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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, NOVEMBER 12, 2024 - 5:30 PM
*Attend virtually: bit.ly/GJ-PC-10-22-24***

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider Amendments to Title 31 One Grand Junction Comprehensive Plan (Comprehensive Plan) including Chapter 31.04 Comprehensive Plan and Establish a Land Use Designation of Residential Low for 2 Properties consisting of approximately 9.5 acres located on the east side of 30 Road just north of the Colorado River.
2. Consider Amendments to Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Application Outreach Meetings, Withdrawn Applications, Public Notice, Minor Plat Amendments, Simple Subdivisions, Administrative Changes to the Comprehensive Plan, Non-Administrative Comprehensive Plan Amendments, Conditional Use Permits, Permitted Encroachments, Mixed-Use Districts Regulations, Public, Civic, and Institutional Campus (P-2) Zone District Regulations, Principal Use Table, Use-Specific Standards for Industrial Uses, Accessory Uses and Structures, Accessory Use-Specific Standards, Temporary Uses and Structures, Shared Driveway (Autocourt) Standards, Residential Compatibility Standards, Preservation of Significant Trees, Off-Street Parking and Loading, Measurements, and Definitions.
3. Consider Amendments to Title 21 Zoning and Development Code, Chapter 21.05 Site And Structure Development Standards, Regarding Pedestrian And Bicycle Connections Within Development Sites.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
October 22, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:30 p.m. by Commissioner Scissors.

Those present were Planning Commissioners; Keith Ehlers, Sandra Weckerly, Shanon Secrest, Orin Zyvan, Ian Moore, and Robert Quintero.

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Manager), Dave Thornton (Principal Planner), Madeline Robinson (Planning Technician) and Jacob Kaplan (Planning Technician).

There were 0 members of the public in attendance, and 0 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from October 8, 2024.

Commissioner Ehlers moved to approve the consent agenda.
Commissioner Secrest seconded; motion passed 7-0.

REGULAR AGENDA

1. Comprehensive Plan & Circulation Plan Amendments **CPA-2024-583**

Consider a Request by the City of Grand Junction (City) to Approve Amendments to Title 31 One Grand Junction Comprehensive Plan (Comprehensive Plan) including Chapter 31.04 Comprehensive Plan and Chapter 31.08, and Title 31 Grand Junction Circulation Plan (Circulation Plan).

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Rick Dorris, Development Engineer with the Community Development Department, was present and available for questions.

Questions for staff

Commissioner Ehlers asked about the proposed changes on Map 6 (Rosevale Rd and C ½ Rd) and how they would impact the bridge over the canal and the adjacent property owners. He clarified that the changes proposed on Map 6 would offer additional flexibility versus the current circulation plan. He asked why the classification was changed to “unclassified” for Map 22

(UnawEEP Ave and Hwy 50) and if these amendments would affect the access plan for Hwy 50. He asked for clarification on Map 26 and whether 28 Rd would connect to the Frontage Rd or to Hwy 50. He asked if the developers of Redlands 360 had any feedback on the changes proposed within their development. He asked if there were any proposed changes to the Circulation plan regarding the intersection of Grand Ave and I-70B near the "Salt Flats". He asked if any of these changes would burden private property owners.

Commissioner Zyvan asked if the proposed changes would be reflected in the 2024 Circulation Plan map. He asked for clarification on the proposed loop connecting K Rd to 30 Rd and expressed concerns about adding this to the adopted map as most of the area affected was outside the Urban Development Boundary (UDB).

Commissioner Weckerly asked if any other landowners were approached for input in the same way as the Redlands 360 development.

Commissioner Scissors asked for clarification on the approval criteria for the two proposed motions.

Commissioner Secrest asked what the purpose of the Functional Classification Map is in regard to future planning. He asked when the map was last updated. He clarified that the changes being proposed did not have a significant impact on landowners' ability to develop their properties.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, October 15, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 6:28 p.m. on October 22, 2024.

Commissioner Zyvan again expressed his concerns about the changes being proposed outside the UDB.

Commissioner Weckerly stated that she did not share Commissioner Zyvan's concerns.

Commissioner Secrest seconded Commissioner Weckerly and noted that there would likely be additional amendments to this plan in the future.

Commissioner Quintero added that he appreciated the Staff's frequency in amending these plans.

Commissioner Ehlers agreed with the other Commissioners and added that the City has no jurisdiction over the County's future development.

The public hearing was closed at 6:31 p.m. on October 22, 2024.

Discussion

There was no additional discussion.

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the request to amend Title 31 One Grand Junction Comprehensive Plan including Chapter 31.08 Grand Junction Circulation Plan, specifically 31.08.080(c) and 31.08.080.150 Appendix A, City file number CPA-2024-583, 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.”

Commissioner Weckerly seconded; motion passed 7-0.

Commissioner Moore made the following motion “Mr. Chairman, on the request to amend Title 31 One Grand Junction Comprehensive Plan including Chapter 31.04, City file number CPA-2024-583, 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.”

Commissioner Ehlers seconded; motion passed 7-0.

OTHER BUSINESS

Niki Galehouse acknowledged that this is Commissioner Ehlers last meeting and thanked him for his years of service.

ADJOURNMENT

Commissioner Ehlers moved to adjourn the meeting.

The vote to adjourn was 7-0.

The meeting adjourned at 6:35 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: November 12, 2024
Presented By: David Thornton, Principal Planner
Department: Community Development
Submitted By: David Thornton, AICP, Principal Planner

Information

SUBJECT:

Consider Amendments to Title 31 One Grand Junction Comprehensive Plan (Comprehensive Plan) including Chapter 31.04 Comprehensive Plan and Establish a Land Use Designation of Residential Low for 2 Properties consisting of approximately 9.5 acres located on the east side of 30 Road just north of the Colorado River.

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

The City of Grand Junction's and Mesa County's Board of County Commissioners approved changes in 2024 to the Persigo 201 Sewer Service boundary. Under the provisions of the 1998 Persigo Agreement between the City and Mesa County "the parties agree to, in good faith, amend the Urban Growth Boundary, or the 201, or both, so that such boundaries and areas are identical". With these recently changed boundaries to the 201, it is proposed to change the Urban Development Boundary (UDB) which is the Urban Growth Boundary and the Persigo 201 Boundary in the One Grand Junction Comprehensive Plan to be the same boundary approved by the Persigo Board for the 201 Boundary for the sewer service area. These boundary changes affect 101 properties, including incorporating two new properties within the UDB that were added to the 201 that are proposed to receive a Residential Low Land Use designation and be included within Tier 2 on the Intensification and Growth Tiers Map.

BACKGROUND OR DETAILED INFORMATION:

The Persigo Board, comprised of all the members of the Grand Junction City Council and Mesa County Board of County Commissioners, recently approved changes to the Persigo 201 Sewer Service Boundary in April and July 2024 respectively. The change was part of the Second Amendment to the Persigo Agreement, which states that the

“Agreement expresses the Parties’ joint desire that the Urban Development Boundary (UDB) and the 201 boundaries align.” The 201 Sewer Service boundary change removed areas from the 201 Service area boundary.

This 201 boundary changes made by the Perisgo Board affects the City of Grand Junction One Grand Junction Comprehensive Plan and the Mesa County Master Plan that provide the boundaries for urban growth, as areas planned for urban growth and development require sewer service. With the establishment of the new 201 sewer service area boundary there are 101 parcels that were not included in the 201 boundary change but remain in the UDB. In addition, there are two properties included in the revised 201 that are not part of the UDB. The City and Mesa County need to adjust the UDB to be congruent with the 201 Boundary. These two properties do not have a Land Use designation or a Tier assigned to them. City staff is proposing a change to the Urban Development Boundary (UDB) to match the new 201 sewer service area boundary. Both the proposed UDB boundary changes and the Persigo Board changes that have recently occurred for the 201 boundary are proposed to be included in this Comprehensive Plan amendment. Following any City changes to the UDB, Mesa County will act on amending the County’s Master Plan.

The proposed amendments to the Comprehensive Plan include:

- updating the UDB and 201 boundaries on the Land Use Map (pg. 59)
- updating the UDB and 201 boundaries on the Intensification and Growth Tiers Map (pg. 57)
- updating the UDB and 201 boundaries on the Service Area and Development Map (pg. 52); and
- establishing a Land Use designation of Residential Low on the Land Use Map for two properties that have been added to the 201 and include the two properties in the Tier 2 area on the Intensification and Growth Tiers Map, both maps are found in Chapter 3 of the Comprehensive Plan.

There are 99 affected properties identified on Maps A through D attached to this staff report that are being removed from the UDB. There are two properties added to the 201 identified as Map Area E, but not currently part of the UDB and proposed to be added to the 201. These properties are located on 30 Road north of the Colorado River (Tax parcels 2943-213-00-064 and 2943-213-00-065).

Map Area A

This area is located between 21 Road and 22 ½ Road north of I ½ Road. It consists of 55 parcels that are currently located within the UDB of the One Grand Junction Comprehensive Plan and were not added to the recent 201 boundary changes. These properties have not been in the 201 but have remained in the UDB creating a conundrum where the property is eligible for and planned for the City of Grand Junction for future annexation and growth but is not within the sewer service boundary established by the City and County. The recent Persigo Board action has answered the question that this area will not be served by sewer and therefore should be removed from the UDB. The area has been designated Rural and located within Tier 3, an area

that is not eligible for annexation due to not meeting urbanizing standards for annexation under Colorado State Statutory requirements.

Map Area B

This area has 22 parcels located east of 24 ¼ Road north of H Road and east of 24 ½ Road south of H Road. Just like those properties within Area A, the issue of being in the UDB but outside of the 201 has created uncertainty. They are also designated Rural on the Land Use Map and identified as Tier 3 on the Intensification and Growth Tiers Map and annexation would not be an option at this time.

