

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY February 27, 2023

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

City Councilmembers Present: Councilmembers Chuck McDaniel, Phil Pe'a, Randall Reitz, Dennis Simpson, Mayor Pro Tem Abe Herman, and Mayor Anna Stout

Staff present: City Manager Greg Caton, City Attorney John Shaver, Assistant to the City Manager Johnny McFarland, Director of Community Development Tamra Allen, Finance Director Jodi Welch, Cannabis Code Enforcement Officer Travis Wright, Public Works Director Trent Prall, Fire Marshall Steven Kollar, Senior Planner Dave Thornton, City Clerk Amy Phillips, and Deputy Clerk Janet Harrell.

The Mayor stated, due to the lengthy agenda for tonight's workshop, would Council be opposed to moving item **1.c. Council Policies** to the last item. Council agreed.

1. Discussion Topics

a. Cannabis Randomized Selection Process

City Attorney John Shaver explained that at this time the City has a cap within a cap (no more than two licenses in the Horizon Drive Association Business Improvement District (BID) and no more than 10 licenses for the entire City) regarding the cannabis licensing regulations. The Grand Junction Municipal Code ("GJMC") includes a provision for a separate process for the BID applicants, concerns have been raised that the GJMC does not require any licenses to be awarded to BID applicants, that a separate licensure for BID businesses would be unfair because it would create a competitive advantage, and that the separate BID process is inconsistent with other provisions of the GJMC and the process that other applicants claim to have relied on.

Section 5.13.017(b) states that: "If more than two applications are submitted for a location within [Horizon Drive], the City shall conduct a random selection process for the Horizon Drive applications only"; however, because that section of the ordinance came late and may not have been fully considered, the City staff is recommending that only one license selection process be held when the current court challenge over one of the denied applications is resolved.

The City issued an infographic that some applicants claim to have relied on. That, coupled with what may be uncertainty about how 5.13.017(b) is to be applied, gives rise to a recommendation to cancel the BID process that was discussed with the Council at its February 13, 2023 work session.

Under Section 5.13.047, the City Manager is authorized to issue Administrative Regulations regarding the cannabis licensing code. The City Attorney suggests that he, City Manager Caton and City Clerk Phillips write a regulation so that the infographic and

the selection process are crystal clear and that, due to a probable legal challenge, the City not hold a separate selection process for cannabis business licenses for the BID. Attorneys for license applicants and the Marijuana Industry Group (MIG) indicated that a legal challenge will ensue if the City proceeds with a separate process for the BID cannabis business license applicants. To avoid further complications with the licensing of cannabis businesses in Grand Junction, it is recommended that the City hold only one selection process instead of two, which will occur at the conclusion of the pending litigation concerning the City's denial of an application for licensure by High Colorado.

Discussion by, and acknowledgment of the City Council, that the City will conduct one cannabis selection process at the conclusion of the pending litigation.

Discussion ensued regarding concerns about unfair advantages if two licenses are awarded prior to the other eight licenses, how the applicant in district court affects the timing and odds for the other applicants, and the pros and cons of conducting two separate drawings on different days vs two on the same day.

b. Draft Pedestrian and Bicycle Plan

David Thornton and Patrick Picard presented this item and noted that the City hired Fehr and Peers to work on developing the first ever Pedestrian and Bicycle Plan (Plan) for the Grand Junction community. This effort works toward three primary goals:

- Establish a vision for the future pedestrian and bicycle network.
- Identify prioritized investments that the City will gradually implement over time.
- Create a more comfortable and welcoming place for people walking, rolling, and biking for all ages and abilities.

The Pedestrian and Bicycle Plan was launched in August 2022 with the formation of a 17-member steering committee. Members of the Steering Committee played a critical role supporting the completion of the plan.

The steering committee and staff conducted extensive community outreach consisting of 12 intercept events throughout the community, a walk and bike audit with members of the steering committee, nine focus groups, an online survey and an interactive mapping exercise, and an open house to collect input on existing conditions and community needs. Approximately 80 community members attended the open house. Through the engagement process, staff made 300 individual points of contact with community members at the intercept events, solicited input from 65 focus group participants, and received 669 comments on the online survey and 1098 comments on the interactive online map.

In December 2022, the City released an Existing Conditions and Needs Assessment Report that synthesized all public input and findings during the first phase of the project. Additionally, the City released the draft network plans for pedestrian corridors and bicycle corridors, and additions to the Active Transportation Corridors map. Both documents are available for review on GJSpeaks.org. Staff workshopped the Existing Conditions and Needs Assessment Report with City Council on December 19, 2022 and

with the Planning Commission on January 5, 2023.

The City released the first draft of the Plan on February 2. The draft plan presents the identified level of traffic stress (LTS) for corridors in the City ranked for both pedestrians and bikes and recommended treatments. The consultants also prepared a prioritized projects list for infrastructure improvements. The plan also includes non-infrastructure policy and programmatic recommendations.

