(s), of the City and County of Denver and State of Colorado for the consideration of (\$230,000.00) Two Hundred Thirty Three Thousand Nine Hundred Fifty and 00/100 dollars in hand paid, hereby sells and conveys to M & S, LLC, A COLORADO LIMITED LIABILITY COMPANY Grantee(s), whose street address is 388 Vase Tinto Lane, Palmdale, CO 81856, County of Mesa, and State of Colorado, the following real property in the County of Mesa, and State of Colorado, to wit:

LOT 3 OF CALENWELL SUBDIVISION, COUNTY OF MESA, STATE OF COLORADO.

also known by street and number as: 888 24 RD, GRAND JUNCTION, CO 81505

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to general taxes for the year 2018 and those specific exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantor(s) in accordance with Plead Title Matter (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; obligation utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantor(s) has actual knowledge and which were accepted by Grantor(s) in accordance with Off-Plead Title Matters (Section 8.3) and Current Survey Review (Section 8) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; any special assessment if the improvements were not installed as of the date of Signer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other

*MS
S.S.*

FP INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: *[Signature]*
JOHN A. FOX, AS CHIEF FINANCIAL OFFICER OF STURM GROUP, LLC, AS MANAGER

MARION J DOYLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 1888401789
MY COMMISSION EXPIRES MAY 21, 2021

State of Colorado)

County of DENVER)

The foregoing instrument was acknowledged before me on this day of April 17th, 2018 by JOHN A. FOX, AS CHIEF FINANCIAL OFFICER OF STURM GROUP, LLC AS MANAGER OF FP INVESTMENTS, LLC

Witness my hand and official seal

My Commission expires: 5/21/2021 *[Signature]*
Notary Public

When Recorded Return to: M & S, LLC, A COLORADO LIMITED LIABILITY COMPANY
388 Vase Tinto Lane, Palmdale, CO 81856





Huddleston-Berry
Engineering & Testing, LLC

**GEOTECHNICAL AND GEOLOGIC HAZARDS
INVESTIGATION
609 24 ROAD
GRAND JUNCTION, COLORADO
PROJECT #02492-0001**

**MILISSA STONE
611 24 ROAD
GRAND JUNCTION, COLORADO 81505**

JUNE 20, 2022

**Huddleston-Berry Engineering and Testing, LLC
2789 Riverside Parkway
Grand Junction, Colorado 81501**

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

A geologic hazards and geotechnical investigation was conducted at 609 24 Road in Grand Junction, Colorado. The project location is shown on Figure 1 – Site Location Map. The purpose of the investigation was to evaluate the surface and subsurface conditions at the site with respect to geologic hazards, foundation design, pavement design, and earthwork for the proposed construction. This summary has been prepared to include the information required by civil engineers, structural engineers, and contractors involved in the project.

Subsurface Conditions (p. 2)

The subsurface investigation consisted of four borings, drilled on May 12th, 2022. The locations of the borings are shown on Figure 2 – Site Plan. The borings generally encountered native clay soils above poorly graded sand with silt and gravel soils. Groundwater was encountered in the subsurface at depths of between 8.0 and 8.5 feet at the time of the investigation. The native clay soils were indicated to be moderately plastic and slightly expansive, with up to approximately 2.1% expansion measured in the laboratory. The sand soils were indicated to be non-plastic and are anticipated to be fairly stable under loading.

Geologic Hazards and Constraints (p. 3)

The primary geologic hazard and constraint at the site is the presence of moisture sensitive soils. However, shallow groundwater may also impact the proposed development.

Summary of Foundation Recommendations

- Spread Footings or Monolithic Structural Slabs
 - *Foundation Type* - Spread Footings or Monolithic Structural Slabs (p. 4)
 - *Structural Fill* – Minimum of 24-inches below foundations. The native clay soils are not suitable for reuse as structural fill. Imported structural fill should consist of granular material approved by HBET.(p. 4)
 - *Maximum Allowable Bearing Capacity* – 1,500 psf. (p. 5)
 - *Subgrade Modulus* – 200 pci for approved imported materials. (p. 5)
- Helical Piles
 - *Foundation Type* - Helical Piles (p. 5)
 - *Anticipated Length* – 17 to 27 feet. (p. 5)
 - *Axial Capacity* – Dependent upon pile load testing; however, 40 to 50 tons anticipated. (p. 6)
- General
 - *Seismic Design* – Site Class D (p. 6)
 - *Lateral Earth Pressure* – 55 pcf active. 75 pcf at-rest. (p. 6)

Summary of Pavement Recommendations (p. 8)

Automobile Parking Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				TOTAL
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	
A	3.0	10.0			13.0
B	4.0	7.0			11.0
C	3.0	6.0	6.0		15.0
Rigid Pavement		6.0		6.0	12.0

Truck Traffic Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	TOTAL
A	3.0	15.0			18.0
B	4.0	12.0			16.0
C	3.0	6.0	13.0		22.0
Rigid Pavement		6.0		8.0	14.0

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FIGURES

Figure 1 – Site Location Map

Figure 2 – Site Plan

APPENDICES

Appendix A – UDSA NRCS Soil Survey Data

Appendix B – Typed Boring Logs

Appendix C – Laboratory Testing Results

1.0 INTRODUCTION

As part of the continued development in Western Colorado, new construction is proposed at 609 24 Road in Grand Junction. As part of the development process, Huddlestone-Berry Engineering and Testing, LLC (HBET) was retained by the Milissa Stone to conduct a geologic hazards and geotechnical investigation at the site.

1.1 Scope

As discussed above, a geologic hazards and geotechnical investigation was conducted for 609 24 Road in Grand Junction, Colorado. The scope of the investigation included the following components:

- Conducting a subsurface investigation to evaluate the subsurface conditions at the site.
- Collecting soil samples and conducting laboratory testing to determine the engineering properties of the soils at the site.
- Providing recommendations for foundation type and subgrade preparation.
- Providing recommendations for bearing capacity.
- Providing recommendations for lateral earth pressure.
- Providing recommendations for drainage, grading, and general earthwork.
- Providing recommendations for pavements.
- Evaluating potential geologic hazards at the site.

The investigation and report were completed by a Colorado registered professional engineer in accordance with generally accepted geotechnical and geological engineering practices. This report has been prepared for the exclusive use of Milissa Stone.

1.2 Site Location and Description

The site is located at 609 24 Road in Grand Junction. The project location is shown on Figure 1 – Site Location Map.

At the time of the investigation, the site was open with a gradual slight slope down towards the north. Vegetation consisted of sparse grasses and weeds. The site was bordered to the north and south by commercial properties, to the east by 24 Road, and to the west by an unnamed development access road.

1.3 Proposed Construction

The proposed construction is anticipated to include a multi-story, mixed-use building. New utilities and new pavements are also anticipated to be included in the construction.

2.0 GEOLOGIC SETTING

2.1 Soils

Soils data was obtained from the USDA Natural Resource Conservation Service Web Soil Survey. The data indicates that the soils at the site consist of Massadona silty clay loam, saline surface, 0 to 2 percent slopes, and Sagers silty clay loam, saline, 0 to 2 percent slopes. Soil survey data, including descriptions of the soil units, is included in Appendix A.

Structure construction in the site soils is described as being somewhat limited due to shrink-swell. The site soils are indicated to have a low to moderate potential for frost action, high risk of corrosion of uncoated steel, and high risk of corrosion of concrete.

2.2 Geology

According to the *Geologic Map of the Grand Junction Quadrangle, Mesa County, Colorado* (2002), the site is underlain by alluvium and colluvium deposits.

2.3 Groundwater

Groundwater was encountered at depths of between 8.0 and 8.5 feet at the time of the investigation.

3.0 FIELD INVESTIGATION

3.1 Subsurface Investigation

The subsurface investigation was conducted on May 12th, 2022 and consisted of four borings as shown on Figure 2 – Site Plan. The borings were drilled to depths of between 10.0 and 20.0 feet below the existing ground surface. Typed boring logs are included in Appendix B. Samples of the native soils were collected using driven sample tubes and/or bulk sampling methods at the locations shown on the logs.

As indicated on the logs, the subsurface conditions encountered at the site were fairly consistent. The borings generally encountered 1.0 foot of topsoil above brown, moist to wet, soft to medium stiff lean clay soils. In Borings B-3 and B-4, the clay extended to the bottoms of the borings at 10.0 feet. In Borings B-1 and B-2, the clay extended to a depth of 12.0 feet and was underlain by brown, wet, loose to dense poorly graded sand with silt and gravel to the bottoms of the borings. As discussed previously, groundwater was encountered at depths of 8.0 and 8.5 feet at the time of the investigation.

3.2 Field Reconnaissance

The field reconnaissance included walking the site during the subsurface investigation. In general, the site was fairly level and no evidence of active landslides, debris flows, rockfalls, etc. was observed.

4.0 LABORATORY TESTING

Selected native soil samples collected from the borings were tested in the Huddleston-Berry Engineering and Testing LLC geotechnical laboratory for natural moisture content determination, grain size analysis, maximum dry density and optimum moisture content (Proctor) determination, California Bearing Ratio (CBR) determination, and Atterberg limits determination. The laboratory testing results are included in Appendix C.

The laboratory testing results indicate that the native clay soils are moderately plastic. In addition, the CBR results indicate that the native clay soils are slightly expansive with up to approximately 2.1% expansion measured in the laboratory.

The native poorly graded sand with silty and gravel soils were indicated to be non-plastic. In general, based upon our experience with similar soils in the vicinity of the subject site, the native poorly graded sand soils are anticipated to be fairly stable under loading.

5.0 GEOLOGIC INTERPRETATION

5.1 Geologic Hazards

The primary geologic hazard at the site is the presence of moisture sensitive soils.

5.2 Geologic Constraints

The primary geologic constraint to construction at the site is the presence of moisture sensitive soils. However, shallow groundwater may also impact the design and construction.

5.3 Water Resources

No water supply wells were observed on the property. However, as discussed previously, shallow groundwater was encountered at the site. In general, with proper design and construction, the proposed construction is not anticipated to adversely impact surface water or groundwater.

5.4 Mineral Resources

Potential mineral resources in Western Colorado generally include gravel, uranium ore, and commercial rock products such as flagstone. In general, based upon the size of the site and surrounding land use, HBET does not believe that any economically recoverable mineral resources exist at this site.

6.0 CONCLUSIONS

Based upon the available data sources, field investigation, and nature of the proposed construction, HBET does not believe that there are any geologic conditions which should preclude construction at the site. However, the presence of moisture sensitive soils may impact the design and construction. In addition, shallow groundwater may impact the design and/or construction.

7.0 RECOMMENDATIONS

7.1 Foundations

Based upon the results of the subsurface investigation both shallow and deep foundations may be considered. The recommended shallow foundation alternatives include spread footings and monolithic structural slab foundations. The recommended deep foundation alternative is helical piles. The alternatives are discussed in the following sections.

Spread Footings or Monolithic Structural Slabs

As discussed previously, the native sand soils are anticipated to be slightly collapsible. Therefore, in order to provide a uniform bearing stratum and reduce the risk of excessive differential movements, it is recommended that shallow foundations be constructed above a minimum of 24-inches of structural fill.

Due to their plasticity, the native clay soils are not suitable for reuse as structural fill. Imported structural fill should consist of a granular, non-expansive, non-free draining material approved by HBET.

For spread footing foundations, the footing areas may be trenched. However, for monolithic slab foundations, the structural fill should extend across the entire building pad area to a depth of 24-inches below the turndown edges. Structural fill should extend laterally beyond the edges of the foundations a distance equal to the thickness of structural fill for both foundation types.

Prior to placement of structural fill, it is recommended that the bottoms of the foundation excavations be scarified to a depth of 6 to 9-inches, moisture conditioned, and re-compacted to a minimum of 95% of the standard Proctor maximum dry density, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698. However, as discussed previously, soft soil conditions were encountered in some areas of the site, and this may make compaction of the subgrade difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Structural fill should be moisture conditioned, placed in maximum 8-inch loose lifts, and compacted to a minimum of 95% of the standard Proctor maximum dry density for fine grained soils and 90% of the modified Proctor maximum dry density for coarse grained soils, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698 and D1557, respectively. Structural fill should be extended to within 0.1-feet of the bottom of the foundation. No more than 0.1-feet of gravel should be placed below the footings or turndown edge as a leveling course.

For structural fill consisting of imported granular materials, and foundation building pad preparation as recommended, a maximum net allowable bearing capacity of 1,500 psf may be used. In addition, a modulus of 200 pci may be used for structural fill consisting of approved imported materials. Foundations subject to frost should be at least 24-inches below the finished grade.

In general, for properly constructed shallow foundations, HBET anticipates that total settlements will be 1.5-inches or less in the absence of additional moisture. However, if moisture is permitted to infiltrate around the structure, total settlements could be significantly higher.

Helical Piles

Helical piles consist of circular or square steel shafts with load carrying helices attached to them. Most of these systems are proprietary. In general, the precise type, size, and quantity of piles should be established by the contractor in conjunction with the structural engineer. However, HBET provides the following design comments.

In general, helical piles should be designed to penetrate the upper clay soils and bear into the sand and gravel soils. To eliminate reductions in capacity from group effects, the piles should be spaced a distance equal to three times the diameter of the largest helix. It is anticipated that the helical piles will reach refusal within 5 to 15 feet of the top of the gravel and cobble soils. Therefore, pile lengths of up to approximately 27 feet may be possible.

Based upon our experience with other projects utilizing helical piles, allowable axial capacities of between approximately 40 and 50 tons are anticipated for piles with a minimum shaft diameter of 4-inches. However, higher capacities are possible depending on the specific pile type/size proposed. The actual allowable capacity should be determined based upon the results of pile load testing conducted on the project site prior to final design. Where necessary, piles battered up to 15° should be utilized to carry lateral loads.

In general, for properly installed helical piles, HBET anticipates that total settlements will be 1.0-inch or less. However, this should be verified during pile load testing. A reduction in capacity may be necessary where pile load tests indicate excessive deflection.

7.2 Seismic Design Criteria

In general, based upon the result of the subsurface investigation, the site classifies as Site Class D in accordance with the International Building Code (IBC).

7.3 Lateral Resistance for Seismic and Wind Loads

Based upon the results of the subsurface investigation, the following soil parameters are recommended for use in lateral pile capacity analyses:

Depth from Grade (in).	0 to 96	96 to 144	144+
Soil Type	Soft Clay	Soft Clay	Sand
Density (pci)	0.0637	0.0318	0.0318
Cohesion (psi)	3	3	0
Friction Angle (ϕ)	0	0	28°
ϵ_{50} (in/in)	0.02	0.02	n/a
k (pci)	30	30	60

In addition to lateral resistance of the piles, lateral resistance can be developed from sliding friction between the floor slab and the ground. In general, for the native soils, a sliding friction angle of 18° is recommended. This corresponds to a friction factor of 0.32.

7.4 Corrosion of Concrete and Steel

As discussed previously, the USDA Soil Survey Data indicates that the site soils have a high potential for corrosion of concrete. Therefore, at a minimum, Type I-II sulfate resistant cement is recommended for construction at this site.

The Soil Survey Data also indicates that the site soils have a high potential for corrosion of uncoated steel. Based upon our experience with similar soils in the vicinity of the subject site, HBET believes that the native soils have a resistivity of less than 1,000 ohm-cm. In addition, groundwater fluctuations could increase the potential for corrosion. Therefore, pile design should consider corrosion in their design based upon these resistivity values either through galvanization or accounting for section loss.

7.5 Non-Structural Floor Slabs and Exterior Flatwork

To help limit the potential for excessive movement of non-structural floor slabs, it is recommended that non-structural floor slabs be constructed above a minimum of 18-inches of structural fill with subgrade preparation and fill placement in accordance with the *Foundations* section of this report. It is recommended that exterior flatwork be constructed above a minimum of 12-inches of structural fill.

7.6 Lateral Earth Pressures

Stemwalls and/or retaining walls should be designed to resist lateral earth pressures. For backfill consisting of the native soils or imported granular, non-free draining, non-expansive material, we recommend that the walls be designed for an active equivalent fluid unit weight of 55 pcf in areas where no surcharge loads are present. An at-rest equivalent fluid unit weight of 75 pcf is recommended for braced walls. Lateral earth pressures should be increased as necessary to reflect any surcharge loading behind the walls.

7.7 Drainage

Due to the presence of moisture sensitive soils at the site, proper site grading is critical to the performance of the structure. In order to improve the long-term performance of the foundations and slabs-on-grade, grading around the structure should be designed to carry precipitation and runoff away from the structure. It is recommended that the finished ground surface drop at least twelve inches within the first ten feet away from the structure. However, where impermeable surfaces (i.e. pavements, sidewalks, etc.) are adjacent to the structure, the grade can be reduced to approximately 2.5-inches (ADA grade) within the first ten feet away from the structure.

HBET recommends that downspout extensions be used which discharge a minimum of 15 feet from the structure or beyond the backfill zone, whichever is greater. However, if subsurface downspout drains are utilized, they should be carefully constructed of solid-wall PVC and should daylight a minimum of 15 feet from the structure. In addition, an impermeable membrane is recommended below subsurface downspout drains. Dry wells should not be used.

As discussed previously, shallow groundwater was encountered at the time of the investigation. Therefore, a perimeter foundation drain is recommended if below grade construction is proposed. In general, the perimeter foundation drain should consist of prefabricated drain materials or a perforated pipe and gravel system with the flowline of the drain at the bottom of the foundation (at the highest point). The perimeter drain should slope at a minimum of 1.0% to a sump with pump.

7.8 Excavations

Excavations in the soils at the site may stand for short periods of time but should not be considered to be stable. Trenching and excavations should be sloped back, shored, or shielded for worker protection in accordance with applicable OSHA standards. The soils generally classify as Type C soil with regard to OSHA's *Construction Standards for Excavations*. For Type C soils, the maximum allowable slope in temporary cuts is 1.5H:1V.

7.9 Pavements

The proposed construction may include paved automobile parking areas and truck traffic areas. As discussed previously, the subgrade soils consists of lean clays. The design CBR of the native soils was determined to be less than 2.0. Therefore, the minimum recommended Resilient Modulus of 3,000 psi was used for the pavement design.

Based upon the subgrade conditions and anticipated traffic loading, flexible and rigid pavement section alternatives were developed in accordance with AASHTO design methodologies. The following minimum pavement section alternatives are recommended:

Automobile Parking Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	TOTAL
A	3.0	9.0			12.0
B	4.0	7.0			11.0
C	3.0	6.0	6.0		15.0
Rigid Pavement		6.0		6.0	12.0

Truck Traffic Areas

ALTERNATIVE	PAVEMENT SECTION (Inches)				
	Hot-Mix Asphalt Pavement	CDOT Class 6 Base Course	CDOT Class 3 Subbase Course	Concrete Pavement	TOTAL
A	3.0	15.0			18.0
B	4.0	12.0			16.0
C	3.0	6.0	13.0		22.0
Rigid Pavement		6.0		8.0	14.0

Prior to pavement placement, areas to be paved should be stripped of all topsoil, fill, or other unsuitable materials. It is recommended that the subgrade soils be scarified to a depth of 12-inches; moisture conditioned, and recompacted to a minimum of 95% of the standard Proctor maximum dry density, within $\pm 2\%$ of optimum moisture content as determined by AASHTO T-99. However, as discussed previously, soft soil conditions were encountered in some areas of the site, and this may make compaction of the subgrade difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Aggregate base course and subbase course should be placed in maximum 9-inch loose lifts, moisture conditioned, and compacted to a minimum of 95% and 93% of the maximum dry density, respectively, at -2% to +3% of optimum moisture content as determined by AASHTO T-180. In addition to density testing, base course should be proofrolled to verify subgrade stability.

It is recommended that Hot-Mix Asphaltic (HMA) pavement conform to CDOT grading SX or S specifications and consist of an approved 75 gyration Superpave method mix design. HMA pavement should be compacted to between 92% and 96% of the maximum theoretical density. An end point stress of 50 psi should be used. It is recommended that rigid pavements consist of CDOT Class P concrete or alternative approved by the Engineer. In addition, pavements should conform to local specifications.

The long-term performance of the pavements is dependent on positive drainage away from the pavements. Ditches, culverts, and inlet structures in the vicinity of paved areas must be maintained to prevent ponding of water on the pavement.

8.0 GENERAL

The recommendations included above are based upon the results of the subsurface investigation and on our local experience. These conclusions and recommendations are valid only for the proposed construction.

As discussed previously, the subsurface conditions encountered at the site were fairly consistent. However, the precise nature and extent of any subsurface variability may not become evident until construction. As a result, it is recommended that HBET provide construction materials testing and engineering oversight during the entire construction process.

It is important to note that the recommendations herein are intended to reduce the risk of structural movement and/or damage, to varying degrees, associated with volume change of the native soils. However, HBET cannot predict long-term changes in subsurface moisture conditions and/or the precise magnitude or extent of volume change. Where significant increases in shallow subsurface moisture occur due to poor grading, improper stormwater management, utility line failure, excess irrigation, or other cause, either during construction or the result of actions of the property owner, several inches of movement are possible. In addition, any failure to comply with the recommendations in this report releases Huddleston-Berry Engineering & Testing, LLC of any liability with regard to the structure performance.

Huddleston-Berry Engineering and Testing, LLC is pleased to be of service to your project. Please contact us if you have any questions or comments regarding the contents of this report.

Respectfully Submitted:
Huddleston-Berry Engineering and Testing, LLC



Michael A. Berry, P.E.
Vice President of Engineering

FIGURES

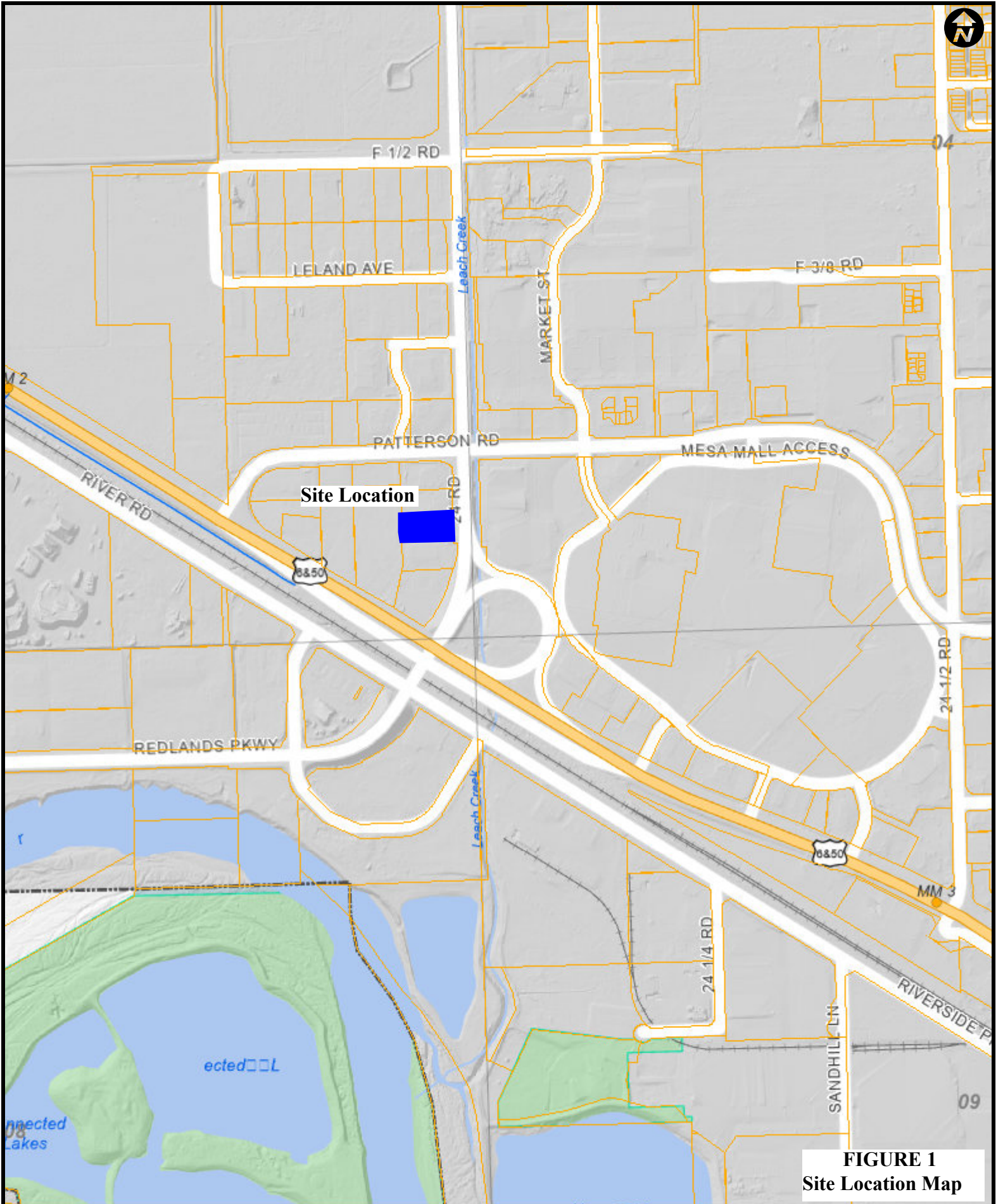
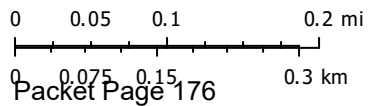


FIGURE 1
Site Location Map

Mesa County Map

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.



Print Date: June 15, 2022



Mesa County, Colorado

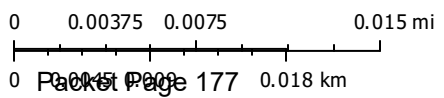
GIS/IT Department
gis.mesacounty.us



FIGURE 2
Site Plan

Mesa County Map

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.



Print Date: June 15, 2022



Mesa County, Colorado

GIS/IT Department
gis.mesacounty.us

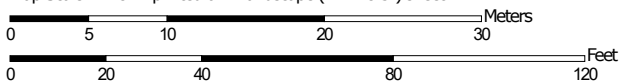
APPENDIX A
Soil Survey Data

Soil Map—Mesa County Area, Colorado



Soil Map may not be valid at this scale.

Map Scale: 1:481 if printed on A landscape (11" x 8.5") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 12N WGS84




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Mesa County Area, Colorado
Survey Area Data: Version 12, Sep 2, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 24, 2020—Jul 8, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaS	Massadona silty clay loam, saline surface, 0 to 2 percent slopes	0.1	15.8%
BcS	Sagers silty clay loam, saline, 0 to 2 percent slopes	0.8	84.2%
Totals for Area of Interest		0.9	100.0%

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named, soils that are similar to the named components, and some minor components that differ in use and management from the major soils.

Most of the soils similar to the major components have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Some minor components, however, have properties and behavior characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description

Mesa County Area, Colorado

BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k06p

Elevation: 4,490 to 4,920 feet
Mean annual precipitation: 6 to 9 inches
Mean annual air temperature: 50 to 55 degrees F
Frost-free period: 140 to 180 days
Farmland classification: Not prime farmland

Map Unit Composition

Massadona, saline surface, and similar soils: 70 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Massadona, Saline Surface

Setting

Landform: Fan remnants
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Cretaceous source alluvium derived from clayey shale

Typical profile

Apz - 0 to 2 inches: silty clay loam
Bwz - 2 to 12 inches: silty clay
Bkyz - 12 to 24 inches: silty clay
BCkyz1 - 24 to 48 inches: fine sandy loam
BCKyz2 - 48 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.07 to 0.21 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Gypsum, maximum content: 2 percent
Maximum salinity: Strongly saline (16.0 to 40.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.7 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7c
Hydrologic Soil Group: C
Ecological site: R034BY103UT - Desert Clay (Castlevally saltbush)
Hydric soil rating: No

BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k0bs
Elevation: 4,490 to 4,920 feet
Mean annual precipitation: 6 to 9 inches
Mean annual air temperature: 50 to 55 degrees F
Frost-free period: 140 to 180 days
Farmland classification: Not prime farmland

Map Unit Composition

Sagers, saline, and similar soils: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sagers, Saline

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear, concave
Across-slope shape: Linear
Parent material: Cretaceous source alluvium derived from sandstone and shale

Typical profile

Ap - 0 to 12 inches: silty clay loam
C - 12 to 25 inches: silty clay loam
Cy - 25 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.21 to 0.71 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Gypsum, maximum content: 5 percent
Maximum salinity: Strongly saline (16.0 to 32.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7c
Hydrologic Soil Group: C
Ecological site: R034BY106UT - Desert Loam (Shadscale)

Hydric soil rating: No

Data Source Information

Soil Survey Area: Mesa County Area, Colorado

Survey Area Data: Version 12, Sep 2, 2021

Dwellings and Small Commercial Buildings

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. This table shows the degree and kind of soil limitations that affect dwellings and small commercial buildings.

The ratings in the table are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development. *Not limited* indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. *Somewhat limited* indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. *Very limited* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings in the table indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

Small commercial buildings are structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility (which is inferred from the Unified classification). The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

Information in this table is intended for land use planning, for evaluating land use alternatives, and for planning site investigations prior to design and construction. The information, however, has limitations. For example, estimates and other data generally apply only to that part of the soil between the surface and a depth of 5 to 7 feet. Because of the map scale, small areas of different soils may be included within the mapped areas of a specific soil.

The information is not site specific and does not eliminate the need for onsite investigation of the soils or for testing and analysis by personnel experienced in the design and construction of engineering works.

Government ordinances and regulations that restrict certain land uses or impose specific design criteria were not considered in preparing the information in this table. Local ordinances and regulations should be considered in planning, in site selection, and in design.

Report—Dwellings and Small Commercial Buildings

[Onsite investigation may be needed to validate the interpretations in this table and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.01 to 1.00. The larger the value, the greater the potential limitation. The table shows only the top five limitations for any given soil. The soil may have additional limitations]

Dwellings and Small Commercial Buildings—Mesa County Area, Colorado							
Map symbol and soil name	Pct. of map unit	Dwellings without basements		Dwellings with basements		Small commercial buildings	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes							
Massadona, saline surface	70	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.17	Shrink-swell	0.06	Shrink-swell	0.17

Dwellings and Small Commercial Buildings—Mesa County Area, Colorado							
Map symbol and soil name	Pct. of map unit	Dwellings without basements		Dwellings with basements		Small commercial buildings	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes							
Sagers, saline	90	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.03	Shrink-swell	0.03	Shrink-swell	0.03

Data Source Information

Soil Survey Area: Mesa County Area, Colorado
 Survey Area Data: Version 12, Sep 2, 2021

Soil Features

This table gives estimates of various soil features. The estimates are used in land use planning that involves engineering considerations.

A *restrictive layer* is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers. The table indicates the hardness and thickness of the restrictive layer, both of which significantly affect the ease of excavation. *Depth to top* is the vertical distance from the soil surface to the upper boundary of the restrictive layer.

Subsidence is the settlement of organic soils or of saturated mineral soils of very low density. Subsidence generally results from either desiccation and shrinkage, or oxidation of organic material, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. The table shows the expected initial subsidence, which usually is a result of drainage, and total subsidence, which results from a combination of factors.

Potential for frost action is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing. Frost action occurs when moisture moves into the freezing zone of the soil. Temperature, texture, density, saturated hydraulic conductivity (Ksat), content of organic matter, and depth to the water table are the most important factors considered in evaluating the potential for frost action. It is assumed that the soil is not insulated by vegetation or snow and is not artificially drained. Silty and highly structured, clayey soils that have a high water table in winter are the most susceptible to frost action. Well drained, very gravelly, or very sandy soils are the least susceptible. Frost heave and low soil strength during thawing cause damage to pavements and other rigid structures.

Risk of corrosion pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The steel or concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion, expressed as *low*, *moderate*, or *high*, is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity of the saturation extract.

For concrete, the risk of corrosion also is expressed as *low*, *moderate*, or *high*. It is based on soil texture, acidity, and amount of sulfates in the saturation extract.

Report—Soil Features

Soil Features—Mesa County Area, Colorado									
Map symbol and soil name	Restrictive Layer				Subsidence		Potential for frost action	Risk of corrosion	
	Kind	Depth to top	Thickness	Hardness	Initial	Total		Uncoated steel	Concrete
		<i>Low-RV-High</i>	<i>Range</i>		<i>Low-High</i>	<i>Low-High</i>			
		<i>In</i>	<i>In</i>		<i>In</i>	<i>In</i>			
BaS—Massadona silty clay loam, saline surface, 0 to 2 percent slopes									
Massadona, saline surface		—	—		0	0	Low	High	High
BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes									
Sagers, saline		—	—		0	0	Moderate	High	High

Data Source Information

Soil Survey Area: Mesa County Area, Colorado
 Survey Area Data: Version 12, Sep 2, 2021

APPENDIX B
Typed Boring Logs



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

BORING NUMBER B-1

PAGE 1 OF 1

CLIENT Milissa Stone	PROJECT NAME 609 24 Road
PROJECT NUMBER 02492-0001	PROJECT LOCATION Grand Junction, CO
DATE STARTED 5/12/22 COMPLETED 5/12/22	GROUND ELEVATION _____ HOLE SIZE 4-Inch
DRILLING CONTRACTOR S. McCracken	GROUND WATER LEVELS: ▽ AT TIME OF DRILLING 8.0 ft ▼ AT END OF DRILLING 8.0 ft
DRILLING METHOD Simco 2000 Truck Rig	
LOGGED BY BS CHECKED BY MAB	AFTER DRILLING --
NOTES _____	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		Silty Sand with Gravels and Organics (TOPSOIL)										
		Lean CLAY (cl), brown, moist to wet, stiff to medium stiff										
5			SS 1	83	5-5-6 (11)							
		Poorly Graded SAND with Silt and Gravel (SP-SM), brown, wet, loose to dense										
10			SS 2	67	1-2-2 (4)							
15			SS 3	89	2-3-2 (5)							
		SS-4: Lab Classified										
20			SS 4	75	4-10-20-18 (30)			14	NP	NP	NP	7
		Bottom of hole at 20.0 feet.										

GEOTECHIBH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

BORING NUMBER B-2

PAGE 1 OF 1

CLIENT Milissa Stone	PROJECT NAME 609 24 Road
PROJECT NUMBER 02492-0001	PROJECT LOCATION Grand Junction, CO
DATE STARTED 5/12/22 COMPLETED 5/12/22	GROUND ELEVATION _____ HOLE SIZE 4-Inch
DRILLING CONTRACTOR S. McCracken	GROUND WATER LEVELS: ▽ AT TIME OF DRILLING 8.5 ft ▼ AT END OF DRILLING 8.5 ft
DRILLING METHOD Simco 2000 Truck Rig	
LOGGED BY BS CHECKED BY MAB	AFTER DRILLING --
NOTES _____	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTEBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		Silty Sand with Gravels and Organics (TOPSOIL)										
		Lean CLAY (cl), brown, moist to wet, soft to medium stiff										
5			SS 1	89	3-3-4 (7)							
			SS 2	100	2-2-2 (4)							
10			SS 3	100	3-2-3 (5)							
15			SS 4	71	14-29-22-30 (51)							
20	Bottom of hole at 20.0 feet.											

GEO TECH BH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

BORING NUMBER B-3

PAGE 1 OF 1

CLIENT Milissa Stone	PROJECT NAME 609 24 Road
PROJECT NUMBER 02492-0001	PROJECT LOCATION Grand Junction, CO
DATE STARTED 5/12/22 COMPLETED 5/12/22	GROUND ELEVATION _____ HOLE SIZE 4-Inch
DRILLING CONTRACTOR S. McCracken	GROUND WATER LEVELS:
DRILLING METHOD Simco 2000 Truck Rig	AT TIME OF DRILLING Dry
LOGGED BY BS CHECKED BY MAB	AT END OF DRILLING Dry
NOTES _____	AFTER DRILLING --

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0	[Symbol for Silty Sand]	Silty Sand with Gravels and Organics (TOPSOIL)										
	[Symbol for Lean Clay]	Lean CLAY (cl), brown, moist, soft to stiff										
2.5	[Symbol for Silty Sand]		SS 1	83	1-2-1 (3)							
5.0	[Symbol for Lean Clay]											
7.5	[Symbol for Lean Clay]											
10.0	[Symbol for Lean Clay]	Bottom of hole at 10.0 feet.										

GEOTECHIBH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

BORING NUMBER B-4

PAGE 1 OF 1

CLIENT Milissa Stone	PROJECT NAME 609 24 Road
PROJECT NUMBER 02492-0001	PROJECT LOCATION Grand Junction, CO
DATE STARTED 5/12/22 COMPLETED 5/12/22	GROUND ELEVATION _____ HOLE SIZE 4-Inch
DRILLING CONTRACTOR S. McCracken	GROUND WATER LEVELS:
DRILLING METHOD Simco 2000 Truck Rig	▽ AT TIME OF DRILLING 8.5 ft
LOGGED BY BS CHECKED BY MAB	▼ AT END OF DRILLING 8.5 ft
NOTES _____	AFTER DRILLING --

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Silty Sand with Gravels and Organics (TOPSOIL)										
		Lean CLAY (cl), brown, moist to wet, medium stiff										
2.5	[Hatched Pattern]		SS 1	56	3-3-4 (7)							
5.0	[Hatched Pattern]											
7.5	[Hatched Pattern]											
10.0	[Hatched Pattern]		SS 2	100	3-4-2 (6)							
		Bottom of hole at 10.0 feet.										