Map Area C

This area has 12 properties and is located east of 25 ¾ Road, south of H Road and north I-70 Frontage Road. This area was in the 201 service area but removed with the latest 201 boundary changes. The current Land Use designation of the area is Residential Low and the area is located within Tier 1 on the Intensification and Growth Tiers Map. Removing the area from the UDB to match the new 201 boundary will automatically remove the area from these designations.

Map Area D

This area has 10 properties that are affected, however 8 of them are only partially within the UDB. All 10 properties are served by Clifton Sanitation District and were not going to be served by Persigo Wastewater Treatment Plant so the 201 changes to the map reflect this. The two properties that are currently within the UDB in their entirety are designated on the Land Use Map as Residential Low. Removing the area from the UDB to match the new 201 boundary will automatically remove both properties from these designations.

Map Area E

With the changes to the 201 boundary it left out 99 parcels in the UDB, but also added 2 new parcels that now need to be designated a Land Use designation on the Land Use Map of the Comprehensive Plan and be assigned a Tier on the Intensification and Growth Tiers Map. These two parcels are located on the east side of 30 Road just north of the Colorado River. The surrounding area to the north and west is designated as Residential Low. The recommended designation for these two properties is Residential Low.

The two properties are adjacent to Tier 2 along the north boundary. Across 30 Road to the west is Tier 1. Due to 30 Road being the boundary between Tier 1 and Tier 2 in this area, it is recommended that these two parcels be assigned Tier 2 on the Intensification and Growth Tiers Map.

Public Outreach

A community outreach meeting was held on Wednesday, October 23, 2024, to seek feedback and provide information to affected property owners. A letter was sent to each property owner notifying them of the meeting as per city noticing standards. There were three people that attended the meeting. No concerns were

expressed, and all three attendees were happy with the proposal. In addition, as part of the public process the public will have the opportunity to participate in an online public forum and comment via GJSpeaks as well as the public hearings before Planning Commission and City Council when these changes are considered for adoption.

Comprehensive Plan Guidance

The One Grand Junction Comprehensive Plan (Comprehensive Plan) Principle 3, Goal 1:

- Strategy a. Urban Development Boundary (UDB). “Maintain and continue to utilize the UDB surrounding Grand Junction, in cooperation with Mesa County, as a tool to guide and manage growth outside of the City limits and delineate the extent of the City’s urban development.”
- Strategy b. Intensification and Tiered Growth. “Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in chapter 3, Servicing Growth. Prioritize development (in order of priority). Periodically consider necessary updates to the Tiers.”
- Strategy c. Persigo 201 Service Boundary. “Align the Persigo Boundary with/to the UDB.”

The Comprehensive Plan states “Amendments to the Land Use Plan can be initiated by the City or members of the public and will be considered on an as-needed basis.” The two properties added to the 201 do not have an urban land use designation and therefore are proposed to be designated Residential Low, the same land use designation as adjacent properties to the north and west. They are also proposed to be assigned to the Tier 2 area of the Intensification and Growth Tiers Map.

PROPOSED AMENDMENTS

The specific elements of GJMC Title 31, the Comprehensive Plan proposed to be amended are as follows:

A. Chapter 31.04.010

To change the Urban Development Boundary (UDB) to align with the Persigo 201 Boundary as established by the Persigo Board in 2024 by amending the Comprehensive Plan and:

1. Update the UDB and 201 boundaries on the Land Use Map, Repeal and Replace the Land Use Map (pg. 59).
2. Update the UDB and 201 boundaries on the Intensification and Growth Tiers Map, Repeal and Replace the Intensification and Growth Tiers Map (pg. 57).
3. Update the UDB and 201 boundaries on the Service Area and Development Map, Repeal and Replace the Service Area and Development Map (pg. 52).

To establish the Residential Low Land Use designation on two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Land Use Map in chapter 3 of the Comprehensive Plan (pg. 59).

To establish the Tier 2 designation on the Intensification and Growth Tiers Map for two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Intensification and Growth Tiers Map in chapter 3 of the Comprehensive Plan (pg. 57).

Notification Requirements

Procedures pertaining to public notice for applications requiring a public hearing are set forth in Section 21.02.030(g)(3) of the Zoning and Development Code (ZDC). Public notice of the proposed Comprehensive Plan Amendment was published in the Grand Junction Daily Sentinel on November 2, 2024, satisfying the requirement for 7 days' notice provided in ZDC Table 21.02-4. As the proposal affects more than 5 percent of the city, no property sign or mailed notice are required. The item was scheduled for hearing and consideration at the November 12, 2024 regular meeting of the Planning Commission. The agenda for this meeting was published more than 48 hours prior to the meeting.

ZONING AND DEVELOPMENT CODE ANALYSIS

Comprehensive Plan Amendment Review Criteria – Changes to the UDB Boundary

The criteria for Comprehensive Plan Amendment review are set forth in Section 21.02.050(e)(4)(iii) of the Zoning and Development Code, which provides that the Planning Commission and City Council shall review a Comprehensive Plan Amendment request in light of the following criteria:

(A) The existing Comprehensive Plan and/or any related element thereof requires the proposed amendment; and

The One Grand Junction Comprehensive Plan (Comprehensive Plan) Principle 3, Goal 1:

- Strategy a. Urban Development Boundary (UDB). “Maintain and continue to utilize the UDB surrounding Grand Junction, in cooperation with Mesa County, as a tool to guide and manage growth outside of the City limits and delineate the extent of the City’s urban development.”
- Strategy b. Intensification and Tiered Growth. “Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in chapter 3, Servicing Growth. Prioritize development (in order of priority). Periodically consider necessary updates to the Tiers.”
- Strategy c. Persigo 201 Service Boundary. “Align the Persigo Boundary with/to the UDB.”

The Comprehensive Plan states “Amendments to the Land Use Plan can be initiated by the City or members of the public and will be considered on an as-needed basis.”

Changes to the 201 boundaries by the Persigo Board which amended the UDB boundary requires the proposed amendment for the two boundaries to become the same. Therefore, staff finds that this criterion is met.

(B) The community or area will derive benefits from the proposed amendment; and/or

The Comprehensive Plan contemplates and provides that the City continue to utilize the UDB surrounding Grand Junction, in cooperation with Mesa County, as a tool to guide and manage growth outside of the City limits and delineate the extent of the City's urban development. This supports the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in chapter 3, Servicing Growth. The Grand Junction community benefits from the continued implementation of the Comprehensive Plan. The successful implementation of the Comprehensive Plan is enhanced by the removal of obsolete information and in this case outdated boundaries on maps found on pages 52, 57 and 59.

Therefore, staff finds that this criterion is met.

(C) The amendment will be consistent with the vision, goals, principles, and policies of the Comprehensive Plan and the elements thereof.

The One Grand Junction Comprehensive Plan (Comprehensive Plan) Principle 3, Goal 1 include the following strategies:

- Strategy a. Urban Development Boundary (UDB). "Maintain and continue to utilize the UDB surrounding Grand Junction, in cooperation with Mesa County, as a tool to guide and manage growth outside of the City limits and delineate the extent of the City's urban development."
- Strategy b. Intensification and Tiered Growth. "Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in chapter 3, Servicing Growth. Prioritize development (in order of priority). Periodically consider necessary updates to the Tiers."
- Strategy c. Persigo 201 Service Boundary. "Align the Persigo Boundary with/to the UDB."

The amendment to amend the UDB to coincide with the 201 Boundary is consistent with the vision, goals, principles, and policies of the Comprehensive Plan. Therefore, staff finds that this criterion is met.

Comprehensive Plan Amendment Review Criteria – Establish a Land Use Designation of Residential Low for 2 Properties and Assign them to Tier 2 on the Intensification and Growth Tiers Map

The criteria for Comprehensive Plan Amendment review are set forth in Section 21.02.050(e)(4)(iii) of the Zoning and Development Code, which provides that the Planning Commission and City Council shall review a Comprehensive Plan Amendment request in light of the following criteria:

(A) The existing Comprehensive Plan and/or any related element thereof requires the proposed amendment; and

The One Grand Junction Comprehensive Plan (Comprehensive Plan) Principle 3, Goal 1 states in Strategy b, the following.

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

This strategy supports the assignment of a Tier for both parcels.

The Comprehensive Plan states “Amendments to the Land Use Plan can be initiated by the City or members of the public and will be considered on an as-needed basis.” This supports establishing a land use designation for both parcels. The action is needed as a result of the changes to the UDB and 201 boundaries.

Changes to the 201 boundaries by the Persigo Board which amended the UDB boundary requires the proposed amendment for the two boundaries to become the same. Therefore, staff finds that this criterion is met.

(B) The community or area will derive benefits from the proposed amendment; and/or

The Comprehensive Plan contemplates and provides that all land within the UDB be assigned a Tier and a Land Use designation. This supports the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in chapter 3, Servicing Growth. The Grand Junction community benefits from the continued implementation of the Comprehensive Plan. The successful implementation of the Comprehensive Plan is enhanced by the comprehensive information it provides for all parcels within the UDB.

Therefore, staff finds that this criterion is met.

(C) The amendment will be consistent with the vision, goals, principles, and policies of the Comprehensive Plan and the elements thereof.

The One Grand Junction Comprehensive Plan (Comprehensive Plan) Principle 3, Goal 1 states in Strategy b, the following.

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

Chapter 3 Land Use and Growth states the Land Use Plan is intended to be used by City staff, the Planning Commission, and the City Council to inform decisions regarding development within the City and its Urban Development Boundary and to ensure that decisions align with the community's vision for future growth. The Land Use Plan is also intended to be used to:

- o Track overall development capacity
- o Guide facilities and infrastructure planning
- o Guide future zoning changes

The amendment to establish a Land Use Designation and assign a Tier to the two parcels that do not have either is consistent with the vision, goals, principles, and policies of the Comprehensive Plan. Therefore, staff finds that this criterion is met.

