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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, DECEMBER 13, 2022 - 5:30 PM
*Attend virtually: <https://bit.ly/GJ-PC-12-13-22>***

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)
2. Consider a request to vacate a 50' x 44' piece of ROW located adjacent to a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue.
3. Consider a request to vacate two portions of a multipurpose easement located on a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue.
4. Consider a request by the Applicant, Horizon Cache, LLC to Vacate a slope easement containing 0.47 acres on property located at 702 Horizon Drive as granted to the City of Grand Junction ("City") by Reception Number 2075083.

Regular Agenda

1. Consider a request by Grand Junction Venture LLC to zone 17.42 acres from County Residential Single Family – 4 (RSF-4) to R-12 (Residential – 12 du/ac) located at the northeast corner of 31 Rd and E ½ Rd.
2. Consider a request by Alex Vat, on behalf of Lucky You Properties, LLC, Property Owner, to rezone 2.11 acres from PD (Planned Development) to C-1 (Light Commercial) located at 2992 Patterson Road.
3. Consider an 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

Other Business

Adjournment



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: December 13, 2022
Presented By: Nicole Galehouse, Principal Planner
Department: Community Development
Submitted By: Nicole Galehouse, AICP, Principal Planner

Information

SUBJECT:

Consider a request to vacate a 50' x 44' piece of ROW located adjacent to a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue.

RECOMMENDATION:

Staff recommends approval of this request.

EXECUTIVE SUMMARY:

The Applicant, PXP1 Brookwillow, LLC, is requesting the vacation of a 50' x 44' piece of right-of-way (ROW) known as Brookwillow Drive, located on the eastern side of Brookwillow Loop between Orion Way & Wolcott Avenue. The vacation area contains approximately 2,202 square feet of land.

The subject property is part of the Brookwillow Subdivision. The applicant is in the process of site plan approval for a multifamily development on the property to the east of the requested right-of-way vacation. During the review, it was determined that the right-of-way vacation would allow the project to better utilize the space for the project and would eliminate the City's responsibility for maintenance of a driveway to a private development.

BACKGROUND OR DETAILED INFORMATION:

The subject vacation area of 2,202 square feet is located approximately 1,100 feet east of 24 ½ Road on the eastern side of Brookwillow Loop between Orion Way & Wolcott Avenue. The right-of-way was dedicated in 2006 as part of the Brookwillow Village Planned Unit Development plat. In this earlier phase of the development, Brookwillow Drive was created with the idea of providing connectivity to the east. As the project has

reached buildout and other properties to the east have developed, the need for this connection is no longer present.

The proposed vacated area will be incorporated into the overall site design. The Applicant has requested to vacate the right-of-way and abutting multipurpose easements (VAC-2022-674, under separate consideration) to allow for the subject area to function as a driveway into the multifamily site and to allow for additional parking. Given that the right-of-way only provides access into this one site, the Applicant is requesting the vacation of the right-of-way to accommodate the proposed development.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting

A Neighborhood Meeting was held on November 7, 2022 at Appleton Elementary. There were four attendees from the public in addition to applicant, one of their staff, and city staff. Neighbors were unopposed to the vacation of the right-of-way but expressed concern about there being inadequate parking in the area.

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 October 3, 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 on December 2, 2022. The notice of this public hearing was published December 6, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate 2,202 square feet of existing public right-of-way does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. Vacation of this right-of-way will have no impact on public facilities or services provided to the general public since it only provides access into a single development site.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

- Principal 3: Responsible and Managed Growth
- Policy 4: Maintain and build infrastructure that supports urban development.

- Policy 5: Plan for and ensure fiscally responsible delivery of City services and infrastructure.

Therefore, staff has found this criterion has been met.

- (2) No parcel shall be landlocked as a result of the vacation;

This request is to vacate existing public right-of-way which is not needed to provide access to the subject property. The proposed development will take access from Brookwillow Loop. Additionally, should the plans change, the site is surround on all sides by rights-of-way so has additional opportunities for access. Therefore, staff has found that this criterion has been met.

- (3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

This vacation request does not impact access to any parcel and as such, staff finds this criterion has been met.

- (4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

There will be no impact to public facilities and services. Ute Water and Xcel Energy responded during the utility review that there was no objection to the vacation of this property. No comments were received from other review agencies. Staff therefore finds this criterion has been met.

- (5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

Neither staff nor utility providers have identified that this request will inhibit the provision of adequate public facilities and services. The site plan review is complete and has identified adequate public facilities and services for the development. Staff finds that this criterion has been met.

- (6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

This proposal will remove right-of-way that is not necessary for any City transportation networks and functions as more of a driveway than a right-of-way. Approval of this request will remove the maintenance requirements of the City on private development. As such, Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Brookwillow Village F6 – Public Right-Of-Way Vacation, VAC-2022-673, located adjacent to a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue, the following findings of fact have been made with the recommended conditions of approval:

The request conforms with Section 21.02.100 (c) of the Zoning and Development Code.

Therefore, Staff recommends conditional approval of the requested vacation.

SUGGESTED MOTION:

Mr. Chairman, on the Brookwillow Village F6 – Public Right-Of-Way located adjacent to a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue, City file number VAC-2022-673, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. BWV F6 ROW Dev Application
2. Site Location, Aerial, Land Use, Zoning, Esmt Exh
3. BWV F6 Vacation 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:

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: <input style="width: 350px;" type="text" value="24 1/2 Road & Brookwillow Loop"/>	Site Acreage: <input style="width: 150px;" type="text" value="2.5"/>
Site Tax No(s): <input style="width: 350px;" type="text" value="2945-041-95-100 & 2945-041-34-000"/>	Site Zoning: <input style="width: 150px;" type="text" value="R-16"/>
Project Description: <input style="width: 700px; height: 20px;" type="text"/>	

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:

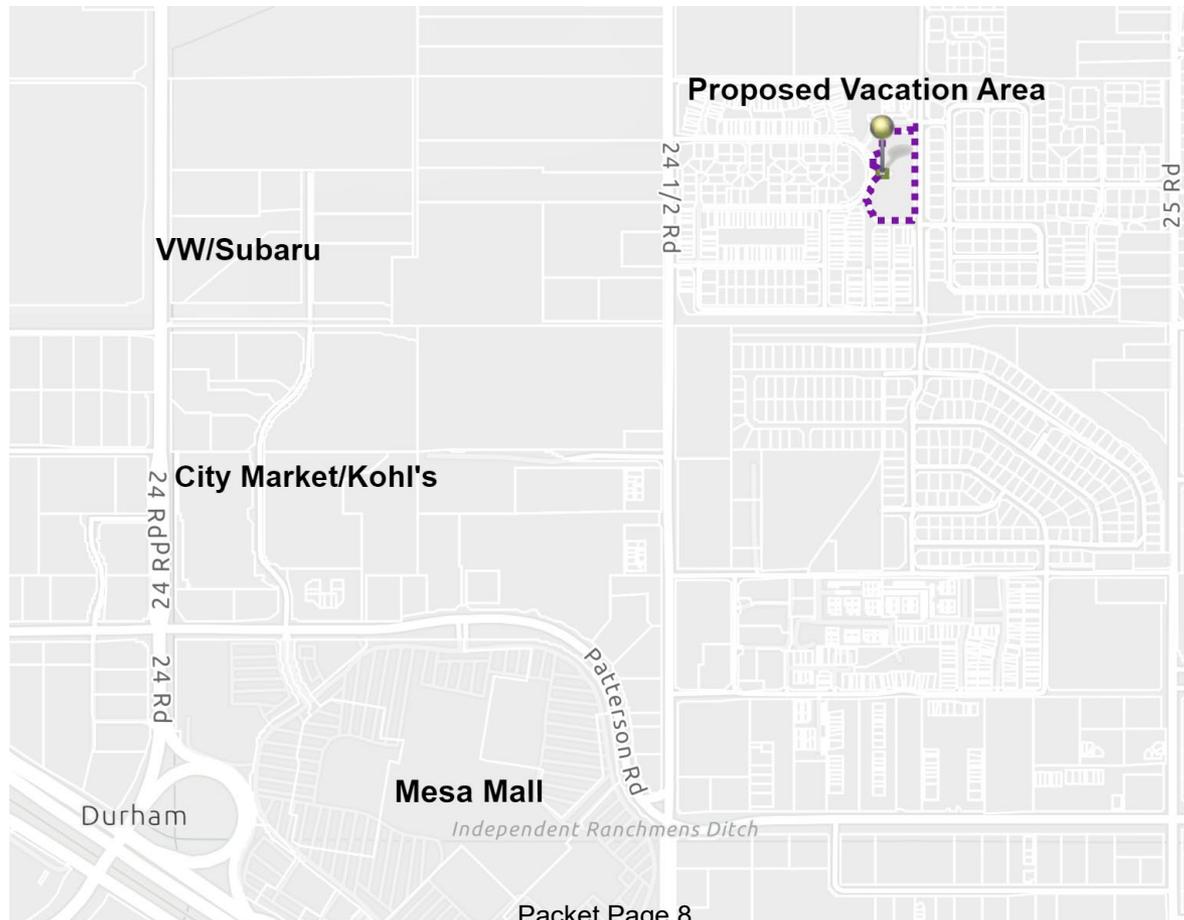
Contact Phone #:

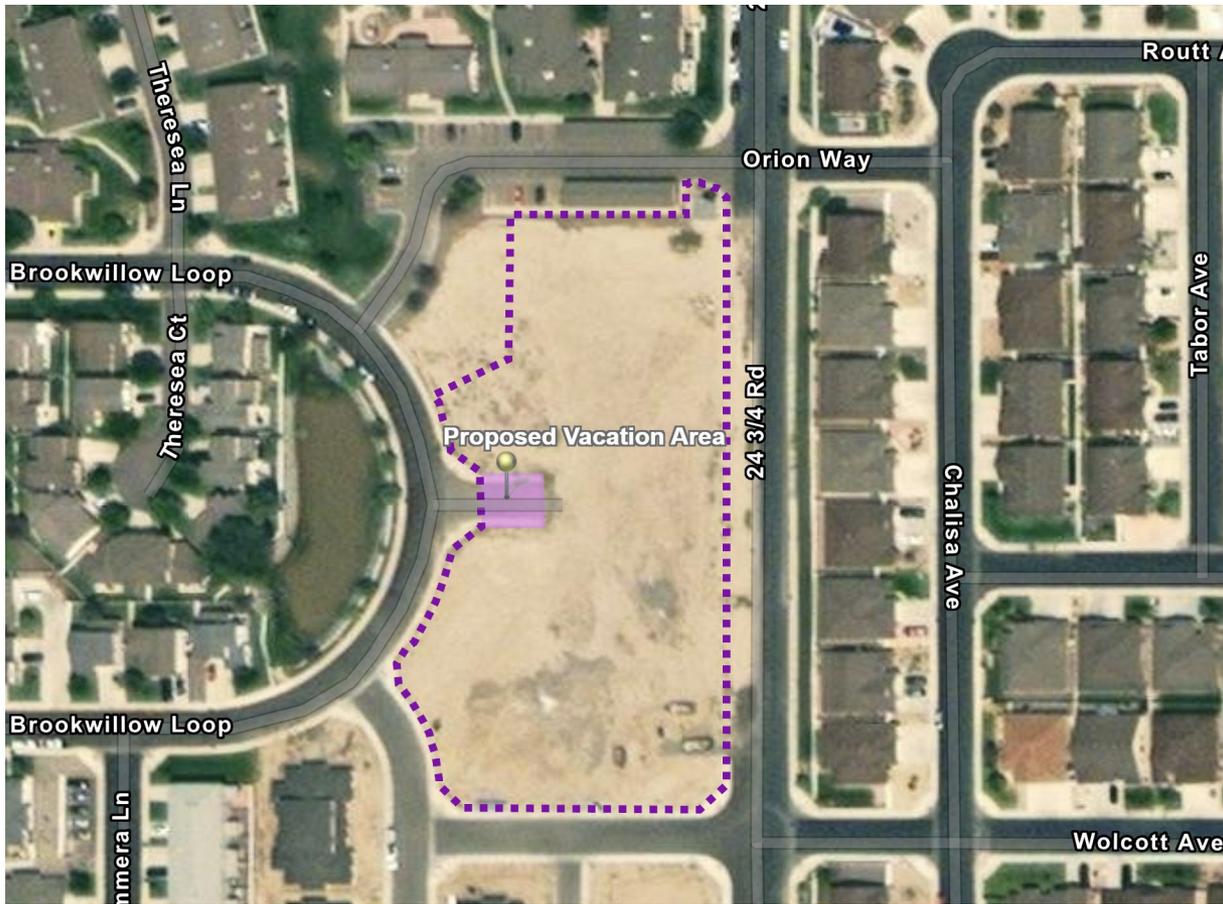
NOTE: Legal property owner is owner of record on date of submittal.

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	<input style="width: 100%;" type="text"/>
Signature of Legal Property Owner		Date	<input style="width: 100%;" type="text" value="8/30/22"/>

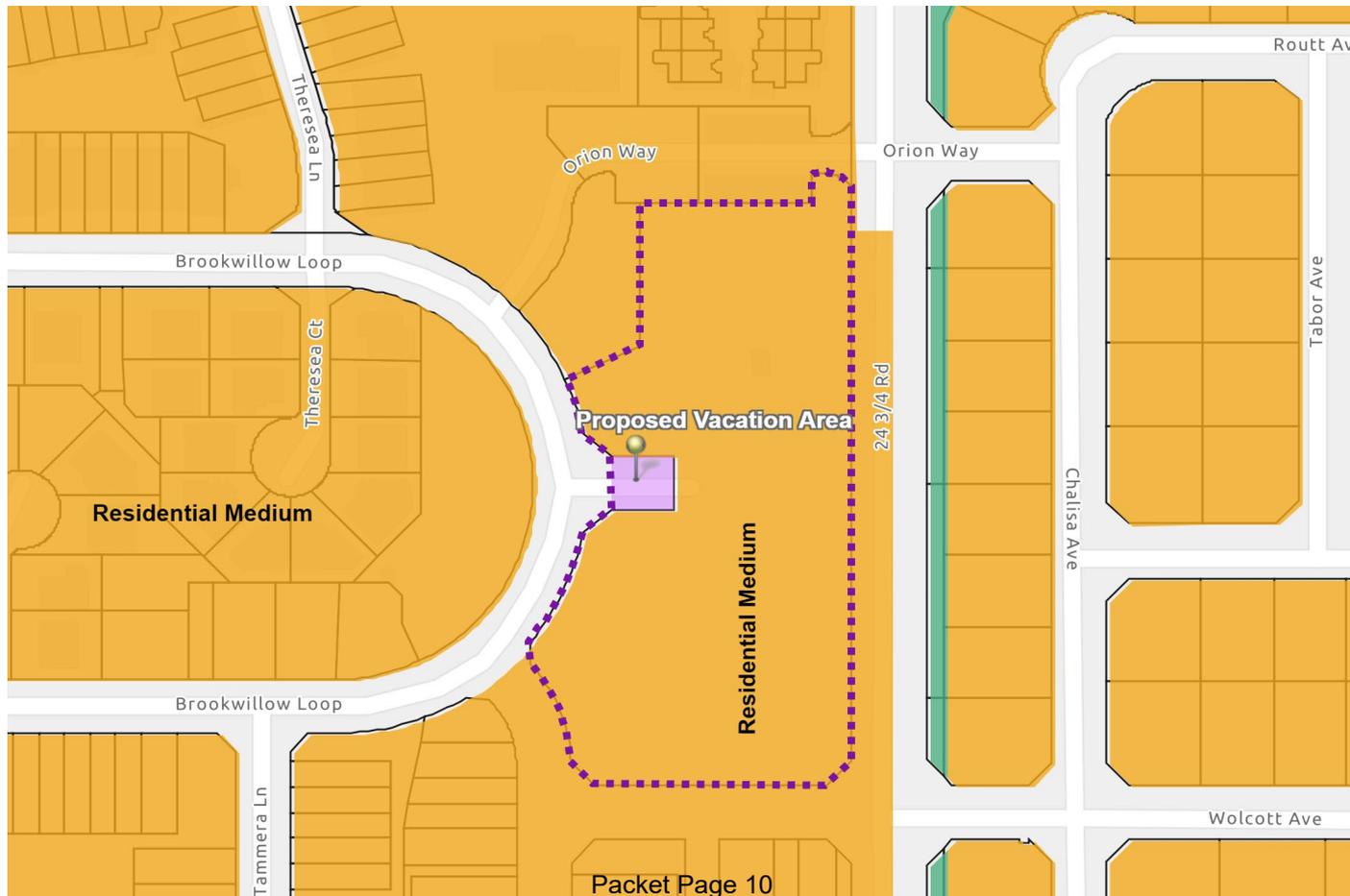
Site Location Map



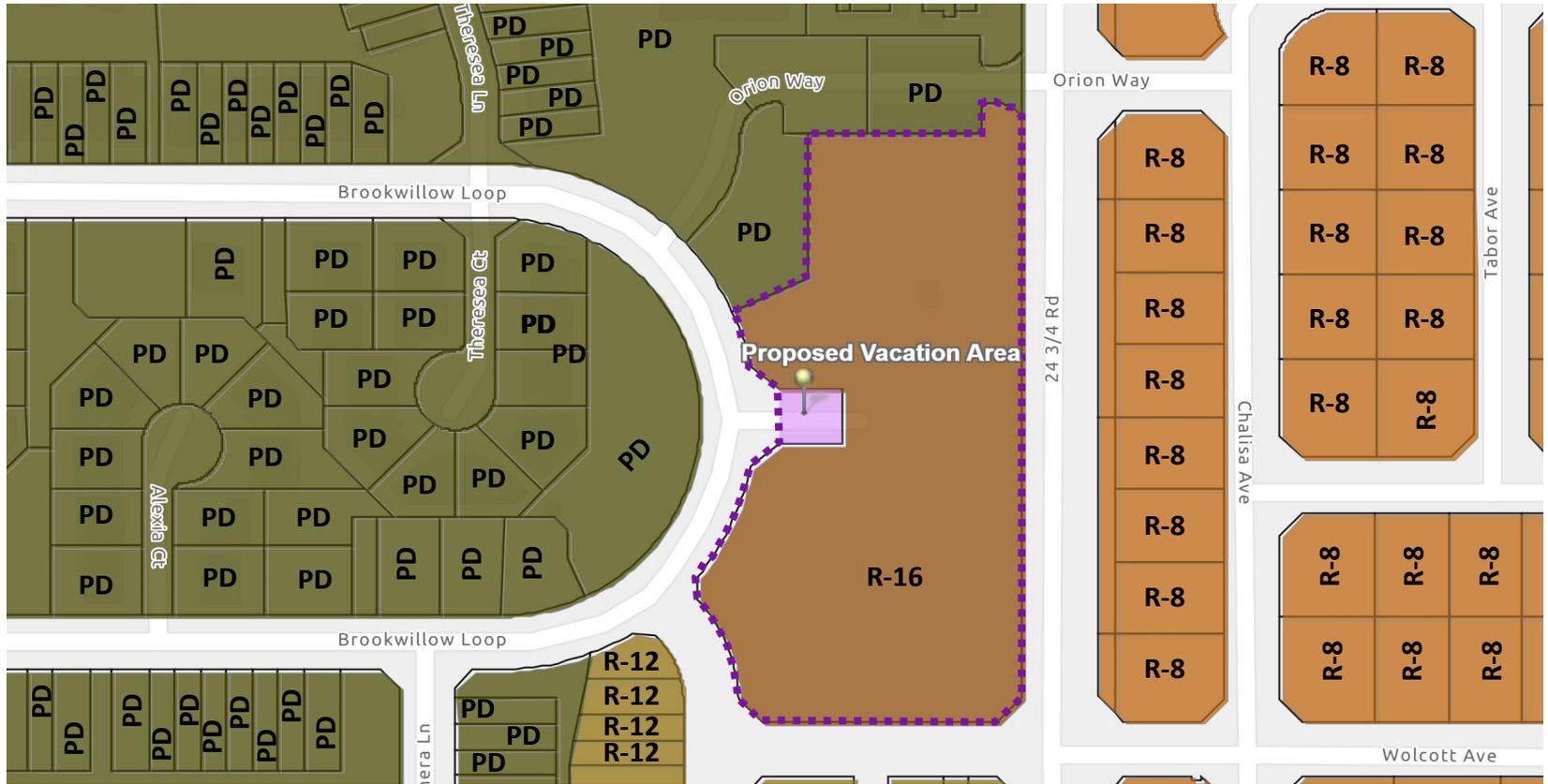


Aerial Photo Map

Future Land Use Map

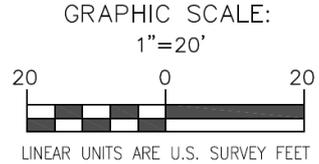
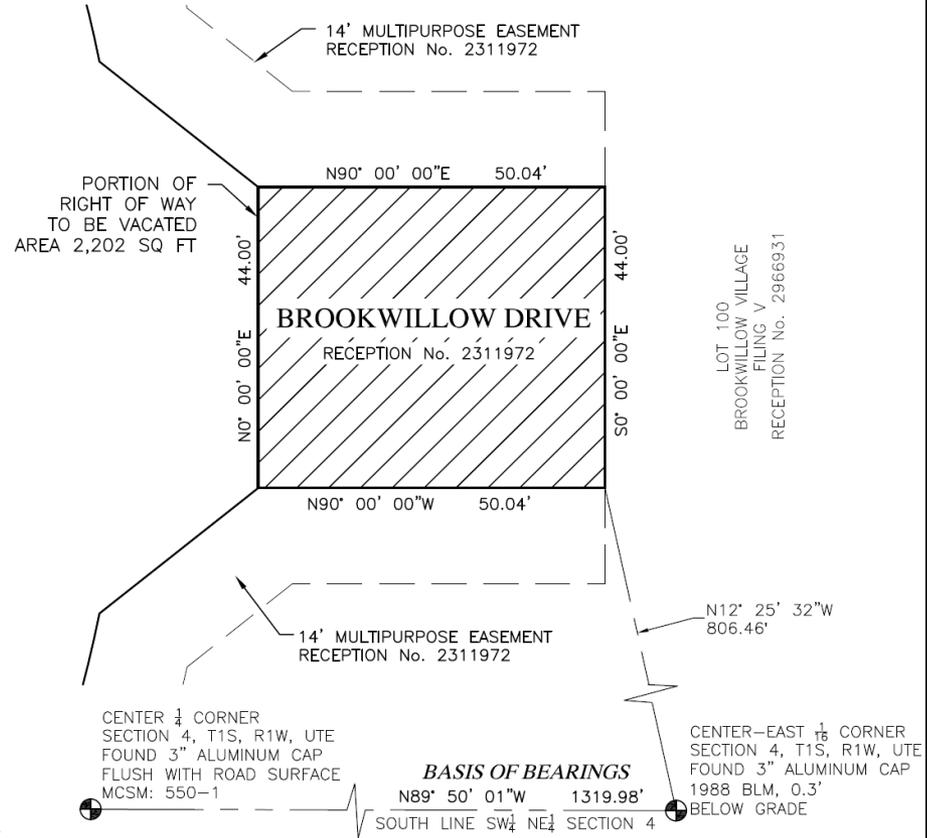


Zoning Map



ROW Vacation Area

BROOKWILLOW LOOP
RECEPTION No. 2311972



LEGAL DESCRIPTION SKETCH

RIGHT OF WAY VACATION
SITUATED NEAR LOT 100 OF
BROOKWILLOW VILLAGE, FILING V
GRAND JUNCTION, COLORADO

SW1/4 NE1/4 OF SECTION 4
T1S, R1W, UTE
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO
JOB: 2021-083

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.
3194 MESA AVE
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY IDENTIFIED AS
BROOKWILLOW DRIVE ON THE BROOKWILLOW VILLAGE SUBDIVISION PLAT
AS GRANTED TO THE PUBLIC BY RECEPTION NUMBER 2311972**

**LOCATED SOUTH OF ORION WAY, EAST OF BROOKWILLOW LOOP, AND
NORTH OF WOLCOTT AVENUE**

Recitals:

A vacation of a portion of public right-of-way as granted and identified as Brookwillow Drive on the Brookwillow Village subdivision plat as recorded in 2006 within Reception # 2311972 has been requested by the property owner, PXP1 Brookwillow, LLC, as part of the major site plan review for Brookwillow Village F6 multifamily. The portion of right-of-way requested to be vacated was intended for cross-connection through the site that is no longer necessary for the overall site development and contains no existing utility infrastructure.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate a portion of right-of-way for Brookwillow Drive is consistent with the 2020 Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

1. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado and being more particularly described as follows:

The East 50.04 feet of Brookwillow Drive as shown on the Plat of Brookwillow Village Planned Unit Development, as recorded at Reception Number 2311972 of Mesa County Records.

Said tract of land contains 2,202 square feet.

See Exhibit A.

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

Adopted on second reading this _____ day of _____, 2023 and ordered published in pamphlet form.

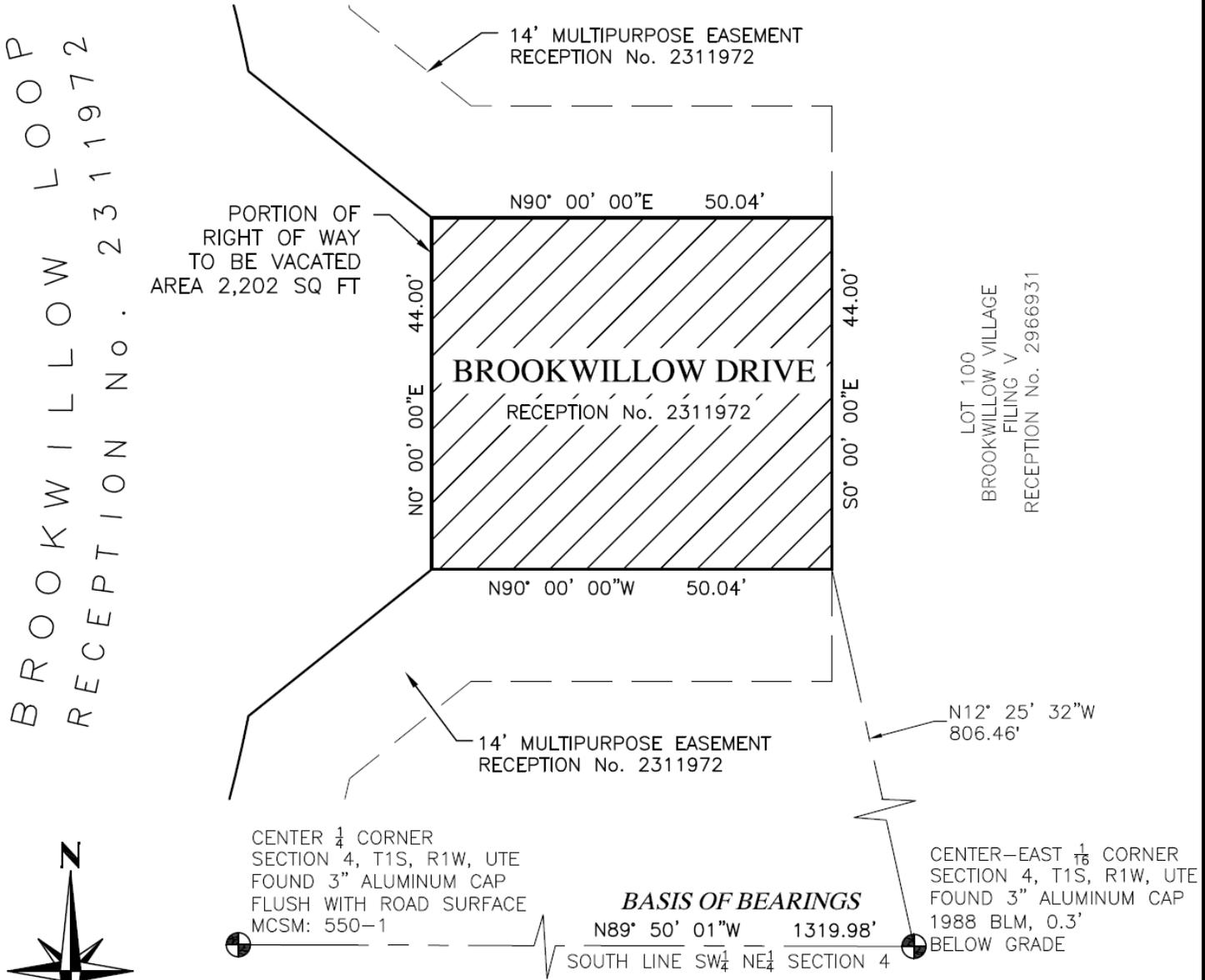
ATTEST:

City Clerk

Mayor

EXHIBIT A

LEGAL SKETCH



CENTER 1/4 CORNER
SECTION 4, T1S, R1W, UTE
FOUND 3" ALUMINUM CAP
FLUSH WITH ROAD SURFACE
MCSM: 550-1

BASIS OF BEARINGS
N89° 50' 01"W 1319.98'
SOUTH LINE SW 1/4 NE 1/4 SECTION 4

CENTER-EAST 1/8 CORNER
SECTION 4, T1S, R1W, UTE
FOUND 3" ALUMINUM CAP
1988 BLM, 0.3'
BELOW GRADE

GRAPHIC SCALE:
1"=20'



LINEAR UNITS ARE U.S. SURVEY FEET

LEGAL DESCRIPTION SKETCH

RIGHT OF WAY VACATION
SITUATED NEAR LOT 100 OF
BROOKWILLOW VILLAGE, FILING V
GRAND JUNCTION, COLORADO

SW1/4 NE1/4 OF SECTION 4
T1S, R1W, UTE
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

JOB: 2021-083

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.
3194 MESA AVE
GRAND JUNCTION, CO 81504
PHONE (970)434-7038



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: December 13, 2022
Presented By: Nicole Galehouse, Principal Planner
Department: Community Development
Submitted By: Nicole Galehouse, AICP, Principal Planner

Information

SUBJECT:

Consider a request to vacate two portions of a multipurpose easement located on a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue.

RECOMMENDATION:

Staff recommends conditional approval of this request.

EXECUTIVE SUMMARY:

The Applicant, Darin Carei, on behalf of PXP1 Brookwillow, LLC, is requesting the vacation of two portions of a multipurpose easement located on the eastern side of Brookwillow Loop between Orion Way & Wolcott Avenue. The subject portions of the multipurpose easement are adjacent north and south to the portion of right-of-way that is being considered for vacation separately (VAC-2022-673). The vacation area contains approximately 1,332 square feet of land.

The subject property is part of the Brookwillow Subdivision. The applicant is in the process of site plan approval for a multifamily development on the property to the east of the requested right-of-way vacation. During the review, it was determined that a right-of-way vacation for Brookwillow Drive would allow the project to better utilize the space for the project and would eliminate the City's responsibility for maintenance of a driveway to a private development. If the right-of-way is vacated, the multipurpose easements are no longer necessary and vacating them allows more flexibility in the site design.

BACKGROUND OR DETAILED INFORMATION:

The subject vacation area of 1,332 square feet is located approximately 1,100 feet east of 24 ½ Road on the eastern side of Brookwillow Loop between Orion Way & Wolcott Avenue. The multipurpose easement was dedicated in 2006 as part of the Brookwillow Village Planned Unit Development plat. When right-of-way is dedicated, it is standard practice that multipurpose easements are also included on the plat.

The proposed vacated area will be incorporated into the overall site design. The Applicant has requested to vacate the right-of-way (VAC-2022-673, under separate consideration) and abutting multipurpose easements to allow for the subject area to function as a driveway into the multifamily site and to allow for additional parking. If the request to vacate the right-of-way is granted, the subsequent vacation of the associated multipurpose easements will allow additional flexibility towards this purpose.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting

A Neighborhood Meeting is not required for a vacation of easement request. However, one was held on November 7, 2022 at Appleton Elementary for the associated right-of-way vacation request, at which the easement vacation was also discussed. There were four attendees from the public in addition to applicant, one of their staff, and city staff. Neighbors were unopposed to the vacation of the right-of-way but expressed concern about there being inadequate parking in the area.

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 October 3, 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 on December 2, 2022. The notice of this public hearing was published December 6, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

(1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City;

The request to vacate 1,332 square feet of two portions of an existing multipurpose easement does not conflict with the Comprehensive Plan, Grand Junction Circulation Plan or other adopted plans and policies of the City. Vacation of these portions of the easement will have no impact on public facilities or services provided to the general public since they were only intended to accompany the associated right-of-way, which the applicant has also requested to vacate.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

- Principal 3: Responsible and Managed Growth
- Policy 4: Maintain and build infrastructure that supports urban development.
- Policy 5: Plan for and ensure fiscally responsible delivery of City services and infrastructure.

Therefore, staff has found this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;

This request is to vacate two portions of the multipurpose easement is not needed to provide access to the subject or any other property. Multipurpose easements are generally established to provide space for underground utilities and landscaping, not access. Therefore, staff has found that this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

This vacation request does not impact access to any parcel and as such, staff finds this criterion has been met.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services;

There will be no impact to public facilities and services. Ute Water and Xcel Energy responded during the utility review that there was no objection to the vacation of this property. No comments were received from other review agencies. Staff therefore finds this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and

Neither staff nor utility providers have identified that this request will inhibit the provision of adequate public facilities and services. The site plan review is complete and has identified adequate public facilities and services for the development. Staff finds that this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

This proposal will remove portions of an easement that are not necessary for any

existing or proposed utilities. Approval of this request will allow for the applicant to provide additional on-site parking for the multifamily development. Input received from neighbors of the project primarily surrounded the issue of insufficient parking in the area. While parking is allowed in the easements, vacating them removes any encumbrances on the land, such as potentially having to repair or replace any broken pavement if a utility were to utilize the space. The ability to add parking over the minimum requirement on this particular site will serve the overall Brookwillow Village community by reducing any potential strain that could be added to on-street parking in the neighborhood. As such, Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Brookwillow Village F6 – Easement Vacation, VAC-2022-674, located on a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue, the following findings of fact have been made with the recommended conditions of approval:

The request conforms with Section 21.02.100 (c) of the Zoning and Development Code.

Therefore, Staff recommends approval of the requested vacation with the following condition:

1. Vacation of the Brookwillow Drive right-of-way per Section 21.02.100 of the Grand Junction Municipal Code.

SUGGESTED MOTION:

Mr. Chairman, on the Brookwillow Village F6 – Easement Vacation located on a 2.26-acre parcel located at the eastern side of Brookwillow Loop, between Orion Way & Wolcott Avenue, City file number VAC-2022-674, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and conditions as listed in the staff report.

Attachments

1. BWV F6 Esmt Vacation Dev Application
2. Site Location, Aerial, Land Use, Zoning, Esmt Exh
3. Draft BWV F6 Vacation Resolution

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"/>	Existing Zoning <input type="text"/>
Proposed Land Use Designation <input type="text"/>	Proposed Zoning <input type="text"/>

Property Information

Site Location: <input type="text" value="24 1/2 Road & Brookwillow Loop"/>	Site Acreage: <input type="text" value="2.5"/>
Site Tax No(s): <input type="text" value="2945-041-95-100 & 2945-041-34-000"/>	Site Zoning: <input type="text" value="R-16"/>
Project Description: <input type="text"/>	

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:

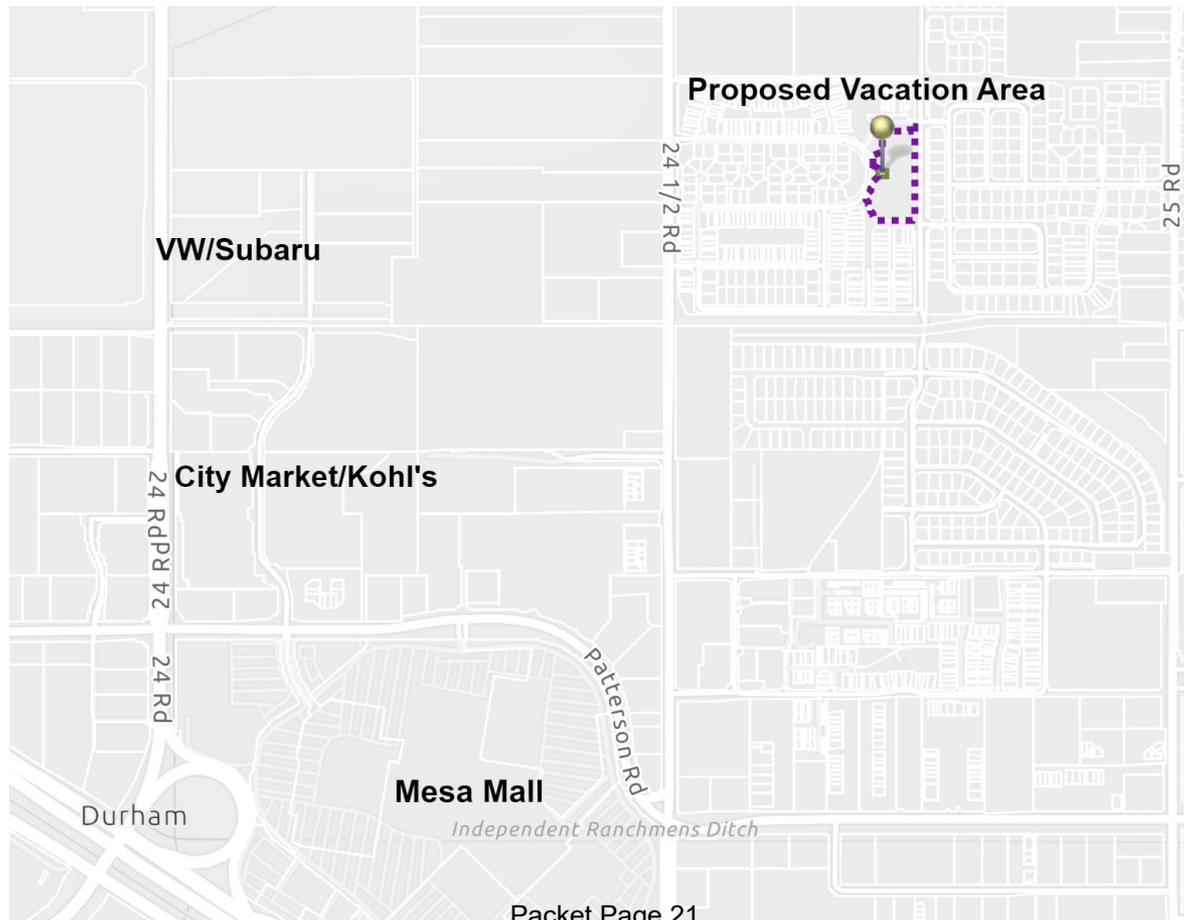
Contact Phone #:

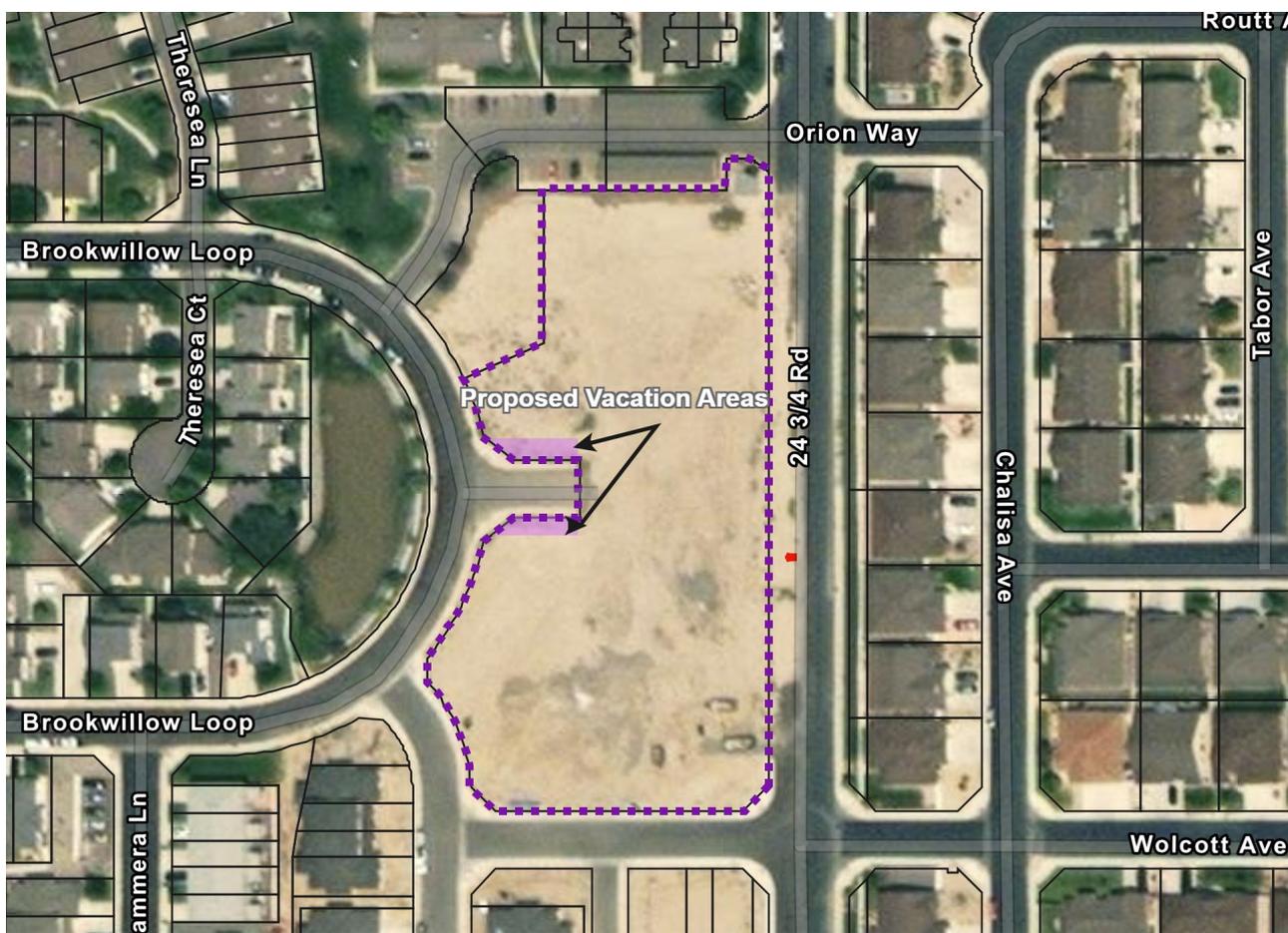
NOTE: Legal property owner is owner of record on date of submittal.

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="Kim Kerk"/>	Date <input type="text"/>
Signature of Legal Property Owner <input type="text" value="Darin Carei"/>	Date <input type="text" value="8/30/22"/>

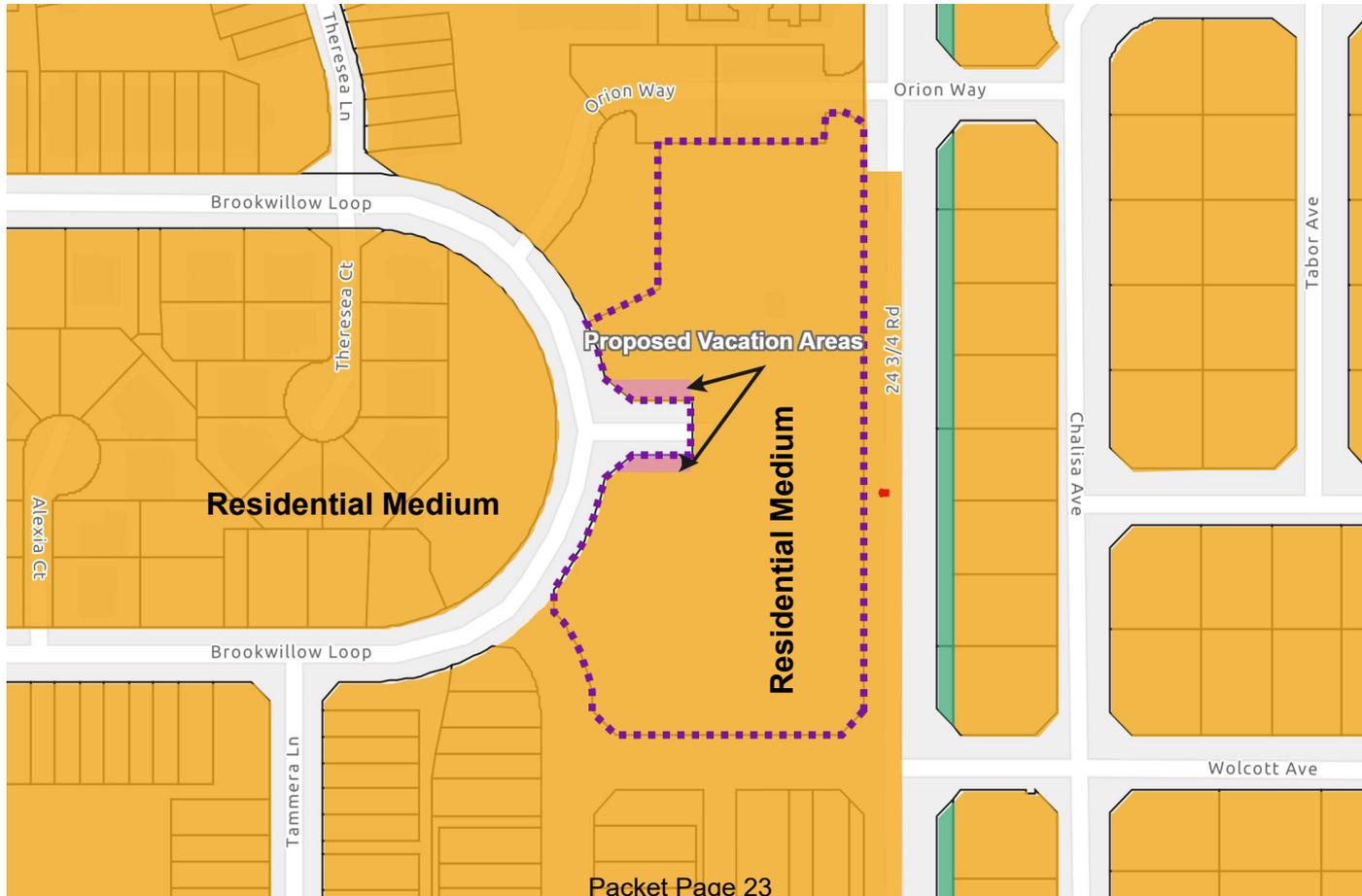
Site Location Map



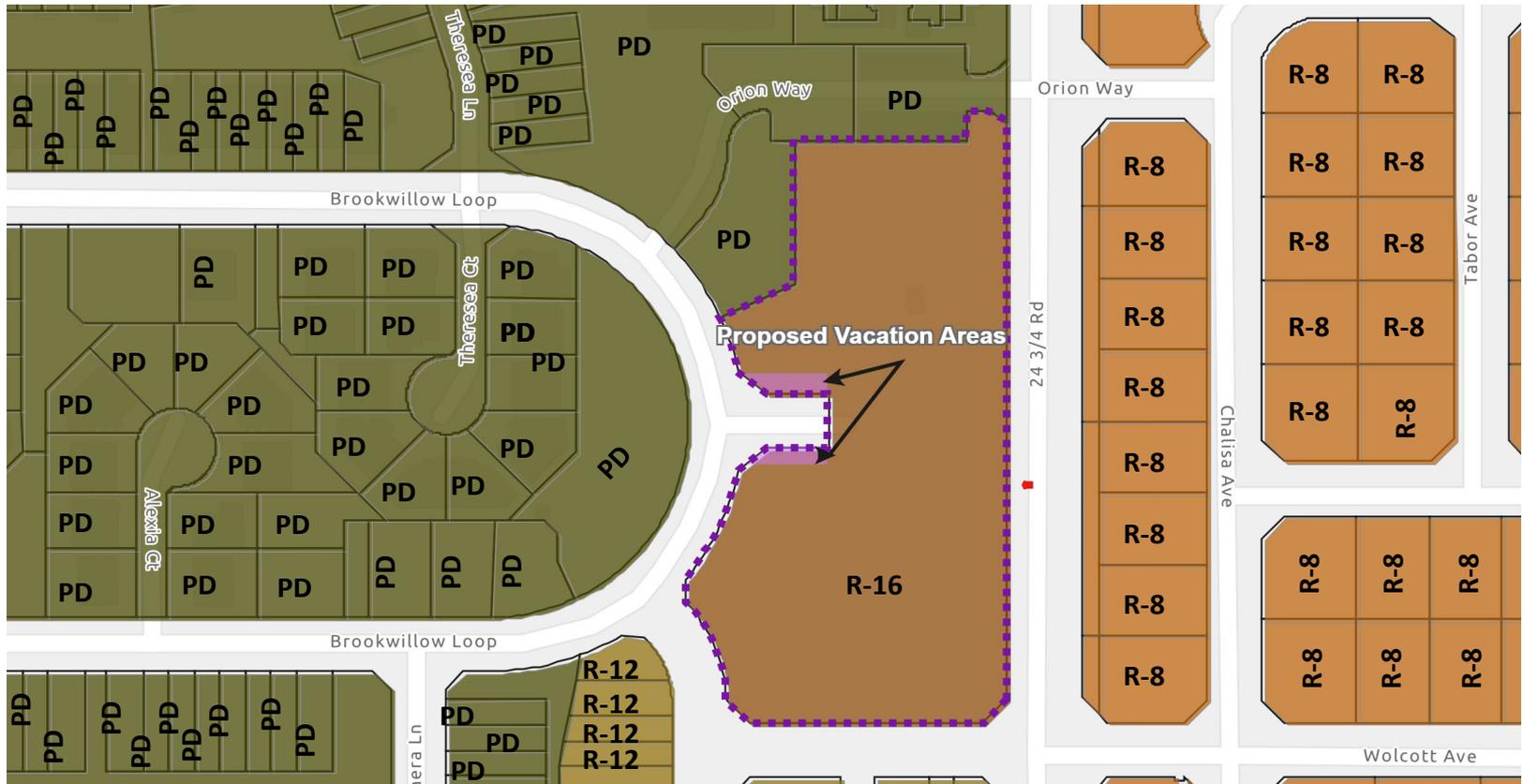


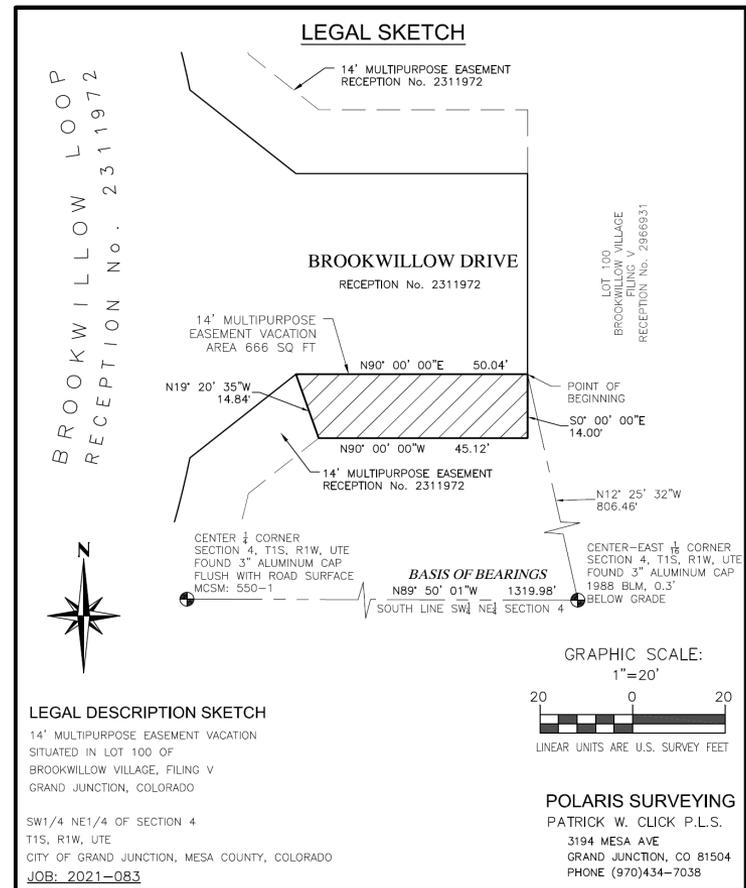
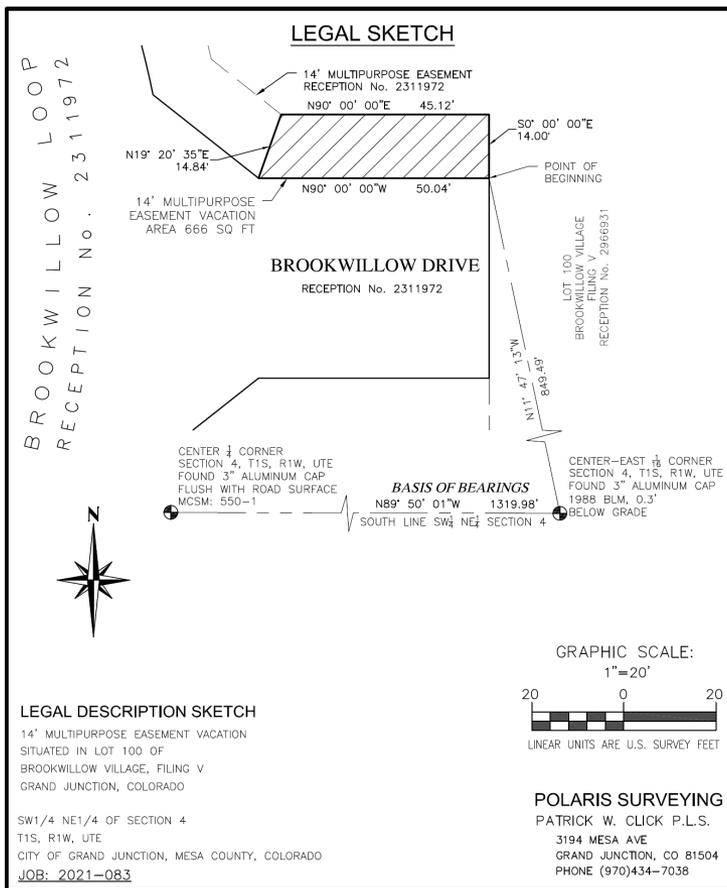
Aerial Photo Map

Future Land Use Map



Zoning Map





Easement Vacation Areas

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION VACATING PORTIONS OF A MULTIPURPOSE EASEMENT
THAT CONTAINS 0.03 ACRES AS DEDICATED TO THE PUBLIC ON THE
BROOKWILLOW VILLAGE SUBDIVISION PLAT BY RECEPTION NUMBER 2311972**

**LOCATED SOUTH OF ORION WAY, EAST OF BROOKWILLOW LOOP, AND
NORTH OF WOLCOTT AVENUE**

RECITALS:

Vacation of two portions of a multipurpose easement has been requested by PXP1 Brookwillow, LLC, Darin Carei, for development on property located on Brookwillow Loop, south of Orion Way and north of Wolcott Avenue. The existing multipurpose easement on the property was conveyed in 2006 to the City of Grand Junction on the subdivision plat for Brookwillow Village, reception number 2311972.