GEOTECHIBH COLUMNS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22

APPENDIX C
Laboratory Testing Results



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

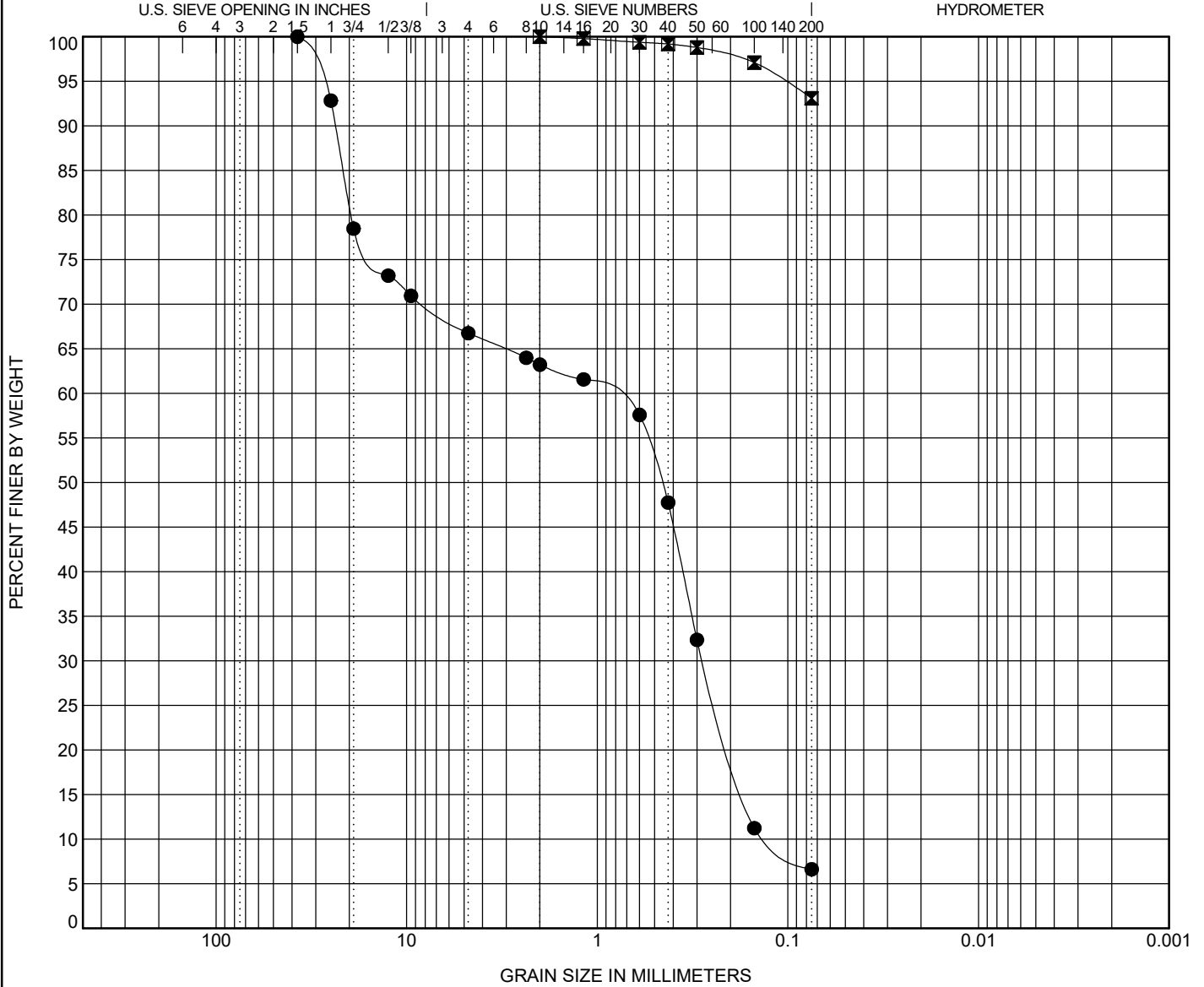
GRAIN SIZE DISTRIBUTION

CLIENT Milissa Stone

PROJECT NAME 609 24 Road

PROJECT NUMBER 02492-0001

PROJECT LOCATION Grand Junction, CO



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification	Classification					LL	PL	PI	Cc	Cu
● B-1, SS-4 5/12	POORLY GRADED SAND with SILT and GRAVEL(SP-SM)					NP	NP	NP	0.68	7.26
☒ COMPOSITE 5/12	LEAN CLAY(CL)					33	18	15		
Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay		
● B-1, SS-4 5/12	37.5	0.905	0.278	0.125	33.3	60.1	6.6			
☒ COMPOSITE 5/12	2				0.0	6.9	93.1			

GRAIN SIZE 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22

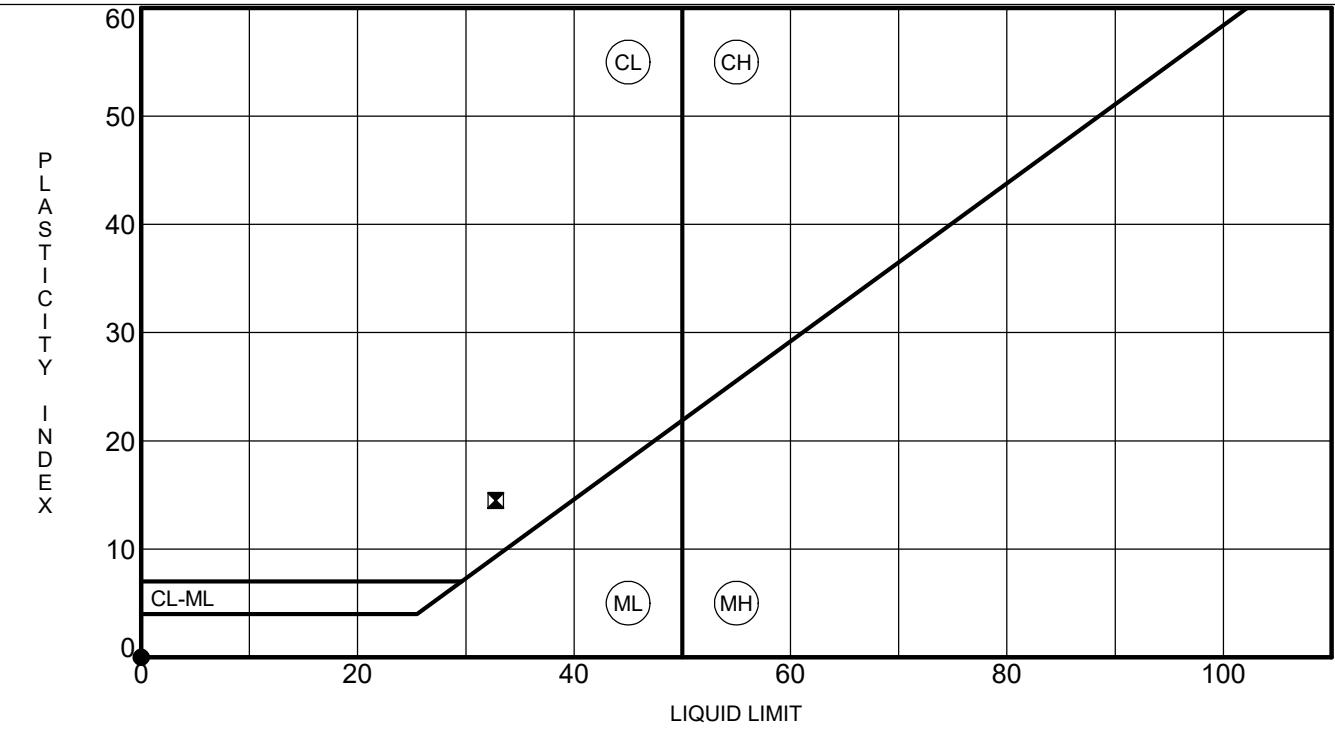


CLIENT Milissa Stone

PROJECT NAME 609 24 Road

PROJECT NUMBER 02492-0001

PROJECT LOCATION Grand Junction, CO



Specimen Identification	LL	PL	PI	#200	Classification
● B-1, SS-4 5/12	NP	NP	NP	7	POORLY GRADED SAND with SILT and GRAVEL(SP-SM)
☒ COMPOSITE 5/12	33	18	15	93	LEAN CLAY(CL)

ATTERBERG LIMITS 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



Huddlestone-Berry Engineering & Testing, LLC
 2789 Riverside Parkway
 Grand Junction, CO 81501
 970-255-8005

MOISTURE-DENSITY RELATIONSHIP

CLIENT Milissa Stone

PROJECT NAME 609 24 Road

PROJECT NUMBER 02492-0001

PROJECT LOCATION Grand Junction, CO

Sample Date: 5/12/2022
 Sample No.: 22-0453
 Source of Material: COMPOSITE
 Description of Material: LEAN CLAY(CL)
 Test Method (manual): ASTM D698A

TEST RESULTS

Maximum Dry Density 107.0 PCF
 Optimum Water Content 18.0 %

GRADATION RESULTS (% PASSING)

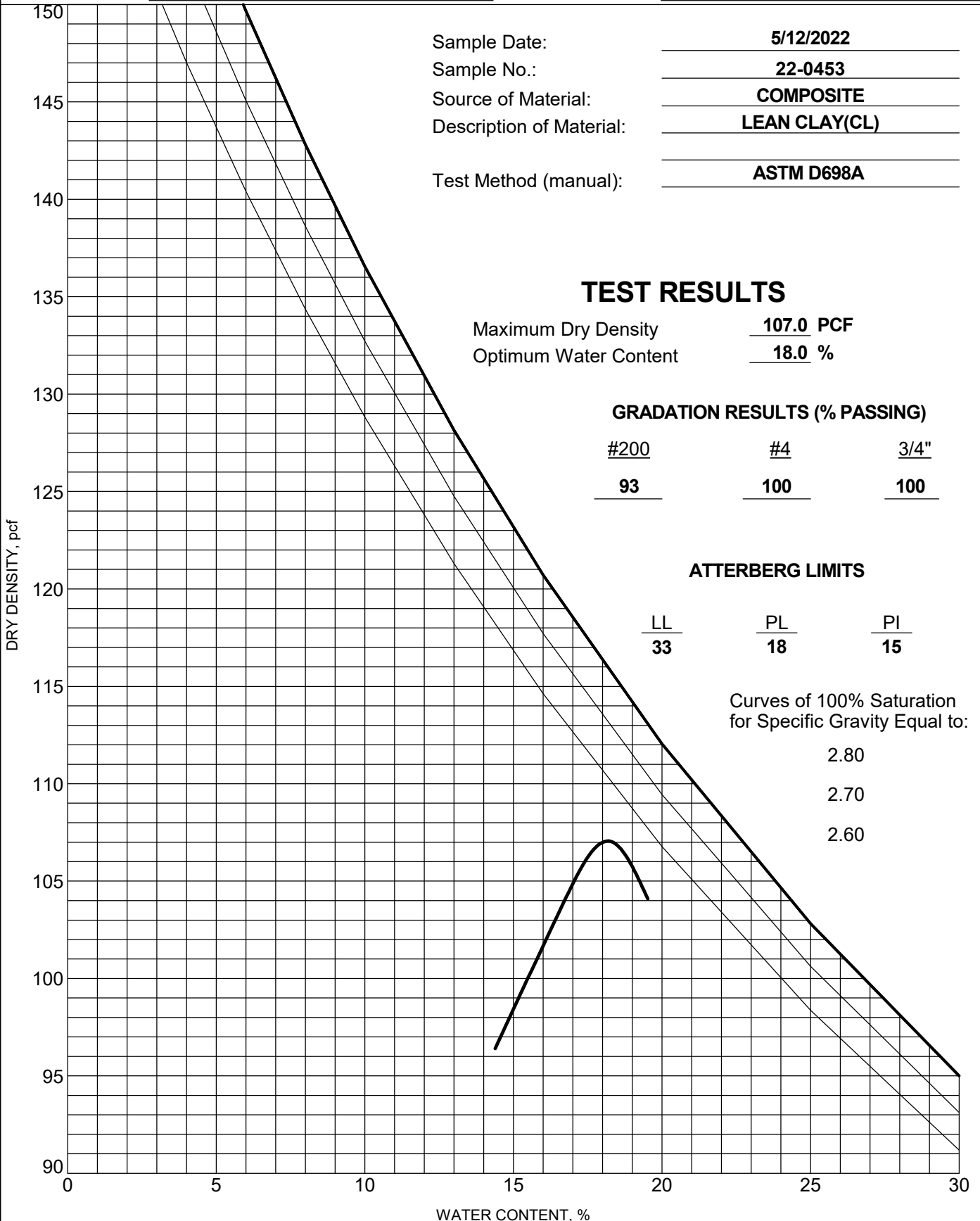
#200	#4	3/4"
<u>93</u>	<u>100</u>	<u>100</u>

ATTERBERG LIMITS

LL	PL	PI
<u>33</u>	<u>18</u>	<u>15</u>

Curves of 100% Saturation
 for Specific Gravity Equal to:

2.80
 2.70
 2.60



COMPACTION 02492-0001 609 24 ROAD.GPJ GINT US LAB.GDT 6/15/22



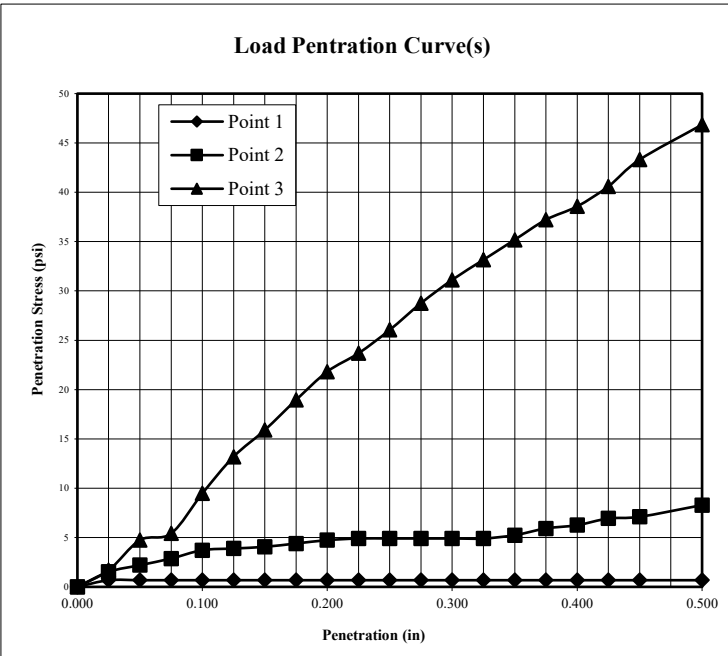
Project No.: 02492-0001
Project Name: 609 24 Road
Client Name: Milissa Stone
Sample Number: 22-0453 **Location:** COMPOSITE

Authorized By: Client **Date:** 05/12/22
Sampled By: SD **Date:** 05/12/22
Submitted By: SD **Date:** 06/15/22
Reviewed By: MAB **Date:** 06/20/22

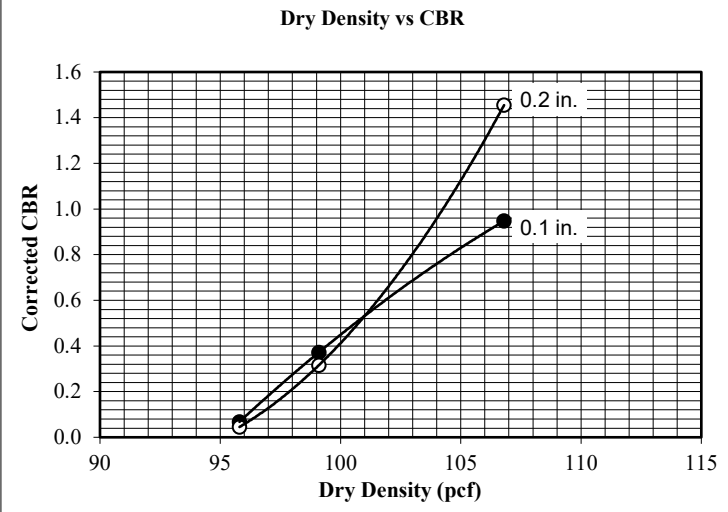
Compaction Method ASTM D698, Method A

Maximum Dry Density (pcf): 107.0
Opt. Moisture Content (%): 18.0
Sample Condition: Soaked
Remarks:

Blows per Compacted Lift:				Point 1	Point 2	Point 3
Surcharge Weight (lbs):				10.0	10.0	10.0
Dry Density Before Soak (pcf):				95.8	99.1	106.8
Dry Density After Soak (pcf):				94.3	97.1	105.7
Moisture Content (%)	Bottom Pre-Test			16.0	16.0	15.7
	Top Pre-Test			16.3	15.7	15.7
	Top 1" After Test			30.7	28.5	21.1
	Average After Soak:			25.6	23.2	21.1
Percent Swell After Soak:				1.6	2.1	1.0



Penetration Data								
Point 1			Point 2			Point 3		
Dist. (in)	Load (lbs)	Stress (psi)	Dist. (in)	Load (lbs)	Stress (psi)	Dist. (in)	Load (lbs)	Stress (psi)
0.000	0	0	0.000	0	0	0.000	0	0
0.025	2	1	0.025	5	2	0.025	5	2
0.050	2	1	0.050	7	2	0.050	14	5
0.075	2	1	0.075	9	3	0.075	16	5
0.100	2	1	0.100	11	4	0.100	28	9
0.125	2	1	0.125	12	4	0.125	39	13
0.150	2	1	0.150	12	4	0.150	47	16
0.175	2	1	0.175	13	4	0.175	56	19
0.200	2	1	0.200	14	5	0.200	65	22
0.225	2	1	0.225	15	5	0.225	70	24
0.250	2	1	0.250	15	5	0.250	77	26
0.275	2	1	0.275	15	5	0.275	85	29
0.300	2	1	0.300	15	5	0.300	92	31
0.325	2	1	0.325	15	5	0.325	98	33
0.350	2	1	0.350	16	5	0.350	104	35
0.375	2	1	0.375	18	6	0.375	110	37
0.400	2	1	0.400	19	6	0.400	114	39
0.425	2	1	0.425	21	7	0.425	120	41
0.450	2	1	0.450	21	7	0.450	128	43
0.500	2	1	0.500	25	8	0.500	139	47



Corrected CBR @ 0.1"		
0.1	0.4	0.9
Corrected CBR @ 0.2"		
0.0	0.3	1.5

Penetration Distance Correction (in)		
0.000	0.000	0.000

Figure: _____

Statement of Authority

The undersigned hereby executes this Statement of Authority, pursuant to the provisions of Section 38-30-172, C.R.S., on behalf of M&G, LLC, an entity other than an individual, capable of holding title to real property ("Entity"), and states as follows:

- 1. The Entity is a Limited Liability Company formed and existing under the laws of the following governmental authority of Colorado
(state the type of entity and the state, country or other governmental authority under whose laws it was formed. Example: a Limited Liability Company formed and existing under the laws of Colorado)
- 2. If formed under a governmental authority other than the State of Colorado, state the name under which the Entity has filed with the Colorado Secretary of State N/A
- 3. The Entity's address is: 609 24 Road, Grand Junction, CO 81505, mailing address is: 611 24 Road Ste 1, Grand Junction, CO 81505
- 4. The name of the person or persons, or the position or positions, of the Entity authorized to execute instruments on behalf of the Entity to convey, encumber or otherwise affect the title to real property is/are:
Milissa Stone *M Stone*
 If ALL names or positions provided here are required for authority, please check this box. If box is not checked, then only one of the names or positions provided is necessary for execution of instruments on Entity's behalf.
- 5. The limitations upon the authority of the person or persons named above to bind the Entity are as follows:
NONE
(if no limitations insert "NONE")
- 6. Other matters concerning the manner in which the Entity deals with any interest(s) in real property are:
611 24 Road, Ste 1, Grand Junction, CO 81505
(if none insert "NONE")

This Statement of Authority amends or replaces any prior Statement of Authority executed on behalf of the Entity.

EXECUTED this 23rd day of June, 2022

ENTITY: M+G, a LLC

BY: Milissa Stone M Stone
Name Position Name Position

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 23rd day of June, 2022 by Milissa Stone and _____

Witness my hand and official seal.
My commission expires: 06/29/2024

BRIAN HOSTETTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164024812
MY COMMISSION EXPIRES JUNE 29, 2024

Brian Hostetter
Notary Public

CONSENT IN LIEU OF MEETING,
ACKNOWLEDGMENT OF
TRANSFER OF MEMBERSHIP INTERESTS
AND AMENDMENT OF OPERATING AGREEMENT
OF
THE MEMBERS
OF
M & G, LLC

THIS CONSENT IN LIEU OF MEETING, ACKNOWLEDGMENT OF TRANSFER OF MEMBERSHIP INTERESTS AND AMENDMENT TO OPERATING AGREEMENT (Consent) is made effective the 1ST day of December, 2021 (Effective Date), by and among Milissa S. Stone (Milissa) (Continuing Member) and Garrick S. Stone (Garrick) (Withdrawing Member) (collectively, Members) and M & G, LLC, a Colorado limited liability company (Company).

A. The Company was formed on November 26, 2014, by filing Articles of Organization with the Colorado Secretary of State.

B. As of the Effective Date, Milissa owns a fifty-one percent (51.0%) membership interest in the Company and Garrick owns a forty-nine percent (49.0%) membership interest in the Company. The Operating Agreement of the Company dated November 26, 2014 (Operating Agreement), among other things, places reasonable restrictions on the right of a Member to transfer membership interests in the Company.

C. Withdrawing Member intends to resign as a Member and transfer his forty-nine percent (49.0%) membership interest in the Company to Milissa.

D. Withdrawing Member, Continuing Member and the Company desire to document the mutually agreed upon terms and conditions upon which Withdrawing Member shall assign and transfer all of his outstanding membership interest in the Company and amend the Operating Agreement accordingly.

THEREFORE based on the above recitals, which are a substantial part hereof, the Members, as Members and individually, consent and agree to the following action as if a meeting of the Members had been conducted where all Members were present.

1. It is acknowledged that the Withdrawing Member transferred forty-nine percent (49.0%) membership interest in the Company to Milissa as of the Effective Date (Transfer). The parties hereto further acknowledge that no monies are due Withdrawing Member for this Transfer pursuant to the terms of the Operating Agreement. The Company hereby waives and relinquishes, as of the effective date of this Consent, its right of first refusal or other

rights of restriction of transfer it may have under the Operating Agreement in connection with the Transfer.

2. The parties agree that the Transfer shall have no effect on any of the terms and conditions of the Operating Agreement, except as amended herein, and the Company shall continue and not be dissolved.

3. The ownership of the membership interest of the Company, following the Transfer, from the date of this Consent forward is as follows:

Member	Membership Interest
Milissa	<u>100.0%</u>
TOTAL	<u>100.0%</u>

4. Withdrawing Member warrants he holds all right, title and interest in his membership interest free and clear of any liens and encumbrances and has the unfettered authority to transfer his membership interest as provided in this Consent.

5. As of the Effective Date, the Continuing Member and the Company, jointly and severally, hereby remise, release, acquit and forever discharge the Withdrawing Member of and from all manner of actions, causes of action, suits, covenants, accounts, trespasses, contracts, agreements or damages, judgments, liabilities, losses, costs, expenses, debts, bills, taxes, or other obligations, duties or claims of any nature whatsoever, in law or equity, whether or not now or hereafter known, suspected or claimed, which the Continuing Member ever had, now have, or which it or they hereafter can, shall or may have or allege against the Withdrawing Member upon or by reason of any matter or cause, arising out of or otherwise in connection with the Withdrawing Member's association with the Company, including, but not limited to, Withdrawing Member's membership interest, excluding only Withdrawing Member's warranties and obligations under this Consent. Except as otherwise provided herein, as of the Effective Date, the Continuing Member hereby indemnify the Withdrawing Member from and against any and all losses, damages, claims, demands, actions, causes of actions, costs, attorneys' fees and expenses arising from, or in connection with, the Company; and/or Withdrawing Member's membership interest following the Effective Date.


6. As of the Effective Date, the Withdrawing Member hereby remises, releases, acquits and forever discharges the Continuing Member of and from all manner of actions, causes of action, suits, covenants, accounts, trespasses, contracts, agreements or damages, judgments, liabilities, losses, costs, expenses, debts, bills, taxes, or other obligations, duties or claims of any nature whatsoever, in law or equity, whether or not now or hereafter known, suspected or claimed, which the Withdrawing Member ever had, now has, or which he hereafter can, shall or may have or allege against the Continuing Member upon or by reason of any matter or cause, arising out of or otherwise in connection with the Withdrawing

member's membership interest, excluding only the Continuing Member's obligations under this Consent.


7. The parties agree to cooperate, undertake and perform any and all additional lawful acts, including the execution of any additional documents as are reasonably necessary or desirable to implement and effect the purposes of this Consent.

8. This Consent may be executed by facsimile signature and in two or more counterparts, each of which shall be deemed an original but all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF the parties execute this Consent in their capacity as members of the Company and as individuals as of the date first above shown.




Milissa S. Stone,
as Continuing Member and individually



Garrick S. Stone
as Withdrawing Member and individually

M & G, LLC

By: 

Milissa S. Stone
As the Continuing Sole Member

M & G, LLC

Site Map

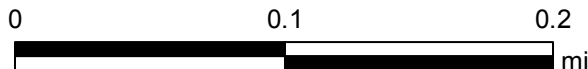


Printed: 9/16/2022

1 inch = 47 feet



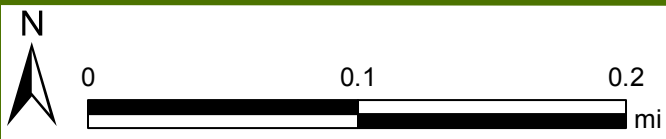
Vicinity Map



Printed: 9/16/2022

1 inch = 376 feet

Zoning Map

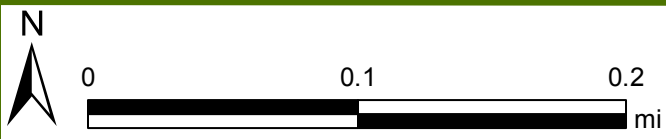


Printed: 9/16/2022

1 inch = 376 feet



Comprehensive FLU Map



Printed: 9/16/2022

1 inch = 376 feet



**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

Tax Parcel #(s): 2945-054-10-003
Property Address: 609 24 Road, Grand Junction, CO 81505
Property Owner: M&G, LLC Milissa Stone
Contact Person: Milissa Stone
Mailing Address: 611 24 Road Ste 1, Grand Junction, CO 81505
E-Mail Address: milissasstone@aol.com

Applicant: M&G, LLC Milissa Stone
Contact Person: Milissa Stone
Mailing Address: 611 24 Road Ste 1, Grand Junction, CO 81505
E-Mail Address: milissasstone@aol.com

Project Representative: J. Dyer Construction
Contact Person: Jon Dyer
Mailing Address: 2335 Interstate Avenue, Grand Junction, CO 81505
Phone Number: 970-242-1058
E-Mail Address: jon@jdyerconstruction.com

***This request for labels and/or the name and address list MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR to a Neighborhood Meeting.**

The adjacent property mailing list is created by pulling all property owners within 500 feet and all registered Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens' groups on record with the City of Grand Junction Community Development Department.

for Rezone

609 24 Road
Grand Junction, CO 81505
970.210.6897
milissastone@aol.com

May 23, 2022

Milissa Stone
609 24 Road
Grand Junction, CO 81505

Dear Property Owner:

Please be advised that a formal application has been submitted to Mesa County seeking approval of a rezone to C-1 (light commercial) and a development of vertical mixed-use (ground floor commercial/multifamily upper floor) on 0.92 acres in a C-2 (General Commercial) zone district for the following described property:

The petitioner is asking the County to approve this application to allow development of 609 24 Road rezoned from C-2 to C-1 and a major site plan on the described property.

In compliance with the Land Development Code requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to influence the form of development. The Neighborhood Information Meeting will be held on Wednesday, 06/22/2022 @ 6:30pm at 611 24 Road, Grand Junction, CO 81505.

At this meeting the petitioner will make every effort to illustrate how the property will be developed and to answer any questions. Should you have questions prior to the meeting, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Milissa Stone". The signature is written in a cursive, flowing style.

Milissa Stone

609 24 Road Neighborhood Meeting Notes:

Name and address of those notified by USPS Mail letter sent on June 3, 2022:

80C LLC
Point Ct.
Fruita, CO 81521-9078

American National Bank
3033 E 1st Ave.
Denver, CO 80206-5617

ARC BFGRI0001 LLC1871 High
200 4th Ave S STE 100
Nashville, TN 37201-2256

Cannon 1 LLC
340 S 800 W
Orem, UT 84052-5355

Chin Chin LLC
3168 Stoneburro Dr.
Grand Junction, CO 81504-4051

City of Grand Junction
Dani Acosta
250 N 5th St.
Grand Junction, CO 81501
Himes Peggy
3203 N 15th St. Unit 234
Grand Junction, CO 81506-5266

Fargo Grand LLC
303 W Francis St.
Aspen, CO 81611-1360

Feather-Medsker-Smith LTD
2492 Industrial Blvd
Grand Junction, CO 81505-1308

PH Properties LLC
1033 22 Rd
Grand Junction, CO 81505-9311

J Dyer Construction
John Dyer
2335 Interstate Ave.
Grand Junction, CO 81505-8620

M&G LLC
Milissa Stone
611 24 Rd. Ste 1
Grand Junction, CO 81505-1240

Ryder Truck Rental Inc 0135
PO Box 25719
Miami, FL 33102-5719

SM Mesa Mall LLC
180 E Broad St 21st Flr
Columbus, OH 43215-3714

Vectra Bank Colorado N A
PO Box 54288
Lexington, KY 40555-4288

Zafrani Family Trust
7824 Marquand Ave
Canoga Park, CA 91304-6108

List of Participants:

Milissa Stone
Dani Acosta
Randy Coleman
Jon Dyer

Written Summary of the Meeting Including Public Comment:
Meeting: 06/22/2022@61124 Rd, GJ, CO 81501 @5:30pm

no comments

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING LOT 3, CALDWELL SUBDIVISION AT 609 24 RD
FROM C-2 (GENERAL COMMERCIAL) TO C-1 (LIGHT COMMERCIAL)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended zoning Lot 3, Caldwell Subdivision to the C-1 (Light Commercial). The Planning Commission found that the MXR-3 zoning is consistent with the Code, it conforms to and is consistent with the Future Land Use Map designation of Commercial of the Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible, as defined by the Code, with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the C-1 (Light Commercial) zone district is in conformance with 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:

Lot 3, Caldwell Subdivision is and shall be zoned C-1 (Light Commercial) in accordance with the Grand Junction Municipal Code.

Introduced on first reading this 5th day of October 2022 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2022 and ordered published in pamphlet form.

ATTEST:

Amy Phillips
City Clerk

Anna M. Stout
President of City Council



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: October 5, 2022
Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin
Department: Community Development
Submitted By: Kristen Ashbeck Principal Planner

Information

SUBJECT:

2022 Community Development Block Grant (CDBG) Subrecipient Agreements between STRiVE, Riverside Educational Center, Hilltop Community Resources, HomewardBound of the Grand Valley, Counseling and Education Center and Housing Resources of Western Colorado and the City of Grand Junction

RECOMMENDATION:

Staff recommends approval of these agreements.

EXECUTIVE SUMMARY:

The Subrecipient Contract formalizes the City's award of CDBG funds to various agencies allocated from the City's 2022 CDBG Program Year as approved by City Council at its June 15, 2022 meeting. The allocation includes the following grants: 1) \$10,000 to the Counseling and Education Center; 2) \$10,000 to HopeWest; 3) \$7,942 to STRiVE; 4) \$27,000 to the Riverside Educational Center; 5) \$14,468 to Partners - Western Colorado Conservation Corps; 6) \$40,000 to HomewardBound of the Grand Valley; 7) \$29,788 to Mind Springs Health; and 8) two grants in the amounts of \$25,000 and \$10,000 to Housing Resources of Western Colorado. The contracts outline the duties and responsibilities of the agencies and ensures that the subrecipients comply with all Federal rules and regulations governing the use of the funds.

BACKGROUND OR DETAILED INFORMATION:

CDBG funds are a Department of Housing and Urban Development (HUD) entitlement grant to the City of Grand Junction which became eligible for the funding in 1996. The City has received \$421,451 for the 2022 Program Year. The final decision to fund 16 projects was made by the City Council at its hearing on June 15, 2022. The City's 2022 Program Year began on September 1, 2022. Therefore, contracts between the City and

the agencies may now be executed.

STRiVE - Rehabilitation of Group Homes and The Wood Shop

STRiVE provides a variety of support for Mesa County residents with intellectual/developmental disabilities and their families. Services include group homes, vacation and day programs, supported living and family support and infant/toddler early intervention. CDBG funds will be used to replace air conditioning units in two group homes that house a total of 10 individuals and replace the heating system at The Wood Shop which employs 41 STRiVE clients.

Riverside Educational Center (REC) Chipeta Elementary After School Program Transportation

The Riverside Educational Center is a community collaboration that provides after-school tutoring and extracurricular activities for qualifying Mesa County students to improve academic achievement and foster positive social and emotional development. REC provides home transport for students enrolled in REC programming at Bookcliff Middle School. CDBG funds will be used to purchase a 14-passenger vehicle for this purpose.

Hilltop Community Resources Bacon Campus Community Building Roof

Hilltop has been serving individuals and families in Western Colorado since 1950 with an array of programs and services that cover the lifespan from pre-natal health care access to assisted living. The Bacon Campus provides housing and services for brain-injured persons with 130 residents. CDBG funds will be used for roofing repairs on the Community Resource building on the campus, which includes the dining hall, kitchen, staff and nursing offices, meeting room and life skills training area.

Hilltop Community Resources Resource Center Fencing

Hilltop has been serving individuals and families in Western Colorado since 1950 with an array of programs and services that cover the lifespan from pre-natal health care access to assisted living. CDBG funds will be used to provide fencing around an area that has a concrete slab for basketball and grass to improve safety for the youth and families that use the area while participating in Hilltop program activities.

HomewardBound of the Grand Valley Pathways Security System

HomewardBound provides emergency shelter for up to 270 individuals per night, with each guest having access to a clean bed, meals, showers/toiletries, clothing and a safe place to stay during the day. CDBG funds will be used to improve the security system at the Pathways Family Shelter.

Counseling and Education Center (CEC) Low Income Counseling Services

CEC provides counseling to individuals in crisis or those dealing with difficult emotional issues and ensures access to professional counseling, regardless of income or ability to pay. CDBG funds will be used to provide 160 more sessions of counseling for at least 16 more clients seeking care.

Housing Resources of Western Colorado Housing Counseling and Support

The mission of HRWC is to advance equitable housing and create healthy communities by educating and empowering people and creating, improving and maintaining homes. Primary programs are property management, weatherization, self-help homeownership, housing rehabilitation, housing counseling and education and community building and engagement. CDBG funds will be used for general administration of the Housing Counseling and Education program, including salaries and administrative costs.

Housing Resources of Western Colorado Housing Stability

The mission of HRWC is to advance equitable housing and create healthy communities by educating and empowering people and creating, improving and maintaining homes. Primary programs are property management, weatherization, self-help homeownership, housing rehabilitation, housing counseling and education and community building and engagement. CDBG funds will be used to provide emergency payments to maintain housing stability for families in the community when faced with the possibility of eviction or foreclosure.

Housing Resources of Western Colorado (HRWC) Emergency Repair for Mobile Homes

The Single-Family Owner-Occupied Housing Rehabilitation Program removes deficiencies or health and safety hazards, corrects substandard conditions, corrects violations of local housing codes, improves accessibility, and improves energy efficiency for owner-occupied housing. CDBG funds will be used for emergency repair grants for manufactured housing on rented lots and will not exceed \$10,000 per applicant or 50% of its value with the cap being \$10,000. A home repair will improve the community's blighted housing stock, reducing the client's chance of becoming homeless due to a substandard unit.

Housing Resources of Western Colorado Critical Home Repair Program

HRWC provides low-moderate income residents with a 24-hour Critical Home Repair Program. CDBG funds will be used to provide labor and materials/equipment for repairs/improvements including pest infestations, roof repair, HVAC repair, correcting carbon monoxide issues, frozen pipes and electrical problems. Expenditures are typically \$300 to \$500 per household, so the program would expect to fund 20 households with the CDBG funds.

The agencies listed above are considered "subrecipients" to the City. The City will "pass through" a portion of its 2022 Program Year CDBG funds to the agencies, but the City remains responsible for the use of these funds. The contracts outline the duties and responsibilities of the agencies and ensure that the subrecipients comply with all Federal rules and regulations governing the use of the funds. The contracts must be approved before the subrecipients may obligate or spend any of the Federal funds. The Subrecipient Agreement with each agency contains the specifics of the projects and how the money will be used by the subrecipients.

FISCAL IMPACT:

Previously approved 2022 CDBG Program Year Budget/Allocation: \$421,451
Total allocation includes \$25,000 for program administrative costs.
The City will "pass through" a total of \$254,150 of its 2022 Program Year CDBG funds to the agencies listed above.

SUGGESTED MOTION:

I move to authorize the City Manager to sign the Subrecipient Contracts between the City of Grand Junction and STRiVE, Riverside Educational Center, Hilltop Community Resources, HomewardBound of the Grand Valley, Counseling and Education Center and Housing Resources of Western Colorado for funding through the City's 2022 Community Development Block Grant Program Year.

Attachments

1. 2022 CDBG Subrecipient Agreements

**2022 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:
Amount of Grant: \$76,222
Subrecipient: STRiVE
Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$76,222 from its 2022 Program Year CDBG Entitlement Funds to remodel two group homes and the Wood Shop facility located at 2746 Olson, 680 29-1/2 Road and 2850 Chipeta Avenue, Grand Junction, Colorado ("Property"). Subrecipient provides supports for individuals representing the broad spectrum intellectual/development disabilities and their families.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)). It shall meet this objective by completing the above-referenced housing and facility rehabilitation for low/moderate income persons in Grand Junction, Colorado.
3. The project consists of replacement of air conditioning in the two group homes and replacement of the heating system in the Wood Shop. CDBG funds will be used towards this project. The Properties are currently owned and operated by Subrecipient which will continue to operate the group homes and facility. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$76,222.
6. This project will improve the safety and environmental conditions in the buildings and extend the useful life of the group homes and shop facility for the 51 disabled clients provided services in the group homes and shop facility.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

_____ Subrecipient
_____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12-month FY contract: 51

B. Number of unduplicated LMI City residents to be served with grant funds during the 12-month FY contract: 51

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit____; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard: 51?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 month FY contract Q1: 13 Q2: 13 Q3: 13 Q4: 12

3) Payment Schedule

During the 12 month FY contract funds will be drawn Q1: Q2: 50% Q3:50% Q:

4) Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service
X Disabled Service __ LMI Service __ Fair Housing Service

Primary Objective (select one) _X_ Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability
X Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

All individuals supported by STRiVE receive SSI (social Security/Supplemental Security Income) or SSDI (Social Security/Supplemental Security Disability Income), which automatically qualifies them as eligible for services provided.

_____ Subrecipient

_____ City of Grand Junction

**2022SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:
Amount of Grant: \$7,800
Subrecipient: Riverside Educational Center
Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$7,800 from its 2022 Program Year CDBG Entitlement Funds to purchase a multi-passenger vehicle to be used to transport students that attend after school tutoring and enrichment activities at Bookcliff Middle School located at 540 29-1/4 Road, Grand Junction, Colorado (“Property”). Subrecipient is a collaboration with community partners that provides after school tutoring and extracurricular activities for qualifying Mesa County students to improve academic achievement and foster positive social and emotional development.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(e)). It shall meet this objective by providing the above-referenced services for low/moderate income students and families in Grand Junction, Colorado.
3. The project consists of the purchase of a 14-passenger bus or the like to provide transportation home for students enrolled in REC programming at Bookcliff Middle School which is in a CDBG-eligible neighborhood. Transportation is needed for students who would otherwise not be able to attend REC programming. The bus will also be used to transport the students to offsite enrichment opportunities in and around the community. The bus will be the Property owned and operated by the Subrecipient. It is understood that the \$7,800 of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the cost of the vehicle is estimated to be \$34,120.
6. This project will provide for services for approximately 50 students that attend REC programming at Bookcliff Middle School.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 50

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 50

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 50; ii) how many will have improved access to the service or benefit___? And iii) how many will receive the service or benefit that is improved/no longer substandard___?

2.) Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1___Q2: 50 Q3___Q4:

3) Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1___Q2: 50 Q3___Q4:

4) Outcome Measures

Activity (select one) ___ Senior Service Youth Service ___ Homeless Service/Facility ___ Disabled Service ___ LMI Service ___ Fair Housing Service

Primary Objective (select one) Create a suitable living environment ___ Provide decent, affordable housing ___ Create economic opportunity (ies)

Primary Outcome Measurement (select one) Availability/Accessibility ___ Affordability ___ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Eligibility for REC programming is determined largely based on free and reduced lunch eligibility at Mesa County Valley School District schools. This is self-reported by caretakers in the application process for REC.

_____ Subrecipient

_____ City of Grand Junction

**2022SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:
Amount of Grant: \$39,871
Subrecipient: Hilltop Community Resources, Inc.
Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$39,871 from its 2022 Program Year CDBG Entitlement Funds to replace the roofing on the Bacon Campus Community Resource building located at 1405 Wellington Avenue, Grand Junction, Colorado ("Property"). Subrecipient is a community services agency that provides an array of programs and services spanning prenatal health care access to assisted living and dementia care for the elderly.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)1). It shall meet this objective by providing the above-referenced facilities and services for low/moderate income individuals and families in Grand Junction, Colorado.
3. The project consists of rehabilitation of the existing Community Resource Building on the Bacon Campus to include roof membrane repairs and maintenance. The Property is currently owned and operated by Subrecipient which will continue to operate the facility. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the use of the CDBG funds is \$39,871.00.
6. This project will serve 145 individuals provided services at the Bacon Campus.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient
_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 145

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 145

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: ___; ii) how many will have improved access to the service or benefit___? And iii) how many will receive the service or benefit that is improved/no longer substandard: 145

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 36 Q2:36 Q3: 36 Q4: 37

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: Q2: 100% Q3: Q4:

4. Outcome Measures

Activity (select one) ___ Senior Service ___ Youth Service ___ Homeless Service/Facility ___XX___ Disabled Service ___ LMI Service/Facility ___ Fair Housing Service

Primary Objective (select one) _X_ Create a suitable living environment ___ Provide decent, affordable housing ___ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ___ Availability/Accessibility ___ Affordability ___X_ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

The brain-injured adults living on the Bacon Campus have had a traumatic brain injury and are unable to live on their own. Most clients are on Medicaid. Clients are screened prior to acceptance to determine if they are suited to Hilltop’s program and living situation and determine Medicaid and funding eligibility.

_____ Subrecipient

_____ City of Grand Junction

**2022SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:
Amount of Grant: \$19,676
Subrecipient: Hilltop Community Resources, Inc.
Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$19,676 from its 2022 Program Year CDBG Entitlement Funds to install safety/security fencing at the Family Resource Center building located at 1129 Colorado Avenue, Grand Junction, Colorado ("Property"). Subrecipient is a community services agency that provides an array of programs and services spanning prenatal health care access to assisted living and dementia care for the elderly.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)1). It shall meet this objective by providing the above-referenced facilities and services for low/moderate income individuals and families in Grand Junction, Colorado.
3. The project consists of installing a metal fence around the southern section of the property at 1129 Colorado Avenue to contain and improve safety for play areas such as a basketball court and a lawn area used by youth and families that attend programs and activities at the Family Resource Center. The Property is currently owned and operated by Subrecipient which will continue to operate the facility. It is understood that the Amount of the Grant of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the use of the CDBG funds is:

Hilltop: \$5,500.00
City CDBG: \$19,676

_____ Subrecipient
_____ City of Grand Junction

6. This project will serve 4,000 individuals with the services and programs at the Family Resource Center.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 4,000

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 3,120

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: ____; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard: 3,120

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 780 Q2:780 Q3: 780 Q4: 780

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: Q2: 100% Q3: Q4:

4. Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service/Facility __ Disabled Service __XX__ LMI Service/Facility __ Fair Housing Service

Primary Objective (select one) _X_ Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability __X_ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Hilltop’s programs at the Family Resource Center verify participant income as part of the intake procedure. Most individuals/families are either eligible for Medicaid or free/reduced lunch programs. The programs housed at the family Resource Center are designed for specific populations including: at-risk adolescents, young parents, domestic violence and sexual assault survivors, low income pregnant women, and individuals/families searching for health care access.

_____ Subrecipient

_____ City of Grand Junction

**2022SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$49,864

Subrecipient: HomewardBound of the Grand Valley

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$49,864 from its 2022 Program Year CDBG Entitlement Funds to rehabilitate the Pathways Shelter located at 562 North 29 Road, Grand Junction, Colorado ("Property"). Subrecipient provides 270 beds for emergency shelter and substance abuse treatment/recovery, day programming, case management, primary medical and other support services for homes individuals and families.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(e)). It shall meet this objective by providing the above-referenced services for low/moderate income/homeless individuals in Grand Junction, Colorado.
3. The project consists of updating the security camera system at the Pathways Family Shelter. CDBG funds will be used to purchase and install an enhanced camera system. The Property is currently owned and operated by Subrecipient which will continue to operate the housing facility. It is understood that the \$49,864 of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$49,864.
6. The project will provide for services for approximately 1.740 unduplicated clients in HBGV facilities.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 1,740

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 1,740

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: ___; ii) how many will have improved access to the service or benefit: 1,740? And iii) how many will receive the service or benefit that is improved/no longer substandard: ___?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 435 Q2: 435 Q3: 435 Q4: 435

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1 ___ Q2: 50% Q3: 50% Q4: ___

4. Outcome Measures

Activity (select one) ___ Senior Service ___ Youth Service Homeless Service/Facility ___ Disabled Service ___ LMI Service/Facility ___ Fair Housing Service

Primary Objective (select one) Create a suitable living environment ___ Provide decent, affordable housing ___ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ___ Availability/Accessibility ___ Affordability Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Persons served at the Community Homeless Shelter are homeless and check-in procedures confirm eligibility.

_____ Subrecipient

_____ City of Grand Junction

**2022SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$10,000

Subrecipient: Counseling and Education Center

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$10,000 from its 2022 Program Year CDBG Entitlement Funds to provide counseling services to low- and moderate-income persons in Grand Junction, Colorado ("Property").
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(e)). It shall meet this objective by providing the above-referenced services for low/moderate income students and families in Grand Junction, Colorado.
3. This project consists of providing counseling services to low- and moderate-income persons that reside within the City limits. It is understood that \$10,000 of City CDBG funds shall be used only for the services described in this agreement. Costs associated with any other elements of the project or above and beyond this amount shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$232,830 as follows:

CDBG Funds: \$10,000 Other Funds: \$222,830
6. This project will provide approximately 160 more counseling sessions to an estimated 16 clients.
7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.

_____ Subrecipient

_____ City of Grand Junction

8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient
 _____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 16

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 16

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 16; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard____?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 4 Q2: 4 Q3: 4 Q4: 4

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: 25% Q2: 25% Q3: 25% Q4: 25%

4. Outcome Measures

Activity (select one) ___ Senior Service ___ Youth Service ___ Homeless Service/Faciilty ___ Disabled Service X LMI Service ___ Fair Housing Service

Primary Objective (select one) X Create a suitable living environment ___ Provide decent, affordable housing ___ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ___ Availability/Accessibility ___ Affordability X Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

CEC’s client intake application collects the zip code, demographics and household income with how many persons are supported in the household size using the HUD income limits and guided by Federal Poverty guidelines, whether insured or not. Data collected determines access to the Sliding Scale Fee of 300% FPL and the LIPC which is structured to serve any low- to very-low income individuals or households living 250% or below the FPL and either un/underinsured or enrolled in public health insurance with limited access to mental health services.