FINDINGS OF FACT AND STAFF RECOMMENDATION

Recommendation to make the following amendments to Chapter 31.04.010:

1. Change the Urban Development Boundary (UDB) to align with the Persigo 201 Boundary as established by the Persigo Board in 2024.
2. Update the UDB and 201 boundaries on the Land Use Map, Repeal and Replace the Land Use Map (pg. 59).
3. Update the UDB and 201 boundaries on the Intensification and Growth Tiers Map, Repeal and Replace the Intensification and Growth Tiers Map (pg. 57).
4. Update the UDB and 201 boundaries on the Service Area and Development Map, Repeal and Replace the Service Area and Development Map (pg. 52).
5. Establish the Residential Low Land Use designation on two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Land Use Map in chapter 3 of the Comprehensive Plan (pg. 59).
6. Establish the Tier 2 designation on the Intensification and Growth Tiers Map for two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Intensification and Growth Tiers Map in chapter 3 of the Comprehensive Plan (pg. 57).

After reviewing the proposed amendments to Title 31 One Grand Junction Comprehensive Plan including Chapter 31.04 Grand Junction Comprehensive Plan, the following findings of fact have been made:

The proposed amendments to the Comprehensive Plan satisfy the review criteria for an administrative application provided in Section 21.02.050(e)(4)(iii) of the Zoning and Development Code.

Therefore, staff recommends approval.

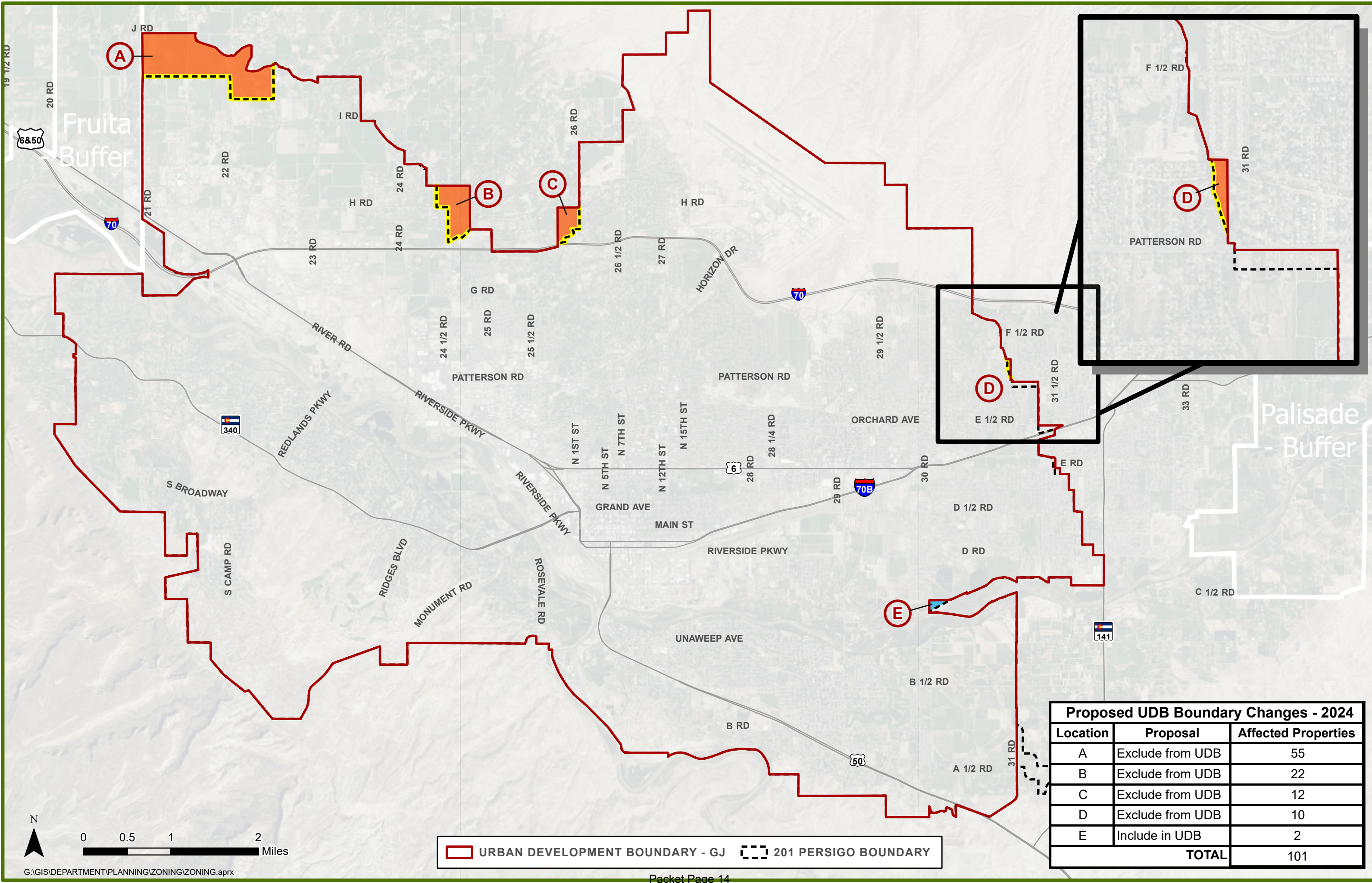
SUGGESTED MOTION:

Mr. Chairman, on the request to amend Title 31 One Grand Junction Comprehensive Plan including Chapter 31.04, City file number CPA-2024-644, 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.

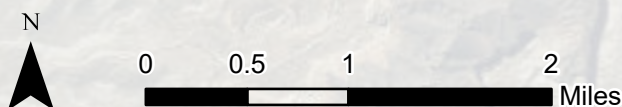
Attachments

- 1. UDB_Proposed-Overall Map
- 2. UDB_Proposed_Map Area A
- 3. UDB_Proposed_Map Area B
- 4. UDB_Proposed_Map Area C
- 5. UDB_Proposed_Map Area D
- 6. Land Use Area E
- 7. Growth Tiers Area E
- 8. City of GJ - Second Amendment Ordinance - Signed
- 9. Mesa County - PERSIGO Agreement Amendment 7-9-24
- 10. Letter to Property Owners
- 11. Sign In Sheet for Oct 22nd Info Mtg
- 12. UDB Amendments Ordinance - 2024

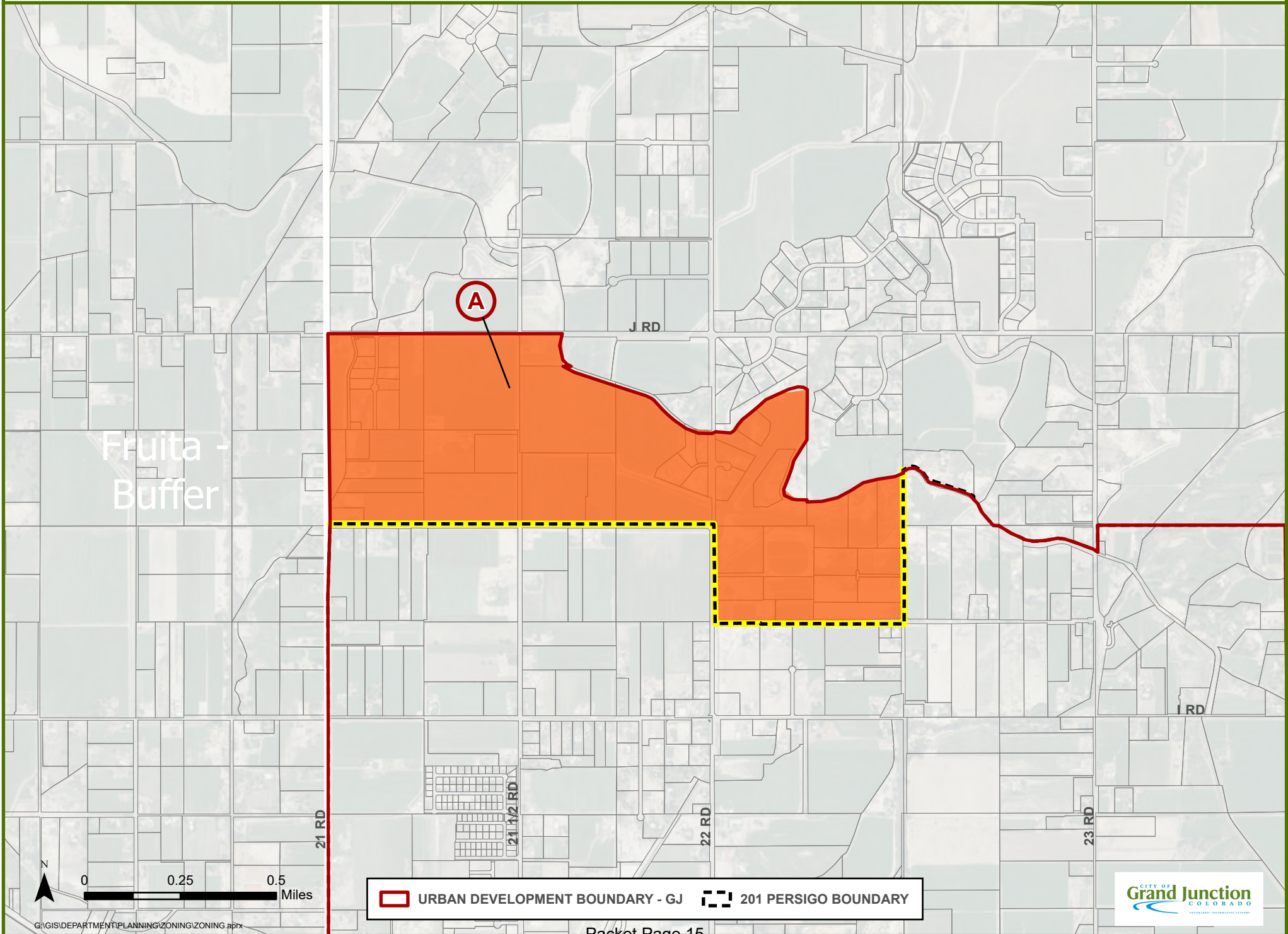


Proposed UDB Boundary Changes - 2024		
Location	Proposal	Affected Properties
A	Exclude from UDB	55
B	Exclude from UDB	22
C	Exclude from UDB	12
D	Exclude from UDB	10
E	Include in UDB	2
TOTAL		101