As part of the site plan development planned for parcel 2945-041-95-100, the applicant has requested to vacate the Brookwillow Drive right-of-way (by separate instrument). The portions of the multipurpose easement requested to be vacated are accessory to the Brookwillow Drive right-of-way and are no longer necessary should it cease to exist.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate portions of a multipurpose easement as recorded in Mesa County Records, Reception No. 2311972 is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described portions of a publicly dedicated multipurpose easement are hereby vacated upon the listed condition being met:

1. Vacation of the Brookwillow Drive right-of-way per Section 21.02.100 of the Grand Junction Municipal Code.

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado and being more particularly described as follows:

Beginning at a point on the East end of the North Right of Way of Brookwillow Drive as shown on the Plat of Brookwillow Village Planned Unit Development as recorded at Reception Number 2311972 of the Mesa County Records, said point being an angle point on Lot 100 of Brookwillow Village Filing V as recorded at Reception Number 2966931 of the Mesa County Records;

thence S90°00'00"W along the said North Right of Way Line a distance of 50.04 feet;

thence N19°20'35"E a distance of 14.84 feet to an angle point on a 14' Multipurpose Easement as shown on the Plat of said Brookwillow Village Planned Unit Development;

thence along said 14' Multipurpose Easement N90°00'00"E a distance 45.12 feet;

thence continuing along said 14' Multipurpose Easement S0°00'00"E a distance of 14.00 feet to the Point of Beginning.

Said tract of land contains 666 square feet as described.

See Exhibit A.

AND

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado and being more particularly described as follows:

Beginning at a point on the East end of the South Right of Way of Brookwillow Drive as shown on the Plat of Brookwillow Village Planned Unit Development as recorded at Reception Number 2311972 of the Mesa County Records, said point being an angle point on Lot 100 of Brookwillow Village Filing V as recorded at Reception Number 2966931;

thence S0°00'00"E along the East end of a 14' Multipurpose Easement as shown on the Plat of said Brookwillow Village Planned Unit Development a distance of 14.00 feet;

thence S90°00'00"W along the South line of said 14' Multipurpose Easement a distance of 45.12 feet;

thence N19°20'35"W distance of 14.84 feet to an angle point on the South Right of Way of said Brookwillow Drive;

thence N90°00'00"E along said South Line a distance of 50.04 feet to the Point of Beginning.

Said tract of land contains 666 square feet as described.

See Exhibit B.

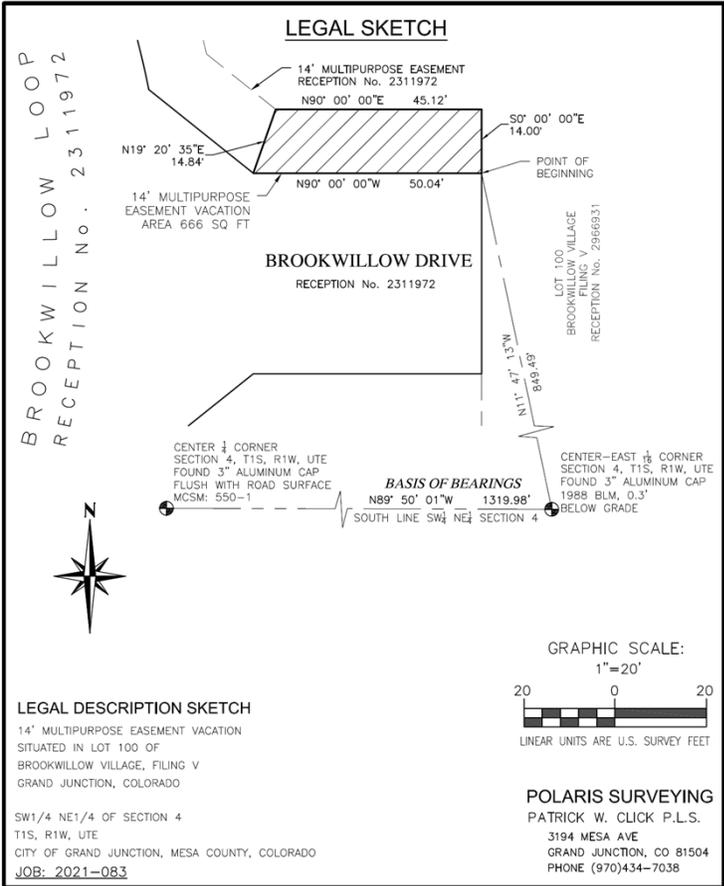
PASSED and ADOPTED this _____ day of _____, 2023.

ATTEST:

President of City Council

City Clerk

EXHIBIT A





Grand Junction Planning Commission

Regular Session

Item #4.

Meeting Date: December 13, 2022
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, Principal Planner

Information

SUBJECT:

Consider a request by the Applicant, Horizon Cache, LLC to Vacate a slope easement containing 0.47 acres on property located at 702 Horizon Drive as granted to the City of Grand Junction ("City") by Reception Number 2075083.

RECOMMENDATION:

Staff recommends conditional approval.

EXECUTIVE SUMMARY:

The Applicant, Horizon Cache, LLC is requesting the vacation of a slope easement containing 0.47 acres on property located at 702 Horizon Drive as granted to the City of Grand Junction ("City") for a slope easement as part of the construction of 27 ½ Road at G Road and deeded to the City as part of a Mesa County District Court ruling.

As part of the Star Bucks commercial building proposed to be constructed at 702 Horizon Drive there is a portion of the building that is encroaching into the slope easement No 10, one easement of many easements and right-of-way granted to the City by the Court to allow for the construction of 27 ½ Road to tie into G Road at Horizon Drive. This request is to vacate only Slope Easement P.E. No 10 as shown on the "Etter/Epstein-City-A-5" exhibit found in Book 3149, Page 437 and the legal description found In Book 3149, Page 438 of the Court document recorded and filed on September 6, 2002 at the Mesa County Clerk and Recorder.

BACKGROUND OR DETAILED INFORMATION:

As part of the Star Bucks commercial building proposed to be constructed at 702 Horizon Drive there is a portion of the building that is encroaching into an existing slope identified as Slope Easement P.E. No 10, one easement of many easements and right-

of-way granted to the City by the Court to allow for the construction of 27 ½ Road to tie into G Road at Horizon Drive. This request is to vacate only Slope Easement P.E. No 10 as shown on the “Etter/Epstein-City-A-5” exhibit found in Book 3149, Page 437 and the legal description found In Book 3149, Page 438 of the Court document recorded and filed on September 6, 2002 at the Mesa County Clerk and Recorder.

This slope easement was originally provided and dedicated by the Court in 2002 to provide an area of land where the future construction of 27 ½ Road could be done with ample area to construct the improvements including fill material being placed along the roadway and stabilizing the slope area from the roadway on the property at 702 Horizon Drive. The city constructed 27 ½ Road soon after securing the Right-of-Way and easements for the road construction project. The slope easement No. 10 was needed for construction purposes. The slope area is now stable, and the easement area is not needed for repairs or other purposes. Historically, there have not been repairs to the slope in this area and hasn't been for the past 20 years, since 27 ½ Road was constructed.

Therefore, none of the Slope Easement P.E. No. 10 is needed today. City Engineering staff has inspected the site and existing slope conditions and finds the slope easement dedicated in 2002 is no longer needed.

The City has already conditioned the site plan approval of the Star Bucks building upon the recording of the Horizon Cache Subdivision plat. This easement vacation should also condition approval upon the plat being recorded and this condition is recommended as a condition of approval.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting was not required for an easement vacation.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the Zoning and Development Code. The subject area was posted with an application sign on November 7, 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 on December 2, 2022. The notice of this public hearing was published December 6, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.100 (c) of the Zoning and Development Code. The purpose of this section is to permit the vacation of surplus rights-of-way and/or easements.

- (1) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans

and policies of the City;

The request to vacate the existing Slope Easement P.E. No.10 for the 27 ½ Road does not conflict with the 2020 Comprehensive Plan, Grand Valley Circulation Plan or other adopted plans and policies of the City. Vacation of this easement will have no impact on public facilities or services provided to the general public.

Further, the vacation request is consistent with the following goals and policies of the Comprehensive Plan:

Principal 3: Responsible and Managed Growth

Policy 6: Support the development of neighborhood centered commercial uses and mixed-use developments including supporting the creation of a mix of uses along prominent corridors that reflect the needs of adjoining resident's retail, office and other services needs.

Principal 5: Strong Neighborhoods and Housing Choices

Policy 3: Support continued investment in and ongoing maintenance of infrastructure and amenities in established neighborhoods including promoting land use patterns with local services and gathering places including cafes.

Therefore, staff has found this criterion has been met.

(2) No parcel shall be landlocked as a result of the vacation;

This request is to vacate a slope easement. As such, no parcels will be landlocked as a result of the proposed vacation request.

Therefore, staff has found this criterion has been met.

(3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

This vacation request does not impact access to any parcel and as such, staff finds this criterion has been met.

(4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services. There are no adverse impacts to 702 Horizon Drive or any adjacent properties or the general community at large. The slope easement is no longer needed for 27 ½ Road and the existing road conditions will remain, providing the community access as it was designed to.

Staff therefore finds this criterion has been met.

(5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and City Engineering staff have determined that this request will not inhibit the provision of adequate public facilities and services specific to the public use of 27 ½ Road at this location.

Staff finds that this criterion has been met.

(6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The Applicant cannot make ready its site for the new commercial building without the encumbrance caused by this Easement being vacated. Permanent structures cannot be constructed over an easement. The area within the easement will be changed as part of the site work and construction of the commercial use approved for 702 Horizon Drive. Maintenance requirements for the City will be reduced as a result of the proposed vacation since that land area encumbered by the slope easement will no longer be the responsibility of the City of Grand Junction.

Staff finds that this criterion has been met.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Horizon Cache Easement Vacation of Slope Easement P.E. No 10, VAC-2022-771, located at 702 Horizon Drive as granted to the City of Grand Junction by Reception Number 2075083, the following findings of fact have been made with a recommendation of conditional approval:

1. The request conforms with Section 21.02.100 (c) of the Zoning & Development Code.
2. The requested vacation does not conflict with the goals and policies of the 2020 Comprehensive Plan.

With the following condition of approval:

1. Recording of the Horizon Cache Subdivision Plat per Section 21.02.070 of the Grand Junction Municipal Code.

SUGGESTED MOTION:

Mr. Chairman, on the Horizon Cache Easement Vacation of Slope Easement P.E. No 10, VAC-2022-771, located at 702 Horizon Drive as granted to the City of Grand Junction by Reception Number 2075083, I move that the Planning Commission forward a recommendation of conditional approval to City Council with the findings of fact and condition as listed in the staff report.

Attachments

1. Development Application

2. Location Map-Site Plan-Photos
3. EXHIBIT Slope Easement Vacation 11-16-22
4. Slope Easement - Reception No 2075083
5. Draft Vacation Resolution

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: 702 Horizon Dr.

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

Existing Land Use Designation	C-1	Existing Zoning	C-1
Proposed Land Use Designation	Commercial	Proposed Zoning	C-1

Property Information

Site Location: 702 Horizon Dr. GRAND JCT 81501 Site Acreage: 2.46348

Site Tax No(s): 2945-012-00-93 Site Zoning: C-1

Project Description: Vacating an unnecessary slope easement

Property Owner Information

Name: Emanuel Epstein Revocable Trust

Street Address: 37116 Mandarin Ave.

City/State/Zip: ZPH, FL 33541

Business Phone #: 727-320-7704

E-Mail: daronny2252@gmail.com

Fax #:

Contact Person: Deb Schneide

Contact Phone #: 727-320-7704

Applicant Information

Name: Sid Squirrel

Street Address: 244 N. 7th St.

City/State/Zip: GR JCT. CO 81501

Business Phone #: 970-263-2948

E-Mail: sid@gsjcommercial.com

Fax #: 970-241-6263

Contact Person: Sid Squirrel

Contact Phone #: 970-260-0121

Representative Information

Name: Mark Austin

Street Address: 123 N. 7th St.

City/State/Zip: GR JCT. CO 81501

Business Phone #: 970-242-7510

E-Mail: marka@austincivilgroup.com

Fax #: 970-255-1212

Contact Person: Mark Austin

Contact Phone #: 970-242-7540

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 *Sidney Squirrel*

Signature of Legal Property Owner *Deborah Schneide Fies*

Date 10/26/2022

Date 10/26/2022

**General Project Report
702 Horizon Drive
Slope Easement Vacation**

Project Description (Location, Acreage, Proposed Use)

The purpose of this submittal is to obtain approval from the City of Grand Junction to vacate a slope easement located on the south side of the subject property along 27 ½ Road. The subject property is a 1.48-acre parcel known as 702 Horizon Drive in Grand Junction, Colorado. This property is located on the northeast corner of 27 ½ Road and G Road at Horizon Drive. The purpose of the proposed vacation is to accommodate a newly constructed building on the west side of the parcel, which the slope easement encroaches upon. The subject property is depicted in the photo below:



Property Zoning

The property is currently zoned Light Commercial (C-1) in the City of Grand Junction and lies next to the intersection of Horizon Drive and 27 ½ Road in an area composed of commercial properties. Adjacent properties and properties in the vicinity of the project site are zoned as Project Development (PD) or Light Commercial (C-1). The applicant proposes no changes to current zoning at this time. The vacation of this slope easement abides by and conforms to all of the approval criteria found in the zoning code as follows:

(c) Approval Criteria. The vacation of the right-of-way or easement shall conform to the following:

- (1) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies of the City;
- (2) No parcel shall be landlocked as a result of the vacation;
- (3) Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

**General Project Report
702 Horizon Drive
Slope Easement Vacation**

- (4) There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of the public facilities and service provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services);
- (5) The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 GJMC; and
- (6) The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Surrounding Land Uses and Zoning

The following adjacent properties are zoning accordingly:

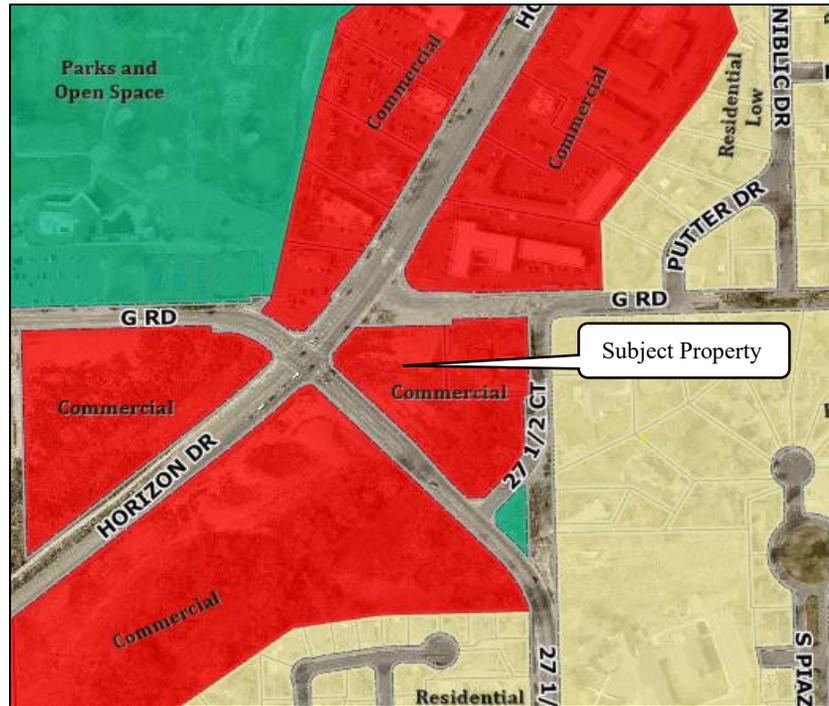
DIRECTION	ZONING	CURRENT LAND USE
North	C-1	Commercial
Northeast	PD	Residential
South	C-1	Commercial
East	PD	Residential
West	C-1	Commercial

The City of Grand Junction’s current zoning surrounding this parcel is shown below.



Current City of Grand Junction Zoning

**General Project Report
702 Horizon Drive
Slope Easement Vacation**



2020 Comprehensive Plan

Slope Easement Location

The slope easement vacation area is 0.47 acres located on the south side of the property along 27 ½ Road. The legal description and legal sketch of the slope easement, as provided by a surveyor, are shown in Exhibit A and Exhibit B of this report.

Site Access

The proposed slope easement vacation requires no changes to site access. The site is accessible from 27 ½ Road and Horizon Drive. A new access point will be located on G Road north of the property.

Utilities

All utility services required for this project are currently located on, or adjacent to, the project site. No changes are proposed at this time.

An 8-inch PVC sanitary sewer line currently exists adjacent to the north side of the parcel on G Road. There is also an 8-inch PVC stubbed sanitary sewer line adjacent to the property on the southwest corner located along 27 ½ Road. A 15-inch PVC sanitary line exists on the west side of the parcel along Horizon Drive.

There are two 8-inch water lines owned by Ute Water that are adjacent to the property. One line is located on the east side of the property on 27 ½ Court and runs from 27 ½ Road to G Road. The second water line is adjacent to the north side of the property on G Road to Horizon Drive. There are two water mains

**General Project Report
702 Horizon Drive
Slope Easement Vacation**

owned by Ute Water within the vicinity of the property; an 18-inch water main adjacent to the south side of the property on 27 ½ Road, and a 12-inch water main located on the west side of the property on Horizon Drive.

Three flow hydrants exist within the vicinity of the property; on the northeast corner of 27 ½ Court at G Road, on the north side of the property on G Road, and one located on the northwest side of Horizon Dr. A test hydrant exists on the southeast corner of 27 ½ Road at 27 ½ Court. The water lines and hydrants owned by Ute Water are depicted in the image below:



Map of Ute Water Lines and Hydrant Locations

City water does not currently exist on this site. Future development would likely utilize the previously listed water lines owned by Ute Water. Exact water distribution system requirements are yet to be determined. No changes are proposed at this time.

Development Schedule and Phasing

The project anticipates obtaining approval for the slope easement vacation by November of 2022.

**General Project Report
702 Horizon Drive
Slope Easement Vacation**

Exhibit A

Slope Easement Legal Description

A vacation of a Perpetual Easement for Slope purposes, Parcel P.E. No. 10 as shown at Reception No. 2075083 of the Mesa County Records, situate in Lot 3 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 1, also known as the Northeast Corner of said Lot 3 and considering the East Line of said Lot 3 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along said East Line a distance of 363.86 feet to a point; thence leaving said East Line N 89°56'58" W a distance of 40.00 feet to a point on the East Boundary Line of that property as described by instrument recorded at Reception Number 2897211 in the office of the Mesa County Clerk and Recorder; thence, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning:

thence N 39°45'02" W a distance of 124.88 feet;

thence N 44°19'28" W a distance of 239.67 feet;

thence N 45°40'32" E a distance of 6.00 feet;

thence S 71°27'06" E a distance of 181.24 feet;

thence S 44°19'28" E a distance of 90.32 feet;

thence S 01°28'12" E a distance of 119.95 feet;

thence S 39°38'22" E a distance of 24.68 feet;

thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning,

containing 20,614.72 square feet as described.

Legal description written by:

Patrick W. Click

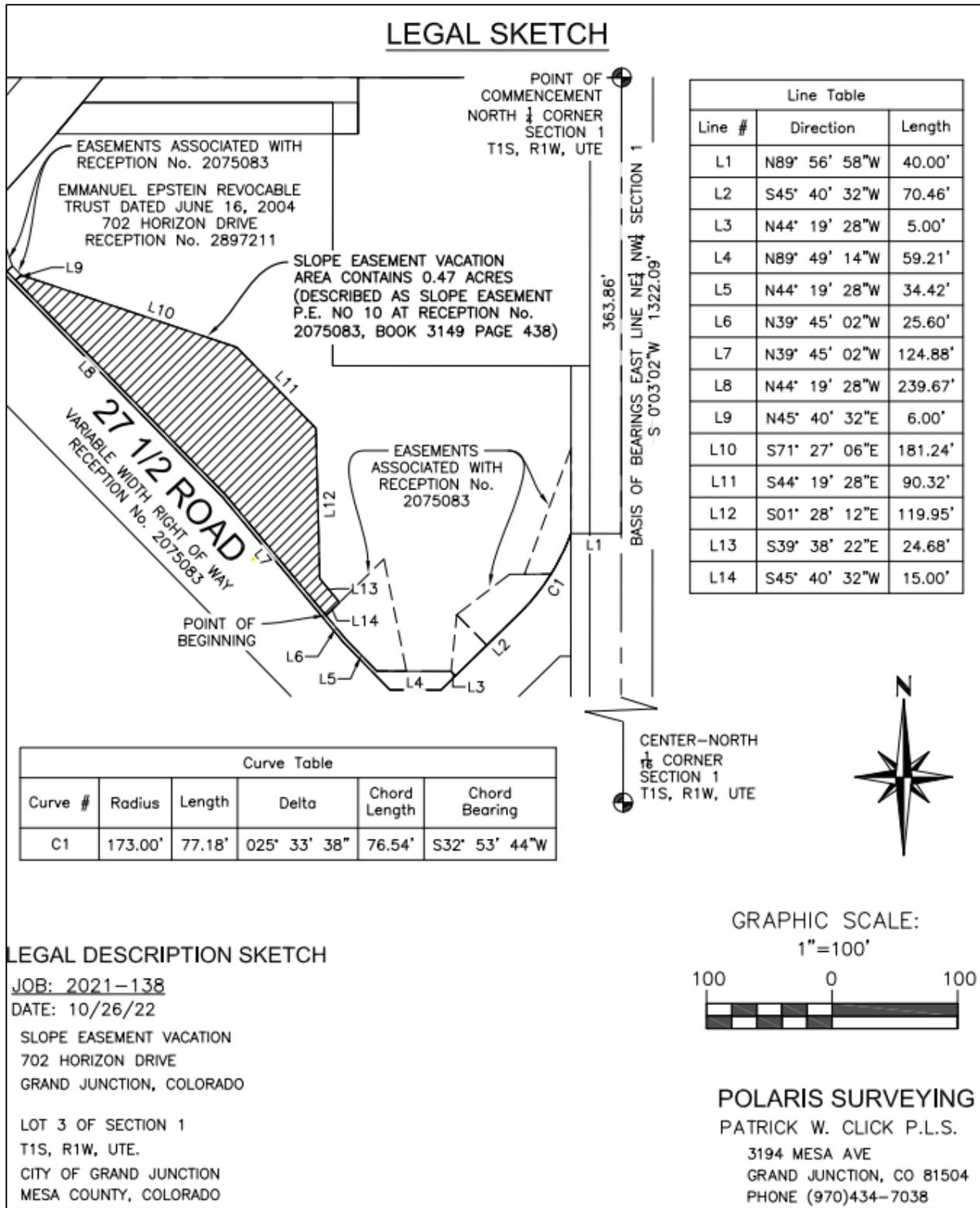
Colorado licensed surveyor number 37904

3194 Mesa Ave #B

Grand Junction, CO 81504

**General Project Report
702 Horizon Drive
Slope Easement Vacation**

Exhibit B



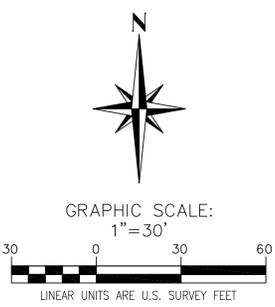
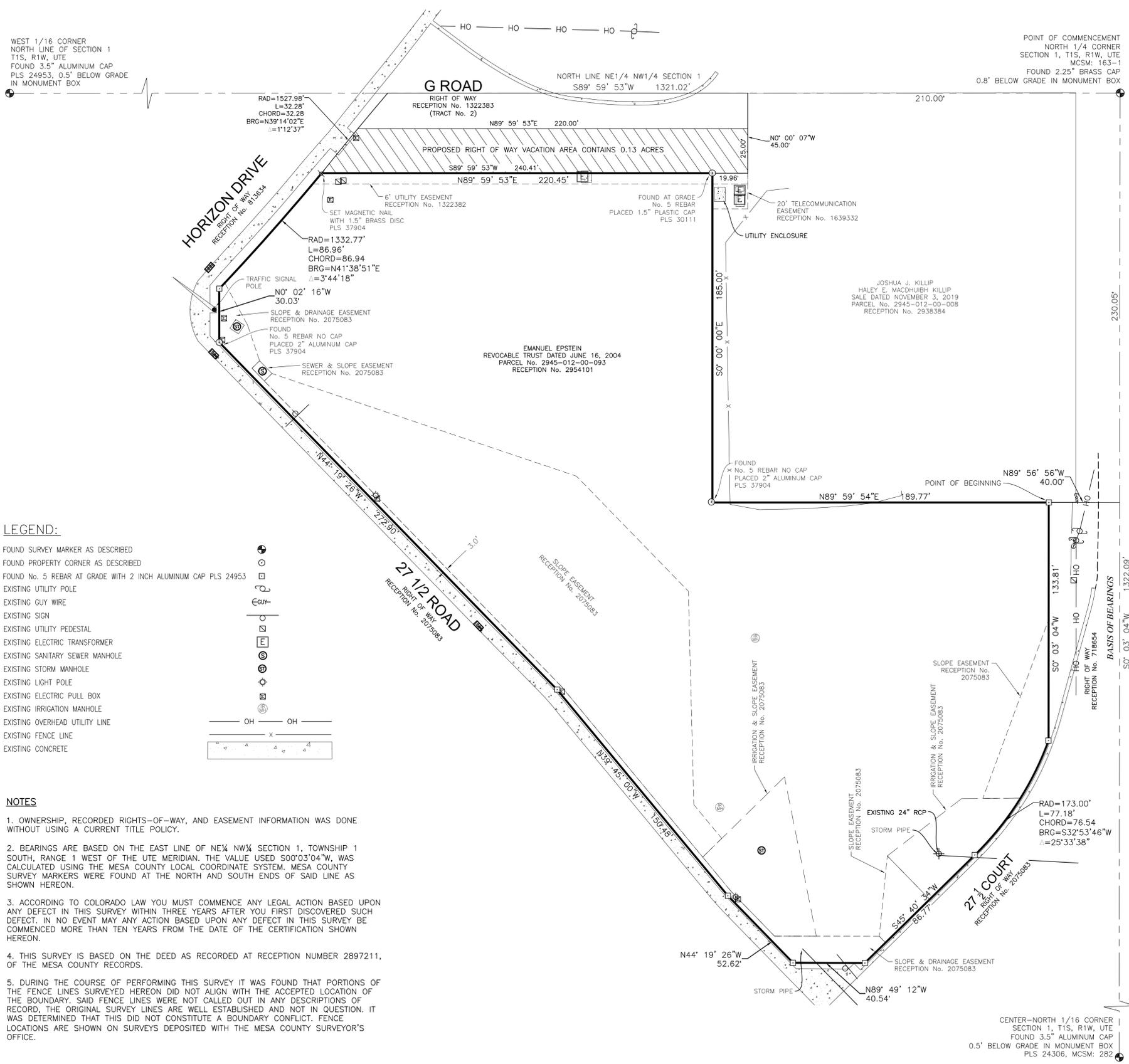
LEGAL DESCRIPTION SKETCH

JOB: 2021-138
DATE: 10/26/22
SLOPE EASEMENT VACATION
702 HORIZON DRIVE
GRAND JUNCTION, COLORADO

LOT 3 OF SECTION 1
T1S, R1W, UTE.
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO

IMPROVEMENT SURVEY

SITUATED IN THE NE¼ NW¼ SECTION 1
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



LEGAL DESCRIPTION:
THAT PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN IN GRAND JUNCTION, MESA COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

COMMENCING AT THE NORTHEAST CORNER OF THE NE¼ NW¼ OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, GRAND JUNCTION, MESA COUNTY, COLORADO, WHENCE THE SOUTHEAST CORNER OF SAID NE¼ NW¼ BEARS SOUTH 00°03'04" WEST A DISTANCE OF 1322.09 FEET, FOR A BASIS OF BEARINGS WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 00°03'04" WEST A DISTANCE OF 230.05 FEET; THENCE NORTH 89°56'56" WEST A DISTANCE OF 40.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF 27½ ROAD, AS DEFINED IN RECEPTION NO. 718654, MESA COUNTY RECORDS TO THE POINT OF BEGINNING; THENCE SOUTH 00°03'04" WEST A DISTANCE OF 133.81 FEET, ALONG SAID RIGHT-OF-WAY LINE AND THAT RIGHT-OF-WAY LINE DESCRIBED IN RECEPTION NO. 2075083; THENCE, ALONG SAID RIGHT-OF-WAY DESCRIBED IN RECEPTION NO. 2075083 THE FOLLOWING SEVEN (7) COURSES:

- (1) WITH A NON-TANGENT CURVE TURNING TO THE RIGHT HAVING A DELTA ANGLE OF 25°33'38", A RADIUS OF 173.00 FEET, AN ARC LENGTH OF 77.18 FEET, AND A CHORD LENGTH OF 76.54 FEET, WITH A CHORD BEARING OF SOUTH 32°53'46" WEST;
- (2) SOUTH 45°40'34" WEST A DISTANCE OF 86.77 FEET;
- (3) NORTH 89°49'12" WEST A DISTANCE OF 40.54 FEET;
- (4) NORTH 44°19'26" WEST A DISTANCE OF 52.62 FEET;
- (5) NORTH 39°45'00" WEST A DISTANCE OF 150.48 FEET;
- (6) NORTH 44°19'26" WEST A DISTANCE OF 272.90 FEET;
- (7) NORTH 00°02'16" WEST A DISTANCE OF 30.03 FEET; THENCE WITH A NON-TANGENT CURVE TURNING TO THE LEFT HAVING A DELTA ANGLE OF 03°44'08", A RADIUS OF 1332.77 FEET, AN ARC LENGTH OF 86.89 FEET, AND A CHORD LENGTH OF 86.88 FEET, WITH A CHORD BEARING OF NORTH 41°38'57" EAST, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HORIZON DRIVE AS DEDICATED IN RECEPTION NO. 813634; THENCE NORTH 89°59'29" EAST A DISTANCE OF 220.48 FEET, ALONG THE SOUTH RIGHT-OF-WAY LINE OF G ROAD AS DEDICATED IN RECEPTION NO. 1322383; THENCE SOUTH 00°00'00" EAST A DISTANCE OF 184.98 FEET; THENCE NORTH 89°59'54" EAST A DISTANCE OF 189.77 FEET TO THE POINT OF BEGINNING.

Said Parcel contains 2.46 Acres.

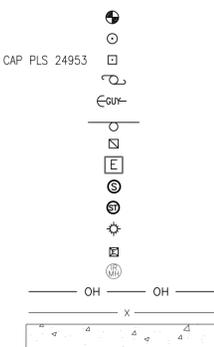
SURVEYOR'S CERTIFICATION:
I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904

LEGEND:

- FOUND SURVEY MARKER AS DESCRIBED
- FOUND PROPERTY CORNER AS DESCRIBED
- FOUND No. 5 REBAR AT GRADE WITH 2 INCH ALUMINUM CAP PLS 24953
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING SIGN
- EXISTING UTILITY PEDESTAL
- EXISTING ELECTRIC TRANSFORMER
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM MANHOLE
- EXISTING LIGHT POLE
- EXISTING ELECTRIC PULL BOX
- EXISTING IRRIGATION MANHOLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING FENCE LINE
- EXISTING CONCRETE



NOTES

1. OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
2. BEARINGS ARE BASED ON THE EAST LINE OF NE¼ NW¼ SECTION 1, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED S00°03'04"W, WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKERS WERE FOUND AT THE NORTH AND SOUTH ENDS OF SAID LINE AS SHOWN HEREON.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. THIS SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2897211, OF THE MESA COUNTY RECORDS.
5. DURING THE COURSE OF PERFORMING THIS SURVEY IT WAS FOUND THAT PORTIONS OF THE FENCE LINES SURVEYED HEREON DID NOT ALIGN WITH THE ACCEPTED LOCATION OF THE BOUNDARY. SAID FENCE LINES WERE NOT CALLED OUT IN ANY DESCRIPTIONS OF RECORD, THE ORIGINAL SURVEY LINES ARE WELL ESTABLISHED AND NOT IN QUESTION. IT WAS DETERMINED THAT THIS DID NOT CONSTITUTE A BOUNDARY CONFLICT. FENCE LOCATIONS ARE SHOWN ON SURVEYS DEPOSITED WITH THE MESA COUNTY SURVEYOR'S OFFICE.

IMPROVEMENT SURVEY
SITUATED IN THE NE¼ NW¼ SECTION 1
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

JOB #: 2021-138 FIELD WORK: KM DRAWN BY: PC
DATE: 1/12/2022 DRAWING NAME: G Road & Horizon CHECKED BY: PC

POLARIS SURVEYING
PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

QUITCLAIM DEED

This Quitclaim Deed made this 22nd day of July, 2019, by and between the Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005 (Grantor) of 12701 126th Avenue North, #213, Largo, Florida 33774, for Ten Dollars (\$10.00) and other valuable consideration, hereby sell(s) and quitclaim(s) to the **Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005** (Grantee), whose address is 12701 126th Avenue North, #213, Largo, Florida 33774, the real property interests located in the County of Mesa, State of Colorado bearing the following legal description:

That parcel of land located in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian in Grand Junction, Mesa County, Colorado and being more particularly described as follows:

PARCEL 1:

COMMENCING at the Northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 1 South, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, whence the Southeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ bears South 00°03'04" West, a distance of 1322.09 feet, for a basis of bearings with all bearings contained herein relative thereto; South 00°03'04" West, a distance of 230.05 feet; thence North 89°56'56" West, a distance of 40.00 feet to the West right-of-way line of 27 $\frac{1}{2}$ Road, as defined in Reception No. 718654, Mesa County records to the POINT OF BEGINNING; thence South 00°03'04" West, a distance of 133.81 feet, along said right-of-way line and that right-of-way line described in Reception No. 2075083; thence, along said right-of-way described in Reception No. 2075083 the following seven (7) courses: (1) with a non-tangent curve turning to the right having a delta angle of 25°33'38", a radius of 173.00 feet, an arc length of 77.18 feet, and a chord length of 76.54 feet, with a chord bearing of South 32°53'46" West; (2) South 45°40'34" West, a distance of 86.77 feet; (3) North 89°49'12" West, a distance of 40.54 feet; (4) North 44°19'26" West, a distance of 52.62 feet; (5) North 39°45'00" West, a distance of 150.48 feet; (6) North 44°19'26" West, a distance of 272.90 feet; (7) North 00°02'16" West, a distance of 30.03 feet; thence with a non-tangent curve turning to the left having a delta angle of 03°44'08", a radius of 1332.77 feet, an arc length of 86.89 feet, and a chord length of 86.88 feet, with a chord bearing of North 41°38'57" East, along the Southeasterly right-of-way line of Horizon Drive as dedicated in Reception No. 813634; thence North 89°59'29" East, a distance of 220.48 feet, along the South right-of-way line of G Road as dedicated in Reception No. 1322383; thence South 00°00'00" East, a distance of 184.98 feet; thence North 89°59'54" East, a distance of 189.77 feet to the POINT OF BEGINNING.

Said parcel containing an area of 2.46 Acres, as herein described.

with all its appurtenances.

Signed this 22nd day of July, 2019.

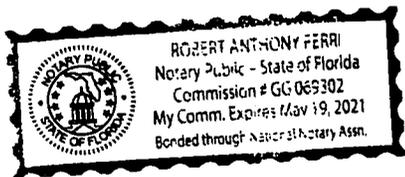
**EMANUEL EPSTEIN REVOCABLE TRUST
DATED JUNE 16, 2004, AS AMENDED AND
RESTATED ON APRIL 18, 2005**

By: Deborah Schneide TRCA
Deborah Schneide, Trustee

STATE OF FLORIDA)
County of Pinal) ss.

The foregoing instrument was acknowledged before me this 22nd day of July, 2019, by Deborah Schneide, Trustee of the Emanuel Epstein Revocable Trust Dated June 16, 2004, as Amended and Restated April 18, 2005.

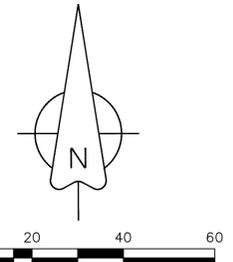
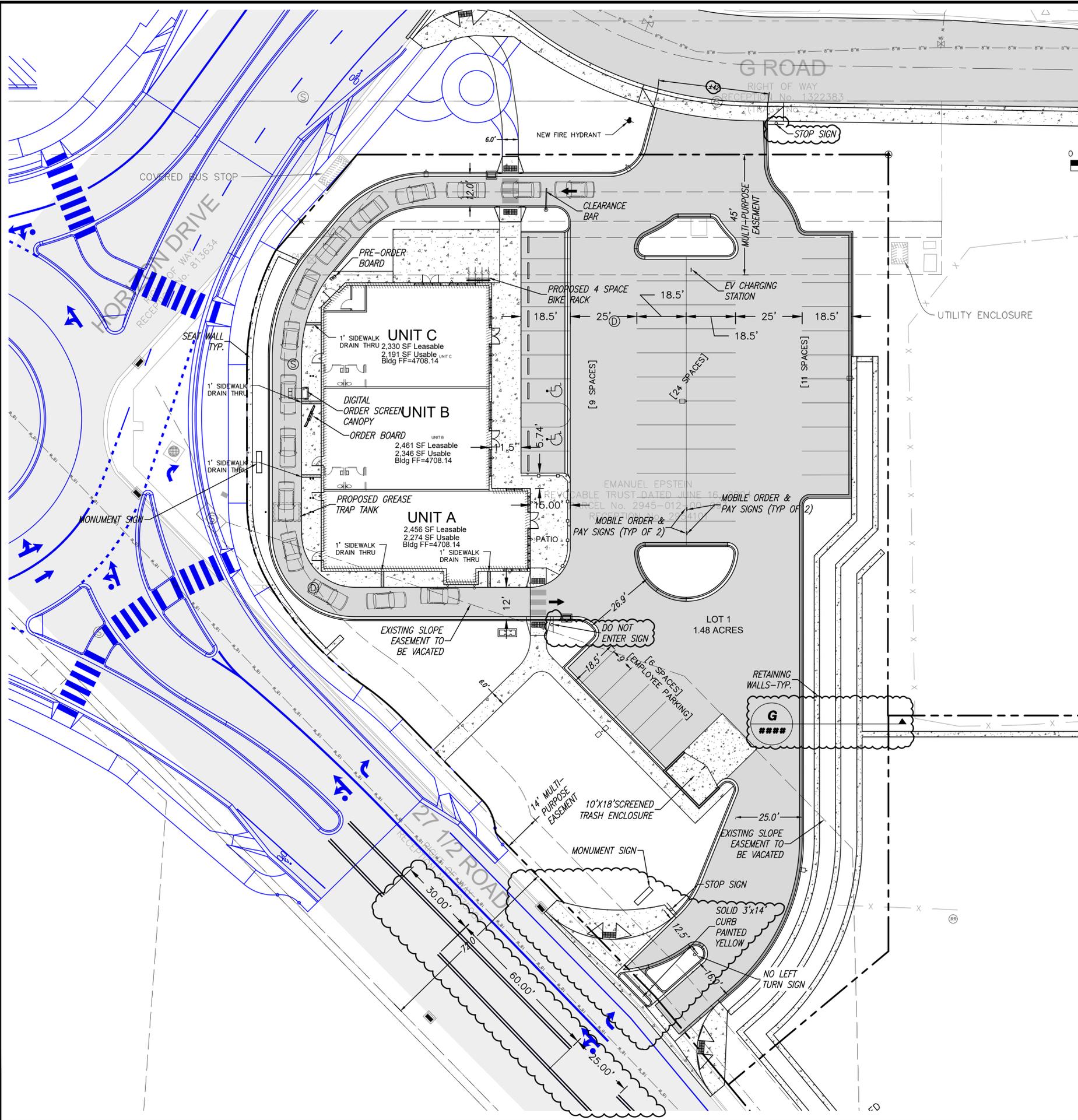
Witness my hand and official seal.
My commission expires: 05/19/2021



[Signature]
Notary Public

Legal Description Prepared by:
Jeffrey C. Fletcher PLS 24953
High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503

P:\1011.0018 - Horizon Drive Starbucks\Drawings\Production Dwg\PROD SITE - HORIZON STARBUCKS.dwg, C - 3 STARBUCKS SITE, 9/2/2022 12:33:31 PM



- GENERAL NOTES:
- CONTACT MARK BARSLUND AT (970) 201-1362 FOR A PRE-CONSTRUCTION MEETING PRIOR TO ANY WORK ON THE SITE.
 - ALL PARKING SPACES ARE 9-FT WIDE X 18.5-FT LONG UNLESS OTHERWISE NOTED.
 - ALL ADA PARKING SPACES SHALL BE SIGNED AND STRIPED PER CITY OF GRAND JUNCTION DETAIL C-24.
 - OBTAIN WORK IN RIGHT OF WAY PERMITS FROM THE CITY OF GRAND JUNCTION BEFORE DOING ANY WORK IN PUBLIC STREETS
 - PROVIDE TWO EACH, MOBILE ORDER & PAY SIGNS

LEGEND

---	PROPERTY LINE	⊙	EXISTING STORM SEWER MANHOLE
- - -	ADJACENT PROPERTY LINE	⊕	PROPOSED STORM SEWER MANHOLE
- · - · -	EXISTING EASEMENT	—	PROPOSED INLINE DRAIN
- - - - -	PROPOSED EASEMENT	—	EXISTING 8" WATER MAIN
▨	EXISTING BUILDING	—	PROPOSED 2" DOMESTIC SERVICE
▩	PROPOSED BUILDING	—	PROPOSED 4" FIRE LINE
▧	EXISTING CURB/GUTTER	—	EXISTING FIRE HYDRANT
▦	PROPOSED CURB/GUTTER	—	EXISTING WATER METER
▥	PROPOSED SPILL CURB/GUTTER	—	PROPOSED WATER METER
▤	PROPOSED TRANSITION CURB/GUTTER	—	PROPOSED METER/BACKFLOW VAULT
▣	EXISTING RETAINING WALL	—	PROPOSED IRRIGATION MANHOLE
▢	EXISTING 1-FT CONTOUR	—	PROPOSED FENCE
□	EXISTING 5-FT CONTOUR	—	EXISTING FENCE
■	PROPOSED 1-FT CONTOUR	—	PROPOSED TRAFFIC FLOW
▤	PROPOSED 5-FT CONTOUR	—	GRADE BREAK
▣	EXISTING GRAVEL	—	ROOF DRAIN (RD)
▢	PROPOSED GRAVEL	—	STREET LIGHT POLE
□	EXISTING ASPHALT	—	FIRE DEPARTMENT CONNECTION
■	PROPOSED ASPHALT	—	PARKING LOT LIGHT
▤	PROPOSED HEAVY DUTY ASPHALT	—	PROPOSED BUILDING LIGHT
▣	EXISTING CONCRETE	—	POWER POLE
▢	PROPOSED CONCRETE	—	AS-BUILT
□	PROPOSED HEAVY DUTY CONCRETE	—	FLOWLINE
■	EXISTING SANITARY SEWER	—	EDGE OF PAVEMENT
▤	PROPOSED SANITARY SEWER	—	TOP OF CONCRETE
▣	EXISTING SANITARY SEWER MANHOLE	—	TOP OF WALL
▢	PROPOSED SANITARY SEWER MANHOLE	—	TW
□	PROPOSED SANITARY SEWER CLEANOUT	—	SW
■	EXISTING STORM SEWER	—	TBW
▤	PROPOSED STORM SEWER	—	TC
▣	EXISTING STORM SEWER INLET	—	BOC
▢	PROPOSED STORM SEWER INLET	—	LS
□	PROPOSED DRY UTILITIES	—	UTILITY PEDESTALS (TEL & ELEC)
■	HGL - HYDRAULIC GRADE LINE	—	TRANSFORMER
▤	RETAINING WALL		

LAND USE SUMMARY

USE	SQUARE FT	PERCENT
BUILDINGS	7,386	11%
LANDSCAPE	26,698	41%
ASPHALT/PKG/CONC	30,561	48%
ROW DEDICATION	-	0%
TOTAL	64,645	100%

PARKING SUMMARY

7,386 SF SHOPPING PLAZA 1 SP/250 SF=30 Spaces Req'd
 Total Parking Provided On Site = 50 Spaces
 Parking Ratio: 1Sp/140 SF

BENCHMARK
 MCSM: 163-1
 FOUND 2.25" BRASS CAP
 0.8' BELOW GRADE IN
 MONUMENT BOX
 N:50003.07
 E:97360.00
 ELEVATION:4728.21 (NAVD88)

UTILITIES AND AGENCIES

CITY OF GRAND JUNCTION SANITARY SEWER	MARK BARSLUND	201-1362
UTE WATER	JIM DAUGHERTY	242-7491
GRAND VALLEY WATER USERS	KEVIN CONRAD	245-5056
CITY OF GRAND JUNCTION PUBLIC WORKS	MARK BARSLUND	201-1362
WCEL ENERGY - GAS & ELECTRIC	MIKE EASTER	244-2626
CENTURY LINK	CHRIS JOHNSON	244-4333
CHARTER	JOHN VALDEZ	245-8750
MESA COUNTY STORMWATER	JOSH MARTINEZ	683-4206

ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER DATE
 CITY PLANNER DATE

Know what's below. Call before you dig.