_____ Subrecipient

_____ City of Grand Junction

**2022 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$5,717 (\$4,238 from General Fund – total award \$10,000)

Subrecipient: Housing Resources of Western Colorado

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$5,717 (\$4,238 from General Fund – total award \$10,000) from its 2022 Program Year CDBG Entitlement Funds for housing counseling and education support services for low- and moderate-income households. The services will be provided at the main program office located at 524 30 Road in Grand Junction, Colorado (“Property”). Subrecipient provides housing and housing services that create stable, sustainable Western Colorado Homes.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(e)). It shall meet this objective by providing the above-referenced services for low/moderate income students and families in Grand Junction, Colorado.
3. The project consists of continuing to maintain housing stability for families in the community when faced with the possibility of eviction or foreclosure. Funds will be used to provide emergency payments. It is understood that the \$5,717 of City CDBG funds and \$4,238 of City General Funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the program is \$99,448 as follows:

CDBG: \$5,717 City General Fund: \$4,238 Other Leveraged Funds: \$89,448
6. This project will provide for services for approximately 4 low- and moderate-income households.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 4

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 4

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 4; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard____?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 1 Q2: 1 Q3: 1 Q4: 1

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1____Q2: 50% Q3: 25% Q4: 25%

4. Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service/Faciilty __ Disabled Service LMI Service __ Fair Housing Service

Primary Objective (select one) Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Verification of 80% AMI and below is completed for each client. HRWC clients are prepared for counseling through a strict intake process. Copies of income documentation is required for all counseling services.

_____ Subrecipient

_____ City of Grand Junction

**2022 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$10,000

Subrecipient: Housing Resources of Western Colorado

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$10,000 from its 2022 Program Year CDBG Entitlement Funds for emergency subsistence payments for low- and moderate-income families. The services will be provided at the main program office located at 524 30 Road in Grand Junction, Colorado ("Property"). Subrecipient provides housing and housing services that create stable, sustainable Western Colorado Homes.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.201(e)). It shall meet this objective by providing the above-referenced services for low/moderate income students and families in Grand Junction, Colorado.
3. The project consists of continuing to maintain housing stability for families in the community when faced with the possibility of eviction or foreclosure. Funds will be used to provide emergency payments. It is understood that the \$10,000 of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the program is \$99,448 as follows:

CDBG: \$10,000 Other Leveraged Funds: \$89,448
6. This project will provide for services for approximately 10 low- and moderate-income households.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 10

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 10

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 10; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard____?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 0 Q2: 5 Q3: 3 Q4: 2

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1____Q2: 50% Q3__Q4: 50%

4. Outcome Measures

Activity (select one) __ Senior Service __ Youth Service __ Homeless Service/Faciilty __ Disabled Service LMI Service __ Fair Housing Service

Primary Objective (select one) Create a suitable living environment __ Provide decent, affordable housing __ Create economic opportunity (ies)

Primary Outcome Measurement (select one) __ Availability/Accessibility __ Affordability Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

Verification of income, assets, and credit will be evaluated at the initial consultation and a follow-up counseling session will be recommended after assistance is provided.

_____ Subrecipient

_____ City of Grand Junction

**2022 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$25,000

Subrecipient: Housing Resources of Western Colorado

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$25,000 from its 2022 Program Year CDBG Entitlement Funds to provide repair and rehabilitation services for mobile homes located in Grand Junction, Colorado ("Property"). Subrecipient provides housing and housing services that create stable, sustainable Western Colorado Homes.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a)(1)). It shall meet this objective by providing the above-referenced services for low/moderate income households in Grand Junction, Colorado.
3. The project consists of making emergency repairs to meet life safety code requirements for mobile home units within the City limits of Grand Junction. Locations of units to be determined through program implementation. CDBG funds will be used towards this project. It is understood that the \$25,000 of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$28,000:

CDBG	\$25,000
Other Funds	\$3,000
6. This project will provide for services for approximately 5 households.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 5

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 5

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 5; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard: ____?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 1 Q2: 2 Q3: 1 Q4: 1

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: 25% Q2: 25% Q3: 25% Q4: 25%

4. Outcome Measures

Activity (select one) ___ Senior Service ___ Youth Service ___ Homeless Service/Facility ___ Disabled Service ___ LMI Service/Facility ___ Fair Housing Service ___X___ Housing

Primary Objective (select one) _X_ Create a suitable living environment _X_ Provide decent, affordable housing ___ Create economic opportunity (ies)

Primary Outcome Measurement (select one) ___ Availability/Accessibility ___ Affordability ___X___ Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

The income of each household/person receiving assistance will be individually verified for eligibility. If a client is a LEAP recipient, the LEAP letter of approval will serve as determination of income. If a client is qualifying through their income, all related income must be verified through pay stubs, social security annual letters and other qualifying documentation. Income is not to exceed the threshold of low/moderate income established guidelines.

_____ Subrecipient

_____ City of Grand Junction

**2022 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
EXHIBIT A
SCOPE OF SERVICES**

Date Approved:

Amount of Grant: \$10,000

Subrecipient: Housing Resources of Western Colorado

Completion Date: August 31, 2023

1. The City agrees to pay the Subrecipient, subject to the subrecipient agreement, this Exhibit and attachment to it, \$10,000 from its 2022 Program Year CDBG Entitlement Funds to provide critical repair services for homes located in Grand Junction, Colorado ("Property"). Subrecipient provides housing and housing services that create stable, sustainable Western Colorado Homes.
2. The Subrecipient certifies that it will meet the CDBG National Objective of low/moderate income benefit (570.202(a) and 570.202). It shall meet this objective by providing the above-referenced services for low/moderate income households in Grand Junction, Colorado.
3. The project consists of rehabilitating homes with critical repairs including roof repair, furnace repair, carbon monoxide issues, frozen pipes, water heaters, electrical problems, and evaporative coolers on homes within the City limits. It is understood that the \$10,000 of City CDBG funds shall be used only for the improvements described in this agreement. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by the Subrecipient.
4. This project shall commence upon the full and proper execution of the 2022 Subrecipient Agreement and the completion of all necessary and appropriate state and local licensing, environmental permit review, approval and compliance. The project shall be completed on or before the Completion Date.
5. The total budget for the project is estimated to be \$10,000.
6. This project will provide for services for approximately 20 households.

_____ Subrecipient

_____ City of Grand Junction

7. The City shall monitor and evaluate the progress and performance of the Subrecipient to assure that the terms of this agreement are met in accordance with City and other applicable monitoring and evaluating criteria and standards. The Subrecipient shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Subrecipient shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted when the project is completed.
9. During a period of five (5) years following the Completion Date the use of the Properties improved may not change unless: A) the City determines the new use meets one of the National Objectives of the CDBG Program, and B) the Subrecipient provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If the Subrecipient decides, after consultation with affected citizens that it is appropriate to change the use of the Properties to a use which the City determines does not qualify in meeting a CDBG National Objective, the Subrecipient must reimburse the City a prorated share of the Amount of the Grant the City makes to the project. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Properties shall be in effect.
10. The Subrecipient understands that the funds described in the Agreement are received by the City from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program. The Subrecipient shall meet all City and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. The Subrecipient shall provide the City with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V. (E) will not be required as long as no cash advances are made, and payment is on a reimbursement basis.
12. A formal project notice will be sent to the Subrecipient once all funds are expended, and a final report is received.

_____ Subrecipient

_____ City of Grand Junction

Attachment 1 – Performance Measures

1. Output Measures

A. Total Number of unduplicated clients anticipated to be served by the project during the 12 mo. FY contract: 20

B. Number of unduplicated LMI City residents to be served with grant funds during the 12 mo. FY contract: 20

C. Of the City residents to be served: i) how many will have new or continued access to the service/benefit: 20; ii) how many will have improved access to the service or benefit____? And iii) how many will receive the service or benefit that is improved/no longer substandard: ____?

2. Schedule of Performance

Estimate the number of unduplicated City resident to be served per calendar quarter of the 12 mo. FY contract Q1: 5 Q2: 5 Q3: 5 Q4: 5

3. Payment Schedule

During the 12 mo. FY contract funds will be drawn Q1: 25% Q2: 25% Q3: 25% Q4: 25%

4. Outcome Measures

Activity (select one) Senior Service Youth Service Homeless Service/Facility Disabled Service LMI Service/Facility Fair Housing Service Housing

Primary Objective (select one) Create a suitable living environment Provide decent, affordable housing Create economic opportunity (ies)

Primary Outcome Measurement (select one) Availability/Accessibility Affordability Sustainability

Summarize the means by which outcomes will be tracked, measured and reported

The income of each household/person receiving assistance will be individually verified for eligibility. If a client is a LEAP recipient, the LEAP letter of approval will serve as determination of income. If a client is qualifying through their income, all related income must be verified through pay stubs, social security annual letters and other qualifying documentation. Income is not to exceed the threshold of low/moderate income established guidelines.

_____ Subrecipient

_____ City of Grand Junction



Grand Junction City Council

Regular Session

Item #4.a.i.

Meeting Date: October 5, 2022
Presented By: Ashley Chambers, Housing Manager
Department: Community Development
Submitted By: Ashley Chambers, Housing Manager

Information

SUBJECT:

- A. An Ordinance Creating the Housing Advisory Board (**Continued from September 21, 2022**)
- B. A Resolution Approving By-Laws of the Grand Junction Housing Advisory Board

RECOMMENDATION:

Staff recommends approval of the ordinance and resolution.

EXECUTIVE SUMMARY:

The Housing Advisory Board ("Board" or "HAB") is being proposed in response to a generalized shortage of affordable housing in Grand Junction. The proposed purpose of the HAB includes advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs.

BACKGROUND OR DETAILED INFORMATION:

As discussed at the August 1, 2022, City Council workshop, this item creates a new Housing Advisory Board (HAB). The proposed purpose of the HAB includes advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs. The ordinance would create an eleven (11) member board and details the purpose and duties, composition and terms of the membership, appointment of members and filling

of vacancies.

In addition to the ordinance, included are proposed bylaws for the HAB to be adopted by resolution. The bylaws reflect standard advisory board/commission bylaws and include details such as purpose, place of business, ethical conduct, appointment of members, terms, vacancies, officers, meeting and notice, and quorum.

FISCAL IMPACT:

There is no fiscal impact related to this ordinance.

SUGGESTED MOTION:

A. I move to (approve/deny) Ordinance No. 5097, an ordinance creating the Housing Advisory Board and on final passage and order publication in pamphlet form,

B. I move to (approve/deny) Resolution 78-22, a resolution approving the bylaws of the Housing Advisory Board.

Attachments

1. ORD-Housing Advisory Board Final
2. RES-Housing Board Bylaws FINAL resolution

- 47 (c) study and recommend ordinances, funding, and programs to address
48 recognized and anticipated housing needs;
49
- 50 (d) develop and recommend, with community input, innovative approaches to
51 accomplish the City's housing goals, including tools for preserving
52 existing housing;
53
- 54 (e) advise the City Council concerning the impacts of city policy proposals on
55 housing affordability, diversity, and accessibility;
56
- 57 (f) review, and as deemed appropriate, develop and expand opportunities with
58 state and local housing agencies and providers and make
59 recommendations to the City Council;
60
- 61 (g) consult and coordinate with state and local housing agencies and other
62 city boards and commissions to develop and support the City's housing
63 goals;
64
- 65 (h) advise the City Council concerning an appropriate advocacy role for the
66 City in state and federal housing matters; and,
67
- 68 (i) act in an advisory capacity to the City Council including assisting in
69 initiatives to assist in implementation and development of housing
70 programs.
71

72 **2.38.020 Terms of members –**
73

74 **The President of the City Council, with the concurrence of a majority of the**
75 **Council, shall appoint eleven (11) members. who are residents of the City to the**
76 **Housing Advisory Board. The Board shall include one (1) City Council member,**
77 **and four (4) members selected from the following educational/professional**
78 **disciplines and/or that have relevant experience in commercial finance/lending,**
79 **real estate development and construction. The Board shall include three (3) other**
80 **members who shall not require specific educational or professional experience.**
81

82 **The Grand Junction Housing Authority (GJHA), and two additional housing**
83 **organizations representing the continuum of housing needs shall each appoint**
84 **one member from each agency/board to serve on the Housing Advisory Board.**
85 **Those members are exempt from the requirement for City residency. The City**
86 **Council will solicit letters of interest from housing organizations other than the**
87 **GJHA. Based on the written expressions of interest, the City Council will**
88 **nominate organizations for membership on the Board.**
89

90 **All members, excluding the City Council member, shall serve three-year**
91 **staggered terms in accordance with the adopted bylaws of the Board. The City**

92 **Council member shall serve a one-year term but may be reappointed annually to**
93 **coincide with the member's term on Council.**

94
95 **Members may be reappointed by City Council upon expiration of his/her term for**
96 **a three-year term for a total of four terms.**

97
98
99 **2.38.030 Filling of Vacancies.**

100
101 **Appointments to fill vacancies on the Housing Advisory Board shall be for the**
102 **unexpired term and shall be made in the same manner as other appointments.**

103 **2.38.040 Compensation and Removal of Members.**

104
105 **(a) No member of the Housing Advisory Board shall receive any compensation**
106 **for such membership/service on the Board.**

107
108 **(b) Members of the Housing Advisory Board may be removed by action of the**
109 **City Council for malfeasance or nonfeasance or for unexcused failure to attend**
110 **three consecutive meetings of the Board. The Board may recommend such action**
111 **to the Council.**

112
113 Introduced, Passed on First Reading, Approved and Ordered Published in
114 Pamphlet Form this 7th day of September, 2022.

115
116 Introduced, Passed on Second Reading, Approved and Ordered Published in
117 Pamphlet Form this 5th day of October, 2022.

118
119
120
121
122 _____
123 Anna M. Stout
124 President of the Council

125 ATTEST:
126
127
128
129 _____
130 Amy Phillips
131 City Clerk

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION APPROVING BY LAWS OF THE GRAND JUNCTION HOUSING
ADVISORY BOARD**

Recitals:

The Housing Advisory Board (“HAB”) has been formed in response to a generalized shortage of affordable housing in Grand Junction. The HAB will advise the City Council on housing issues, strategies, goals, and policies, study and recommend long and short-range goals for developing affordable and attainable/workforce housing, and study and recommend ordinances, funding, and programs to address recognized and anticipated housing needs.

The City Council being duly advised and having reviewed the bylaws in the form attached does hereby and herewith approve the bylaws as submitted and commends the same, together with Ordinance ____, to the Housing Advisory Board as a basis for the conduct of its work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, AS FOLLOWS:

That the bylaws for the Grand Junction Housing Advisory Board attached hereto are hereby accepted and approved.

This Resolution was passed and adopted this 5th day of October 2022.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk

GRAND JUNCTION HOUSING ADVISORY BOARD BYLAWS

Article 1. Purpose and Place of Business.

- (a) The Board's purposes include, but are not limited to, advising on housing issues, strategies, goals, and policies in the City, studying and recommending to the City Council long and short-range goals for developing affordable and attainable/workforce housing, and studying and recommending ordinances, funding, and programs to address recognized and anticipated housing needs consistent with the purposes provided as adopted in Ordinance Number 5709.
- (b) The place of business of the Grand Junction Housing Advisory Board shall be in Grand Junction, Colorado with a mailing address of 250 N. 5th Street, Grand Junction, CO 81501. Correspondence to the Grand Junction Housing Advisory Board shall be in care of the Housing Manager.

Article 2. Ethical Conduct.

Board members shall comply with City of Grand Junction Resolution No. 79-06, as amended by Resolution No. 46-13, that establish ethical standards for members of the City's boards, commissions, and similar groups.

Article 3. Appointment of Members.

- (a) The President of the City Council, with the concurrence of a majority of the Council, shall appoint eleven (11) members to the Housing Advisory Board. The Board shall include one (1) City Council member, four (4) members shall have educational, professional or relevant experience in commercial finance/lending, real estate development and construction. The Board shall include three (3) other members who shall not require specific educational or professional experience. These seven (7) members shall be residents of the City.

The Grand Junction Housing Authority (GJHA), subject to confirmation by the City Council, shall appoint a member of the GJHA Board to serve on the Housing Advisory Board. The City Council will solicit letters of interest from two additional housing organizations representing the continuum of housing needs to serve on the Housing Advisory Board. Based on the written expressions of interest, the City Council will nominate organizations for membership on the Board and will interview, select and appoint two (2) members from housing organizations other than the GJHA. These members are exempt from the requirement for City residency. .

- (b) Composition and selection:
 - 1. Members shall be selected without regard to race, color, religion, sex,

age,sexual orientation, national origin, marital status, or physical handicap.

2. All members, except for those representing housing agencies, shall reside within the City of Grand Junction.
- (c) When filling a vacancy, and when if requested by the City Council, the Board shall make a recommendation to the Council as to the expertise that may be beneficial to the work of the Board. The City Council may consider the Board's recommendation when making appointments.

Article 4. Member Terms.

- (a) All members, excluding the City Council member, shall serve three-year staggered terms in accordance with the adopted bylaws of the Board. The City Council member shall serve a one-year term but may be reappointed annually to coincide with the member's term on Council.
- (b) Members may be reappointed by City Council upon expiration of his/her term for a three-year term for a total of four terms. Ex-Officio members shall not be term limited.

Article 5. Vacancies and Removal of Members.

- (a) Appointments to fill vacancies on the Housing Advisory Board shall be for the unexpired term and shall be made in the same manner as other appointments.
- (c) Members of the Housing Advisory Board may be removed by action of the City Council for malfeasance or nonfeasance or for unexcused failure to attend three consecutive meetings of the Board. The Board may recommend such action to the Council.

Article 6. Officers.

- (a) The officers of the Board shall be Chair and Vice Chair, elected annually in October by a majority of the members.
- (b) The Chair shall preside at meetings of the Board, serve any sub-committee, serve as the official spokesperson for the Board,work with the designated City staff to develop meeting agendas and serve as the Board liaison to the City.
- (c) No member shall serve more than two consecutive terms as Chair or Vice Chair.
- (d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.
- (e) The Vice Chair shall be assigned other specific duties by the Chair as required to assure efficient operation of administrative functions of the committee.

Article 7. Meetings and Notice.

- (a) Regular meetings shall be held the first Tuesday of each month at 12:00 p.m. unless otherwise agreed to by a majority of members present.
- (b) The Board shall conduct all meetings in accordance with generally accepted parliamentary procedures such as Robert's Rules of Order 12th Edition.
- (c) Notice of any meeting of the Board shall be given to each member by mail, e-mail or in an equivalent manner at least 24-hours before the scheduled meeting.
- (d) Any lawful business of the Board may be transacted at any meeting for which proper notice has been given. Notice of meetings shall be posted by the City at least 24-hours in advance of the meeting in accordance with the City's customary meeting notice practices.
- (e) Any meeting, or member participation, may be held by telephone or videoconferencing on a platform provided by the City.
- (f) Meetings and affairs of the Board shall be subject to the Colorado Open Meetings Act and the Colorado Open Records Act.
- (g) Any written and/or electronic communication, discussion, debate, or exchange of ideas, either generally or specifically, related to the essence of the work of the Board shall be public and subject to OML and CORA.
- (h) Minutes of each meeting shall be recorded and retained in accordance with the City's record retention policy.

Article 8. Conflicts, Compensation, and Expenses.

- (a) No compensation shall be paid to any member of the Board for their services. The Board shall not enter any contract with any member nor pay or authorize any remuneration to any member. The rules and requirements of the City Charter and ordinances and Colorado law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts, and appearances of impropriety shall likewise apply to each member of the Board.
- (b) The Housing Advisory Board is solely a recommending/advising board to City Council and all expenses whether for the reimbursement of members for expenses related to the board shall go through the city administrative processes.
- (c) The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs, and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member does not act or has not acted maliciously, criminally, with deliberate intent to violate a law or regulation or with intent to injure. A Board member must immediately contact the City Attorney in the event a claim is made and may contact the City Attorney if he or she has any questions or concerns about liability.

Article 9. Quorum.

A majority of the voting members of the Board shall constitute a quorum to do business. The act of a majority of the voting members present at a meeting in which a quorum is present shall be the act of the Board. If at any meeting a quorum is not present whether due to conflict of interest or otherwise, a majority of those members present may adjourn the meeting.

Article 10. Amendment of Bylaws.

The Board may, by the affirmative vote of a majority of its members, propose amendment(s) to these Bylaws. Proposed amendments approved by the Board must be considered and approved by the City Council.

Adopted by the City Council this _____ day of _____,
2022 by Resolution No. ____-22

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction City Council

Regular Session

Item #4.a.ii.

Meeting Date: October 5, 2022
Presented By: Felix Landry, Planning Supervisor
Department: Community Development
Submitted By: Felix Landry, Planning Supervisor

Information

SUBJECT:

An Ordinance Amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code

RECOMMENDATION:

The Planning Commission heard this request at their August 23, 2022 meeting and voted (6-1) to recommend approval of the request, with the condition that significant trees status would not apply to cottonwood trees.

EXECUTIVE SUMMARY:

Section 21.06.040 of the Zoning and Development Code requires that site development include landscaping. Ordinance XXXX proposes revisions to the landscaping requirements. The ordinance balances many goals, among them: efficient water use; reasonable and successful maintenance practices; a robust tree canopy; diverse plantings; and distinctive site design.

Proposed revisions draw on stakeholder input from local landscape professionals and best practices for landscaping regulations in the Southwest. A Suitable Plants List is also provided for reference, and is a critical supplement to the proposed Code revisions. Primary changes include requirements to identify and protect significant trees during development. The changes also aim to maximize water conservation and use a higher proportion of native and climate-appropriate plants. Adjustments to site design standards and planting requirements also aim to balance needs, improve plant health and reduce maintenance costs.

The proposed changes occur in Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code.

Significant discussion has occurred around this ordinance update. That discussion has impacted the content of the proposed ordinance. One topic of discussion which has continued into the public hearing process concerns significant trees, specifically whether or not Cottonwood trees can qualify as significant. The initial proposed ordinance that Planning Commission recommended for approval at the May 10th hearing included cottonwoods as potentially significant trees. The ordinance which Planning Commission recommended for approval at the August 23rd meeting also included Cottonwoods as potentially significant trees. However, the Planning Commission's recommendation also included a condition to exclude Cottonwoods.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Section 21.06.040 of the Zoning and Development Code requires that site development include landscaping. The City applies those regulations on landscaping to all development proposals, excluding single-family homes and duplexes, in the City. That section of the Code is complemented by several other sections of the Code, such as those concerning wildlife and wildfire (GJMC 21.07.020).

The Community Development Department, in collaboration with the Parks and Recreation Department and their horticulture and forestry staff, has drafted revisions to the landscaping regulations. The proposed revisions include many minor adjustments. It also includes substantive changes. These revisions include stronger pathways to climate-appropriate landscaping, preservation of significant trees, and minimum levels of diversity within landscape plans.

The proposed regulations emerge from public discourse and public policy. These regulations have been discussed by the City's Development Roundtable, Forestry Board, City Council, and Planning Commission. Furthermore, these regulations will impact the process of development review, and the experiences of development professionals, residents, conservation advocates, and staff. Sustainability and quality of life also appear as overarching goals in the City's most recent Strategic Plans, the 2020 One Grand Junction Comprehensive Plan, and the 2021 Parks, Recreation, and Open Space (PROS) Master Plan.

The One Grand Junction Comprehensive Plan discusses water conservation extensively and identifies updating landscaping regulations as a means of achieving this goal. Plan Principle 8: Resource Stewardship identifies directs the City to "Evaluate landscaping standards to promote the use of native and/or drought-tolerant plant materials, efficient irrigation, and appropriate soil amendments to support plant health

and resiliency, and other water-conserving practices.” The Comprehensive Plan also speaks to the need to “manage the City’s urban forest,” promote “water-wise landscaping within the City,” and address “tree installation, replacement, and protection.” Likewise, the 2021 PROS Master Plan calls for the “championing a healthy tree canopy.”

To guide refinement of draft revisions, staff has conducted Planning Commission Workshops, a Forestry Board discussion, and a series of stakeholder sessions involving a Landscaping Taskforce comprised of community landscaping experts. A primary aim of these workshops was to clarify goals for the revision, choose between policy approaches, and to draw on local expertise to ensure that changes benefit the health and manageability of landscape installations in the future. General goals considered in workshop settings reflected the general goals of the revision, namely:

1. Eliminating discrepancies within the landscaping section and between the landscaping section and realistic design limitations.
2. Aligning landscaping requirements with strategic goals of sustainability, water conservation, and economic development where appropriate including a turf maximum.
3. Producing supplemental materials and codified equivalency matrices to make the landscaping section easy to use, including lists of species suitable for use on private property and in public rights-of-way.
4. Establishing incentives and requirements that limit vulnerability to hazards and reduce disturbance of ecologically- and culturally-valuable landscape features during development.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on August 16, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

Existing Standards

The proposed changes to the landscaping requirement are broadly consistent with the existing approach to landscaping in the Zoning and Development Code. The standards continue to approach landscaping in four primary ways.

The first is by setting minimum standards for the portions of a development site that must be landscaped. The Code identifies the adjacent right-of-way, parking lots, screens, buffers, street frontages, and perimeter enclosures for residential subdivisions. Revisions retain this standard.

The second is a numerical approach to plantings. A minimum number of trees, shrubs, groundcover, and coverage of landscaped areas is based on improved area. Revisions seek to make coverage more flexible through equivalencies and substitutions.

Landscape plans must meet these minimum plant counts.

A third, and more limited, component of regulation concerns how development may plant, irrigate, and maintain sites. The manner in which landscaping is carried out must align with best practices as specified in the Code. The Ordinance addresses those requirements to reflect growth in best practices and the evolution of the City's planning goals.

Fourth, when a landscape plan is approved for a property, a property owner must maintain the site in perpetuity. While challenging to enforce, maintenance is crucial to landscape health in the long-term. The proposed revisions retain the general approach of requiring maintenance per plan. However, the revisions add a requirement for a viable, long-term maintenance strategy as an element of the approved plan. This allows for a more dynamic version of perpetual maintenance without allowing landscapes to fall into disrepair (see Plan Requirements below).

Balancing Goals

Proposed revisions to the landscaping standard reflect compromise along several lines. One area of compromise is between site development constraints, on one hand, and best planting practices on the other. Two illustrative examples follow. Further below, the essential changes to the code are enumerated in detail.

For a first example, consider the landscaped area in which trees are planted. Shade trees are unlikely to succeed in a planting area that is less than eight feet wide; if they do, they tend to damage adjacent concrete. However, the existing requirement provides for landscape strips as narrow as five feet or six feet, depending on context. Adjusting the minimum width to eight feet as proposed represents a compromise resolved in favor of long-term landscape health outcomes. In short, some landscaping areas may increase in size so that healthier trees result.

Another critical area of compromise occurs between tree canopy coverage and water conservation. Even among healthy and climate-appropriate trees, many require supplemental irrigation. Yet tree canopy is essential to a livable environment within City limits. Achieving both goals without compromise requires a level of design detail and care that may not be reasonably assumed to occur in all landscape design. Moreover, reducing turf is a primary mechanism for reducing water use, but successful trees are often linked to the presence of adjacent turf. These factors are related in complex and challenging ways.

The proposed requirements achieve both canopy and conservation goals where possible. One clear pathway is by creating a substantial requirement to retain existing, mature trees. Water conservation goals are also served directly by requiring irrigation plans as part of development review. Furthermore, a maximum turf coverage percentage with exceptions for functional turf areas limits the opportunity for landscaping which requires high water consumption.

Applicability

The existing landscaping regulations do not apply to landscaping on properties with single-family dwelling units or duplexes. The new regulations do not propose to regulate landscaping on properties with single family dwelling units or duplexes. Furthermore, these regulations will not require any property owner with a use that does require landscaping to update their existing landscaping unless they're proposing significant redevelopment on their property.

Water Conservation

The proposed regulations would reduce the amount of turf required and allowed for landscaping projects. Turf has been capped city wide at 15% of the overall landscaped area with an exception for function turf areas which may exceed 15% of the site. Functional turf has been defined and represents the only opportunity to install turf beyond the 15% maximum. Any language in this existing ordinance which allowed more than 15% turf has been removed or amended.

The proposed regulations also require that 90% of the proposed plants for any landscape plan have a xeric, xeric-low, xeric-medium, or low water need classification on the Suitable Plants List. Additionally, 25% of the plants proposed for a landscaping plan must have a native or native alternative classification on the Suitable Plants List.

These changes aim to facilitate landscaping options which respect the natural environment of the Grand Valley and present water supply issues, while also providing a landscaped urban environment suitable for residents to thrive.

Flexibility

A desire for increased flexibility on the part of licensed landscape architects—whose stamp is required for most landscape designs—has been voiced during the revision process and in the review of many development applications. Revisions respond to this interest in several ways. One is to clarify and expand conversion rates when substituting among trees, shrubs, and groundcover. This may facilitate more responsiveness of landscape architects to specific site conditions.

The code also addresses flexibility by clarifying and slightly reducing the ratio of required tree plantings to disturbed or improved area. This occurs in the context of other changes that would restrict flexibility of site design. Chiefly, significant tree regulations would increase the required number of plantings in the many cases where significant trees exist. Thus, the total number of required trees is reduced in some zone districts. Specifically, two-caliper inches of tree plantings (equal to one minimum-size shade tree) are now required for every 3,000 square feet of improved area for all single-family, multifamily, business, and commercial zones, compared to the existing requirement of one tree per 3,000 square feet. Trees continue to be required at existing rates of one per 40 linear feet for street frontage landscaping.

Significant Trees

Significant trees often feature in the landscaping regulations of Colorado jurisdictions. A minimum diameter of a tree at breast height (“caliper”) is identified in the regulation. Size varies among jurisdictions. The proposed definition for a significant tree herein is a tree exceeding 15 inches in diameter and identified on the Suitable Plants List. If a tree that currently exists on a property proposed for development meets those criteria, then it is a significant tree. Significant trees are not currently regulated by the City, but the proposed revision would introduce such regulations.

A development proposal would be required to identify and preserve 30% of any existing significant trees found on the property at the time of application. Removal of any significant trees would require a replacement at a rate of 1 new caliper inch of planted tree for every 2 inches of significant tree destroyed during development. The same ratio would apply remedially to any development that accidentally destroys a significant tree planned to be preserved.

This change is anticipated to resolve the recurring incidence of substantial canopy assets being lost during development. No credit is proposed to be extended for retaining significant trees. Rather, a strong requirement is proposed to ensure that more mature trees are retained or replaced. Because preserving significant trees may represent a substantial challenge for site design, this new regulation occurs alongside a minor reduction in the total number of trees required per area of disturbed property (see Flexibility above).

Suitable Plant List

A Suitable Plant list is provided as a reference document in this packet. Previously, this list was not a major element of regulations. The current code refers to a list of plants to be maintained by the Director GJMC 21.06.040(b)((4)). The attached list is a departure from the previous, shorter version of the list. The list is not an adopted part of the Zoning and Development Code; it is an administrative document that need not be adopted or revised by a decision of the City Council.

The list reflects a blend of inputs. One is best practice, drawing on the expertise of City staff and Landscaping Taskforce members. Another is common practice: almost all plants included on landscaping plans approved by the City since 2017 are included. Another is water conservation goals, as high-water use plants are generally not included.

The Suitable Plants List is proposed to become more important to the Zoning and Development Code. Substitutions of plants in the field would be restricted to those plants on the list. Perhaps most importantly, it is designed to serve as a menu for landscape architects. Landscape plans should consist of species found on the list. However, landscape plans can propose using plants that are not on the Suitable Plants List and provide adequate detail to substantiate the proposal. Plants approved by the Director may be administratively added to the Suitable Plants List.

City Forester and Trees in Right-of-Way

Private development is required to plant and maintain landscapes in the public right-of-way in many circumstances. An additional chapter of the Grand Junction Municipal Code (8.32 – Trees) addresses many of the relevant concerns for trees planted in the right-of-way. This revision clarifies the authority of the City Forester over landscaping in the right-of-way and the requirement for the City Forester’s permission to remove any tree in the right-of-way. The Ordinance also continues to require one tree per 40 feet of street frontage landscaping. It adjusts the language for coverage of planting areas in the right-of-way to allow canopy coverage as a surface area coverage pathway.

Impervious Surfaces

Proposed revisions also address the need for pervious surface to allow groundwater to infiltrate soils. Pervious surface relates to both plant health and stormwater management. The regulation is to reduce the area of a development that is covered by impervious surfaces. One mechanism is direct, with the establishment of a maximum impervious surface coverage (“lot coverage”). Under today’s regulations, lot coverage refers to the area covered by structures. This is revised to mean impervious surfaces, including pavement.

The maximum lot coverage is also revised in GJMC 21.03 – Zoning Districts. Previously, up to 100% of lots in commercial, industrial, and business districts could be covered by impervious surfaces (except R-O). The revision reduces this coverage to 80% in most cases. The exceptions are for B-2 (Downtown Business) zones, at 100% coverage, and CSR (Community Services and Recreation) zones, at 75% coverage. This is potentially impactful where certain uses often result in large masses of impervious surface, such as auto storage associated with automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage).

Diversity Requirements

Minor adjustments are made to ensure a minimum species diversity in landscape designs. Minimum diversity ratios for trees and shrubs reflect slight increases. The regulation is also revised to require diversity at the botanical level of genus, rather than of species, to ensure that numerical diversity requirements result in an appreciable diversity of planting survival conditions.

Best Horticultural Practices

As discussed above, the City’s landscaping regulations address planting practices only to a moderate extent. This allows the Code to remain succinct and allows practitioners to operate based on their expertise. However, a series of essential requirements are proposed that may be critical to ensuring long-term plant survival and aesthetic outcomes. These include: reduced applications of weed fabric; removal of “orchard style parking island” options not viable for plant success; widened frontage strips and planting islands (to a minimum width of eight feet); requiring organic mulch for shrub beds; and setting minimum widths for planting holes.

Plan Requirements

The proposed changes add an additional certification prior to the issuance of a certificate of occupancy or a release of DIA funds. Currently, the city requires that the Landscape Architect who stamped the plans also certify that the installed landscaping complies with the approved landscaping plans. The proposed ordinance further requires that the property owner or irrigation installer certify that the irrigation system has adequate capacity to support the installed plants at installation as well as at maturity.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendment to the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code the following findings of fact have been made:

1. The proposed amendments to the Zoning and Development Code are useful in that they ensure the health, safety, and general welfare of the public, and refine processes that assist in the logical and orderly development of the city as described in the background information of this report.
2. The proposed amendments to the Zoning and Development Code support the Comprehensive Plan.

Therefore, the Planning Commission recommended approval of the request with the following condition:

1. Condition: That the ordinance would prohibit Cottonwood trees from qualifying as significant trees.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 5101, an ordinance amending the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code on final passage and order final publication in pamphlet form.

Attachments

1. Exhibit 1 - Existing Code
2. Exhibit 2 - Landscaping Code Clean

3. Exhibit 3 - Landscaping Code Strike and Underline
4. Exhibit 4 - Suitable Plants List
5. Exhibit 5 - Summary of Engagement Process
6. Exhibit 7 - CommentLetters_Cottonwoods
7. Exhibit 6 - Draft Ordinance

21.06.040 Landscape, buffering and screening standards

(a) **Purpose and Goals.** The purpose of this section is to enhance the aesthetic appeal of new development **and contribute to a livable urban environment**. Landscaping reduces heat and glare, facilitates movement of traffic within parking areas, shades cars and parking surfaces reducing local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, buffers and screens potentially incompatible uses from one another, and conserves the value of property and neighborhoods within the City.

(b) **General Landscape Standards.**

(1) All landscaping required by this code shall comply with the standards and requirements of this section. The landscaping requirements of this code shall not apply to a lot zoned for one or two dwellings. Landscaping for new developments shall occur in buffer areas, all interior parking areas, along the perimeter of the property, around new and existing structures, and along street frontages and within any right-of-way not used nor planned to be used for infrastructure.

(2) Plant Quantities. The amount of landscaping is based on gross area of proposed development.

(3) Landscaping Standards. All new development must install and maintain landscaping as required by this code. (See subsection (b)(1) of this section for an example of the landscaping requirements of this section.)

(i) On-site frontage landscaping may not apply in the B-2 zone downtown commercial. (See zone district standards.)

(ii) Landscaping in the abutting right-of-way is required in addition to overall site landscaping requirements.

(iii) Buffer landscaping is required in addition to overall site landscaping requirements.

(4) Acceptable Plant Material. Vegetation must be suitable for Grand Junction's climate and soils. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious weeds are not allowed. (The Director will keep a list of suitable plants.)

(5) Minimum plant sizes are:

- (i) Shade tree, two-inch caliper (measured six inches above root ball) at time of planting. At maturity, a shade tree has a height and/or spread of 30 feet or greater. If two-inch caliper trees are not available due to seasonal shortages or shortages in desired varieties, the Director may approve the installation of smaller trees, provided the proportional difference in caliper inches is compensated for by installing additional trees. For example, the installation of six one-and-one-half-inch caliper shade trees would result in a shortfall of three caliper inches, which could be compensated for with two additional one-and-one-half-inch trees. However, a minimum caliper of one and one-half inches shall be required.
 - (ii) Ornamental tree, one-and-one-half-inch caliper (measured six inches above root ball) at time of planting. At maturity, an ornamental tree has a spread and height between 15 feet and 30 feet.
 - (iii) Evergreen tree, six feet tall at time of planting.
 - (iv) Deciduous shrub, five-gallon container.
 - (v) Evergreen shrub, five-gallon container.
 - (vi) Perennials and ground covers, one-gallon container.
 - (vii) Turf mix, native grasses and wild flower mix are the only vegetation that may be planted as seed.
- (6) Irrigation. All vegetation and landscaped areas must be provided with a permanent irrigation system.
- (i) Nonpotable irrigation water shall be used unless the Director allows the use of potable water.
 - (ii) An underground pressurized irrigation system and/or drip system is required for all landscape areas on the property and in any right-of-way.
 - (iii) If connected to a drinking water system, all irrigation systems require State-approved backflow prevention devices.
 - (iv) All irrigation for nonpotable irrigation water systems must have adequate filters easily accessible above ground or within an appropriately sized valve box.
 - (v) Native grasses must have a permanent irrigation source that is zoned separately from higher water demand landscapes. Once the grasses are established, irrigation to native grass areas can be reduced to a level that maintains coverage typical of the grass mix and to suppress weed growth.

(7) Landscape Plans and Equivalent Plants.

- (i) Landscape plans must identify the species and sizes of vegetation (SSID manual).
- (ii) All landscaping shall be installed as shown on the approved plan.
- (iii) An equivalent species may be substituted in the field without prior approval of the Director, provided a revised drawing is submitted to the Department. Plants are "equivalent" if they have the same growth habit and rate, same cover, leafing, shade characteristics and function, have similar water requirements, thrive in the same microclimate, soils and water conditions.
- (iv) All other changes to the landscape plan require prior approval from the Director.
- (v) All development plans shall designate required landscaping areas. Subdivision plats shall designate required landscaping areas.
- (vi) The owner shall keep each fire hydrant unobscured by plant material.
- (vii) Landscape plans shall be stamped by a licensed landscape architect. Inspection and compliance with approved landscape plan must be certified by a licensed landscape architect prior to issuance of a certificate of occupancy.

(8) Preservation of Significant Landscape Features. Existing landscape features such as escarpments, large or old trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the Director as part of the development review process. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development. If a significant live feature which was to be preserved dies or is substantially damaged, the developer shall replace it with an equivalent feature as determined by the Director. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction under the canopy drip line of the tree unless the City Forester says otherwise.

- (i) During construction, fencing or similar barriers shall isolate and protect the landscape features to be preserved.
- (ii) All protection measures shall be clearly identified on the construction and landscape plans.
- (iii) No vehicles or equipment shall be driven or parked nor shall any materials be piled within the canopy drip line of any tree to be preserved.

(9) Protection of Landscape Areas. All landscape areas (except in the right-of-way where a street side curb does not exist) shall be protected from vehicles through the use of concrete curbing, large rocks, or other similar obstructions.

(10) Utility Lines. If the location of utilities conflicts with the landscaping provisions, the Director may approve an equivalent alternative.

(i) Utility composite plans must be submitted with landscape plans.

(ii) Trees which will grow to a height of greater than 15 feet at maturity shall not be planted under electrical lines.

(iii) Ornamental and evergreen trees planted under an electrical line may count towards the total tree requirement.

(11) Sight Distance. The owner shall maintain all vegetation, fences, walls and berms so that there is no site distance hazard nor road or pedestrian hazard.

(12) Soil. Soil in landscape areas must be amended and all vegetation planted in accordance with good horticultural practices.

(i) Details for the planting of trees, shrubs and other vegetation must be shown on the landscaping plans.

(ii) Shrub beds adjacent to turf or native grass areas are to be edged with concrete, metal, brick or substantial wood material. Plastic and other light duty edgings are not allowed.

(iii) Mulch and weed fabric are required for all shrub beds.

(iv) The minimum square footage of planting area for a five-gallon evergreen or deciduous shrub is 16 square feet. These minimum square footages may be varied by a qualified professional.

(13) Trees.

(i) Trees should not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape area and between parking bays, helps eliminate this conflict and should be considered.

(ii) Tree canopies may overlap by up to 20 percent of the diameter of the tree at maturity. Tree clustering may be allowed with some species so long as clustering does not adversely affect the mature canopy.

- (iii) At planting, tree trunks must be reasonably straight with minimal doglegs.
- (iv) Wire baskets, burlap wrappings, rope, twine or any similar shipping materials shall be removed before planting.
- (v) The minimum square footage of planting area for a shade tree is 140 square feet. The Director may vary the minimum square footage.
- (vi) Species Diversity. The percent of any one type of tree that can be planted in a development shall be as follows:
 - (A) Zero through five trees: No limitation.
 - (B) Six to 21 trees: No more than 50 percent of one species.
 - (C) 21 or more trees: No more than 20 percent of one species.

(14) Shrubs.

- (i) Twenty-five percent of the required shrubs may be converted to turf based on one five-gallon shrub per 50 square feet of turf.
- (ii) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three one-gallon perennials and/or ground covers for one five-gallon shrub.
- (iii) Species Diversity. The percent of any one type of shrub that can be planted in a development shall be as follows:
 - (A) Ten through 19 shrubs: 50 percent.
 - (B) Twenty through 39 shrubs: 33 percent.
 - (C) Forty through 59 shrubs: 25 percent.
 - (D) 60 or more shrubs: 15 percent.
- (iv) When calculating tree and shrub quantities, any fraction of a shrub or tree or other requirement is rounded up to the next whole number.
- (v) With the approval of the Director, the number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch.