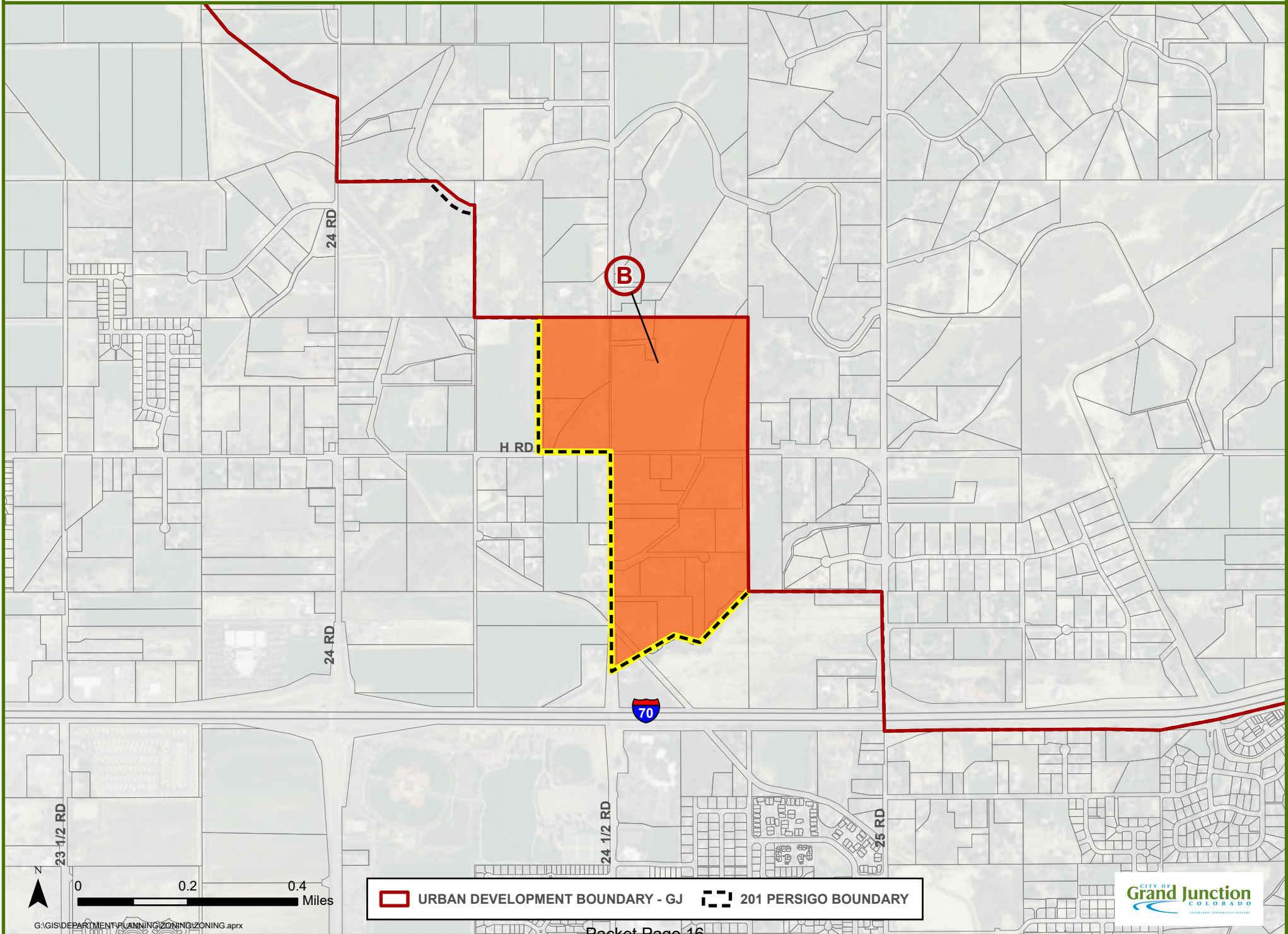
URBAN DEVELOPMENT BOUNDARY - GJ
 201 PERSIGO BOUNDARY