811

SCALE VERIFICATION
 BAR IS ONE INCH ON ORIGINAL DRAWING
 IF NOT ONE INCH ON THIS SHEET
 ADJUST SCALES ACCORDINGLY

NO.	REVISIONS	DATE	BY
1	CLIENT COMMENT UPDATE	04-21-22	mra
2	CLIENT COMMENT UPDATE	05-12-22	mra
3	PRELIMINARY ROW ALONG HORIZON	06-14-22	mra
4	REVISED ROW ALONG HORIZON	07-01-22	mra
5	RESPONSE TO ROUND 1 REVIEW COMMENTS	07-25-22	mra

A · C · G
AUSTIN CIVIL GROUP, INC.
 Land Planning • Civil Engineering • Development Services
 123 North 7th Street, Suite 300 • Grand Junction, Colorado 81501
 (970) 242-7540

STARBUCKS ON HORIZON
STARBUCKS SITE PLAN
 702 Horizon Drive
 prepared for
Horizon Cache

DRAWN BY:	MRH
DESIGNED BY:	MRH
CHECKED BY:	MRH
APPROVED BY:	MRA

JOB NUMBER: 1011.0018
DATE: 9/2/22
SCALE: 1"=20'
SHEET NO.: C 03

Legal Description

A vacation of a Perpetual Easement for Slope purposes, Parcel P.E. No. 10 as shown at Reception No. 2075083 of the Mesa County Records, situate in Lot 3 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 1, also known as the Northeast Corner of said Lot 3 and considering the East Line of said Lot 3 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along said East Line a distance of 363.86 feet to a point; thence leaving said East Line N 89°56'58" W a distance of 40.00 feet to a point on the East Boundary Line of that property as described by instrument recorded at Reception Number 2897211 in the office of the Mesa County Clerk and Recorder; thence, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49' 14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning:

thence N 39°45'02" W a distance of 124.88 feet;

thence N 44°19'28" W a distance of 239.67 feet;

thence N 45°40'32" E a distance of 6.00 feet;

thence S 71°27'06" E a distance of 181.24 feet;

thence S 44°19'28" E a distance of 90.32 feet;

thence S 01°28'12" E a distance of 119.95 feet;

thence S 39°38'22" E a distance of 24.68 feet;

thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning, containing 20,614.72 square feet as described.

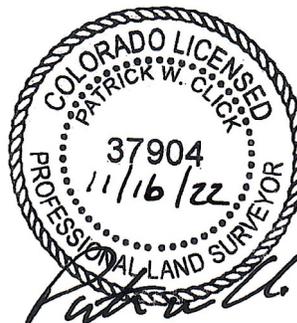
Legal description written by:

Patrick W. Click

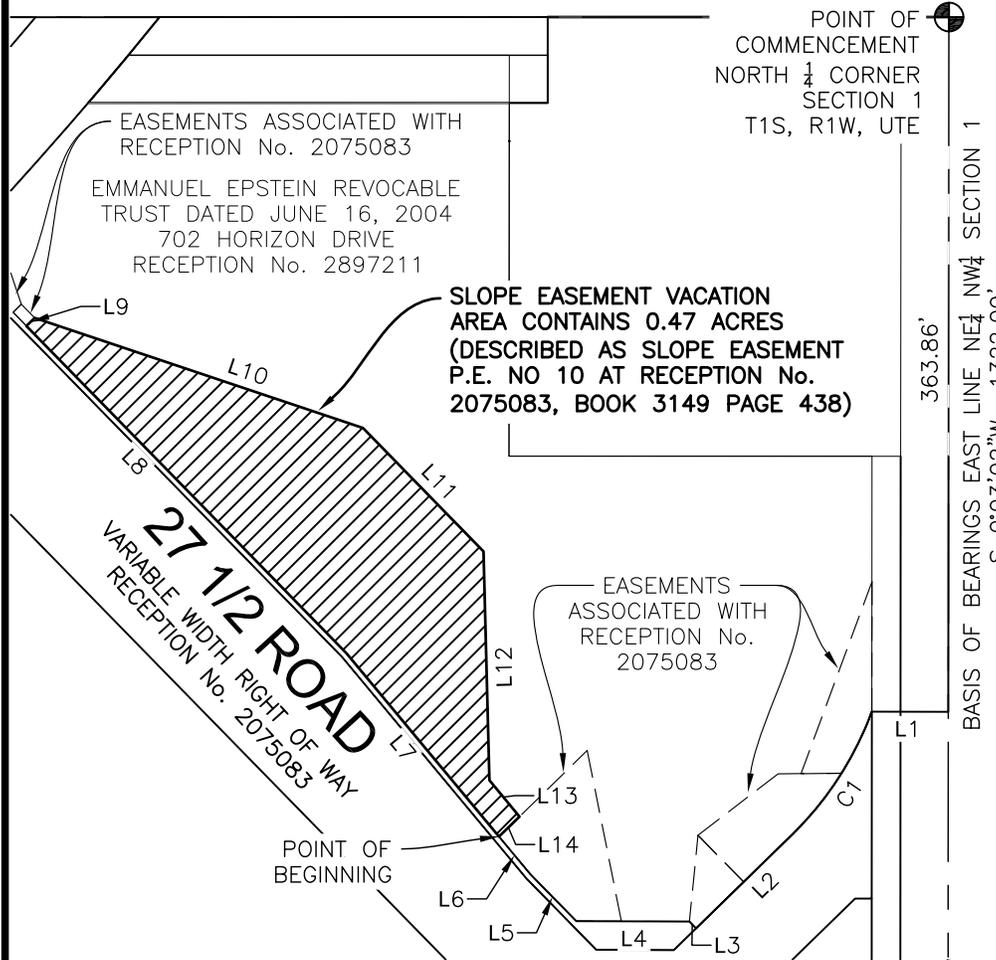
Colorado licensed surveyor number 37904

3194 Mesa Ave #B

Grand Junction, CO 81504



LEGAL SKETCH



Line Table		
Line	Direction	Length
L1	N89° 56' 58"W	40.00'
L2	S45° 40' 32"W	70.46'
L3	N44° 19' 28"W	5.00'
L4	N89° 49' 14"W	59.21'
L5	N44° 19' 28"W	34.42'
L6	N39° 45' 02"W	25.60'
L7	N39° 45' 02"W	124.88'
L8	N44° 19' 28"W	239.67'
L9	N45° 40' 32"E	6.00'
L10	S71° 27' 06"E	181.24'
L11	S44° 19' 28"E	90.32'
L12	S01° 28' 12"E	119.95'
L13	S39° 38' 22"E	24.68'
L14	S45° 40' 32"W	15.00'

363.86'
 BASIS OF BEARINGS EAST LINE NE 1/4 NW 1/4 SECTION 1
 S 0°03'02"W 1322.09'

Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	173.00'	77.18'	025° 33' 38"	76.54'	S32° 53' 44"W

CENTER-NORTH
 1/8 CORNER
 SECTION 1
 T1S, R1W, UTE



LEGAL DESCRIPTION SKETCH

JOB: 2021-138

DATE: 11/16/22

SLOPE EASEMENT VACATION
 702 HORIZON DRIVE
 GRAND JUNCTION, COLORADO
 LOT 3 OF SECTION 1
 T1S, R1W, UTE.
 CITY OF GRAND JUNCTION
 MESA COUNTY, COLORADO



GRAPHIC SCALE:

1"=100'

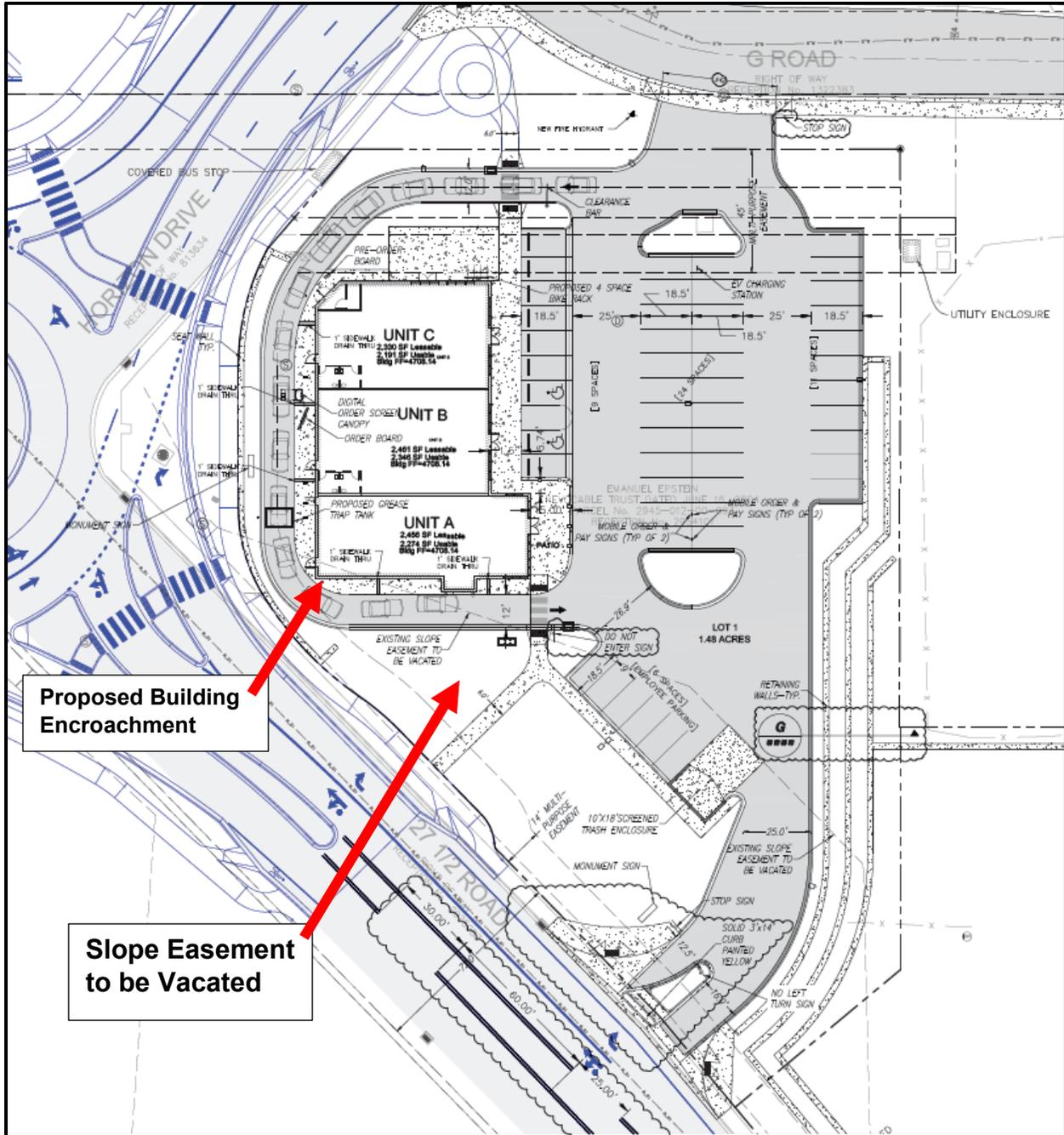


POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE
 GRAND JUNCTION, CO 81504
 PHONE (970)434-7038

LOCATION MAP/SITE PLAN



Proposed Building Encroachment

Slope Easement to be Vacated

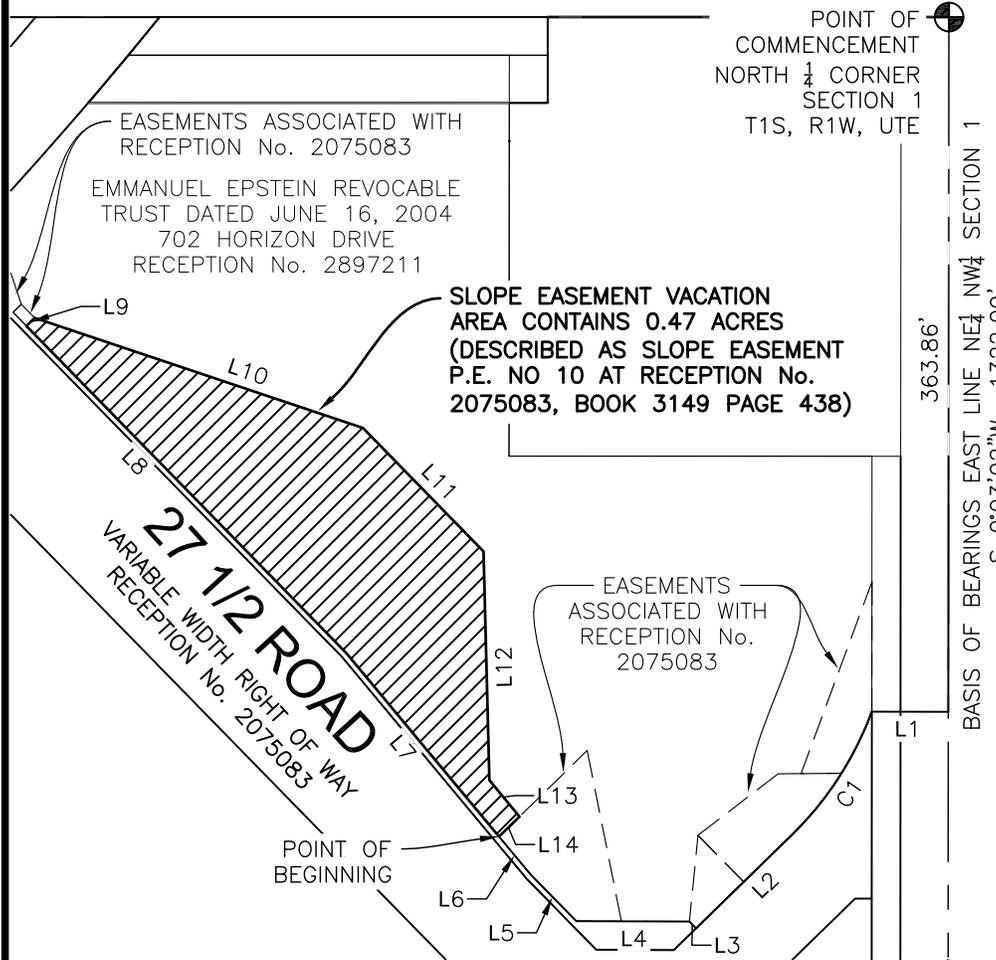
SITE PHOTO



AIR PHOTO



LEGAL SKETCH



Line Table		
Line	Direction	Length
L1	N89° 56' 58"W	40.00'
L2	S45° 40' 32"W	70.46'
L3	N44° 19' 28"W	5.00'
L4	N89° 49' 14"W	59.21'
L5	N44° 19' 28"W	34.42'
L6	N39° 45' 02"W	25.60'
L7	N39° 45' 02"W	124.88'
L8	N44° 19' 28"W	239.67'
L9	N45° 40' 32"E	6.00'
L10	S71° 27' 06"E	181.24'
L11	S44° 19' 28"E	90.32'
L12	S01° 28' 12"E	119.95'
L13	S39° 38' 22"E	24.68'
L14	S45° 40' 32"W	15.00'

Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	173.00'	77.18'	025° 33' 38"	76.54'	S32° 53' 44"W

CENTER-NORTH
 $\frac{1}{16}$ CORNER
SECTION 1
T1S, R1W, UTE



LEGAL DESCRIPTION SKETCH

JOB: 2021-138

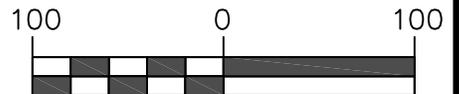
DATE: 11/16/22

SLOPE EASEMENT VACATION
702 HORIZON DRIVE
GRAND JUNCTION, COLORADO
LOT 3 OF SECTION 1
T1S, R1W, UTE.
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO



GRAPHIC SCALE:

1"=100'



POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

46

DISTRICT COURT, MESA COUNTY, COLORADO 125 North Spruce Street Grand Junction, CO 81501 (970) 257-3625	<p style="text-align: center;">FILED IN DISTRICT COURT MESA COUNTY, COLORADO</p> <p style="text-align: right;">C</p> <p style="text-align: center;">JUL 09 2001</p> <p style="text-align: center;">BOOK 3149 PAGE 414</p> <p style="text-align: center;">RECEIVED JUL - 2 2001</p> <p style="text-align: center;">-----</p>
CITY OF GRAND JUNCTION, a home rule city, Petitioner, v. EMANUEL EPSTEIN; THE ESTATE OF JIMMIE L. ETTER; GENA HARRISON, Public Trustee and Treasurer of the County of Mesa, Colorado, Respondents.	Case No. 00 CV 73 Div.: A Ctrm.:
John P. Shaver, No. 16594 Assistant City Attorney 250 North 5 th Street, Grand Junction, CO 81501 (970) 244-1501 Fax: (970) 244-1456 Mark E. May, No. 12049 Weiner, Schiller and May, P.C. 6412 S. Quebec Street, Englewood, CO 80111 (303) 779-5200 Fax: (303) 779-0736	<p style="text-align: center;">RULE AND ORDER IN CONDEMNATION</p>

THIS MATTER came before this Court upon the Stipulation and joint motion for Entry of a Rule Order in condemnation submitted by Petitioner City of Grand Junction, a home rule city, by and through the Office of the City Attorney (Petitioner) and Respondents Emanuel Epstein and the Estate of Jimmie L. Etter, by and through their counsel, Weiner, Schiller and May, Mr. Mark E. May, (Respondents), with respect to the acquisition of property interests which are the subject matter of this action, said Stipulation being duly executed by the persons interested as owners and it appearing to the Court from said Stipulation and other pleadings herein that said persons are the record owners and that said persons have agreed with the City upon just compensation to be paid:

CERTIFIED TO BE A FULL AND TRUE AND CORRECT COPY OF ORIGINAL IN MY CUSTODY
 Date 9-6-02
 Sandra Casselberg
 Clerk

SEAL
 MESA COUNTY COLORADO

The Court being advised in the premises FINDS and ORDERS as follows:

1. Venue for this proceeding is proper in Mesa County, Colorado, and this Court has subject matter jurisdiction.
2. Petitioner and Respondents are subject to the personal jurisdiction of this Court.
3. Respondents are the owners of real property in Mesa County, Colorado described in the Petition and Amended Petition in Condemnation.
4. Petitioner has the authority to exercise the power of eminent domain pursuant to § 38-1-101 *et seq.*, C.R.S and that this Rule and Order is entered pursuant to law.
5. That the parties have agreed that the total sum of \$208,000.00 represents the full and just compensation to be paid for the acquisitions that are the subject of this action and all damages and that the compensation shall be in full settlement and satisfaction of all claims for the condemnation, the effect of the condemnation, the conveyance of the remnant parcel, the Agreement for Possession and Use and any and all claims of damages, interest, costs and attorney fees.
6. The Petitioner and the Respondent shall bear their own costs, expenses and attorneys' fees.
7. The terms and conditions of the Stipulation shall remain in effect and the Court retains jurisdiction in order to enforce the terms of the Stipulation.

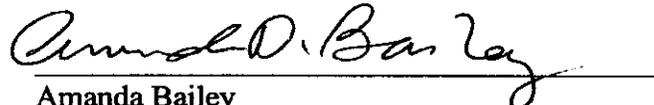
IT IS ORDERED, ADJUDGED AND DECREED

1. That the property interests described in the Petition and Amended Petition in Condemnation have been duly and lawfully taken by the City pursuant to the laws, Charter and Constitution of the City and the State of Colorado.
2. That the interests of the Respondents-Owners in said parcels have been acquired by the City and that title to the same, are hereby conveyed and vested in the City.
3. That the Clerk of the Court shall accept for deposit the sum of \$148,000.00 from the City.
4. That the sum of \$148,000.00 is to be disbursed by the Clerk of the Court to the Respondent-Owners pursuant to and in accordance with court order.

5. That the Respondents-Owners have received and acknowledge the receipt, sufficiency and adequacy of the prior payment of \$60,000.00 and upon receipt of \$148,000.00 from the Clerk of the Court that full and complete compensation shall have been made.
6. That a certified copy of this Rule and Order be recorded and indexed in the Office of the Clerk and Recorder-Mesa County Land Records, in like manner as if it were a deed of conveyance from the owners to the City.
7. That the Stipulation for Entry of Rule and Order is hereby adopted and accepted by this Order as the Order of the Court.

DATED this 9th day of July, 2001.

BY THE COURT:


Amanda Bailey
District Court Judge

Right-of-Way Parcel No. 1
Legal Description

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes, situate in the Northeast 1/4 of the Northwest 1/4 (NE 1/4 NW 1/4) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

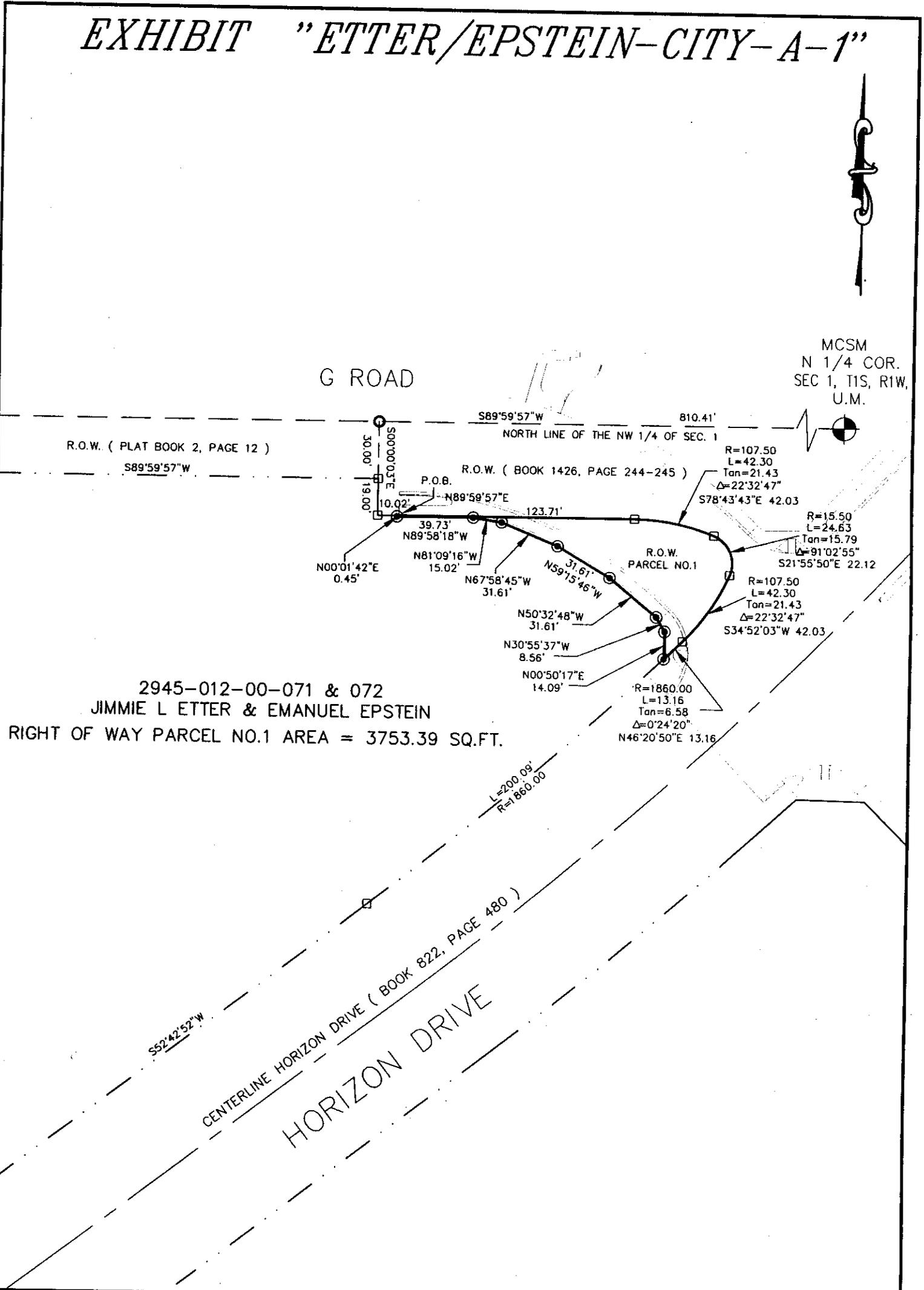
Commencing at the North 1/4 Corner of said Section 1, and considering the north line of the NE 1/4 NW 1/4 of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE 1/4 NW 1/4 of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE 1/4 NW 1/4 of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet to the True Point of Beginning;

thence along the south right-of-way line for G Road as aforesaid the following three (3) courses:

1. N 89°59'57" E a distance of 123.71 feet;
2. 42.30 feet along the arc of a curve concave to the Southwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 78°43'43" E a distance of 42.03 feet;
3. 24.63 feet along the arc of a curve concave to the Southwest, having a radius of 15.50 feet, a central angle of 91°02'55", and a long chord bearing S 21°55'50" E a distance of 22.12 feet to a point on the westerly right-of-way line for Horizon Drive as described by said instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder;

thence along the westerly right-of-way line for Horizon Drive as aforesaid, 42.30 feet along the arc of a curve concave to the Northwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 34°52'03" W a distance of 42.03 feet; thence continuing along the westerly right-of-way line for Horizon Drive, 13.16 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°24'20", and a long chord bearing S 46°20'50" W a distance of 13.16 feet; thence leaving the westerly right-of-way line for Horizon Drive, N 00°50'17" E a distance of 14.09 feet; thence N 30°55'37" W a distance of 8.56 feet; thence N 50°32'48" W a distance of 31.61 feet; thence N 59°15'46" W a distance of 31.61 feet; thence N 67°58'45" W a distance of 31.61 feet; thence N 81°09'16" W a distance of 15.02 feet; thence N 89°58'18" W a distance of 39.73 feet; thence N 00°01'42" E a distance of 0.45 feet to the Point of Beginning, containing 3,753.39 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-1"



2945-012-00-071 & 072
JIMMIE L ETTER & EMANUEL EPSTEIN
 RIGHT OF WAY PARCEL NO.1 AREA = 3753.39 SQ.FT.

DRAWN BY: SRP
 DATE: 10-04-99
 SCALE: 1" = 60'
 APPR. BY: TW
 FILE NO: EE5.DWG

RIGHT-OF-WAY DESCRIPTION MAP

27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Real Estate Requirements for 27 ½ Road Realigned

BOOK 3149 PAGE 419

Right-of-Way Parcel No. 2

Legal Description

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes, situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 97.90 feet;

thence leaving the west right-of-way line for 27 ½ Road, N 89°56'58" W a distance of 8.64 feet;

thence S 45°40'32" W a distance of 92.26 feet;

thence S 00°40'32" W a distance of 33.12 feet;

thence S 44°19'28" E a distance of 56.58 feet;

thence 54.82 feet along the arc of a curve concave to the Southwest, having a radius of 380.00 feet, a central angle of 08°15'56", and a long chord bearing S 40°11'30" E a distance of 54.77 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 133.66 feet;

thence leaving the west right-of-way line for 27 ½ Road, 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing N 30°19'51" W a distance of 154.76 feet;

thence N 44°19'28" W a distance of 633.32 feet;

thence N 88°57'04" W a distance of 17.49 feet;

thence S 46°22'34" W a distance of 14.87 feet;

thence N 43°24'26" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;

thence along the southerly right-of-way line for Horizon Drive as aforesaid, 120.35 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 03°31'06", and a long chord bearing N 44°50'02" E a distance of 120.34 feet;

thence leaving the southerly right-of-way line for Horizon Drive, S 00°02'18" E a distance of 30.43 feet;

thence S 44°19'28" E a distance of 272.90 feet;

thence S 39°45'02" E a distance of 150.48 feet;

thence S 44°19'28" E a distance of 52.62 feet;

thence S 89°49'14" E a distance of 40.54 feet;

thence N 45°40'32" E a distance of 86.77 feet;

thence 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing N 32°53'44" E a distance of 76.54 feet to the Point of Beginning,

containing 57,917.38 feet as described.

Perpetual Slopes and Drainage Easement Parcel P.E. No. 1
Legal Description

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

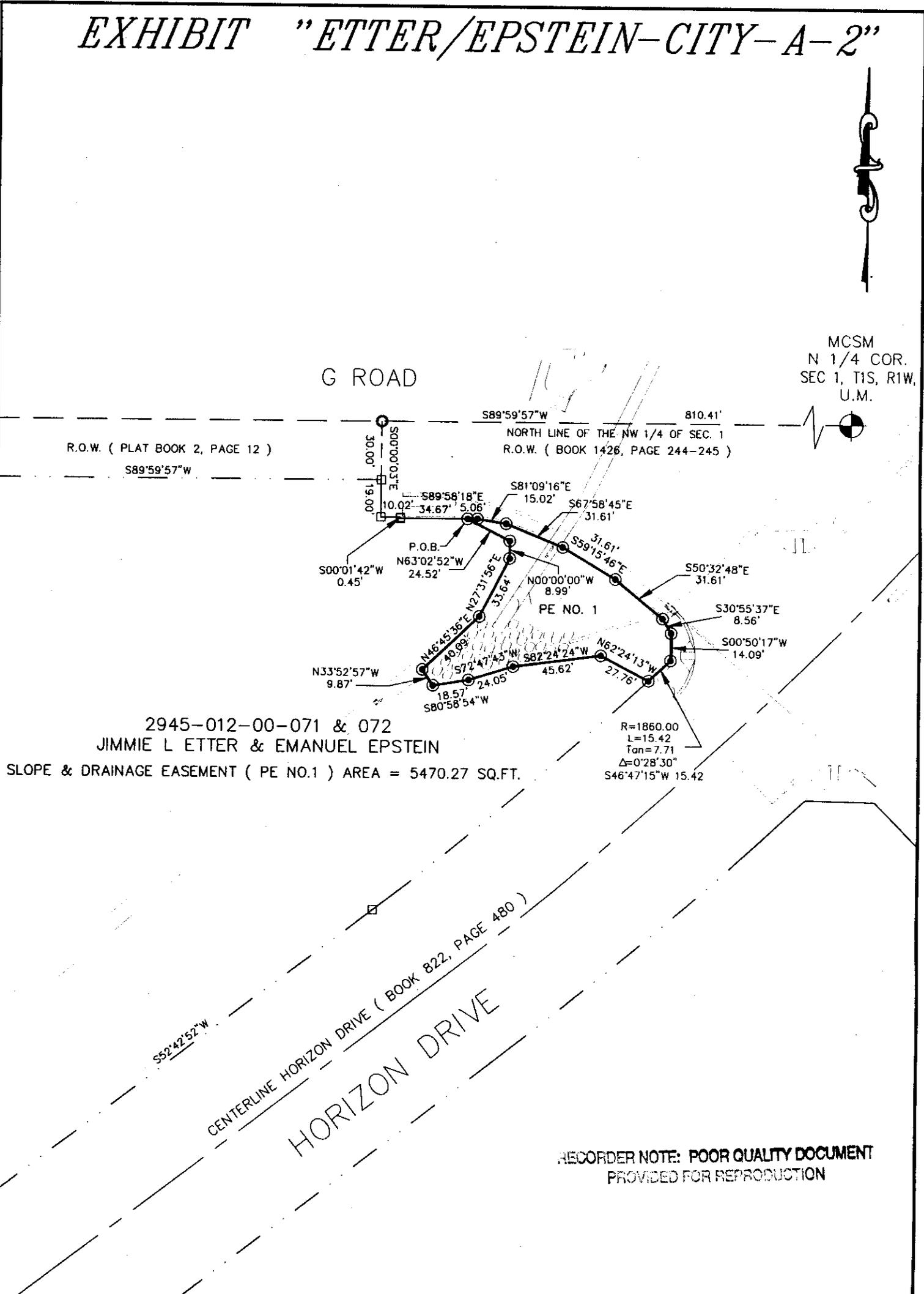
Commencing at the North ¼ Corner of said Section 1, and considering the north line of the NE ¼ NW ¼ of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE ¼ NW ¼ of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE ¼ NW ¼ of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet; thence leaving the south right-of-way line for G Road, S 00°01'42" W a distance of 0.45 feet; thence S 89°58'18" E a distance of 34.67 feet to the True Point of Beginning;

thence S 89°58'18" E a distance of 5.06 feet;
thence S 81°09'16" E a distance of 15.02 feet;
thence S 67°58'45" E a distance of 31.61 feet;
thence S 59°15'46" E a distance of 31.61 feet;
thence S 50°32'48" E a distance of 31.61 feet;
thence S 30°55'37" E a distance of 8.56 feet;
thence S 00°50'17" W a distance of 14.09 feet to a point on the westerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the westerly right-of-way line for Horizon Drive as aforesaid, 15.42 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°28'30", and a long chord bearing S 46°47'15" W a distance of 15.42 feet;
thence leaving the westerly right-of-way line for Horizon Drive, N 62°24'13" W a distance of 27.76 feet;
thence S 82°24'24" W a distance of 45.62 feet;
S 72°47'43" W a distance of 24.05 feet;
thence S 80°58'54" W a distance of 18.57 feet;
thence N 33°52'57" W a distance of 9.87 feet;
thence N 46°45'36" E a distance of 40.09 feet;
thence N 27°31'56" E a distance of 33.64 feet;
thence N 00°00'00" W a distance of 8.99 feet;
thence N 63°02'52" W a distance of 24.52 feet to the Point of Beginning, containing 5,470.27 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-2"



MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-071 & 072
JIMMIE L ETTER & EMANUEL EPSTEIN

SLOPE & DRAINAGE EASEMENT (PE NO.1) AREA = 5470.27 SQ.FT.

R=1860.00
L=15.42
Tan=7.71
Δ=0°28'30"
S46°47'15"W 15.42

RECORDER NOTE: POOR QUALITY DOCUMENT
PROVIDED FOR REPRODUCTION

DRAWN BY: SRP
DATE: 9-21-99
SCALE: 1" = 60'
APPR. BY: IW
FILE NO: EE6.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes and Drainage Easement Parcel P.E. No. 2
Legal Description

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast 1/4 of the Northwest 1/4 (NE 1/4 NW 1/4) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 1, and considering the east line of the NE 1/4 NW 1/4 of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE 1/4 NW 1/4 of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE 1/4 NW 1/4 of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 1/2 Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving said right-of-way line, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 16.30 feet;
thence N 89°49'14" W a distance of 40.54 feet;
thence N 44°19'28" W a distance of 52.62 feet;
thence N 39°45'02" W a distance of 150.48 feet;
thence N 44°19'28" W a distance of 272.90 feet
thence N 00°02'18" W a distance of 30.43 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the southerly right-of-way line for Horizon Drive as aforesaid, 4.39 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°07'42", and a long chord bearing N 43°00'37" E a distance of 4.39 feet;
thence leaving the southerly right-of-way line for Horizon Drive, S 28°29'33" E a distance of 27.13 feet;
thence S 18°40'20" E a distance of 21.34 feet;
thence S 45°40'32" W a distance of 6.00 feet;
thence S 44°19'28" E a distance of 249.67 feet;
thence S 39°45'02" E a distance of 150.48 feet;
thence S 44°19'28" E a distance of 34.42 feet;
thence S 89°49'14" E a distance of 59.21 feet;
thence S 44°19'28" E a distance of 5.00 feet to the Point of Beginning,
containing 2,513.75 square feet as described.

**Perpetual Slopes and Drainage Easement Parcel P.E. No. 3
Legal Description**

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 5.00 feet;

thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 13.28 feet;

thence 147.60 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 26°40'43", and a long chord bearing N 30°59'06" W a distance of 146.28 feet;

thence N 44°19'28" W a distance of 632.09 feet;

thence N 88°57'04" W a distance of 15.02 feet;

thence S 46°23'39" W a distance of 13.65 feet;

thence N 43°24'26" W a distance of 3.00 feet;

thence N 46°22'34" E a distance of 14.87 feet;

thence S 88°57'04" E a distance of 17.49 feet;

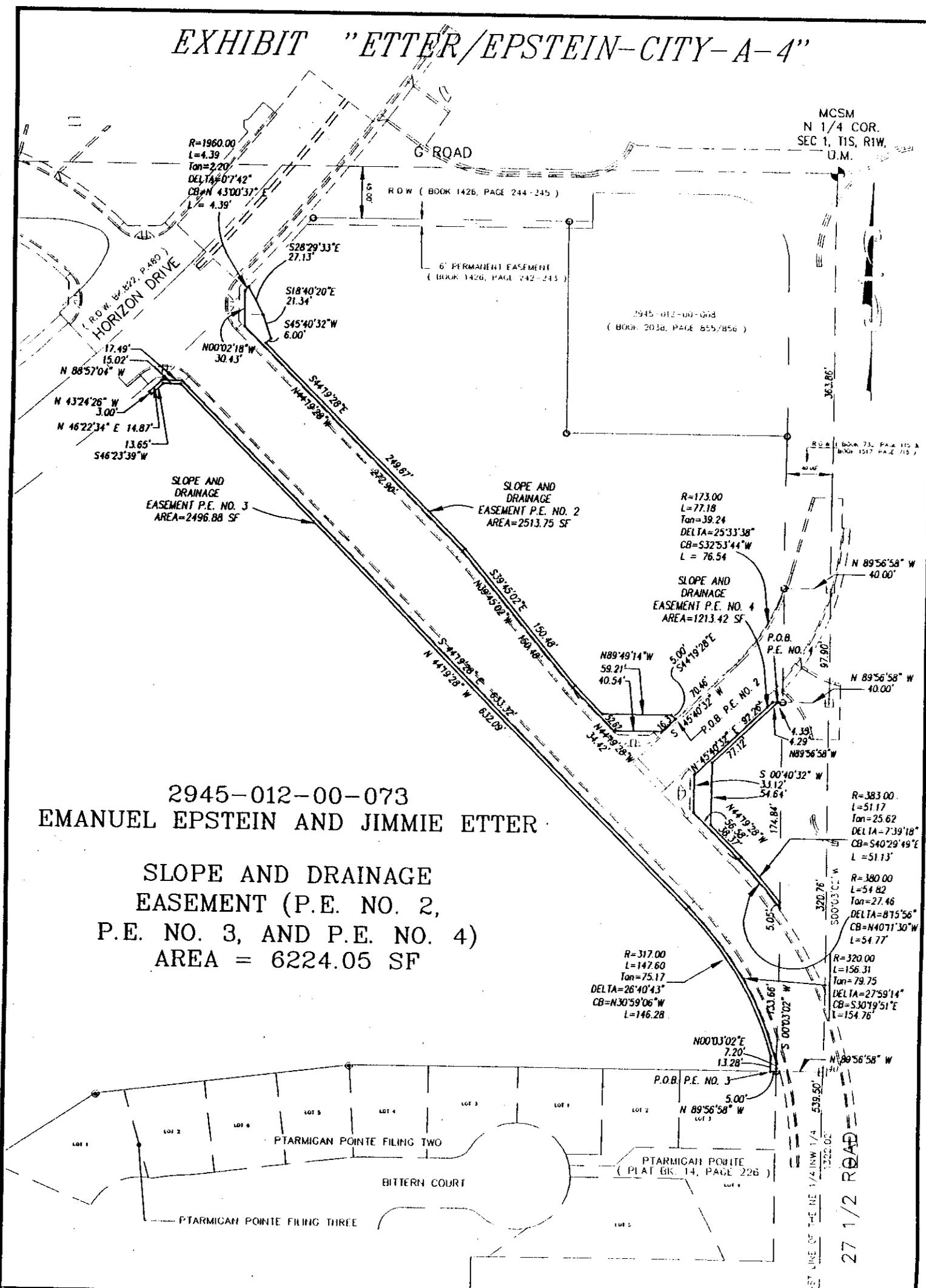
thence S 44°19'28" E a distance of 633.32 feet;

thence 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing S 30°19'51" E a distance of 154.76 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 7.20 feet to the Point of Beginning,

containing 2,496.88 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-4"



MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.

2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE AND DRAINAGE
EASEMENT (P.E. NO. 2,
P.E. NO. 3, AND P.E. NO. 4)
AREA = 6224.05 SF

DRAWN BY: SRP
DATE: 2-23-2000
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EEA4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

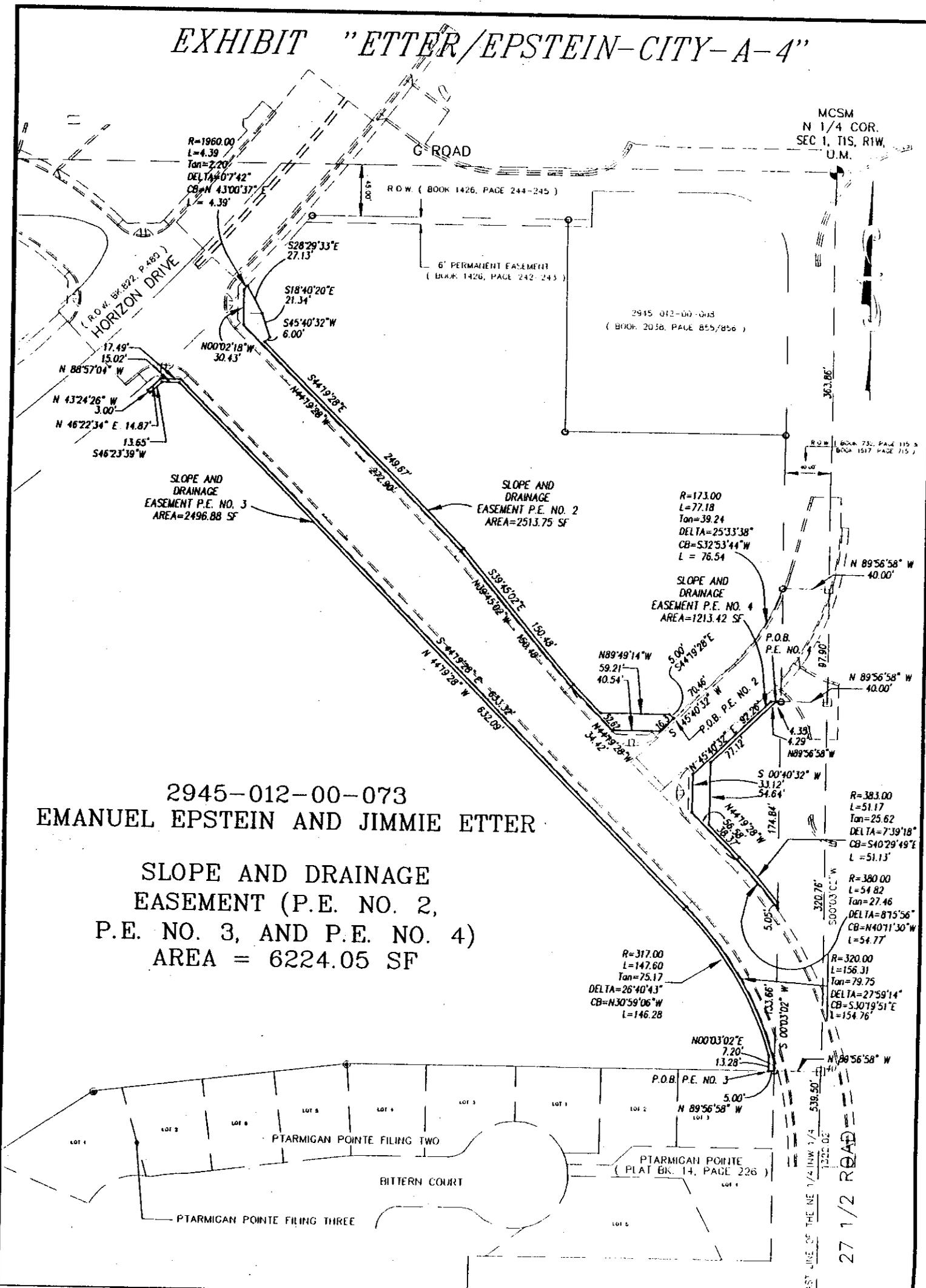
Perpetual Slopes and Drainage Easement Parcel P.E. No. 4
Legal Description

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 461.76 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, N 89°56'58" W a distance of 4.35 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 77.12 feet;
thence S 00°40'32" W a distance of 54.64 feet;
thence S 44°19'28" E a distance of 38.37 feet;
thence 51.17 feet along the arc of a curve concave to the Southwest, having a radius of 383.00 feet, a central angle of 07°39'18", and a long chord bearing S 40°29'49" E a distance of 51.13 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 5.05 feet;
thence 54.82 feet along the arc of a curve concave to the Southwest, having a radius of 380.00 feet, a central angle of 08°15'56", and a long chord bearing N 40°11'30" W a distance of 54.77 feet;
thence N 44°19'28" W a distance of 56.58 feet;
thence N 00°40'32" E a distance of 33.12 feet;
thence N 45°40'32" E a distance of 92.26 feet;
thence S 89°56'58" E a distance of 4.29 feet to the Point of Beginning,
containing 1,213.42 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-4"



2945-012-00-073
 EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE AND DRAINAGE
 EASEMENT (P.E. NO. 2,
 P.E. NO. 3, AND P.E. NO. 4)
 AREA = 6224.05 SF

DRAWN BY: SRP
 DATE: 2-23-2000
 SCALE: 1" = 100'
 APPR. BY: JW
 FILE NO: EEA4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION

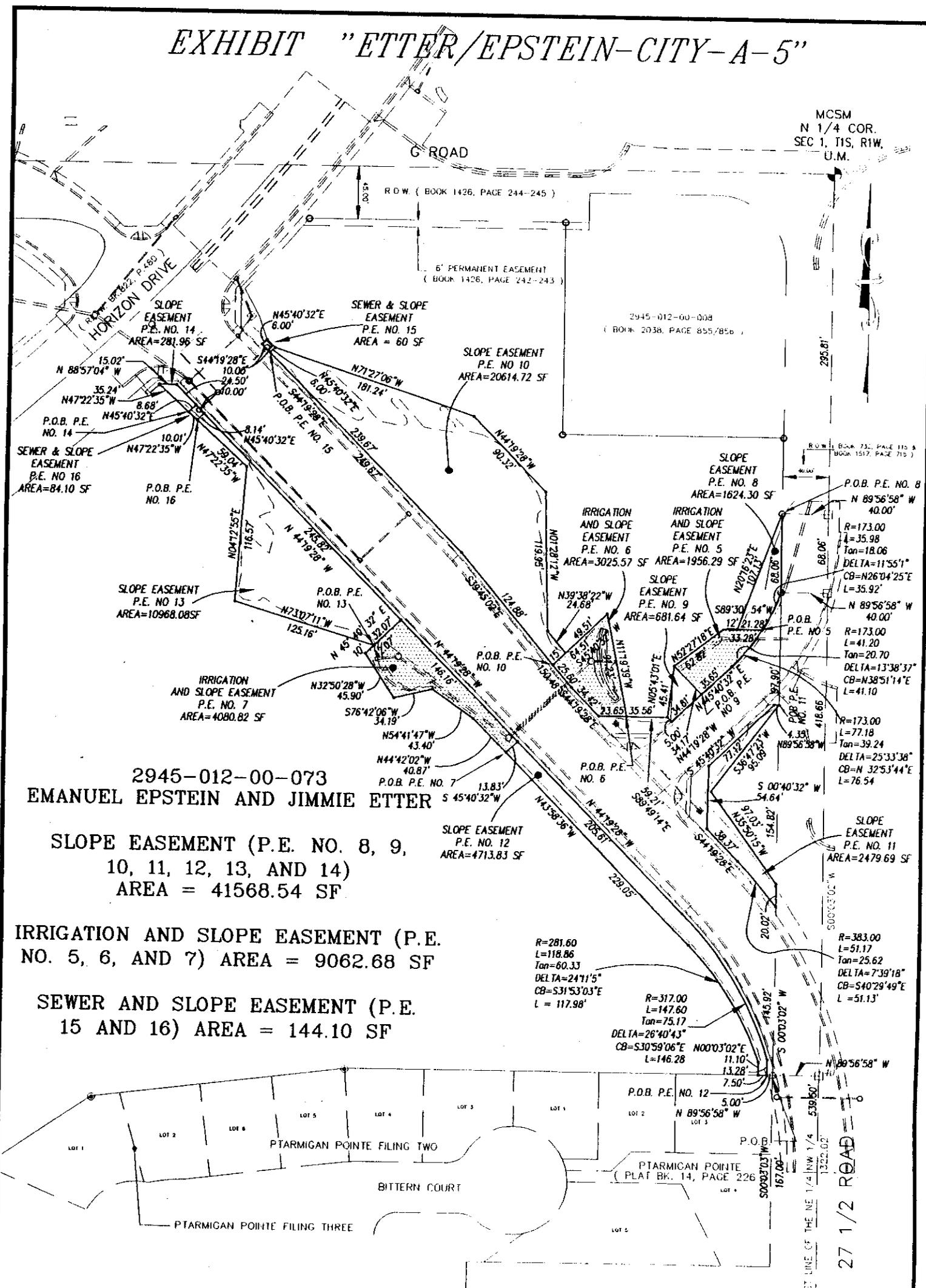
Perpetual Slopes and Irrigation Easement Parcel P.E. No. 5
Legal Description

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 35.98 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 11°55'01", and a long chord bearing S 26°04'25" W a distance of 35.92 feet to the True Point of Beginning;

thence 41.20 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 13°38'37", and a long chord bearing S 38°51'14" W a distance of 41.10 feet; thence S 45°40'32" W a distance of 35.65 feet; thence N 44°19'28" W a distance of 34.17 feet; thence N 52°27'18" E a distance of 52.82 feet; thence N 89°30'54" E a distance of 33.28 feet to the Point of Beginning, containing 1,956.29 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 67

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

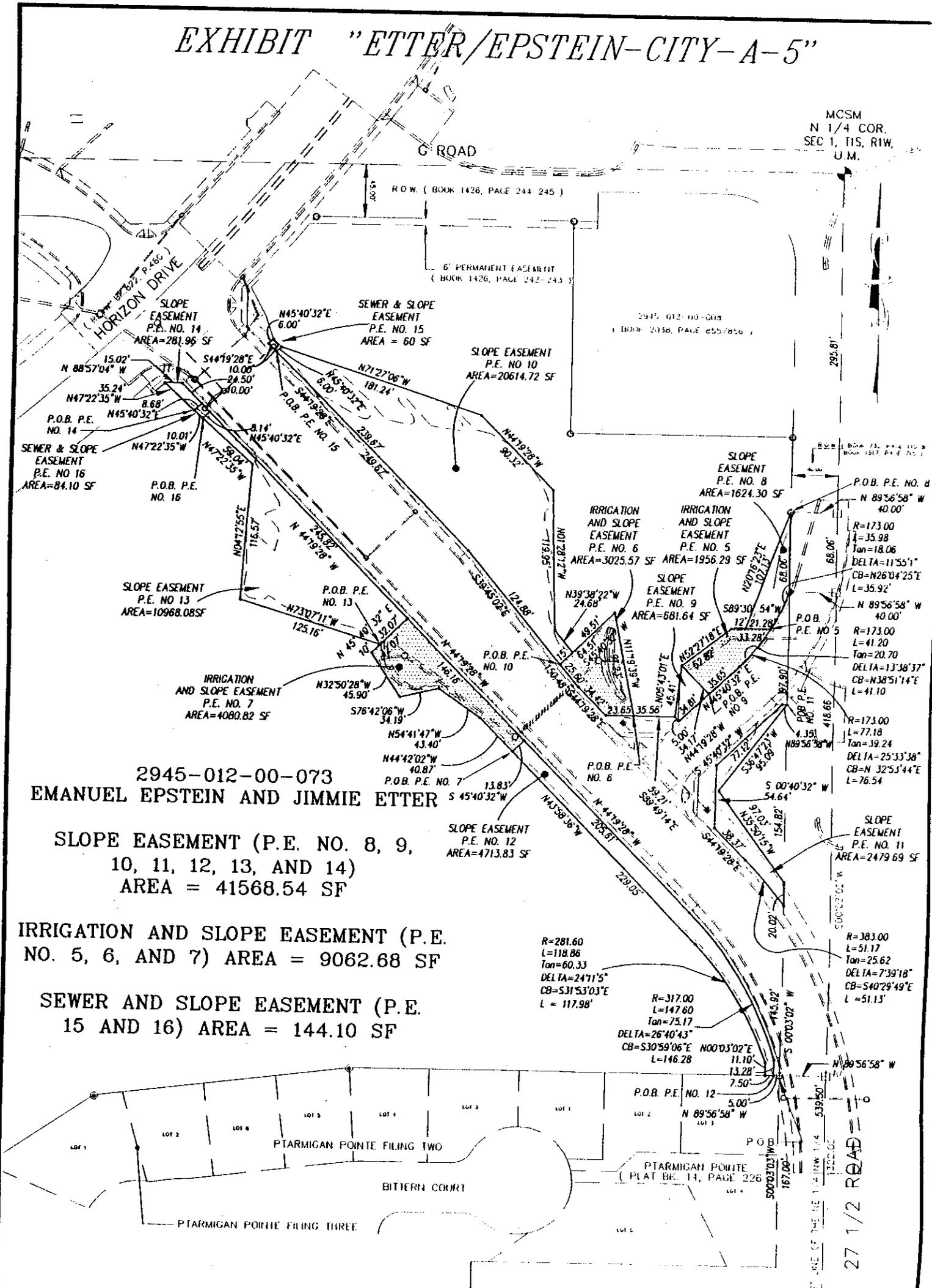
Perpetual Slopes and Irrigation Easement Parcel P.E. No. 6
Legal Description

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 35.56 feet to the True Point of Beginning;

thence N 89°49'14" W a distance of 23.65 feet;
thence N 44°19'28" W a distance of 34.42 feet;
thence N 39°45'02" W a distance of 25.60 feet;
thence N 45°40'32" E a distance of 64.51 feet;
thence S 11°19'39" E a distance of 91.23 feet to the Point of Beginning,
containing 3,025.57 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.