(15) Maintenance. The owners, tenants and occupants for all new and existing uses in the City must:

- (i) Maintain landscaping in a healthy, growing, neat and well-maintained condition.
- (ii) Maintenance includes watering, weeding, pruning, pest control, trash and litter removal, replacement of dead or diseased plant material, reseeding and other reasonable efforts.
- (iii) Any plant that dies must be replaced with an equivalent live plant within 90 days of notification or, if during the winter, by the next April 1st.
- (iv) Hay mulch used during the preparation or establishment of landscaping must be certified weed-free by the Colorado Department of Agriculture.
- (v) On his own or based on a citizen complaint, the Director may, without notice and without a warrant, walk on the landscaped portion of the property from time to time to inspect the condition of landscaping.
- (vi) Between one and two years after installation of required landscaping, Code Enforcement shall conduct a site inspection to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section.

(16) Public Right-of-Way. Except where a detached sidewalk exists or is proposed and approved (see subsection (b)(16)(iv) of this section), landscaping on public right-of-way shall not be counted toward any landscape or open space requirements of this code, unless specifically provided otherwise in this code.

- (i) All unimproved right-of-way adjacent on the side abutting a development which is not in the City's one-year capital plan to be improved must be landscaped. All right-of-way landscaping shall be irrigated and maintained by the adjoining private property owner, unless the City agrees to accept it for maintenance. If it is to be maintained by the City, a separate irrigation system shall be provided.
- (ii) At least 75 percent of the unpaved adjacent right-of-way shall be landscaped with turf, low shrubs or ground cover. The Director may vary the required landscaping to obtain a consistent appearance in the area or with existing or planned right-of-way landscaping.
- (iii) The owner of the nearest property shall keep all rights-of-way, which are not hard surfaced, free of weeds, litter, junk, rubbish and obstructions. To prevent weed growth, erosion and blowing dust, right-of-way areas not covered by vegetation or

paving shall be covered with mulch, wood chips, bark chips, decorative rocks or cobble or similar natural materials, to be underlain by weed fabric or other barrier.

(iv) Where detached sidewalks exist, or are proposed, a maximum of 50 percent of the public right-of-way landscaping may be counted toward the total required landscaping. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet.

(v) The Director may allow decorative paving in landscaped areas in commercial or other high pedestrian traffic areas if the decorative paving is compatible with nearby right-of-way paving and landscaping.

(17) Pervious Coverage. Landscaped and buffer areas count toward the pervious area requirement.

(18) Authority.

(i) The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions.

(ii) The Director may approve an applicant's request to vary from the required number and types of plants or landscaped area if:

(A) The number of trees exceeds 25 percent of the minimum number of trees; and/or

(B) Trees exceed the minimum caliper requirement by one inch or more; and/or

(C) Additional berming or other attractive buffering, public art, enhanced paving treatments for public plazas (brick or concrete pavers, tinted and stamped concrete, etc.) is provided. The Director may grant up to a 10 percent reduction of the square footage of improved area used to calculate the landscape requirement where these types of enhancements are included in a development.

(D) Additional trees or larger trees can be exchanged on a per-caliper-inch basis with three shrubs equaling one caliper inch. Credit for using larger trees would be based on a direct exchange of caliper inches. For example: 10 three-inch caliper trees equaling 30 caliper inches is the same as 15 two-inch caliper trees equaling 30 caliper inches; one two-inch caliper tree equals six shrubs. Trees may be substituted for shrubs, but shrubs may not be substituted for trees.

(E) If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.

(19) **Water Wise.** Because of Grand Junction's desert environment, water wise design and the use of xeric (low water use) plants are strongly encouraged. Water wise designs shall employ the seven basic principles of xeric design which include "comprehensive planning and design for low water use, creating practical turf areas, selecting low water use plants and organizing plants by water usage, using adequate soil prep, using water conserving mulches, irrigating efficiently and maintaining the landscape appropriately" (source: Denver Water Board).

(i) Low water use plants are encouraged for use in the "typical" urbanized landscape, especially where the plants can be irrigated (zoned) separately from higher water use plant material. This way of using xeric plants is compatible with any of the requirements of this code.

(ii) Landscaping designs that mimic the "desert" character of Grand Junction's setting are also encouraged, but must be carefully designed so that the basic requirements for shade, screening and buffering are met. Because of this, the Director must approve "desert" or xeric landscape plans as well as variances from the required plant coverage ratios. To further encourage xeriscaping, one-gallon xeric plants shall be equivalent to five-gallon traditional plants. Trees shall be installed in accordance with subsection (b) of this section.

(c) Parking Lots.

(1) **Interior Landscaping Requirement.** Landscaping is required in the interior of parking lots to direct traffic, to shade cars and structures, to reduce heat and glare and to screen cars from adjacent properties. The interior of all parking lots shall be landscaped as follows:

(i) One landscaped island, parallel to parking spaces, is required for each 20 parking spaces. In lieu of the standard landscape island, one "orchard style" landscape island may be used for every six parking spaces. The orchard style landscape islands shall be evenly spaced between end landscape islands. (See subsection (j) of this section.)

(ii) Landscape islands must be at least 140 square feet. The narrowest/smallest dimension of a parking lot island shall be eight feet, measured from back of curb to back of curb.

(iii) One landscaped divider island, parallel to the parking lot drive aisles, designed to prevent diagonal movement across the parking lot, shall be located for every three parking lot drive aisles.

(iv) A landscape island is required at the end of every row of parking spaces, regardless of length or number of spaces.

(v) Wheel stop barriers on all sides adjacent to the parking lot surface are required to protect landscape islands from vehicles.

(vi) A corner area (where it is not feasible to park a vehicle) may be considered an end island for the rows on the perimeter of the parking lot.

(vii) Landscaping of the interior of a parking lot shall include trees and shrubs.

(2) Parking Lot Perimeter. Landscaping is required around the entire perimeter of a parking lot to assist in the shading of cars, to assist in the abatement of heat and to reduce the amount of glare from glass and metal, and to assist in the screening of cars from adjacent properties. The perimeter of a parking lot is defined as the curb line defining the outer boundaries of the parking lot, including dumpster enclosures, bike racks, or other support facilities that are adjacent to the outer curb. Entry drives between a parking lot and the street, drives connecting two internal parking lots or building entry plazas are not included in the perimeter area.

(i) Screening shall occur between a street and a parking lot and street frontage landscape shall apply. (See subsections (c)(3) and (l) of this section.)

(ii) The minimum dimension allowed for the parking lot perimeter landscape strip is six feet. The width of a landscape strip can be modified by the Director, provided the intent of this section is met.

(iii) Landscaping along the perimeter of parking lots shall include trees and shrubs.

(iv) Parking lots shared by more than one owner shall be landscaped around the perimeter of the combined lots.

(3) Screening. All parking lots abutting rights-of-way, entry drives, and adjacent properties must be screened. For this subsection, a "screen" means a turf berm and/or shrubs.

(i) A 30-inch-high screen is required along 70 percent of parking lots abutting rights-of-way, entry drives, and adjacent properties, excluding curb cuts. The 30-inch screen shall be placed so as to maximize screening of the cars in the parking lot, when viewed from the right-of-way and shall be measured from the ground surface, or the elevation of the roadway if the adjacent road is higher than the property.

(ii) Screening shall not be required between parking lots on adjoining lots where the two lots are designed to function as one.

(iii) If a landscape area is 30 feet wide or greater between a parking lot and a right-of-way, the 30-inch-high screen is not required. This 30-foot-wide or greater area must be 100 percent covered in plant material within three years. Turf is allowed.

(iv) The Director may approve a screen wall between a parking lot and a right-of-way if the lot or parcel is unusually small.

(v) A screen wall must not be taller than 30 inches, unless the adjacent roadway is higher than the property, in which case the screen wall shall be 30 inches higher than the adjacent roadway.

(vi) Two five-gallon shrubs may be substituted for four linear feet of wall; shrubs must reach a height of at least 30 inches at maturity.

(vii) A column or jog or equivalent architectural feature is required for every 25 linear feet of wall.

(viii) The back of the wall must be at least 30 inches from the face of curb for bumper overhang.

(ix) Shrubs must be planted on the street side of the wall.

(x) There must be at least five feet between the right-of-way and the paved part of a parking lot to use a wall as a screen.

(xi) Wall elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.

(xii) Walls shall be solid masonry with finish on both sides. The finish may consist of stucco, brick, stone or similar material. Unfinished or merely painted concrete block is not permitted.

(xiii) Shrub plantings in front of a wall are not required in the B-2 downtown district.

(d) **Street Frontage Landscape.**

(1) Within all zones (except single-family uses in single-family, B-2 and form based zone districts), the owner shall provide and maintain a minimum 14-foot-wide street frontage landscape adjacent to the public right-of-way.

(2) A minimum of 75 percent of the street frontage landscape shall be covered by plant material at maturity.

(3) The Director may allow for up to 50 percent of the 14-foot-wide street frontage to be turf, or up to 100 percent turf coverage may be allowed if the parking lot setback from the right-of-way exceeds 30 feet. Low water usage turf is encouraged.

(4) All unimproved right-of-way adjacent to new development projects shall be landscaped and irrigated by the owner and/or homeowners' association as per subsection (b)(16) of this section.

(5) Landscaping within the street frontage shall include trees and shrubs. If detached walks are not provided with street trees, street trees shall be provided in the street frontage landscape, including one tree for every 40 feet of street frontage.

(6) Where detached walks are provided, a minimum street frontage landscape of five feet is acceptable.

(e) **Buffers.**

(1) Buffers shall be provided between different zoning districts as indicated in subsection (k) of this section.

(i) Seventy-five percent of each buffer area shall be landscaped with turf, low shrubs or ground cover.

(ii) One medium sized tree is required per every 40 linear feet of boundary between different zones.

(2) Exceptions.

(i) Where residential or collector streets or alleys separate zoning districts, the Director can require more landscaping instead of a wall or fence.

(ii) Where walkways, paths, or a body of water separates zoning districts, the Director may waive a fence or wall requirement provided the buffering objectives are met by private yards.

(iii) Where a railroad or other right-of-way separates zoning districts, the Director may waive the buffer strip if the buffering objectives are met without them.

(f) **Fences, Walls and Berms.**

(1) Fences and Walls. When a higher density or intensity zoning district abuts a lower density or intensity zone district, it is the responsibility of the higher density or intensity property to buffer the abutting zone district according to subsection (k) of this section. When an existing fence or wall substantially meets the requirements of this section, and

subsection (k) of this section requires the same form of buffering, an additional fence on the adjacent developing property shall not be required. However, if the new development requires the placement of a wall, and a fence exists on the adjacent property, the wall shall be required. If a wall is required and a fence is in place, the wall must be placed adjacent to the fence. (Subsection (k) of this section should be referenced to determine when a wall or a fence is required. The more stringent standard shall apply; i.e., if a wall is required and a fence is in place, the wall must be placed adjacent to the fence.) Fences must comply with GJMC [21.04.040\(i\)](#), any design guidelines and other conditions of approval. Fences and walls required by this section must meet the following:

(i) Maximum height: six feet (outside of front setback, 30-inch solid height or four feet height if two-thirds open within the front setback and must meet all sight distance requirements).

(ii) Fence type: solid wood or material with a similar appearance, finished on both sides.

(iii) Wall type: solid masonry finished on both sides. Finish may consist of stucco, brick, stone or similar material but unfinished or merely painted concrete block is not permitted.

(iv) Location: within three feet of the property line unless the space is needed to meet landscaping requirements.

(v) A wall must have a column or other significant architectural feature every 30 feet of length.

(vi) Any fence or wall over six feet in height requires a building permit.

(vii) No person shall construct or maintain a fence or a wall without first getting a fence/wall permit from the Director.

(2) Berms. Minimum requirements for berms are as follows:

(i) Maximum slope of 4:1 for turf areas and 3:1 for shrub beds; and

(ii) To control erosion and dust, berm slopes must be stabilized with vegetation or by other means consistent with the requirements for the particular landscape area.

(g) Residential Subdivision Perimeter Enclosures.

(1) Intent. The decision-maker may require (where deemed necessary) perimeter enclosures (fences and/or walls) around all or part of the perimeter of a residential development. Perimeter enclosures shall be designed to meet the following objectives of

protecting public health, safety and welfare: screen negative impacts of adjoining land uses, including streets; protect privacy; maintain a consistent or complementary appearance with enclosures in the vicinity; maintain consistent appearance of the subdivision; and comply with corridor overlay requirements.

(2) Specifications. Unless specified otherwise at the time of final approval:

(i) A perimeter enclosure includes fences, walls or berms, and combinations thereof, located within five feet of the exterior boundary of a development.

(ii) The maximum height is six feet, including within front setbacks; however, an enclosure constructed on a berm shall not extend more than eight feet above the adjoining sidewalk or crown of road, whichever is lower.

(iii) New enclosures shall be compatible with existing enclosures in the vicinity, if such enclosures meet the requirements of this code.

(iv) A perimeter enclosure in excess of six feet is a structure and requires a building permit.

(v) A perimeter wall must have a column or other significant architectural feature every 30 feet.

(3) Required Perimeter Enclosures. The decision-maker may require a perimeter enclosure as a condition of the final approval if:

(i) Use or enjoyment of property within the development or in the vicinity of the development might be impaired without a perimeter enclosure.

(ii) A perimeter enclosure is necessary to maintain a consistent and complementary appearance with existing or proposed perimeter enclosures in the vicinity.

(iii) A perimeter enclosure is necessary to control ingress and egress for the development.

(iv) A perimeter enclosure is necessary to promote the safety of the public or residents in the vicinity.

(v) A perimeter enclosure is needed to comply with the purpose, objectives or regulations of the subdivision requirements.

(vi) A perimeter enclosure is needed to comply with a corridor overlay district.

(vii) The Director will notify applicants of the need for a perimeter enclosure, if required.

(4) Design of Perimeter Enclosures. A complete landscape plan for the required landscape buffer and a detail drawing of the perimeter enclosure must be submitted at the time of final approval: perimeter enclosure detail at a scale of one-half inch equals one foot.

(5) Landscape Buffer. On the outside of a perimeter enclosure adjacent to a right-of-way, a 14-foot-wide landscape buffer shall be provided between the perimeter enclosure and the right-of-way for major and minor arterial streets and major or minor collectors. A five-foot-wide landscape buffer for side and rear yard perimeters shall be provided on all other streets between the perimeter enclosure and the right-of-way.

(i) Vegetation in the sight triangle (see TEDS, GJMC Title [29](#)) shall not exceed 30 inches in height at maturity;

(ii) In the landscape buffer, one tree per 40 linear feet of perimeter must be provided;

(iii) All perimeter enclosures and landscape buffers must be within a tract dedicated to and maintained by the homeowners' association. The perimeter enclosure and landscaping must be installed by the developer and made a part of the development improvements agreement;

(iv) A minimum of 75 percent of the landscape buffer area shall be covered by plant material at maturity. Turf may be allowed for up to 50 percent of the 14-foot-wide landscape strip, at the Director's discretion. Low water usage turf is encouraged;

(v) Where detached walks are provided, a minimum buffer of five feet shall be provided. In which case, the right-of-way parkway strip (area between the sidewalk and curb) will also be planted as a landscape buffer and maintained by the HOA.

(6) Construction of Perimeter Enclosures. The perimeter enclosure and required landscape buffer shall be installed by the developer and included in the development improvements agreement.

(7) Ownership and Maintenance. The developer shall refer to the perimeter enclosure in the covenants and restrictions and so that perpetual maintenance is provided for either that the perimeter enclosure be owned and maintained by the owners' association or by individual owners. The perimeter enclosure shall be identified on the plat.

(8) Alternative Construction and Ownership. If the decision-maker finds that a lot-by-lot construction, ownership and/or maintenance of a perimeter enclosure landscape strip

would meet all applicable objectives of this section and the design standards of GJMC [21.06.060](#), the final approval shall specify the type and size of materials, placement of fence posts, length of sections, and the like.

(9) Overlay District Conflicts. Where in conflict, the perimeter enclosure requirements or guidelines of approved overlay districts shall supersede the requirements of this section.

(10) Variances. Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.

(h) **I-1 and I-2 Zone Landscape.**

(1) Parking Lot Perimeter Landscape. Landscaping for the parking lot perimeter shall be per subsection (c)(2) of this section with the following addition:

(i) Turf may be allowed for up to 50 percent of the parking lot perimeter, at the Director's discretion. Low water usage turf is encouraged.

(ii) A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material at maturity.

(2) Street Frontage Landscape. Landscaping for the street frontage shall be per subsection (d) of this section with the following additions:

(i) Vegetation in the sight triangle in the street frontage must not exceed 30 inches in height at maturity.

(ii) One tree for every 40 linear feet of street frontage (excluding curb cuts) must be provided, 80 percent of which must be shade trees.

(3) Public Right-of-Way Landscape. Landscaping for the public right-of-way shall be per subsection (b)(16) of this section.

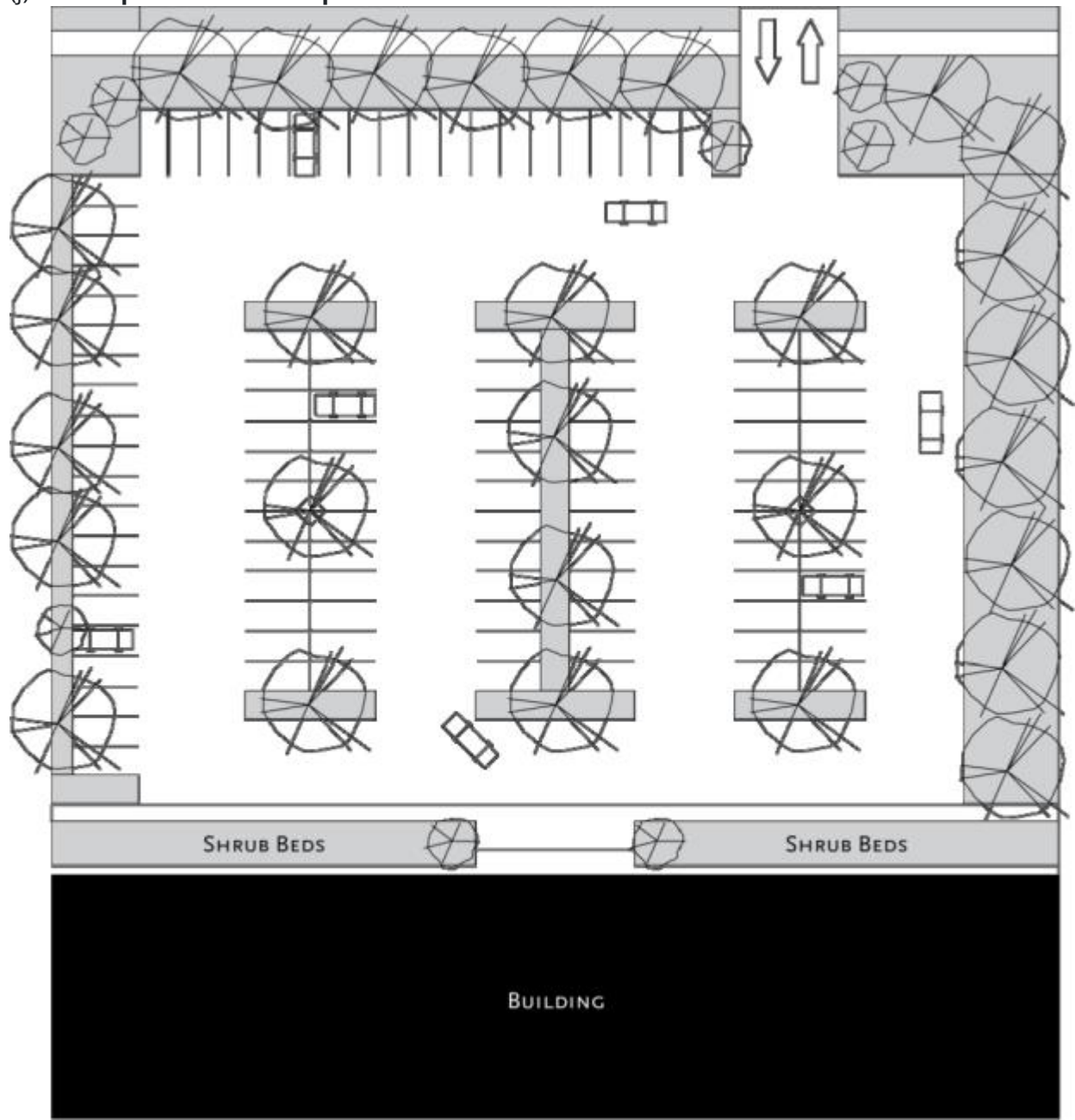
(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

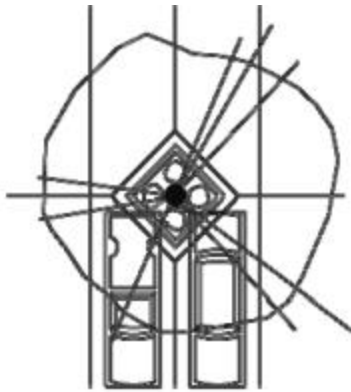
(5) Other Applicable Sections. The requirements of subsections (i), (j), (k) and (l) of this section shall also apply.

(i) **Landscaping Requirements.**

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
Single-family residential (R zones)	As required for uses other than single-family residential; and as required in subsections (b)(16) and (g) of this section	As required for uses other than single-family residential; and landscape buffer and public right-of-way
R-5, R-8, R-12, R-16, R-24, R-0, B-1, C-1, C-2, I-O, CSR, MU	One tree per 2,500 square feet of improved area, with no more than 20 percent of the total being ornamental trees or evergreens. One five-gallon shrub per 300 square feet of improved area	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
B-2	One tree per 2,500 square feet of improved area, with no more than 20 percent of the total being ornamental trees or evergreens. One five-gallon shrub per 300 square feet of improved area	Parking lot, park strip (in right-of-way)
I-1, I-2	As required in subsection (h) of this section and in other subsections of this section where applicable	Street frontage, parking lots, buffers and public right-of-way
MXR, MXG, MXS, MXOC	One tree per 3,000 square feet of improved area, with no more than 20 percent of the total being ornamental trees or evergreens. One five-gallon shrub per 300 square feet of improved area. Plantings must be evenly distributed throughout the development	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
Facilities: mining, dairy, vineyard, sand or gravel operations, confined animal feeding operation, feedlot, forestry commercial, aviation or surface passenger terminal, pasture	One tree per 5,000 square feet of improved area. One five-gallon shrub per 600 square feet of improved area	Perimeter, buffer and public right-of-way

(j) Example Tree Landscape Plan.





6' X 6' SQUARE SHOWN
7' X 7' ALSO POSSIBLE

ORCHARD-STYLE LANDSCAPE ISLAND

(k) Buffering Between Zoning Districts.

Zoning of Proposed Development	Zoning of Adjacent Property															
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MX
SF (Subdivisions)	-	-	-	-	-	-	F	-	F	W	W	W	F	-	F	
R-5	-	-	-	-	-	-	F	-	F	W	W	W	-	-	F	
R-8	-	-	-	-	-	F	F	-	F	W	W	W	F	-	F	
R-12 & R-16	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	
R-24	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	
RO & MXOC	A	A	A	A	A	-	A or F	-	A or F	W	W	W	A or F	-	A or F	
B-1	F	F	F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	A or F	-	A or F	
B-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
C-1	A&W	W	W	W	W	W	-	-	-	-	-	-	-	-	-	
C-2 & I-O	W	W	W	W	W	W	F	-	-	-	-	-	A or F	A or F	A or F	A&
I-1	W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&
I-2	B&W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&
M-U	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	-	-	-	
CSR3 ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
BP	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	-	-	-	-	-	-	-	A
MXR-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	
MXG-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	
MXS-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	

Notes

•A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet.

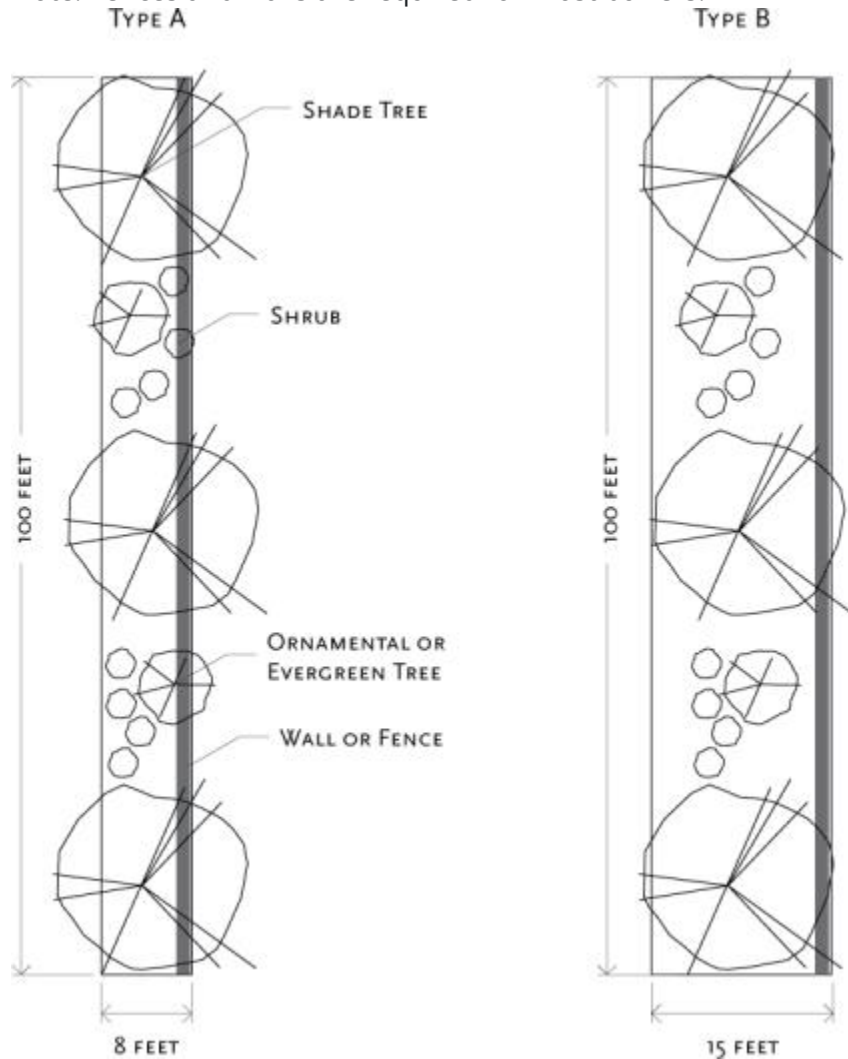
Zoning of Proposed Development	Zoning of Adjacent Property															
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	M

- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than req fence.
- The Director may modify this table based on the uses proposed in any zone district.
- ¹ Gravel operations subject to buffering adjacent to residential.

(l) **Buffer Requirements.**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
Type A	Eight-foot-wide landscape strip with trees and shrubs	Between different uses
Type B	15-foot-wide landscape strip with trees and shrubs	Between different uses
Type F, W	Six-foot fence and wall (see subsection (f) of this section)	Between different uses

Note: Fences and walls are required for most buffers.



(Ord. 4646, 11-19-14; amended during 2010 codification; Ord. 4419, 4-5-10)

21.10.020 Terms defined.

Approved Street Trees for Grand Junction's Rights-of-Way means the list of trees, shrubs, vines, and evergreens in public rights-of-way maintained by the Forestry Board (see Section 8.32.020).

Buffer/Buffering means an object or area with landscaping, including trees, shrubs, a wall, fence, berm, or any combination thereof that serves as a visual and auditory screen between properties.

Colorado Nursery Act means C.R.S. Title 35 Article 26 as amended.

Caliper means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree or 6 inches above the root ball at time of planting.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Evergreen tree means any tree having foliage that persists and remains green throughout the year.

Functional Turf means an area of turf measuring no less than 30 feet in width and length with a minimum area 1,500 square feet for the purposes of common recreational uses open to the public, members of a neighborhood, or clients and/or customers of a commercial or office use.

Graywater treatment works means an arrangement of devices and structures used to: (a) collect graywater from within a building or a Facility; and (b) treat, neutralize, or stabilize graywater within the same building or Facility to the level necessary for its authorized uses. C.R.S 25-8-103(8.4)

Improved area means the developed portion of a property consisting of areas occupied by buildings, asphalt, concrete, gravel, or landscaped area. Where phased development is proposed, the improved area shall be identified and measured separately for each phase of development.

Lot coverage means that area of the lot or parcel which may be occupied by impervious surfaces.

Noxious or invasive species means non-native plants that have a recognized harmful impact on natural habitats and/or are likely to displace native plant species for light, space, soil moisture and nutrients, including those noxious species identified under the Colorado Noxious Weed Act codified at C.R.S. Title 35 Article 5.5, as amended.

Ornamental tree means a tree that has a height and spread between 15 feet and 30 feet at maturity.

Root ball means the mass formed by the roots of a plant and the soil surrounding them at the time of planting.

Rootzone means the area of the ground around the base of the tree where rooting occurs, as measured from the trunk to a distance twice the radius of the canopy drip line.

Shade tree means a tree that has a height and/or spread of 30 feet or greater at maturity.

Suitable Plant List means a list maintained by the Director of plant species and genera approved to be installed in accordance with this code.

Tree canopy coverage means the area of ground directly beneath the leaves and branches of trees.

Turf means grasses planted to form a dense growth of leaf blades and roots, such as Kentucky Blue Grass and similar species used for planting lawns.

Xeriscape or xeriscaping means landscape plantings that reduce the need for irrigation.

21.03.030 Measurements.

(e) Lot Coverage. Lot coverage is measured as the percentage of the total lot area covered by impervious surfaces. It is calculated by dividing the square footage of impervious surface by the square footage of the lot.

21.03.080 Mixed Use Standards.

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	None	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	None	50	50	100	100	100	100	100	100
Frontage	None	None	None	None	None	None	None	None	None	None	None
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15

Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	10	0	10	10	10	10	10	10	10	10
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	5	0	5	5	5	5	5	5	5	0
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	<u>70%</u>	80%	<u>100%</u>	80%	80%	75%	80%	80%	80%	90%	90%
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	None	16	None	24	None	None	24	24	None	None	None
** Gross floor area	10,000	15,000	None	None	None	None	None	None	None	None	None
Notes											
B-1: Max. gross floor area varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000											
B-2: Parking front setback for parking as a principal use – 30 ft., as an accessory use – 6 ft.											
C-1: Min. rear setback – 0 if an alley is present											
CSR: Maximum building height abutting residential – 40 ft.											

** Gross floor area calculated for maximum size may exclude eaves, covered or uncovered porches, upper story decks and balconies, breezeways, exterior covered stairwells and attached decorative walls which are less than or equal to three feet in height.

21.04.030 Use-Specific Standards

(g) Mini-Warehouse.

- (1) Purpose. This subsection sets standards for the establishment of safe and attractive mini-warehouse developments. These standards apply to all mini warehouses, including those that provide indoor and/or outdoor units.
- (2) Accessory Uses. Accessory uses may include living quarters for a resident manager or security and leasing offices.
- (3) Uses Prohibited.
 - (i) No owner, operator or lessee of any mini-warehouse or portion thereof shall offer for sale or sell any item of personal property, or conduct any type of commercial activity of any kind whatsoever, including such uses as sales, service and repair operations, manufacturing, or truck/equipment rentals, other than leasing of the units, or permit same to occur upon any area designated for the mini-warehouse use, except that estate or foreclosure sales held by the mini-warehouse owner or operator shall be allowed.
 - (ii) No outside storage shall be permitted except the storage of licensed vehicles within approved areas designated for such storage. This storage shall meet the requirements of GJMC 21.04.040.
- (4) Landscaping and Screening. All mini warehouses shall provide the following in addition to meeting standards of GJMC 21.06.040:
 - (ii) For outdoor mini-warehouse units, landscaping islands shall be provided at the end of each row of storage units when visible from the public right-of-way. Landscape islands shall be planted with shrubs that reach at least five feet of height at maturity.
- ~~(45)~~ Off-Street Parking and Driveways Standards.
 - (i) Drive aisles within outdoor mini-warehouse facilities shall be a minimum of 26 feet wide for single-load aisles and 30 feet for double-load aisles.
 - (ii) A minimum of two parking spaces shall be provided adjacent to the primary entry structure.

(56) Architectural and Site Design Standards. All mini warehouses shall meet the following standards:

(i) Mini warehouses that front public rights-of-way shall provide a primary entry structure at the entrance of the development that meets the following standards:

(A) No parking shall be placed between the building and the street.

(B) Windows or similar architectural features shall cover at least 30 percent of the street-facing facade.

(C) Building materials such as brick, stone, wood, architectural-grade metal, or similar exterior shall be used.

(D) Two of the following features shall be utilized in the design of the primary entry structure:

a. Tower feature.

b. Facade articulations on the street-facing facade.

c. Roofline articulations in the street-facing facade.

d. Decorative lighting on the street-facing facade. This lighting must comply with all standards found in GJMC 21.06.080.

(ii) Any street-facing facade of each storage unit must be covered with building materials such as brick, stone, wood, architectural-grade metal, or similar exterior.

(67) Signage. All mini warehouses shall provide the following in addition to meeting standards of GJMC 21.06.070:

(i) Individual mini warehouses shall be clearly marked with numbers or letters identifying the individual units and a directory of the unit locations shall be posted at the entrance or office of the facility.

(ii) Signs or other advertising shall not be placed upon, attached to, or painted on any walls or fences required for landscaping and buffering in the mini-warehouse development.

21.06.040 Landscape, buffering and screening standards

(a) **Purpose and Goals.** The purpose of this section is to enhance the aesthetic appeal and context sensitivity of new development, achieve efficient use of water resources, expand urban tree canopy, and contribute to a livable urban environment. Landscaping reduces heat and glare, provides shade for citizens, reduces local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, and conserves and enhances the value of property and neighborhoods within the City.

(b) Authority.

(1) The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions, except for trees, shrubs, vines, and evergreens in the right-of-way. The City Forester shall decide all questions of plantings in the right-of-way.

(2) Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.

(c) General Landscape Standards

(1) Compliance. All landscaping required by this code shall comply with the standards and requirements of this section. Landscaping for new developments shall occur in buffer areas, all interior parking areas, along the perimeter of the property, around new and existing structures, and along street frontages and within any right-of-way not used for infrastructure.

(2) Plant Quantities. The amount of landscaping is based on the improved area of proposed development.

(3) Landscaping Standards. All new development must install, maintain, and protect landscaping as required by this code. (See subsection (k) of this section for an example of the landscaping requirements of this section.)

(i) The landscaping requirements of this code shall not apply to a lot on which the principal use is a single family residence or duplex. Requirements for residential subdivisions shall continue to apply.

(ii) Landscaping in the abutting right-of-way is required in addition to overall site landscaping requirements and must be installed and maintained as required by Section 21.06.040(b)(16) of this code.

(iii) Buffer landscaping is required in addition to overall site landscaping requirements as required by this Code.

(4) Acceptable Plant Material.

(i) Vegetation must be suitable for Grand Junction's climate and soils and shall be selected from the City of Grand Junction Suitable Plant List, to be maintained by the Director. Applicants may petition the inclusion of plants not found on the Suitable Plant List and shall provide sufficient information about the proposed species to facilitate review. The Suitable Plant List identifies the anticipated water needs of each plant species. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious or invasive species are not allowed to be planted in development but may be preserved in development.

(A) The Director maintains the authority to not approve a plant species that appears on the Suitable Plant List if the Director deems it inappropriate under the planting conditions proposed in a development.

(iii) Plant materials shall meet or exceed the plant quality and species standards of the current American Standard for Nursery Stock and be consistent with the Colorado Nursery Act.

(iv) All plants proposed for installation shall be selected, spaced, and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(vi) Turf not meeting the definition of functional turf shall not exceed 15 percent of any required landscaping area in the City of Grand Junction.

(vii) Functional turf may exceed the 15 percent maximum.

(5) Minimum Plant Sizes: All plants shall meet the following minimum plant sizes when installed.

- (i) Shade tree, two caliper inches. If two caliper inch shade trees are not available due to seasonal shortages or shortages in desired varieties, the Director may approve the installation of smaller trees, provided the proportional difference in caliper inches is compensated for by installing additional trees. However, a minimum caliper of one and one-half inches shall be required.
- (ii) Ornamental tree, one-and-one-half caliper inches.
- (iii) Evergreen tree, two caliper inches and six feet tall at time of planting.
- (iv) Shrub, #5 container.
- (v) Perennials and ground covers, #5 container.
- (vi) Turf mix, native grasses and wildflower mix are the only vegetation that may be planted as seed or by plugs. Turf may be planted as sod rolls

<u>Minimum Plant Sizes</u>	
<u>Planting Type</u>	<u>Size at Time of Planting</u>
<u>Shade Tree</u>	<u>Two caliper inches</u>
<u>Ornamental Tree</u>	<u>One-and-one-half caliper inches</u>
<u>Evergreen Tree</u>	<u>Two caliper inches and six feet tall</u>
<u>Shrub</u>	<u>#5 Container</u>
<u>Perennial</u>	<u>#1 Container</u>
<u>Groundcover</u>	<u>#1 Container</u>
<u>Turf</u>	<u>As seed, by plug, or as sod roll</u>

(7) Irrigation. All vegetation and landscaped areas must be provided with a permanent irrigation system including a system supplied by water from an approved graywater treatment works.

- (i) Non-potable irrigation water shall be used if available for the proposed development area unless the Director allows the use of potable water.

(ii) An underground pressurized irrigation system and/or drip system is required for all landscape areas.

(iii) If connected to a potable water system, all irrigation systems require State-approved backflow prevention devices.

(iv) All irrigation for non-potable irrigation water systems must have adequate filters easily accessible above ground or within an appropriately sized valve box.

(v) Native grasses must have a permanent irrigation source that is zoned separately from higher water demand landscapes. Once the grasses are established, irrigation to native grass areas can be reduced to a level that maintains coverage typical of the grass mix and to suppress weed growth.

(vi) Irrigation applied to trees shall be expanded or supplemented as appropriate to rootzone expansion over the life of the tree.

(8) Landscape Plans.

(i) All applications for development shall identify the required landscaped areas and include a landscape plan in accordance with the requirements in this section.

(ii) All landscaping shall be installed, maintained, and protected as shown on the approved plan.

(iii) All changes to the landscape plan require prior written approval from the Director.

(iv) An equivalent species may be substituted in the field with prior written approval of the Director. Plants are "equivalent" if they have the same growth habit and rate, same cover, leafing, shade characteristics and function, have similar water requirements as identified as the City of Grand Junction Suitable Plants List, and thrive in the same microclimate, soils and water conditions.

(v) All development plans shall designate required landscaping areas.

(vi) Landscape plans shall identify the species and sizes of vegetation.

(vi) Landscape plans shall be stamped by a landscape architect licensed in the State of Colorado. Inspection and compliance with approved landscape plan must be certified by a licensed landscape architect prior to issuance of a certificate of occupancy, or the release of DIA security funds. Additionally, the property owner or irrigation installer must provide a letter describing that

adequate additional capacity exists in the irrigation system to support the landscaping materials at maturity prior to issuance of a certificate of occupancy or the release of DIA security funds.

(A) A licensed landscape architect is not required to produce landscape plans if the plans are submitted for a Minor Site Plan review unless required by State statute. All other requirements continue to apply to landscaping for Minor Site Plans.

(viii) All landscape plans shall include an irrigation plan. The irrigation plan shall comply with the standards in the SSID manual. See GJMC 21.06.010(c).

(ix) Utility composite plans must be submitted with landscape plans.

(x) Expansion of a developed site as defined in GJMC 21.02.100(f) that requires a Site Plan Review shall require a landscaping plan and correction of nonconforming landscaping as provided in GJMC 21.08.040.

(xi) Tree protection measures shall be clearly identified on the construction and landscape plans.

(xii) Wall and fence elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.

(8) Preservation of Significant Trees.

(i) Existing landscape features such as escarpments, large trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the Applicant as part of the development review process. This identification shall include a written inventory of significant trees to be produced with a landscaping plan. Any significant tree as defined in subsection (c) below shall be identified on the proposed landscaping plan.

(ii) All trees not identified as prohibited on the Suitable Plants List and that have a diameter that exceeds 15 caliper inches shall be considered significant.

(iii) Where significant trees exist on a property, no fewer than 30 percent of significant trees shall be preserved during development. Significant trees that are removed shall be replaced at a rate of one caliper inch of tree per two caliper inches of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.06.040(h)(6) for credit applied to preserved trees.

(iv) Significant trees to be preserved shall be visibly healthy and free from disease or parasite infection.

(v) Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.

(A) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.

(B) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.

(C) If a significant tree which was to be preserved dies or is substantially damaged, the developer shall replace it at the rate of one newly planted tree per 2 caliper inches of damaged or destroyed tree.

(9) Protection of Landscape Areas. All landscape areas (except in the right-of-way where a street side curb does not exist) shall be protected from vehicles through the use of concrete curbing, large rocks, or other similar obstructions.

(10) Utility Lines. If the location of utilities conflicts with the landscaping provisions, the Director may approve an equivalent alternative.

(11) Sight Distance. The owner shall maintain all vegetation, fences, walls and berms so that there is no sight distance hazard nor road or pedestrian hazard (see TEDS).

(12) Soil and Planting Beds. Soil in landscape areas must be amended and all vegetation planted in accordance with good horticultural practices.

(i) Details for the planting of trees, shrubs and other vegetation must be shown on the landscaping plans.

(ii) Shrub beds adjacent to turf or native grass areas are to be edged with concrete, metal, brick or substantial wood material. Plastic and other light duty edgings are not allowed.

(iii) Organic mulch to a minimum of 3 inches is required for all shrub beds.

(iv) Prior to planting, compacted soils shall be transformed to a friable condition.

(v) Compost, soil amendments, or retained topsoil shall be incorporated into the soil to a minimum depth of 6 inches for tree and shrub plantings.

(13) Trees.

(i) Tree canopies may overlap by up to 30 percent of the diameter of the tree at maturity. Tree clustering may be allowed with some species so long as clustering does not adversely affect the mature canopy.

(ii) Trees which will grow to a height of greater than 25 feet at maturity shall not be planted under overhead electrical lines.

(iii) Weed fabric shall not be used within 8 feet of the base of a tree.

(iv) At planting, tree shall be healthy and free of disease. Tree trunks must be reasonably straight with minimal doglegs. Roots shall be checked prior to planting and corrected for optimal growth patterns.