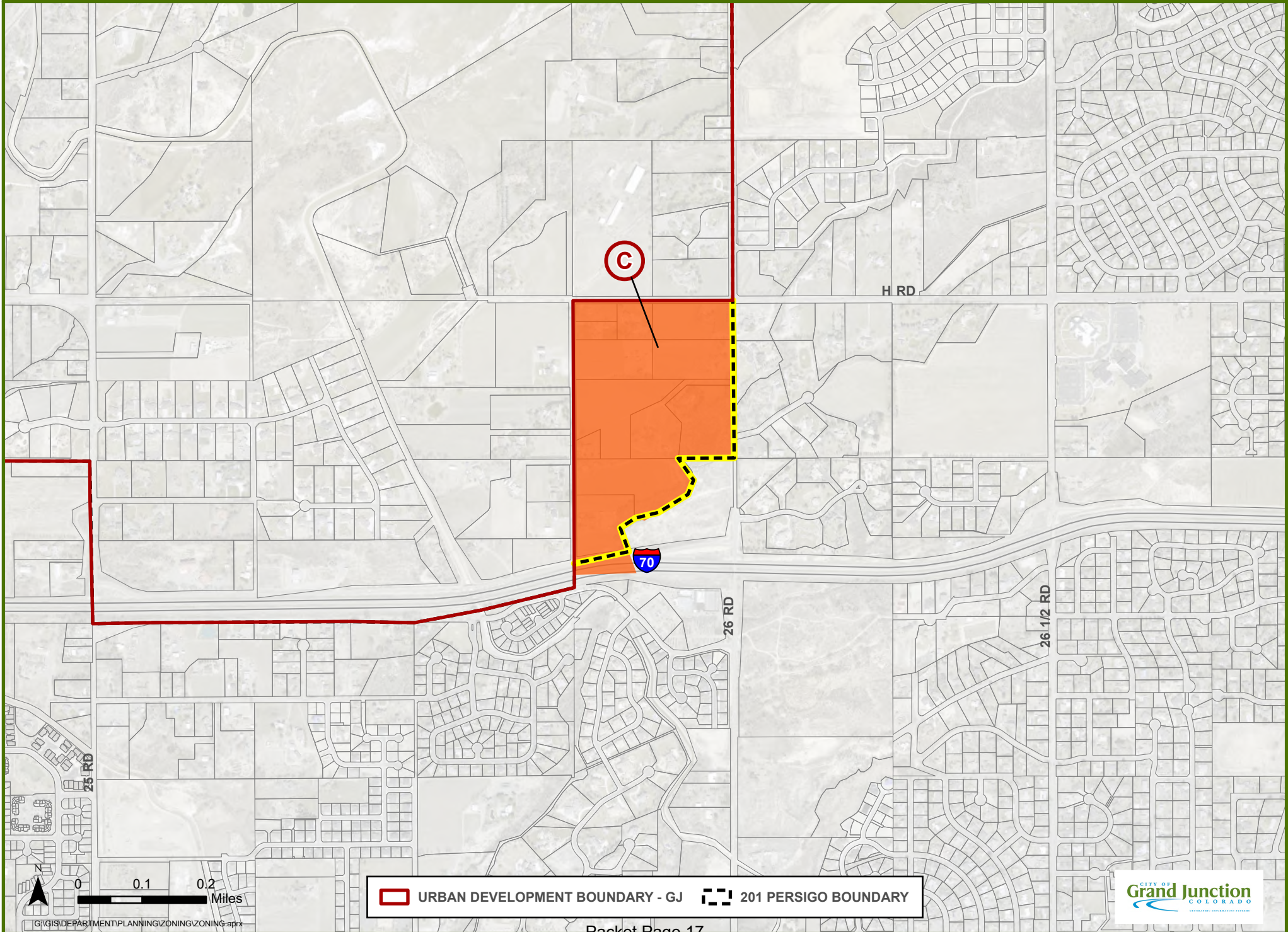
Exclude from UDB - A



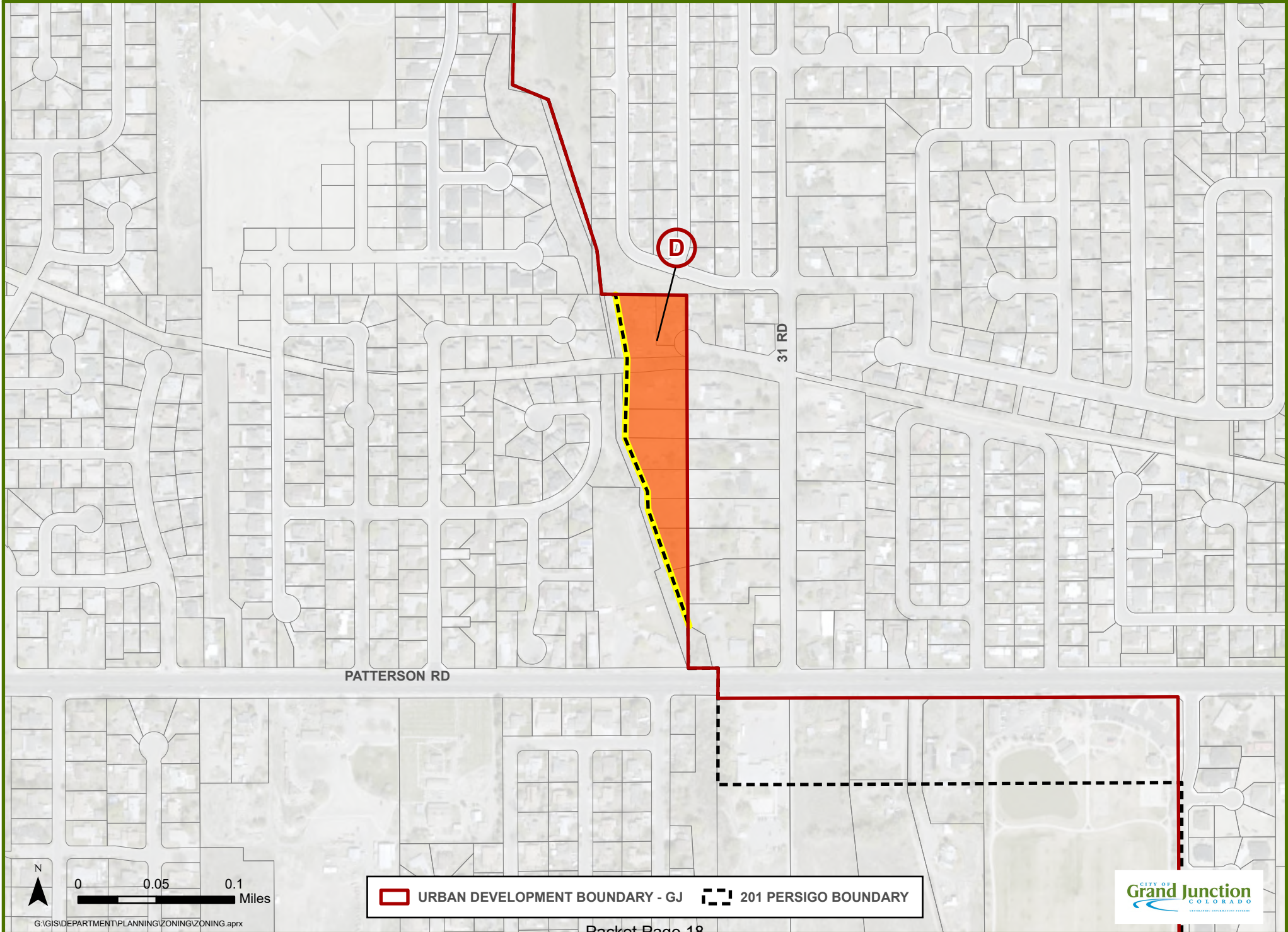
Exclude from UDB - B

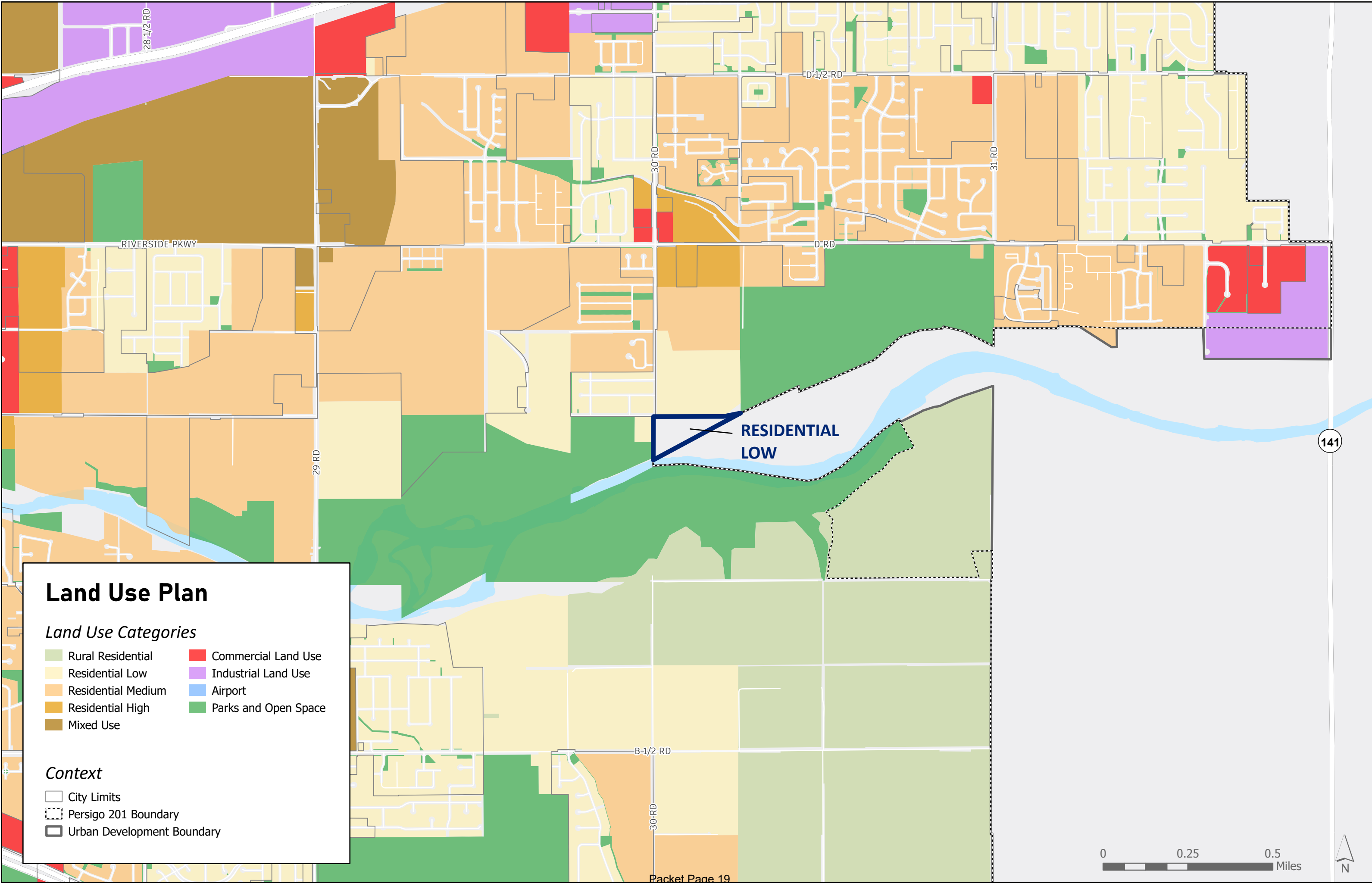


Exclude from UDB - C



Exclude from UDB - D





Land Use Plan

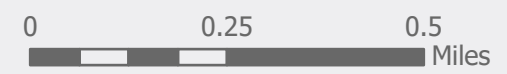
Land Use Categories

- Rural Residential
- Residential Low
- Residential Medium
- Residential High
- Mixed Use
- Commercial Land Use
- Industrial Land Use
- Airport
- Parks and Open Space

Context

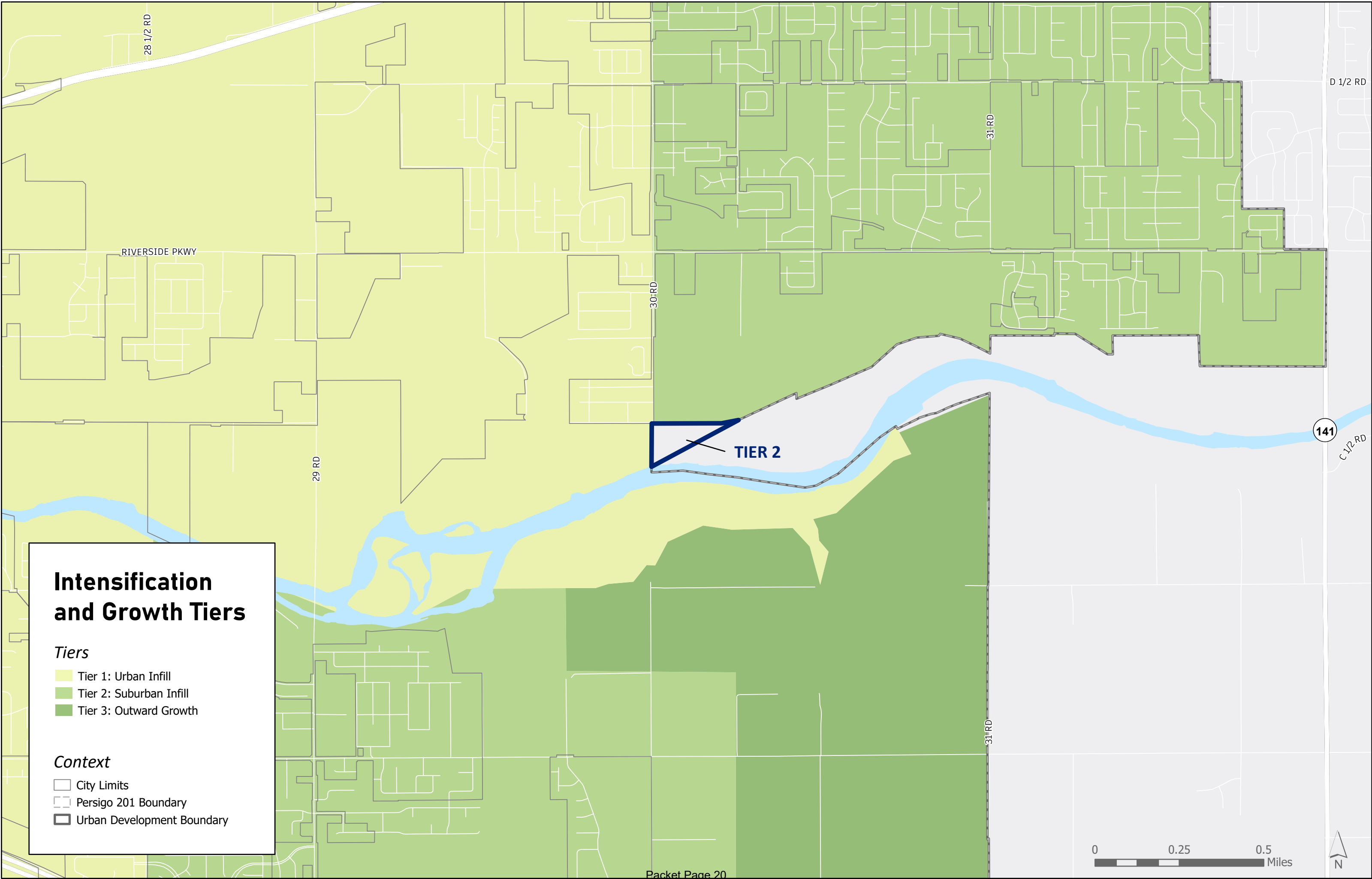
- City Limits
- Persigo 201 Boundary
- Urban Development Boundary