G ROAD

R.O.W. (BOOK 1426, PAGE 244-245)

6' PERMANENT EASEMENT
(BOOK 1426, PAGE 242-243)

2945-012-00-003
(BOOK 2038, PAGE 655/656)

2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

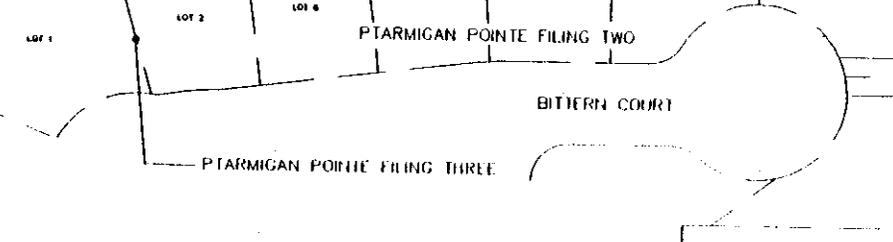
IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

R=281.60
L=118.86
Tan=60.33
DELTA=24°11'5"
CB=S31°53'03"E
L=117.98'

R=317.00
L=147.60
Tan=75.17
DELTA=26°40'43"
CB=S30°59'06"E
L=146.28

R=383.00
L=51.17
Tan=25.62
DELTA=7°39'18"
CB=S40°29'49"E
L=51.13'



27 1/2 ROAD

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP

27 1/2 ROAD

Packet Page 69
8A

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

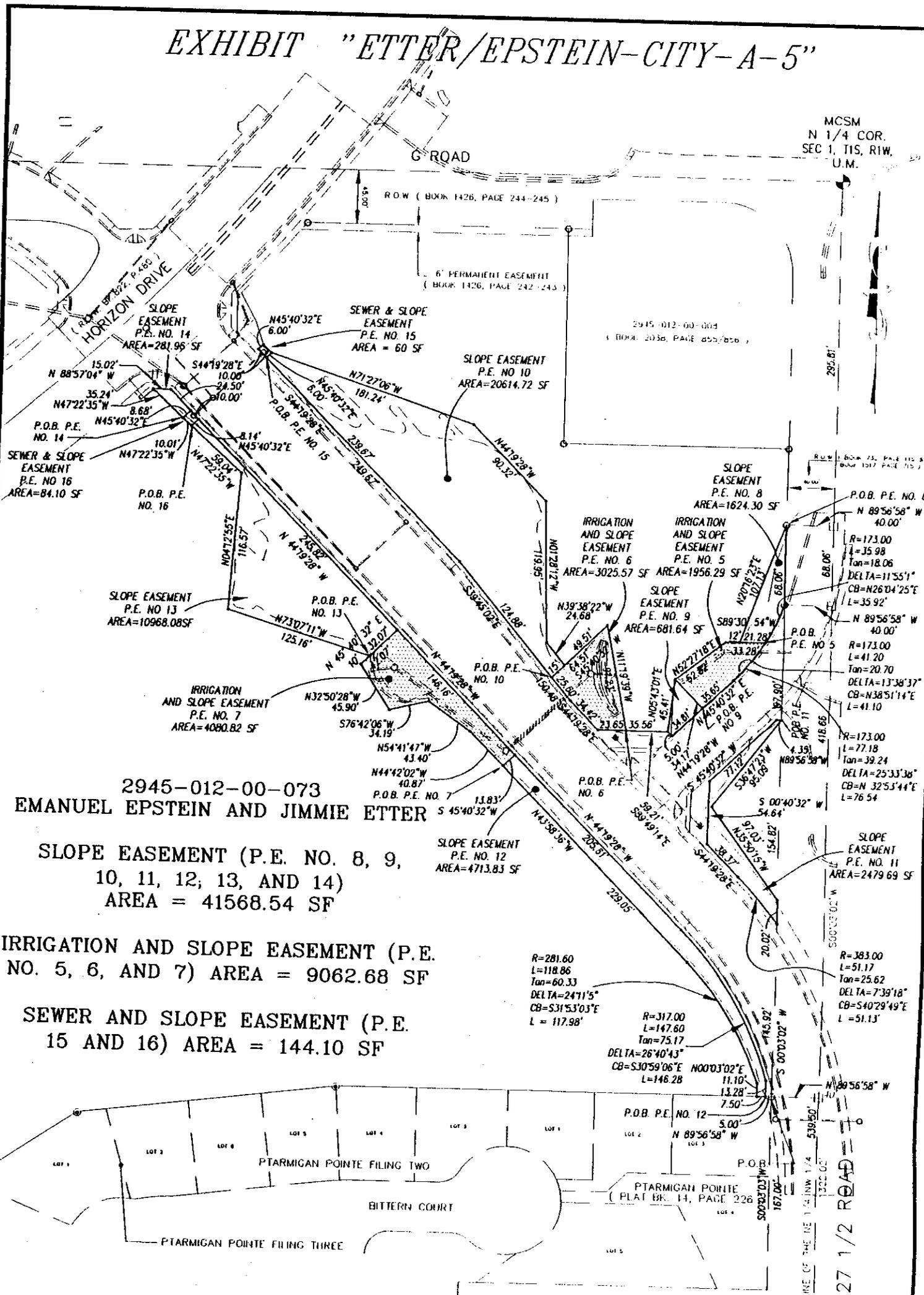
Perpetual Slopes and Irrigation Easement Parcel P.E. No. 7
Legal Description

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast 1/4 of the Northwest 1/4 (NE 1/4 NW 1/4) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 1, and considering the east line of the NE 1/4 NW 1/4 of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE 1/4 NW 1/4 of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE 1/4 NW 1/4 of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 1/2 Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet to the True Point of Beginning;

thence N 44°42'02" W a distance of 40.87 feet;
thence N 54°41'47" W a distance of 43.40 feet;
thence S 76°42'06" W a distance of 34.19 feet;
thence N 32°50'28" W a distance of 45.90 feet;
thence N 45°40'32" E a distance of 42.07 feet;
thence S 44°19'28" E a distance of 146.16 feet,
containing 4,080.82 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.

2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4 DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 71

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes and Irrigation Easement Parcel P.E. No. 8
Legal Description

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 295.81 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 68.06 feet;

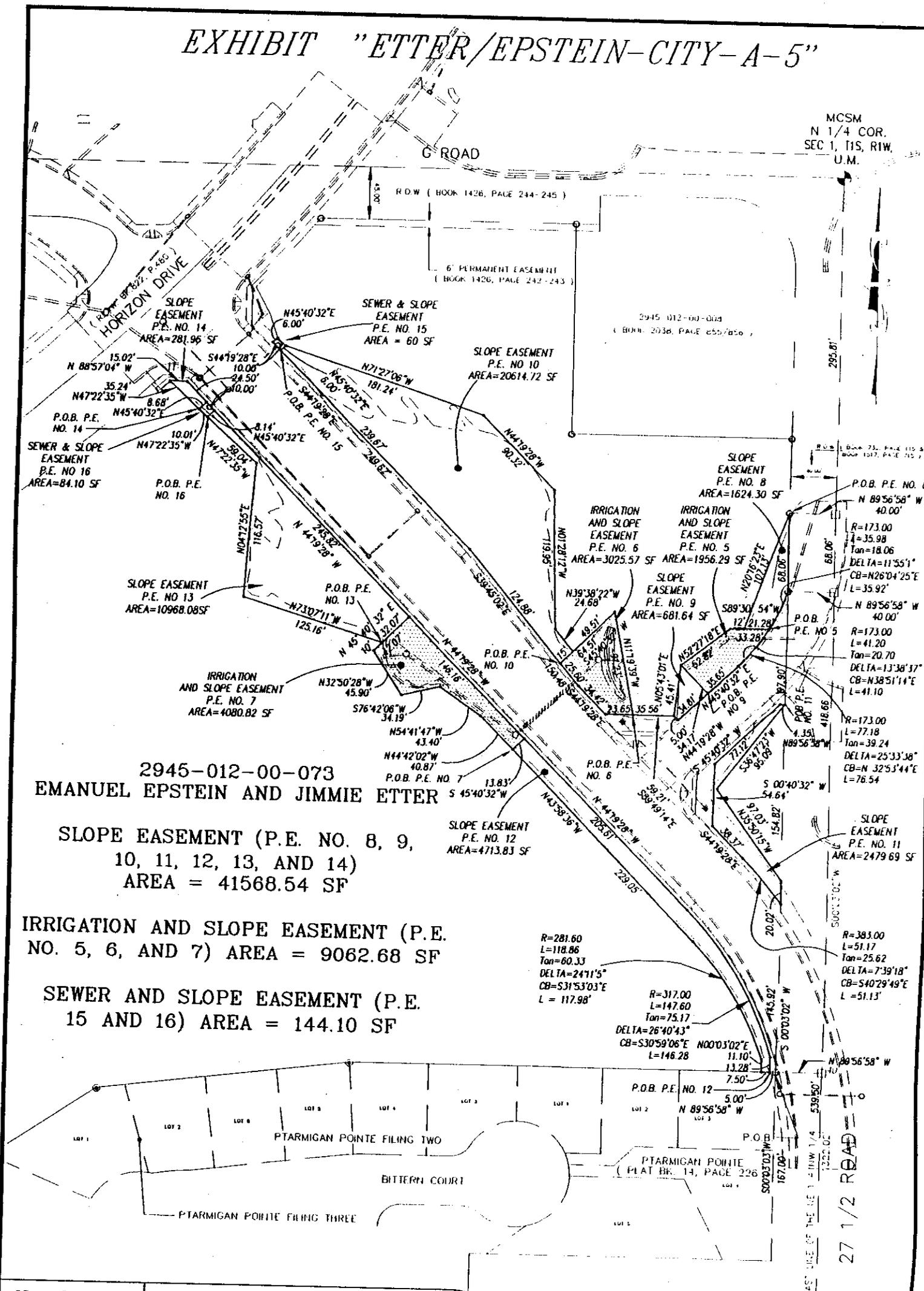
thence leaving said right-of-way line, 35.98 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 11°55'01", and a long chord bearing S 26°04'25" W a distance of 35.92 feet;

thence S 89°30'54" W a distance of 21.28 feet;

thence N 20°16'23" E a distance of 107.13 feet to the Point of Beginning, containing 1,624.30 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 73

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes Easement Parcel P.E. No. 9
Legal Description

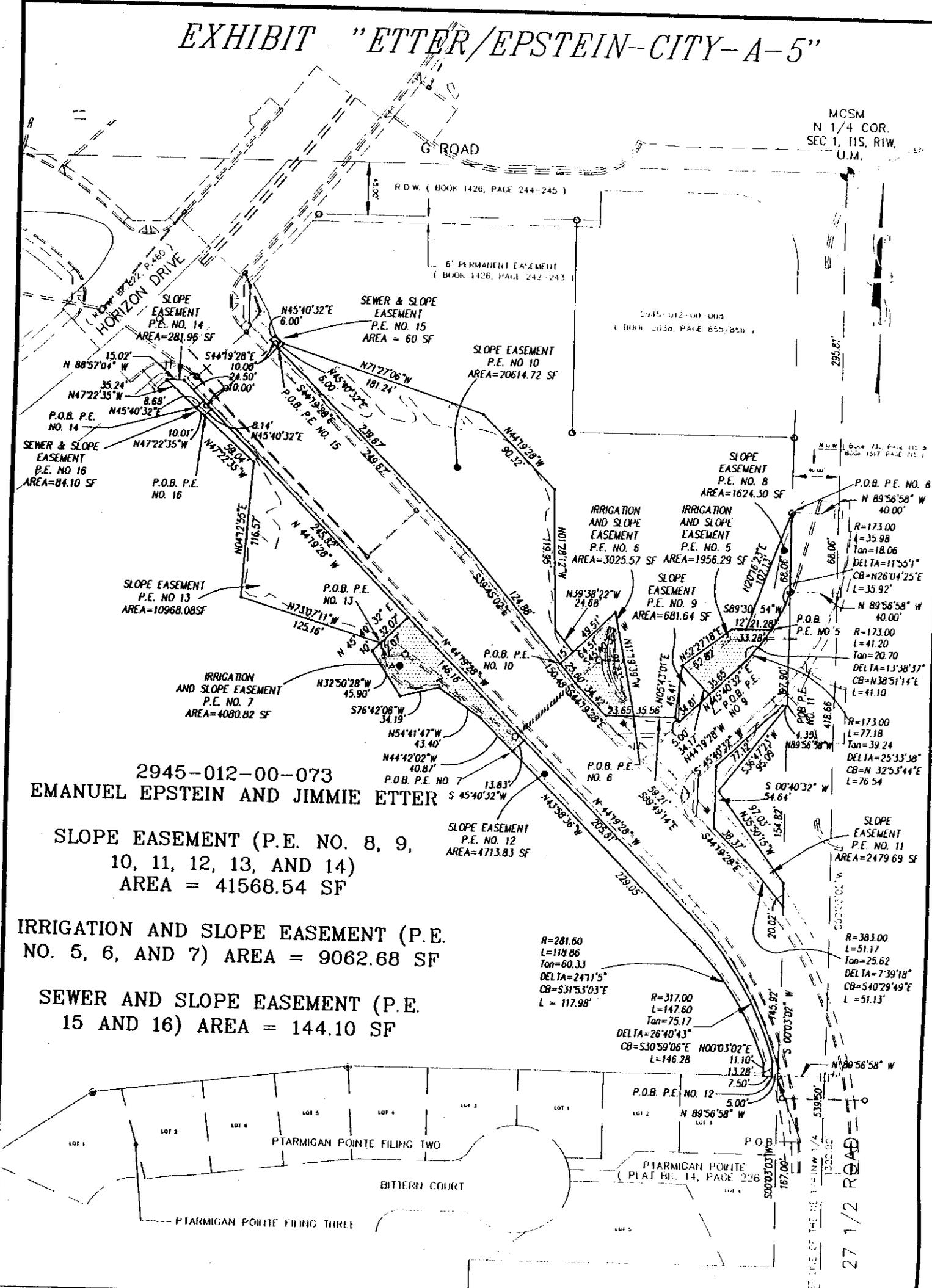
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 35.65 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 34.81 feet;
thence N 44°19'28" W a distance of 5.00 feet;
thence N 05°43'01" E a distance of 45.41 feet;
thence S 44°19'28" E a distance of 34.17 feet to the Point of Beginning,
containing 681.64 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: JW
FILE NO: EE-4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 75

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes Easement Parcel P.E. No. 10
Legal Description

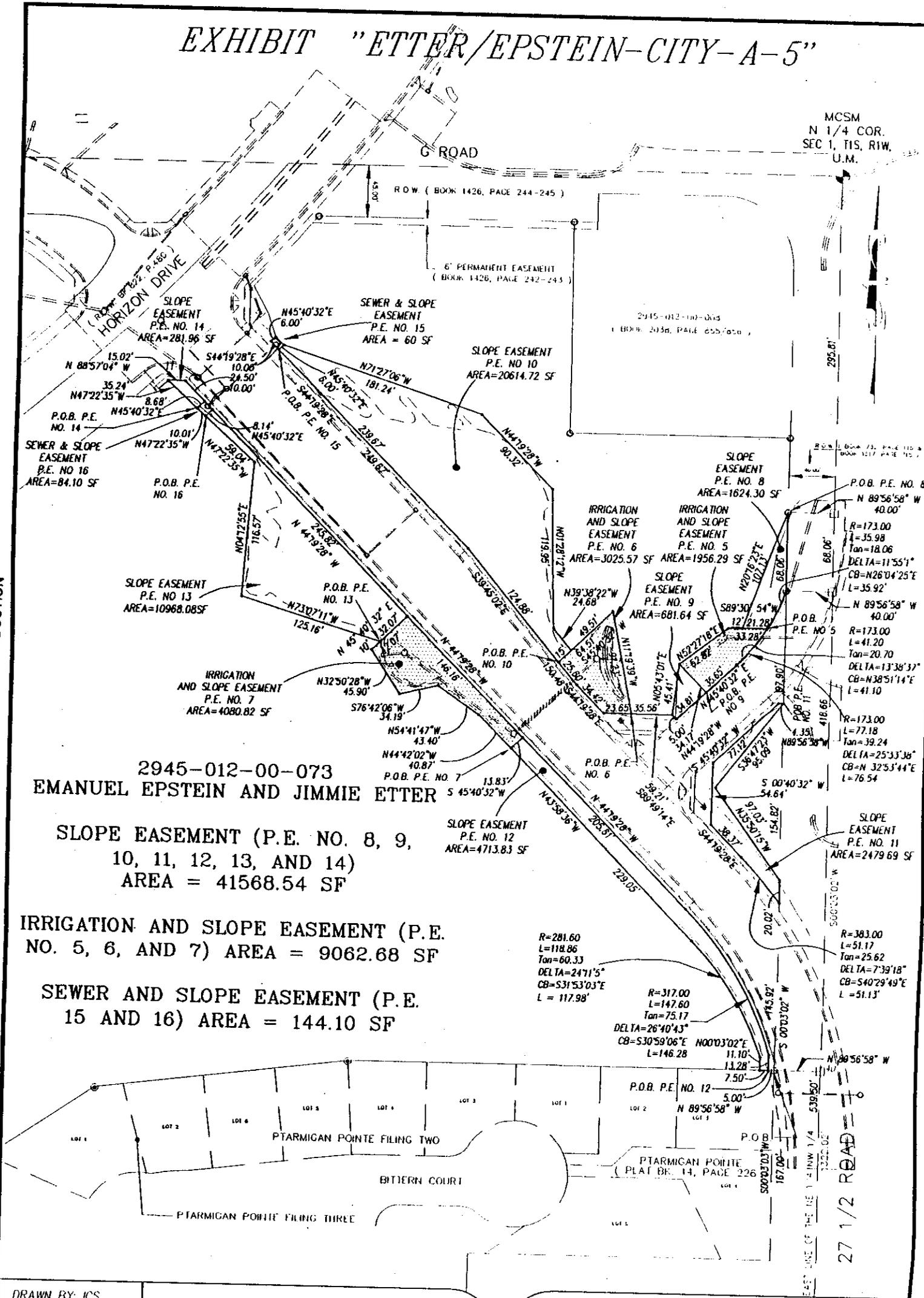
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning;

thence N 39°45'02" W a distance of 124.88 feet;
thence N 44°19'28" W a distance of 239.67 feet;
thence N 45°40'32" E a distance of 6.00 feet;
thence S 71°27'06" E a distance of 181.24 feet;
thence S 44°19'28" E a distance of 90.32 feet;
thence S 01°28'12" E a distance of 119.95 feet;
thence S 39°38'22" E a distance of 24.68 feet;
thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning,
containing 20,614.72 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

R=281.60
L=118.86
Tan=60.33
DELTA=2471'5"
CB=S31'53'03"E
L=117.98'

R=317.00
L=147.60
Tan=75.17
DELTA=26'40'43"
CB=S30'59'06"E
L=146.28

R=383.00
L=51.17
Tan=25.62
DELTA=7'39'18"
CB=S40'29'49"E
L=51.13'

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EC4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 77
12 A

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

ORDER NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

Real Estate Requirements for 27 ½ Road Realigned

BOOK 3149 PAGE 440

**Perpetual Slopes Easement Parcel P.E. No. 11
Legal Description**

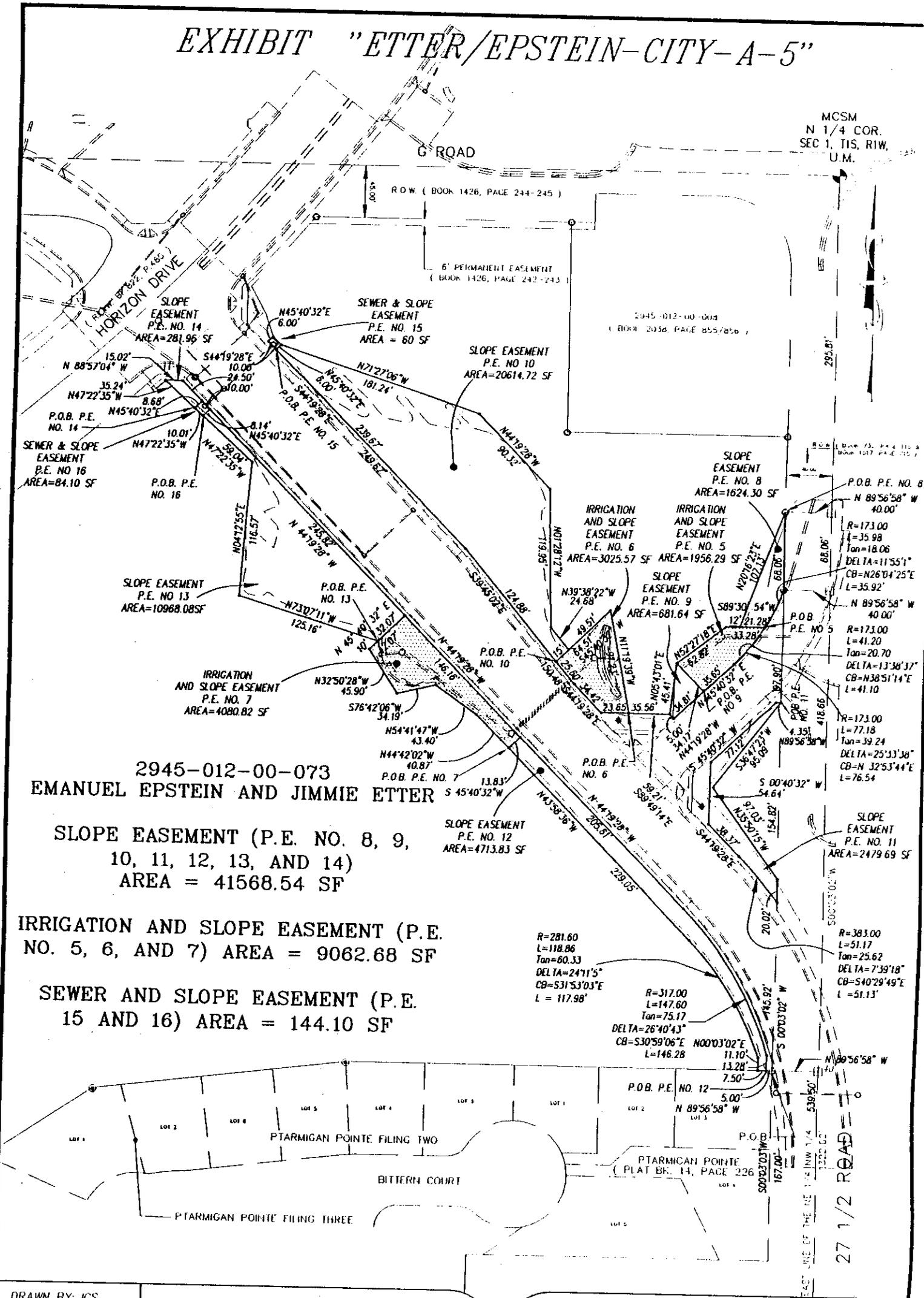
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 461.77 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence leaving the west right-of-way line for 27 ½ Road as aforesaid, S 36°47'23" W a distance of 95.09 feet;
thence S 35°50'15" E a distance of 97.03 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 20.02 feet;
thence leaving said right-of-way line, 51.17 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 383.00 feet, a central angle of 07°39'18", and a long chord bearing N 40°29'49" W a distance of 51.13 feet;
thence N 44°19'28" W a distance of 38.37 feet;
thence N 00°40'32" E a distance of 54.64 feet;
thence N 45°40'32" E a distance of 77.12 feet;
thence S 89°56'58" E a distance of 4.35 feet to the Point of Beginning,
containing 2,479.69 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

R=281.60
L=118.86
Tan=60.33
DELTA=24°11'5"
CB=S31°53'03"E
L=117.98'

R=317.00
L=147.60
Tan=75.17
DELTA=26°40'43"
CB=S30°59'06"E
L=146.28

R=383.00
L=51.17
Tan=25.62
DELTA=7°39'18"
CB=S40°29'49"E
L=51.13'

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 79
13A

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

RECORDED NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

Perpetual Slopes Easement Parcel P.E. No. 12
Legal Description

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 5.00 feet to the True Point of Beginning;

thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Point as aforesaid a distance of 7.50 feet;

thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet;

thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet;

thence N 43°58'36" W a distance of 229.05 feet;

thence N 45°40'32" E a distance of 13.83 feet;

thence S 44°19'28" E a distance of 205.61 feet;

thence 147.60 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 26°40'43", and a long chord bearing S 30°59'06" E a distance of 146.28 feet;

thence S 00°03'02" W a distance of 13.28 feet to the Point of Beginning, containing 4,713.83 square feet as described.

Real Estate Requirements for 27 ½ Road Realigned

BOOK 3149 PAGE 444

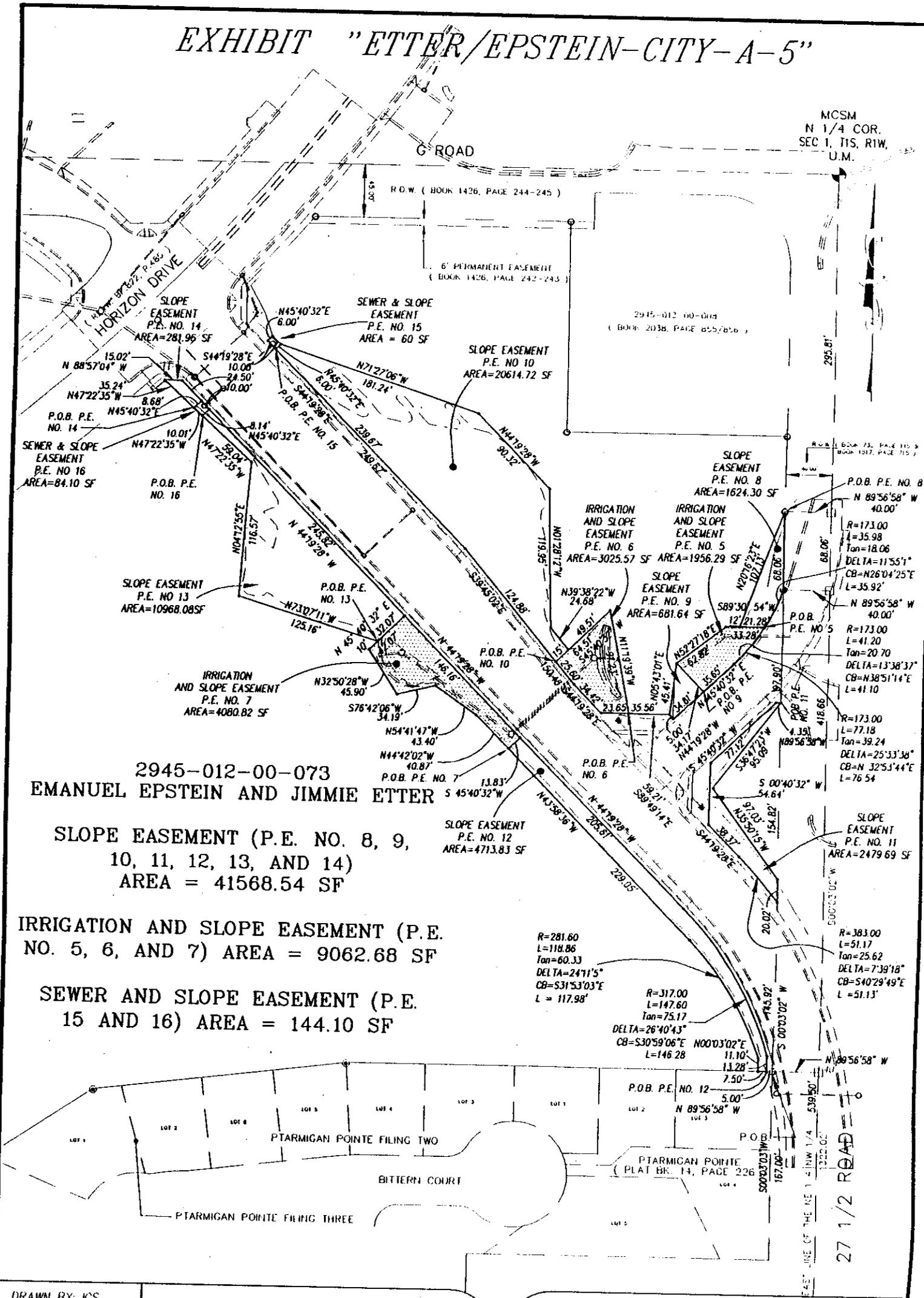
**Perpetual Slopes Easement Parcel P.E. No. 13
Legal Description**

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet to the True Point of Beginning;

thence N 73°07'11" W a distance of 125.16 feet;
thence N 04°12'55" E a distance of 116.57 feet;
thence N 47°22'35" W a distance of 59.04 feet;
thence N 45°40'32" E a distance of 8.14 feet;
thence S 44°19'28" E a distance of 245.82 feet;
thence S 45°40'32" W a distance of 32.07 feet to the Point of Beginning,
containing 10,968.08 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9, 10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E. NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E. 15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 83

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes Easement Parcel P.E. No. 14
Legal Description

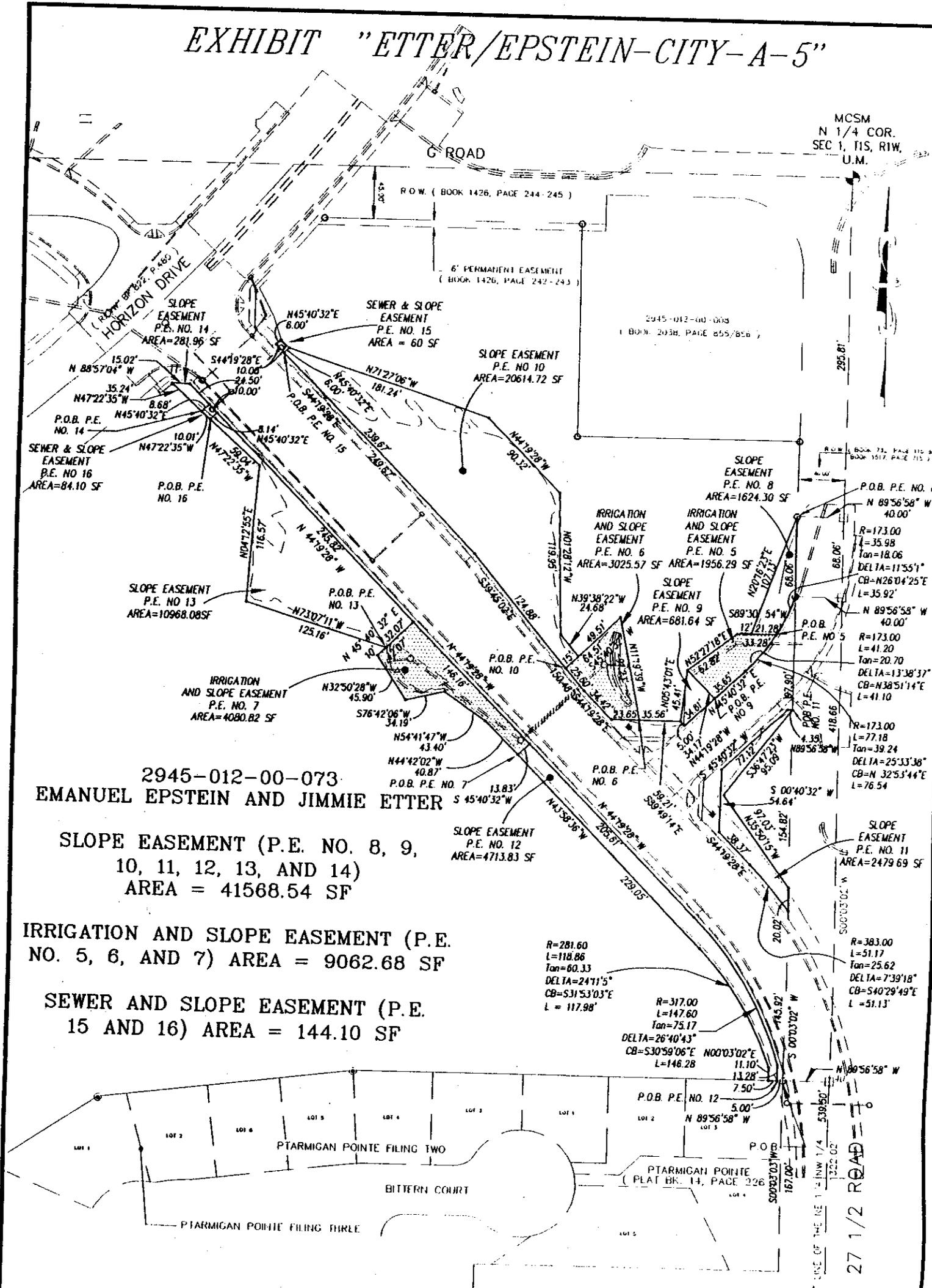
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet; thence N 73°07'11" W a distance of 125.16 feet; thence N 04°12'55" E a distance of 116.57 feet; thence N 47°22'35" W a distance of 69.05 feet to the True Point of Beginning;

thence N 47°22'35" W a distance of 35.24 feet;
thence S 88°57'04" E a distance of 15.02 feet;
thence S 44°19'28" E a distance of 24.50 feet;
thence S 45°40'32" W a distance of 8.68 feet to the Point of Beginning,
containing 281.96 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

R=281.60
L=118.86
Tan=60.33
DELTA=241°15'
CB=S31°53'03"E
L=117.98'

R=317.00
L=147.60
Tan=75.17
DELTA=26°40'43"
CB=S30°59'06"E N00°03'02"E
L=146.28

R=383.00
L=51.77
Tan=25.62
DELTA=7°39'18"
CB=S40°29'49"E
L=51.13'

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Pack A Page 85

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Real Estate Requirements for 27 ½ Road Realigned

BOOK 3149 PAGE 448

**Perpetual Slopes and Sanitary Sewer Easement Parcel P.E. No. 15
Legal Description**

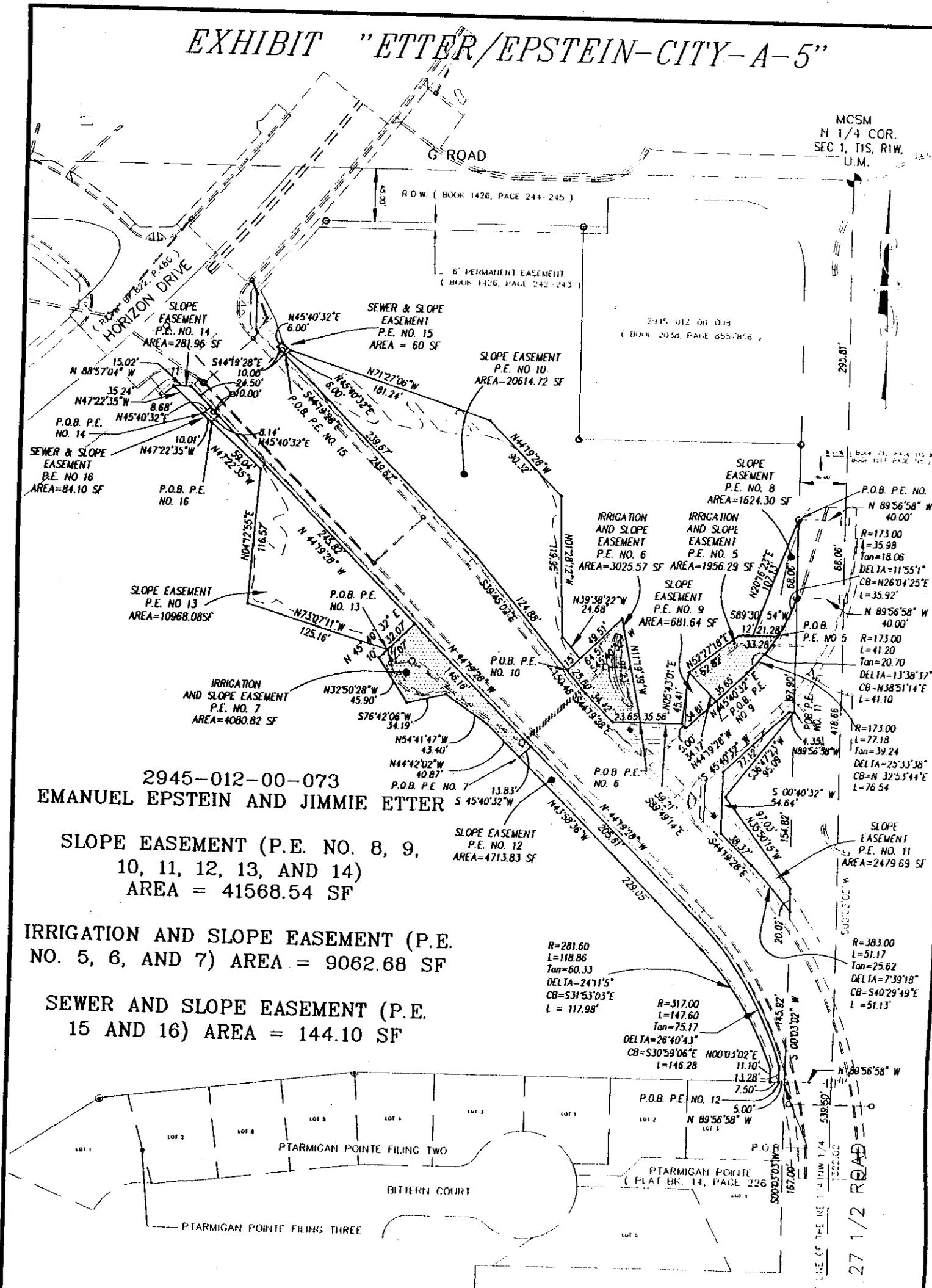
A Perpetual Easement for Slopes and Sanitary Sewer purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 150.48 feet; thence N 44°19'28" W a distance of 239.67 feet to the True Point of Beginning;

thence N 44°19'28" W a distance of 10.00 feet;
thence N 45°40'32" E a distance of 6.00 feet;
thence S 44°19'28" E a distance of 10.00 feet;
thence S 45°40'32" W a distance of 6.00 feet to the Point of Beginning,
containing 60.0 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,
10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.
15 AND 16) AREA = 144.10 SF

R=281.60
L=118.86
Tan=60.33
DELTA=24°11'5"
CB=S31°53'03"E
L=117.98'

R=317.00
L=147.60
Tan=75.17
DELTA=26°40'43"
CB=S30°59'06"E
L=146.28

R=383.00
L=51.17
Tan=25.62
DELTA=7°39'18"
CB=S40°29'49"E
L=51.13'

LOT 1 LOT 2 LOT 3 LOT 4 LOT 5 LOT 6 LOT 7
PTARMIGAN POINTE FILING TWO
BITTERN COURT
PTARMIGAN POINTE FILING THREE

P.O.B. P.E. NO. 12
LOT 1
LOT 2
LOT 3
N 89°56'58" W
5.00'
P.O.B.
S00°03'03"W
167.00'

27 1/2 ROAD
EAST LINE OF THE NE 1/4 1/4
539.50'
270.00'

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: JW
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 87

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

Perpetual Slopes and Sanitary Sewer Easement Parcel P.E. No. 16
Legal Description

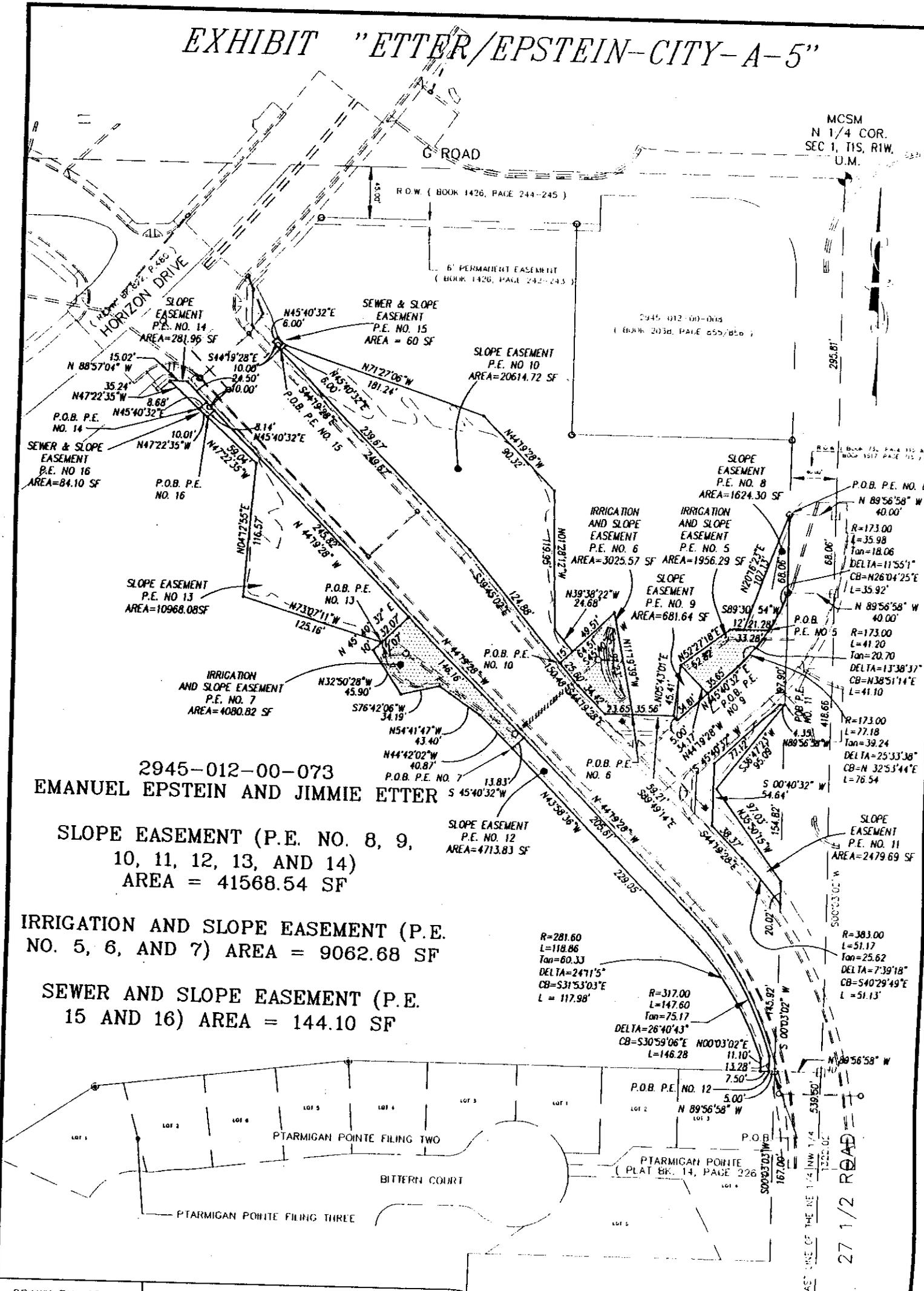
A Perpetual Easement for Slopes and Sanitary Sewer purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows

: Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet; thence N 73°07'11" W a distance of 125.16 feet; thence N 04°12'55" E a distance of 116.57 feet; thence N 47°22'35" W a distance of 59.04 feet to the True Point of Beginning;

thence N 47°22'35" W a distance of 10.01 feet;
thence N 45°40'32" E a distance of 8.68 feet;
thence S 44°19'28" E a distance of 10.00 feet;
thence S 45°40'32" W a distance of 8.14 feet to the Point of Beginning,
containing 84.10 square feet as described.

EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM
N 1/4 COR.
SEC 1, T1S, R1W,
U.M.



2945-012-00-073
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9, 10, 11, 12, 13, AND 14)
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E. NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E. 15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS
DATE: 2-23-00
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: ET.4.DWG

RIGHT-OF-WAY DESCRIPTION MAP
27 1/2 ROAD
Packet Page 89

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

**Bounds of Electric, Telecommunications and Street Light Easements
Adjacent to Horizon Drive**

Easement Parcel No. 1:

Commencing at the Southeast Corner of the Northwest ¼ of the Northwest ¼ (NW ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NW ¼ NW ¼ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the east line of the NW¼ NW¼ of said Section 1 a distance of 555.16 feet to a point on the Southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 245 in the office of the Mesa County Clerk and Recorder; thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 9.84 feet to the True Point of Beginning;
 thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 5.0 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.0 feet;
 thence N 52°42'52" E a distance of 5.0 feet;
 thence N 37°17'08" W a distance of 5.0 feet to the Point of Beginning; and also

Easement Parcel No. 2:

Commencing at the Southeast Corner of the Northwest ¼ of the Northwest ¼ (NW ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NW ¼ NW ¼ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the east line of the NW¼ NW¼ of said Section 1 a distance of 555.16 feet to a point on the Southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 245 in the office of the Mesa County Clerk and Recorder; thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 239.84 feet to the True Point of Beginning;
 thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 5.0 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.0 feet;
 thence N 52°42'52" E a distance of 5.0 feet;
 thence N 37°17'08" W a distance of 5.0 feet to the Point of Beginning; and also

Easement Parcel No. 3:

Commencing at the Southeast Corner of the Northwest ¼ of the Northwest ¼ (NW ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NW ¼ NW ¼ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the east line of the NW¼ NW¼ of said Section 1 a distance of 555.16 feet to a point on the Southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 245 in the office of the Mesa County Clerk and Recorder; thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 1,117.18 feet to the True Point of Beginning;
 thence S 52°42'52" W along the southerly right-of-way line for Horizon Drive a distance of 5.0 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.0 feet;
 thence N 52°42'52" E a distance of 5.0 feet;
 thence N 37°17'08" W a distance of 5.0 feet to the Point of Beginning; and also

Easement Parcel No. 4:

Commencing at the Southwest Corner of the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the west line of the NE ¼ NW ¼ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the west line of the NE¼ NW¼ of said Section 1 a distance of 555.16 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder; thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 267.50 feet to the True Point of Beginning;
 thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 5.0 feet;
 thence leaving the southerly right-of-way line for Horizon Drive, S 37°17'08" E a distance of 5.0 feet;
 thence S 52°42'52" W a distance of 5.0 feet;
 thence N 37°17'08" W a distance of 5.0 feet to the Point of Beginning; and also

continued on next page

Easement Parcel No. 5:

Commencing at the Southwest Corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear N $00^{\circ}02'52''$ E with all bearings contained herein being relative thereto; thence N $00^{\circ}02'52''$ E along the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 555.16 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder; thence N $52^{\circ}42'52''$ E along the southerly right-of-way line for Horizon Drive a distance of 987.74 feet to the True Point of Beginning;
thence N $52^{\circ}42'52''$ E along the southerly right-of-way line for Horizon Drive a distance of 5.0 feet;
thence leaving the southerly right-of-way line for Horizon Drive, S $37^{\circ}17'08''$ E a distance of 5.0 feet;
thence S $52^{\circ}42'52''$ W a distance of 5.0 feet;
thence N $37^{\circ}17'08''$ W a distance of 5.0 feet to the Point of Beginning.

EXHIBIT "A-1"

W 1/16 COR.
N. LINE OF SEC 1, T1S, R1W
U.M.

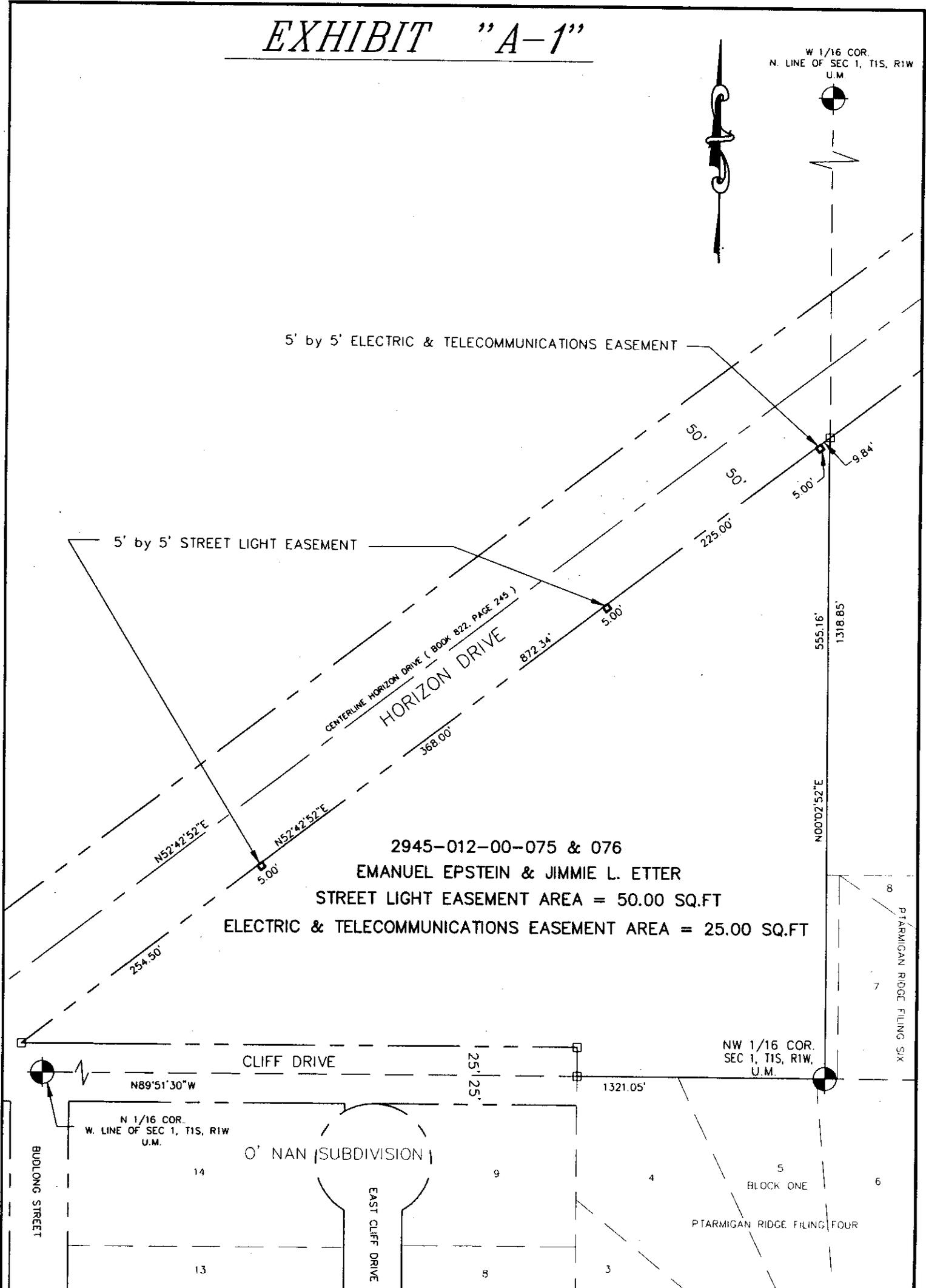


5' by 5' ELECTRIC & TELECOMMUNICATIONS EASEMENT

5' by 5' STREET LIGHT EASEMENT

CENTERLINE HORIZON DRIVE (BOOK 822, PAGE 245)
HORIZON DRIVE

2945-012-00-075 & 076
EMANUEL EPSTEIN & JIMMIE L. ETTER
STREET LIGHT EASEMENT AREA = 50.00 SQ.FT
ELECTRIC & TELECOMMUNICATIONS EASEMENT AREA = 25.00 SQ.FT

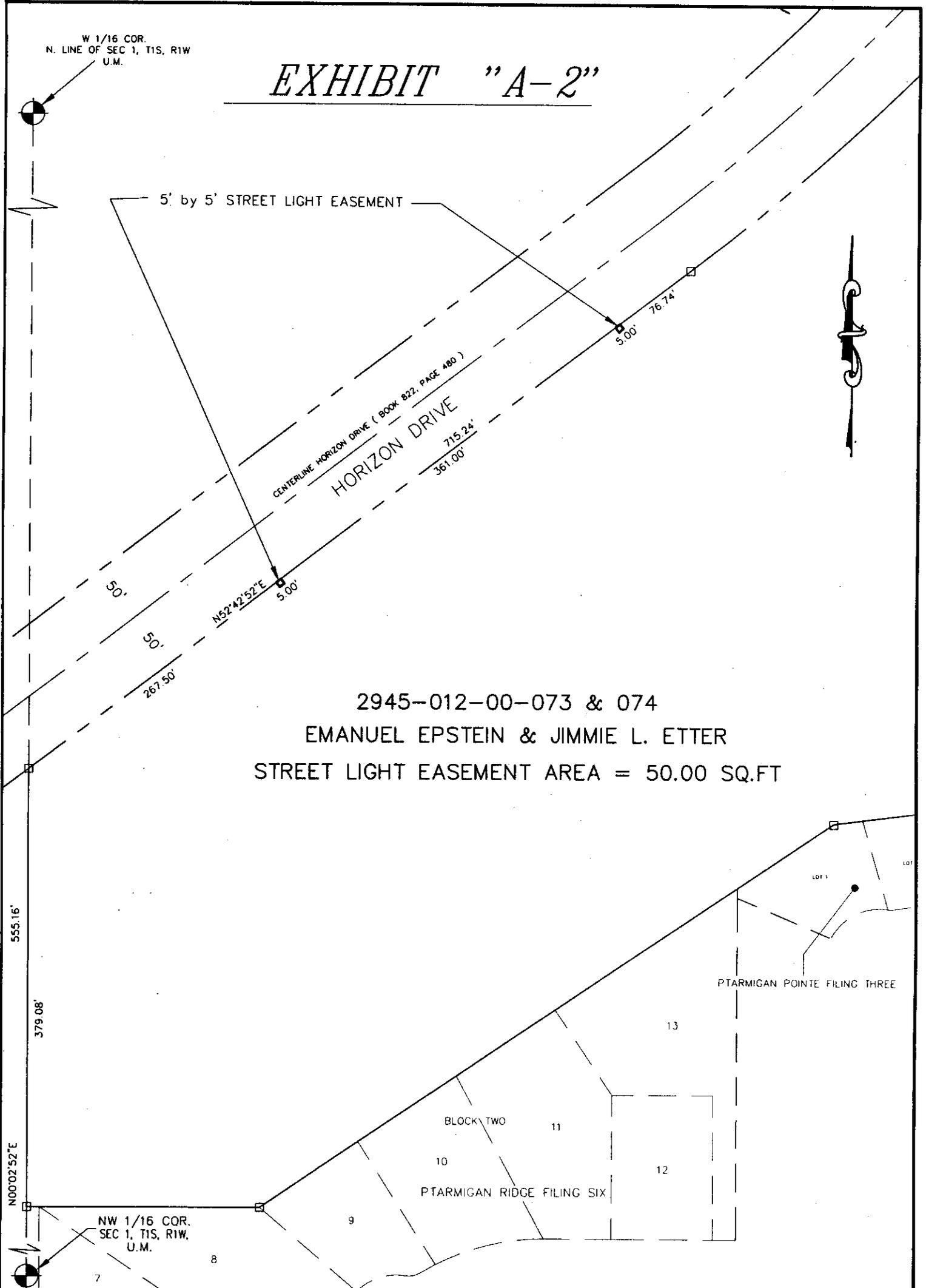


DRAWN BY: SRP
DATE: 1-31-2000
SCALE: 1" = 100'
APPR. BY: IW
FILE NO: ETTER_E.DWG

EASEMENT DESCRIPTION MAP
HORIZON DRIVE

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

EXHIBIT "A-2"



DRAWN BY: SRP
 DATE: 1-31-2000
 SCALE: 1" = 100'
 APPR. BY: JW
 FILE NO: ETTER2_E.DWG

EASEMENT DESCRIPTION MAP

HORIZON DRIVE

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION

**Bounds of Slope Easements
Adjacent to Horizon Drive**

Slope Easement Parcel No. 1:

Commencing at the Southeast Corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 409.46 feet to the True Point of Beginning;

thence leaving the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, N 50°03'13" W a distance of 101.08 feet;
 thence S 49°48'23" W a distance of 52.29 feet;
 thence S 51°42'40" W a distance of 74.89 feet;
 thence S 53°27'00" W a distance of 71.60 feet;
 thence S 63°05'33" W a distance of 87.13 feet;
 thence S 04°01'03" E a distance of 27.99 feet;
 thence S 56°51'54" W a distance of 9.23 feet;
 thence S 88°41'04" W a distance of 25.24 feet;
 thence S 57°13'45" W a distance of 35.87 feet;
 thence S 43°42'58" W a distance of 62.95 feet;
 thence S 47°15'23" W a distance of 71.16 feet;
 thence S 53°19'06" W a distance of 60.93 feet;
 thence S 56°18'01" W a distance of 58.37 feet;
 thence S 42°32'32" W a distance of 54.62 feet;
 thence S 01°51'40" W a distance of 29.87 feet to a point on the north right-of-way line for Cliff Drive as described by instrument recorded in Book 663 at Page 75 in the office of the Mesa County Clerk and Recorder;
 thence N 89°51'30" W along the north right-of-way line for Cliff Drive a distance of 90.23 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 245 in the office of the Mesa County Clerk and Recorder;
 thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 254.50 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;
 thence N 52°42'52" E a distance of 5.00 feet;
 thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;
 thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 368.00 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;
 thence N 52°42'52" E a distance of 5.00 feet;
 thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;
 thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 225.00 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;
 thence N 52°42'52" E a distance of 5.00 feet;
 thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;
 thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 9.84 feet to a point on the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1;
 thence S 00°02'52" W along the east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 145.70 feet to the Point of Beginning,
 containing 22,563.74 square feet as described; and also

Slope Easement Parcel No. 2:

Commencing at the Southwest Corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 409.46 feet to the True Point of Beginning;

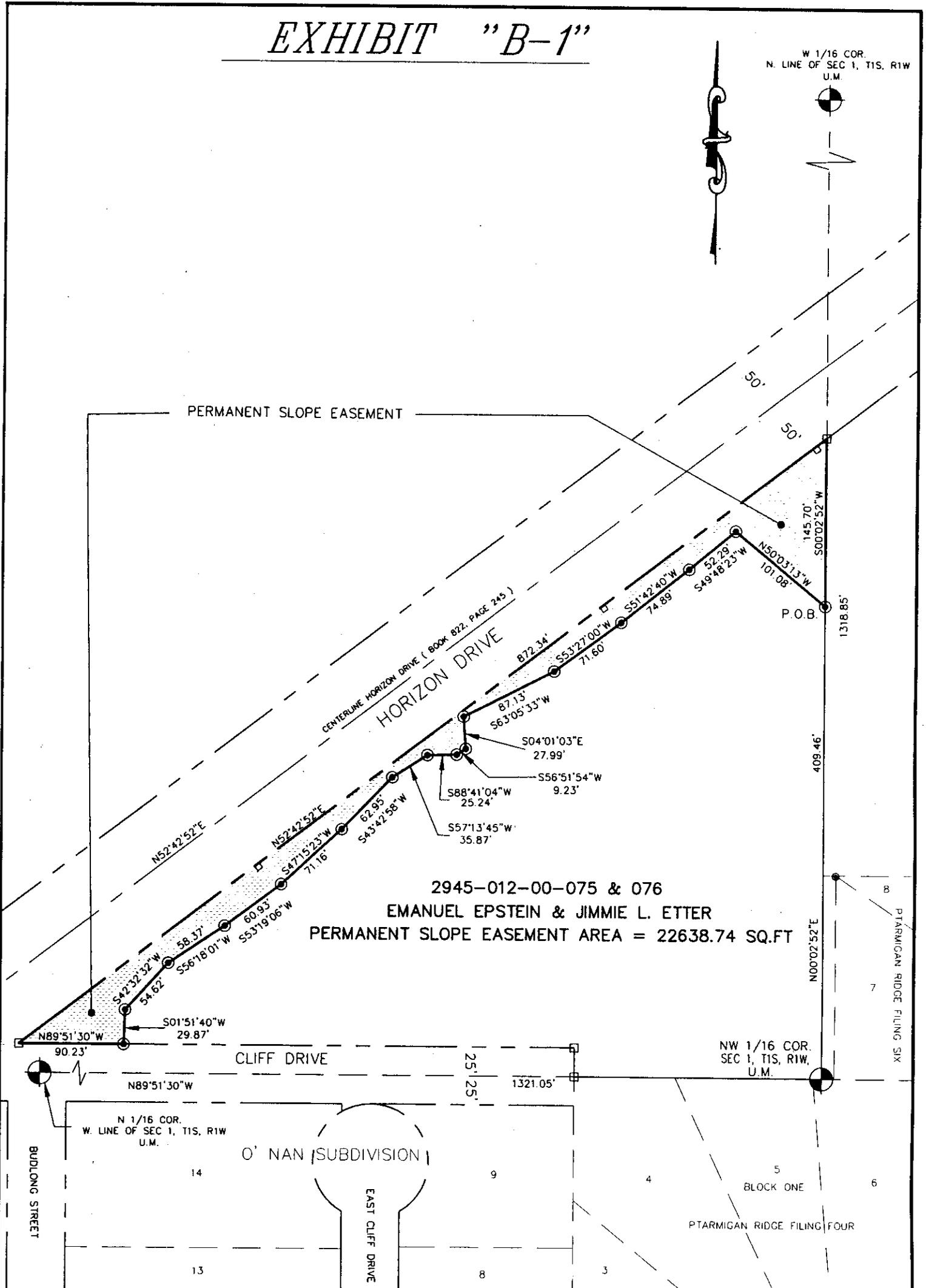
thence N 00°02'52" E along the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 145.70 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
 thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 267.50 feet;

continued on next page

*horslopes.doc
02/24/00
4:57 PM*

thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;
 thence N 52°42'52" E a distance of 5.00 feet;
 thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive
 as aforesaid;
 thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 361.00 feet;
 thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;
 thence N 52°42'52" E a distance of 5.00 feet;
 thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive
 as aforesaid;
 thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 76.74 feet;
 thence leaving the southerly right-of-way line for Horizon Drive, S 76°27'22" E a distance of 11.11 feet;
 thence S 50°01'05" W a distance of 204.57 feet;
 thence S 36°30'09" W a distance of 28.46 feet;
 thence S 11°41'54" E a distance of 77.66 feet;
 thence S 33°59'50" W a distance of 48.50 feet;
 thence S 51°05'39" W a distance of 29.23 feet;
 thence S 61°04'04" W a distance of 46.98 feet;
 thence S 43°01'11" W a distance of 88.47 feet;
 thence S 53°32'16" W a distance of 336.60 feet to the Point of Beginning,
 containing 62,964.97 square feet as described.

EXHIBIT "B-1"



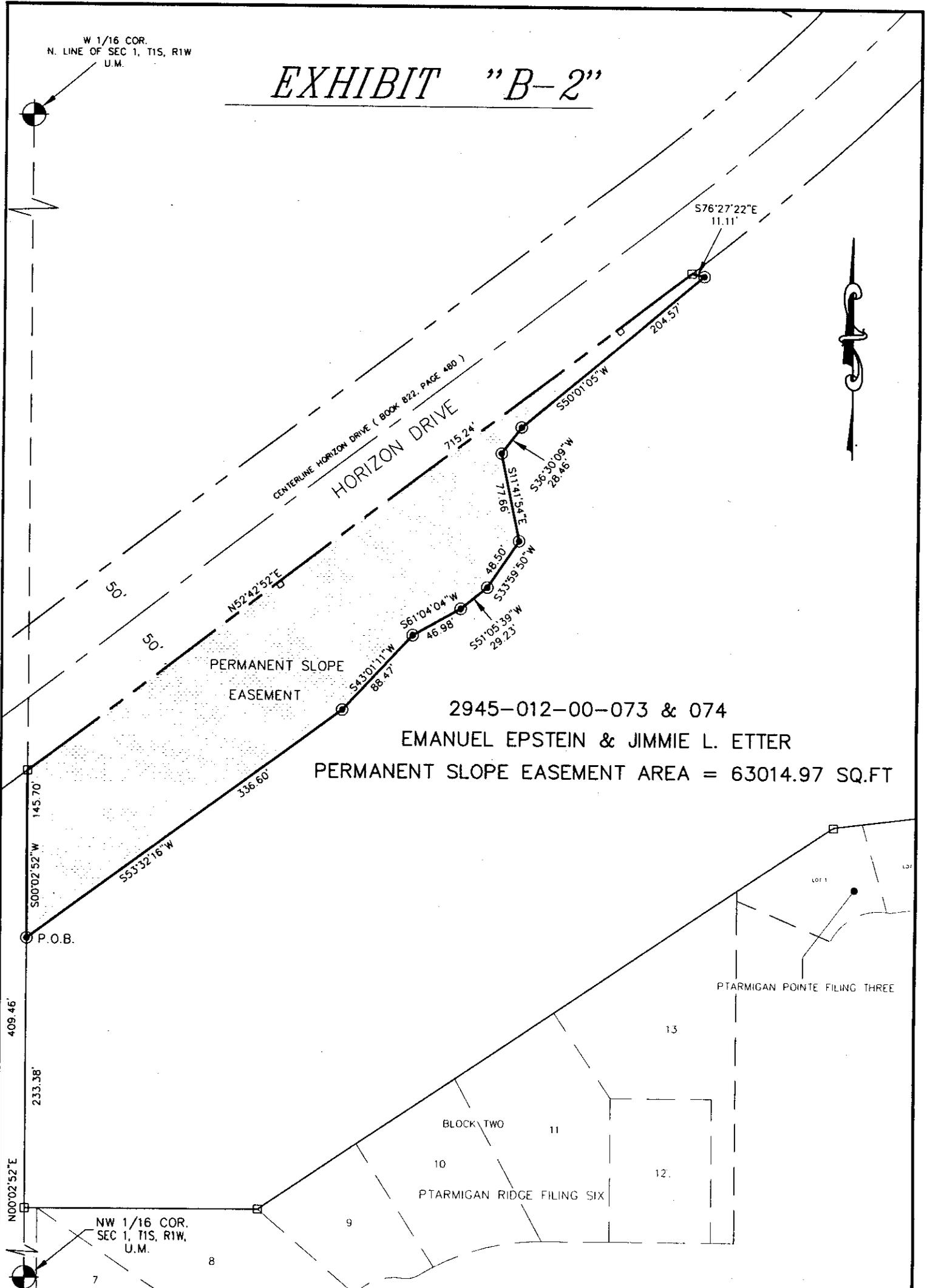
2945-012-00-075 & 076
 EMANUEL EPSTEIN & JIMMIE L. ETTER
 PERMANENT SLOPE EASEMENT AREA = 22638.74 SQ.FT

DRAWN BY: SRP
 DATE: 1-31-2000
 SCALE: 1" = 100'
 APPR. BY: TW
 FILE NO: ETTER.DWG

EASEMENT DESCRIPTION MAP
HORIZON DRIVE

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION

EXHIBIT "B-2"



DRAWN BY: SRP
DATE: 1-31-2000
SCALE: 1" = 100'
APPR. BY: TW
FILE NO: ETTER2.DWG

EASEMENT DESCRIPTION MAP

HORIZON DRIVE

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION VACATING AN EASEMENT AREA
THAT CONTAINS 0.47 ACRES
(DESCRIBED AS SLOPE EASEMENT P.E. NO 10
AT RECEPTION NUMBER 2075083, BOOK 3149 PAGE 438)**

LOCATED ON THE PROPERTY AT 702 HORIZON DRIVE

RECITALS:

Vacation of a slope easement has been requested by the Bray Commercial, LLC – Sid Squirrell for development on property by them at 702 Horizon Drive. The existing Slope Easement No. 10 on the property was conveyed in 2002 to the City of Grand Junction by separate Mesa County Court document by Reception Number 2075083. The easement was granted to the City for the construction of the 27 ½ Road western extension to G Road that runs east to west adjacent to the property. The road extension was constructed shortly after the easement was granted.

As part of the approved site plan of the Horizon Cache commercial building a portion of the existing slope easement will be encroached upon by the new building construction. The slope easement is no longer needed and therefore is being requested to be vacated.

This request is to vacate only Slope Easement P.E. No 10 as shown on the “Etter/Epstein-City-A-5” exhibit found in Book 3149, Page 437 and the legal description found In Book 3149, Page 438 of the Court document recorded and filed on September 6, 2002 at the Mesa County Clerk and Recorder.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate an Easement as recorded in Mesa County Records, Reception No. 2075083 is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described publicly dedicated Easement is hereby vacated upon the listed condition being met:

1. Recording of the Horizon Cache Subdivision Plat per Section 21.02.070 of the Grand Junction Municipal Code.

A vacation of a Perpetual Easement for Slope purposes, Parcel P.E. No. 10 as shown at Reception No. 2075083 of the Mesa County Records, situate in Lot 3 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 1, also known as the Northeast Corner of said Lot 3 and considering the East Line of said Lot 3 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along said East Line a distance of 363.86 feet to a point; thence leaving said East Line N 89°56'58" W a distance of 40.00 feet to a point on the East Boundary Line of that property as described by instrument recorded at Reception Number 2897211 in the office of the Mesa County Clerk and Recorder; thence, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 3r53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49' 14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning:

thence N 39°45'02" W a distance of 124.88 feet; thence N 44°19'28" W a distance of 239.67 feet; thence N 45°40'32" E a distance of 6.00 feet; thence S 71°27'06" E a distance of 181.24 feet; thence S 44°19'28" E a distance of 90.32 feet; thence S 01°28'12" E a distance of 119.95 feet; thence S 39°38'22" E a distance of 24.68 feet; thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning, containing 20,614.72 square feet as described.

See Exhibit A.

PASSED and ADOPTED this _____ day of _____, 2022.

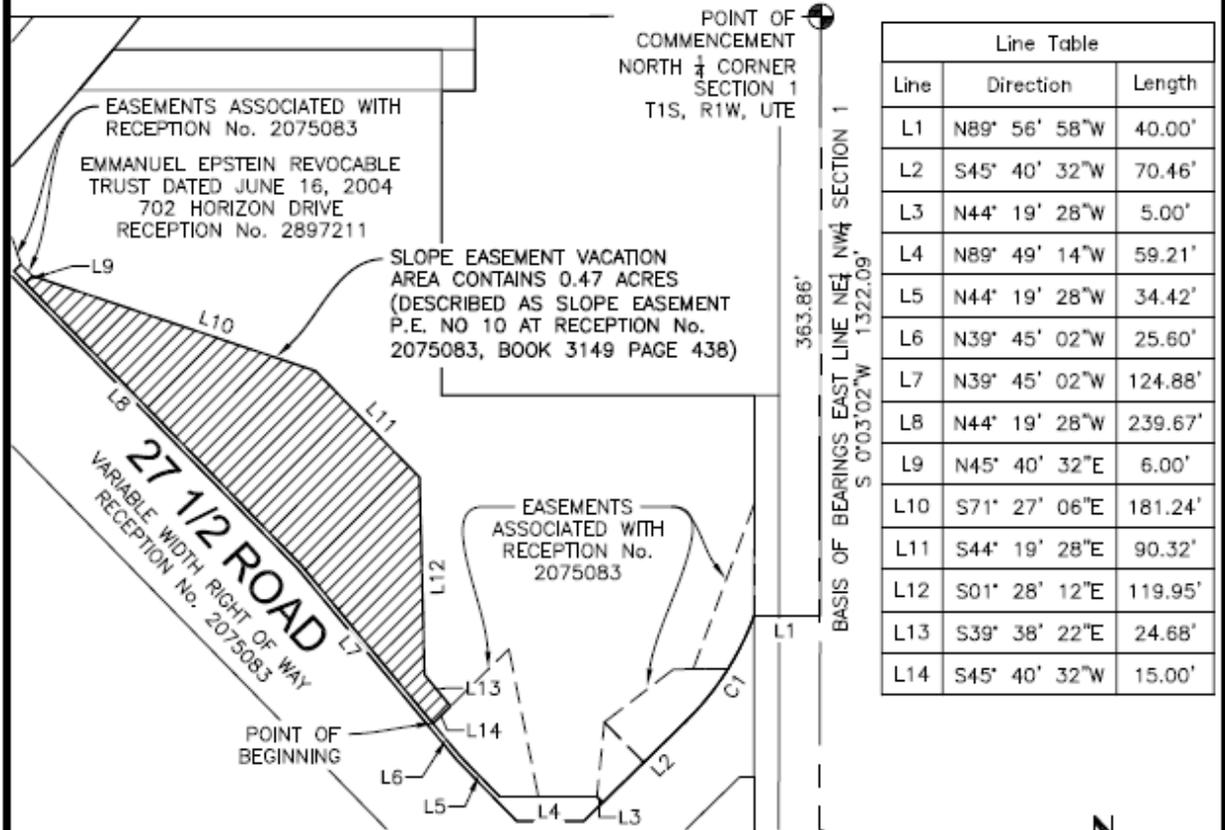
ATTEST:

President of City Council

City Clerk

Exhibit A

LEGAL SKETCH



Line Table		
Line	Direction	Length
L1	N89° 56' 58"W	40.00'
L2	S45° 40' 32"W	70.46'
L3	N44° 19' 28"W	5.00'
L4	N89° 49' 14"W	59.21'
L5	N44° 19' 28"W	34.42'
L6	N39° 45' 02"W	25.60'
L7	N39° 45' 02"W	124.88'
L8	N44° 19' 28"W	239.67'
L9	N45° 40' 32"E	6.00'
L10	S71° 27' 06"E	181.24'
L11	S44° 19' 28"E	90.32'
L12	S01° 28' 12"E	119.95'
L13	S39° 38' 22"E	24.68'
L14	S45° 40' 32"W	15.00'

Curve Table					
Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	173.00'	77.18'	025° 33' 38"	76.54'	S32° 53' 44"W

CENTER-NORTH
1/4 CORNER
SECTION 1
T1S, R1W, UTE



LEGAL DESCRIPTION SKETCH

JOB: 2021-138

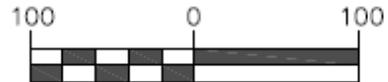
DATE: 11/16/22

SLOPE EASEMENT VACATION
702 HORIZON DRIVE
GRAND JUNCTION, COLORADO
LOT 3 OF SECTION 1
T1S, R1W, UTE.
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO



GRAPHIC SCALE:

1"=100'



POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE
GRAND JUNCTION, CO 81504
PHONE (970)434-7038



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: December 13, 2022
Presented By: Nicole Galehouse, Principal Planner
Department: Community Development
Submitted By: Nicole Galehouse, AICP, Principal Planner

Information

SUBJECT:

Consider a request by Grand Junction Venture LLC to zone 17.42 acres from County Residential Single Family – 4 (RSF-4) to R-12 (Residential – 12 du/ac) located at the northeast corner of 31 Rd and E ½ Rd.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Grand Junction Venture LLC is requesting a zone of annexation to R-12 (Residential 8 to 12 du/ac) for the Grand Valley Estates Annexation. The approximately 17.42-acres of land is located at the northeast corner of 31 Rd and E ½ Rd and borders on three sides a property owned by Mesa County that contains portions of the Lewis Wash. The subject property is located west of Long Park and is undeveloped.

The property is Annexable Development per the Persigo Agreement. The zone district of R-12 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan.

BACKGROUND OR DETAILED INFORMATION:

The Applicants are requesting a zone district of R-12 (Residential – 12 du/ac). The property is currently zoned in the County as Residential Single Family – 4 (RSF-4). The proposed zone district of R-12 is consistent with the Residential Medium (5.5 to 12 du/ac) Land Use category of the Comprehensive Plan.

Development to the west and north of the subject property in the County are zoned

RSF-4 and consist mostly of single-family residential lots averaging a density close to 2.6 dwelling units per acre. The property to the east is Long Park. Property to the south is split between County zoned RSF-4 and City zoned Light Commercial (C-1); all of the properties to the south have a Future Land Use designation of Commercial. 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. It is located within Tier 2 on the Intensification and Growth Tiers Map of the Comprehensive Plan. The goal to “encourage infill and redevelopment to leverage existing infrastructure” supports the Applicant’s request of a zone of annexation of R-12.

The R-12 zoning establishes densities between 8 and 12 dwelling units per acre. The R-12 requested zoning implements the Comprehensive Plan’s Residential Medium Land Use category. This land use designation was amended during the 2020 One Grand Junction Comprehensive Plan process, when the subject property was identified as being a location where increased density would be desired.

The purpose of the R-12 (Residential – 12 du/ac) zone district is to provide for high density development allowing several types of residential units within specified densities. R-12 may serve as a transitional district between single-family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. This zone may be appropriate as part of a mixed use center. This property is located in a transitional location between the commercial uses along the I-70B corridor and the residential neighborhoods on the west side of the Lewis Wash and 31 Road. The increased separation provided by the wash adds to the compatibility with surrounding zone districts. In addition, the subject property is served by a variety of public and community facilities, including open space at Long Park to the east, a middle and high school a little further east, a neighborhood grocery store to the south, and a commercial district a mile to the east.

In addition to the R-12 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 – 8 du/ac)
- b. CSR (Community Services and Recreation)
- c. Mixed Use Residential (MXR-3)
- d. Mixed Use General (MXG)
- e. Mixed Use Shopfront (MXS)

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on

Zoom on June 8, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's representative and City staff were in attendance, along with approximately 13 participants.

An official development application was submitted to the City of Grand Junction for review on July 7, 2022. After submitting the application, the Applicant modified the request for zoning and held a second neighborhood meeting to ensure compliance with notification requirements. That meeting was held on September 12, 2022 via Zoom. The Applicant's representative and City staff were in attendance, along with approximately 7 participants.

During the June neighborhood meeting, concerns on the project were raised about traffic, access, and what is permitted in the R-8 zone district, specifically about height restrictions. In September, the neighborhood concerns were again primarily focused on traffic impacts on E ½ Rd along with access to the site. Additional concerns raised at this meeting were about the presence of floodplain, the lack of a development plan at the annexation stage, impacts on emergency services, and the increase in density.

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 November 22, 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 on December 2, 2022. The notice of the Planning Commission public hearing was published December 6, 2022 in the Grand Junction Daily Sentinel.

Other Notification:

Public comment will also be offered through the GJSpeaks platform.

ANALYSIS

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 R-12 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. In addition, during the 2020 One Grand Junction process, the land use designation on the property was changed from Residential Medium Low (2 – 4 du/ac) to Residential Medium (5.5 – 12 du/ac). In considering where density could be increased, locations were evaluated that had nearby amenities, decreasing the stress on infrastructure and allowing the sites to increase density

without sacrificing access to basic needs, such as open space and grocery stores. The subject property for the rezone has ample open space nearby, along with a middle school, high school, and grocery store within walking distance. Annexations into the City must be zoned in compliance with the adopted Comprehensive Plan. The requested zoning of R-12 both implements the Residential Medium future land use designation and is consistent with the intent of the land use change to increase density.

Staff finds this criterion has 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 has not changed much over the past several decades. The majority of the residential neighborhoods in the vicinity were established between the mid-1980s and the early 2000s. Long Park was built in 2007 and the first commercial development to the south was constructed in 2009.

Staff finds that there have not been significant changes and 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 to the annexation and are sufficient to serve land uses associated with the proposed R-12 zone district when developed. The property has access from E ½ Road and will construct additional improvements with any further development on the site. Sanitary sewer located within the right-of-way is already available to the site. Domestic water service is available through a Clifton Water District water line to the site in E ½ Road and the area can be served by Xcel Energy for electricity and natural gas.

To the west just over one mile is Fruitvale Elementary School. Both Grand Mesa Middle School and Central High School are under 1/3-mile east of the site. Also within walking distance is a neighborhood grocery store, south of the property across E 1/2 Road. The site is located just north of the I-70B corridor, with shopping available in the Clifton commercial district under a mile away. The property is located within the Clifton Fire District, with the closest station located at 3254 F Road, approximately 1.5 miles from the property.

Staff has found the public and community facilities are adequate to serve the type and scope of the residential land use proposed at the R-12 densities, therefore staff have found 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 R-12 meets the intent of achieving the minimum and desired density for the property with this request, to develop at the high end of the Residential Medium land use category. The closest properties within City limits are across E ½ Road, which are zoned C-1, and to the west of those are properties zoned R-4. For unincorporated areas of the neighborhood, Mesa County has zoned the majority of the area Residential Single Family – 4 (RSF-4) with a few properties having a Residential Office (R-O) or (Planned Unit Development (PUD) zone. The County portions of the neighborhood are largely built out as low density residential, park, and educational facilities. The Land Use Map defines the immediate properties to the north of the site, between the Lewis Wash, F Rd, and Long Park, as Residential Medium and the area south of E 1/2 Road as Commercial. With most of the area being already developed at lower densities or reserved for commercial, civic, and institutional uses, there is a need for the middle-density housing that the R-12 zone district provides.

Staff finds that 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 property will create additional land within the City limits for growth and helps fill in the patchwork of unincorporated and/or urban area that is adjacent to the City limits. The annexation is also consistent with the City and County 1998 Persigo Agreement. The requested zone district provides housing within a range of density that has been defined as urban densities in the 2020 One Grand Junction Comprehensive Plan and is consistent with the needs of the community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types that meet the needs of all ages, abilities, and incomes identified in Plan Principle 5: Strong Neighborhoods and Housing Choice, Chapter 2 of the Comprehensive Plan.

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 zone district as well the CSR and Mixed Use zone districts could be considered in a Residential Medium Land Use area, the R-12 zone district is consistent with the recommendations of the Plan's Land Use Map and provides a much-needed missing housing type to benefit the community.

Consistency with Comprehensive Plan

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of the relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The proposed rezone to R-12 (Residential – 12 du/ac) implements the following Plan principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: Relationship to Existing Zoning
 - Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.
 - The 2020 Comprehensive Plan provides the subject property with a land use designation of Residential Medium. As outlined in the background section of this staff report, the R-12 zone district is a permissible district to implement the Residential Medium designation.

- 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.
 - The proposed rezone will provide for a higher density of development in an area of the City where infrastructure is readily available. The higher density implements a more compact pattern of growth, utilizing a smaller footprint for a greater number of residential units.

- Plan Principle 5: Strong Neighborhoods and Housing Choices
 - Goal: Promote more opportunities for housing choices that meets the needs of people of all ages, abilities, and incomes.
 - The R-12 (Residential – 12 du/ac) zone district is an important zone district to provide the 'missing middle' housing product types. The provision of this zone district in this area can help to fill in gaps in available housing for the community.

- Plan Principle 6: Efficient and Connected Transportation
 - Goal: Encourage the use of transit, bicycling, walking, and other forms of transportation.
 - The subject property is located at the intersection of 31 Road, which is part of the City's Active Transportation Corridor that connects to the Colorado Riverfront Trail. This is a safe pedestrian and cyclist east-west route through this part of the City and can connect to other trails into the more central areas. In addition, this infill project is located within an easy walking distance to both a middle and high school, as well as a County park.

- Chapter 3 – Land Use and Growth: Intensification and Tiered Growth Plan
 - Subject property is located within Tier 2 (Suburban Infill) – In Tier 2, 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.
 - This property is a prime example of suburban infill, with much of the area around it having already been developed or in the process of urbanizing. Annexing and zoning this property to R-12 will allow for maximization of existing infrastructure

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Grand Valley Estates Zone of Annexation, ANX-2022-478 request for the property located at northeast corner of 31 Rd and E ½ Rd from County Residential Single Family – 4 (RSF-4) to a City R-12 (Residential – 12 du/ac), 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, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the Zone of Annexation request for the property located at the northeast corner of 31 Rd and E ½ Rd, City file number ANX-2022-478, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Grand Valley Estates Development Application
2. Annexation Schedule - Table - Grand Valley Estates Annexation
3. Grand Valley Estates Annexation Plat
4. Site Maps and Photo
5. Zone of Annexation Ordinance - Grand Valley Estates

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: <u>Residential Medium</u>	Existing Zoning: <u>RSF-4</u>
Proposed Land Use Designation: <u>Residential Medium</u>	Proposed Zoning: <u>R-8</u>

Property Information

Site Location: NE Corner of E 1/2 Road and 31 Road Site Acreage: 16.14 AC

Site Tax No(s): 2943-102-00-020 Site Zoning: RSF-4 (County)

Project Description: Annex into City of Grand Junction with R-8 Zone

Property Owner Information

Name: Grand Junction Venture LLC

Street Address: 18 Biltmore Estates

City/State/Zip: Phoenix, AZ 85016

Business Phone #: 847-502-3966

E-Mail: joe@metrowestdevelopment.

Fax #: n/a

Contact Person: Joe Gannett

Contact Phone #: 847-502-3966

Applicant Information

Name: _____

Street Address: _____

City/State/Zip: _____

Business Phone #: _____

E-Mail: _____

Fax #: _____

Contact Person: _____

Contact Phone #: _____

Representative Information

Name: Clearwell, PLLC

Street Address: 2135 Blake Blvd SE

City/State/Zip: Cedar Rapids, IA 52403

Business Phone #: 319-654-4911

E-Mail: jmailander@clearwelleng.com

Fax #: n/a

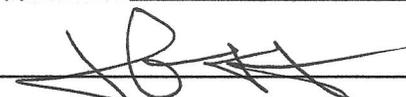
Contact Person: Joseph W Mailander

Contact Phone #: 319-654-4911

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.

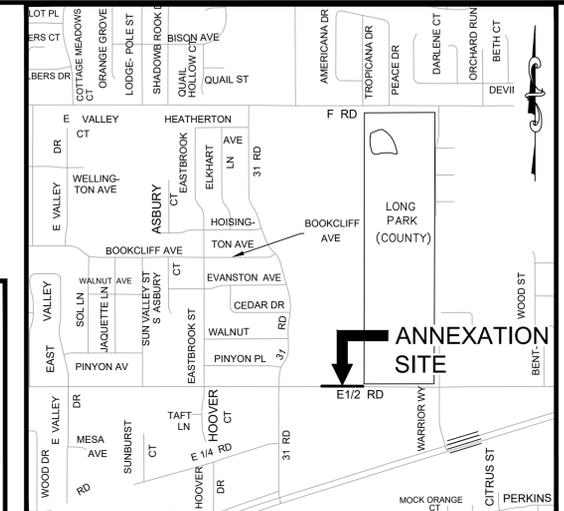
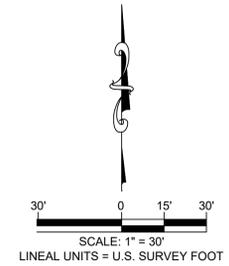
Signature of Person Completing the Application: _____ Date: _____

Signature of Legal Property Owner:  _____ Date: 5/13/22

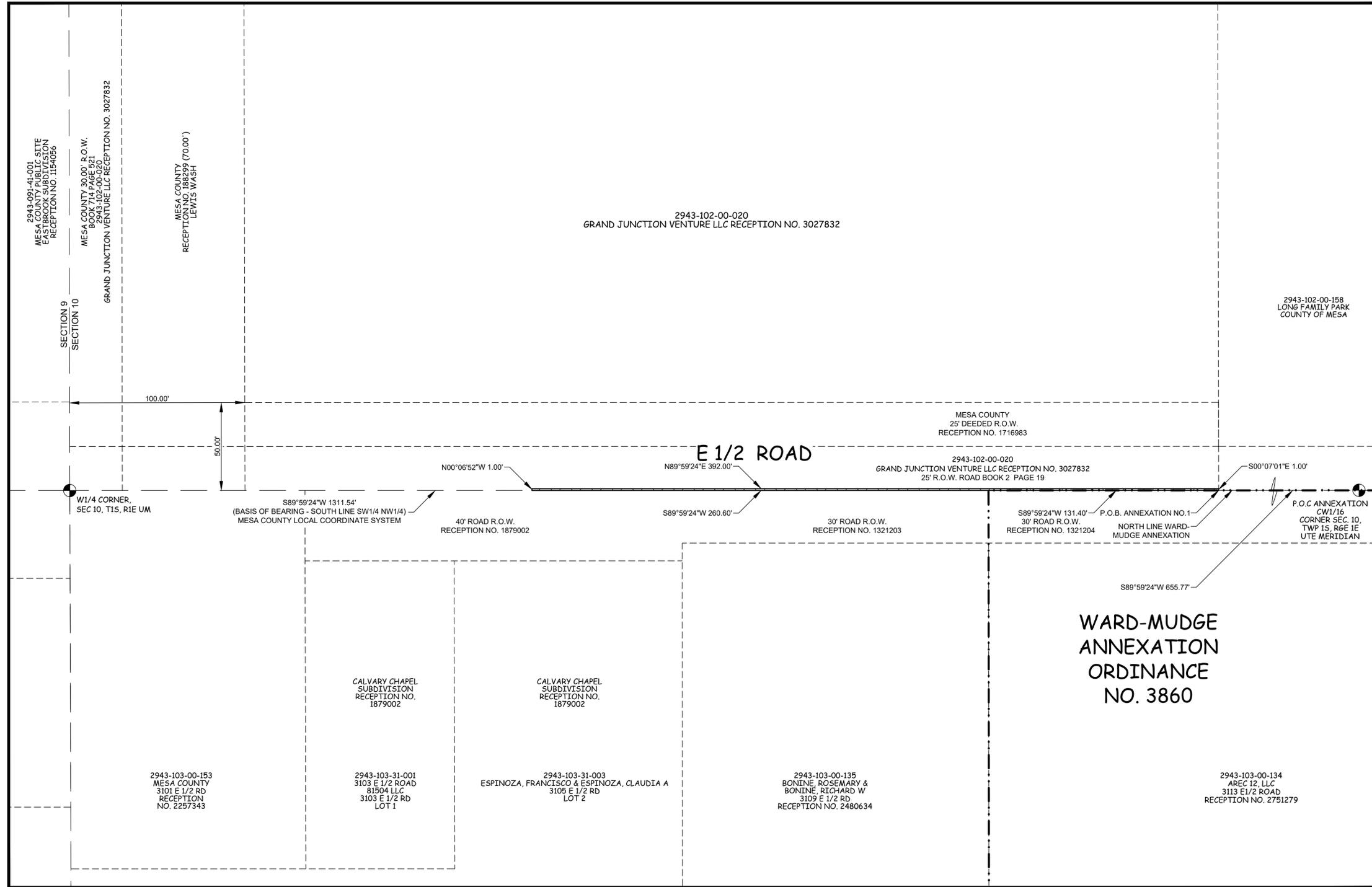
ANNEXATION SCHEDULE			
December 7, 2022	Referral of Petition, Intro Proposed Ordinance, Exercise Land Use		
December 13, 2022	Planning Commission Considers Zone of Annexation		
January 4, 2023	City Council Intro Proposed Zoning Ordinance		
January 18, 2023	City Council Accept Petition/Annex and Zoning Public Hearing		
February 19, 2023	Effective date of Annexation and Zoning		
ANNEXATION SUMMARY			
File Number	ANX-2022-478		
Location	NE Corner of 31 Rd and E ½ Rd		
Tax ID Number(s)	2943-102-00-020		
Number of Parcel(s)	1		
Existing Population	0		
No. of Parcels Owner Occupied	0		
Number of Dwelling Units	0		
Acres Land Annexed	17.13		
Developable Acres Remaining	17.13		
Right-of-way in Annexation	E ½ Rd		
Previous County Zoning	RSF-4		
Proposed City Zoning	R-12		
Surrounding Zoning:	North:	County RSF-4	
	South:	County RSF-4/City C-1	
	East:	County RSF-4 (Long's Park)	
	West:	County RSF-4	
Current Land Use	Vacant Land		
Proposed Land Use	Residential Medium		
Surrounding Land Use:	North:	Residential Medium	
	South:	Commercial	
	East:	Parks & Open Space	
	West:	Parks & Open Space/Residential Low	
Comprehensive Plan Designation:	Residential Medium		
Zoning within Comprehensive Plan Designation:	Yes:	<input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Values:	Assessed	\$5,610	
	Actual	\$21,240	
Address Ranges	3100 to 3116 E ½ Rd, even only		
Special Districts:	Water	Clifton	
	Sewer	Persigo	
	Fire	Clifton	
	Irrigation/Drainage	Palisade Irrigation/GVDD	
	School	D51	
	Pest	Grand River Mosquito Control District	

GRAND VALLEY ESTATES ANNEXATION NO. 1

Located in the W1/2 SW1/4 NW1/4 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SCALE: 1" = 800'



LEGAL DESCRIPTION

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of said Southwest Quarter of the Northwest Quarter of said Section 10 to a point on the North boundary line of the WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860 being the Point of Beginning; thence continuing along said boundary line S89°59'24"W a distance of 131.40 feet to the Northwest Corner of said WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860; thence continuing along said South line of said Southwest Quarter of the Northwest Quarter S89°59'24"W a distance of 260.60'; thence the following three (3) courses: 1) N00°06'52"W a distance of 1.00 feet 2) N89°59'24"E a distance of 392.00 feet to a point on the East line of said Reception No. 3027832 3) S00°07'01"E a distance of 1.00 feet to the Point of Beginning.