(v) Wire baskets, burlap wrappings, rope, twine or any similar shipping materials shall be removed before planting.

(vi) Tree planting holes shall be of sufficient depth so that the flare of the tree above the root ball is no higher than 1 inch above grade.

(vii) Tree planting holes shall be of a diameter no less than three times the diameter of the tree's root ball at time of planting.

(viii) The minimum square footage of planting area for a shade tree is 140 square feet.

(ix) Ornamental trees shall be planted in a landscape strip that is no less than six feet in width (not including curb and gutter). Shade trees shall be planted in a landscape strip that is no less than eight feet in width (not including curb and gutter).

(x) Tree Diversity. The percent of any one type of tree that can be planted in a development shall be as follows:

(A) 0 through 5 trees: No limitation.

(B) 6 to 10 trees: No more than 50 percent of one genus.

(C) 11 to 20 trees: No more than 33 percent of one genus

(C) 21 or more trees: No more than 20 percent of one genus.

(xi) A minimum of 50 percent of proposed tree plantings shall be identified as preferred trees by the Plant List.

(xii) Trees shall not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape areas and between parking bays, helps eliminate this conflict and should be considered.

(xiii) When calculating tree quantities, any fraction of a tree is rounded up to the next whole number.

(14) Shrubs.

(i) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(ii) Shrub Diversity. The percent of any one type of shrub that can be planted in a development shall be as follows:

(A) 10 through 19 shrubs: 50 percent per genus.

(B) 20 through 39 shrubs: 33 percent per genus.

(C) 40 or more shrubs: 25 percent per genus.

(iii) When calculating shrub quantities, any fraction of a shrub is rounded up to the next whole number.

(iv) The minimum area for planting an evergreen or deciduous shrub is 16 square feet.

(15) Maintenance:

(i) The owners, tenants, and occupants, including homeowners' associations, for all new and existing uses in the City must maintain landscaping in a healthy, growing, neat and well-maintained condition:

(A) Maintenance includes watering, weeding, pruning, fertilization, pest control, trash and litter removal, replacement of dead or diseased plant material, reseeding, and other reasonable efforts.

(B) Any plant that dies or substantially damaged due to improper maintenance must be replaced with an equivalent live plant within 90 days of plant death or by the next April 1st.

(iv) Hay mulch used during the preparation or establishment of landscaping must be certified weed-free by the Colorado Department of Agriculture.

(v) The Director or designee may from time to time, inspect the condition of landscaping wherever no reasonable expectation of privacy exists.

(A) The purpose of such site inspections shall be to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section.

(vi) Maintenance of landscaping in unimproved rights-of-way shall be the responsibilities of owners, occupants, and tenants.

(v) Fire hydrants shall not be unobscured by plant material. Fire hydrants shall be visible from the center of the right-of-way at an angle of 45 degrees.

(vi) These requirements shall be specified in the articles of incorporation or bylaws for a homeowners' association whenever the homeowners' association is assigned the responsibility of maintaining landscape areas.

(16) Public Right-of-Way

(i) All unimproved right-of-way adjacent on the side abutting a development which is not in the City's ten-year capital plan to be improved must be landscaped. All right-of-way landscaping shall be irrigated and maintained by the adjoining private property owner, unless the City agrees to accept it for maintenance. If it is to be maintained by the City, a separate irrigation system shall be provided.

(ii) At least 75 percent of the unpaved adjacent right-of-way shall be landscaped with low shrubs or ground cover. No more than 15% of the right-of-way shall be landscaped with turf.

(iii) For the purpose of meeting minimum plant quantities, 50 percent of landscaping plantings on public right-of-way shall be counted toward the landscape or open space requirements of this code, unless specifically provided otherwise in this Code.

(iv) The owner of the nearest property shall keep all rights-of-way, which are not hard surfaced, free of weeds, litter, junk, rubbish, and obstructions. To prevent weed growth, erosion and blowing dust, right-of-way areas not covered by vegetation or paving shall be covered with organic mulch, wood chips, or similar natural materials.

(v) The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet. Right-of-way landscaping shall be a minimum of eight feet wide in any direction.

(vi) No tree shall be removed from the public right-of-way without the approval of the City Forester. Trees removed from the right-of-way without approval shall be subject to penalties per GJMC 9.04.100.

(vii) Trees planted in the public right-of-way shall be of species identified on the list of Approved Street Trees for Grand Junction's Rights-of-Way.

(17) Pervious Coverage. Landscaped and buffer areas shall count toward the pervious surfaces included in lot coverage calculations.

(c) **Parking Lots.** The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(1) Interior Landscaping Requirement. Landscaping is required in the interior of parking lots to direct traffic, to shade cars and structures, to reduce heat and glare and to screen cars from adjacent properties. The interior of all parking lots shall be landscaped as follows:

(i) One landscaped island, parallel to parking spaces, is required for each 20 parking spaces

- (ii) Landscape islands must be at least 140 square feet. The narrowest/smallest dimension of a parking lot island shall be eight feet, measured from back of curb to back of curb.
- (iii) One landscaped divider island, parallel to the parking lot drive aisles, designed to prevent diagonal movement across the parking lot, shall be located for every three parking lot drive aisles.
- (iv) A landscape island is required at the end of every row of parking spaces, regardless of length or number of spaces.
- (v) A corner area (where it is not feasible to park a vehicle) may be considered an end island for the rows on the perimeter of the parking lot.
- (vi) Landscaping of the interior of a parking lot shall include trees and shrubs.
- (vii) To improve the management of stormwater runoff, structurally-sound permeable pavers may be used in parking areas, subject to the approval of the Director. Use of permeable pavers for ten parking stalls shall result in a reduction of one required parking stall per the required parking ratios in GJMC 21.06.050.
- (viii) Trees planted in parking lot islands shall be selected from those identified as Parking Lot Island Trees on the Plant List.
- (ix) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.
- (x) The use of bioswales in parking lot designs is encouraged to facilitate stormwater management.

(2) Parking Lot Perimeter. Landscaping is required around the entire perimeter of a parking lot to assist in the abatement of heat and to reduce the amount of glare from glass and metal, and to assist in the screening of cars from adjacent properties. The perimeter of a parking lot is defined as the curb line defining the outer boundaries of the parking lot, including dumpster enclosures, bike racks, or other support facilities that are adjacent to the outer curb. Entry drives between a parking lot and the street, drives connecting two internal parking lots or building entry plazas are not included in the perimeter area. The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales,

Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(i) Screening shall occur between a street and a parking lot. When screening is required, street frontage landscape shall apply. (See subsections (c)(3) and (l) of this section.)

(ii) The minimum dimension allowed for the parking lot perimeter landscape strip is 8 feet.

(iii) Landscaping along the perimeter of parking lots shall include trees and shrubs.

(iv) Parking lots shared by more than one owner shall be landscaped around the perimeter of the combined lots.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Screening. All parking lots abutting rights-of-way, entry drives, and adjacent properties must be screened. For this subsection, a “screen” means a berm with appropriate groundcover or shrubs.

(i) A 30-inch-high screen is required along 70 percent of parking lots abutting rights-of-way, entry drives, and adjacent properties, excluding curb cuts. The 30-inch screen shall be placed so as to maximize screening of the cars in the parking lot, when viewed from the right-of-way and shall be measured from the ground surface, or the elevation of the roadway if the adjacent road is higher than the property.

(ii) Screening shall not be required between parking lots on adjoining lots where the two lots are designed to function as one.

(iii) If a landscape area is 30 feet wide or greater between a parking lot and a right-of-way, the 30-inch-high screen is not required. This 30-foot-wide or greater area must be 75 percent covered in plant material including tree canopy coverage, shrubs, and groundcover at maturity

(iv) A screen wall must not be taller than 30 inches, unless the adjacent roadway is higher than the property, in which case the screen wall shall be 30 inches higher than the adjacent roadway.

(v) The back of the wall must be at least 30 inches from the face of curb for bumper overhang.

(vi) Shrubs shall be planted on the street side of the wall.

(vii) There must be at least five feet between the right-of-way and the paved part of a parking lot to use a wall as a screen.

(viii) Walls shall be solid masonry with finish on both sides. The finish may consist of stucco, brick, stone, or similar material. Unfinished or merely painted concrete block is not permitted.

(ix) Shrub plantings in front of a wall are not required in the B-2 downtown district.

(x) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(d) **Street Frontage Landscape.**

(1) Within all zones (except single-family uses in single-family, B-2 and form based zone districts), the owner shall provide and maintain a minimum 14-foot-wide street frontage landscape adjacent to the public right-of-way.

(2) A minimum of 75 percent of the street frontage landscape shall be covered by plant material at maturity.

(3) Landscaping within the street frontage shall include trees and shrubs. If detached walks are not provided with street trees, street trees shall be provided in the street frontage landscape, including one tree for every 40 feet of street frontage.

(4) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(e) **Buffers.**

(1) Buffers shall be provided between different zoning districts as indicated in subsection (k) of this section.

(i) 75 percent of each buffer area shall be landscaped with shrubs or ground cover at maturity.

(ii) One tree is required per every 40 linear feet of boundary between different zones.

(iii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Exceptions.

(i) Where residential or collector streets or alleys separate zoning districts, the Director can require more landscaping instead of a wall or fence.

(ii) Where walkways, paths, or a body of water separates zoning districts, the Director may waive a fence or wall requirement provided the buffering objectives are met by private yards.

(iii) Where a railroad or other right-of-way separates zoning districts, the Director may waive the buffer strip if the buffering objectives are met without them.

(f) **Fences, Walls and Berms.**

(1) Fences and Walls. When a higher density or intensity zoning district abuts a lower density or intensity zone district, it is the responsibility of the higher density or intensity property to buffer the abutting zone district according to subsection (k) of this section. When an existing fence or wall substantially meets the requirements of this section, and subsection (k) of this section requires the same form of buffering, an additional fence on the adjacent developing property shall not be required. However, if the new development requires the placement of a wall, and a fence exists on the adjacent property, the wall shall be required. If a wall is required and a fence is in place, the wall must be placed adjacent to the fence. (Subsection (k) of this section should be referenced to determine when a wall or a fence is required. The more stringent standard shall apply; i.e., if a wall is required and a fence is in place, the wall must be placed adjacent to the fence.) Fences must comply with GJMC 21.04.040(i), any design guidelines and other conditions of approval. Fences and walls required by this section must meet the following:

(i) Maximum height: six feet (outside of front setback, 30-inch solid height or four feet height if two-thirds open within the front setback and must meet all sight distance requirements).

(ii) Fence type: solid wood or material with a similar appearance, finished on both sides.

(iii) Wall type: solid masonry finished on both sides. Finish may consist of stucco, brick, stone or similar material but unfinished or merely painted concrete block is not permitted.

(iv) Location: within three feet of the property line unless the space is needed to meet landscaping requirements.

(v) A wall must have a column or other significant architectural feature every 30 feet of length.

(vi) Any fence or wall over six feet in height requires a building permit.

(vii) No person shall construct or maintain a fence or a wall without first getting a fence/wall permit from the Director.

(2) Berms. Minimum requirements for berms are as follows:

(i) Maximum slope of 4:1 for turf areas and 3:1 for shrub beds; and

(ii) To control erosion and dust, berm slopes must be stabilized with vegetation or by other means consistent with the requirements for the particular landscape area.

(g) Residential Subdivision Perimeter Enclosures.

(1) Intent. The Director may require perimeter enclosures (fences and/or walls) around all or part of the perimeter of a residential development. Perimeter enclosures shall be designed to meet the following objectives of protecting public health, safety and welfare: screen negative impacts of adjoining land uses, including streets; protect privacy; maintain a consistent or complementary appearance with enclosures in the vicinity; maintain consistent appearance of the subdivision; and comply with corridor overlay requirements.

(2) Applicability. When required by the Director, the standards of this subsection shall apply to all residential subdivisions as well as to all mixed-use subdivisions where the square footage of proposed residential uses exceeds the square footage of proposed non-residential uses.

(2) Specifications. Unless specified otherwise at the time of final approval:

(i) A perimeter enclosure includes fences, walls or berms, and combinations thereof, located within five feet of the exterior boundary of a development.

(ii) The maximum height is six feet, including within front setbacks; however, an enclosure constructed on a berm shall not extend more than eight feet above the adjoining sidewalk or crown of road, whichever is lower.

(iii) New enclosures shall be compatible with existing enclosures in the vicinity if such enclosures meet the requirements of this code.

(iv) A perimeter enclosure more than six feet in height is a structure and requires a building permit.

(v) A perimeter wall must have a column or other significant architectural feature every 30 feet.

(vi) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Required Perimeter Enclosures. The decision-maker may require a perimeter enclosure as a condition of the final approval if:

(i) Use or enjoyment of property within the development or in the vicinity of the development might be impaired without a perimeter enclosure.

(ii) A perimeter enclosure is necessary to maintain a consistent and complementary appearance with existing or proposed perimeter enclosures in the vicinity.

(iii) A perimeter enclosure is necessary to control ingress and egress for the development.

(iv) A perimeter enclosure is necessary to promote the safety of the public or residents in the vicinity.

(v) A perimeter enclosure is needed to comply with the purpose, objectives or regulations of the subdivision requirements.

(vi) A perimeter enclosure is needed to comply with a corridor overlay district.

(5) Residential Subdivision Landscape Buffer. On the outside of a perimeter enclosure adjacent to a right-of-way, a 14-foot-wide (on average) landscape buffer shall be provided between the perimeter enclosure and the right-of-way for major and minor arterial streets and major or minor collectors. A five-foot-wide landscape buffer for side and rear yard perimeters shall be provided on all other streets between the perimeter enclosure and the right-of-way.

(i) In the landscape buffer, one tree per 40 linear feet of perimeter must be provided;

(ii) All perimeter enclosures and landscape buffers must be within a tract dedicated to and maintained by the homeowners' association. The perimeter enclosure and landscaping must be installed by the developer and made a part of the development improvements agreement;

(iii) A minimum of 75 percent of the landscape buffer area shall be covered by plant material including tree canopy coverage, shrubs, and groundcover at maturity.

(iv) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(v) Where detached walks are provided, a minimum buffer of five feet shall be provided. In which case, the right-of-way parkway strip (area between the sidewalk and curb) will also be planted as a landscape buffer and maintained by the HOA.

(6) Construction of Perimeter Enclosures. The perimeter enclosure and required landscape buffer shall be installed by the developer and included in the development improvements agreement.

(7) Ownership and Maintenance. The developer shall refer to the perimeter enclosure in the covenants and restrictions and so that perpetual maintenance is provided for either that the perimeter enclosure be owned and maintained by the owners' association or by individual owners. The perimeter enclosure shall be identified on the plat.

(8) Alternative Construction and Ownership. If the Director finds that a lot-by-lot construction, ownership and/or maintenance of a perimeter enclosure landscape strip would meet all applicable objectives of this section and the design standards

of GJMC 21.06.060, approved plans shall note the type and size of materials, placement of fence posts, and length of sections.

(9) Overlay District Conflicts. Where in conflict, the perimeter enclosure requirements or guidelines of approved overlay districts shall supersede the requirements of this section.

(h) Substitutions. The requirements outlined in GJMC 21.06.040(i) above may be varied based at the following rates of substitution.

(1) Required trees may be substituted for shrubs and required shrubs may be substituted for trees at a rate of three shrubs equaling one caliper inch of tree. For example: 3 two-inch caliper trees equaling 6 caliper inches may be exchanged for 12 shrubs, or vice versa.

(i) No more than 30 percent of the number of trees required by GJMC 21.06.040(j) may be substituted for shrubs.

(2) Two #5 container shrubs may be substituted for four linear feet of wall when walls are required per GJMC 21.06.040(c)(3). Shrubs substituted for walls must reach a height of at least 30 inches at maturity.

(3) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three #1 container perennials and/or ground covers for one #5 container shrub.

(4) The number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch.

(6) Existing trees preserved during development shall count toward the total tree requirement at a ratio of two caliper inches of preserved tree to one caliper inch of required tree plantings.

	Tree	Shrub	Groundcover/Perennials	Wall
Tree	Two caliper inches preserved tree to one caliper inch required	Three shrubs for one caliper inch of tree	n/a	n/a
Shrub	Three shrubs for one caliper inch of tree	n/a	Three #1 container perennials and/or ground cover for one #5	Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall

			container shrub	
Groundcover/Perennials	n/a	Three #1 container perennials and/or ground cover for one #5 container shrub	n/a	n/a
Wall	n/a	Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall	n/a	n/a

(i) I-1 and I-2 Zone Landscape.

(1) Parking Lot Perimeter Landscape. Landscaping for the parking lot perimeter shall be per subsection (c)(2) of this section with the following addition:

(i) A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material including tree canopy, shrubs, and groundcover at maturity.

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Street Frontage Landscape. Landscaping for the street frontage shall be per subsection (d) of this section with the following additions:

(i) One tree for every 40 linear feet of street frontage (excluding curb cuts) must be provided, 70 percent of which must be shade trees.

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90

percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Public Right-of-Way Landscape. Landscaping for the public right-of-way shall be per subsection (b)(17) of this section.

(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

(5) Other Applicable Sections. The requirements of subsections (j) and (k) of this section shall also apply.

(i) **Landscaping Requirements.**

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
Single-family residential (R zones)	As required for uses other than single-family residential; and as required in subsections (b)(16) and (g) of this section	As required for uses other than single-family residential; and landscape buffer and public right-of-way
R-5, R-8, R-12, R-16, R-24, R-0, B-1, C-1, C-2, I-O, CSR, MU	Two caliper inches of tree per 3,000 square feet of improved area, with no more than 40 percent of the total being ornamental trees or evergreens. One #5 container shrub per 450 square feet of improved area	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
B-2	Two caliper inches of tree per 3,000 square feet of improved area, with no more than 40 percent of the total being ornamental trees or evergreens. One #5 container shrub per 450 square feet of improved area	Parking lot, park strip (in right-of-way)
I-1, I-2	As required in subsection (h) of this section and in other subsections of this section where applicable	Street frontage, parking lots, buffers and public right-of-way
MXR, MXG, MXS, MXOC	Two caliper inches of tree per 3,000 square feet of improved area, with no more than 40 percent	Buffer, parking lot, street frontage perimeter,

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
	of the total being ornamental trees or evergreens. One #5 container shrub per 300 square feet of improved area. Plantings must be evenly distributed throughout the development	foundation plantings and public right-of-way
Facilities: mining, dairy, vineyard, sand or gravel operations, confined animal feeding operation, feedlot, forestry commercial, aviation or surface passenger terminal, pasture	Two caliper inches of tree per 5,000 square feet of improved area. One #5 container shrub per 600 square feet of improved area	Perimeter, buffer and public right-of-way

(j)

(k) **Buffering Between Zoning Districts.**

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
SF (Subdivisions)	-	-	-	-	-	-	F	-	F	W	W	W	F	-	F	-	-	-
R-5	-	-	-	-	-	-	F	-	F	W	W	W	-	-	F	-	-	-
R-8	-	-	-	-	-	F	F	-	F	W	W	W	F	-	F	A	-	-
R-12 & R-16	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
R-24	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
RO & MXOC	A	A	A	A	A	-	A or F	-	A or F	W	W	W	A or F	-	A or F	A	-	-
B-1	F	F	F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	A or F	-	A or F	A	-	-
B-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C-1	A&W	W	W	W	W	W	-	-	-	-	-	-	-	-	-	-	-	-
C-2 & I-O	W	W	W	W	W	W	F	-	-	-	-	-	A or F	A or F	A or F	A&W	-	-

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
I-1	W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
I-2	B&W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
M-U	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	-	-	-	-	-	-
CSR3 ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BP	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	-	-	-	-	-	-	-	A or F	A or F	A or F
MXR-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXG-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXS-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-

Notes
•A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet.
•Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
•The Director may modify this table based on the uses proposed in any zone district.
¹ Gravel operations subject to buffering adjacent to residential.

(l) **Buffer Requirements.**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
Type A	Eight-foot-wide landscape strip with trees and shrubs	Between different uses
Type B	15-foot-wide landscape strip with trees and shrubs	Between different uses
Type F, W	Six-foot fence and wall (see subsection (f) of this section)	Between different uses

Note: Fences and walls are required for most buffers.

(Ord. 4646, 11-19-14; amended during 2010 codification; Ord. 4419, 4-5-10)

21.10.020 Terms defined.

Approved Street Trees for Grand Junction's Rights-of-Way means the list of trees, shrubs, vines, and evergreens in public rights-of-way maintained by the Forestry Board (see Section 8.32.020).

Buffer/Buffering means an object or area with landscaping, including trees, shrubs, a wall, fence, berm, or any combination thereof that serves as a visual and auditory screen between properties.

Colorado Nursery Act means C.R.S. Title 35 Article 26 as amended.

Caliper means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree or 6 inches above the root ball at time of planting.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Evergreen tree means any tree having foliage that persists and remains green throughout the year.

Functional turf means an area of turf measuring no less than 30 feet in width and length with a minimum area 1,500 square feet for the purposes of common recreational uses open to the public, members of a neighborhood, or clients and/or customers of a commercial or office use.

Graywater treatment works means an arrangement of devices and structures used to: (a) collect graywater from within a building or a Facility; and (b) treat, neutralize, or stabilize graywater within the same building or Facility to the level necessary for its authorized uses. C.R.S 25-8-103(8.4)

Improved area means the developed portion of a property consisting of areas occupied by buildings, asphalt, concrete, gravel, or landscaped area. Where phased development is proposed, the improved area shall be identified and measured separately for each phase of development.

Lot coverage means that area of the lot or parcel which may be occupied by impervious surfaces.

Noxious or invasive species means non-native plants that have a recognized harmful impact on natural habitats and/or are likely to displace native plant species for light, space, soil moisture and nutrients, including those noxious species identified under the Colorado Noxious Weed Act codified at C.R.S. Title 35 Article 5.5, as amended.

Ornamental tree means a tree that has a height and spread between 15 feet and 30 feet at maturity.

Shade tree means a tree that has a height and/or spread of 30 feet or greater at maturity.

Suitable Plant List means a list maintained by the Director of plant species and genera approved to be installed in accordance with this code.

Root ball means the mass formed by the roots of a plant and the soil surrounding them at the time of planting.

Rootzone means the area of the ground around the base of the tree where rooting occurs, as measured from the trunk to a distance twice the radius of the canopy drip line.

Shade tree means a tree that has a height and/or spread of 30 feet or greater at maturity.

Suitable Plant List means a list maintained by the Director of plant species and genera approved to be installed in accordance with this code.

Tree canopy coverage means the area of ground directly beneath the leaves and branches of trees.

Turf means grasses planted to form a dense growth of leaf blades and roots, such as Kentucky Blue Grass and similar species used for planting lawns.

~~Water wise means landscape methods which conserve water through the use of drought-tolerant plants, planting and irrigation techniques.~~

Xeriscape or xeriscaping means landscape plantings that reduce the need for irrigation.

21.03.030 Measurements.

(e) Lot Coverage. Lot coverage is measured as the percentage of the total lot area covered by impervious surfaces. It is calculated by dividing the square footage of impervious surface by the square footage of the lot.

21.03.080 Mixed Use Standards.

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	None	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	None	50	50	100	100	100	100	100	100

Frontage	None	None	None	None	None	None	None	None	None	None	None
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	10	0	10	10	10	10	10	10	10	10
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	5	0	5	5	5	5	5	5	5	0
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	<u>70%</u>	<u>80%¹ 00%</u>	<u>100%</u>	<u>80%¹ 00%</u>	<u>80%¹ 00%</u>	<u>75% 100 %</u>	<u>80% 100 %</u>	<u>80% 100 %</u>	<u>80% 100 %</u>	<u>90% 100 %</u>	<u>90% 100 %</u>
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	None	16	None	24	None	None	24	24	None	None	None
** Gross floor area	10,000	15,000	None	None	None	None	None	None	None	None	None
Notes											

B-1: Max. gross floor area varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking front setback for parking as a principal use – 30 ft., as an accessory use – 6 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.

** Gross floor area calculated for maximum size may exclude eaves, covered or uncovered porches, upper story decks and balconies, breezeways, exterior covered stairwells and attached decorative walls which are less than or equal to three feet in height.

21.04.030 Use-Specific Standards

(g) Mini-Warehouse.

- (1) Purpose. This subsection sets standards for the establishment of safe and attractive mini-warehouse developments. These standards apply to all mini-warehouses, including those that provide indoor and/or outdoor units.
- (2) Accessory Uses. Accessory uses may include living quarters for a resident manager or security and leasing offices.
- (3) Uses Prohibited.
 - (i) No owner, operator or lessee of any mini-warehouse or portion thereof shall offer for sale or sell any item of personal property, or conduct any type of commercial activity of any kind whatsoever, including such uses as sales, service and repair operations, manufacturing, or truck/equipment rentals, other than leasing of the units, or permit same to occur upon any area designated for the mini-warehouse use, except that estate or foreclosure sales held by the mini-warehouse owner or operator shall be allowed.
 - (ii) No outside storage shall be permitted except the storage of licensed vehicles within approved areas designated for such storage. This storage shall meet the requirements of GJMC 21.04.040.
- (4) Landscaping and Screening. All mini-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.040:
 - ~~(i) A 30-inch-high by 10-foot-wide landscaped berm is required between storage units and the abutting public right-of-way. The berm shall include trees that are planted every 30 feet.~~
 - (ii) For outdoor mini-warehouse units, landscaping islands shall be provided at the end of each row of storage units when visible from the public right-of-way. Landscape islands shall be planted with shrubs that reach at least five feet of height at maturity.

(45) Off-Street Parking and Driveways Standards.

(i) Drive aisles within outdoor mini-warehouse facilities shall be a minimum of 26 feet wide for single-load aisles and 30 feet for double-load aisles.

(ii) A minimum of two parking spaces shall be provided adjacent to the primary entry structure.

(56) Architectural and Site Design Standards. All mini_-warehouses shall meet the following standards:

(i) Mini_-warehouses that front public rights-of-way shall provide a primary entry structure at the entrance of the development that meets the following standards:

(A) No parking shall be placed between the building and the street.

(B) Windows or similar architectural features shall cover at least 30 percent of the street-facing facade.

(C) Building materials such as brick, stone, wood, architectural-grade metal, or similar exterior shall be used.

(D) Two of the following features shall be utilized in the design of the primary entry structure:

a. Tower feature.

b. Facade articulations on the street-facing facade.

c. Roofline articulations in the street-facing facade.

d. Decorative lighting on the street-facing facade. This lighting must comply with all standards found in GJMC 21.06.080.

(ii) Any street-facing facade of each storage unit must be covered with building materials such as brick, stone, wood, architectural-grade metal, or similar exterior.

(67) Signage. All mini_-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.070:

(i) Individual mini_-warehouses shall be clearly marked with numbers or letters identifying the individual units and a directory of the unit locations shall be posted at the entrance or office of the facility.

- (ii) Signs or other advertising shall not be placed upon, attached to, or painted on any walls or fences required for landscaping and buffering in the mini-warehouse development.

21.06.040 Landscape, buffering and screening standards

(a) **Purpose and Goals.** The purpose of this section is to enhance the aesthetic appeal and context sensitivity of new development, achieve efficient use of water resources, expand urban tree canopy, and contribute to a livable urban environment. Landscaping reduces heat and glare, ~~facilitates movement of traffic within parking areas, provides shade for citizens shades cars and parking surfaces,~~ reduces local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, ~~buffers and screens potentially incompatible uses from one another,~~ and conserves and enhances the value of property and neighborhoods within the City.

(b) ~~General Landscape Standards.~~ Authority.

(1) The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions, except for trees, shrubs, vines, and evergreens in the right-of-way. The City Forester shall decide all questions of plantings in the right-of-way.

(2) Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.

C —General Landscape Standards

(1) Compliance. All landscaping required by this code shall comply with the standards and requirements of this section. ~~The landscaping requirements of this code shall not apply to a lot zoned for one or two dwellings.~~ Landscaping for new developments shall occur in buffer areas, all interior parking areas, along the perimeter of the property, around new and existing structures, and along street frontages and within any right-of-way not used ~~nor planned to be used~~ for infrastructure.

(2) Plant Quantities. The amount of landscaping is based on ~~gross area~~the improved area of proposed development.

(3) Landscaping Standards. All new development must install, ~~and~~ maintain, and protect landscaping as required by this code. (See subsection ~~(b)(1k)~~ of this section for an example of the landscaping requirements of this section.)

~~(i) On-site frontage landscaping may not apply in the B-2 zone downtown commercial. (See zone district standards.)~~

(i) The landscaping requirements of this code shall not apply to a lot on which the principal use is a single family residence or duplex. Requirements for residential subdivisions shall continue to apply.

(ii) Landscaping in the abutting right-of-way is required in addition to overall site landscaping requirements and must be installed and maintained as required by Section 21.06.040(b)(16) of this code.

(iii) Buffer landscaping is required in addition to overall site landscaping requirements as required by this Code.

(4) Acceptable Plant Material. ~~Vegetation must be suitable for Grand Junction's climate and soils. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious weeds are not allowed. (The Director will keep a list of suitable plants.)~~

(i) Vegetation must be suitable for Grand Junction's climate and soils and shall be selected from the City of Grand Junction Suitable Plant List, to be maintained by the Director. Applicants may petition the inclusion of plants not found on the Suitable Plant List and shall provide sufficient information about the proposed species to facilitate review. The Suitable Plan List identifies the anticipated water needs of each plant species. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious or invasive species are not allowed to be planted in development but may be preserved in development.

(A) The Director maintains the authority not to approve a plant species that appears on the Suitable Plant List if the Director deems it inappropriate under the planting conditions proposed in a development.

(iii) Plant materials shall meet or exceed the plant quality and species standards of the current American Standard for Nursery Stock and be consistent with the Colorado Nursery Act.

(iv) All plants proposed for installation shall be selected, spaced, and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(vi) Turf not meeting the definition of functional turf shall not exceed 15 percent of any required landscaping area in the City of Grand Junction.

(vii) Functional turf may exceed the 15 percent maximum.

(5) Minimum ~~pPlant s~~ Sizes ~~are~~: All plants shall meet the following minimum plant sizes when installed.

(i) Shade tree, two-~~inch~~ caliper inches ~~(measured six inches above root ball) at time of planting. At maturity, a shade tree has a height and/or spread of 30 feet or greater.~~ If two-~~inch~~ caliper inch shade trees are not available due to seasonal shortages or shortages in desired varieties, the Director may approve the installation of smaller trees, provided the proportional difference in caliper inches is compensated for by installing additional trees. ~~For example, the installation of six one-and-one-half-inch caliper shade trees would result in a shortfall of three caliper inches, which could be compensated for with two additional one-and-one-half-inch trees.~~ However, a minimum caliper of one and one-half inches shall be required.

(ii) Ornamental tree, one-and-one-half-~~inch~~ caliper inches ~~(measured six inches above root ball) at time of planting. At maturity, an ornamental tree has a spread and height between 15 feet and 30 feet.~~

(iii) Evergreen tree, two caliper inches and six feet tall at time of planting.

(iv) ~~Deciduous shrub~~ Shrub, #5 container.

~~(v) Evergreen shrub, five-gallon container.~~

(vi) Perennials and ground covers, #5 container.

(vii) Turf mix, native grasses and wild flower mix are the only vegetation that may be planted as seed or by plugs. Turf may planted as sod rolls

<u>Minimum Plant Sizes</u>	
<u>Planting Type</u>	<u>Size at Time of Planting</u>
<u>Shade Tree</u>	<u>Two caliper inches</u>
<u>Ornamental Tree</u>	<u>One-and-one-half caliper inches</u>
<u>Evergreen Tree</u>	<u>Two caliper inches and six feet tall</u>
<u>Shrub</u>	<u>#5 Container</u>
<u>Perennial</u>	<u>#1 Container</u>
<u>Groundcover</u>	<u>#1 Container</u>
<u>Turf</u>	<u>As seed, by plug, or as sod roll</u>

(67) Irrigation. All vegetation and landscaped areas must be provided with a permanent irrigation system including a system supplied by water from an approved graywater treatment works.

(i) Non-potable irrigation water shall be used if available for the proposed development area unless the Director allows the use of potable water.

(ii) An underground pressurized irrigation system and/or drip system is required for all landscape areas. ~~on the property and in any right-of-way.~~

(iii) If connected to a ~~drinking-potable~~ water system, all irrigation systems require State-approved backflow prevention devices.

(iv) All irrigation for non-potable irrigation water systems must have adequate filters easily accessible above ground or within an appropriately sized valve box.

(v) Native grasses must have a permanent irrigation source that is zoned separately from higher water demand landscapes. Once the grasses are

established, irrigation to native grass areas can be reduced to a level that maintains coverage typical of the grass mix and to suppress weed growth.

(vi) Irrigation applied to trees shall be expanded or supplemented as appropriate to rootzone expansion over the life of the tree.

(78) Landscape Plans ~~and Equivalent Plants.~~

(i) All applications for development shall identify the required landscaped areas and include a landscape plan in accordance with the requirements in this section. Landscape plans must identify the species and sizes of vegetation (SSID manual).

(ii) All landscaping shall be installed, maintained, and protected as shown on the approved plan.

(iii) All changes to the landscape plan require prior written approval from the Director.

(ivii) An equivalent species may be substituted in the field with prior written approval of the Director without prior approval of the Director, provided a revised drawing is submitted to the Department. Plants are “equivalent” if they have the same growth habit and rate, same cover, leafing, shade characteristics and function, have similar water requirements as identified as the City of Grand Junction Suitable Plants List, and thrive in the same microclimate, soils and water conditions.

~~(iv) All other changes to the landscape plan require prior approval from the Director.~~

(v) All development plans shall designate required landscaping areas. ~~Subdivision plats shall designate required landscaping areas.~~

~~(vi) Landscape plans shall identify the species and sizes of vegetation. The owner shall keep each fire hydrant unobscured by plant material.~~

(vii) Landscape plans shall be stamped by a ~~licensed~~ landscape architect licensed in the State of Colorado. Inspection and compliance with approved landscape plan must be certified by a licensed landscape architect prior to issuance of a certificate of occupancy, or the release of DIA security funds. Additionally, the property owner or irrigation installer must provide a letter describing that adequate additional capacity exists in the irrigation system to support the landscaping materials at maturity prior to issuance of a certificate of occupancy or the release of DIA security funds.

(A) A licensed landscape architect is not required to produce landscape plans if the plans are submitted for a Minor Site Plan review unless required by State statute. All other requirements continue to apply to landscaping for Minor Site Plans.

(viii) All landscape plans shall include an irrigation plan. The irrigation plan shall comply with the standards in the SSID manual. See GJMC 21.06.010(c).

(ix) Utility composite plans must be submitted with landscape plans.

(x) Expansion of a developed site as defined in GJMC 21.02.100(f) that requires a Site Plan Review shall require a landscaping plan and correction of nonconforming landscaping as provided in GJMC 21.08.040.

(xi) Tree protection measures shall be clearly identified on the construction and landscape plans.

(xii) Wall and fence elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.

(8) Preservation of Significant TreesLandscape Features.

(i) Existing landscape features such as escarpments, large ~~or old~~ trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the ~~DirectorApplicant~~ as part of the development review process. This identification shall include a written inventory of significant trees to be produced with a landscaping plan. Any significant tree as defined in subsection (c) below shall be identified on the proposed landscaping plan. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development. If a significant live feature which was to be preserved dies or is substantially damaged, the developer shall replace it with an equivalent feature as determined by the Director. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction under the canopy drip line of the tree unless the City Forester says otherwise.

(ii) All trees not identified as prohibited on the Suitable Plants List and that have a diameter that exceeds 15 caliper inches shall be considered significant. ~~During construction, fencing or similar barriers shall isolate and protect the landscape features to be preserved.~~

~~(iii) Where significant trees exist on a property, no fewer than 30 percent of significant trees shall be preserved during development. Significant trees that are removed shall be replaced at a rate of one caliper inch of tree per two caliper inches of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.06.040(h)(6) for credit applied to preserved trees. All protection measures shall be clearly identified on the construction and landscape plans.~~

~~(ivii) Significant trees to be preserved shall be visibly healthy and free from disease or parasite infection. No vehicles or equipment shall be driven or parked nor shall any materials be piled within the canopy drip line of any tree to be preserved.~~

~~(v) Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.~~

~~(A) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.~~

~~(B) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.~~

~~(C) If a significant tree which was to be preserved dies or is substantially damaged, the developer shall replace it at the rate of one newly planted tree per 2 caliper inches of damaged or destroyed tree.~~

(9) Protection of Landscape Areas. All landscape areas (except in the right-of-way where a street side curb does not exist) shall be protected from vehicles through the use of concrete curbing, large rocks, or other similar obstructions.

(10) Utility Lines. If the location of utilities conflicts with the landscaping provisions, the Director may approve an equivalent alternative.

~~(i) Utility composite plans must be submitted with landscape plans.~~

~~(ii) Trees which will grow to a height of greater than 15 feet at maturity shall not be planted under electrical lines.~~

~~(iii) Ornamental and evergreen trees planted under an electrical line may count towards the total tree requirement.~~

(11) Sight Distance. The owner shall maintain all vegetation, fences, walls and berms so that there is no sightsite distance hazard nor road or pedestrian hazard (see TEDS).

(12) Soil and Planting Beds. Soil in landscape areas must be amended and all vegetation planted in accordance with good horticultural practices.

(i) Details for the planting of trees, shrubs and other vegetation must be shown on the landscaping plans.

(ii) Shrub beds adjacent to turf or native grass areas are to be edged with concrete, metal, brick or substantial wood material. Plastic and other light duty edgings are not allowed.

(iii) Organic mMulch to a minimum of 3 inches and weed fabric areis required for all shrub beds.

(iv) ~~The minimum square footage of planting area for a five-gallon evergreen or deciduous shrub is 16 square feet. These minimum square footages may be varied by a qualified professional. Prior to planting, compacted soils shall be transformed to a friable condition.~~

(v) Compost, soil amendments, or retained topsoil shall be incorporated into the soil to a minimum depth of 6 inches for tree and shrub plantings.

(13) Trees.

~~(i) Trees should not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape area and between parking bays, helps eliminate this conflict and should be considered.~~

(ii) Tree canopies may overlap by up to 2030 percent of the diameter of the tree at maturity. Tree clustering may be allowed with some species so long as clustering does not adversely affect the mature canopy.

(ii) Trees which will grow to a height of greater than 25 feet at maturity shall not be planted under overhead electrical lines.

(iii) Weed fabric shall not be used within 8 feet of the base of a tree.

~~(iiiiv)~~ At planting, tree shall be healthy and free of disease. Tree trunks must be reasonably straight with minimal doglegs. Roots shall be checked prior to planting and corrected for optimal growth patterns.

(iv) Wire baskets, burlap wrappings, rope, twine or any similar shipping materials shall be removed before planting.

(vi) Tree planting holes shall be of sufficient depth so that the flare of the tree above the root ball is no higher than 1 inch above grade.

(vii) Tree planting holes shall be of a diameter no less than three times the diameter of the tree's root ball at time of planting.

(viii) The minimum square footage of planting area for a shade tree is 140 square feet. ~~The Director may vary the minimum square footage.~~

(ix) Ornamental trees shall be planted in a landscape strip that is no less than six feet in width (not including curb and gutter). Shade trees shall be planted in a landscape strip that is no less than eight feet in width (not including curb and gutter).

(xvi) SpeciesTree Diversity. The percent of any one type of tree that can be planted in a development shall be as follows:

(A) Zero through five trees: No limitation.

(B) Six to ten~~24~~ trees: No more than 50 percent of one species~~genus~~.

(C) Eleven to twenty trees: No more than 33 percent of one genus

(C) twenty-one~~24~~ or more trees: No more than 20 percent of one species~~genus~~.

(xi) A minimum of 50 percent of proposed tree plantings shall be identified as preferred trees by the Plant List.

(xii) Trees shall not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape areas and between parking bays, helps eliminate this conflict and should be considered.

(xiii) When calculating tree quantities, any fraction of a tree is rounded up to the next whole number.

(14) Shrubs.

(i) ~~Twenty-five percent of the required shrubs may be converted to turf based on one five-gallon shrub per 50 square feet of turf. A minimum 25~~

percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

~~(ii) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three one-gallon perennials and/or ground covers for one five-gallon shrub.~~

(iii) ShrubSpecies Diversity. The percent of any one type of shrub that can be planted in a development shall be as follows:

(A) ~~Ten~~10 through 19 shrubs: 50 percent per genus.

(B) ~~Twenty~~20 through 39 shrubs: 33 percent per genus.

(C) ~~40~~Forty or more through ~~59~~ shrubs: 25 percent per genus.

~~(D) 60 or more shrubs: 15 percent.~~

~~(iiv) When calculating tree and shrub quantities, any fraction of a shrub ~~or tree or other requirement~~ is rounded up to the next whole number.~~

~~(iv) With the approval of the Director, the number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch. The minimum area for planting an evergreen or deciduous shrub is 16 square feet.~~

(15) Maintenance:

~~(i) The owners, tenants, and occupants, including homeowners' associations, for all new and existing uses in the City must maintain landscaping in a healthy, growing, neat and well-maintained condition:~~

~~(i) Maintain landscaping in a healthy, growing, neat and well-maintained condition.~~

~~(ii) (A) Maintenance includes watering, weeding, pruning, fertilization, pest control, trash and litter removal, replacement of dead or diseased plant material, reseeding and other reasonable efforts.~~

~~(iii) (B) Any plant that dies or substantially damaged due to improper maintenance must be replaced with an equivalent live plant within 90 days of notification plant death or, ~~if during the winter,~~ by the next April 1st.~~

(iv) Hay mulch used during the preparation or establishment of landscaping must be certified weed-free by the Colorado Department of Agriculture.

~~(v) On his own or based on a citizen complaint, the Director may, without notice and without a warrant, walk on the landscaped portion of the property from time to time to inspect the condition of landscaping. The Director or designee may from time to time, inspect the condition of landscaping wherever no reasonable expectation of privacy exists.~~

~~(A) The purpose of such site inspections shall be to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section.~~

~~(vi) Between one and two years after installation of required landscaping, Code Enforcement shall conduct a site inspection to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section. Maintenance of landscaping in unimproved rights-of-way shall be the responsibilities of owners, occupants, and tenants.~~

~~(v) Fire hydrants shall not be unobscured by plant material. Fire hydrants shall be visible from the center of the right-of-way at an angle of 45 degrees.~~

~~(vi) These requirements shall be specified in the articles of incorporation or bylaws for a homeowners' association whenever the homeowners' association is assigned the responsibility of maintaining landscape areas.~~

~~(16) Public Right-of-Way. Except where a detached sidewalk exists or is proposed and approved (see subsection (b)(16)(iv) of this section), landscaping on public right-of-way shall not be counted toward any landscape or open space requirements of this code, unless specifically provided otherwise in this code.~~

(i) All unimproved right-of-way adjacent on the side abutting a development which is not in the City's ~~one~~ten-year capital plan to be improved must be landscaped. All right-of-way landscaping shall be irrigated and maintained by the adjoining private property owner, unless the City agrees to accept it for

maintenance. If it is to be maintained by the City, a separate irrigation system shall be provided.