**RESIDENTIAL
LOW**



141





28 1/2 RD

RIVERSIDE PKWY

29 RD

30 RD

31 RD

31 RD

D 1/2 RD

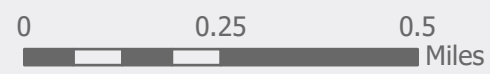
141

C 1/2 RD

Intensification and Growth Tiers

- Tiers**
- Tier 1: Urban Infill
 - Tier 2: Suburban Infill
 - Tier 3: Outward Growth

- Context**
- City Limits
 - Persigo 201 Boundary
 - Urban Development Boundary



RESOLUTION NO. 27-24

**A RESOLUTION ADOPTING, AUTHORIZING AND APPROVING THE SECOND
AMENDMENT TO THE
1998 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND
JUNCTION AND MESA COUNTY RELATING TO CITY GROWTH AND JOINT
POLICY MAKING FOR THE PERSIGO SEWER SYSTEM**

Recitals:

On October 13, 1998, the City Council (City) and the Mesa County Board of Commissioners (County) Parties entered into an intergovernmental agreement relating to City growth and joint policy making for the Persigo sewer system (the 1998 Agreement). Among other things the 1998 Agreement settled the lawsuit filed by the County against the City, created the Persigo Board, and set a process by which the City and the County determined boundaries for City growth and the presumed sewer service area, and set annexation and development processes for properties with the boundaries, as well as policy making, all as provided in the Agreement.

On April 2, 2001, the City and the County authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the 1998 Agreement (the 2001 Agreement). The Persigo agreement has endured; however, the City and the County for many years have considered and discussed the 2001 Agreement, the operations of the Persigo sewer system, and certain points of contention regarding the operations and effect of the 2001 Agreement (the Issues) on the System and the Goals and Policies of the 2001 Agreement.

Because of the commitment of the County and the City to deliberate the Issues and come to an agreement on how to deal with certain of those, the City and the County acting jointly as the Persigo Board, but in counterpart approvals, by each body, the City Council does hereby adopt and approve the Second Amendment to the Agreement.

The express purpose and intent of the County and the City by and with their respective approvals is to address the Issues as defined, described, and resolved to their current mutual satisfaction in the documents attached hereto and approved hereby.

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

1. The foregoing Recitals are incorporated herein.
2. That the President of the City Council is hereby authorized and directed to accept and approve the Second Amendment to the 1998 Intergovernmental Agreement, as amended, between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System.

3. That all other terms, provisions, and requirements of the Persigo Agreement, except as amended by the 2001 Agreement and now the Second Amendment to the Agreement shall be and remain in full force and effect.

PASSED and ADOPTED this 17th day of April 2024.



Anna M. Stout
President of the City Council

ATTEST:



Amy Phillips
City Clerk



SECOND AMENDMENT
To The
1998 Intergovernmental Agreement
Between the City of Grand Junction and Mesa County
Relating to City Growth
And Joint Policy Making for the Persigo Sewer System

THIS AGREEMENT, entered into this ____ day of _____, 2024, pursuant to Section 29-1-201 *et seq.*, C.R.S., by and between THE CITY OF GRAND JUNCTION, COLORADO, a home rule municipal corporation, hereinafter referred to as the "City", and THE BOARD OF COUNTY COMMISSIONERS OF MESA COUNTY, COLORADO, hereinafter referred to as the "County", collectively the City and the County may be referred to as the "Parties".

WHEREAS, on or about October 13, 1998, the Parties entered into the *1998 Intergovernmental Agreement Between The City Of Grand Junction And Mesa County Relating To City Growth And Joint Policy Making For The Persigo Sewer System October 13, 1998* (the "1998 Agreement"); and,

WHEREAS, on or about April 2, 2001, the Parties authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the 1998 Agreement (the "2001 Agreement"); and,

WHEREAS, the Parties have discussed the 2001 Agreement, the operations of the Persigo sewer plant ("System") and certain points of contention as of June 30, 2023, regarding the operations and effect of the 2001 Agreement (the "Issues") on the System and the Goals and Policies of the 2001 Agreement; and,

WHEREAS, the Parties have deliberated the Issues and have come to agreement on how to deal with certain of those, the Parties by and with full authority do enter into this Agreement; and,

WHEREAS, the Parties agree this Agreement governs and resolves the Issues as defined, described and resolved to their current mutual satisfaction;

NOW THEREFORE, in consideration of the joint and mutual promises contained herein, and other good and valuable consideration the receipt and sufficiency of which

is acknowledged, the Parties hereto state and agree as follows:

1. **Alignment of the UGA (nka UDB) and 201 Boundary:** Section 14(a) of the 2001 Agreement expresses the Parties' joint desire that the UDB and the 201 boundaries align. By and with this Agreement and as shown on the attached exhibit (labeled Exhibit A) the UDB and the 201 boundaries are hereby aligned and declared by the Parties to be one and the same (hereinafter "2024 UDB"). Exhibit A is incorporated herein as if fully set forth.

Provided, further, there shall be no change to either the 201 or the 2024 UDB, without the prior approval of both the City and County.

2. **Land Use Authority:** By December 31, 2024, the County agrees to consider a Resolution which would result in the County adopting and applying the City's land use authority within the 2024 UDB boundary. The County Planning Commission has adopted the City's Land Use Plan and with the adoption of the Resolution by the Commissioners will, for properties located within the 2024 UDB, include the same in the County's Master Plan. Furthermore, as the City's Land Use Plan for properties located in the 2024 UDB changes the Commissioners agree to consider including those amendments in the County's Master Plan so that the City and the County have common plans for the UDB as it may change over time. It is the Parties intention that the adoption and incorporation of the City Land Use Plan in the County's Master Plan will serve as a Joint Urban Area Plan ("JUP") as contemplated by the 2001 Agreement.
3. **Annexation:** The City will in accordance with the 2001 Agreement and applicable Colorado law continue to annex Annexable Development within the 2024 UDB. In carrying out an annexation that includes platted streets or alleys ("Platted Street(s)") the City shall annex the Platted Street(s) as provided in C.R.S. 31-12-105(1)(f) so that vehicular access to and from the annexing property is designed, constructed and functions according to a traffic study as defined by the 2023 Transportation Engineering Design Standards (TEDS) Manual.
4. **Street Improvements Compensation:** The County will annually contribute \$500,000 ("Annual Contribution") to help offset street improvements and deferred maintenance that the City has and will assume following annexations within the 2024 UDB. A request for reimbursement after annexation and upon completion of improvements of the roadway shall be submitted to the County

that provides sufficient detail of the use of the County's funds to enable County to satisfy the requirement of its annual audit. For purposes of a 2024 Annual Contribution the County will prorate the Annual Contribution based on the number of months remaining in 2024 following the execution of this Agreement by the Parties.