Said Parcel of land CONTAINING 392 Square Feet or 0.009 Acres, more or less.

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	786.00 FT.	ANNEXATION BOUNDARY	
CONTIGUOUS PERIMETER	131.40 FT.	ANNEXATION AREA	
AREA IN SQUARE FEET	392.00 FT ²	EXISTING CITY LIMITS	
AREA IN ACRES	0.009		
AREA WITHIN R.O.W.	392.00 FT ²		
AREA WITHIN DEEDED R.O.W.	0.009 ACRES		
	0.00 FT ²		
	0.00 ACRES		

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

ORDINANCE NO. PRELIMINARY **EFFECTIVE DATE PRELIMINARY**

NOTE:
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PRELIMINARY

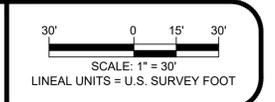
RENEE BETH PARENT DATE
STATE OF COLORADO - PL.S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501

THIS IS NOT A BOUNDARY SURVEY

G:\Data\SURVEY\Annexations\2022\2022-478 Grand Valley Estates - Nicole\Annexation Files\Grand Valley Estates Annexation Plats.dwg - PLOTTED 2022-10-27

NOTICE:
ACCORDING TO COLORADO LAW ANY LEGAL ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY MUST COMMENCE WITHIN THREE (3) YEARS AFTER THE DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DRAWN BY: MJH DATE: 10/24/2022
DESIGNED BY: RBP DATE: 10/14/2022
CHECKED BY: RBP DATE: 10/26/2022



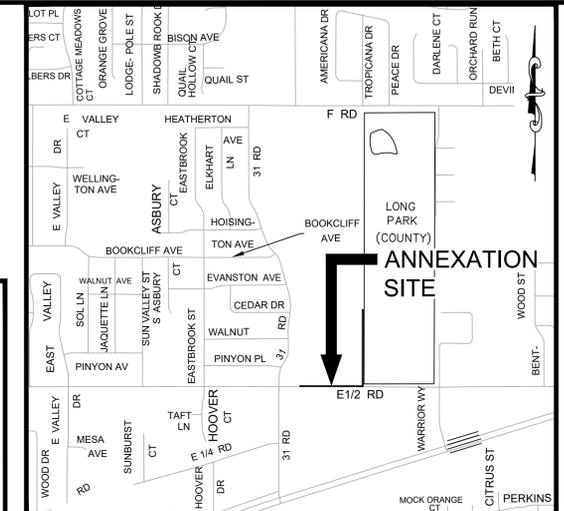
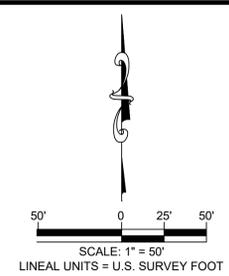
PUBLIC WORKS ENGINEERING DIVISION

GRAND VALLEY ESTATES ANNEXATION NO. 1

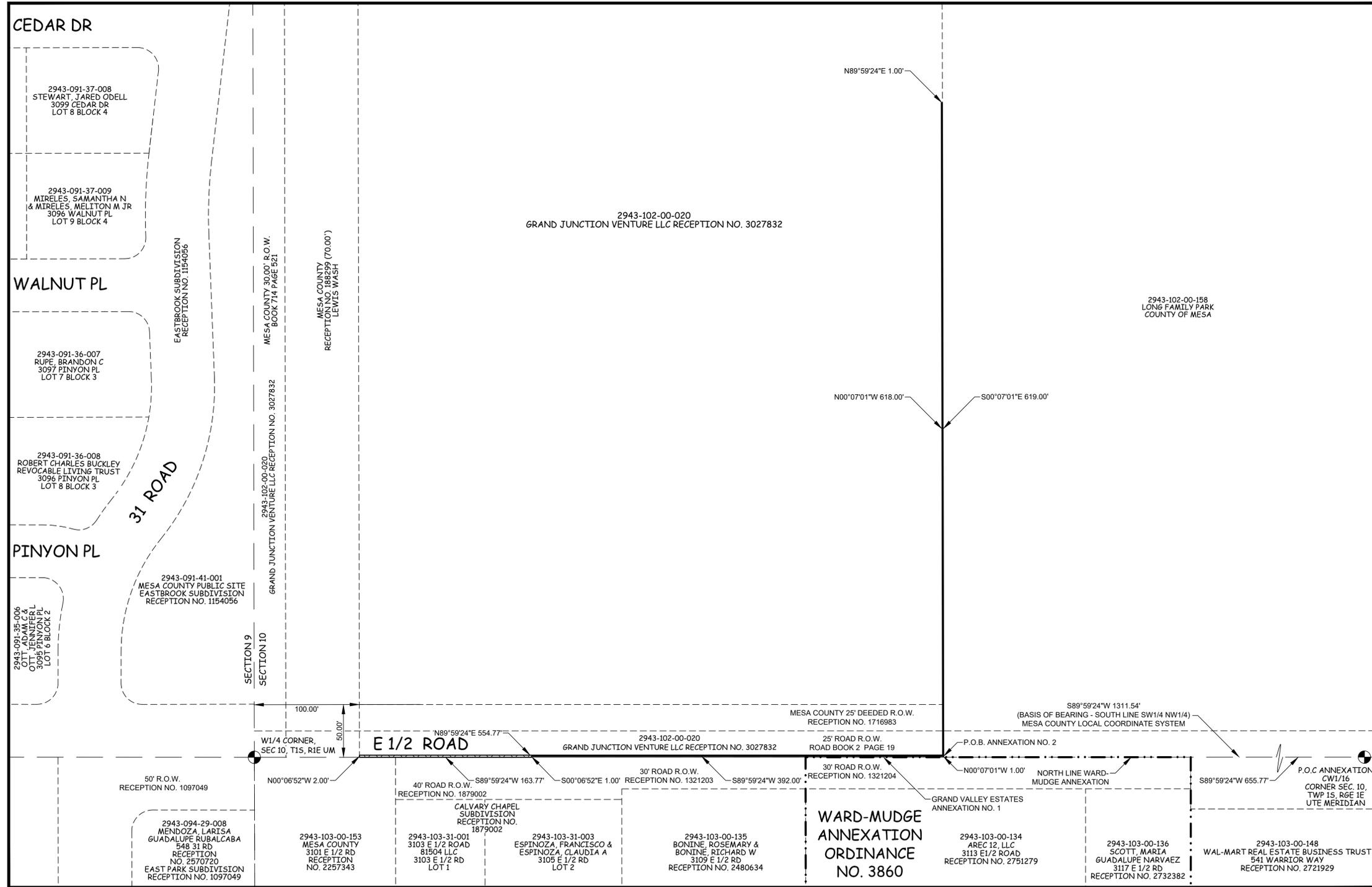
Located in the W1/2 SW1/4 NW1/4 SECTION 10,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

GRAND VALLEY ESTATES ANNEXATION NO. 2

Located in the W1/2 SW1/4 NW1/4 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SCALE: 1" = 800'



LEGAL DESCRIPTION

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of the Southwest Quarter of the Northwest Quarter of said Section 10 to a point on the North line of the WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860, said point also being the Southeast Corner of GRAND VALLEY ESTATES ANNEXATION NO. 1, thence along the East line of said Annexation NO. 1 N00°07'01"W a distance of 1.00 to the Northeast Corner of said Annexation NO. 1 being the Point of Beginning; thence S89°59'24"W along the North line of said Annexation NO. 1 a distance of 392.00 feet to the Northwest Corner of said Annexation NO. 1; thence along the West line of said Annexation NO. 1 S00°06'52"E a distance of 1.00 feet to a point on the South line of the Southwest Quarter of the Northwest Quarter of said Section 10, said point is also the Southwest Corner of said Annexation NO. 1; thence along said South line of the Southwest Quarter of the Northwest Quarter S89°59'24"W a distance of 163.77 feet to a point on the West line of Reception No. 3027832; thence the following five (5) courses 1) along said West line N00°06'52"W a distance of 2.00 feet 2) N89°59'24"E a distance of 554.77 feet 3) N00°07'01"W a distance of 618.00 feet 4) N89°59'24"E a distance of 1.00 feet to a point on the East line of said Reception No. 3027832 5) along said East line S00°07'01"E a distance of 619.00 feet to the Point of Beginning.

Said Parcel of land CONTAINING 1,337 Square Feet or 0.031 Acres, more or less.

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	2,351.54 FT.	ANNEXATION BOUNDARY	
CONTIGUOUS PERIMETER	393.00 FT.	ANNEXATION AREA	
AREA IN SQUARE FEET	1,337 FT ²	EXISTING CITY LIMITS	
AREA IN ACRES	0.031		
AREA WITHIN R.O.W.	768 FT ²		
	0.018 ACRES		
AREA WITHIN DEEDED R.O.W.	25 FT ²		
	0.001 ACRES		

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

ORDINANCE NO. PRELIMINARY **EFFECTIVE DATE PRELIMINARY**

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PRELIMINARY

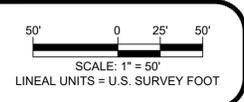
RENEE BETH PARENT DATE

STATE OF COLORADO - PL. S. NO. 38266
FOR THE CITY OF GRAND JUNCTION
333 WEST AVENUE - BLDG. C
GRAND JUNCTION, CO. 81501

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DRAWN BY: MJH DATE: 10/24/2022
DESIGNED BY: RBP DATE: 10/14/2022
CHECKED BY: RBP DATE: 10/26/2022



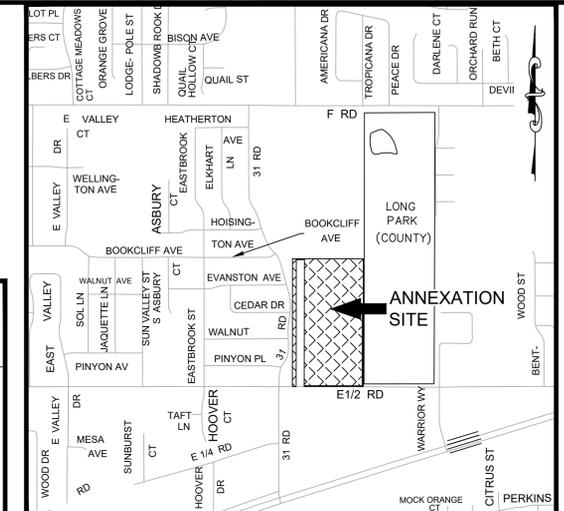
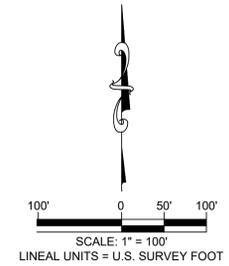
PUBLIC WORKS
ENGINEERING DIVISION

GRAND VALLEY ESTATES ANNEXATION NO. 2

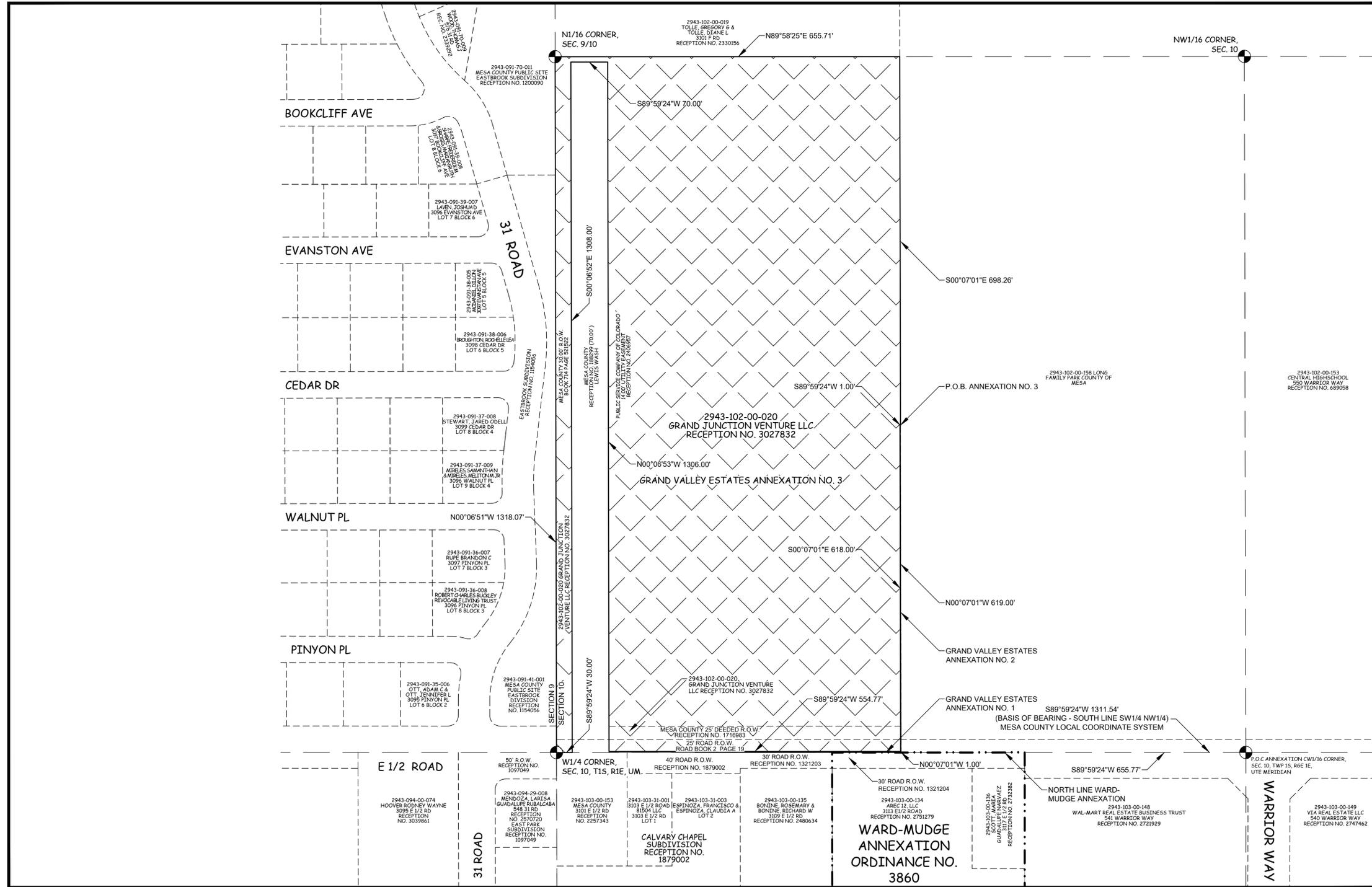
Located in the W1/2 SW1/4 NW1/4 SECTION 10,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

GRAND VALLEY ESTATES ANNEXATION NO. 3

Located in the W1/2 SW1/4 NW1/4 SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO



SITE LOCATION MAP SCALE: 1" = 80'



LEGAL DESCRIPTION

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of the Southwest Quarter of the Northwest Quarter to a point on the North line of WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860, said point also being the Southwest Corner of GRAND VALLEY ESTATES ANNEXATION NO. 1, thence along the East line of said Annexation No. 1 N00°07'01"W a distance of 1.00 to the Northeast Corner of said Annexation No. 1 said point also being the Southeast Corner of GRAND VALLEY ESTATES ANNEXATION NO. 2; thence along the Eastern Boundary line of said Annexation No. 2 N00°07'01"W a distance of 619.00 feet to the Northeast Corner of said Annexation No. 2 being the Point of Beginning; thence along the Northern boundary line of said Annexation No. 2 for the following three (3) courses: 1) S89°59'24"W a distance of 1,000 feet 2) S00°07'01"E a distance of 618.00 feet 3) S89°59'24"W a distance of 554.77 feet to the Northwest Corner of said Annexation No. 2; thence, the following three (3) courses along the boundary of Reception Number 18299, 1) N00°06'53"W a distance of 1306.00 feet 2) S89°59'24"W a distance of 70.00 feet 3) S00°06'52"E a distance of 1308.00 to a point on said south line of the Southwest Quarter of the Northwest Quarter, thence S89°59'24"W a distance of 30.00 feet to the West Quarter Corner of said Section 10; thence along the West Line of said Section 10, N00°06'51"W a distance of 1318.07 feet to the North 1/16th Corner of Section 9 & said Section 10; thence along the North line of said Southwest Quarter of the Northwest Quarter, N89°58'25"E a distance of 655.71 feet to the northeast corner of Reception 3027832; thence S00°07'01"E a distance of 698.26 feet to the Point of Beginning.

Said Parcel of land CONTAINING 771,084 Square Feet or 17.702 Acres, more or less.

AREAS OF ANNEXATION		LEGEND	
ANNEXATION PERIMETER	6,559.81 FT.	ANNEXATION BOUNDARY	
CONTIGUOUS PERIMETER	1,173.77 FT.	ANNEXATION AREA	
AREA IN SQUARE FEET	771,084 FT ²	EXISTING CITY LIMITS	
AREA IN ACRES	17.702		
AREA WITHIN R.O.W.	66,168 FT ²		
	1.519 ACRES		
AREA WITHIN DEEDED R.O.W.	13,869 FT ²		
	0.318 ACRES		

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

ORDINANCE NO. PRELIMINARY

EFFECTIVE DATE PRELIMINARY

NOTE:
THE DESCRIPTION(S) CONTAINED HEREIN HAVE BEEN DERIVED FROM SUBDIVISION PLAT, DEED DESCRIPTIONS & DEPOSIT SURVEYS AS THEY APPEAR IN THE OFFICE OF THE MESA COUNTY CLERK & RECORDER. THIS PLAT OF ANNEXATION DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY, AND IS NOT INTENDED TO BE USED AS A MEANS OF ESTABLISHING OR VERIFYING PROPERTY BOUNDARY LINES.

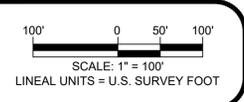
PRELIMINARY

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

THIS IS NOT A BOUNDARY SURVEY

NOTICE:
ACCORDING TO COLORADO LAW ANY LEGAL ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY MUST COMMENCE WITHIN THREE (3) YEARS AFTER THE DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT FOUND IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DRAWN BY: MJH DATE: 10/24/2022
DESIGNED BY: RBP DATE: 10/14/2022
CHECKED BY: RBP DATE: 10/26/2022

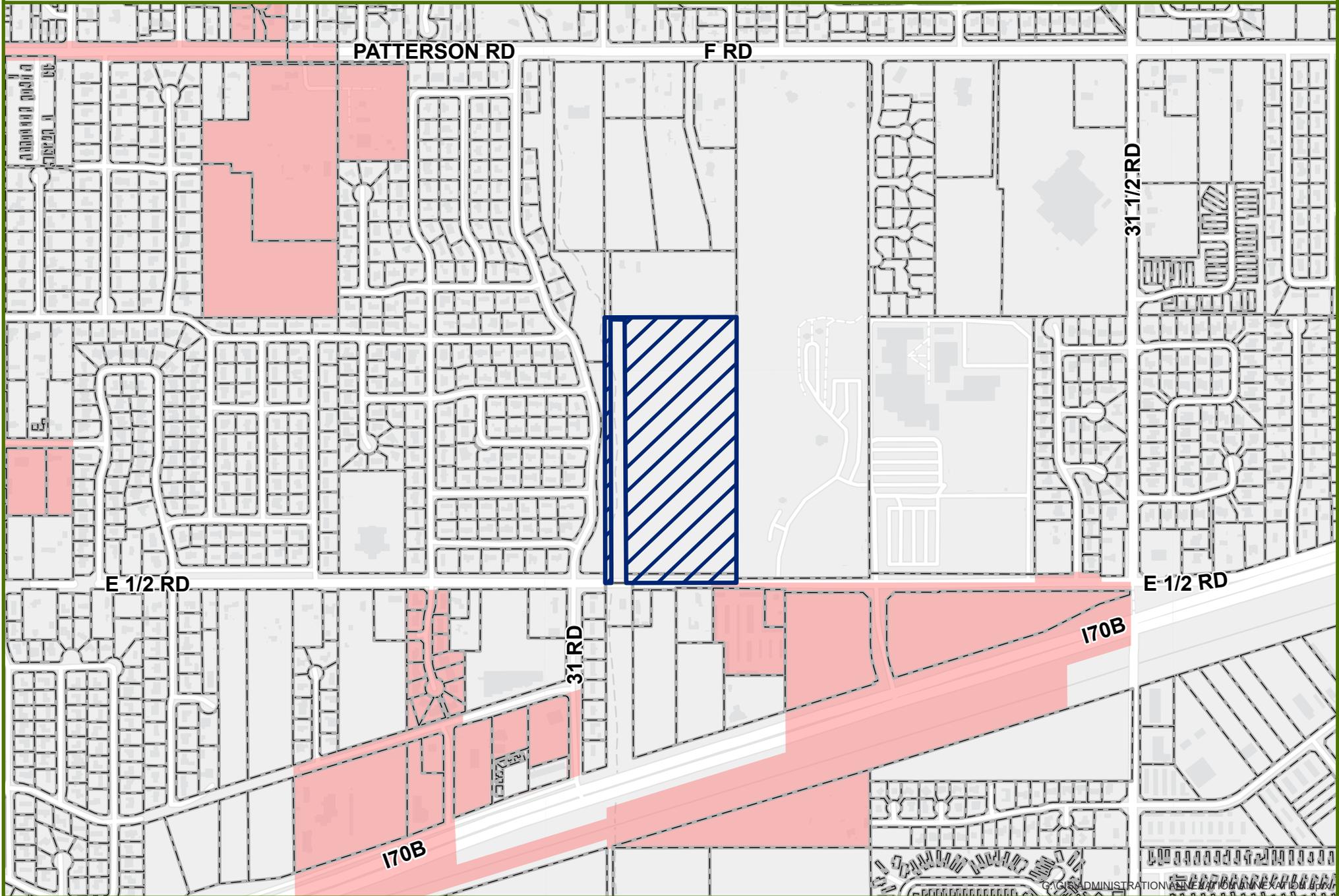


PUBLIC WORKS ENGINEERING DIVISION

GRAND VALLEY ESTATES ANNEXATION NO. 3

Located in the W1/2 SW1/4 NW1/4 SECTION 10,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO

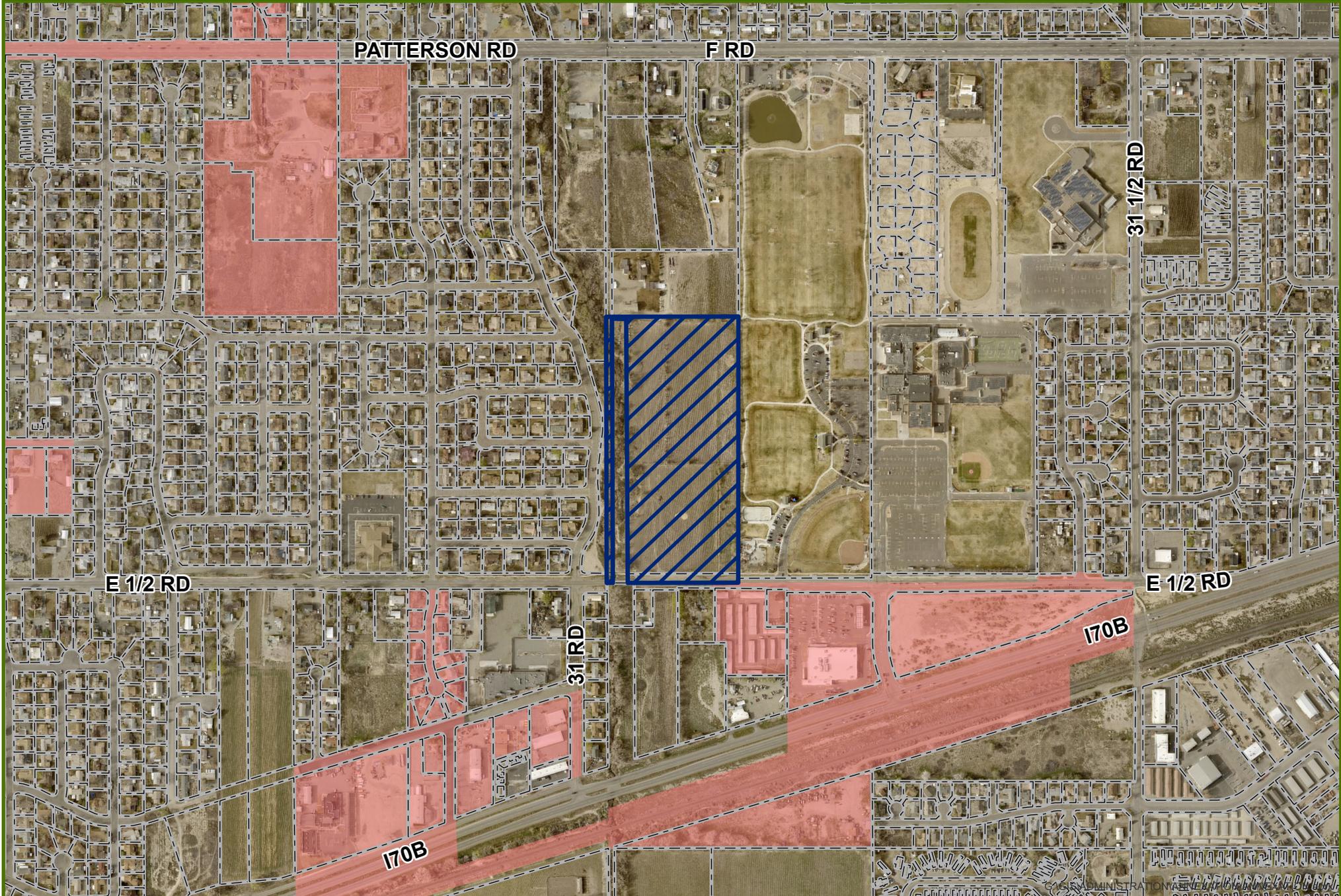
GRAND VALLEY ESTATES ANNEXATION



0 0.1 0.2 Miles

 Annexation  City Limits

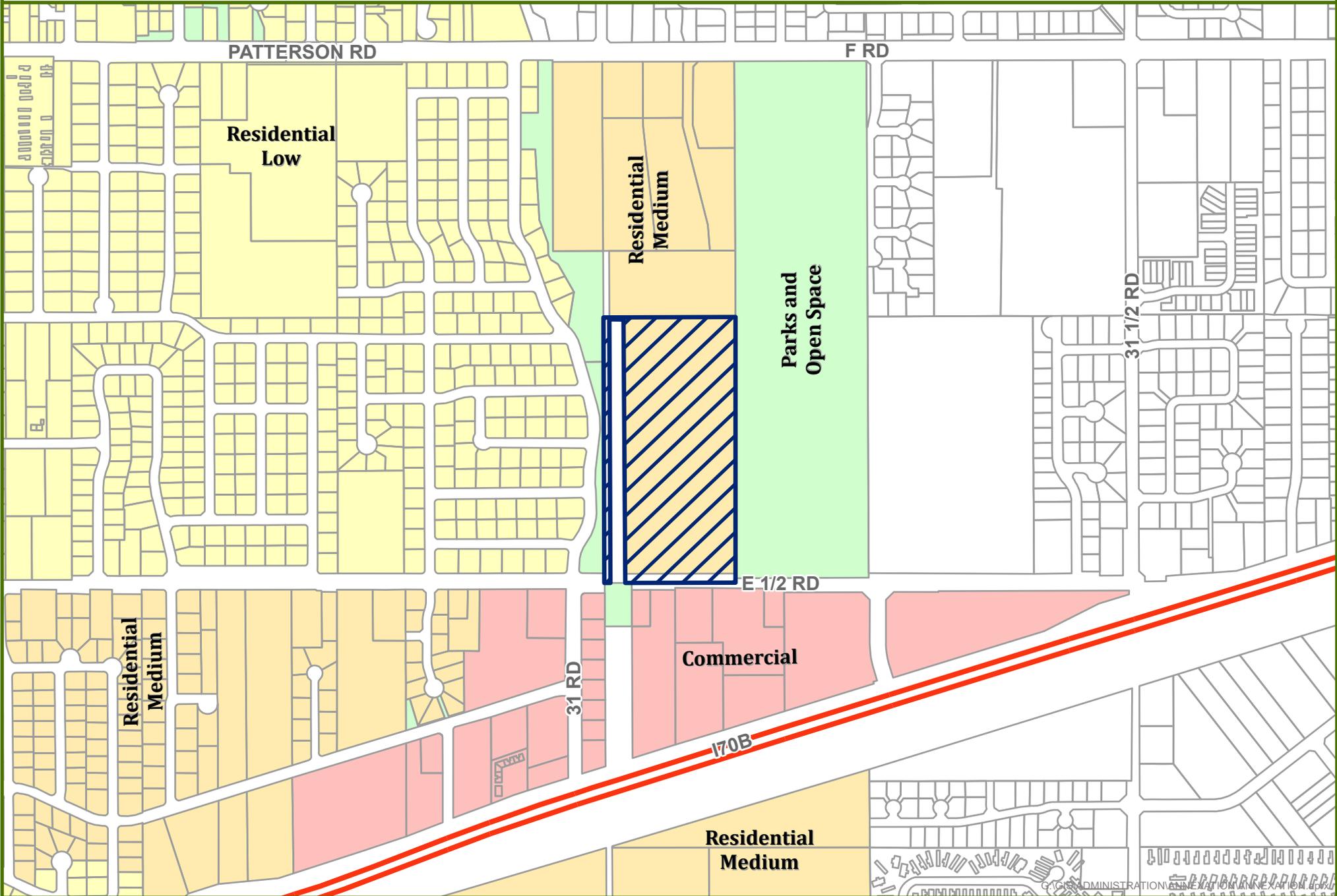
GRAND VALLEY ESTATES ANNEXATION



0 0.1 0.2 Miles

 Annexation  City Limits

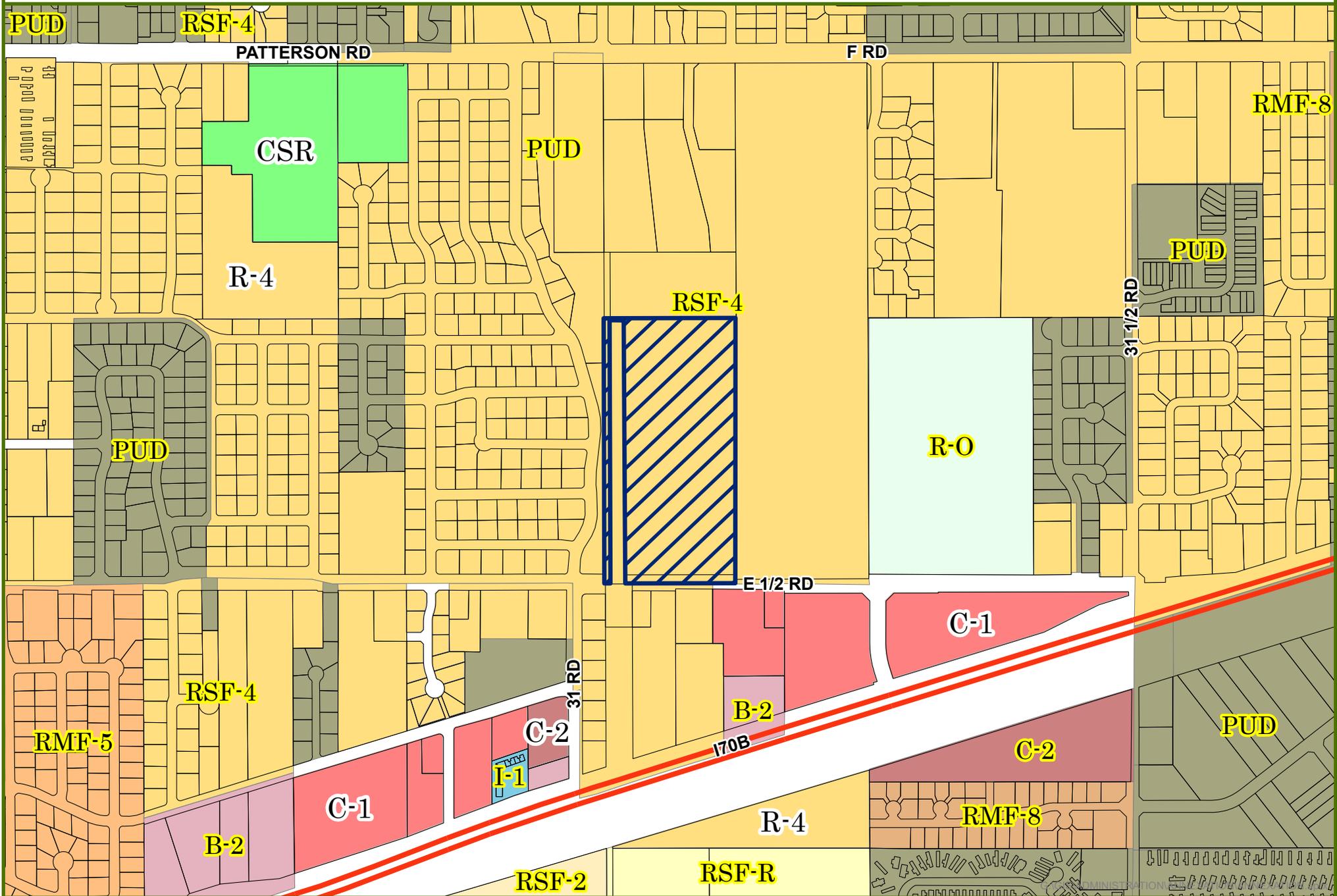
GRAND VALLEY ESTATES ANNEXATION - LAND USE



0 0.1 0.2 Miles

 Annexation Boundary

GRAND VALLEY ESTATES ANNEXATION - ZONING



0 0.1 0.2 Miles

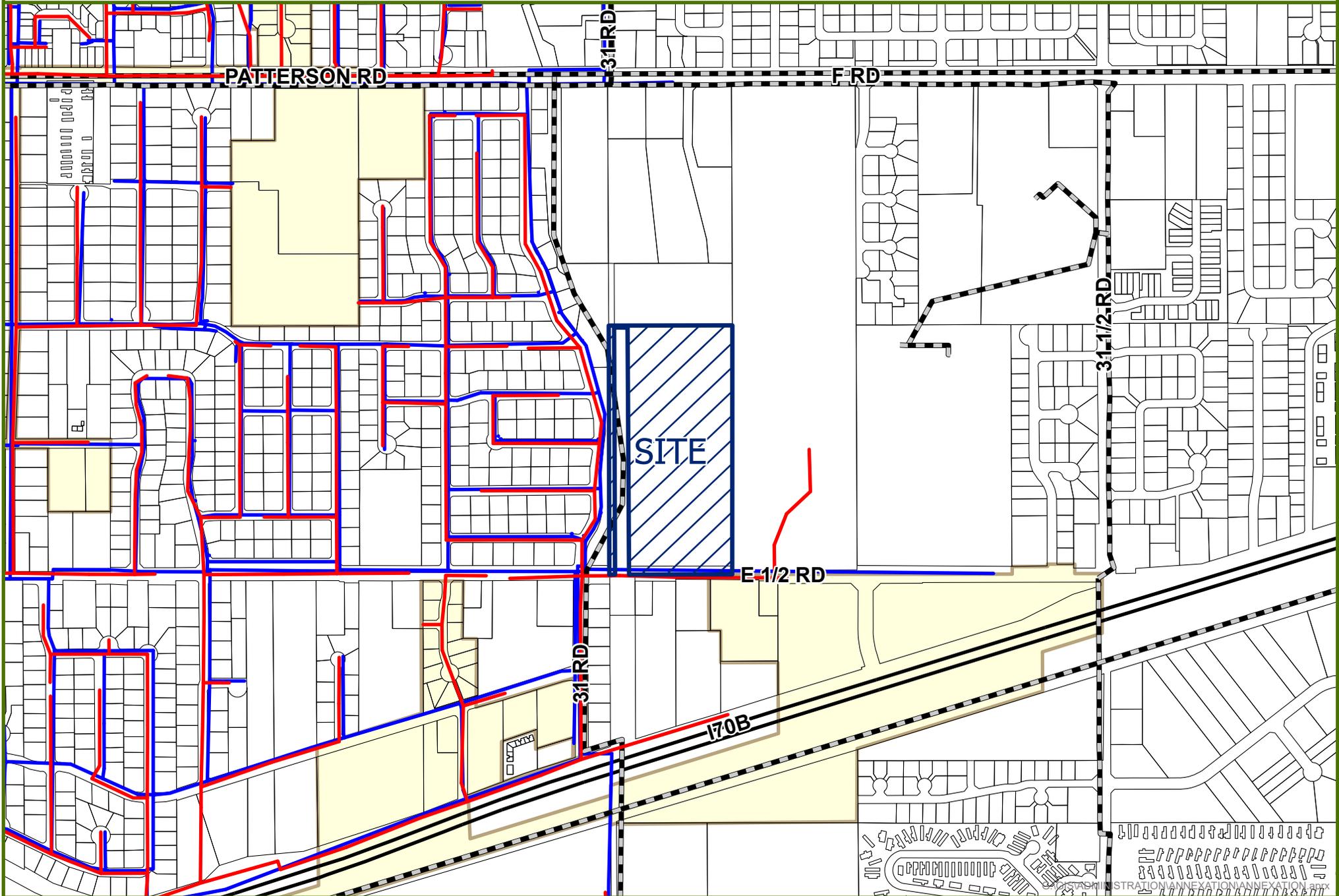


Annexation

City Zoning

County Zoning

GRAND VALLEY ESTATES ANNEXATION - UTILITIES



0 0.1 0.2 Miles

NON-CITY FIBER

SEWER

CLIFTON WATER

CITY LIMITS

Date Created: 11/22/2022





View of the subject property
looking north from E ½ Road

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING GRAND VALLEY ESTATES ANNEXATION
TO R-12 (RESIDENTIAL – 12 DU/AC) ZONE DISTRICT**

LOCATED ON PROPERTIES AT THE NORTHEAST CORNER OF 31 ROAD & E ½ ROAD

Recitals:

The property owner has petitioned to annex their 17.42 acres into the City limits. The annexation is referred to as the “Grand Valley Estates Annexation.”

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended zoning the Grand Valley Estates Annexation consisting of 17.42 acres from County RSF-4 (Residential Single Family - 4) to R-12 (Residential – 12 du/ac) finding that both the R-12 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 R-12 (Residential – 12 du/ac) zone district 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:

ZONING FOR THE GRAND VALLEY ESTATES ANNEXATION

The following parcel in the City of Grand Junction, County of Mesa, State of Colorado is hereby zoned as follows:

PERIMETER BOUNDARY LEGAL DESCRIPTION

Grand Valley Estates Annexation

A Serial Annexation comprising the Grand Valley Estates Annexation No. 1, Grand Valley Estates Annexation No. 2, and Grand Valley Estates Annexation No. 3

Grand Valley Estates Annexation No. 1

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of said Southwest Quarter of the Northwest Quarter of said Section 10 to a point on the North boundary line of the WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860 being the Point of Beginning; thence continuing along said boundary line S89°59'24"W a distance of 131.40 feet to the Northwest Corner of said WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860; thence continuing along said South line of said Southwest Quarter of the Northwest Quarter S89°59'24"W a distance of 260.60'; thence the following three (3) courses: 1) N00°06'52"W a distance of 1.00 feet 2) N89°59'24"E a distance of 392.00 feet to a point on the East line of said Reception No. 3027832 3) S00°07'01"E a distance of 1.00 feet to the Point of Beginning.

Said Parcel of land CONTAINING 392 Square Feet or 0.009 Acres, more or less.

Grand Valley Estates Annexation No. 2

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of the Southwest Quarter of the Northwest Quarter of said Section 10 to a point on the North line of the WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860, said point also being the Southeast Corner of GRAND VALLEY ESTATES ANNEXATION NO. 1, thence along the East line of said Annexation NO. 1 N00°07'01"W a distance of 1.00 to the Northeast Corner of said Annexation NO. 1 being the Point of Beginning; thence S89° 59'24"W along the North line of said Annexation NO. 1 a distance of 392.00 feet to the Northwest Corner of said Annexation NO. 1; thence along the West line of said Annexation NO. 1 S00°06'52"E a distance of 1.00 feet to a point on the South line of the Southwest Quarter of the Northwest Quarter of said Section 10, said point is also the Southwest Corner of said Annexation NO. 1; thence along said South line of the Southwest Quarter of the Northwest Quarter S89°59'24"W a distance of 163.77 feet to a point on the West line of Reception No. 3027832 ; thence the following five (5) courses 1) along said West line N00°06'52"W a distance of 2.00 feet 2) N89°59'24"E a distance of 554.77.00 feet 3) N00°07'01"W a distance of 618.00 feet 4) N89°59'24"E a distance of 1.00 feet to a point on the East line of said Reception No. 3027832 5) along said East line S00°07'01"E a distance of 619.00 feet to the Point of Beginning.

Said Parcel of land CONTAINING 1,337 Square Feet or 0.031 Acres, more or less.

Grand Valley Estates Annexation No. 3

A parcel of land being a part of the West Half of the Southwest Quarter of the Northwest Quarter (W1/2 SW1/4 NW1/4) of Section 10, Township 1 South, Range 1 East, Ute Meridian, Mesa County, Colorado more particularly described as follows:

Commencing at the Center-west 1/16 Corner of said Section 10 whence the West Quarter Corner of said Section 10 bears S89°59'24"W 1,311.54 feet with all other bearings relative thereto; thence S89°59'24"W a distance of 655.77 feet along the South line of the Southwest Quarter of the Northwest Quarter to a point on the North line of WARD-MUDGE ANNEXATION, ORDINANCE NO. 3860, said point also being the Southwest Corner of GRAND VALLEY ESTATES ANNEXATION NO. 1 , thence along the East line of said Annexation NO. 1 N00°07'01"W a distance of 1.00 to the Northeast Corner of said Annexation NO. 1 said point also being the Southeast Corner of GRAND VALLEY ESTATES ANNEXATION NO. 2; thence along the Eastern Boundary line of said Annexation NO. 2 N00°07'01"W a distance of 619.00 feet to the Northeast Corner of said Annexation NO. 2 being the Point of Beginning; thence along the Northern boundary line of said Annexation NO. 2 for the following three (3) courses 1) S89°59'24"W a distance of 1.00 feet 2) S00°07'01"E a distance of 618.00 feet 3) S89°59'24"W a distance of 554.77 feet to the Northwest Corner of said Annexation NO. 2; thence, the following three (3) courses along the boundary of Reception Number 188299, 1) N00°06'53"W a distance of 1306.00 feet 2) S89°59'24"W a distance of 70.00 feet 3) S00°06'52"E a distance of 1308.00 to a point on said south line of the Southwest Quarter of the Northwest Quarter, thence S89°59'24"W a distance of 30.00 feet to the West Quarter Corner of said Section 10; thence along the West Line of said Section 10, N00°06'51"W a distance of 1318.07 feet to the North 1/16th Corner of Section 9 & said Section 10; thence along the North line of said Southwest Quarter of the Northwest Quarter, N89°58'25"E a distance of 655.71 feet to the northeast corner of Reception 3027832; thence S00°07'01"E a distance of 698.26 feet to the Point of Beginning.

Said Parcel of land CONTAINING 771,084 Square Feet or 17.702 Acres, more or less.

INTRODUCED on first reading this ____ day of _____, 2023 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____, 2023 and ordered published in pamphlet form.

Anna M. Stout
President of the Council

ATTEST:

Amy Phillips
City Clerk



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: December 13, 2022
Presented By: Nicole Galehouse, Principal Planner
Department: Community Development
Submitted By: Nicole Galehouse, AICP, Principal Planner

Information

SUBJECT:

Consider a request by Alex Vat, on behalf of Lucky You Properties, LLC, Property Owner, to rezone 2.11 acres from PD (Planned Development) to C-1 (Light Commercial) located at 2992 Patterson Road.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

The Applicant, Alex Vat, on behalf of Lucky You Properties, LLC, Property Owner, is requesting a rezone from PD (Planned Development) to C-1 (Light Commercial) for 2.11-acres located at 2992 Patterson Road. The requested PD zone district would be consistent with the Comprehensive Plan Land Use Map designation of Commercial, if approved.

BACKGROUND OR DETAILED INFORMATION:

The subject property is situated along Patterson Road at the northwest intersection with 30 Road. The property currently has a vacant building that was formerly occupied by the Rite Aid Pharmacy. The applicant is seeking a change in zoning that implements the 2020 One Grand Junction Comprehensive Plan adopted by the City in December 2020. The current City zoning for the property is PD; the Planned Development associated with this zoning was for the Rite Aid formerly on the site. The PD limited the use on the site to retail uses and specifically limited the drive-through component to pharmacy use. As the pharmacy is no longer in business, the applicant is seeking to rezone the property to C-1 to provide more flexibility for future use of the building.

The property was annexed by the City in 1999. It is located within Tier 1 on the

Intensification and Growth Tiers Map of the Comprehensive Plan, supporting the request to intensify land use through redevelopment in this area. The “Commercial” land use designation within this category is implemented through zone districts which provide for concentrated areas of retail, services, and employment that support both City residents and those in the surrounding region.

The purpose of the C-1 (Light Commercial) zone district is to provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. As noted above, the C-1 zone district encourages development on sites which make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. The building on-site has existing access to utility services and is located at a major intersection.

In addition to the C-1 (Light Commercial) zoning requested by the applicant, the following zone districts would also be consistent with the Comprehensive Plan designation of Commercial:

- a. M-U (Mixed Use)
- b. B-P (Business Park)
- c. I-O (Industrial/Office Park)
- d. C-2 (General Commercial)
- e. CSR (Community Services and Recreation)
- f. MXR-8 (Mixed Use Residential)
- g. MXG-3, 5, 8 (Mixed Use General)
- h. MXS-3, 5, 8 (Mixed Use Shopfront)
- i. MXOC (Mixed Use Opportunity Corridors)

The properties adjacent to the subject property to the north and west are still in the County with a zoning of RSF-4 (Residential Single Family – 4), with a City future land use designation of Residential Low. The properties to the east are within the City, zoned B-1 (Neighborhood Business) and a City land use designation of Commercial. Properties to the south are within the City, zoned R-4 with a future land use designation of Residential Medium.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at the property on Monday, August 15, 2022, in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The applicant and their representatives were in attendance, along with a representative from City staff and approximately 4 neighbors. The owner’s representative provided an overview of the proposed development and reason for the rezone. Discussion at the neighborhood meeting included hours of operation for the proposed change of use, timing of the ongoing processes, concern about potential conflicts of traffic on the site with children walking to school, and support of repurposing the building.

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 a new application sign on November 28, 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 on December 2, 2022. The notice of this public hearing was published December 6, 2022 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review are set forth in Section 21.02.140 (a) of the Zoning and Development Code, which provides 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 was previously zoned Planned Unit Development in Mesa County prior to its annexation in 1998. When the property annexed, it was assigned Planned Business (later replaced by Planned Development) zone district. The zone district was specific to the construction of a Rite Aid pharmacy with a drive through. The ordinance adopting the zone of annexation limited the drive through on the building to a pharmacy use. Since the pharmacy has since gone out of business, the original premises of the condition is no longer valid. The rezone to C-1 will allow for utilization of the drive through for any retail sales operation on the site. Therefore, staff finds that this criterion is met.

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

The existing structures has been on the site since 1999. The surrounding neighborhoods have been in place since at least the 1980s, consisting of primarily low density residential neighborhoods. While the amendment is consistent with the Comprehensive Plan, the character of the area has been stable and is not the impetus for the request. Therefore, staff finds that 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

Public sanitary sewer service, Ute Water domestic water service, Xcel electrical gas and power service, stormwater sewer through Grand Valley Drainage District, and irrigation through Palisade Irrigation District are available to the site. Transportation infrastructure is generally adequate to serve development of the type and scoped associated with the C-1 zone district. Therefore, staff finds that this criterion is 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 Patterson corridor east of 12th Street is dominated by residential neighborhoods. By providing additional commercial properties in this area the requested rezone will allow for diversification and increased retail opportunities. Therefore, Staff finds this criterion to be met.

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

The current structure on the property is vacant and reuse of the site is limited by the inability to use the drive through for anything but a pharmacy. By rezoning the property to C-1 the City will see commercial property coming back on the tax rolls. In many cases, vacant buildings can also become grottos for dangerous activity, so bringing this site back into normal operations reduces the opportunity for crime. Therefore, Staff finds this criterion to be met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of the relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The proposed rezone to R-8 (Residential – 8 du/ac) implements the following Plan principles, goals, and policies of the Comprehensive Plan:

- Land Use Plan: *Relationship to Existing Zoning*
 - Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan.
 - The 2020 Comprehensive Plan provides the subject property with a land use designation of Commercial. As outlined in the background section of this staff report, the C-1 zone district is a permissible district to implement the Commercial designation.

- Plan Principle 3: *Responsible and Managed Growth*
 - Goal: Support fiscally responsible growth...that promote a compact pattern of growth...and encourage the efficient use of land.
 - Goal: Encourage infill and redevelopment to leverage existing infrastructure.
 - The proposed rezone will provide for reuse of an existing structure that already has access to infrastructure. In addition to basic utilities, the

intersection at 30 Road is already signaled, ensuring that there is adequate traffic management.