(ii) At least 75 percent of the unpaved adjacent right-of-way shall be landscaped with turf, low shrubs or ground cover. ~~The Director may vary the required landscaping to obtain a consistent appearance in the area or with existing or planned right-of-way landscaping. No more than 15% of the right-of-way shall be landscaped with turf.~~

(iii) For the purpose of meeting minimum plant quantities, 50 percent of landscaping plantings on public right-of-way shall be counted toward the landscape or open space requirements of this code, unless specifically provided otherwise in this Code.

(iv) The owner of the nearest property shall keep all rights-of-way, which are not hard surfaced, free of weeds, litter, junk, rubbish and obstructions. To prevent weed growth, erosion and blowing dust, right-of-way areas not covered by vegetation or paving shall be covered with organic mulch, wood chips, bark chips, decorative rocks or cobble, or similar natural materials, ~~to be underlain by weed fabric or other barrier.~~

(iv) ~~Where detached sidewalks exist, or are proposed, a maximum of 50 percent of the public right-of-way landscaping may be counted toward the total required landscaping. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet. Right-of-way landscaping shall be a minimum of eight feet wide in any direction.~~

(vi) ~~The Director may allow decorative paving in landscaped areas in commercial or other high pedestrian traffic areas if the decorative paving is compatible with nearby right-of-way paving and landscaping. No tree shall be removed from the public right-of-way without the approval of the City Forester. Trees removed from the right-of-way without approval shall be subject to penalties per GJMC 9.04.100.~~

(vii) ~~Trees planted in the public right-of-way shall be of species identified on the list of Approved Street Trees for Grand Junction's Rights-of-Way.~~

(17) Pervious Coverage. Landscaped and buffer areas shall count toward the pervious area requirements surfaces included in lot coverage calculations.

~~(18) Authority.~~

~~(i) —The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions.~~

~~(ii) —The Director may approve an applicant's request to vary from the required number and types of plants or landscaped area if:~~

~~(A) —The number of trees exceeds 25 percent of the minimum number of trees; and/or~~

~~(B) —Trees exceed the minimum caliper requirement by one inch or more; and/or~~

~~(C) —Additional berming or other attractive buffering, public art, enhanced paving treatments for public plazas (brick or concrete pavers, tinted and stamped concrete, etc.) is provided. The Director may grant up to a 10 percent reduction of the square footage of improved area used to calculate the landscape requirement where these types of enhancements are included in a development.~~

~~(D) —Additional trees or larger trees can be exchanged on a per-caliper-inch basis with three shrubs equaling one caliper inch. Credit for using larger trees would be based on a direct exchange of caliper inches. For example: 10 three-inch caliper trees equaling 30 caliper inches is the same as 15 two-inch caliper trees equaling 30 caliper inches; one two-inch caliper tree equals six shrubs. Trees may be substituted for shrubs, but shrubs may not be substituted for trees.~~

~~(E) —If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.~~

~~(19) —Water Wise. Because of Grand Junction's desert environment, water wise design and the use of xeric (low water use) plants are strongly encouraged. Water wise designs shall employ the seven basic principles of xeric design which include "comprehensive planning and design for low water use, creating practical turf areas, selecting low water use plants and organizing plants by water usage, using adequate soil prep, using water conserving mulches, irrigating efficiently and maintaining the landscape appropriately" (source: Denver Water Board).~~

~~(i) —Low water use plants are encouraged for use in the "typical" urbanized landscape, especially where the plants can be irrigated (zoned) separately from higher water use plant material. This way of using xeric plants is compatible with any of the requirements of this code.~~

~~(ii) —Landscaping designs that mimic the "desert" character of Grand Junction's setting are also encouraged, but must be carefully designed so that~~

~~the basic requirements for shade, screening and buffering are met. Because of this, the Director must approve “desert” or xeric landscape plans as well as variances from the required plant coverage ratios. To further encourage xeriscaping, one-gallon xeric plants shall be equivalent to five-gallon traditional plants. Trees shall be installed in accordance with subsection (b) of this section.~~

(c) **Parking Lots.** The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(1) Interior Landscaping Requirement. Landscaping is required in the interior of parking lots to direct traffic, to shade cars and structures, to reduce heat and glare and to screen cars from adjacent properties. The interior of all parking lots shall be landscaped as follows:

(i) One landscaped island, parallel to parking spaces, is required for each 20 parking spaces. ~~In lieu of the standard landscape island, one “orchard style” landscape island may be used for every six parking spaces. The orchard style landscape islands shall be evenly spaced between end landscape islands. (See subsection (j) of this section.)~~

(ii) Landscape islands must be at least 140 square feet. The narrowest/smallest dimension of a parking lot island shall be eight feet, measured from back of curb to back of curb.

(iii) One landscaped divider island, parallel to the parking lot drive aisles, designed to prevent diagonal movement across the parking lot, shall be located for every three parking lot drive aisles.

(iv) A landscape island is required at the end of every row of parking spaces, regardless of length or number of spaces.

~~(v) Wheel stop barriers on all sides adjacent to the parking lot surface are required to protect landscape islands from vehicles.~~

(vi) A corner area (where it is not feasible to park a vehicle) may be considered an end island for the rows on the perimeter of the parking lot.

(vii) Landscaping of the interior of a parking lot shall include trees and shrubs.

(vi) To improve the management of stormwater runoff, structurally-sound permeable pavers may be used in parking areas, subject to the approval of the Director. Use of permeable pavers for ten parking stalls shall result in a reduction of one required parking stall per the required parking ratios in GJMC 21.06.050.

(vii) Trees planted in parking lot islands shall be selected from those identified as Parking Lot Island Trees on the Plant List.

(vii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(ix) The use of bioswales in parking lot designs is encouraged to facilitate stormwater management.

(2) Parking Lot Perimeter. Landscaping is required around the entire perimeter of a parking lot ~~to assist in the shading of cars,~~ to assist in the abatement of heat and to reduce the amount of glare from glass and metal, and to assist in the screening of cars from adjacent properties. The perimeter of a parking lot is defined as the curb line defining the outer boundaries of the parking lot, including dumpster enclosures, bike racks, or other support facilities that are adjacent to the outer curb. Entry drives between a parking lot and the street, drives connecting two internal parking lots or building entry plazas are not included in the perimeter area. The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(i) Screening shall occur between a street and a parking lot. When screening is required, ~~and~~ street frontage landscape shall apply. (See subsections (c)(3) and (l) of this section.)

(ii) The minimum dimension allowed for the parking lot perimeter landscape strip is ~~six~~⁸ feet. The width of a landscape strip can be modified by the Director, provided the intent of this section is met.

(iii) Landscaping along the perimeter of parking lots shall include trees and shrubs.

(iv) Parking lots shared by more than one owner shall be landscaped around the perimeter of the combined lots.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Screening. All parking lots abutting rights-of-way, entry drives, and adjacent properties must be screened. For this subsection, a “screen” means a ~~turf~~ berm ~~and/or~~ with appropriate groundcover or shrubs.

(i) A 30-inch-high screen is required along 70 percent of parking lots abutting rights-of-way, entry drives, and adjacent properties, excluding curb cuts. The 30-inch screen shall be placed so as to maximize screening of the cars in the parking lot, when viewed from the right-of-way and shall be measured from the ground surface, or the elevation of the roadway if the adjacent road is higher than the property.

(ii) Screening shall not be required between parking lots on adjoining lots where the two lots are designed to function as one.

(iii) If a landscape area is 30 feet wide or greater between a parking lot and a right-of-way, the 30-inch-high screen is not required. This 30-foot-wide or greater area must be ~~100~~ 75 percent covered in plant material including tree canopy coverage, shrubs, and groundcover at maturity within three years. ~~Turf is allowed.~~

~~(iv) The Director may approve a screen wall between a parking lot and a right-of-way if the lot or parcel is unusually small.~~

(iv) A screen wall must not be taller than 30 inches, unless the adjacent roadway is higher than the property, in which case the screen wall shall be 30 inches higher than the adjacent roadway.

~~(vi) Two five-gallon shrubs may be substituted for four linear feet of wall; shrubs must reach a height of at least 30 inches at maturity.~~

~~(vii) A column or jog or equivalent architectural feature is required for every 25 linear feet of wall.~~

(viii) The back of the wall must be at least 30 inches from the face of curb for bumper overhang.

(~~ix~~) Shrubs ~~shall~~ must be planted on the street side of the wall.

(viiix) There must be at least five feet between the right-of-way and the paved part of a parking lot to use a wall as a screen.

~~(xi) Wall elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.~~

(viiiixii) Walls shall be solid masonry with finish on both sides. The finish may consist of stucco, brick, stone or similar material. Unfinished or merely painted concrete block is not permitted.

(ixiii) Shrub plantings in front of a wall are not required in the B-2 downtown district.

(x) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(d) **Street Frontage Landscape.**

(1) Within all zones (except single-family uses in single-family, B-2 and form based zone districts), the owner shall provide and maintain a minimum 14-foot-wide street frontage landscape adjacent to the public right-of-way.

(2) A minimum of 75 percent of the street frontage landscape shall be covered by plant material at maturity.

~~(3) The Director may allow for up to 50 percent of the 14-foot-wide street frontage to be turf, or up to 100 percent turf coverage may be allowed if the parking lot setback from the right-of-way exceeds 30 feet. Low water usage turf is encouraged.~~

~~(4) All unimproved right-of-way adjacent to new development projects shall be landscaped and irrigated by the owner and/or homeowners' association as per subsection (b)(16) of this section.~~

(35) Landscaping within the street frontage shall include trees and shrubs. If detached walks are not provided with street trees, street trees shall be provided in the street frontage landscape, including one tree for every 40 feet of street frontage.

(4) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent

of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

~~(6) Where detached walks are provided, a minimum street frontage landscape of five feet is acceptable.~~

(e) **Buffers.**

(1) Buffers shall be provided between different zoning districts as indicated in subsection (k) of this section.

(i) ~~Seventy-five~~75 percent of each buffer area shall be landscaped with ~~turf, low~~ shrubs or ground cover at maturity.

(ii) One ~~medium sized~~ tree is required per every 40 linear feet of boundary between different zones.

(iii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Exceptions.

(i) Where residential or collector streets or alleys separate zoning districts, the Director can require more landscaping instead of a wall or fence.

(ii) Where walkways, paths, or a body of water separates zoning districts, the Director may waive a fence or wall requirement provided the buffering objectives are met by private yards.

(iii) Where a railroad or other right-of-way separates zoning districts, the Director may waive the buffer strip if the buffering objectives are met without them.

(f) **Fences, Walls and Berms.**

(1) Fences and Walls. When a higher density or intensity zoning district abuts a lower density or intensity zone district, it is the responsibility of the higher density or intensity property to buffer the abutting zone district according to subsection (k) of this section. When an existing fence or wall substantially meets the requirements of this section, and subsection (k) of this section requires the same form of buffering, an additional fence on the adjacent developing property shall not be required. However, if the new development requires the placement of a wall, and a fence exists on the adjacent property, the wall shall be required. If a wall is

required and a fence is in place, the wall must be placed adjacent to the fence. (Subsection (k) of this section should be referenced to determine when a wall or a fence is required. The more stringent standard shall apply; i.e., if a wall is required and a fence is in place, the wall must be placed adjacent to the fence.) Fences must comply with GJMC [21.04.040\(i\)](#)~~21.04.040(i)~~, any design guidelines and other conditions of approval. Fences and walls required by this section must meet the following:

(i) Maximum height: six feet (outside of front setback, 30-inch solid height or four feet height if two-thirds open within the front setback and must meet all sight distance requirements).

(ii) Fence type: solid wood or material with a similar appearance, finished on both sides.

(iii) Wall type: solid masonry finished on both sides. Finish may consist of stucco, brick, stone or similar material but unfinished or merely painted concrete block is not permitted.

(iv) Location: within three feet of the property line unless the space is needed to meet landscaping requirements.

(v) A wall must have a column or other significant architectural feature every 30 feet of length.

(vi) Any fence or wall over six feet in height requires a building permit.

(vii) No person shall construct or maintain a fence or a wall without first getting a fence/wall permit from the Director.

(2) Berms. Minimum requirements for berms are as follows:

(i) Maximum slope of 4:1 for turf areas and 3:1 for shrub beds; and

(ii) To control erosion and dust, berm slopes must be stabilized with vegetation or by other means consistent with the requirements for the particular landscape area.

(g) Residential Subdivision Perimeter Enclosures.

(1) Intent. The [Directordecision-maker](#) may require ~~(where deemed necessary)~~ perimeter enclosures (fences and/or walls) around all or part of the perimeter of a residential development. Perimeter enclosures shall be designed to meet the following objectives of protecting public health, safety and welfare: screen negative impacts of adjoining land uses, including streets; protect privacy; maintain a

consistent or complementary appearance with enclosures in the vicinity; maintain consistent appearance of the subdivision; and comply with corridor overlay requirements.

(2) Applicability. When required by the Director, the standards of this subsection shall apply to all residential subdivisions as well as to all mixed-use subdivisions where the square footage of proposed residential uses exceeds the square footage of proposed non-residential uses.

(2) Specifications. Unless specified otherwise at the time of final approval:

(i) A perimeter enclosure includes fences, walls or berms, and combinations thereof, located within five feet of the exterior boundary of a development.

(ii) The maximum height is six feet, including within front setbacks; however, an enclosure constructed on a berm shall not extend more than eight feet above the adjoining sidewalk or crown of road, whichever is lower.

(iii) New enclosures shall be compatible with existing enclosures in the vicinity, if such enclosures meet the requirements of this code.

(iv) A perimeter enclosure in excess of six feet is a structure and requires a building permit.

(v) A perimeter wall must have a column or other significant architectural feature every 30 feet.

(vi) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Required Perimeter Enclosures. The decision-maker may require a perimeter enclosure as a condition of the final approval if:

(i) Use or enjoyment of property within the development or in the vicinity of the development might be impaired without a perimeter enclosure.

(ii) A perimeter enclosure is necessary to maintain a consistent and complementary appearance with existing or proposed perimeter enclosures in the vicinity.

(iii) A perimeter enclosure is necessary to control ingress and egress for the development.

(iv) A perimeter enclosure is necessary to promote the safety of the public or residents in the vicinity.

(v) A perimeter enclosure is needed to comply with the purpose, objectives or regulations of the subdivision requirements.

(vi) A perimeter enclosure is needed to comply with a corridor overlay district.

~~(vii) The Director will notify applicants of the need for a perimeter enclosure, if required.~~

~~(4) Design of Perimeter Enclosures. A complete landscape plan for the required landscape buffer and a detail drawing of the perimeter enclosure must be submitted at the time of final approval: perimeter enclosure detail at a scale of one-half inch equals one foot.~~

(5) Residential Subdivision Landscape Buffer. On the outside of a perimeter enclosure adjacent to a right-of-way, a 14-foot-wide (on average) landscape buffer shall be provided between the perimeter enclosure and the right-of-way for major and minor arterial streets and major or minor collectors. A five-foot-wide landscape buffer for side and rear yard perimeters shall be provided on all other streets between the perimeter enclosure and the right-of-way.

~~(i) Vegetation in the sight triangle (see TEDS, GJMC Title 29) shall not exceed 30 inches in height at maturity;~~

(ii) In the landscape buffer, one tree per 40 linear feet of perimeter must be provided;

(iii) All perimeter enclosures and landscape buffers must be within a tract dedicated to and maintained by the homeowners' association. The perimeter enclosure and landscaping must be installed by the developer and made a part of the development improvements agreement;

~~(iiv) A minimum of 75 percent of the landscape buffer area shall be covered by plant material including tree canopy coverage, shrubs, and groundcover at maturity. Turf may be allowed for up to 50 percent of the 14-foot-wide landscape strip, at the Director's discretion. Low water usage turf is encouraged;~~

(iv) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(v) Where detached walks are provided, a minimum buffer of five feet shall be provided. In which case, the right-of-way parkway strip (area between the sidewalk and curb) will also be planted as a landscape buffer and maintained by the HOA.

(6) Construction of Perimeter Enclosures. The perimeter enclosure and required landscape buffer shall be installed by the developer and included in the development improvements agreement.

(7) Ownership and Maintenance. The developer shall refer to the perimeter enclosure in the covenants and restrictions and so that perpetual maintenance is provided for either that the perimeter enclosure be owned and maintained by the owners' association or by individual owners. The perimeter enclosure shall be identified on the plat.

(8) Alternative Construction and Ownership. If the ~~Director decision-maker~~ finds that a lot-by-lot construction, ownership and/or maintenance of a perimeter enclosure landscape strip would meet all applicable objectives of this section and the design standards of GJMC ~~21.06.060~~ 21.06.060, ~~the final approval approved plans~~ shall ~~note specify~~ the type and size of materials, placement of fence posts, ~~and length of sections, and the like.~~

(9) Overlay District Conflicts. Where in conflict, the perimeter enclosure requirements or guidelines of approved overlay districts shall supersede the requirements of this section.

~~(10) Variances. Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.~~

(h) Substitutions. The requirements outlined in GJMC 21.06.040(i) above may be varied based at the following rates of substitution.

(1) Required trees may be substituted for shrubs and required shrubs may be substituted for trees at a rate of three shrubs equaling one caliper inch of tree. For example: 3 two-inch caliper trees equaling 6 caliper inches may be exchanged for 12 shrubs, or vice versa.

(i) No more than 30 percent of the number of trees required by GJMC 21.06.040(j) may be substituted for shrubs.

(2) Two #5 container shrubs may be substituted for four linear feet of wall when walls are required per GJMC 21.06.040(c)(3). Shrubs substituted for walls must reach a height of at least 30 inches at maturity.

(3) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three #1 container perennials and/or ground covers for one #5 container shrub.

(4) The number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch.

(6) Existing trees preserved during development shall count toward the total tree requirement at a ratio of two caliper inches of preserved tree to one caliper inch of required tree plantings.

	<u>Tree</u>	<u>Shrub</u>	<u>Groundcover/Perennials</u>	<u>Wall</u>
<u>Tree</u>	<u>Two caliper inches preserved tree to one caliper inch required</u>	<u>Three shrubs for one caliper inch of tree</u>	<u>n/a</u>	<u>n/a</u>
<u>Shrub</u>	<u>Three shrubs for one caliper inch of tree</u>	<u>n/a</u>	<u>Three #1 container perennials and/or ground cover for one #5 container shrub</u>	<u>Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall</u>
<u>Groundcover/Perennials</u>	<u>n/a</u>	<u>Three #1 container perennials and/or ground cover for one #5 container shrub</u>	<u>n/a</u>	<u>n/a</u>
<u>Wall</u>	<u>n/a</u>	<u>Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall</u>	<u>n/a</u>	<u>n/a</u>

(ih) I-1 and I-2 Zone Landscape.

(1) Parking Lot Perimeter Landscape. Landscaping for the parking lot perimeter shall be per subsection (c)(2) of this section with the following addition:

~~(i) Turf may be allowed for up to 50 percent of the parking lot perimeter, at the Director's discretion. Low water usage turf is encouraged.~~

(ii) A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material including tree canopy, shrubs, and groundcover at maturity.

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Street Frontage Landscape. Landscaping for the street frontage shall be per subsection (d) of this section with the following additions:

~~(i) Vegetation in the sight triangle in the street frontage must not exceed 30 inches in height at maturity.~~

~~(ii) One tree for every 40 linear feet of street frontage (excluding curb cuts) must be provided, 87 percent of which must be shade trees.~~

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Public Right-of-Way Landscape. Landscaping for the public right-of-way shall be per subsection (b)(17~~6~~) of this section.

(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

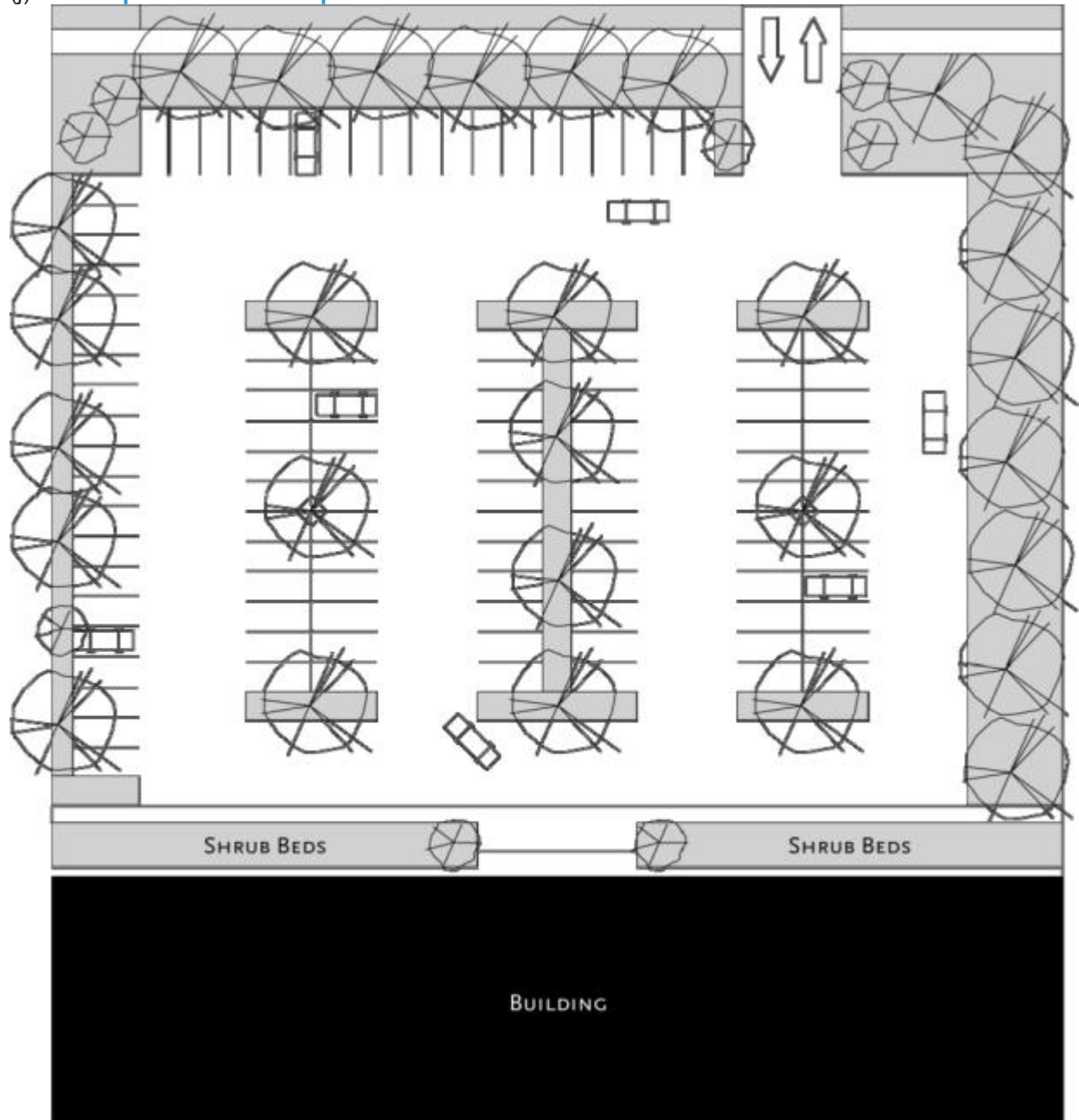
(5) Other Applicable Sections. The requirements of subsections ~~(i)~~, (j), ~~(k)~~ and ~~(k)~~ of this section shall also apply.

(i) Landscaping Requirements.

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
Single-family residential (R zones)	As required for uses other than single-family residential; and as required in subsections (b)(16) and (g) of this section	As required for uses other than single-family residential; and landscape buffer and public right-of-way
R-5, R-8, R-12, R-16, R-24, R-0, B-1, C-1, C-2, I-O, CSR, MU	One Two <u>caliper inches</u> of tree per 2,500 <u>3,000</u> square feet of improved area, with no more than <u>24</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 450 <u>300</u> square feet of improved area	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
B-2	One Two <u>caliper inches</u> of tree per 2,500 <u>3,000</u> square feet of improved area, with no more than <u>24</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 450 <u>300</u> square feet of improved area	Parking lot, park strip (in right-of-way)
I-1, I-2	As required in subsection (h) of this section and in other subsections of this section where applicable	Street frontage, parking lots, buffers and public right-of-way
MXR, MXG, MXS, MXOC	One Two <u>caliper inches</u> of tree per 3,000 square feet of improved area, with no more than <u>42</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 300 square feet of improved area. Plantings must be evenly distributed throughout the development	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
Facilities: mining, dairy, vineyard, sand or gravel operations, confined animal feeding operation, feedlot, forestry commercial, aviation or	One Two <u>caliper inches</u> of tree per 5,000 square feet of improved area. One five-gallon <u>#5 container</u> shrub per 600 square feet of improved area	Perimeter, buffer and public right-of-way

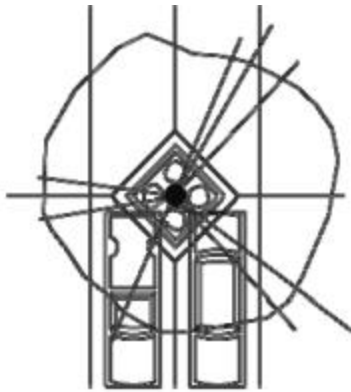
Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
surface passenger terminal, pasture		

(j) **Example Tree Landscape Plan.**




SHADE TREES


**ORNAMENTAL TREES
AND EVERGREENS**



6' X 6' SQUARE SHOWN
7' X 7' ALSO POSSIBLE

ORCHARD-STYLE LANDSCAPE ISLAND

(k) **Buffering Between Zoning Districts.**

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
SF (Subdivisions)	-	-	-	-	-	-	F	-	F	W	W	W	F	-	F	-	-	-
R-5	-	-	-	-	-	-	F	-	F	W	W	W	-	-	F	-	-	-
R-8	-	-	-	-	-	F	F	-	F	W	W	W	F	-	F	A	-	-
R-12 & R-16	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
R-24	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
RO & MXOC	A	A	A	A	A	-	A or F	-	A or F	W	W	W	A or F	-	A or F	A	-	-
B-1	F	F	F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	A or F	-	A or F	A	-	-
B-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C-1	A&W	W	W	W	W	W	-	-	-	-	-	-	-	-	-	-	-	-
C-2 & I-O	W	W	W	W	W	W	F	-	-	-	-	-	A or F	A or F	A or F	A&W	-	-
I-1	W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
I-2	B&W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
M-U	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	-	-	-	-	-	-
CSR3 ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
BP	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	-	-	-	-	-	-	-	A or F	A or F	A or F
MXR-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXG-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXS-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-

Notes

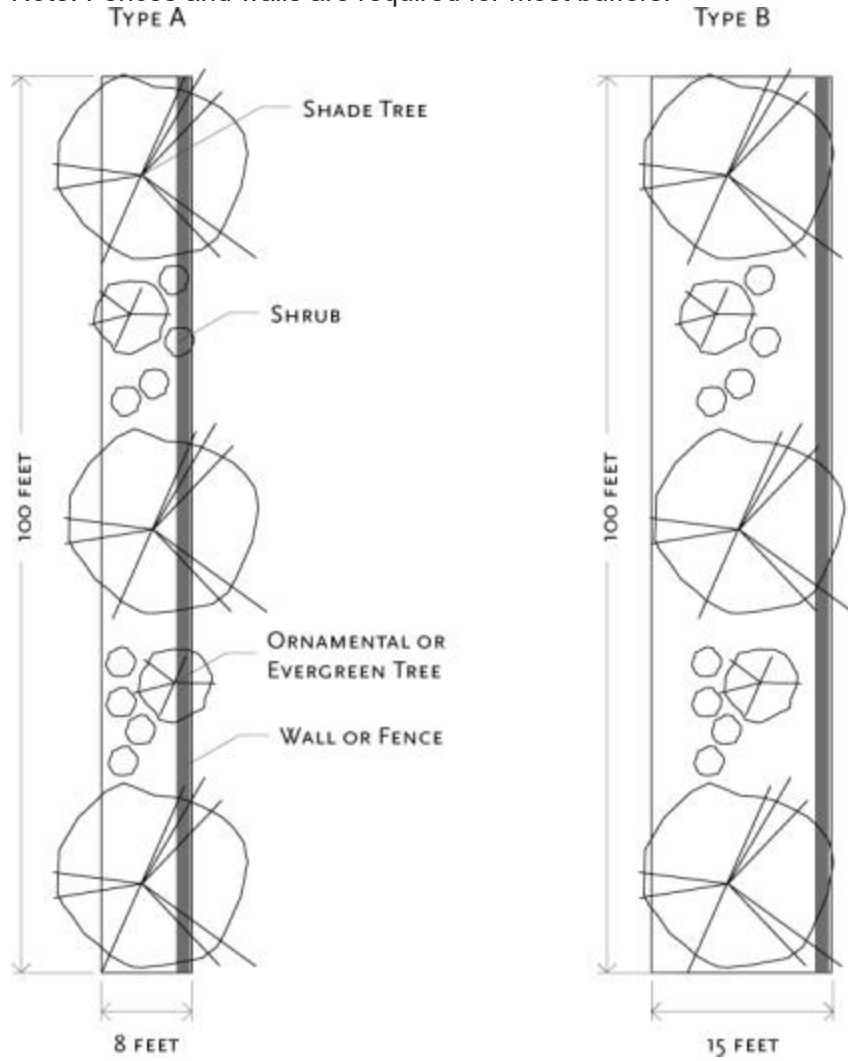
- A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet.
- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
- The Director may modify this table based on the uses proposed in any zone district.

¹ Gravel operations subject to buffering adjacent to residential.

(l) **Buffer Requirements.**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
Type A	Eight-foot-wide landscape strip with trees and shrubs	Between different uses
Type B	15-foot-wide landscape strip with trees and shrubs	Between different uses
Type F, W	Six-foot fence and wall (see subsection (f) of this section)	Between different uses

Note: Fences and walls are required for most buffers.



(Ord. 4646, 11-19-14; amended during 2010 codification; Ord. 4419, 4-5-10)

Common	Scientific Name	Plant Type
Indian Ricegrass	<i>Achnatherum (Oryzopsis) hymenoc</i>	Grass, Ornamental
Big Bluestem	<i>Andropogon gerardii</i>	Grass, Ornamental
Sideoats Grama	<i>Bouteloua curtipendula</i>	Grass, Ornamental
Blue Grama Grass	<i>Bouteloua gracilis</i>	Grass, Ornamental
Karl Foerster Feather Reed Grass	<i>Calamagrostis acutiflora</i>	Grass, Ornamental
Desert Saltgrass	<i>Distichlis spicata</i>	Grass, Ornamental
Sand Love Grass	<i>Eragrostis trichodes</i>	Grass, Ornamental
Blue Oat Grass	<i>Helictotrichon sempervirens</i>	Grass, Ornamental
Chinese Silver Grass	<i>Miscanthus sinensis</i>	Grass, Ornamental
Little Bluestem	<i>Schizachyrium scoparium</i>	Grass, Ornamental
Mountain Alyssum	<i>Alyssum montanum</i>	Groundcover
Mt. Atlas Daisy	<i>Anacyclus pyrethrum var. depress</i>	Groundcover
Small Leaf Pussytoes	<i>Antennaria parvifolia</i>	Groundcover
Bearberry or Kinnikinnick	<i>Arctostaphylos uva-ursi</i>	Groundcover
Mesa Verde Ice Plant	<i>Delosperma 'Kelaidis'</i>	Groundcover
Trailing Fleabane	<i>Erigeron flagellaris</i>	Groundcover
Sulfur Buckwheat	<i>Eriogonum umbellatum var. umbe</i>	Groundcover
Mat Penstemon	<i>Penstemon caespitosus</i>	Groundcover
Stonecrop species	<i>Sedum spp.</i>	Groundcover
Dwarf Ephedra	<i>Ephedra monosperma</i>	Groundcover, Evergreen
Texas Hummingbird Mint or Sonora	<i>Agastache cana</i>	Perennial
Sunset Hyssop or Licorice Mint	<i>Agastache rupestris</i>	Perennial
Rocky Mountain Columbine	<i>Aquilegia caerulea</i>	Perennial
Denver Gold Columbine	<i>Aquilegia chrysantha</i>	Perennial
Prickly Poppy	<i>Argemone polyanthemom</i>	Perennial
Fringed Sage	<i>Artemisia frigida</i>	Perennial
Seafoam Sage	<i>Artemisia versicolor 'Seafoam'</i>	Perennial
Butterfly Milkweed	<i>Asclepias tuberosa</i>	Perennial
Lavender Leaf Sundrops	<i>Calylophus lavandulifolius</i>	Perennial
Siberian Wall Flower	<i>Cheiranthus allionii</i>	Perennial
Hairy Golden Aster	<i>Chrysopsis villosa</i>	Perennial
Purple Coneflower	<i>Echinacea purpurea</i>	Perennial
Claret Cup Cactus	<i>Echinocereus triglochidiatus</i>	Perennial
Blanketflower	<i>Gaillardia aristata</i>	Perennial
Broom Snakeweed	<i>Gutierrezia sarothrae</i>	Perennial
Scarlet Bugler	<i>Ipomopsis aggregata</i>	Perennial
Munstead Lavender	<i>Lavandula angustifolia 'Munstead'</i>	Perennial
Oxeye Daisy	<i>Leucanthemum vulgare</i>	Perennial
Perennial Lupine	<i>Lupinus perennis</i>	Perennial
Colorado Four O'Clock or Desert F	<i>Mirabilis multiflora</i>	Perennial
Catmint	<i>Nepeta racemosa</i>	Perennial
Firecracker Penstemon	<i>Penstemon eatonii</i>	Perennial
Rocky Mountain Penstemon	<i>Penstemon strictus</i>	Perennial
Prairie Coneflower	<i>Ratibida columnifera</i>	Perennial
Grayheaded Coneflower	<i>Ratibida pinnata</i>	Perennial
Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	Perennial
Desert Prince's Plume	<i>Stanleya pinnata</i>	Perennial
Prickly Thrift	<i>Acantholimon glumaceum</i>	Perennial/Ground Cover

Yarrow species	<i>Achillea spp.</i>	Perennial/Ground Cover
Colorado Desert Blue Star or Jone	<i>Amsonia jonesii</i>	Perennial/Ground Cover
Eastern Blue Star	<i>Amsonia tacernaemontana</i>	Perennial/Ground Cover
Poppy Mallow	<i>Callirhoe involucrata</i>	Perennial/Ground Cover
Lanceleaf Coreopsis	<i>Coreopsis lanceolata</i>	Perennial/Ground Cover
Moonbeam Coreopsis	<i>Coreopsis verticillata 'Moonbeam'</i>	Perennial/Ground Cover
Shasta Daisy	<i>Leucanthemum × superbum</i>	Perennial/Ground Cover
Blue Flax	<i>Linum lewisii</i>	Perennial/Ground Cover
Saskatoon Serviceberry	<i>Amelanchier alnifolia</i>	Shrub, Deciduous
Leadplant	<i>Amorpha canescens</i>	Shrub, Deciduous
False Indigo Bush	<i>Amorpha fruticosa</i>	Shrub, Deciduous
Dwarf False Indigo	<i>Amorpha nana</i>	Shrub, Deciduous
Powis Castle Sage	<i>Artemisia 'Powis Castle' [arboresc</i>	Shrub, Deciduous
Big Sagebrush	<i>Artemisia tridentata</i>	Shrub, Deciduous
Saltbush	<i>Atriplex canescens</i>	Shrub, Deciduous
Shadscale	<i>Atriplex confertifolia</i>	Shrub, Deciduous
Japanese Barberry	<i>Berberis thunbergii</i>	Shrub, Deciduous
Butterfly Bush or Summer Lilac	<i>Buddleja davidii</i>	Shrub, Deciduous
Winter Fat	<i>Ceratodites lanata or Krascheninni</i>	Shrub, Deciduous
Mountain Mahogany	<i>Cercocarpus ledifolius</i>	Shrub, Deciduous
Mountain Mahogany	<i>Cercocarpus montanus</i>	Shrub, Deciduous
Fernbush	<i>Chamaebatiaria millefolium</i>	Shrub, Deciduous
Gray Rabbitbrush	<i>Chrysothamnus nauseosus, or Eri</i>	Shrub, Deciduous
Yellow Rabbitbrush	<i>Chrysothamnus viscidiflorus</i>	Shrub, Deciduous
Spanish Broom	<i>Cytisus purgans</i>	Shrub, Deciduous
Scotch broom	<i>Cytisus scoparius</i>	Shrub, Deciduous
New Mexico Privet or Desert Olive	<i>Foresteria pubescens</i>	Shrub, Deciduous
Red Berry Mahonia	<i>Mahonia haematocarpa</i>	Shrub, Deciduous
Russian Sage	<i>Perovskia atriplicifolia</i>	Shrub, Deciduous
Littleleaf Mock Orange	<i>Philadelphus microphyllus</i>	Shrub, Deciduous
Ninebark	<i>Physocarpus opulifolius</i>	Shrub, Deciduous
Antelope Bitterbrush	<i>Purshia tridentata</i>	Shrub, Deciduous
Fragrant Sumac	<i>Rhus aromatica</i>	Shrub, Deciduous
Skunkbush sumac	<i>Rhus trilobata</i>	Shrub, Deciduous
Staghorn Sumac	<i>Rhus typhina</i>	Shrub, Deciduous
Greasewood	<i>Sarcobatus vermiculatus</i>	Shrub, Deciduous
Korean Lilac	<i>Syringa meyeri</i>	Shrub, Deciduous
Sand Sagebrush	<i>Artemisia filifolia</i>	Shrub, Evergreen
Cholla species	<i>Cylindropuntia spp.</i>	Shrub, Evergreen
Blue Stem Joint Fir	<i>Ephedra equistina</i>	Shrub, Evergreen
Mormon Tea	<i>Ephedra viridis</i>	Shrub, Evergreen
Common Broom	<i>Genista tinctoria</i>	Shrub, Evergreen
Red Yucca	<i>Hesperaloe parviflora</i>	Shrub, Evergreen
Desert Prickly Pear	<i>Opuntia phaeacantha</i>	Shrub, Evergreen
Prickly Pear species	<i>Opuntia spp.</i>	Shrub, Evergreen
Narrowleaf Yucca	<i>Yucca angustissima</i>	Shrub, Evergreen
Banana Yucca	<i>Yucca baccata</i>	Shrub, Evergreen
Soapweed Yucca	<i>Yucca glauca</i>	Shrub, Evergreen
Dwarf Yucca	<i>Yucca harrimaniae</i>	Shrub, Evergreen

Trident Maple	<i>Acer buergeranum</i>	Tree, Deciduous
Hedge Maple	<i>Acer campestre</i>	Tree, Deciduous
Amur Maple	<i>Acer ginnala</i>	Tree, Deciduous
Rocky Mountain Maple	<i>Acer glabrum</i>	Tree, Deciduous
Bigtooth Maple	<i>Acer grandidentatum</i>	Tree, Deciduous
Box Elder	<i>Acer negundo</i>	Tree, Deciduous
Tatarian Maple	<i>Acer tataricum</i>	Tree, Deciduous
Downy Serviceberry	<i>Amelanchier arborea</i>	Tree, Deciduous
Allegheny Serviceberry	<i>Amelanchier laevis</i>	Tree, Deciduous
Apple Serviceberry	<i>Amelanchier x grandiflora</i>	Tree, Deciduous
American Hornbeam	<i>Carpinus caroliniana</i>	Tree, Deciduous
Pignut Hickory	<i>Carya glabra</i>	Tree, Deciduous
Western Catalpa	<i>Catalpa speciosa</i>	Tree, Deciduous
Purple Catalpa	<i>Catalpa x erubescens</i>	Tree, Deciduous
Chinese Catalpa	<i>Catalpa ovata</i>	Tree, Deciduous
Common hackberry	<i>Celtis occidentalis</i>	Tree, Deciduous
Sugar Hackberry	<i>Celtis laevigata</i>	Tree, Deciduous
Redbud	<i>Cercis canadensis</i>	Tree, Deciduous
Desert Willow	<i>Chilopsis linearis</i>	Tree, Deciduous
American Fringetree	<i>Chionanthus virginicus</i>	Tree, Deciduous
American Smoketree	<i>Cotinus obovatus</i>	Tree, Deciduous
Morden Hawthorn	<i>Crataegus x mordenensis [laeviga</i>	Tree, Deciduous
Russian Hawthorn	<i>Crataegus ambigua</i>	Tree, Deciduous
Green Hawthorn	<i>Crataegus viridis</i>	Tree, Deciduous
Thornless Cockspur Hawthorn	<i>Crataegus crus-galli</i>	Tree, Deciduous
Washington Hawthorn	<i>Crataegus phaenopyrum</i>	Tree, Deciduous
Northern Downy Hawthorn	<i>Crataegus submollis</i>	Tree, Deciduous
Hardy Rubbertree	<i>Eucommia ulmoides</i>	Tree, Deciduous
Singleleaf Ash	<i>Fraxinus anomala</i>	Tree, Deciduous
Honeylocust	<i>Gleditsia triacanthos inermis</i>	Tree, Deciduous
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>	Tree, Deciduous
Chinese flame tree	<i>Koelreuteria bipinnata</i>	Tree, Deciduous
Golden Rain Tree	<i>Koelreuteria paniculata</i>	Tree, Deciduous
Amur Maackia	<i>Maackia amurensis</i>	Tree, Deciduous
Osage Orange	<i>Maclura pomifera</i>	Tree, Deciduous
Crabapple cultivars	<i>Malus spp.</i>	Tree, Deciduous
Fruitless White Mulberry	<i>Morus alba</i>	Tree, Deciduous
Chinese Pistache	<i>Pistacia chinensis</i>	Tree, Deciduous
Ornamental Pear	<i>Pyrus spp.</i>	Tree, Deciduous
Swamp White Oak	<i>Quercus bicolor</i>	Tree, Deciduous
Texas Red Oak	<i>Quercus buckeyi</i>	Tree, Deciduous
Gambel Oak	<i>Quercus gambelii</i>	Tree, Deciduous
Lacey Oak	<i>Quercus glaucooides</i>	Tree, Deciduous
Bur Oak	<i>Quercus macrocarpa</i>	Tree, Deciduous
Northern Red Oak	<i>Quercus rubra</i>	Tree, Deciduous
Wavey Leaf Oak	<i>Quercus undulata</i>	Tree, Deciduous
Colorado Foothills Oak	<i>Quercus x maxei</i>	Tree, Deciduous
Sawtooth Oak	<i>Quercus accutissima</i>	Tree, Deciduous
Chinkapin Oak	<i>Quercus muehlenbergii</i>	Tree, Deciduous