City of Grand Junction



Anna Stout

President of the City Council

Attest:



Amy Phillips

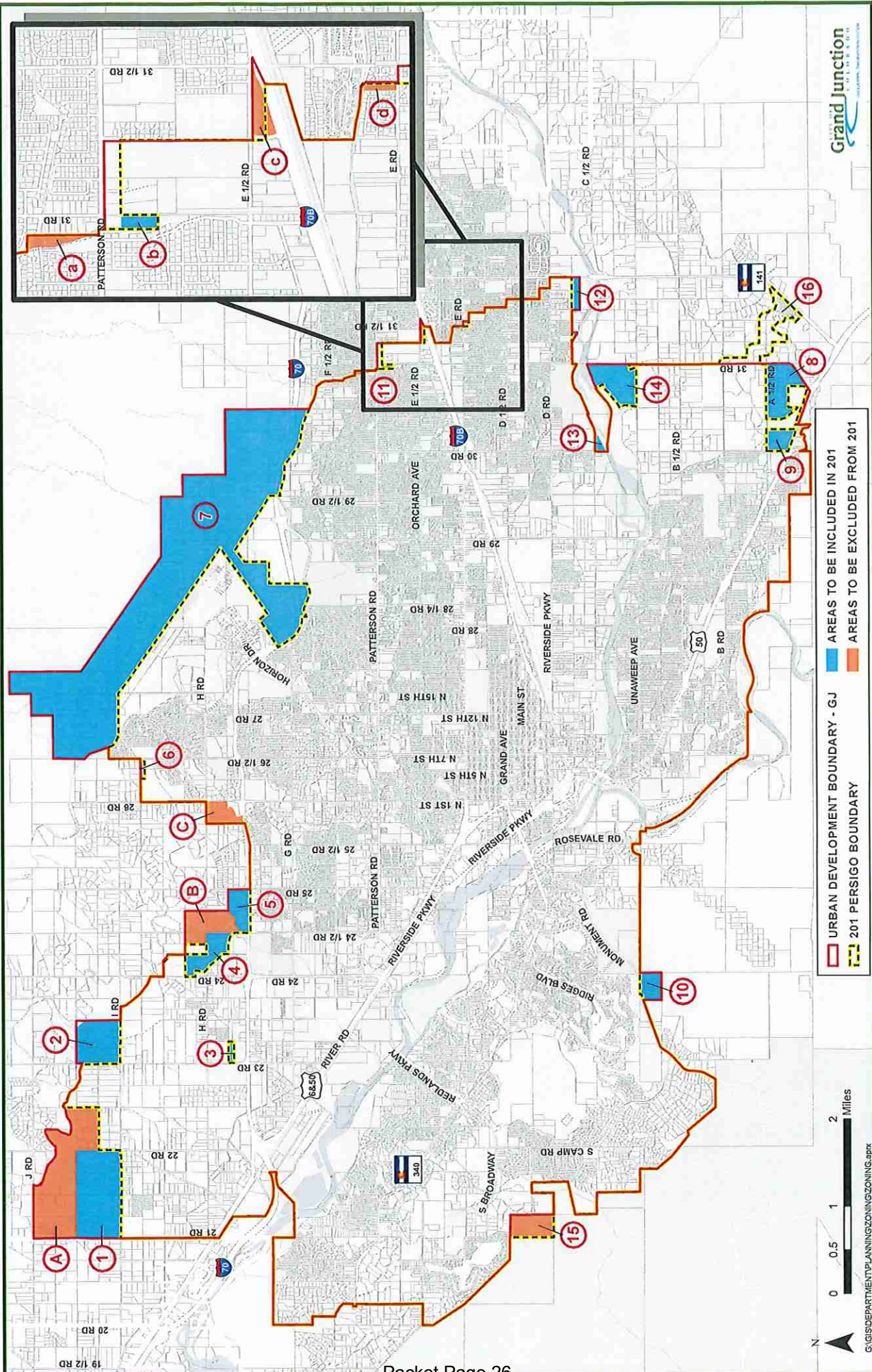
City Clerk

Board of County Commissioners of
Mesa County, Colorado

Bobbie Daniels, Chair.

Attest: _____

Bobbie Jo Gross, Clerk & Recorder



URBAN DEVELOPMENT BOUNDARY - GJ
 AREAS TO BE INCLUDED IN 2011
 AREAS TO BE EXCLUDED FROM 2011
 2011 PERSIGO BOUNDARY

0 0.5 1 2 Miles



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Persigo Boundary and UDB Boundary - 2024		County Map	
Number	City	Number	County
1	Include in 201	1	Include in 201
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4	Include County Revised Boundary in 201	4	Include in 201
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11 (a)	Exclude from 201 and UDB		
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11 (b)	Include in 201		
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13	Include in 201 and UDB - (State owned land - potential for housing)		
14	Include in 201 - Future inclusion after gravel mining is complete/reclaimed		
15	Exclude from 201, BLM Land that may transfer to National Monument		
16	Served by 201, not within UDB		

MESA COUNTY AGENDA ITEM SHEET

Hearing Date Requested: 7/9/2024
Submitter: BRENDA.WISEMAN
Presenter: Todd Starr
Return originals to: rocio.leon
Number of originals to return to submitter: 0
Contract Due Date: 07/31/2024

To: Mesa County Board of Commissioners

Type of Item: Agreement

Item Title/Recommended Board Action: Consider approving the Second Amendment to the 1998 Intergovernmental Agreement between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System

Justification or Background: In October 1998, the Mesa County Board of Commissioners and the City Council entered into an Intergovernmental Agreement Relating To City Growth And Joint Policy Making For The Persigo Sewer System. That agreement was first amended in April 2001 with the authorization of certain connections to the Valle Vista Sanitary Sewer Interceptor. The attached form of agreement (Second Amendment and Exhibits) addresses certain points of contention that have arisen out of and under the Agreement regarding the operations and effect of the Agreement on the Persigo system and the Goals and Policies of the Agreement. The proposed Second Amendment resolves the issues as defined and described therein to the reasonable, current mutual satisfaction of the County and the City.

On October 13, 1998, the Mesa County Board of Commissioners on half of Mesa County (County) and the City Council on behalf of the City of Grand Junction (City) entered into an Intergovernmental Agreement Relating To City Growth And Joint Policy Making For The Persigo Sewer System. That agreement came to be known as the Persigo Agreement. On April 2, 2001, the City and County authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the Agreement. Since 2001, the City and the County have discussed the Agreement, the operations of the Persigo system and certain points of contention that have arisen out of and under the Agreement regarding the operations and effect of the Agreement on the Persigo system and the Goals and Policies of the Agreement. The City and the County deliberated and discussed the issues and have come to a consensus on how to resolve certain of those, as defined and described in the proposed agreement, to the reasonable, current mutual satisfaction of the County and the City

Fiscal Impact: This item is budgeted in the following account code:
County: \$0 Federal: \$0 State: \$0 Other: \$0

Review:

Administration: Amy Russell
County Attorney: Brenda Wiseman
Finance: Diane Dziewatkoski
Risk: Dayton Waddell

SECOND AMENDMENT
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1998 Intergovernmental Agreement
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WHEREAS, on or about October 13, 1998, the Parties entered into the *1998 Intergovernmental Agreement Between The City Of Grand Junction And Mesa County Relating To City Growth And Joint Policy Making For The Persigo Sewer System October 13, 1998* (the "1998 Agreement"); and,

WHEREAS, on or about April 2, 2001, the Parties authorized certain connections to the Valle Vista Sanitary Sewer Interceptor and thereby amended the 1998 Agreement (the "2001 Agreement"); and,

WHEREAS, the Parties have discussed the 2001 Agreement, the operations of the Persigo sewer plant ("System") and certain points of contention as of June 30, 2023, regarding the operations and effect of the 2001 Agreement (the "Issues") on the System and the Goals and Policies of the 2001 Agreement; and,

WHEREAS, the Parties have deliberated the Issues and have come to agreement on how to deal with certain of those, the Parties by and with full authority do enter into this Agreement; and,

WHEREAS, the Parties agree this Agreement governs and resolves the Issues as defined, described and resolved to their current mutual satisfaction;

NOW THEREFORE, in consideration of the joint and mutual promises contained herein, and other good and valuable consideration the receipt and sufficiency of which is acknowledged, the Parties hereto state and agree as follows:

1. **Alignment of the UGA (nka UDB) and 201 Boundary**: Section 14(a) of the 2001 Agreement expresses the Parties' joint desire that the UDB and the 201 boundaries align. By and with this Agreement and as shown on the attached exhibit (labeled Exhibit A) the UDB and the 201 boundaries are hereby aligned and declared by the Parties to be one and the same (hereinafter "2024 UDB"). Exhibit A is incorporated herein as if fully set forth.

Provided, further, there shall be no change to either the 201 or the 2024 UDB, without the prior approval of both the City and County.

2. **Land Use Authority**: By December 31, 2024, the County agrees to consider a Resolution which would result in the County adopting and applying the City's land use authority within the 2024 UDB boundary. The County Planning Commission has adopted the City's Land Use Plan and with the adoption of the Resolution by the Commissioners will, for properties located within the 2024 UDB, include the same in the County's Master Plan. Furthermore, as the City's Land Use Plan for properties located in the 2024 UDB changes the Commissioners agree to consider including those amendments in the County's Master Plan so that the City and the County have common plans for the UDB as it may change over time. It is the Parties intention that the adoption and incorporation of the City Land Use Plan in the County's Master Plan will serve as a Joint Urban Area Plan ("JUP") as contemplated by the 2001 Agreement.
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that provides sufficient detail of the use of the County's funds to enable County to satisfy the requirement of its annual audit. For purposes of a 2024 Annual Contribution the County will prorate the Annual Contribution based on the number of months remaining in 2024 following the execution of this Agreement by the Parties.

BOARD OF COUNTY COMMISSIONERS OF
MESA COUNTY, COLORADO

Bobbie Daniels
Chair.