- Goal: Support the development of neighborhood-centered commercial uses and mixed-use development.
 - This goal of the Comprehensive Plan encourages a mix of uses in neighborhood centers and along prominent corridors. The requested rezone will increase the flexibility of the site to appeal to a variety of users.
-
- Plan Principle 8: *Resource Stewardship*
 - Goal: Promote the use of sustainable development.
 - Plan Principle 8 encourages thoughtful planning as it relates to the natural resources and development occurring in the City. It promotes sustainable development through the concentration of development in areas that maximize existing infrastructure, which is already available on the site of the proposed rezone.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Lucky You Rezone request, for a rezone from PD (Planned Development) to C-1 (Light Commercial) for the property located at 2992 Patterson Road, the following findings of facts have been made:

- 1) The request has met one or more of the criteria in 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, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the Rezone request for the property located at 2992 Patterson Road, City file number RZN-2022-570, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Lucky You Rezone Dev Application
2. Lucky You Site Maps & Pictures of Site
3. Lucky You Proposed Zoning 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:

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

Existing Land Use Designation	<input type="text" value="Commercial"/>	Existing Zoning	<input type="text" value="PD"/>
Proposed Land Use Designation	<input type="text" value="Commercial"/>	Proposed Zoning	<input type="text" value="C-1"/>

Property Information

Site Location: <input type="text" value="2992 Patterson Road"/>	Site Acreage: <input type="text" value="2.11"/>
Site Tax No(s): <input type="text" value="2943-054-00-113"/>	Site Zoning: <input type="text" value="PD"/>
Project Description: <input type="text" value="Change in Zoning from PD to C-1"/>	

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 #:

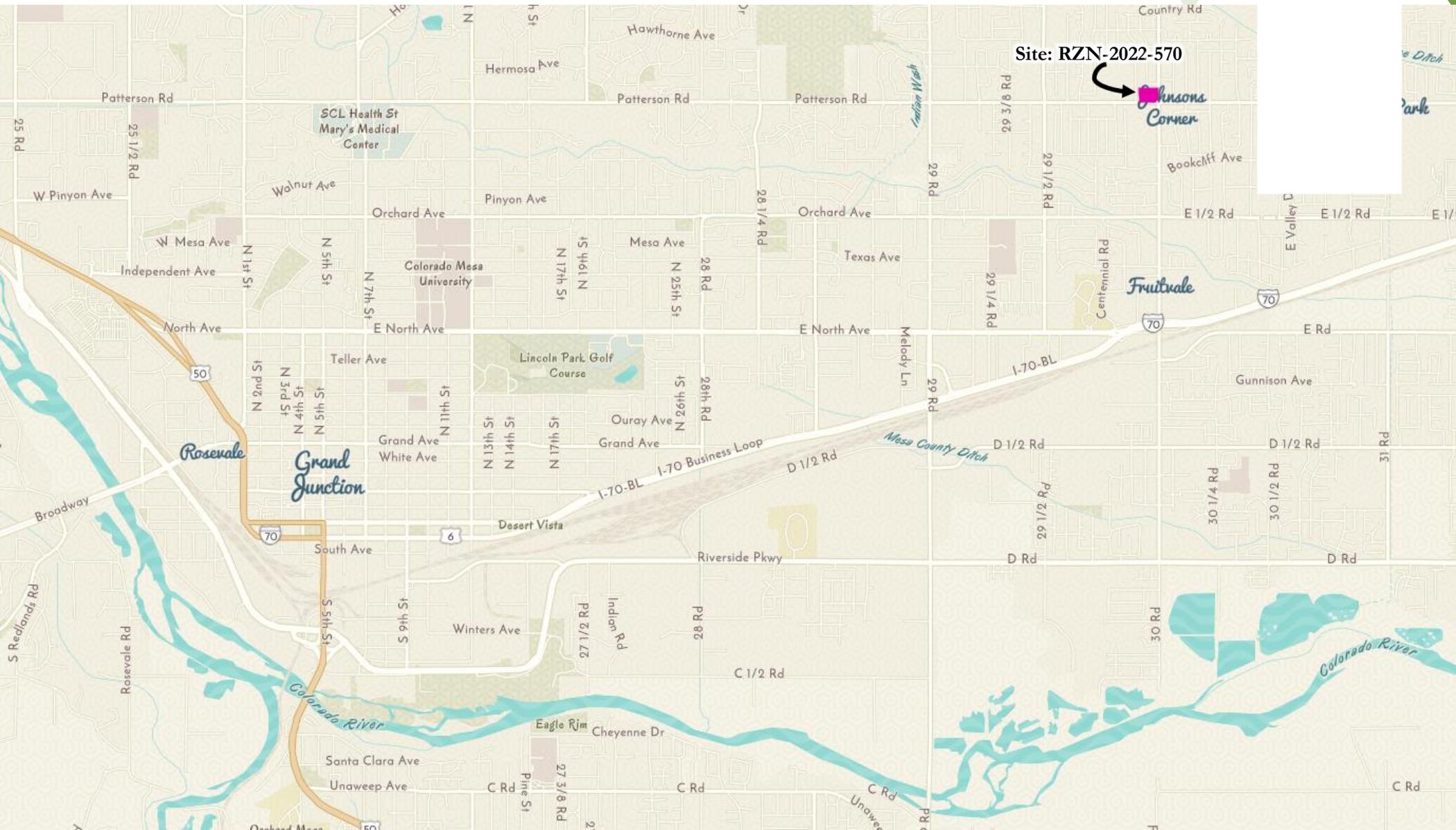
NOTE: Legal property owner is owner of record on date of submittal.

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="Tom Logue"/>	<small>Digitally signed by Tom Logue DN: cn=Tom Logue, o,cu, email=talldc@msn.com, c=US Date: 2015.09.29 05:46:27 -0600</small>	Date	<input type="text" value="August 11, 2022"/>
Signature of Legal Property Owner	<input type="text" value="Alex Kompheak Vat"/>		Date	<input type="text" value="08/15/2022"/>

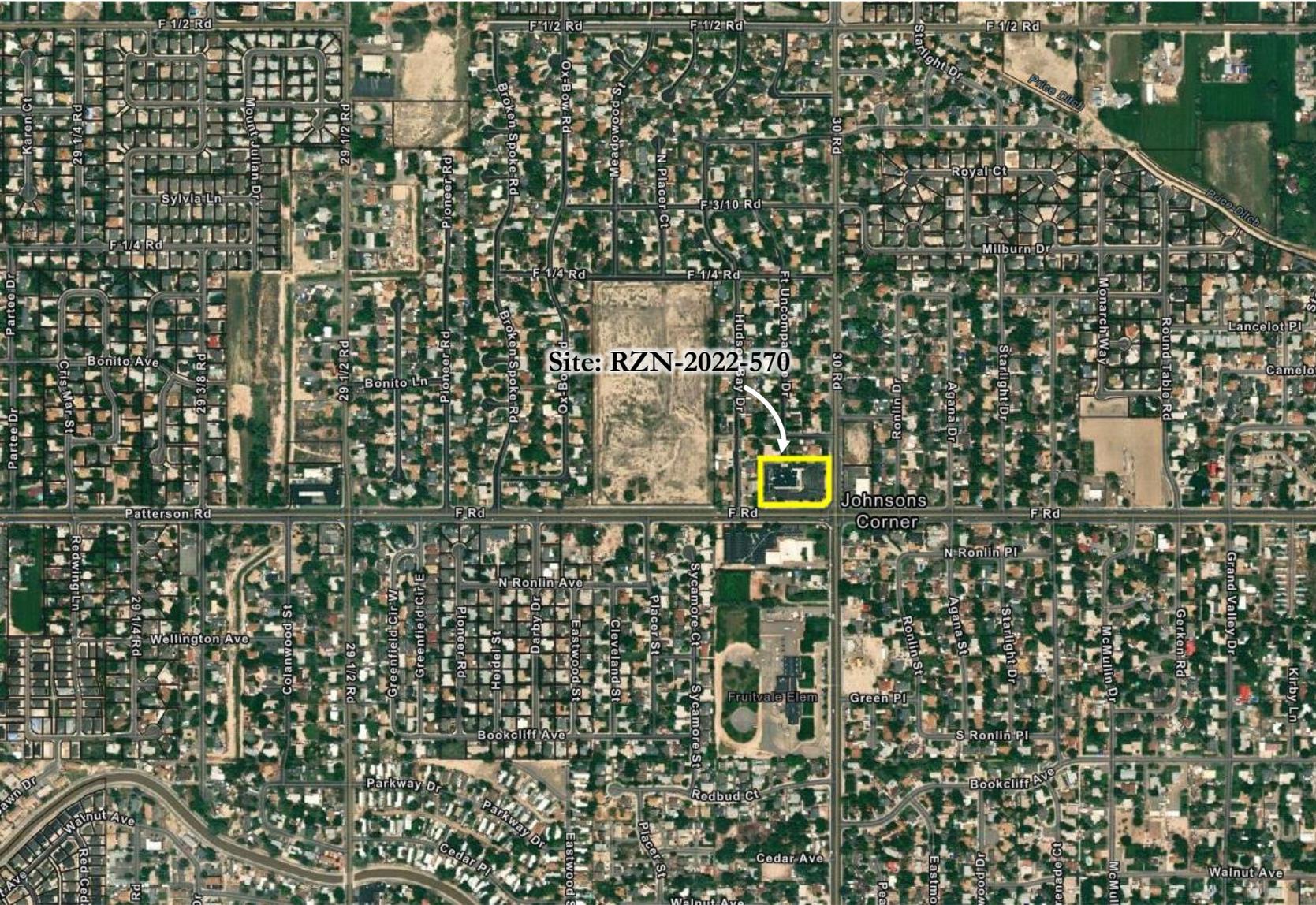
Lucky You Rezone

Vicinity Map



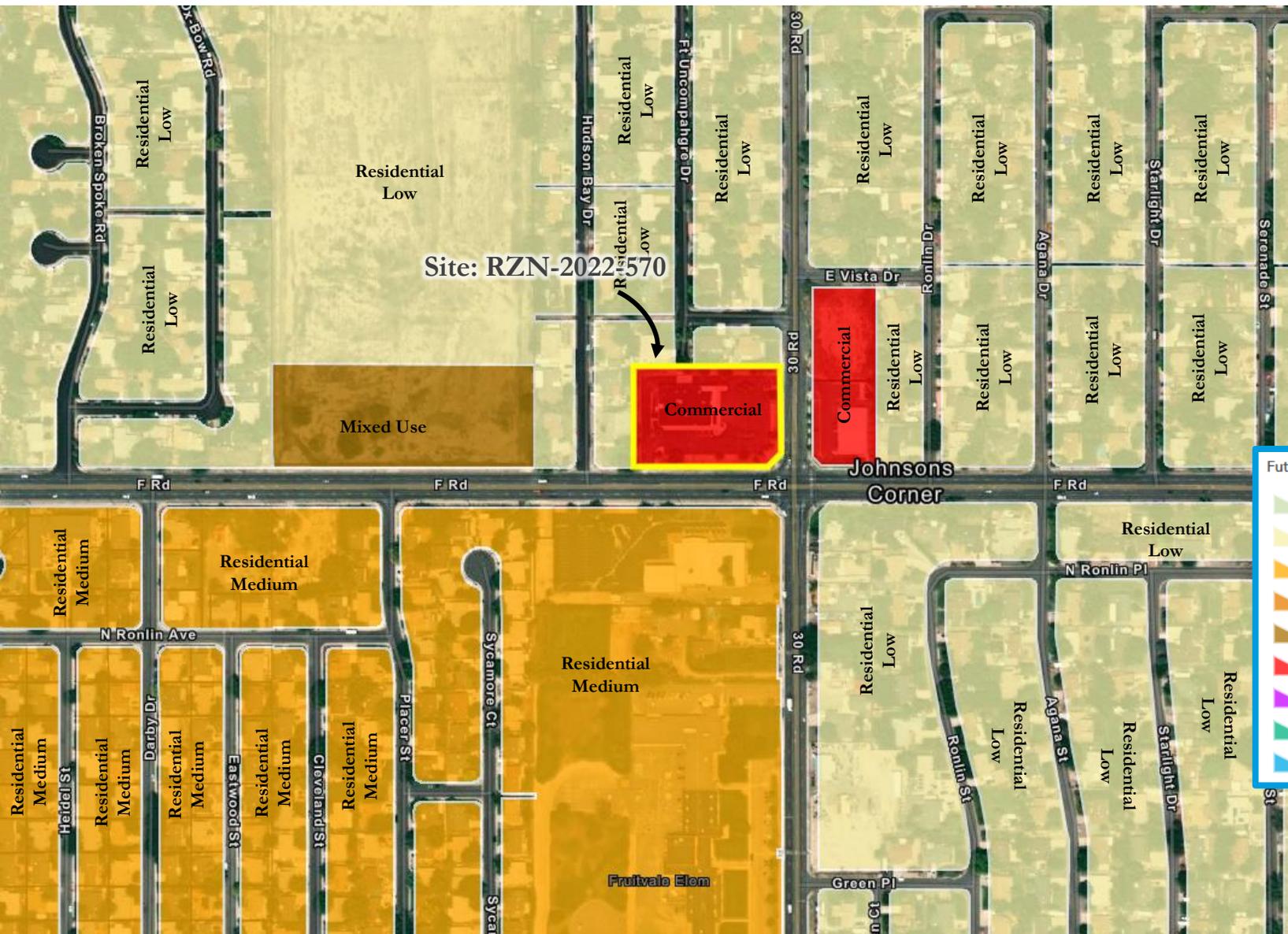
Lucky You Rezone

Site Location Map



Lucky You Rezone

Land Use Map

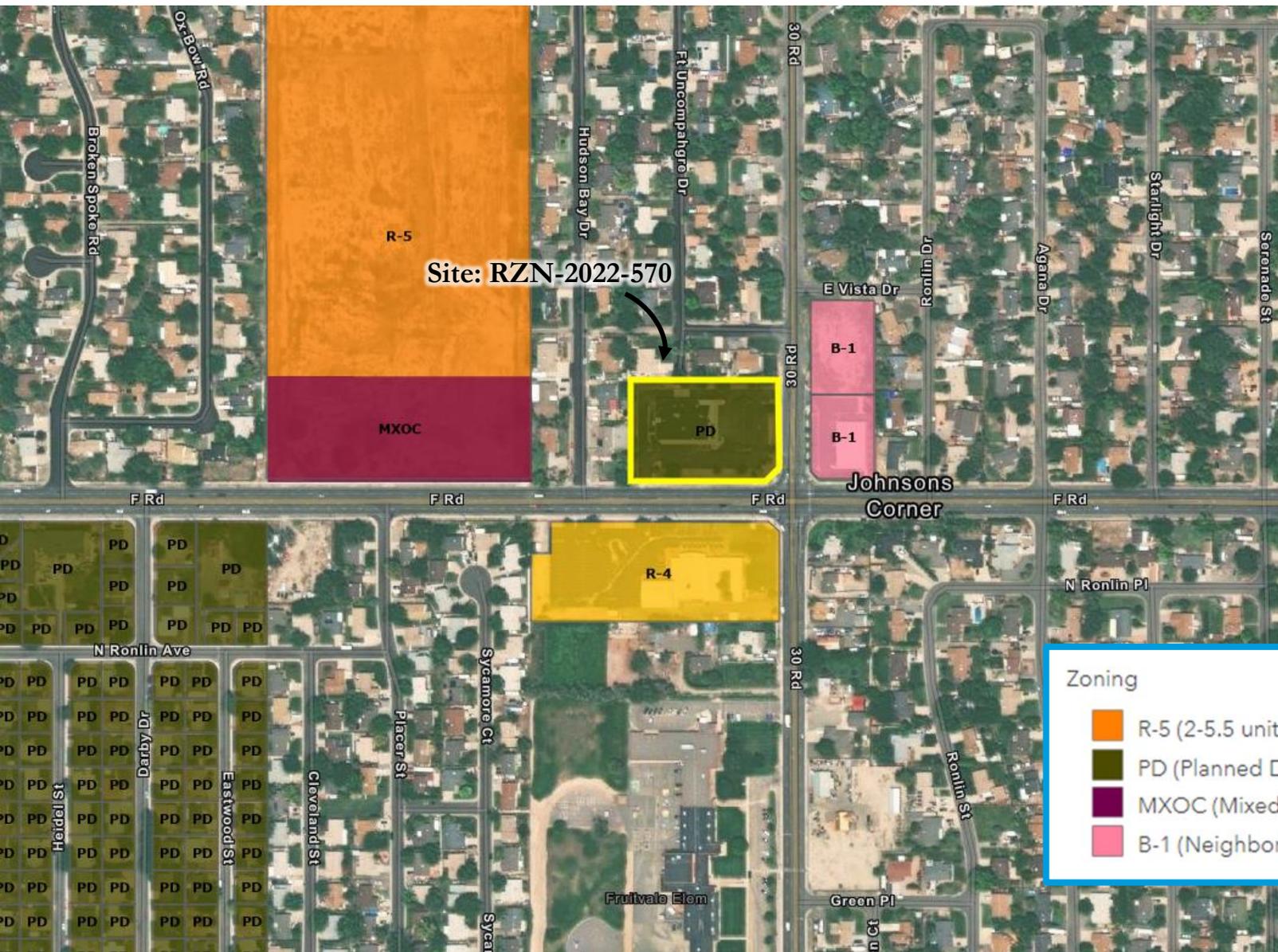


Future Land Use

- Rural Residential (1 DU/5 Acres)
- Residential Low (2 -5.5 DU/Acre)
- Residential Medium (5.5 -12 DU/Acre)
- Residential High (12+ DU/Acre)
- Mixed Use
- Commercial
- Industrial
- Parks and Open Space
- Airport

Lucky You Rezone

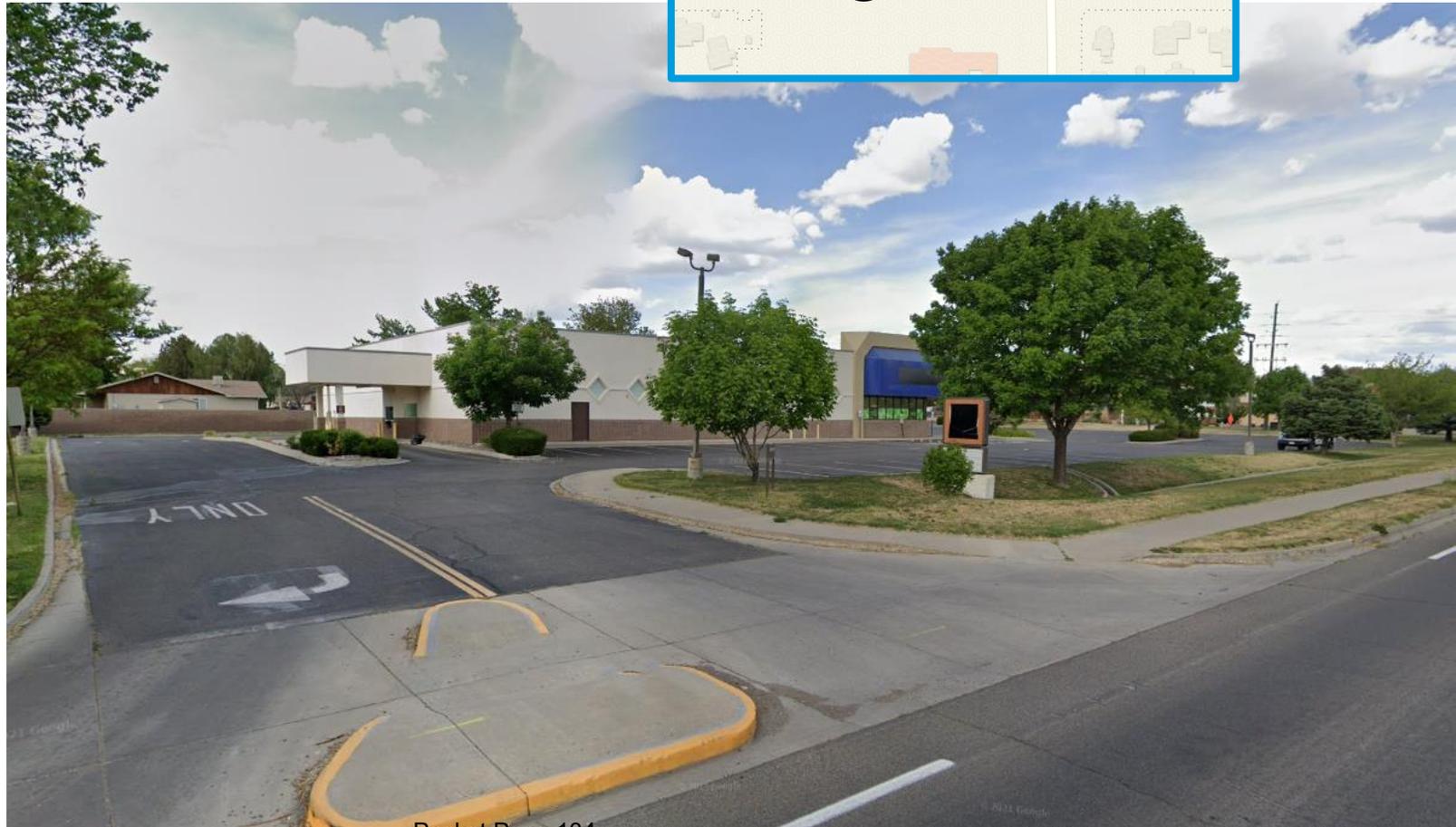
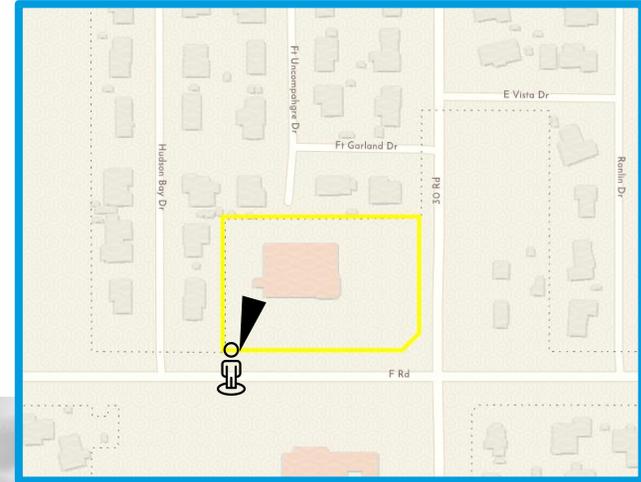
Zoning Map



Lucky You Rezone

Site Photo

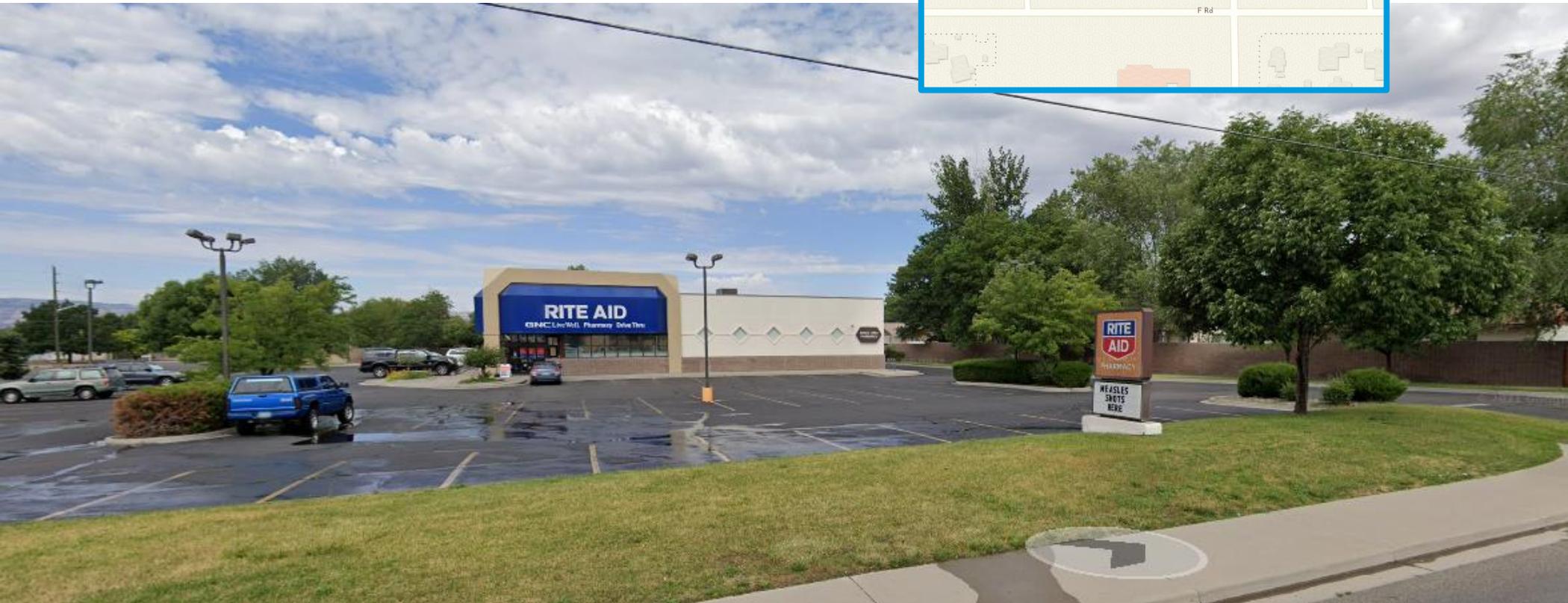
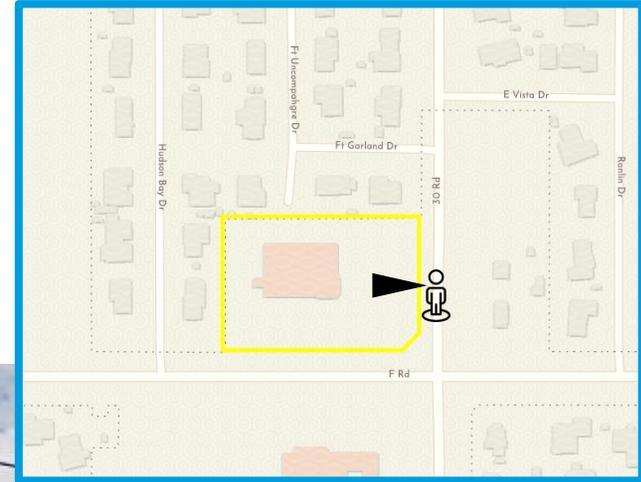
Google Maps street view of property looking north from Patterson Road



Lucky You Rezone

Site Photo

Google Maps street view of property looking west from 30 Road



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE REZONING APPROXIMATELY 2.11 ACRES FROM PD (PLANNED DEVELOPMENT) TO C-1 (LIGHT COMMERCIAL) LOCATED AT THE NORTHWEST CORNER OF PATTERSON ROAD AND 30 ROAD

Recitals:

Lucky You Properties, LLC, Property Owner, owns a parcel located at the northwest corner of Patterson Road and 30 Road totaling approximately 2.11 acres (referred to herein and more fully described below as the "Property"). The Property is designated by the Comprehensive Plan Land Use Map as having a Commercial designation. The Owner proposes that the property be rezoned from PD (Planned Development) to C-1 (Light Commercial).

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Property to the C-1 (Light Commercial) zone district, finding that it conforms to and is consistent with the Comprehensive Plan Land Use designation of Commercial, 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 C-1 (Light Commercial) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned C-1 (Light Commercial):

Parcel No. 2943-054-00-113

BEGINNING at the Southeast corner of Section 5, Township 1 South, Range 1 East of the Ute Meridian,

thence South 89°56'20" West 410.00 feet;

thence North 00°11'40" West 300.00 feet;

thence North 89°56'20" East 410.00 feet;

thence South 00°11'40" East 300 feet to the POINT OF BEGINNING;

EXCEPT that parcel conveyed to the County of Mesa in instrument recorded March 23, 1982, in Book 1363 at Page 261;

AND EXCEPT that parcel conveyed to the County of Mesa in instrument recorded December 16, 1998, in Book 2527 at Page 69.

Said parcel containing an area of 2.11 Acres, as herein described.

Introduced on first reading this 21st day of December, 2022 and ordered published in pamphlet form.

Adopted on second reading this 4th day of January, 2023 and ordered published in pamphlet form.

ATTEST:

Amy Phillips
City Clerk

Anna Stout
President of City Council/Mayor



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: December 13, 2022
Presented By: Felix Landry, Planning Supervisor
Department: Community Development
Submitted By: Felix Landry, Planning Supervisor

Information

SUBJECT:

Consider an 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

RECOMMENDATION:

Staff recommends approval of the request

EXECUTIVE SUMMARY:

These proposed amendments have returned to Planning Commission after additional discussion regarding requirements for significant tree preservation and irrigation design standards. The proposed amendments remain largely the same as presented at the August 23rd Planning Commission hearing, but portions of the analysis section of this report have been updated to reflect the changes, specifically the Water Conservation (par. 3), Significant Trees (all), and Suitable Plants List section (par. 3).

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, improving plant health and reducing 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.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Section 21.06.040 of the Zoning and Development Code requires that site development include landscaping. The City Community Development Department applies those regulations on landscaping to development proposals 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, has drafted a revision to the landscaping regulation. The proposed includes many minor adjustments. It also includes substantive changes. These include stronger pathways to climate-appropriate landscaping, preservation of significant trees, and diverse landscapes planting.

The proposed regulations emerge from public discourse and public policy. They featured in discussions by the City's Development Roundtable, Forestry Board, City Council, and Planning Commission. They also recur in the process of development review, and in 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, the Community Development Department has conducted two Planning Commission Workshops, a Forestry Board discussion, and a

four-session stakeholder process 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 September XX, 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 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 function turf areas limit 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 anyone 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 - Updated

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.

Lastly, the updated ordinance now requires irrigation designs to be certified by a licensed irrigation design professional. Acceptable certifications include the CID certification from the Irrigation Association, or any other EPA Water Sense labeled certification program. This requirement will be phased in over three years after adoption to allow time for local professionals to acquire certification.

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 - Updated

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 as “included” in the significant tree category. 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 32 inches of significant tree removed/destroyed during development. The same A ratio of 3 caliper inches of new tree for every 5 inches in diameter at breast height would apply remedially to any development that inadvertently destroys would apply remedially to any development that accidentally destroys a significant tree identified for preservation/planned to be preserved.

This change is anticipated to resolve the recurring incidence of substantial canopy assets being lost/loss 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).

Some development scenarios will present obstacles to preserving significant trees, such as when the required protection area around a significant tree impedes the Primary Development of a site. The proposed ordinance provides options for adjustments and relief. The updated ordinance first describes a 10% adjustment available from the Planning Director applicable to certain bulk standards, and additional adjustments from the City Forester to the protection zone which can provide more flexibility on the site to accommodate the required undisturbed area around a significant tree.

- The Planning Director may adjust the setbacks, lot sizes, parking lot interior landscaping, and parking count requirements by up to 10%.
- The City Forester may adjust the drip line protection standards

Should these options not suffice the developer or property owner may remove the trees and replace them on site at a ratio of 3 caliper inches of new tree for every 5 inches in diameter at breast height of significant tree removed. Lastly, the updated ordinance allows for the developer to pay a fee in lieu of planting the replacement trees on site. The fee amounts to the value of the replacement trees not planted on site, and the cost of installing those replacement trees. This process would mimic the existing process the allows for a developer to pay for the replacement of a public tree removed for development reasons. A developer or property owner may also apply for a variance

should these options not suffice.

Cottonwoods, and whether they qualify as significant trees, have been a consistent point of discussion. The proposed Suitable Plants List classifies them as “included” in the significant tree category. Most of the discussion around them concerns their potential impact on a development project. The proposed relief options are aimed at providing a means to work around some of the potential obstacles they might present as significant trees.

Suitable Plant List - Updated

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. The updated list identifies which types of trees will qualify as significant when they exceed 15 inches in diameter, and which types of trees the city prohibits from new plantings. 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 Landscaped 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

The Comprehensive Plan identifies the aim of implementing water conservation through adjusted landscaping requirements. The proposed revisions are found to be consistent with this and additional aims of the One Grand Junction 2020 Comprehensive Plan. Staff recommends approval of this request.

SUGGESTED MOTION:

On the request to amend the Zoning and Development Code Section 21.06.040 Landscape, buffering, and screening standards and related sections of the Grand Junction Municipal Code, file number ZCA-2022-170, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

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 Updated
5. Exhibit 5 - Summary of Engagement Process
6. 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.

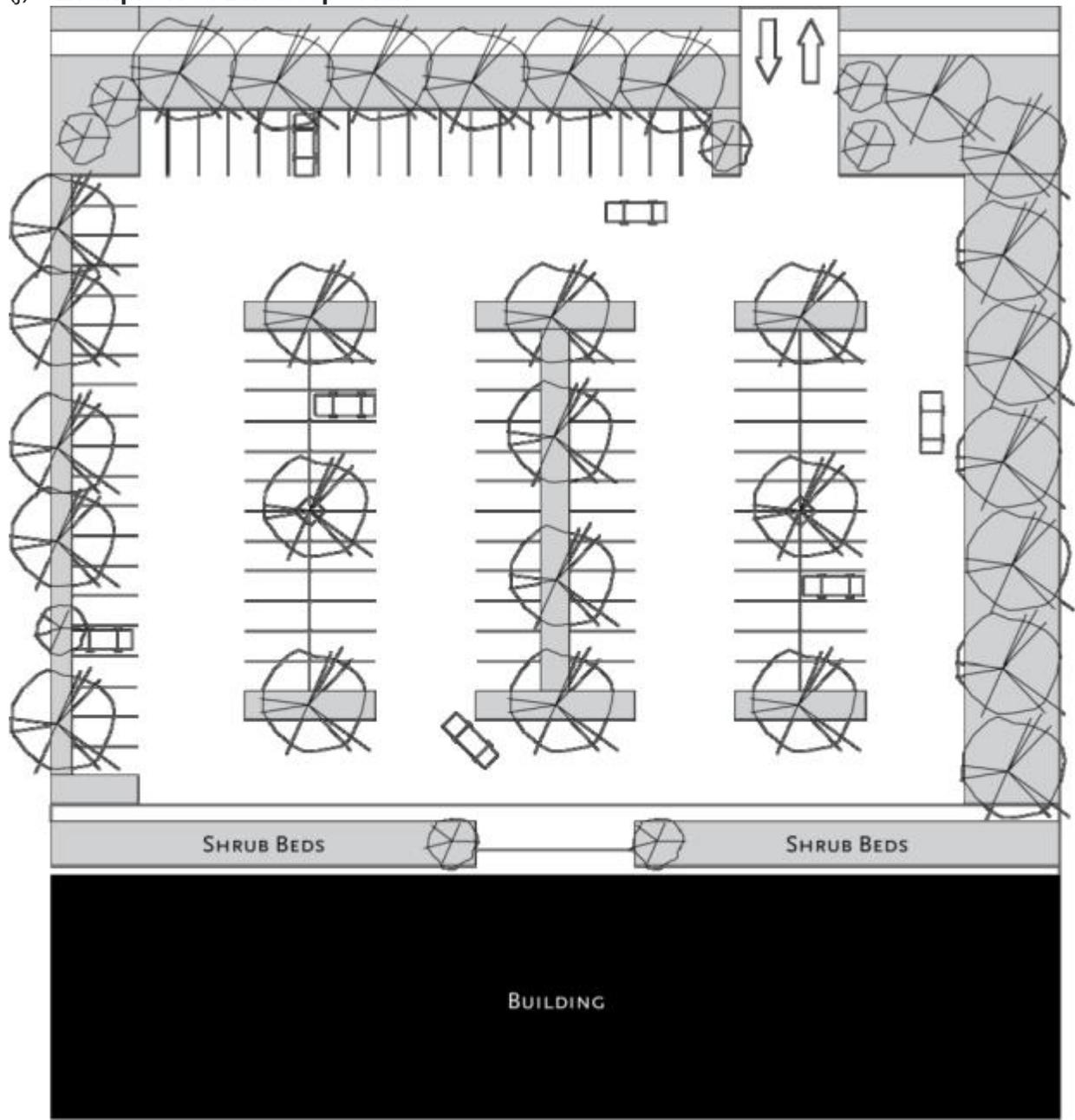
(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

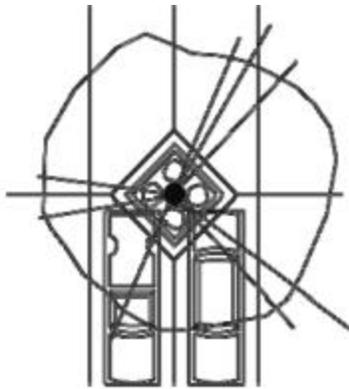
(5) Other Applicable Sections. The requirements of subsections (i), (j), (k) and (l) of this section shall also apply.

(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.

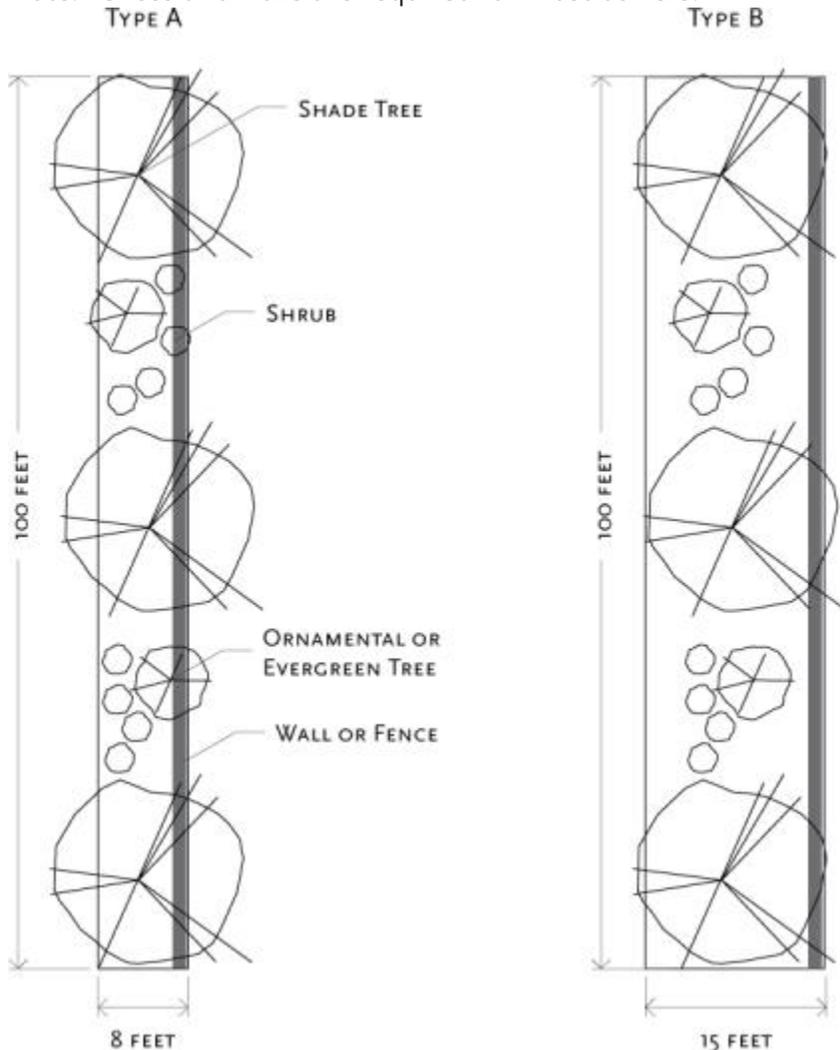
•The Director may modify this table based on the uses proposed in any zone district.

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 6 inches above the root ball at time of planting. Caliper is applied only when measuring new plantings.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Diameter at Breast Height (DBH) means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree. For split trunk trees that fork below 4.5 feet from the ground, DBH measurements shall be taken at the narrowest point below the fork. For multi-stem trees, which are trees that have more than one trunk at 4.5 feet above ground originating from a common trunk or common root system, DBH measurements shall be taken for each stem at 4.5 feet above the ground and aggregated by adding all values together for a single measurement, to be considered as a single tree for the purposes of this Code. DBH is applied only when measuring existing trees.

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.

Multi Stem Tree means a tree that has one stem at ground level but that splits into two or more stems above ground level. Trees whose stems diverge below ground level are considered separate trees.

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.

Primary Development means any enclosed habitable structure on a permanent foundation, any engineered wall required for orderly development such as retaining walls, underground utilities, required paved surfaces such as roads, trails and/or sidewalks, and any site work required for public safety such as storm drain systems.

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					
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								
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) 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.

(5) 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.

(6) 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.

(7) 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.

(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 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 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>

(6) 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.

(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.

(7) 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.

(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. Irrigation plans shall be certified by an irrigation design professional who has been certified through the Irrigation Association (CID), or a similar EPA WaterSense labeled certification program. This certification will be required on all irrigation plans no later than three years after the adoption of this ordinance. The irrigation plan shall also 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

surveyed inventory of significant trees to be produced with a landscaping plan. Any significant tree to be preserved during development shall be indicated on the proposed landscaping plan.

(ii) All trees identified as included on the Suitable Plants List that have a diameter exceeding 15 inches diameter at breast height, in fair or better condition, free from irreparable structural defects, and not infested with a disease or pestilence that threatens the good health of other trees as determined by a certified arborist 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 inches in diameter at breast height 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) If the 30 percent minimum preservation requirement impedes the proposed Primary Development of a site, then the Director may grant a 10 percent adjustment of the minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements. Also, the City Forester may adjust the drip line protection standards described in (vi)(A) of this section up to so to allow for additional flexibility for the development to occur around the identified significant trees. If these adjustments do not provide a means of developing the site with the preservation of the minimum required significant trees, then, at the developer's discretion, the developer may

(A) Replace the required significant trees on-site at a ratio of three caliper inches per five inches in diameter at breast height of significant tree removed with trees identified as preferred trees on the Suitable Plants List, and/or.

(B) Pay a fee in lieu of replanting the required on-site replacement trees. The developer shall pay to the City the value of the required replacement tree(s) not planted on site, along with the total cost of installation. The City shall use this payment to purchase the required replacement trees not planted on-site and plant them on public property.

(vi) 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 three caliper inches of new tree per five inches in diameter at breast height 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
 - (D) 21 or more trees: No more than 20 percent of one genus.
- (xi) A minimum of 50 percent of proposed tree plantings shall have a preferred New Planting status on the Suitable Plants List and no more than 15 percent of the proposed trees shall have a limited New Planting status on the Suitable Plants 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 (j) 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 (j) of this section. When an existing fence or wall substantially meets the requirements of this section, and subsection (j) 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 (j) 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.

(3) 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.

(4) 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.

(5) Existing trees preserved during development shall count toward the total tree requirement at a ratio of two inches in diameter at breast height of preserved tree to one caliper inch of required tree plantings.

	Tree	Shrub	Groundcover/Perennials	Wall
Tree	Two inches in diameter at breast height of preserved tree to one caliper inch of required new trees	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 container shrub	Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall
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	Buffer, parking lot, street frontage perimeter, foundation plantings

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
	shrub per 450 square feet of improved area	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 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	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	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) **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	-	-	-

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-
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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.

(k) 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

Buffer Types	Landscaping Requirements	Location of Buffers on Site
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. Caliper is applied only when measuring new plantings.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Diameter at Breast Height (DBH) means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree. For split trunk trees that fork below 4.5 feet from the ground, DBH measurements shall be taken at the narrowest point below the fork. For multi-stem trees, which are trees that have more than one trunk at 4.5 feet above ground originating from a common trunk or common root system, DBH measurements shall be taken for each stem at 4.5 feet above the ground and aggregated by adding all values together for a single measurement, to be considered as a single tree for the purposes of this Code. DBH is applied only when measuring existing trees.

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.

Multi Stem Tree means a tree that has one stem at ground level but that splits into two or more stems above ground level. Trees whose stems diverge below ground level are considered separate trees.

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.

Primary Development means any enclosed habitable structure on a permanent foundation, any engineered wall required for orderly development such as retaining walls, underground utilities, required paved surfaces such as roads, trails and/or sidewalks, and any site work required for public safety such as storm drain systems.

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					
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.)	70%	80%	100%	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								
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) 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.

(5) 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.

(6) 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.

(7) 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.)~~

Commented [GU1]: These examples are gone

(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 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 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>

(6) 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.

(7) 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. Irrigation plans shall be certified by an irrigation design professional who has been certified through the Irrigation Association (CID), or a similar EPA WaterSense labeled certification program. This certification will be required on all irrigation plans no later than three years after the adoption of this ordinance. The irrigation plan shall also 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 surveyed inventory of significant trees to be produced with a landscaping plan. Any significant tree as defined in subsection (b) below to be preserved during development shall be indicated identified on the proposed landscaping plan.

(ii) All trees not identified as included excluded prohibited on the Suitable Plants List and that exceed have a diameter that exceeds exceeding 15 caliper inches diameter at breast height, in fair or better condition, free from irreparable structural defects, and not infested with a disease or pestilence that threatens the good health of other trees as determined by a certified arborist 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 in diameter at breast height 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) If the 30 percent% minimum preservation requirement impedes the proposed Primary structural dDevelopment of a site, then the Director may grant a 10 percent% adjustment of the minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements. Also, the City Forester may adjust the drip line protection standards described in (vi)(A) of this section up to 40 percent% so to allow for additional flexibility for the development to occur around the identified significant trees. If these percent% adjustments does not provide a means of developing the site with the preservation of the minimum required significant treestrees, then, at the developer's discretion, the developer may pursue one or a combination of the following:

(A) Replace the required significant trees on-site at a ratio of three caliper inches per five inches in diameter at breast height of significant tree removed with trees identified as preferred trees on the Suitable Plants

~~List, and/or. If trees cannot be successfully planted on-site, replacement trees can be planted on City-owned public property, and/or.~~

~~(B) Pay a fee in lieu of replanting the required on-site replacement trees. Tree In-lieu Payment. Utilizing the Trunk Formula Method published by the Council of Tree and Landscape Appraisers to determine the value of the tree. The developer shall pay to the City the value of the required replacement tree(s) not planted on site, along with the total cost of installation, to be removed and subsequently remove the tree(s). The determination of the value of the tree removed shall be made by a certified arborist and shall be subject to approval by the Director. The City shall use this payment for planting to purchase the required replacement trees not planted on-site and plant them trees of a comparable size and value on public property.~~

(vi) 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~~ three caliper inches of new tree per ~~2~~ five caliper-inches in diameter at breast height 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.

Commented [GU2]: Felix - It may not be appropriate to prohibit weed fabric entirely. I think we may need be pretty specific about this - Susan's position is not universally held.

(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

(DC) 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 have a preferred~~ New Planting status trees by on the Suitable Plants List and no more than 15 percent of the proposed trees shall be identified as excluded have a limited New Planting status on the Suitable Plants 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 (j) 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 (j) of this section. When an existing fence or wall substantially meets the requirements of this section, and subsection (j) 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 (j) 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.

(3) 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.

(4) 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.

(5) Existing trees preserved during development shall count toward the total tree requirement at a ratio of two ~~caliper~~ inches in diameter at breast height of preserved tree to one caliper inch of required tree plantings.

	Tree	Shrub	Groundcover/Perennials	Wall
Tree	Two caliper inches <u>in diameter at breast height of</u> preserved tree to one caliper inch <u>of</u> required <u>new trees</u>	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 container shrub	Two #5 container shrubs (minimum 30 inches in height) for four linear feet of wall

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 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	Buffer, parking lot, street frontage perimeter, foundation plantings and public right-of-way

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
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) 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	W	-	-	-	-	-	-	-	-	-	-	-
C-2 & I-O	W	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	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	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. † Gravel operations subject to buffering adjacent to residential.																			