New Mexico Locust	<i>Robinia neomexicana</i>	Tree, Deciduous
Japanese Pagodatree	<i>Styphnolobium japonica</i>	Tree, Deciduous
Peking Tree Lilac	<i>Syringa pekinensis</i>	Tree, Deciduous
Japanese Tree Lilac	<i>Syringa reticulata</i>	Tree, Deciduous
Hybrid Elm	<i>Ulmus spp.</i>	Tree, Deciduous
Japanese Zelkova	<i>Zelkova serrata</i>	Tree, Deciduous
Arizona Cypress	<i>Cupressus arizonica</i>	Tree, Evergreen
Utah Juniper	<i>Juniperus osteosperma</i>	Tree, Evergreen
Cologreen Juniper	<i>Juniperus scopulorum</i> 'Cologreen	Tree, Evergreen
Gray Gleam Juniper	<i>Juniperus scopulorum</i> 'Gray Gleam	Tree, Evergreen
Skyrocket Juniper	<i>Juniperus scopulorum</i> 'Skyrocket'	Tree, Evergreen
Wichita Blue Juniper	<i>Juniperus scopulorum</i> 'Wichita Blue	Tree, Evergreen
Piñon Pine	<i>Pinus edulis</i>	Tree, Evergreen
Bosnian Pine	<i>Pinus heldreichii</i>	Tree, Evergreen
Austrian pine	<i>Pinus nigra</i>	Tree, Evergreen

Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree
2	1	xeric-low	native	
3-6	2-3	xeric-low	native	
1.5-2	1.5-2	low	native	
1-2	1.5-2	xeric-medium	native	
4	2	low	non-native	
1-3	indet.	xeric-low	native	
2-4	2-3	low-medium	native	
2-3	2-2.5	low-medium	non-native	
2-6	1-3.5	low-medium	non-native	
1.5-2.5	1-2	low-medium	native	
0.5	1-1.5	low	non-native	
.258	1	low-medium	non-native	
.25	.5	low	native	
1	2	low	native	
0.25	1.5	low-medium	native	
0.5	1	low	native	
1	1	low	native	
1	1	low-medium	native	
0.5	1-4	low-medium	varies by spp.	
1	3	xeric-low	non-native	
1.5-3	1-2	xeric-medium	non-native	
1.5-2	1-1.5	xeric-medium	non-native	
1-2	1-2	low	native	
2-2.5	1-2	low-medium	native	
1-3	1-2	xeric-low	native	
0.5-1.5	1.5-2	xeric-low	native	
0.5-1	1.5-2.5	low	non-native	
1.5	1.5	low	native	
1	1	low	native	
1	1-2	low-medium	non-native	
1	1-2	low	native	
2-5	1.5-2	low-medium	non-native	
0.5	1	low	native	
1	1	low-medium	native	
1.5	1.5	low	native	
1	1	low-medium	native	
1-1.5	1-1.5	low-medium	non-native	
1-2.5	1-3	low-medium	non-native	
1-2	1-2	low-medium	non-native	
1	2-3	low	native	
1-2	2-3	low-medium	non-native	
1	2	low	native	
2-3	2-3	low	native	
1-3	1-1.5	low-medium	native	
1-3	1-2	low-medium	non-native	
0.5-1	1	low	native	
2-6	1-2	low	native	
0.5	1	xeric	non-native	

1-3	1-3	xeric-low	varies by spp.
1	1-1.5	low	native
2-3	2-3	low	non-native
0.5-1	0.5-3	low-medium	native
1-2	1-1.5	low-medium	native
1-2	1-1.5	low-medium	non-native
1-2.5	1-3	low-medium	non-native
1.5	1	low	native
10-15	10-30	low-medium	native
2-3	2-2.5	xeric-medium	native
4-10	8-10	low	native
1-3	1-3	low-medium	native
2-3	1-2	low	non-native
1.5-6	1-5	xeric-low	native
3-4	3-4	low	native
1-3	1-3	low	native
2-6	3-7	xeric-medium	non-native
6-8	3-5	low-medium	non-native
1-3	1-3	low	non-native
8-12	4-8	low-medium	native
8-12	4-8	low-medium	native
6-8	6-8	xeric-low	non-native
4-7	4-7	low-medium	native
4-7	4-7	low-medium	native
2-3	4-6	low	non-native
4-8	4-8	low-medium	non-native
6-8	5-8	low	native
6-12	6-12	xeric-low	native
3-5	2-4	low-medium	non-native
2-3	2-3	low-medium	native
5-8	4-6	low-medium	native
6-12	6-12	low	native
2-6	6-10	low-medium	non-native
2-6	6-10	low-medium	native
15-25	20-30	low-medium	non-native
1.5-5	2-5	low	native
5-8	6-10	low-medium	non-native
3-4	3-4	low	native
2-7	2-7	xeric-low	Varies by spp.
4	6	xeric-low	non-native
2-3	3-6	xeric-low	native
2-3	2-3	low-medium	non-native
3-5	4-6	xeric-low	non-native
2-5	3-6	xeric-low	native
1-3	2-7	xeric-low	varies by spp.
3	3	low	native
1-3	2-3	low	native
2-3	2-3	low	non-native
3	1	low	native

30	30	medium	non-native	
30	15	medium	non-native	Yes
10-32	15	medium	non-native	
20	10-15	medium	native	
25	25	xeric-low	native	Yes
25-80	30-50	low	native	Yes
15-20	15-20	xeric-low	non-native	Yes
20	15	medium	non-native	
20-25	10-15	medium	non-native	
20	15	medium	non-native	
25	20-25	medium	non-native	
50	30	medium	non-native	
40-70	20-50	xeric-low	non-native	Yes
50	35	medium	non-native	Yes
25	25	medium	non-native	Yes
30-60	40-60	xeric-low	non-native	Yes
45	40	xeric-low	non-native	Yes
15-25	15-30	medium	non-native	Yes
20	20	xeric-low	non-native	
15	15	medium	non-native	
15-20	10-15	low	non-native	Yes
15-20	15-20	low	non-native	Yes
18-24	18-24	xeric	non-native	Yes
20-35	20-35	low	non-native	Yes
20	20	xeric	non-native	Yes
25	25	low	non-native	Yes
20	20	low	non-native	Yes
40	40	low	non-native	Yes
12	6	xeric	native	
60-80	60-80	xeric	non-native	Yes
60-80	40-55	xeric	non-native	Yes
30-40	30-40	low	non-native	
30-40	30-40	xeric	non-native	Yes
20-30	15-20	xeric	non-native	Yes
30	30	xeric	non-native	Yes
10-30	10-30	medium-high	non-native	Yes
30-50	30-50	low	non-native	Yes
35	20	xeric-low	non-native	Yes
20-50	20-35	low	non-native	Yes
45	36	medium	non-native	
35	35	xeric-low	non-native	Yes
20-25	10-12	xeric	native	Yes
30	25	xeric	non-native	
60-80	60-80	xeric	non-native	Yes
50-75	50-75	medium	non-native	
20	15	xeric	native	Yes
35	30	xeric	native	Yes
50	50	medium	non-native	
45	50	low	non-native	Yes

12-36	12-36	xeric	native	
50	40	xeric-low	non-native	Yes
15	12	xeric-low	non-native	Yes
25	20	xeric-low	non-native	Yes
30-60	20-40	xeric-low	non-native	Yes
50-80	50-80	xeric-low	non-native	Yes
30-40	15-25	xeric	non-native	Yes
20	10	xeric	native	Yes
15-20	5-7	xeric	native	Yes
10-15	4-6	xeric	native	Yes
15-20	4-6	xeric	native	Yes
18-23	4-8	xeric	native	Yes
18-25	12	low	native	Yes
30-40	20-30	low	non-native	Yes
40-60	30-40	low	non-native	Yes

Parking Lot Island Tree

Yes

Yes

Yes
Yes

Yes
Yes

Yes
Yes
Yes

Yes
Yes
Yes

Yes

Yes

Yes

Yes

Yes

Yes

Common

Siberian Elm
Russian Olive
Ash
Black Walnut
Leafy Spurge
Tree of Heaven
Ravenna Grass
Absinth wormwood
Bull Thistle
Canada Thistle
Chinese Clematis
Common Tansy
Giant Reed
Houndstongue
Japanese Knotweed
Knapweed spp.
Musk Thistle
Myrtle Spurge
Cypress Spurge
Oxeye Daisy
Perennial Pepperweed
Plumeless Thistle
Purple Loosestrife
Scentless chamomile
Scotch Thistle
Sulfur Cinquefoil
Syrian Bean Caper
Tamarisk
Toadflax
Hoary Cress
Yellow Starthistle

Technical

Ulmus pumila
Elaeagnus angustifolia
Fraxinus spp.
Juglans nigra
Euphorbia esula
Ailanthus altissima
Saccharum ravennae
Artemisia absinthium
Cirsium vulgare
Cirsium arvense
Clematis orientalis
Tanacetum vulgare
Arundo donax
Cynoglossum officinale
Polygonum Cuspidatum
Centaurea spp.
Carduus nutans
Euphorbia myrsinites
Euphorbia cyparissias
Chrysanthemum leucanthemu
Lepidium latifolium
Carduus acanthoides
Lythrum salicaria
Matricaria perforate
Onopordum acanthium
Potentilla recta
Zygophyllum fabago
Tamarisk parviflora & Tamaris
Linaria spp.
Cardaria draba
Centaurea solstitialis

Notes

Existing mature elms may be of value for preservation

Exception of Single leaf ash; *Fraxinus anomala*
Threat of thousand canker disease

im

ik ramosissima

Summary of Engagement Process – Landscaping Code Revision

Landscaping Taskforce Roster

Ted Ciavonne (PLA, Consultant, GJ)

Rob Breeden (PLA, Consultant, Fruita)

Julee Wolverton (PLA, Consultant, Montrose)

David Varner (Restoration Specialist)

Susan Carter (Master Gardener, CSU Tri-River Extension)

Ivan Geer (Principal Engineer, River City Consultants)

Doug MacDonald (Landscape Design, CMU)

Landscaping Taskforce Workshop Dates

1/27/2022

2/11/2022

2/25/2022

3/4/2022

.

Forestry Board Workshop Dates

2/3/2022

Planning Commission Workshop Dates

2/3/2022

3/3/2022

September 6, 2022

Dear City Council,

As the Chair of the City of Grand Junction Forestry Board and as the CSU Extension Area Horticulture and Natural Resource Agent that was asked by the city to be very involved with the landscape code revision, I want to pass on some information. This letter represents the Forestry Board. The Landscape Code has defined significant trees as 15" and larger though cottonwoods have been excluded from the category. The Board strongly opposes the removal of cottonwoods from the significant tree definition. Cottonwood is the only native deciduous shade species in the Grand Valley. It naturally grows along bodies of water and in moist areas which naturally exist and are present in manmade landscapes as well. Cottonwoods provide shade, help clean the air, provide wildlife habitat, and help stop erosion, slow flood water runoff, and increase water filtration just to name a few benefits. The Forestry board member unanimously voted that Cottonwoods should be in the consideration to be significant. The Forester or other appointed City official should have the opportunity to determine if a Cottonwood is significant and should be saved verses being biased against all cottonwood trees and removing them as well as other significant trees. Cottonwood trees are part of what makes this Colorado and very appropriate to plant and grow in moist areas!

Other References to Cottonwood's significance:

<https://www.monumentaltrees.com/en/trees/populusfremontii/records/>

<https://www.swcoloradowildflowers.com/Tree%20Enlarged%20Photo%20Pages/populus%20deltoides.htm>

<https://coloradoencyclopedia.org/article/cottonwood-trees>

In the code, it seems to be some confusion between significant trees, prohibited trees, and preferred trees. Significant trees are the trees over 15" that should be deemed by city staff if they are worth of saving in new development. Referred above to my statement about Cottonwood trees, but this should include any tree over 15". They should not only be xeric trees as it should depends on the situation and how much water availability is nearby. Currently only the very dry ones are listed, the forestry board disagrees with this. This should be based on site, right tree, right place and value of the tree. Canopy cover of a large tree will not be replaced by new trees in our life time.

Prohibited trees should be a list of noxious or obnoxious trees that should never be planted. However there are some of these like existing large Siberian elm trees that make up about 20% of our shade canopy, so the prohibited list does not mean that these should be cut down.

Preferred and suitable trees should be the tree lists that new tree species are selected from. These lists may not be all inclusive and will be amended as new suitable species are found for our area. Tree selection should be based on the situation, so sometime a drain ways, pond areas, areas of function turf are the right place to plant trees of higher water demands. <https://static.colostate.edu/client-files/csfs/pdfs/632.pdf>

With prolonged drought, the board feels it is a mistake to not require irrigation systems to be **designed by an Irrigation Engineer**. With the water issues we face across the west, we feel this is the time to start heading this way. Just because someone can install a system, does not mean they are trained to design it for future needs of the landscape including growing root systems, and to be the most efficiently designed as possible for conservation. I just had a client in today that felt that the Western Slope was not engaged with the water shortages of the West. This board has proved that the city can require certification, and it will happen. We have gone from 3 companies with ISA certified Arborists to 16 companies with more than 23 certified arborists working in Grand Junction. This has improved the professionalism of the industry and requiring Irrigation Engineers in the future will also improve the irrigation industry! I hear horror stories of incorrectly installed systems all the time. It can be corrected with appropriate design.

We appreciate the city council taking time to review the landscape code. Thank you for your time to consider our recommendations to Council.

Sincerely,

Susan L. Carter, ISA
Chair, City of Grand Junction Forestry Board
CSU Extension TRA Horticulture and Natural Resource Agent

From: [Robert Davis](#)
To: [Felix Landry](#)
Subject: Fw: Cottonwoods
Date: Thursday, September 8, 2022 2:03:32 PM
Attachments: [Outlook-jytbvfpn.png](#)
[Outlook-Oekatc33.png](#)
[Outlook-p4pwggx3.png](#)

Comments from Forestry Board member Mollie Higginbotham.

Rob

Rob Davis
City of Grand Junction Parks and Recreation
City Forester and Open Space Supervisor
Phone: 970-254-3825 | robd@gjcity.org
2529 High Country Court
Grand Junction, CO 81501
www.gjcity.org/forestry



From: Mollie Higginbotham <mphfrazzled@gmail.com>
Sent: Thursday, September 8, 2022 1:26 PM
To: Robert Davis <robd@gjcity.org>
Subject: Cottonwoods

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

Dear Rob, I'm so sorry I missed the last meeting! I do apologize!
As I understand it, the definition given by the planning dept. would not consider cottonwoods as a significant tree! I agree that this tree is too important to NOT be on that list! It is extremely important to our local environment, for humans and our local wildlife! It does sound like the wording for the watering requirements has been resolved! I hope I interpreted that correctly?
I am hoping to come to the October 5th City Council meeting to support our board and this issue!

Thanks for all of the communication and information!
Mollie Higginbotham.

September 6, 2022

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

RE: Planning Department Landscape Code update

Mayor Pro Tem and Members of City Council,

My name is Kamie Long and I am a member of the Grand Junction Forestry Board and a forester with the Colorado State Forest Service. Our Forestry Board Chair, Susan Carter, has been working with the Planning Department in regards to updating the landscape code and the Forestry board members have been able to provide some feedback.

I think there have been great strides made with this update however, I do not feel it is ready to be approved. There are some items that need to be addressed and clarified. I know putting this on hold for additional modifications can be frustrating to those who are working on it, but rushing the ordinance through without attending to these issues will be problematic in the future.

My two issues with the proposed ordinance or the Planning Departments recommendations are:

- 1) Limiting trees to only tree that are considered to have low or xeric water use can be considered as a significant tree,
- 2) Not specifying that new landscape plans cannot use plants from the prohibited list or clearly stating what list the other 50 percent of the landscape plants can be pulled from.

I support what is stated in the letter from Susan Carter to the City Council from the other Forestry Board members in regards to these issues and I wanted to add my voice to the concerns listed in those letters.

Cottonwood trees are a Colorado native tree that provides many benefits to our environment and to wildlife. They are also a large contributor to our existing urban canopy which is an important focus stated in our Parks and Recreation Open Space Master Plan. The purpose of the significant tree caveat for the Landscape Code revision is to protect large, mature trees in our community.

By limiting the significant tree list to trees that are only considered as low or xeric water use is reducing the ability of the City to maintain and protect our established urban canopy. Also, by created this stipulation, there are many other species of trees that would meet the size criteria but not the water limitation. Removing mature trees that have established themselves in the landscape and are adding value to the environment because they don't meet a limitation we put on them, it counterintuitive to maintaining our urban canopy.

Many trees that will be under consideration will be in naturalized areas where trees are not managed. Very few tree species will grow in these areas and get larger than 15 inches in diameter, two of the trees that will grow this large are not native and not usually desirable (Siberian elm and Russian olive). Cottonwood will grow in these areas and do many important things including provide shade, help clean the air, provide wildlife habitat, help stop erosion, slow flood water runoff, and increase water filtration to name a few environmental benefits. To remove cottonwood (and other trees with higher water use) from the list of trees that should be considered is a mistake and will weaken the intent of the code as very few other trees will fit this category and therefore will make the significant tree caveat pointless.

To the second concern, the code states that landscape design plans must use at least 50 percent of plant species from the City's preferred plant list. The other 50 percent can be any other plant except those on the noxious or invasive plant list. The City has a prohibited plant list and the code currently does not specify that plants cannot come from that list.

The prohibited plant list is comprised of plants that are either serious weeds or have the potential to have serious issues when planted in our high desert landscape. Plants are not put on this list on a whim. There are serious considerations before placing them on the list that includes potential insect or diseases that could impact the plant and other trees already in the landscape, and/or they have health issues that could increase the cost of care by the landowner. The plants on the list are there to encourage landscapers and homeowners to choose plants from the City's recommended plant list that includes plants that are known to do well in our environment.

The code as currently stated, would allow landscape planners to include plants from the prohibited plant list which goes against the purpose of the list. I highly recommend the City Council to have this loophole closed and update the code to state that plants from the prohibited list may not be including in any planting plan.

Again, I want to acknowledge that a tremendous amount of work has gone into updating the Landscape Code. However, the Planning Department has recommended that cottonwood trees not be considered as a significant tree and I and the Forestry Board see this as a huge error that could impact our urban tree canopy and our environment. The loophole that allows landscape plans to include plants from the prohibited list should be closed and stated that plants cannot be selected from this list.

Thank you for your time and consideration. I will be attending the City Council meeting that address the code update and will be happy to answer or clarify any of my statements.

Sincerely,

Kamie Long

Kamie Long
Grand Junction Forestry Board
Colorado State Forest Service

From: [Robert Davis](#)
To: [Felix Landry](#)
Subject: Fw: Vince Urbina; Forestry Board; Significant Trees
Date: Thursday, September 8, 2022 2:03:57 PM
Attachments: [Outlook-ba4d00ei.png](#)
[Outlook-uxtrerezd.png](#)
[Outlook-q2uhotgy.png](#)

Vince Urbina's comments are below:

Rob

Rob Davis
City of Grand Junction Parks and Recreation
City Forester and Open Space Supervisor
Phone: 970-254-3825 | robd@gjcity.org
2529 High Country Court
Grand Junction, CO 81501
www.gjcity.org/forestry



From: **Urbina,A Vince** <Vince.Urbina@colostate.edu>
Date: Wed, Sep 7, 2022 at 4:45 PM
Subject: RE: Significant Trees
To: susan.carter <susan.carter@mesacounty.us>, Dan Komlo <dan.komlo26@gmail.com>
Cc: Robert Davis <robd@gjcity.org>, Bennett Boeschstein <boeschstein.bennett0@gmail.com>, William Cooper <bill@t4tree.com>, Long,Kamie <Kamie.Long@colostate.edu>, Molly Higginbotham <mphfrazzled@gmail.com>, Carter,Susan <Susan.Carter@colostate.edu>

Folks,

I read through the e-mail chain and reviewed the attachments. Here are my thoughts in no particular order.

- Since 2013, I have taught the ISA's Tree Risk Assessment Qualification course throughout the Rocky Mountain and Utah Chapters. I have communicated to all of my students that just because a tree has a structural problem or a particular trait that shouldn't automatically warrant removal. In many cases a problem can be mitigated and the tree can remain in place to provide all the benefits that Susan Carter alluded to in her letter. Trees are resilient, adaptable and in many cases can live over 100 years (including cottonwoods). Removing cottonwoods that would meet the significant criteria to remain is a short-sighted objective especially where they are growing in their native riparian habitat and it has taken them decades to achieve that size status.
- When I moved to GJ from Fort Collins in 1994, I was amazed at the number of Siberian elms growing in the city. I was not a fan of this tree on the Front Range. The longer I lived here the more I began to appreciate the tree for its tolerance of salty soils with

poor drainage. If regular pruning maintenance is applied to this tree species it can be an asset to any yard.

- I looked over the preferred tree list and noticed box elder. There is another native that grows naturally along the Colorado river in Glenwood Canyon. I would not classify it as a low water need tree.
- There are numerous genera mentioned on the suitable plant list. Each genus has an undesirable tree in it. I can think of *Acer saccharinum* – silver maple, *Salix matsudana* – globe willow as examples of non-preferred status.
- There are some genera that are not on the list that merit consideration: *Picea* (Colorado spruce, Black Hills spruce), *Aesculus* (Ohio & yellow buckeye), *Thuja* (arborvitae), *Cedrus* (Arizona cypress), *Prunus* (Newport, Mt. Saint Helens), *Platanus* (London plane tree) *Metasequoia* (dawn redwood), *Ulmus parvifolia* (Chinese elm). There are examples growing in the Grand Valley that are doing quite well.
- What about *Pinus ponderosa* - ponderosa pine another native that should be on the list.

Flying out of Grand Junction or looking at the city from vantage points like the Colorado National Monument should validate in most people's minds that large trees no matter what species are an asset to our community. I am all in when it comes to good planning documents. But I am a proponent of using wisdom and incorporating flexibility in these documents. I believe that removing cottonwood (i.e., natives) is an inflexible and unwise option. If you changed the significant tree size status to 20+ inches a lot of cottonwoods would qualify.

I am good with Susan Carter's letter.

Vince Urbina
ISA Certified Arborist, RM-1043A

September 7th, 2022

Dear City Council & Planning Commission,

On September 1st Felix Landry, Planning Supervisor, presented an update on the proposed Development Landscape Regulations coming before council for approval at the monthly City Forestry Board meeting and I have taken issue with a few of the items that are included in the final draft. Specifically: 1) The language defining significant trees and the preservation thereof; 2) the misuse of the City suitable plant species lists; and 3) the lack of professional licensing requirements for irrigation system design.

Let me preface my letter with my background. I am an ISA Certified Arborist with Tree Risk Assessment Qualifications and a degree in Landscape Architecture from Colorado State University currently serving on the Grand Junction Forestry Board. I have been a resident of the Grand Valley since 1995 and have structured my career in order to protect and enhance the landscapes of Grand Valley. With my diverse experience in the green industry starting as a landscape laborer and irrigation auditor, to an ecological restorationist and landscape designer, to a production arborist and now as a consulting and sales arborist; I am intimately familiar with what it takes to build smart, sustainable, water-wise landscapes here.

We are all well aware of the state of water in the Colorado River Basin. Increasing demand for a shrinking supply has required that we take a hard look at our water use, and in turn, our landscapes. However, we need to be very careful not to bite the hand that feeds us in our pursuit of water conservation- our urban forest. It is an indisputable fact that the shade trees provide aids in landscape water conservation. Trees also improve our quality of life, reduce household energy consumption, combat the heat island effect, are our best tool for climate amelioration, improve air & water quality, support wildlife, make the oxygen we breathe, buffer winds, reduce violence, shelter us from the deadly summer heat, improve drought resiliency, beautify our City, and add value to our properties. In short, our community would be miserable without our trees.

1. We must strive to preserve and promote our trees if our community is to thrive in an evermore uncertain future. To that end, the inclusion of an effective tree preservation clause in the new Landscape Regulations is paramount. As currently stated, the code reads: *“(ii) All trees not identified as prohibited on the Suitable Plants List and that have a diameter that exceeds 15 caliper inches shall be considered Significant. (iii) Where significant trees exist on a property, no fewer than 30 percent of significant trees shall be preserved during development.”*

Additionally, The Planning Commission is now advising the City Council to approve regulations with the exclusion of species in the *Populus* (Poplar) genus from the preservation clause. Basically, if it's any naturally growing tree (tamarisk, Russian olive, Siberian elm, or Cottonwood), you can remove it. So what significant trees are we trying to preserve exactly? Nobody will argue against tamarisk or Russian olive being bulldozed but the other two, while not ideal in a small backyard or along the street, do provide significant value for the landscape and community with intelligent site planning.

Developers should have to apply for an exception to tree preservation in order to remove a significant tree rather than have free rein to level any large tree that gets in their way. The way the significant tree portion of the code is currently worded, it is only marginally effective on scrape and build sites with legacy maintained landscapes (ash is on the prohibited list but that doesn't mean it isn't worth saving, does it?). It does nothing to preserve existing trees on vacant land, especially if the *Populus* genus is unprotected.

I would like to see *Populus* species included in the significant tree qualification and an exception made for Siberian elm as when the condition of the tree is strong enough to warrant preservation. I also would like

to see the elimination of the 30% required to be preserved and make ANY tree over 15" DBH (not T,RO) default to being preserved unless an exception is granted after review with a qualified Consulting Arborist/City Forester, Planning Dept. and the Design Team. While I realize the limitations that come with developing land and preserving trees, I encourage you to consider the irreplaceable value that large trees provide us. A new tree will take generations to recoup the value of the significant tree that was removed.

2. There is misapplied language in the proposed landscape regulations to encourage the planting of appropriate species but the way it is currently written does not accomplish that goal. As it reads *"(xi) A minimum of 50 percent of proposed tree plantings shall be identified as preferred trees by the Plant List."* Over decades of maintaining the urban forest of the Grand Valley, we arborists have developed a list of the species that grow well here in lieu of our alkaline, poorly draining, low organic matter soils, common pathogens, and low water availability. These trees are encompassed within the preferred plants list. Trees not on this list are not suitable for planting here and should not be allowed in new landscapes. We should require that ALL trees included in landscape designs be from the preferred plants list, not 50%. By allowing leeway, we are setting ourselves up for trees that will live a truncated life and present their new owners with costly plant health care challenges. Why would we allow developers to spec trees that cannot thrive here when there are better adapted species that also consume less water?

3. The greatest challenge to growing healthy landscapes in our environment is water delivery. If waterwise landscapes are to be a cornerstone of our revised landscape regulations (as they should be), then requiring a Certified Irrigation Designer (CID) to stamp all irrigation plans is necessary as the Landscape Architects who are currently responsible for such aspects of landscape design simply do not have the working knowledge necessary to optimize irrigation systems in our challenging site conditions. A CID can better specify which style of spray heads and emitters work best for the species being irrigated on a particular site's topography and soil type, balance flow rates across zones to minimize water waste, how to design zone layouts to accommodate for different water need plants most efficiently, and how best to program automated control systems for maximum water efficiency among many other nuanced details that add up to irrigation systems that don't waste water yet allow our plants to thrive.

The common pushback for including such a regulation in the development code is that- there is only one CID in the Grand Valley and the workload would overwhelm a single individual. But I encourage you to look at the effect of requiring all tree professionals licensed in the City to be Certified Arborists. Before that mandate was put in place, there were very few CAs working in Grand Junction. Now that we require ISA certification to receive a business license, the number of CAs has exploded and the quality and safety of tree work performed within the City has never been better. To ease the sting, I propose allowing for a 5 year transition period moving towards requiring all irrigation designs be approved by a CID.

While I applaud the planning commission for the improvements that have been made to ensure more intelligent and waterwise landscapes are designed and installed, I feel that with these few modifications, we can better ensure an effective water conscious ethos and produce the highest quality, lowest maintenance, healthiest landscapes for our communities. Which, out here in the high desert, is the basis of all that makes living here so great.

Thank you for your consideration,

William Cooper
ISA Certified Arborist, RM-8111A

The views and opinions expressed in this letter are my own

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE SECTION 21.06.040 LANDSCAPE, BUFFERING, AND SCREENING STANDARDS; SECTION 21.10.020 TERMS DEFINED; SECTION 21.03.030 MEASUREMENTS; SECTION 21.03.080 MIXED USE AND INDUSTRIAL BULK STANDARDS SUMMARY TABLE; AND SECTION 21.04.030 USE-SPECIFIC STANDARDS OF THE GRAND JUNCTION MUNICIPAL CODE.

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

The amendments to the Zoning and Development Code eliminate (1) requirements that have been proven, over time, impractical, difficult or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions; (2) inconsistencies within the Code; (3) unnecessary regulations; or (4) duplicative information.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Code amendments are necessary to maintain effective regulations to implement the Comprehensive Plan.

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

Sections 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards are amended as follows (deletions struck through, added language underlined):

21.10.020 Terms defined.

Approved Street Trees for Grand Junction's Rights-of-Way means the list of trees, shrubs, vines, and evergreens in public rights-of-way maintained by the Forestry Board (see Section 8.32.020).

Buffer/Buffering means an object or area with landscaping, including trees, shrubs, a wall, fence, berm, or any combination thereof that serves as a visual and auditory screen between properties.

Colorado Nursery Act means C.R.S. Title 35 Article 26 as amended.

Caliper means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree or 6 inches above the root ball at time of planting.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Evergreen tree means any tree having foliage that persists and remains green throughout the year.

Functional turf means an area of turf measuring no less than 30 feet in width and length with a minimum area 1,500 square feet for the purposes of common recreational uses open to the public, members of a neighborhood, or clients and/or customers of a commercial or office use.

Graywater treatment works means an arrangement of devices and structures used to: (a) collect graywater from within a building or a Facility; and (b) treat, neutralize, or stabilize graywater within the same building or Facility to the level necessary for its authorized uses. C.R.S 25-8-103(8.4)

Improved area means the developed portion of a property consisting of areas occupied by buildings, asphalt, concrete, gravel, or landscaped area. Where phased development is proposed, the improved area shall be identified and measured separately for each phase of development.

Lot coverage means that area of the lot or parcel which may be occupied by impervious surfaces.

Noxious or invasive species means non-native plants that have a recognized harmful impact on natural habitats and/or are likely to displace native plant species for light, space, soil moisture and nutrients, including those noxious species identified under the Colorado Noxious Weed Act codified at C.R.S. Title 35 Article 5.5, as amended.

Ornamental tree means a tree that has a height and spread between 15 feet and 30 feet at maturity.

Shade tree means a tree that has a height and/or spread of 30 feet or greater at maturity.

Suitable Plant List means a list maintained by the Director of plant species and genera approved to be installed in accordance with this code.

Root ball means the mass formed by the roots of a plant and the soil surrounding them at the time of planting.

Rootzone means the area of the ground around the base of the tree where rooting occurs, as measured from the trunk to a distance twice the radius of the canopy drip line.

Shade tree means a tree that has a height and/or spread of 30 feet or greater at maturity.

Suitable Plant List means a list maintained by the Director of plant species and genera approved to be installed in accordance with this code.

Tree canopy coverage means the area of ground directly beneath the leaves and branches of trees.

Turf means grasses planted to form a dense growth of leaf blades and roots, such as Kentucky Blue Grass and similar species used for planting lawns.

~~Water wise means landscape methods which conserve water through the use of drought-tolerant plants, planting and irrigation techniques.~~

Xeriscape or xeriscaping means landscape plantings that reduce the need for irrigation.

21.03.030 Measurements.

(e) Lot Coverage. Lot coverage is measured as the percentage of the total lot area covered by impervious surfaces. It is calculated by dividing the square footage of impervious surface by the square footage of the lot.

21.03.080 Mixed Use Standards.

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	None	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	None	50	50	100	100	100	100	100	100

Frontage	None	None	None	None	None	None	None	None	None	None	None
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	10	0	10	10	10	10	10	10	10	10
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	0	5	0	5	5	5	5	5	5	5	0
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot coverage (max.)	<u>70%</u>	<u>80%¹ 00%</u>	<u>100%</u>	<u>80%¹ 00%</u>	<u>80%¹ 00%</u>	<u>75% 100 %</u>	<u>80% 100 %</u>	<u>80% 100 %</u>	<u>80% 100 %</u>	<u>90% 100 %</u>	<u>90% 100 %</u>
Height (max. ft.)	40	40	80	65	65	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	None	16	None	24	None	None	24	24	None	None	None
** Gross floor area	10,000	15,000	None	None	None	None	None	None	None	None	None
Notes											

B-1: Max. gross floor area varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000

B-2: Parking front setback for parking as a principal use – 30 ft., as an accessory use – 6 ft.

C-1: Min. rear setback – 0 if an alley is present

CSR: Maximum building height abutting residential – 40 ft.

** Gross floor area calculated for maximum size may exclude eaves, covered or uncovered porches, upper story decks and balconies, breezeways, exterior covered stairwells and attached decorative walls which are less than or equal to three feet in height.

21.04.030 Use-Specific Standards

(g) Mini-Warehouse.

- (1) Purpose. This subsection sets standards for the establishment of safe and attractive mini-warehouse developments. These standards apply to all mini-warehouses, including those that provide indoor and/or outdoor units.
- (2) Accessory Uses. Accessory uses may include living quarters for a resident manager or security and leasing offices.
- (3) Uses Prohibited.
 - (i) No owner, operator or lessee of any mini-warehouse or portion thereof shall offer for sale or sell any item of personal property, or conduct any type of commercial activity of any kind whatsoever, including such uses as sales, service and repair operations, manufacturing, or truck/equipment rentals, other than leasing of the units, or permit same to occur upon any area designated for the mini-warehouse use, except that estate or foreclosure sales held by the mini-warehouse owner or operator shall be allowed.
 - (ii) No outside storage shall be permitted except the storage of licensed vehicles within approved areas designated for such storage. This storage shall meet the requirements of GJMC 21.04.040.
- (4) Landscaping and Screening. All mini-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.040:
 - ~~(i) A 30-inch-high by 10-foot-wide landscaped berm is required between storage units and the abutting public right-of-way. The berm shall include trees that are planted every 30 feet.~~
 - (ii) For outdoor mini-warehouse units, landscaping islands shall be provided at the end of each row of storage units when visible from the public right-of-way. Landscape islands shall be planted with shrubs that reach at least five feet of height at maturity.

(45) Off-Street Parking and Driveways Standards.

(i) Drive aisles within outdoor mini-warehouse facilities shall be a minimum of 26 feet wide for single-load aisles and 30 feet for double-load aisles.

(ii) A minimum of two parking spaces shall be provided adjacent to the primary entry structure.

(56) Architectural and Site Design Standards. All mini_-warehouses shall meet the following standards:

(i) Mini_-warehouses that front public rights-of-way shall provide a primary entry structure at the entrance of the development that meets the following standards:

(A) No parking shall be placed between the building and the street.

(B) Windows or similar architectural features shall cover at least 30 percent of the street-facing facade.

(C) Building materials such as brick, stone, wood, architectural-grade metal, or similar exterior shall be used.

(D) Two of the following features shall be utilized in the design of the primary entry structure:

a. Tower feature.

b. Facade articulations on the street-facing facade.

c. Roofline articulations in the street-facing facade.

d. Decorative lighting on the street-facing facade. This lighting must comply with all standards found in GJMC 21.06.080.

(ii) Any street-facing facade of each storage unit must be covered with building materials such as brick, stone, wood, architectural-grade metal, or similar exterior.

(67) Signage. All mini_-warehouses shall provide the following in addition to meeting standards of GJMC 21.06.070:

(i) Individual mini_-warehouses shall be clearly marked with numbers or letters identifying the individual units and a directory of the unit locations shall be posted at the entrance or office of the facility.

- (ii) Signs or other advertising shall not be placed upon, attached to, or painted on any walls or fences required for landscaping and buffering in the mini-warehouse development.

21.06.040 Landscape, buffering and screening standards

(a) **Purpose and Goals.** The purpose of this section is to enhance the aesthetic appeal and context sensitivity of new development, achieve efficient use of water resources, expand urban tree canopy, and contribute to a livable urban environment. Landscaping reduces heat and glare, ~~facilitates movement of traffic within parking areas, provides shade for citizens shades cars and parking surfaces,~~ reduces local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, ~~buffers and screens potentially incompatible uses from one another,~~ and conserves and enhances the value of property and neighborhoods within the City.

(b) ~~General Landscape Standards.~~ Authority.

(1) The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions, except for trees, shrubs, vines, and evergreens in the right-of-way. The City Forester shall decide all questions of plantings in the right-of-way.

(2) Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.

C —General Landscape Standards

(1) Compliance. All landscaping required by this code shall comply with the standards and requirements of this section. ~~The landscaping requirements of this code shall not apply to a lot zoned for one or two dwellings.~~ Landscaping for new developments shall occur in buffer areas, all interior parking areas, along the perimeter of the property, around new and existing structures, and along street frontages and within any right-of-way not used ~~nor planned to be used~~ for infrastructure.

(2) Plant Quantities. The amount of landscaping is based on ~~gross area~~the improved area of proposed development.

(3) Landscaping Standards. All new development must install, ~~and~~ maintain, and protect landscaping as required by this code. (See subsection ~~(b)(1k)~~ of this section for an example of the landscaping requirements of this section.)

~~(i) On-site frontage landscaping may not apply in the B-2 zone downtown commercial. (See zone district standards.)~~

(i) The landscaping requirements of this code shall not apply to a lot on which the principal use is a single family residence or duplex. Requirements for residential subdivisions shall continue to apply.

(ii) Landscaping in the abutting right-of-way is required in addition to overall site landscaping requirements and must be installed and maintained as required by Section 21.06.040(b)(16) of this code.

(iii) Buffer landscaping is required in addition to overall site landscaping requirements as required by this Code.

(4) Acceptable Plant Material. ~~Vegetation must be suitable for Grand Junction's climate and soils. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious weeds are not allowed. (The Director will keep a list of suitable plants.)~~

(i) Vegetation must be suitable for Grand Junction's climate and soils and shall be selected from the City of Grand Junction Suitable Plant List, to be maintained by the Director. Applicants may petition the inclusion of plants not found on the Suitable Plant List and shall provide sufficient information about the proposed species to facilitate review. The Suitable Plan List identifies the anticipated water needs of each plant species. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, etc. Noxious or invasive species are not allowed to be planted in development but may be preserved in development.

(A) The Director maintains the authority not to approve a plant species that appears on the Suitable Plant List if the Director deems it inappropriate under the planting conditions proposed in a development.

(iii) Plant materials shall meet or exceed the plant quality and species standards of the current American Standard for Nursery Stock and be consistent with the Colorado Nursery Act.

(iv) All plants proposed for installation shall be selected, spaced, and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(vi) Turf not meeting the definition of functional turf shall not exceed 15 percent of any required landscaping area in the City of Grand Junction.

(vii) Functional turf may exceed the 15 percent maximum.

(5) Minimum ~~pPlant s~~ Sizes ~~are~~: All plants shall meet the following minimum plant sizes when installed.

(i) Shade tree, two-~~inch~~ caliper inches ~~(measured six inches above root ball) at time of planting. At maturity, a shade tree has a height and/or spread of 30 feet or greater.~~ If two-~~inch~~ caliper inch shade trees are not available due to seasonal shortages or shortages in desired varieties, the Director may approve the installation of smaller trees, provided the proportional difference in caliper inches is compensated for by installing additional trees. ~~For example, the installation of six one-and-one-half-inch caliper shade trees would result in a shortfall of three caliper inches, which could be compensated for with two additional one-and-one-half-inch trees.~~ However, a minimum caliper of one and one-half inches shall be required.

(ii) Ornamental tree, one-and-one-half-~~inch~~ caliper inches ~~(measured six inches above root ball) at time of planting. At maturity, an ornamental tree has a spread and height between 15 feet and 30 feet.~~

(iii) Evergreen tree, two caliper inches and six feet tall at time of planting.

(iv) ~~Deciduous shrub~~ Shrub, #5 container.

~~(v) Evergreen shrub, five-gallon container.~~

(vi) Perennials and ground covers, #5 container.

(vii) Turf mix, native grasses and wild flower mix are the only vegetation that may be planted as seed or by plugs. Turf may planted as sod rolls

<u>Minimum Plant Sizes</u>	
<u>Planting Type</u>	<u>Size at Time of Planting</u>
<u>Shade Tree</u>	<u>Two caliper inches</u>
<u>Ornamental Tree</u>	<u>One-and-one-half caliper inches</u>
<u>Evergreen Tree</u>	<u>Two caliper inches and six feet tall</u>
<u>Shrub</u>	<u>#5 Container</u>
<u>Perennial</u>	<u>#1 Container</u>
<u>Groundcover</u>	<u>#1 Container</u>
<u>Turf</u>	<u>As seed, by plug, or as sod roll</u>

(67) Irrigation. All vegetation and landscaped areas must be provided with a permanent irrigation system including a system supplied by water from an approved graywater treatment works.

(i) Non-potable irrigation water shall be used if available for the proposed development area unless the Director allows the use of potable water.

(ii) An underground pressurized irrigation system and/or drip system is required for all landscape areas. ~~on the property and in any right-of-way.~~

(iii) If connected to a ~~drinking-potable~~ water system, all irrigation systems require State-approved backflow prevention devices.

(iv) All irrigation for non-potable irrigation water systems must have adequate filters easily accessible above ground or within an appropriately sized valve box.

(v) Native grasses must have a permanent irrigation source that is zoned separately from higher water demand landscapes. Once the grasses are

established, irrigation to native grass areas can be reduced to a level that maintains coverage typical of the grass mix and to suppress weed growth.

(vi) Irrigation applied to trees shall be expanded or supplemented as appropriate to rootzone expansion over the life of the tree.

(78) ~~Landscape Plans and Equivalent Plants.~~

(i) All applications for development shall identify the required landscaped areas and include a landscape plan in accordance with the requirements in this section. Landscape plans must identify the species and sizes of vegetation (SSID manual).

(ii) All landscaping shall be installed, maintained, and protected as shown on the approved plan.

(iii) All changes to the landscape plan require prior written approval from the Director.