The City conducted a second round of public outreach to gather input on the elements of the draft plan. Staff conducted nine intercept events to encourage the public to read and provide comments on the draft plan:

- Mesa County Public Library, Feb 2, and Feb 16
- KAFM Radio Show, Mobile Mesa County, Feb 8
- Downtown Development Authority Board Meeting, Feb 9
- Winter Bike to Work Day, Feb 10
- Colorado E-Bikes, Feb 11
- Horizon Drive BID Board Meeting, Feb 15
- Colorado Mesa University Natural Resources Job Fair, Feb 15
- Virtual Open House, Feb 21.

The City held a second in-person open house on February 22 at the Lincoln Park Barn as an additional venue to collect public comment. Additionally, there is an online survey available to fill out until February 26. The public comment portion for the draft plan will be open until February 26.

NEXT STEPS

Staff and the consultant team will take the second round of public comments and revise the draft plan accordingly. A final version of the draft plan will be presented to the Urban Trails Committee for recommendation in March. Staff plans to take the recommended final plan to Planning Commission for a hearing on March 28 and City Council hearing for final approval and adoption on April 19.

The following item was moved forward on the agenda.

c. Zoning and Development Code Update

The City hired Clarion Associates to work on updating the City's Zoning and Development Regulations, Title 21 of the Grand Junction Municipal Code. This effort works toward three primary goals:

- Update the City's development regulations to better implement the City's vision and goals as described in the 2020 One Grand Junction Comprehensive Plan.
- Achieve greater simplicity, efficiency, consistency, and legal effectiveness in the code language.
- Identify opportunities to facilitate the development of affordable and attainable housing.

The project team will present, for City Council discussion, the recent discussions with the Zoning & Development Code Committee and the Planning Commission regarding the Consolidated Draft of the code and provide an overview of the changes made in the Consolidated Draft.

The project team received a substantial amount of feedback on the three Module Drafts of the code and have incorporated the feedback into a consolidated draft. The consolidated draft represents an opportunity to see the code in a comprehensive format and make comments before posting a draft of the updated code for public hearing. Some of the major discussion items updated in the consolidated draft include, but are not limited to:

- Off Street Parking & Bicycle Parking
- Electric Vehicle Charging
- The Principle Use Table
- Residential Use Types
- Bulk standards, including minimum setbacks
- Open Space Requirements
- Outdoor Lighting
- Rezoning Review Criteria
- Multi Family Design Standards

The project team presented the changes made to the Consolidated Draft to the Zoning & Development Code Committee and to Planning Commission for discussion and feedback. Those meetings occurred on:

- February 21 - Zoning & Development Code Committee
- February 23 - Planning Commission Workshop
- February 28 - Zoning & Development Code Committee
- February 28 - Planning Commission Workshop

Council expresses excitement for the Code Update and requested that the final draft have a table or bullet points indicating the differences in it compared to the draft presented tonight.

d. Implementation of a Land Acquisition Funding Program

The Land Acquisition Fund (LAF) is proposed in response to a generalized shortage of affordable housing in Grand Junction. The proposed purpose of the LAF is to provide funds to assist local developers to acquire property and/or land to subsidize the cost of units to create opportunities for increased units to meet the housing needs of Grand Junction. Property and/or building acquisition costs, especially in developed areas of the city, are a major component of the cost of developing affordable housing. In current markets, land and/or building acquisition is approximately 10-15% of the overall project.

At the August City Council workshops, staff presented an overview of land banking and land trusts and based on Council's direction, is now focusing on strategic land acquisition to increase the supply of available properties. The November City Council

Workshop included a presentation about the different options available for how to establish the decision-making structure of the proposed land bank. Recently, the appointed ARPA committee recommended the use of ARPA funds in the amount of \$3,373,337 be assigned for the purpose of creating a land bank. Additionally, Grand Junction Housing Authority (GJHA) recommended the use of \$1,800,000 of requested ARPA funds as it was not able to move forward with a preservation project that had been recommended for ARPA funds.

Staff presented a concept for the fund acquisition program including a scoring matrix and administrative processes.

Discussion ensued regarding allocation of funds, specifically the 1.8 million that was originally identified for a Housing Authority project that fell through and was requested to be pushed to the land bank.

The Mayor called for a 5-minutes break at 6:50 p.m.

d. Council Policies

The City Council has previously determined that it would review, update, and adopt certain policies for the conduct of the business of the Council. The February 27, 2023 Council work session will provide an opportunity for further discussion and direction on when and what policy(ies) will be advanced, and if advanced the process for review and/or adoption.

The City Council has certain policies, procedures and practices that it uses to conduct Council business. Resolution 40-18 provides the most current meeting policies. Because of changes in meeting practices resulting from the pandemic, and because other policies needed to be updated and/or written, the City Council directed the City Attorney to draft policies for the Council's consideration. The City Council selected the topics, which include but are not limited to agenda and meeting procedures, duties of the President of Council, and credit card and travel policies. The agenda and meeting/study session policies, when adopted, will update Resolution 40-18.

Council agreed move forward with credit card and travel policies but would defer the others to the next Council.

2. City Council Communication

Council discussed adding an item to the consent agenda supporting House Bill 23-1156 Public Airport Authority Act Modernization.

3. Next Workshop Topics

City Manager Caton reported the Workshop items for March 13th will be:

- Land Acquisition Program
- Zoning and Development Code Update
- Unhoused Survey Results

Adjournment

There being no further business, the Workshop adjourned at 7:58 p.m.