(k) **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	Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree	Parking Lot Island Tree	Significant Tree Status	New Planting Status
Absinth wormwood	<i>Artemisia absinthium</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Alba Meidiland Rose	<i>Rosa hybrida 'Alba Meidiland'</i>	Shrub, Deciduous	3-4	4-6	medium	non-native	-	-	-	-
Allegheny Serviceberry	<i>Amelanchier laevis</i>	Tree, Deciduous	20-25	10-15	medium	non-native	-	-	Included	Limited
American Fringetree	<i>Chionanthus virginicus</i>	Tree, Deciduous	15	15	medium	non-native	-	-	Included	Limited
American Linden	<i>Tilia americana</i>	Tree, Deciduous	50-80	30-50	medium	non-native	-	-	Included	Limited
American Smoketree	<i>Cotinus obovatus</i>	Tree, Deciduous	15-20	10-15	low	non-native	Preferred	-	Included	Preferred
American sycamore	<i>Platanus occidentalis</i>	Tree, Deciduous	75-100	75-100	medium-high	non-native	-	-	Included	Preferred
American Beech	<i>Fagus grandifolia</i>	Tree, Deciduous	65	60	medium	non-native	-	-	Included	Limited
American Hornbeam	<i>Carpinus caroliniana</i>	Tree, Deciduous	25	20-25	medium	non-native	-	-	Included	Limited
Amur Maackia	<i>Maackia amurensis</i>	Tree, Deciduous	20-30	15-20	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred
Amur Maple	<i>Acer ginnala</i>	Tree, Deciduous	10-32	15	medium	non-native	-	-	Included	Limited
Andorra Juniper	<i>Juniperus horizontalis 'Andorra'</i>	Shrub, Evergreen	1-2	8-10	medium	non-native	-	-	-	-
Antelope Bitterbrush	<i>Purshia tridentata</i>	Shrub, Deciduous	6-12	6-12	low	native	-	-	-	-
Apache Plume	<i>Fallugia paradoxa</i>	Shrub, Deciduous	3-5	3-5	medium	native	-	-	-	-
Apple Serviceberry	<i>Amelanchier x grandiflora</i>	Tree, Deciduous	20	15	medium	non-native	-	-	Included	Limited
Arcadia Juniper	<i>Juniperus sabina 'Arcadia'</i>	Shrub, Evergreen	4-6	5-10	medium	non-native	-	-	-	-
Arizona Cypress	<i>Cupressus arizonica</i>	Tree, Evergreen	30-40	15-25	xeric	non-native	Preferred	-	Included	Preferred
Arrowwood	<i>Viburnum carlesii</i>	Shrub, Deciduous	4-6	4-7	medium	non-native	-	-	-	-
Ash	<i>Fraxinus spp.</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Included	Prohibited
Austrian pine	<i>Pinus nigra</i>	Tree, Evergreen	40-60	30-40	low	non-native	Preferred	-	Included	Preferred
Banana Yucca	<i>Yucca baccata</i>	Shrub, Evergreen	1-3	2-3	low	native	-	-	-	-
Bearberry or Kinnikinnick	<i>Arctostaphylos uva-ursi</i>	Groundcover	1	2	low	native	-	-	-	-
Bee Balm or Wild Bergamont	<i>Monarda fistulosa var. menthaefolia</i>	Perennial	2	2	medium	native	-	-	-	-
Big Bluestem	<i>Andropogon gerardii</i>	Grass, Ornamental	3-6	2-3	xeric-low	native	-	-	-	-
Big Sagebrush	<i>Artemisia tridentata</i>	Shrub, Deciduous	1.5-6	1-5	xeric-low	native	-	-	-	-
Bigtooth Maple	<i>Acer grandidentatum</i>	Tree, Deciduous	25	25	xeric-low	native	Preferred	-	Included	Preferred
Black Maple	<i>Acer nigrum</i>	Tree, Deciduous	60	40	medium	non-native	-	-	Included	Limited
Black Walnut	<i>Juglans nigra</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Included	Prohibited
Black-eyed Susan	<i>Rudbeckia hirta</i>	Perennial	2-3	1-2	medium	native	-	-	-	-
Blanketflower	<i>Gaillardia aristata</i>	Perennial	1	1	low-medium	native	-	-	-	-
Bleeding Heart	<i>Lamprocapnos spectabilis</i>	Perennial	2-3	1.5-2.5	medium	non-native	-	-	-	-
Blue Chip Juniper	<i>Juniperus horizontalis 'Blue Chip'</i>	Shrub, Evergreen	.5-1	7-9	medium	non-native	-	-	-	-
Blue Flax	<i>Linum lewisii</i>	Perennial/Ground Cover	1.5	1	low	native	-	-	-	-
Blue Grama Grass	<i>Bouteloua gracilis</i>	Grass, Ornamental	1-2	1.5-2	xeric-medium	native	-	-	-	-
Blue Oat Grass	<i>Helictotrichon sempervirens</i>	Grass, Ornamental	2-3	2-2.5	low-medium	non-native	-	-	-	-
Blue Spruce	<i>Picea pungens</i>	Tree, Evergreen	30-60	10-20	medium	non-native	-	-	Included	Limited
Blue Stem Joint Fir	<i>Ephedra equistina</i>	Shrub, Evergreen	4	6	xeric-low	non-native	-	-	-	-
Blue Wild Indigo	<i>Baptisia australis</i>	Perennial	3-4	2-3	medium	non-native	-	-	-	-
Bluemist Spirea	<i>Caryopteris incana</i>	Shrub, Deciduous	3-6	3-4	medium	non-native	-	-	-	-
Bosnian Pine	<i>Pinus heldreichii</i>	Tree, Evergreen	30-40	20-30	low	non-native	Preferred	-	Included	Preferred
Box Elder	<i>Acer negundo</i>	Tree, Deciduous	25-80	30-50	low	native	Preferred	Parking Lot Island	Included	Preferred
Broom Snakeweed	<i>Gutierrezia sarothrae</i>	Perennial	1.5	1.5	low	native	-	-	-	-
Bull Thistle	<i>Cirsium vulgare</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Bur Oak	<i>Quercus macrocarpa</i>	Tree, Deciduous	60-80	60-80	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred
Butterfly Bush or Summer Lilac	<i>Buddleja davidii</i>	Shrub, Deciduous	6-8	3-5	low-medium	non-native	-	-	-	-
Butterfly Milkweed	<i>Asclepias tuberosa</i>	Perennial	1.5	1.5	low	native	-	-	-	-
Calgary Carpet Juniper	<i>Juniperus sabina 'Calgary Carpet'</i>	Shrub, Evergreen	4-6	5-10	medium	non-native	-	-	-	-
Canada Thistle	<i>Cirsium arvense</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Catmint	<i>Nepeta racemosa</i>	Perennial	1-2	2-3	low-medium	non-native	-	-	-	-
Cherry Plum	<i>Prunus cerasifera</i>	Tree, Deciduous	15-25	15-25	medium	non-native	-	-	Included	Limited
Chinese Catalpa	<i>Catalpa ovata</i>	Tree, Deciduous	25	25	medium	non-native	Preferred	-	Included	Preferred
Chinese Clematis	<i>Clematis orientalis</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Chinese flame tree	<i>Koelreuteria bipinnata</i>	Tree, Deciduous	30-40	30-40	low	non-native	-	-	Included	Limited
Chinese Juniper	<i>Juniperus chinensis</i>	Shrub, Evergreen	40-50	15-20	medium	non-native	-	-	-	-
Chinese Pistache	<i>Pistacia chinensis</i>	Tree, Deciduous	35	20	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Chinese Silver Grass	<i>Miscanthus sinensis</i>	Grass, Ornamental	2-6	1-3.5	low-medium	non-native	-	-	-	-
Chinkapin Oak	<i>Quercus muehlenbergii</i>	Tree, Deciduous	45	50	low	non-native	Preferred	Parking Lot Island	Included	Preferred

Common	Scientific Name	Plant Type	Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree	Parking Lot Island Tree	Significant Tree Status	New Planting Status
Chokecherry	<i>Prunus virginiana</i>	Tree, Deciduous	25	20	medium	non-native	-	-	Included	Preferred
Cholla species	<i>Cylindropuntia spp.</i>	Shrub, Evergreen	2-7	2-7	xeric-low	Varies by spp.	-	-	-	-
Claret Cup Cactus	<i>Echinocereus triglochidiatus</i>	Perennial	0.5	1	low	native	-	-	-	-
Cologreen Juniper	<i>Juniperus scopulorum 'Cologreen'</i>	Tree, Evergreen	15-20	5-7	xeric	native	Preferred	-	Included	Preferred
Colorado Desert Blue Star or Jone	<i>Amsonia jonesii</i>	Perennial/Ground Cover	1	1-1.5	low	native	-	-	-	-
Colorado Foothills Oak	<i>Quercus x maxei</i>	Tree, Deciduous	35	30	xeric	native	Preferred	-	Included	Preferred
Colorado Four O'Clock or Desert F	<i>Mirabilis multiflora</i>	Perennial	1	2-3	low	native	-	-	-	-
Columnar European Hornbeam	<i>Carpinus betulus</i>	Tree, Deciduous	35	20	medium	non-native	-	-	Included	Limited
Common Broom	<i>Genista tinctoria</i>	Shrub, Evergreen	2-3	2-3	low-medium	non-native	-	-	-	-
Common hackberry	<i>Celtis occidentalis</i>	Tree, Deciduous	30-60	40-60	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Common Tansy	<i>Tanacetum vulgare</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Compact Burning Bush	<i>Euonymus alatus 'compactus'</i>	Shrub, Deciduous	5	5	medium	non-native	-	-	-	-
Corktree	<i>Phellodendron amurense</i>	Tree, Deciduous	30-40	25-45	medium	non-native	-	-	Included	Limited
Corneliancherry Dogwood	<i>Cornus mas</i>	Tree, Deciduous	15	10-15	medium	non-native	-	-	Included	Limited
Cottonwood	<i>Populus deltoides</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Included	Limited
Crabapple cultivars	<i>Malus spp.</i>	Tree, Deciduous	10-30	10-30	medium-high	non-native	Preferred	-	Included	Preferred
Cranberry Cotoneaster	<i>Cotoneaster apiculatus</i>	Shrub, Deciduous	2-3	3-6	medium	non-native	-	-	-	-
Cucumbertree Magnolia	<i>Magnolia acuminata</i>	Tree, Deciduous	45	30	medium	non-native	-	-	Included	Limited
Cypress Spurge	<i>Euphorbia cyparissias</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Dense Blazing Star	<i>Liatris spicata</i>	Perennial	2-4	1-2	medium	non-native	-	-	-	-
Denver Gold Columbine	<i>Aquilegia chrysantha</i>	Perennial	2-2.5	1-2	low-medium	native	-	-	-	-
Desert Prickly Pear	<i>Opuntia phaeacantha</i>	Shrub, Evergreen	2-5	3-6	xeric-low	native	-	-	-	-
Desert Prince's Plume	<i>Stanleya pinnata</i>	Perennial	2-6	1-2	low	native	-	-	-	-
Desert Saltgrass	<i>Distichlis spicata</i>	Grass, Ornamental	1-3	indet.	xeric-low	native	-	-	-	-
Desert Willow	<i>Chilopsis linearis</i>	Tree, Deciduous	20	20	xeric-low	non-native	-	-	Included	Limited
Downy Serviceberry	<i>Amelanchier arborea</i>	Tree, Deciduous	20	15	medium	non-native	-	-	Included	Limited
Dwarf Columbine	<i>Aquilegia flabellata</i>	Perennial	1	1	medium	non-native	-	-	-	-
Dwarf Ephedra	<i>Ephedra monosperma</i>	Groundcover, Evergreen	1	3	xeric-low	non-native	-	-	-	-
Dwarf False Indigo	<i>Amorpha nana</i>	Shrub, Deciduous	1-3	1-3	low-medium	native	-	-	-	-
Dwarf Fountain Grass	<i>Pennisetum alopecuroides 'Hame'</i>	Grass, Ornamental	2.5-5	2.5-5	medium-high	non-native	-	-	-	-
Dwarf Yucca	<i>Yucca harrimaniae</i>	Shrub, Evergreen	3	1	low	native	-	-	-	-
Eastern Blue Star	<i>Amsonia tacernaemontana</i>	Perennial/Ground Cover	2-3	2-3	low	non-native	-	-	-	-
English Oak	<i>Quercus robur</i>	Tree, Deciduous	40-70	40-70	medium	non-native	Preferred	Parking Lot Island	Included	Preferred
European Beech	<i>Fagus sylvatica</i>	Tree, Deciduous	25-55	15-40	medium	non-native	-	-	Included	Limited
False Indigo Bush	<i>Amorpha fruticosa</i>	Shrub, Deciduous	4-10	8-10	low	native	-	-	-	-
Fernbush	<i>Chamaebatiaria millefolium</i>	Shrub, Deciduous	6-8	6-8	xeric-low	non-native	-	-	-	-
Fireburst Paperbark Maple	<i>Acer griseum</i>	Tree, Deciduous	20-25	15	medium	non-native	-	-	Included	Limited
Firecracker Penstemon	<i>Penstemon eatonii</i>	Perennial	1	2	low	native	-	-	-	-
Fireweed	<i>Chamerion angustifolium</i>	Perennial	2-5	0.5-1.5	medium	native	-	-	-	-
Fragrant Sumac	<i>Rhus aromatica</i>	Shrub, Deciduous	2-6	6-10	low-medium	non-native	-	-	-	-
Fringed Sage	<i>Artemisia frigida</i>	Perennial	0.5-1.5	1.5-2	xeric-low	native	-	-	-	-
Fruitless White Mulberry	<i>Morus alba</i>	Tree, Deciduous	30-50	30-50	low	non-native	Preferred	Parking Lot Island	Included	Preferred
Gambel Oak	<i>Quercus gambelii</i>	Tree, Deciduous	20-25	10-12	xeric	native	Preferred	-	Included	Preferred
Giant Reed	<i>Arundo donax</i>	Grass	n/a	n/a	n/a	non-native	-	-	-	-
Ginkgo	<i>Ginkgo biloba</i>	Tree, Deciduous	40	20-30	medium	non-native	-	-	Included	Limited
Golden Rain Tree	<i>Koelreuteria paniculata</i>	Tree, Deciduous	30-40	30-40	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred
Gray Gleam Juniper	<i>Juniperus scopulorum 'Gray Gleam'</i>	Tree, Evergreen	10-15	4-6	xeric	native	Preferred	-	Included	Preferred
Gray Rabbitbrush	<i>Chrysothamnus nauseosus, or Eri</i>	Shrub, Deciduous	4-7	4-7	low-medium	native	-	-	-	-
Grayheaded Coneflower	<i>Ratibida pinnata</i>	Perennial	1-3	1-2	low-medium	non-native	-	-	-	-
Greasewood	<i>Sarcobatus vermiculatus</i>	Shrub, Deciduous	1.5-5	2-5	low	native	-	-	-	-
Green Hawthorn	<i>Crataegus viridis</i>	Tree, Deciduous	20-35	20-35	low	non-native	Preferred	-	Included	Preferred
Hairy Golden Aster	<i>Chrysopsis villosa</i>	Perennial	1	1-2	low	native	-	-	-	-
Hardy Hibiscus or Swamp Rose M	<i>Hibiscus moscheutos</i>	Shrub, Deciduous	3-7	2-4	medium-high	non-native	-	-	-	-
Hardy Rubbertree	<i>Eucommia ulmoides</i>	Tree, Deciduous	40	40	low	non-native	Preferred	-	Included	Preferred
Hedge Maple	<i>Acer campestre</i>	Tree, Deciduous	30	15	medium	non-native	Preferred	-	Included	Preferred
Hoary Cress	<i>Cardaria draba</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Honeylocust	<i>Gleditsia triacanthos inermis</i>	Tree, Deciduous	60-80	60-80	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred

Common	Scientific Name	Plant Type	Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree	Parking Lot Island Tree	Significant Tree Status	New Planting Status
Hophornbeam	<i>Ostrya virginiana</i>	Tree, Deciduous	35	15-20	medium	non-native	-	-	Included	Limited
Horsechestnut	<i>Aesculus hippocastanum</i>	Tree, Deciduous	45-60	35-40	medium	non-native	-	-	Included	Limited
Houndstongue	<i>Cynoglossum officinale</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Hubricht's Blue Star	<i>Amsonia hubrichtii</i>	Perennial	2-3	2-3	medium	non-native	-	-	-	-
Hughes Juniper	<i>Juniperus horizontalis 'Hughes'</i>	Shrub, Evergreen	.5-1	7-9	medium	non-native	-	-	-	-
Hybrid Elm	<i>Ulmus spp.</i>	Tree, Deciduous	30-60	20-40	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Indian Ricegrass	<i>Achnatherum (Oryzopsis) hymeno</i>	Grass, Ornamental	2	1	xeric-low	native	-	-	-	-
Japanese Barberry	<i>Berberis thunbergii</i>	Shrub, Deciduous	2-6	3-7	xeric-medium	non-native	-	-	-	-
Japanese Knotweed	<i>Polygonum Cuspidatum</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Japanese Pagodatree	<i>Styphnolobium japonica</i>	Tree, Deciduous	50	40	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Japanese Tree Lilac	<i>Syringa reticulata</i>	Tree, Deciduous	25	20	xeric-low	non-native	Preferred	-	Included	Preferred
Japanese Zelkova	<i>Zelkova serrata</i>	Tree, Deciduous	50-80	50-80	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
June Snow Dogwood	<i>Cornus controversa</i>	Tree, Deciduous	25	35	medium	non-native	-	-	Included	Limited
Karl Foerster Feather Reed Grass	<i>Calamagrostis acutiflora</i>	Grass, Ornamental	4	2	low	non-native	-	-	-	-
Katsuratree	<i>Cercidiphyllum japonicum</i>	Tree, Deciduous	35	35	medium	non-native	-	-	Included	Limited
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>	Tree, Deciduous	60-80	40-55	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred
Knapweed spp.	<i>Centaurea spp.</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Korean Lilac	<i>Syringa meyeri</i>	Shrub, Deciduous	5-8	6-10	low-medium	non-native	-	-	-	-
Lacey Oak	<i>Quercus glaucooides</i>	Tree, Deciduous	30	25	xeric	non-native	-	-	Included	Limited
Lady's Mantle	<i>Alchemilla mollis</i>	Perennial	1.5-2	1.5-2	medium-high	non-native	-	-	-	-
Lanceleaf Coreopsis	<i>Coreopsis lanceolata</i>	Perennial/Ground Cover	1-2	1-1.5	low-medium	native	-	-	-	-
Lavender Leaf Sundrops	<i>Calylophus lavandulifolius</i>	Perennial	1	1	low	native	-	-	-	-
Leadplant	<i>Amorpha canescens</i>	Shrub, Deciduous	2-3	2-2.5	xeric-medium	native	-	-	-	-
Leafy Spurge	<i>Euphorbia esula</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Little Bluestem	<i>Schizachyrium scoparium</i>	Grass, Ornamental	1.5-2.5	1-2	low-medium	native	-	-	-	-
Littleleaf Linden	<i>Tilia cordata</i>	Tree, Deciduous	50-80	35-50	medium	non-native	-	-	Included	Limited
Littleleaf Mock Orange	<i>Philadelphus microphyllus</i>	Shrub, Deciduous	2-3	2-3	low-medium	native	-	-	-	-
London Planetree	<i>Platanus x acerifolia</i>	Tree, Deciduous	40-50	30-35	medium	non-native	Preferred	Parking Lot Island	Included	Preferred
Magnolia NCMX1 P.A.F.	<i>Magnolia NCMX1 P.A.F.</i>	Tree, Deciduous	20-15	10-15	medium	non-native	-	-	Included	Limited
Manchurian lilac	<i>Syringa pubescens subsp. Patula</i>	Shrub, Deciduous	4-9	5-7	medium	non-native	-	-	-	-
Marsh Milkweed	<i>Asclepias incarnata</i>	Perennial	1-2	1	high	native	-	-	-	-
Mat Penstemon	<i>Penstemon caespitosus</i>	Groundcover	1	1	low-medium	native	-	-	-	-
Mayday Tree	<i>Prunus padus</i>	Tree, Deciduous	20-40	20-40	medium	non-native	-	-	Included	Limited
Mesa Verde Ice Plant	<i>Delosperma 'Kelaidis'</i>	Groundcover	0.25	1.5	low-medium	native	-	-	-	-
Moonbeam Coreopsis	<i>Coreopsis verticillata 'Moonbeam'</i>	Perennial/Ground Cover	1-2	1-1.5	low-medium	non-native	-	-	-	-
Morden Hawthorn	<i>Crataegus x mordenensis [laeviga</i>	Tree, Deciduous	15-20	15-20	low	non-native	Preferred	-	Included	Preferred
Mormon Tea	<i>Ephedra viridis</i>	Shrub, Evergreen	2-3	3-6	xeric-low	native	-	-	-	-
Mountain Alyssum	<i>Alyssum montanum</i>	Groundcover	0.5	1-1.5	low	non-native	-	-	-	-
Mountain Mahogany	<i>Cercocarpus ledifolius</i>	Shrub, Deciduous	8-12	4-8	low-medium	native	-	-	-	-
Mountain Mahogany	<i>Cercocarpus montanus</i>	Shrub, Deciduous	8-12	4-8	low-medium	native	-	-	-	-
Mt. Atlas Daisy	<i>Anacyclus pyrethrum var. depress</i>	Groundcover	.258	1	low-medium	non-native	-	-	-	-
Munstead Lavender	<i>Lavandula angustifolia 'Munstead'</i>	Perennial	1-1.5	1-1.5	low-medium	non-native	-	-	-	-
Musk Thistle	<i>Carduus nutans</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Myrtle Spurge	<i>Euphorbia myrsinites</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Narrowleaf Yucca	<i>Yucca angustissima</i>	Shrub, Evergreen	3	3	low	native	-	-	-	-
New Mexico Locust	<i>Robinia neomexicana</i>	Shrub, Deciduous	12-36	12-36	xeric	native	-	-	Included	Preferred
New Mexico Privet or Desert Olive	<i>Foresteria pubescens</i>	Shrub, Deciduous	6-8	5-8	low	native	-	-	-	-
Ninebark	<i>Physocarpus opulifolius</i>	Shrub, Deciduous	5-8	4-6	low-medium	native	-	-	-	-
Northern Red Oak	<i>Quercus rubra</i>	Tree, Deciduous	50-75	50-75	medium	non-native	-	-	Included	Limited
Northern Downy Hawthorn	<i>Crataegus submollis</i>	Tree, Deciduous	20	20	low	non-native	Preferred	-	Included	Preferred
Norway Maple	<i>Acer platanoides</i>	Tree, Deciduous	40-50	30-50	medium	non-native	-	-	Included	Limited
Ohio Buckeye	<i>Aesculus glabra</i>	Tree, Deciduous	20-40	20-40	medium	non-native	-	-	Included	Limited
Oregon Grape	<i>Mahonia aquifolium, or Berberis a</i>	Shrub, Evergreen	3-6	2-5	medium	non-native	-	-	-	-
Ornamental Pear	<i>Pyrus spp.</i>	Tree, Deciduous	20-50	20-35	low	non-native	Preferred	Parking Lot Island	Included	Preferred
Osage Orange	<i>Maclura pomifera</i>	Tree, Deciduous	30	30	xeric	non-native	Preferred	Parking Lot Island	Included	Preferred
Oxeye Daisy	<i>Leucanthemum vulgare</i>	Perennial	1-2.5	1-3	low-medium	non-native	-	-	-	-
Oxeye Daisy	<i>Chrysanthemum leucanthemum</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-

Common	Scientific Name	Plant Type	Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree	Parking Lot Island Tree	Significant Tree Status	New Planting Status
Panchito Maznanita; Chieftan Man	<i>Arctostaphylos x coloradoensis</i>	Shrub, Evergreen	5-7	3-5	medium	native		-	-	-
Parry's Agave	<i>Agave parryi</i>	Shrub, Evergreen	1.5-2	2-3	medium	non-native		-	-	-
Pawpaw	<i>Asimina triloba</i>	Tree, Deciduous	20-25	10-15	medium-high	non-native		-	Included	Limited
Pecan	<i>Carya illinoensis</i>	Tree, Deciduous	60	40	medium	non-native		-	Included	Limited
Peking Tree Lilac	<i>Syringa pekinensis</i>	Tree, Deciduous	15	12	xeric-low	non-native	Preferred	-	Included	Preferred
Perennial Lupine	<i>Lupinus perennis</i>	Perennial	1-2	1-2	low-medium	non-native		-	-	-
Perennial Pepperweed	<i>Lepidium latifolium</i>	Perennial	n/a	n/a	n/a	non-native		-	-	-
Persian Ironwood	<i>Parrotia persica</i>	Tree, Deciduous	30	30	medium	non-native		-	Included	Limited
Pignut Hickory	<i>Carya glabra</i>	Tree, Deciduous	50	30	medium	non-native		-	Included	Limited
Piñon Pine	<i>Pinus edulis</i>	Tree, Evergreen	18-25	12	low	native	Preferred	-	Included	Preferred
Plumeless Thistle	<i>Carduus acanthoides</i>	Perennial	n/a	n/a	n/a	non-native		-	-	-
Poppy Mallow	<i>Callirhoe involucrata</i>	Perennial/Ground Cover	0.5-1	0.5-3	low-medium	native		-	-	-
Powis Castle Sage	<i>Artemisia 'Powis Castle' [arboresc</i>	Shrub, Deciduous	2-3	1-2	low	non-native		-	-	-
Prairie Coneflower	<i>Ratibida columnifera</i>	Perennial	1-3	1-1.5	low-medium	native		-	-	-
Prairie Switch Grass	<i>Panicum virgatum</i>	Grass, Ornamental	3-6	2-3	medium-high	native		-	-	-
Prickly Pear species	<i>Opuntia spp.</i>	Shrub, Evergreen	1-3	2-7	xeric-low	varies by spp.		-	-	-
Prickly Poppy	<i>Argemone polyanthemus</i>	Perennial	1-3	1-2	xeric-low	native		-	-	-
Prickly Thrift	<i>Acantholimon glumaceum</i>	Perennial/Ground Cover	0.5	1	xeric	non-native		-	-	-
Purple Catalpa	<i>Catalpa x erubescens</i>	Tree, Deciduous	50	35	medium	non-native	Preferred	-	Included	Preferred
Purple Coneflower	<i>Echinacea purpurea</i>	Perennial	2-5	1.5-2	low-medium	non-native		-	-	-
Purple Loosestrife	<i>Lythrum salicaria</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Quaking Aspen	<i>Populus tremuloides</i>	Tree, Deciduous	60	12-15	medium	non-native	-	-	Included	Prohibited
Ravenna Grass	<i>Saccharum ravennae</i>	Grass	n/a	n/a	n/a	non-native	-	-	-	-
Red Berry Mahonia	<i>Mahonia haematocarpa</i>	Shrub, Deciduous	6-12	6-12	xeric-low	native	-	-	-	-
Red Maple	<i>Acer rubrum</i>	Tree, Deciduous	40-60	40	medium	non-native	-	-	Included	Limited
Red osier dogwood	<i>Cornus sericea</i>	Shrub, Deciduous	5-10	8-12	medium-high	native	-	-	-	-
Red Yucca	<i>Hesperaloe parviflora</i>	Shrub, Evergreen	3-5	4-6	xeric-low	non-native	-	-	-	-
Redbud	<i>Cercis canadensis</i>	Tree, Deciduous	15-25	15-30	medium	non-native	Preferred	-	Included	Preferred
Rocky Mountain Columbine	<i>Aquilegia caerulea</i>	Perennial	1-2	1-2	low	native	-	-	-	-
Rocky Mountain Iris	<i>Iris missouriensis</i>	Perennial	1-2	1	medium-high	native	-	-	-	-
Rocky Mountain Maple	<i>Acer glabrum</i>	Tree, Deciduous	20	10-15	medium	native	-	-	Included	Limited
Rocky Mountain Penstemon	<i>Penstemon strictus</i>	Perennial	2-3	2-3	low	native	-	-	-	-
Rose of Sharon	<i>Hibiscus syriacus</i>	Shrub, Deciduous	8-12	6-10	medium	non-native	-	-	-	-
Rose of Sharon	<i>Hibiscus syriacus</i>	Shrub, Deciduous	1-8	1-10	medium-high	non-native	-	-	-	-
Russian Hawthorn	<i>Crataegus ambigua</i>	Tree, Deciduous	18-24	18-24	xeric	non-native	Preferred	-	Included	Preferred
Russian Olive	<i>Elaeagnus angustifolia</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Excluded	Prohibited
Russian Sage	<i>Perovskia atriplicifolia</i>	Shrub, Deciduous	3-5	2-4	low-medium	non-native	-	-	-	-
Saltbush	<i>Atriplex canescens</i>	Shrub, Deciduous	3-4	3-4	low	native	-	-	-	-
Sand Cherry	<i>Prunus besseyi</i>	Shrub, Deciduous	2-4	2-5	medium	native	-	-	-	-
Sand Love Grass	<i>Eragrostis trichodes</i>	Grass, Ornamental	2-4	2-3	low-medium	native	-	-	-	-
Sand Sagebrush	<i>Artemisia filifolia</i>	Shrub, Evergreen	3-4	3-4	low	native	-	-	-	-
Saskatoon Serviceberry	<i>Amelanchier alnifolia</i>	Shrub, Deciduous	10-15	10-30	low-medium	native	-	-	-	-
Sawtooth Oak	<i>Quercus accutissima</i>	Tree, Deciduous	50	50	medium	non-native	-	-	Included	Limited
Scandia Juniper	<i>Juniperus sabina 'Scandia''</i>	Shrub, Evergreen	4-6	5-10	medium	non-native	-	-	-	-
Scarlet Bugler	<i>Ipomopsis aggregata</i>	Perennial	1	1	low-medium	native	-	-	-	-
Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	Perennial	0.5-1	1	low	native	-	-	-	-
Scentless chamomile	<i>Matricaria perforate</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Scotch broom	<i>Cytisus scoparius</i>	Shrub, Deciduous	4-8	4-8	low-medium	non-native	-	-	-	-
Scotch Thistle	<i>Onopordum acanthium</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Seafoam Sage	<i>Artemisia versicolor 'Seafoam'</i>	Perennial	0.5-1	1.5-2.5	low	non-native	-	-	-	-
Shabark Hickory	<i>Carya ovata</i>	Tree, Deciduous	50	30	medium	non-native	-	-	Included	Limited
Shadblow Serviceberry	<i>Amelanchier canadensis</i>	Shrub, Deciduous	15-30	10-20	medium	non-native	-	-	-	-
Shadscale	<i>Atriplex confertifolia</i>	Shrub, Deciduous	1-3	1-3	low	native	-	-	-	-
Shantung Maple	<i>Acer truncatum</i>	Tree, Deciduous	20-35	20	medium	non-native	-	-	Included	Limited
Shasta Daisy	<i>Leucanthemum x superbum</i>	Perennial/Ground Cover	1-2.5	1-3	low-medium	non-native	-	-	-	-
Shingle Oak	<i>Quercus imbricaria</i>	Tree, Deciduous	50	50	medium	non-native	-	-	Included	Limited
Shrubby Cinquefoil	<i>Dasiphora fruticosa</i>	Shrub, Deciduous	3	3	medium	native	-	-	-	-

Common	Scientific Name	Plant Type	Height (ft)	Spread (ft)	Water Needs	Native Status (CO / GJ)	Preferred Tree	Parking Lot Island Tree	Significant Tree Status	New Planting Status
Siberian Elm	<i>Ulmus pumila</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Excluded	Prohibited
Siberian Wall Flower	<i>Cheiranthus allionii</i>	Perennial	1	1-2	low-medium	non-native	-	-	-	-
Sideoats Grama	<i>Bouteloua curtipendula</i>	Grass, Ornamental	1.5-2	1.5-2	low	native	-	-	-	-
Silver Buffaloberry	<i>Shepherdia argentea</i>	Shrub, Deciduous	8-12	8-12	medium	native	-	-	-	-
Silver Linden	<i>Tilia tomentosa</i>	Tree, Deciduous	45	30	medium	non-native	-	-	Included	Limited
Singleleaf Ash	<i>Fraxinus anomala</i>	Tree, Deciduous	12	6	xeric	native	-	-	Included	Limited
Skunkbush sumac	<i>Rhus trilobata</i>	Shrub, Deciduous	2-6	6-10	low-medium	native	-	-	-	-
Skyrocket Juniper	<i>Juniperus scopulorum 'Skyrocket'</i>	Tree, Evergreen	15-20	4-6	xeric	native	Preferred	-	Included	Preferred
Small Leaf Pussytoes	<i>Antennaria parvifolia</i>	Groundcover	.25	.5	low	native	-	-	-	-
Snowmound Spiraea	<i>Spiraea nipponica var. tosaensis</i>	Shrub, Deciduous	3-4	3-4	medium	non-native	-	-	-	-
Snow-on-the-Mountain	<i>Aegopodium podagraria</i>	Perennial/Ground Cover	1	1-2, rhizomous	medium	non-native	-	-	-	-
Soapweed Yucca	<i>Yucca glauca</i>	Shrub, Evergreen	2-3	2-3	low	non-native	-	-	-	-
Spanish Broom	<i>Cytisus purgans</i>	Shrub, Deciduous	2-3	4-6	low	non-native	-	-	-	-
Staghorn Sumac	<i>Rhus typhina</i>	Shrub, Deciduous	15-25	20-30	low-medium	non-native	-	-	-	-
State Street Maple	<i>Acer miyabei</i>	Tree, Deciduous	45-50	35	medium	non-native	Preferred	-	Included	Preferred
Stonecrop species	<i>Sedum spp.</i>	Groundcover	0.5	1-4	low-medium	varies by spp.	-	-	-	-
Sugar Maple	<i>Acer saccharum</i>	Tree, Deciduous	25-40	35	medium	non-native	-	-	Included	Limited
Sugar Hackberry	<i>Celtis laevigata</i>	Tree, Deciduous	45	40	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Sulfur Buckwheat	<i>Eriogonum umbellatum var. umbe</i>	Groundcover	1	1	low	native	-	-	-	-
Sulfur Cinquefoil	<i>Potentilla recta</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Sunset Hyssop or Licorice Mint	<i>Agastache rupestris</i>	Perennial	1.5-2	1-1.5	xeric-medium	non-native	-	-	-	-
Swamp White Oak	<i>Quercus bicolor</i>	Tree, Deciduous	45	36	medium	non-native	-	-	Included	Limited
Sweet William	<i>Dianthus barbatus</i>	Perennial	1-2	.5-1	medium	non-native	-	-	-	-
Sweetgum	<i>Liquidambar styraciflua</i>	Tree, Deciduous	60	40	medium	non-native	-	-	Included	Limited
Swiss Mountain Pine	<i>Pinus mugo</i>	Tree, Evergreen	15-20	15-20	medium	non-native	-	-	Included	Limited
Sycamore Maple	<i>Acer pseudosieboldianum</i>	Tree, Deciduous	15	20	medium	non-native	-	-	Included	Limited
Syrian Bean Caper	<i>Zygophyllum fabago</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Tamarisk	<i>Tamarisk parviflora & Tamarisk ra</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Excluded	Prohibited
Tatarian Maple	<i>Acer tataricum</i>	Tree, Deciduous	15-20	15-20	xeric-low	non-native	Preferred	-	Included	Preferred
Texas Hummingbird Mint or Sonora	<i>Agastache cana</i>	Perennial	1.5-3	1-2	xeric-medium	non-native	-	-	-	-
Texas Red Oak	<i>Quercus buckeyi</i>	Tree, Deciduous	35	35	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Thornless Cockspur Hawthorn	<i>Crataegus crus-galli</i>	Tree, Deciduous	20	20	xeric	non-native	Preferred	-	Included	Preferred
Three Flower Maple	<i>Acer triflorum</i>	Tree, Deciduous	25	20	medium	non-native	-	-	Included	Limited
Toadflax	<i>Linaria spp.</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Tokyo Tower Fringetree	<i>Chionanthus retusus</i>	Tree, Deciduous	15	5-10	medium	non-native	-	-	Included	Limited
Tom Thumb Cotoneaster	<i>Cotoneaster adpressus</i>	Groundcover or Shrub	0.5-1	4-6	medium	non-native	-	-	-	-
Trailing Fleabane	<i>Erigeron flagellaris</i>	Groundcover	0.5	1	low	native	-	-	-	-
Tree of Heaven	<i>Ailanthus altissima</i>	Tree, Deciduous	n/a	n/a	n/a	non-native	-	-	Excluded	Prohibited
Trident Maple	<i>Acer buergeranum</i>	Tree, Deciduous	30	30	medium	non-native	-	-	Included	Limited
Tulip Tree	<i>Liriodendron tulipifera</i>	Tree, Deciduous	60-90	30-50	medium	non-native	-	-	Included	Limited
Turkish Filbert	<i>Corylus colurna</i>	Tree, Deciduous	40	25	medium	non-native	-	-	Included	Limited
Utah Juniper	<i>Juniperus osteosperma</i>	Tree, Evergreen	20	10	xeric	native	Preferred	-	Included	Preferred
Utah Serviceberry	<i>Amelanchier utahensis</i>	Shrub, Deciduous	10-14	5-7	medium	native	-	-	-	-
Washington Hawthorn	<i>Crataegus phaenopyrum</i>	Tree, Deciduous	25	25	low	non-native	Preferred	-	Included	Preferred
Wavey Leaf Oak	<i>Quercus undulata</i>	Tree, Deciduous	20	15	xeric	native	Preferred	-	Included	Preferred
Western Catalpa	<i>Catalpa speciosa</i>	Tree, Deciduous	40-70	20-50	xeric-low	non-native	Preferred	Parking Lot Island	Included	Preferred
Wichita Blue Juniper	<i>Juniperus scopulorum 'Wichita Bl</i>	Tree, Evergreen	18-23	4-8	xeric	native	Preferred	-	Included	Preferred
Winter Fat	<i>Ceratodites lanata or Krascheninni</i>	Shrub, Deciduous	1-3	1-3	low	non-native	-	-	-	-
Yarrow species	<i>Achillea spp.</i>	Perennial/Ground Cover	1-3	1-3	xeric-low	varies by spp.	-	-	-	-
Yellow Buckeye	<i>Aesculus flava</i>	Tree, Deciduous	35	35	medium	non-native	-	-	Included	Limited
Yellow Rabbitbrush	<i>Chrysothamnus viscidiflorus</i>	Shrub, Deciduous	4-7	4-7	low-medium	native	-	-	-	-
Yellow Starthistle	<i>Centaurea solstitialis</i>	Perennial	n/a	n/a	n/a	non-native	-	-	-	-
Yellowwood	<i>Cladrastis kentukea</i>	Tree, Deciduous	35-40	35-45	medium	non-native	-	-	Included	Limited

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)

Kevin Bray (Local Developer)

Ron Abeloe (Local Developer)

Landscaping Taskforce Workshop Dates

1/27/2022

2/11/2022

2/25/2022

3/4/2022

10/17/2022

11/18/2022

.

Forestry Board Workshop Dates

2/3/2022

9/1/2022

10/20/2022

Planning Commission Workshop Dates

2/3/2022

3/3/2022

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 6 inches above the root ball at time of planting. Caliper is applied only when measuring new plantings.

Canopy drip line means the area directly located under the outer circumference of the tree branches from which water drips onto the ground.

Diameter at Breast Height (DBH) means the diameter of the tree trunk measured 4.5 feet above the ground on the uphill side of the tree. For split trunk trees that fork below 4.5 feet from the ground, DBH measurements shall be taken at the narrowest point below the fork. For multi-stem trees, which are trees that have more than one trunk at 4.5 feet above ground originating from a common trunk or common root system, DBH measurements shall be taken for each stem at 4.5 feet above the ground and aggregated by adding all values together for a single measurement, to be considered as a single tree for the purposes of this Code. DBH is applied only when measuring existing trees.

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.

Multi Stem Tree means a tree that has one stem at ground level but that splits into two or more stems above ground level. Trees whose stems diverge below ground level are considered separate trees.

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.

Primary Development means any enclosed habitable structure on a permanent foundation, any engineered wall required for orderly development such as retaining walls, underground utilities, required paved surfaces such as roads, trails and/or sidewalks, and any site work required for public safety such as storm drain systems.

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					
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%+100%</u>	<u>100%</u>	<u>80%+100%</u>	<u>80%+100%</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 areathe~~ 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>

Turf

As seed, by plug, or as sod roll

(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.

(iv) 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. Irrigation plans shall be certified by an irrigation design professional who has been certified through the Irrigation Association (CID), or a similar EPA WaterSense labeled certification program. This certification will be required on all irrigation plans no later than three years after the adoption of this ordinance. -The irrigation plan shall also 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 ~~Director~~Applicant as part of the development review process. This identification shall include a ~~written~~surveyed inventory of significant trees to be produced with a landscaping plan. Any significant tree ~~as defined in subsection (c) below~~to be preserved during development 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 ~~included~~prohibited on the Suitable Plants List ~~and~~ that have a diameter ~~that exceed~~exceeding 15 caliper inches, in fair or better condition, free from irreparable structural defects, and is not infested with a disease or pestilence that threatens the good health of other trees as determined by a certified arborist 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 ~~threetwo~~caliper inches in diameter at breast height of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.06.040(~~ih~~)(6) for credit applied to preserved trees. All protection measures shall be clearly identified on the construction and landscape plans.

(iv) 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) If the 30 percent minimum preservation requirement impedes the proposed Primary Development of a site, then the Director may grant a 10 percent adjustment of the minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements. Furthermore, the City Forester may adjust the drip line protection standards described in (vi)(A) of this section so to allow for additional flexibility for the development to occur around the identified significant trees. If these adjustments do not provide a viable means of developing the site with the preservation of the minimum required significant trees then, at the developer's discretion, the developer may:

(A) Replace the required significant trees on-site at a ratio of three caliper inches per five inches in diameter at breast height of significant tree removed with trees identified as preferred trees on the Suitable Plants List, and/or

(B) Pay a fee in lieu of replanting the required on-site replacement trees. The developer shall pay to the City the value of the required replacement tree(s) not planted on site, along with the total cost of installation. The City shall use this payment to purchase the required replacement trees not planted on-site and plant them on public property.

(vi) 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~~three caliper inches of newly planted tree per 2five 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 ten24 trees: No more than 50 percent of one speciesgenus.

(C) Eleven to twenty trees: No more than 33 percent of one genus

(DC) twenty-one24 or more trees: No more than 20 percent of one speciesgenus.

(xi) A minimum of 50 percent of proposed tree plantings shall have a preferred New Planting status on the Suitable Plants List and no more than 15 percent of the proposed trees shall have a limited status on the Suitable Plants 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) ~~40Forty 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 requirementsurfaces 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 six8 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 4075 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.

(vix) Shrubs ~~shall~~**must** be planted on the street side of the wall.

(vix) 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 ~~Director~~~~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) 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;

~~(iiiv) 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 ~~notespecify~~ notespecify the type and size of materials, placement of fence posts, ~~and the like.~~ 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 inches in diameter at breast height of preserved tree to one caliper inch required new trees</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</u>	<u>Two #5 container shrubs (minimum 30 inches in height)</u>

			<u>cover for one #5 container shrub</u>	<u>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>

(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) 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, 870 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)(176) of this section.

(4) Maintenance. Each owner or the owners' association shall maintain all landscaping.

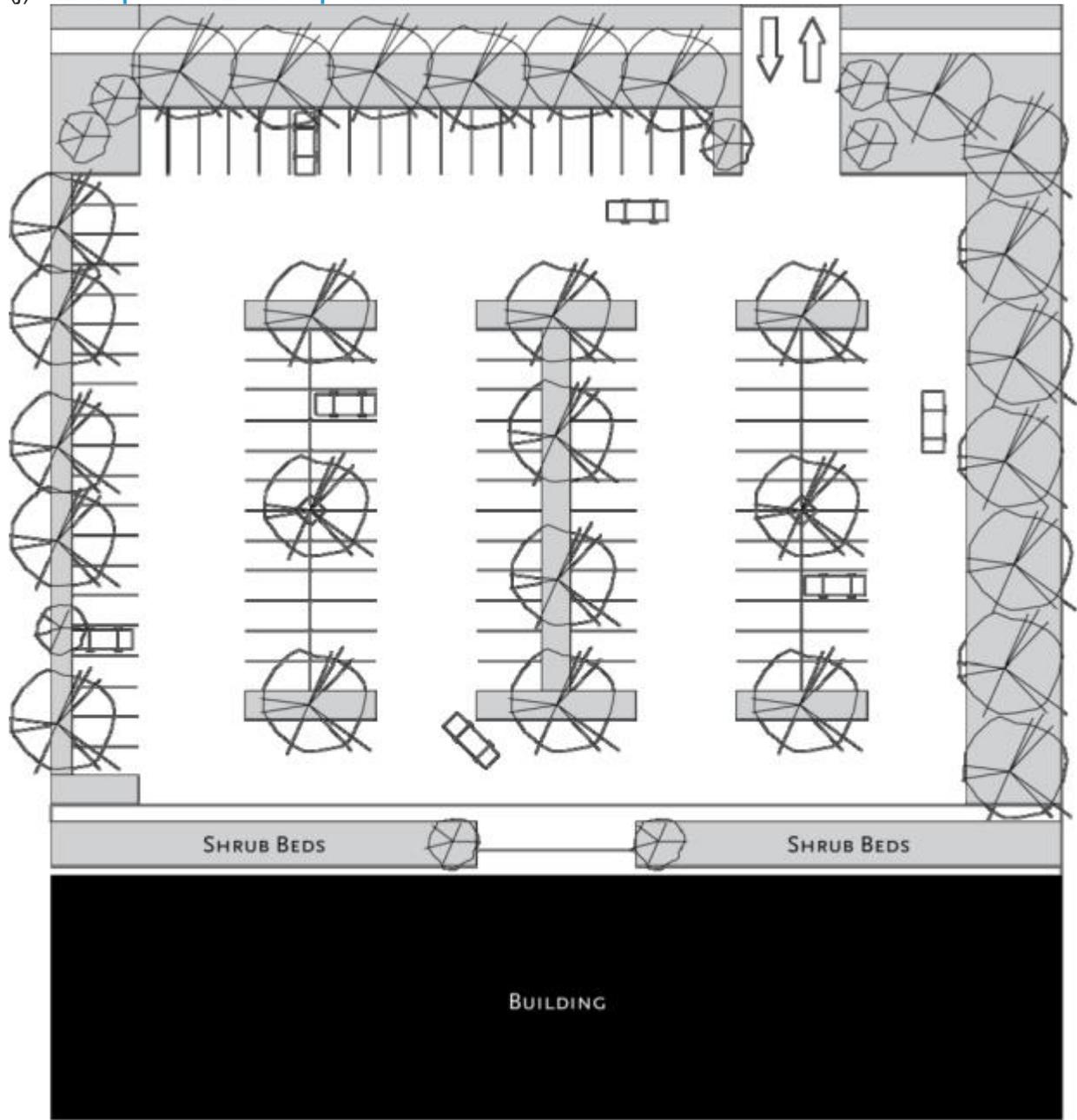
(5) Other Applicable Sections. The requirements of subsections ~~(i)~~, (j), ~~(k)~~ and ~~(kl)~~ of this section shall also apply.

(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> 0 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> 0 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)

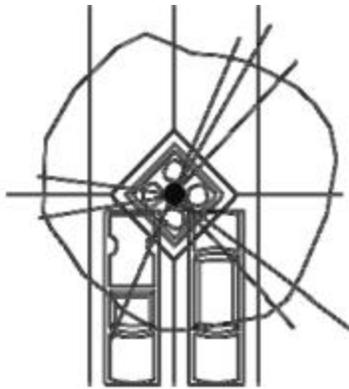
Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
I-1, I-2	As required in subsection (h) of this section and in other subsections of this section where applicable	Street frontage, parking lots, buffers and public right-of-way
MXR, MXG, MXS, MXOC	One <u>Two</u> caliper inches of tree per 3,000 square feet of improved area, with no more than 4 <u>20</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 surface passenger terminal, pasture	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

(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

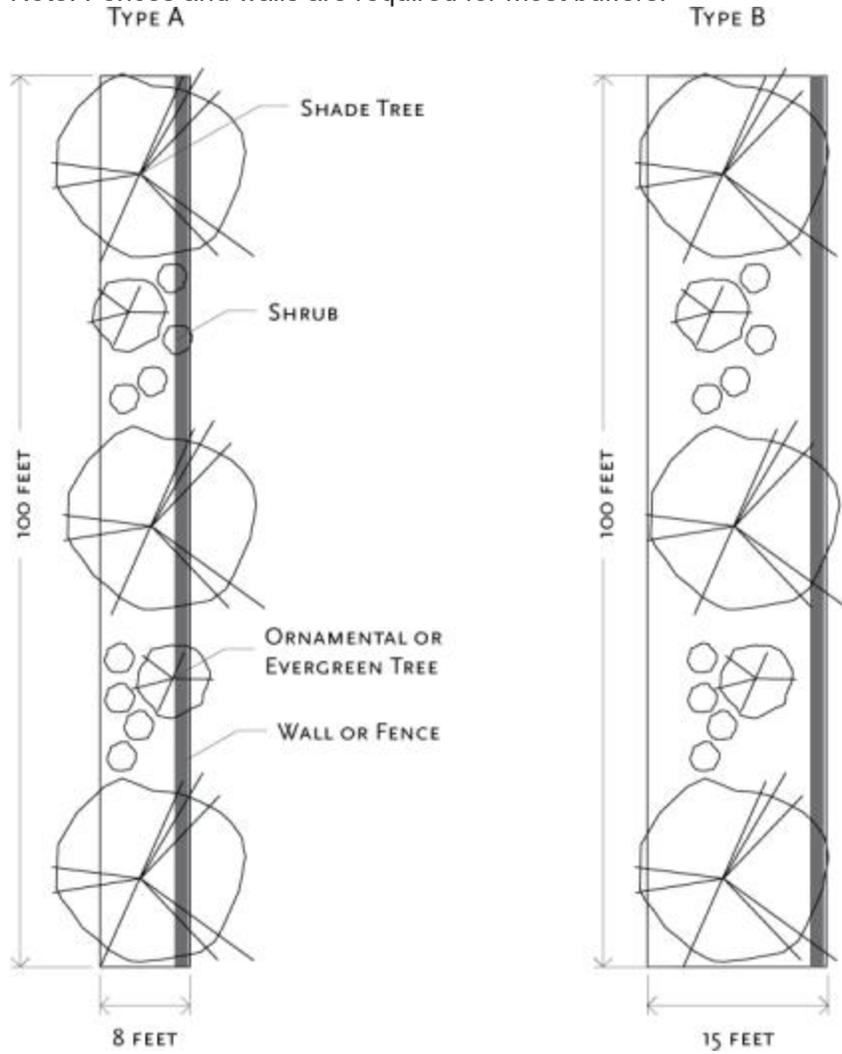
- A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet.
- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
- The Director may modify this table 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)