(ivii) An equivalent species may be substituted in the field with prior written approval of the Director without prior approval of the Director, provided a revised drawing is submitted to the Department. Plants are “equivalent” if they have the same growth habit and rate, same cover, leafing, shade characteristics and function, have similar water requirements as identified as the City of Grand Junction Suitable Plants List, and thrive in the same microclimate, soils and water conditions.

~~(iv) All other changes to the landscape plan require prior approval from the Director.~~

(v) All development plans shall designate required landscaping areas. ~~Subdivision plats shall designate required landscaping areas.~~

~~(vi) Landscape plans shall identify the species and sizes of vegetation. The owner shall keep each fire hydrant unobscured by plant material.~~

(vii) Landscape plans shall be stamped by a ~~licensed~~ licensed in the State of Colorado landscape architect. Inspection and compliance with approved landscape plan must be certified by a licensed landscape architect prior to issuance of a certificate of occupancy, or the release of DIA security funds. Additionally, the property owner or irrigation installer must provide a letter describing that adequate additional capacity exists in the irrigation system to support the landscaping materials at maturity prior to issuance of a certificate of occupancy or the release of DIA security funds.

(A) A licensed landscape architect is not required to produce landscape plans if the plans are submitted for a Minor Site Plan review unless required by State statute. All other requirements continue to apply to landscaping for Minor Site Plans.

(viii) All landscape plans shall include an irrigation plan. The irrigation plan shall comply with the standards in the SSID manual. See GJMC 21.06.010(c).

(ix) Utility composite plans must be submitted with landscape plans.

(x) Expansion of a developed site as defined in GJMC 21.02.100(f) that requires a Site Plan Review shall require a landscaping plan and correction of nonconforming landscaping as provided in GJMC 21.08.040.

(xi) Tree protection measures shall be clearly identified on the construction and landscape plans.

(xii) Wall and fence elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.

(8) Preservation of Significant TreesLandscape Features.

(i) Existing landscape features such as escarpments, large ~~or old~~ trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the ~~DirectorApplicant~~ as part of the development review process. This identification shall include a written inventory of significant trees to be produced with a landscaping plan. Any significant tree as defined in subsection (c) below shall be identified on the proposed landscaping plan. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development. If a significant live feature which was to be preserved dies or is substantially damaged, the developer shall replace it with an equivalent feature as determined by the Director. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction under the canopy drip line of the tree unless the City Forester says otherwise.

(ii) All trees not identified as prohibited on the Suitable Plants List and that have a diameter that exceeds 15 caliper inches shall be considered significant. ~~During construction, fencing or similar barriers shall isolate and protect the landscape features to be preserved.~~

~~(iii) Where significant trees exist on a property, no fewer than 30 percent of significant trees shall be preserved during development. Significant trees that are removed shall be replaced at a rate of one caliper inch of tree per two caliper inches of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.06.040(h)(6) for credit applied to preserved trees. All protection measures shall be clearly identified on the construction and landscape plans.~~

~~(ivii) Significant trees to be preserved shall be visibly healthy and free from disease or parasite infection. No vehicles or equipment shall be driven or parked nor shall any materials be piled within the canopy drip line of any tree to be preserved.~~

~~(v) Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.~~

~~(A) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.~~

~~(B) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.~~

~~(C) If a significant tree which was to be preserved dies or is substantially damaged, the developer shall replace it at the rate of one newly planted tree per 2 caliper inches of damaged or destroyed tree.~~

(9) Protection of Landscape Areas. All landscape areas (except in the right-of-way where a street side curb does not exist) shall be protected from vehicles through the use of concrete curbing, large rocks, or other similar obstructions.

(10) Utility Lines. If the location of utilities conflicts with the landscaping provisions, the Director may approve an equivalent alternative.

~~(i) Utility composite plans must be submitted with landscape plans.~~

~~(ii) Trees which will grow to a height of greater than 15 feet at maturity shall not be planted under electrical lines.~~

~~(iii) Ornamental and evergreen trees planted under an electrical line may count towards the total tree requirement.~~

(11) Sight Distance. The owner shall maintain all vegetation, fences, walls and berms so that there is no sightsite distance hazard nor road or pedestrian hazard (see TEDS).

(12) Soil and Planting Beds. Soil in landscape areas must be amended and all vegetation planted in accordance with good horticultural practices.

(i) Details for the planting of trees, shrubs and other vegetation must be shown on the landscaping plans.

(ii) Shrub beds adjacent to turf or native grass areas are to be edged with concrete, metal, brick or substantial wood material. Plastic and other light duty edgings are not allowed.

(iii) Organic mMulch to a minimum of 3 inches and weed fabric areis required for all shrub beds.

(iv) ~~The minimum square footage of planting area for a five-gallon evergreen or deciduous shrub is 16 square feet. These minimum square footages may be varied by a qualified professional. Prior to planting, compacted soils shall be transformed to a friable condition.~~

(v) Compost, soil amendments, or retained topsoil shall be incorporated into the soil to a minimum depth of 6 inches for tree and shrub plantings.

(13) Trees.

~~(i) Trees should not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape area and between parking bays, helps eliminate this conflict and should be considered.~~

(ii) Tree canopies may overlap by up to 2030 percent of the diameter of the tree at maturity. Tree clustering may be allowed with some species so long as clustering does not adversely affect the mature canopy.

(ii) Trees which will grow to a height of greater than 25 feet at maturity shall not be planted under overhead electrical lines.

(iii) Weed fabric shall not be used within 8 feet of the base of a tree.

~~(iiiiv)~~ At planting, tree shall be healthy and free of disease. Tree trunks must be reasonably straight with minimal doglegs. Roots shall be checked prior to planting and corrected for optimal growth patterns.

(iv) Wire baskets, burlap wrappings, rope, twine or any similar shipping materials shall be removed before planting.

(vi) Tree planting holes shall be of sufficient depth so that the flare of the tree above the root ball is no higher than 1 inch above grade.

(vii) Tree planting holes shall be of a diameter no less than three times the diameter of the tree's root ball at time of planting.

(viii) The minimum square footage of planting area for a shade tree is 140 square feet. ~~The Director may vary the minimum square footage.~~

(ix) Ornamental trees shall be planted in a landscape strip that is no less than six feet in width (not including curb and gutter). Shade trees shall be planted in a landscape strip that is no less than eight feet in width (not including curb and gutter).

(xvi) SpeciesTree Diversity. The percent of any one type of tree that can be planted in a development shall be as follows:

(A) Zero through five trees: No limitation.

(B) Six to ten~~24~~ trees: No more than 50 percent of one speciesgenus.

(C) Eleven to twenty trees: No more than 33 percent of one genus

(C) twenty-one~~24~~ or more trees: No more than 20 percent of one speciesgenus.

(xi) A minimum of 50 percent of proposed tree plantings shall be identified as preferred trees by the Plant List.

(xii) Trees shall not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape areas and between parking bays, helps eliminate this conflict and should be considered.

(xiii) When calculating tree quantities, any fraction of a tree is rounded up to the next whole number.

(14) Shrubs.

(i) ~~Twenty-five percent of the required shrubs may be converted to turf based on one five-gallon shrub per 50 square feet of turf. A minimum 25~~

percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

~~(ii) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three one-gallon perennials and/or ground covers for one five-gallon shrub.~~

(iii) ShrubSpecies Diversity. The percent of any one type of shrub that can be planted in a development shall be as follows:

(A) ~~Ten~~10 through 19 shrubs: 50 percent per genus.

(B) ~~Twenty~~20 through 39 shrubs: 33 percent per genus.

(C) ~~40~~Forty or more through ~~59~~ shrubs: 25 percent per genus.

~~(D) 60 or more shrubs: 15 percent.~~

~~(iiv) When calculating tree and shrub quantities, any fraction of a shrub ~~or tree or other requirement~~ is rounded up to the next whole number.~~

~~(iv) With the approval of the Director, the number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch. The minimum area for planting an evergreen or deciduous shrub is 16 square feet.~~

(15) Maintenance:

~~(i) The owners, tenants, and occupants, including homeowners' associations, for all new and existing uses in the City must maintain landscaping in a healthy, growing, neat and well-maintained condition:~~

~~(i) Maintain landscaping in a healthy, growing, neat and well-maintained condition.~~

~~(ii) (A) Maintenance includes watering, weeding, pruning, fertilization, pest control, trash and litter removal, replacement of dead or diseased plant material, reseeding and other reasonable efforts.~~

~~(iii) (B) Any plant that dies or substantially damaged due to improper maintenance must be replaced with an equivalent live plant within 90 days of notification plant death or, ~~if during the winter,~~ by the next April 1st.~~

(iv) Hay mulch used during the preparation or establishment of landscaping must be certified weed-free by the Colorado Department of Agriculture.

~~(v) On his own or based on a citizen complaint, the Director may, without notice and without a warrant, walk on the landscaped portion of the property from time to time to inspect the condition of landscaping. The Director or designee may from time to time, inspect the condition of landscaping wherever no reasonable expectation of privacy exists.~~

~~(A) The purpose of such site inspections shall be to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section.~~

~~(vi) Between one and two years after installation of required landscaping, Code Enforcement shall conduct a site inspection to verify that all required landscaping has been maintained in a healthy, growing, neat and well-maintained condition. Property owners shall be notified of necessary corrective action for failure to comply with the maintenance provisions of this section. Maintenance of landscaping in unimproved rights-of-way shall be the responsibilities of owners, occupants, and tenants.~~

~~(v) Fire hydrants shall not be unobscured by plant material. Fire hydrants shall be visible from the center of the right-of-way at an angle of 45 degrees.~~

~~(vi) These requirements shall be specified in the articles of incorporation or bylaws for a homeowners' association whenever the homeowners' association is assigned the responsibility of maintaining landscape areas.~~

~~(16) Public Right-of-Way. Except where a detached sidewalk exists or is proposed and approved (see subsection (b)(16)(iv) of this section), landscaping on public right-of-way shall not be counted toward any landscape or open space requirements of this code, unless specifically provided otherwise in this code.~~

(i) All unimproved right-of-way adjacent on the side abutting a development which is not in the City's ~~one~~ten-year capital plan to be improved must be landscaped. All right-of-way landscaping shall be irrigated and maintained by the adjoining private property owner, unless the City agrees to accept it for

maintenance. If it is to be maintained by the City, a separate irrigation system shall be provided.

(ii) At least 75 percent of the unpaved adjacent right-of-way shall be landscaped with turf, low shrubs or ground cover. ~~The Director may vary the required landscaping to obtain a consistent appearance in the area or with existing or planned right-of-way landscaping. No more than 15% of the right-of-way shall be landscaped with turf.~~

(iii) For the purpose of meeting minimum plant quantities, 50 percent of landscaping plantings on public right-of-way shall be counted toward the landscape or open space requirements of this code, unless specifically provided otherwise in this Code.

(iv) The owner of the nearest property shall keep all rights-of-way, which are not hard surfaced, free of weeds, litter, junk, rubbish and obstructions. To prevent weed growth, erosion and blowing dust, right-of-way areas not covered by vegetation or paving shall be covered with organic mulch, wood chips, bark chips, decorative rocks or cobble, or similar natural materials, to be underlain by weed fabric or other barrier.

(iv) Where detached sidewalks exist, or are proposed, a maximum of 50 percent of the public right-of-way landscaping may be counted toward the total required landscaping. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every 40 feet. Right-of-way landscaping shall be a minimum of eight feet wide in any direction.

(vi) The Director may allow decorative paving in landscaped areas in commercial or other high pedestrian traffic areas if the decorative paving is compatible with nearby right-of-way paving and landscaping. No tree shall be removed from the public right-of-way without the approval of the City Forester. Trees removed from the right-of-way without approval shall be subject to penalties per GJMC 9.04.100.

(vii) Trees planted in the public right-of-way shall be of species identified on the list of Approved Street Trees for Grand Junction's Rights-of-Way.

(17) Pervious Coverage. Landscaped and buffer areas shall count toward the pervious area requirements surfaces included in lot coverage calculations.

~~(18) Authority.~~

~~(i) — The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions.~~

~~(ii) — The Director may approve an applicant's request to vary from the required number and types of plants or landscaped area if:~~

~~(A) — The number of trees exceeds 25 percent of the minimum number of trees; and/or~~

~~(B) — Trees exceed the minimum caliper requirement by one inch or more; and/or~~

~~(C) — Additional berming or other attractive buffering, public art, enhanced paving treatments for public plazas (brick or concrete pavers, tinted and stamped concrete, etc.) is provided. The Director may grant up to a 10 percent reduction of the square footage of improved area used to calculate the landscape requirement where these types of enhancements are included in a development.~~

~~(D) — Additional trees or larger trees can be exchanged on a per-caliper-inch basis with three shrubs equaling one caliper inch. Credit for using larger trees would be based on a direct exchange of caliper inches. For example: 10 three-inch caliper trees equaling 30 caliper inches is the same as 15 two-inch caliper trees equaling 30 caliper inches; one two-inch caliper tree equals six shrubs. Trees may be substituted for shrubs, but shrubs may not be substituted for trees.~~

~~(E) — If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.~~

~~(19) — Water Wise. Because of Grand Junction's desert environment, water wise design and the use of xeric (low water use) plants are strongly encouraged. Water wise designs shall employ the seven basic principles of xeric design which include "comprehensive planning and design for low water use, creating practical turf areas, selecting low water use plants and organizing plants by water usage, using adequate soil prep, using water conserving mulches, irrigating efficiently and maintaining the landscape appropriately" (source: Denver Water Board).~~

~~(i) — Low water use plants are encouraged for use in the "typical" urbanized landscape, especially where the plants can be irrigated (zoned) separately from higher water use plant material. This way of using xeric plants is compatible with any of the requirements of this code.~~

~~(ii) — Landscaping designs that mimic the "desert" character of Grand Junction's setting are also encouraged, but must be carefully designed so that~~

~~the basic requirements for shade, screening and buffering are met. Because of this, the Director must approve “desert” or xeric landscape plans as well as variances from the required plant coverage ratios. To further encourage xeriscaping, one-gallon xeric plants shall be equivalent to five-gallon traditional plants. Trees shall be installed in accordance with subsection (b) of this section.~~

(c) **Parking Lots.** The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(1) Interior Landscaping Requirement. Landscaping is required in the interior of parking lots to direct traffic, to shade cars and structures, to reduce heat and glare and to screen cars from adjacent properties. The interior of all parking lots shall be landscaped as follows:

(i) One landscaped island, parallel to parking spaces, is required for each 20 parking spaces. ~~In lieu of the standard landscape island, one “orchard style” landscape island may be used for every six parking spaces. The orchard style landscape islands shall be evenly spaced between end landscape islands. (See subsection (j) of this section.)~~

(ii) Landscape islands must be at least 140 square feet. The narrowest/smallest dimension of a parking lot island shall be eight feet, measured from back of curb to back of curb.

(iii) One landscaped divider island, parallel to the parking lot drive aisles, designed to prevent diagonal movement across the parking lot, shall be located for every three parking lot drive aisles.

(iv) A landscape island is required at the end of every row of parking spaces, regardless of length or number of spaces.

~~(v) Wheel stop barriers on all sides adjacent to the parking lot surface are required to protect landscape islands from vehicles.~~

(vi) A corner area (where it is not feasible to park a vehicle) may be considered an end island for the rows on the perimeter of the parking lot.

(vii) Landscaping of the interior of a parking lot shall include trees and shrubs.

(vi) To improve the management of stormwater runoff, structurally-sound permeable pavers may be used in parking areas, subject to the approval of the Director. Use of permeable pavers for ten parking stalls shall result in a reduction of one required parking stall per the required parking ratios in GJMC 21.06.050.

(vii) Trees planted in parking lot islands shall be selected from those identified as Parking Lot Island Trees on the Plant List.

(vii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(ix) The use of bioswales in parking lot designs is encouraged to facilitate stormwater management.

(2) Parking Lot Perimeter. Landscaping is required around the entire perimeter of a parking lot ~~to assist in the shading of cars,~~ to assist in the abatement of heat and to reduce the amount of glare from glass and metal, and to assist in the screening of cars from adjacent properties. The perimeter of a parking lot is defined as the curb line defining the outer boundaries of the parking lot, including dumpster enclosures, bike racks, or other support facilities that are adjacent to the outer curb. Entry drives between a parking lot and the street, drives connecting two internal parking lots or building entry plazas are not included in the perimeter area. The requirements of this subsection are applicable to all public and private parking areas but not to automobile display areas for automobile dealerships (General Retail Sales, Outdoor Operations, Display or Storage) and self-service storage as defined in GJMC 21.04.

(i) Screening shall occur between a street and a parking lot. When screening is required, ~~and~~ street frontage landscape shall apply. (See subsections (c)(3) and (l) of this section.)

(ii) The minimum dimension allowed for the parking lot perimeter landscape strip is ~~six~~8 feet. The width of a landscape strip can be modified by the Director, provided the intent of this section is met.

(iii) Landscaping along the perimeter of parking lots shall include trees and shrubs.

(iv) Parking lots shared by more than one owner shall be landscaped around the perimeter of the combined lots.

(v) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Screening. All parking lots abutting rights-of-way, entry drives, and adjacent properties must be screened. For this subsection, a “screen” means a ~~turf~~ berm ~~and/or~~ with appropriate groundcover or shrubs.

(i) A 30-inch-high screen is required along 70 percent of parking lots abutting rights-of-way, entry drives, and adjacent properties, excluding curb cuts. The 30-inch screen shall be placed so as to maximize screening of the cars in the parking lot, when viewed from the right-of-way and shall be measured from the ground surface, or the elevation of the roadway if the adjacent road is higher than the property.

(ii) Screening shall not be required between parking lots on adjoining lots where the two lots are designed to function as one.

(iii) If a landscape area is 30 feet wide or greater between a parking lot and a right-of-way, the 30-inch-high screen is not required. This 30-foot-wide or greater area must be ~~100~~75 percent covered in plant material including tree canopy coverage, shrubs, and groundcover at maturity within three years. ~~Turf is allowed.~~

~~(iv) The Director may approve a screen wall between a parking lot and a right-of-way if the lot or parcel is unusually small.~~

(iv) A screen wall must not be taller than 30 inches, unless the adjacent roadway is higher than the property, in which case the screen wall shall be 30 inches higher than the adjacent roadway.

~~(vi) Two five-gallon shrubs may be substituted for four linear feet of wall; shrubs must reach a height of at least 30 inches at maturity.~~

~~(vii) A column or jog or equivalent architectural feature is required for every 25 linear feet of wall.~~

(viii) The back of the wall must be at least 30 inches from the face of curb for bumper overhang.

(~~ix~~) Shrubs ~~shall~~must be planted on the street side of the wall.

(viiix) There must be at least five feet between the right-of-way and the paved part of a parking lot to use a wall as a screen.

~~(xi) Wall elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch equals one foot.~~

(viiiixii) Walls shall be solid masonry with finish on both sides. The finish may consist of stucco, brick, stone or similar material. Unfinished or merely painted concrete block is not permitted.

(ixiii) Shrub plantings in front of a wall are not required in the B-2 downtown district.

(x) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(d) **Street Frontage Landscape.**

(1) Within all zones (except single-family uses in single-family, B-2 and form based zone districts), the owner shall provide and maintain a minimum 14-foot-wide street frontage landscape adjacent to the public right-of-way.

(2) A minimum of 75 percent of the street frontage landscape shall be covered by plant material at maturity.

~~(3) The Director may allow for up to 50 percent of the 14-foot-wide street frontage to be turf, or up to 100 percent turf coverage may be allowed if the parking lot setback from the right-of-way exceeds 30 feet. Low water usage turf is encouraged.~~

~~(4) All unimproved right-of-way adjacent to new development projects shall be landscaped and irrigated by the owner and/or homeowners' association as per subsection (b)(16) of this section.~~

(35) Landscaping within the street frontage shall include trees and shrubs. If detached walks are not provided with street trees, street trees shall be provided in the street frontage landscape, including one tree for every 40 feet of street frontage.

(4) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent

of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

~~(6) Where detached walks are provided, a minimum street frontage landscape of five feet is acceptable.~~

(e) **Buffers.**

(1) Buffers shall be provided between different zoning districts as indicated in subsection (k) of this section.

(i) ~~Seventy-five~~75 percent of each buffer area shall be landscaped with ~~turf, low~~ shrubs or ground cover at maturity.

(ii) One ~~medium sized~~ tree is required per every 40 linear feet of boundary between different zones.

(iii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Exceptions.

(i) Where residential or collector streets or alleys separate zoning districts, the Director can require more landscaping instead of a wall or fence.

(ii) Where walkways, paths, or a body of water separates zoning districts, the Director may waive a fence or wall requirement provided the buffering objectives are met by private yards.

(iii) Where a railroad or other right-of-way separates zoning districts, the Director may waive the buffer strip if the buffering objectives are met without them.

(f) **Fences, Walls and Berms.**

(1) Fences and Walls. When a higher density or intensity zoning district abuts a lower density or intensity zone district, it is the responsibility of the higher density or intensity property to buffer the abutting zone district according to subsection (k) of this section. When an existing fence or wall substantially meets the requirements of this section, and subsection (k) of this section requires the same form of buffering, an additional fence on the adjacent developing property shall not be required. However, if the new development requires the placement of a wall, and a fence exists on the adjacent property, the wall shall be required. If a wall is

required and a fence is in place, the wall must be placed adjacent to the fence. (Subsection (k) of this section should be referenced to determine when a wall or a fence is required. The more stringent standard shall apply; i.e., if a wall is required and a fence is in place, the wall must be placed adjacent to the fence.) Fences must comply with GJMC [21.04.040\(i\)](#)~~21.04.040(i)~~, any design guidelines and other conditions of approval. Fences and walls required by this section must meet the following:

(i) Maximum height: six feet (outside of front setback, 30-inch solid height or four feet height if two-thirds open within the front setback and must meet all sight distance requirements).

(ii) Fence type: solid wood or material with a similar appearance, finished on both sides.

(iii) Wall type: solid masonry finished on both sides. Finish may consist of stucco, brick, stone or similar material but unfinished or merely painted concrete block is not permitted.

(iv) Location: within three feet of the property line unless the space is needed to meet landscaping requirements.

(v) A wall must have a column or other significant architectural feature every 30 feet of length.

(vi) Any fence or wall over six feet in height requires a building permit.

(vii) No person shall construct or maintain a fence or a wall without first getting a fence/wall permit from the Director.

(2) Berms. Minimum requirements for berms are as follows:

(i) Maximum slope of 4:1 for turf areas and 3:1 for shrub beds; and

(ii) To control erosion and dust, berm slopes must be stabilized with vegetation or by other means consistent with the requirements for the particular landscape area.

(g) Residential Subdivision Perimeter Enclosures.

(1) Intent. The [Directordecision-maker](#) may require ~~(where deemed necessary)~~ perimeter enclosures (fences and/or walls) around all or part of the perimeter of a residential development. Perimeter enclosures shall be designed to meet the following objectives of protecting public health, safety and welfare: screen negative impacts of adjoining land uses, including streets; protect privacy; maintain a

consistent or complementary appearance with enclosures in the vicinity; maintain consistent appearance of the subdivision; and comply with corridor overlay requirements.

(2) Applicability. When required by the Director, the standards of this subsection shall apply to all residential subdivisions as well as to all mixed-use subdivisions where the square footage of proposed residential uses exceeds the square footage of proposed non-residential uses.

(2) Specifications. Unless specified otherwise at the time of final approval:

(i) A perimeter enclosure includes fences, walls or berms, and combinations thereof, located within five feet of the exterior boundary of a development.

(ii) The maximum height is six feet, including within front setbacks; however, an enclosure constructed on a berm shall not extend more than eight feet above the adjoining sidewalk or crown of road, whichever is lower.

(iii) New enclosures shall be compatible with existing enclosures in the vicinity, if such enclosures meet the requirements of this code.

(iv) A perimeter enclosure in excess of six feet is a structure and requires a building permit.

(v) A perimeter wall must have a column or other significant architectural feature every 30 feet.

(vi) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Required Perimeter Enclosures. The decision-maker may require a perimeter enclosure as a condition of the final approval if:

(i) Use or enjoyment of property within the development or in the vicinity of the development might be impaired without a perimeter enclosure.

(ii) A perimeter enclosure is necessary to maintain a consistent and complementary appearance with existing or proposed perimeter enclosures in the vicinity.

(iii) A perimeter enclosure is necessary to control ingress and egress for the development.

(iv) A perimeter enclosure is necessary to promote the safety of the public or residents in the vicinity.

(v) A perimeter enclosure is needed to comply with the purpose, objectives or regulations of the subdivision requirements.

(vi) A perimeter enclosure is needed to comply with a corridor overlay district.

~~(vii) The Director will notify applicants of the need for a perimeter enclosure, if required.~~

~~(4) Design of Perimeter Enclosures. A complete landscape plan for the required landscape buffer and a detail drawing of the perimeter enclosure must be submitted at the time of final approval: perimeter enclosure detail at a scale of one-half inch equals one foot.~~

(5) Residential Subdivision Landscape Buffer. On the outside of a perimeter enclosure adjacent to a right-of-way, a 14-foot-wide (on average) landscape buffer shall be provided between the perimeter enclosure and the right-of-way for major and minor arterial streets and major or minor collectors. A five-foot-wide landscape buffer for side and rear yard perimeters shall be provided on all other streets between the perimeter enclosure and the right-of-way.

~~(i) Vegetation in the sight triangle (see TEDS, GJMC Title 29) shall not exceed 30 inches in height at maturity;~~

(ii) In the landscape buffer, one tree per 40 linear feet of perimeter must be provided;

(iii) All perimeter enclosures and landscape buffers must be within a tract dedicated to and maintained by the homeowners' association. The perimeter enclosure and landscaping must be installed by the developer and made a part of the development improvements agreement;

~~(iiv) A minimum of 75 percent of the landscape buffer area shall be covered by plant material including tree canopy coverage, shrubs, and groundcover at maturity. Turf may be allowed for up to 50 percent of the 14-foot-wide landscape strip, at the Director's discretion. Low water usage turf is encouraged;~~

(iv) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(v) Where detached walks are provided, a minimum buffer of five feet shall be provided. In which case, the right-of-way parkway strip (area between the sidewalk and curb) will also be planted as a landscape buffer and maintained by the HOA.

(6) Construction of Perimeter Enclosures. The perimeter enclosure and required landscape buffer shall be installed by the developer and included in the development improvements agreement.

(7) Ownership and Maintenance. The developer shall refer to the perimeter enclosure in the covenants and restrictions and so that perpetual maintenance is provided for either that the perimeter enclosure be owned and maintained by the owners' association or by individual owners. The perimeter enclosure shall be identified on the plat.

(8) Alternative Construction and Ownership. If the ~~Director decision-maker~~ finds that a lot-by-lot construction, ownership and/or maintenance of a perimeter enclosure landscape strip would meet all applicable objectives of this section and the design standards of GJMC ~~21.06.060~~ 21.06.060, ~~the final approval approved plans~~ shall ~~note specify~~ the type and size of materials, placement of fence posts, ~~and length of sections, and the like.~~

(9) Overlay District Conflicts. Where in conflict, the perimeter enclosure requirements or guidelines of approved overlay districts shall supersede the requirements of this section.

~~(10) Variances. Variances to this section and appeals of administrative decisions (where this code gives the Director discretionary authority) shall be referred to the Planning Commission.~~

(h) Substitutions. The requirements outlined in GJMC 21.06.040(i) above may be varied based at the following rates of substitution.

(1) Required trees may be substituted for shrubs and required shrubs may be substituted for trees at a rate of three shrubs equaling one caliper inch of tree. For example: 3 two-inch caliper trees equaling 6 caliper inches may be exchanged for 12 shrubs, or vice versa.

(i) No more than 30 percent of the number of trees required by GJMC 21.06.040(j) may be substituted for shrubs.

(2) Two #5 container shrubs may be substituted for four linear feet of wall when walls are required per GJMC 21.06.040(c)(3). Shrubs substituted for walls must reach a height of at least 30 inches at maturity.

(3) Ten percent of the required shrubs may be converted to perennials and/or ground covers at a ratio of three #1 container perennials and/or ground covers for one #5 container shrub.

(4) The number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three shrubs per caliper inch.

(6) Existing trees preserved during development shall count toward the total tree requirement at a ratio of two caliper inches of preserved tree to one caliper inch of required tree plantings.

	<u>Tree</u>	<u>Shrub</u>	<u>Groundcover/Perennials</u>	<u>Wall</u>
<u>Tree</u>	<u>Two caliper inches preserved tree to one caliper inch required</u>	<u>Three shrubs for one caliper inch of tree</u>	<u>n/a</u>	<u>n/a</u>
<u>Shrub</u>	<u>Three shrubs for one caliper inch of tree</u>	<u>n/a</u>	<u>Three #1 container perennials and/or ground cover for one #5 container shrub</u>	<u>Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall</u>
<u>Groundcover/Perennials</u>	<u>n/a</u>	<u>Three #1 container perennials and/or ground cover for one #5 container shrub</u>	<u>n/a</u>	<u>n/a</u>
<u>Wall</u>	<u>n/a</u>	<u>Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall</u>	<u>n/a</u>	<u>n/a</u>

(ih) I-1 and I-2 Zone Landscape.

(1) Parking Lot Perimeter Landscape. Landscaping for the parking lot perimeter shall be per subsection (c)(2) of this section with the following addition:

~~(i) Turf may be allowed for up to 50 percent of the parking lot perimeter, at the Director's discretion. Low water usage turf is encouraged.~~

(ii) A minimum of 75 percent of the parking lot perimeter landscape shall be covered by plant material including tree canopy, shrubs, and groundcover at maturity.

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(2) Street Frontage Landscape. Landscaping for the street frontage shall be per subsection (d) of this section with the following additions:

~~(i) Vegetation in the sight triangle in the street frontage must not exceed 30 inches in height at maturity.~~

~~(ii) One tree for every 40 linear feet of street frontage (excluding curb cuts) must be provided, 87 percent of which must be shade trees.~~

(ii) A minimum 25 percent of the proposed shrubs and ground cover shall be identified as native or native alternative on the Suitable Plants List, and 90 percent of the proposed shrubs and ground cover shall be identified as xeric, xeric-low, xeric-medium, or low water on the Suitable Plants List.

(3) Public Right-of-Way Landscape. Landscaping for the public right-of-way shall be per subsection (b)(17~~6~~) of this section.

(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

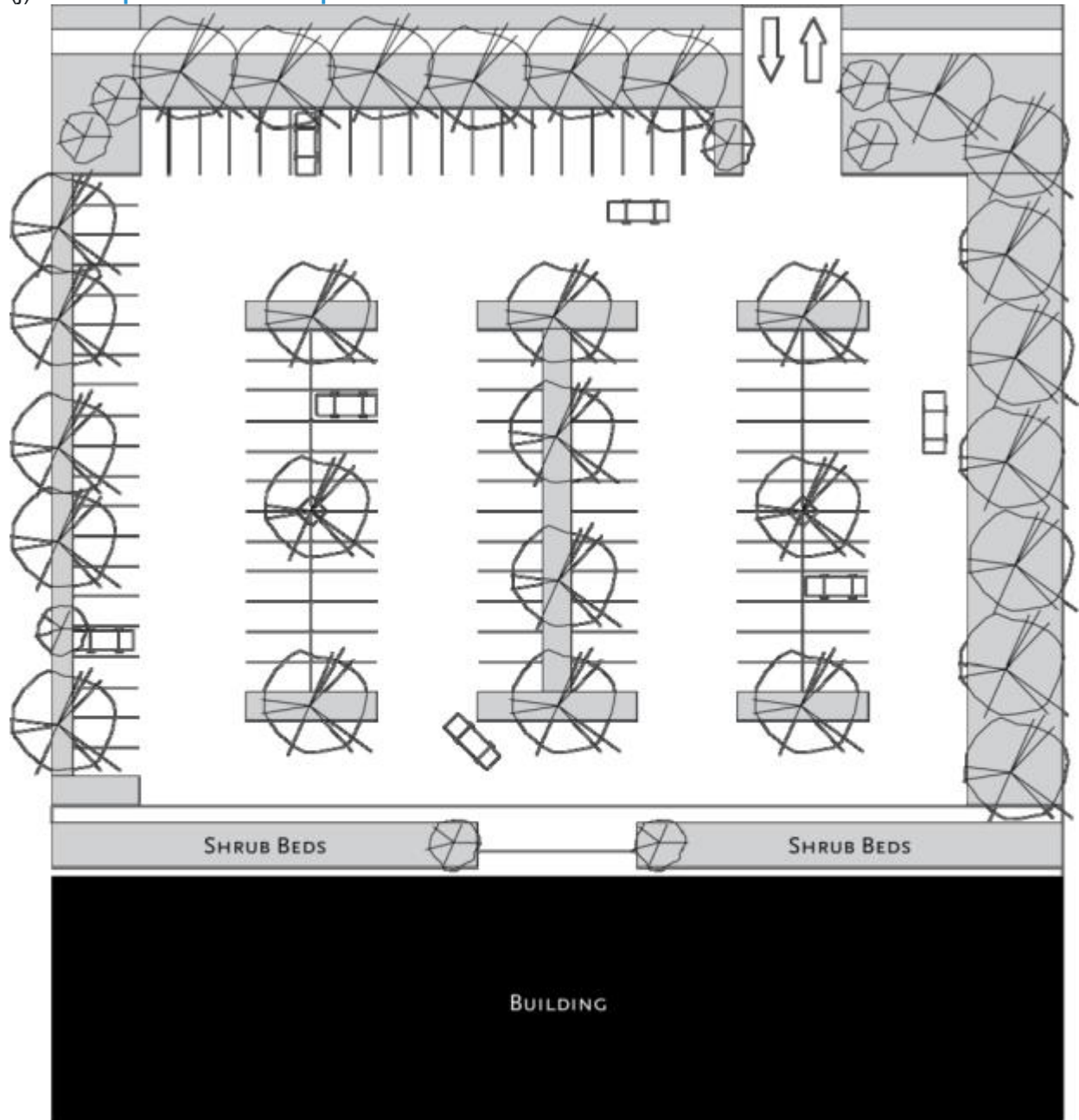
(5) Other Applicable Sections. The requirements of subsections ~~(i)~~, (j), ~~(k)~~ and ~~(k)~~ of this section shall also apply.

(i) Landscaping Requirements.

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
Single-family residential (R zones)	As required for uses other than single-family residential; and as required in subsections (b)(16) and (g) of this section	As required for uses other than single-family residential; and landscape buffer and public right-of-way
R-5, R-8, R-12, R-16, R-24, R-0, B-1, C-1, C-2, I-O, CSR, MU	One <u>Two</u> caliper inches of tree per 2,500 <u>3,000</u> square feet of improved area, with no more than <u>24</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 450 <u>300</u> square feet of improved area	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
B-2	One <u>Two</u> caliper inches of tree per 2,500 <u>3,000</u> square feet of improved area, with no more than <u>24</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 450 <u>300</u> square feet of improved area	Parking lot, park strip (in right-of-way)
I-1, I-2	As required in subsection (h) of this section and in other subsections of this section where applicable	Street frontage, parking lots, buffers and public right-of-way
MXR, MXG, MXS, MXOC	One <u>Two</u> caliper inches of tree per 3,000 square feet of improved area, with no more than <u>42</u> percent of the total being ornamental trees or evergreens. One five-gallon <u>#5 container</u> shrub per 300 square feet of improved area. Plantings must be evenly distributed throughout the development	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way
Facilities: mining, dairy, vineyard, sand or gravel operations, confined animal feeding operation, feedlot, forestry commercial, aviation or	One <u>Two</u> caliper inches of tree per 5,000 square feet of improved area. One five-gallon <u>#5 container</u> shrub per 600 square feet of improved area	Perimeter, buffer and public right-of-way

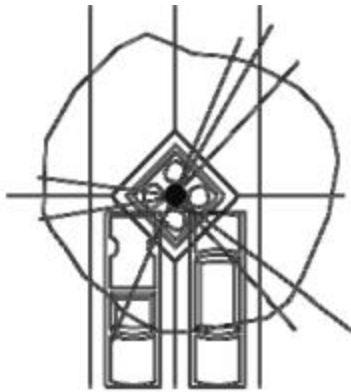
Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
surface passenger terminal, pasture		

(j) **Example Tree Landscape Plan.**




SHADE TREES


**ORNAMENTAL TREES
AND EVERGREENS**



6' X 6' SQUARE SHOWN
7' X 7' ALSO POSSIBLE

ORCHARD-STYLE LANDSCAPE ISLAND

(k) Buffering Between Zoning Districts.

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
SF (Subdivisions)	-	-	-	-	-	-	F	-	F	W	W	W	F	-	F	-	-	-
R-5	-	-	-	-	-	-	F	-	F	W	W	W	-	-	F	-	-	-
R-8	-	-	-	-	-	F	F	-	F	W	W	W	F	-	F	A	-	-
R-12 & R-16	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
R-24	-	-	-	-	-	-	F	-	W	W	W	W	F	-	F	A	-	-
RO & MXOC	A	A	A	A	A	-	A or F	-	A or F	W	W	W	A or F	-	A or F	A	-	-
B-1	F	F	F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	A or F	-	A or F	A	-	-
B-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C-1	A&W	W	W	W	W	W	-	-	-	-	-	-	-	-	-	-	-	-
C-2 & I-O	W	W	W	W	W	W	F	-	-	-	-	-	A or F	A or F	A or F	A&W	-	-
I-1	W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
I-2	B&W	W	W	W	W	W	F	-	-	-	-	-	A or F	B&W	A or F	B&W	A or F	A or F
M-U	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	A or F	A or F	A or F	A or F	-	-	-	-	-	-
CSR3 ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Zoning of Proposed Development	Zoning of Adjacent Property																	
	SF	R-5	R-8	R-12 R-16	R-24	R-O & MXOC	B-1	B-2	C-1	C-2 I-O	I-1	I-2	M-U	CSR	BP	MXR-	MXG-	MXS-
BP	A or F	A or F	A or F	A or F	A or F	A or F	A or F	-	-	-	-	-	-	-	-	A or F	A or F	A or F
MXR-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXG-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-
MXS-	-	-	-	-	-	-	F	-	-	W	W	W	F	-	F	-	-	-

Notes

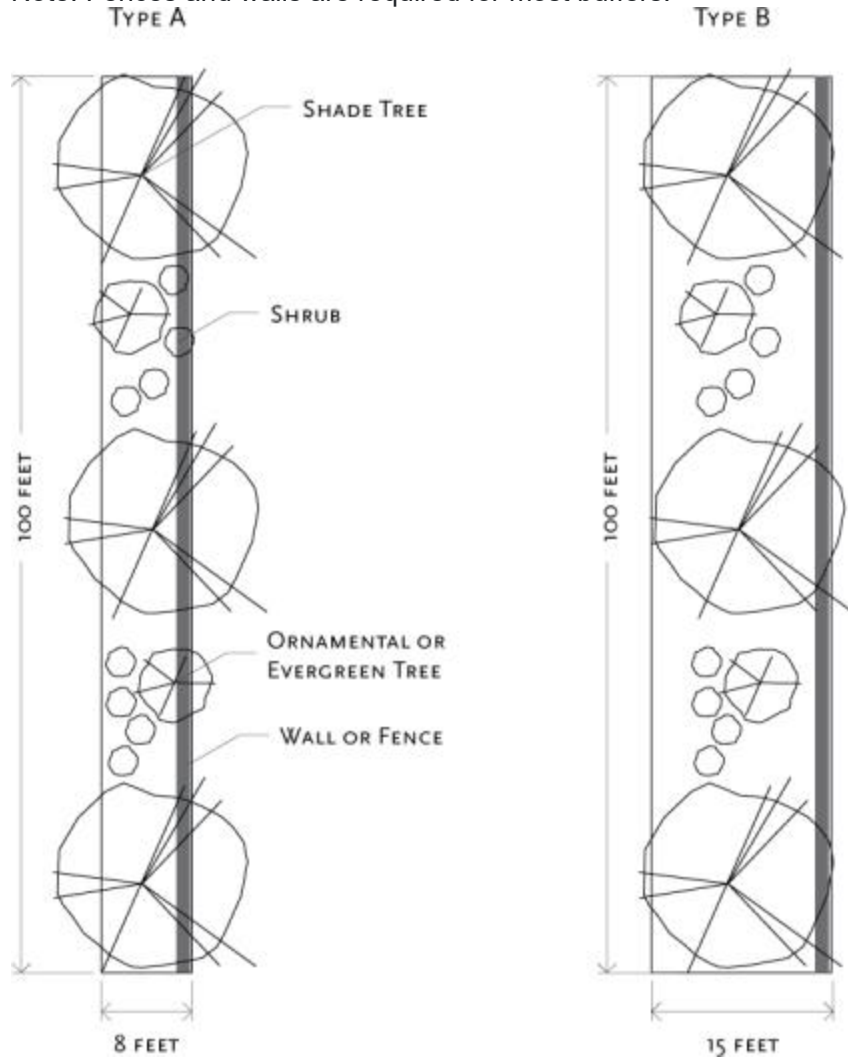
- A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet.
- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
- The Director may modify this table based on the uses proposed in any zone district.

¹ Gravel operations subject to buffering adjacent to residential.

(l) **Buffer Requirements.**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
Type A	Eight-foot-wide landscape strip with trees and shrubs	Between different uses
Type B	15-foot-wide landscape strip with trees and shrubs	Between different uses
Type F, W	Six-foot fence and wall (see subsection (f) of this section)	Between different uses

Note: Fences and walls are required for most buffers.



(Ord. 4646, 11-19-14; amended during 2010 codification; Ord. 4419, 4-5-10)



Grand Junction City Council

Regular Session

Item #6.a.

Meeting Date: October 5, 2022

Presented By:

Department: City Manager's Office

Submitted By:

Information

SUBJECT:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY LOCATED AT 244 N. 7th STREET, GRAND JUNCTION, COLORADO

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

None



Grand Junction City Council

Regular Session

Item #6.b.

Meeting Date: October 5, 2022

Presented By:

Department: City Clerk

Submitted By:

Information

SUBJECT:

EXECUTIVE SESSION TO DISCUSS MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SECTIONS 24-6-402 (4)(e)(I) AND 24-6-402 (4)(a) OF COLORADO'S OPEN MEETINGS LAW RELATIVE TO A POSSIBLE PURCHASE OF REAL PROPERTY SPECIFICALLY REGARDING ORCHARD MESA POOL

RECOMMENDATION:

EXECUTIVE SUMMARY:

BACKGROUND OR DETAILED INFORMATION:

FISCAL IMPACT:

SUGGESTED MOTION:

Attachments

None