Attest: _____
Bobbie Jo Gross
Clerk & Recorder

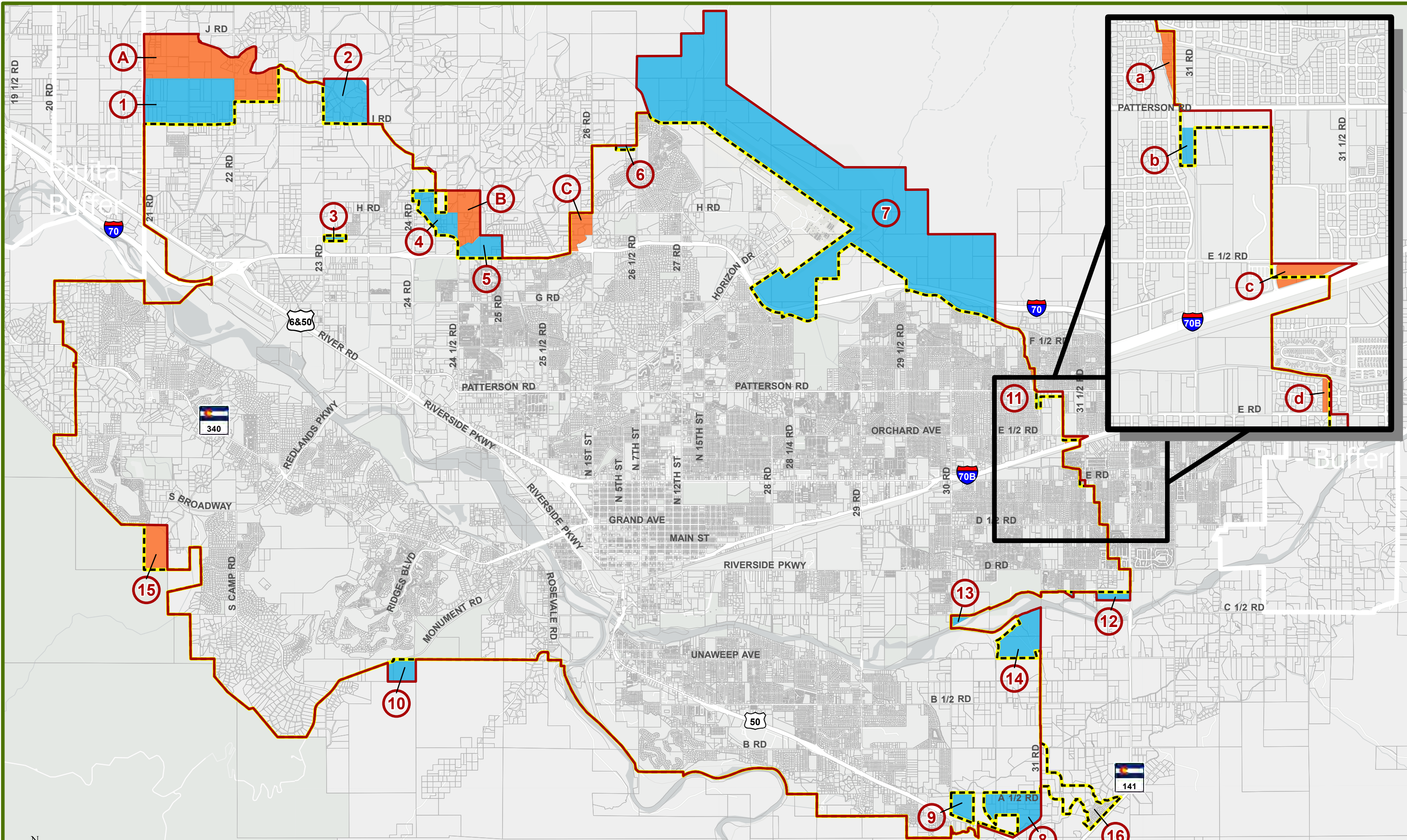
CITY OF GRAND JUNCTION

Anna M. Stout
President of the City Council

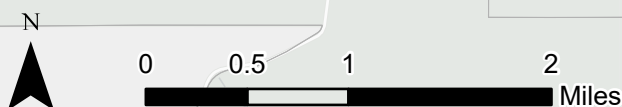
Attest:

Amy Phillips
City Clerk

Persigo Boundary and UDB Boundary Recommendations - 2024		County Map	
Number	City Staff Recommendations	Number	County Recommendations
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11 (b)	Include in 201		
12	Include in 201		
13	Include in 201 and UDB - (State owned land - potential for housing)		
14	Include in 201 - Future inclusion after gravel mining is complete/reclaimed		
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16	Served by 201, not within UDB		



URBAN DEVELOPMENT BOUNDARY - GJ	AREAS TO BE INCLUDED IN 201
201 PERSIGO BOUNDARY	AREAS TO BE EXCLUDED FROM 201



Persigo Boundary and UDB Boundary Recommendations - 2024

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16	Served by 201, not within UDB		



September 30, 2024

Dear Property Owner,

The Persigo Board, comprised of all the members of the Grand Junction City Council and Mesa County Board of County Commissioners, recently approved changes to the Persigo 201 Sewer Service Boundary in April and July 2024 respectively. The change was part of the Second Amendment to the Persigo Agreement, which states that the "Agreement expresses the Parties' joint desire that the Urban Development Boundary (UDB) and the 201 boundaries align." This 201 Sewer Service boundary change removed areas from the 201 Service area boundary.

This 201 boundary change by the Perisgo Board affects the City of Grand Junction One Grand Junction Comprehensive Plan and the Mesa County Master Plan that provide the boundaries for urban growth, as areas planned for urban growth and development require sewer service. With the establishment of the new 201 sewer service area boundary the city and county now need to adjust the UDB to be congruent with the 201 Boundary.

The recent changes to the 201 boundaries removed your property from the 201 sewer service area so that, in the future, extension of sewer to your property will not be considered. Proposed changes to the UDB will also remove your property from the UDB since urban level development is not feasible for properties not included within the 201 boundary. Maps are included with this letter which show the four areas affected by the proposed UDB boundary changes.

The Mesa County and the City of Grand Junction invite you to provide additional information on the proposed UDB changes and offer an opportunity to answer your questions. The meeting has been scheduled for 5:30 pm on October 23, 2024 at the Mesa County Library, Community Room (Mesa and Monument Rooms), 443 N. 6th Street in downtown Grand Junction.

For the UDB changes to become effective, they will be heard at public hearings by the Mesa County Planning Commission as well as Grand Junction Planning Commission (recommendation) and City Council (decision).

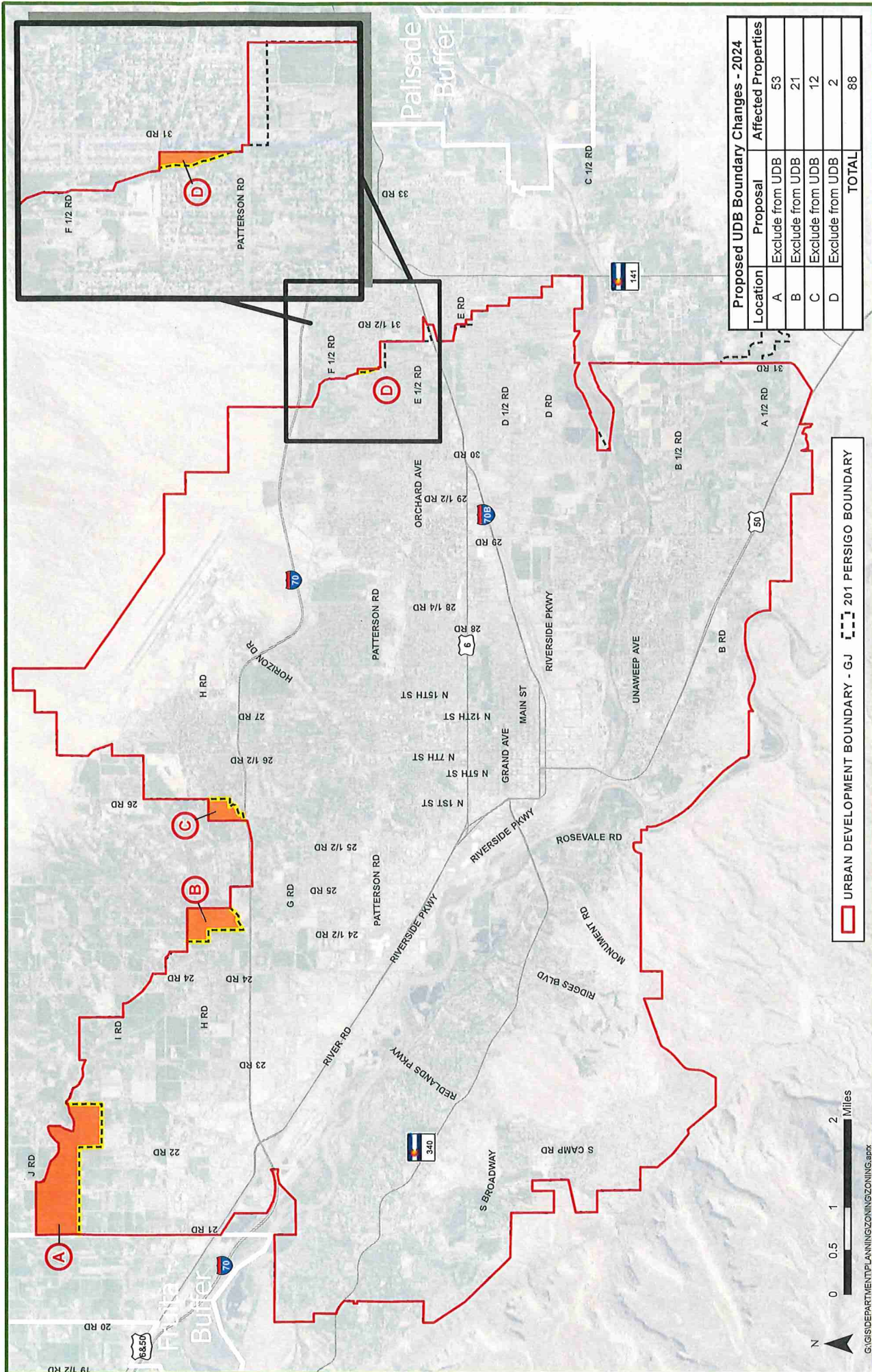
If you have any questions, feel free to reach out to us.

Respectfully,

David Thornton, Principal Planner
City of Grand Junction
970-244-1450
davidth@gjcity.org

Greg Moberg, Community Dev. Director
Mesa County
970-244-1650
greg.moberg@mesacounty.us

Enclosure



Proposed UDB Boundary Changes - 2024		
Location	Proposal	Affected Properties
A	Exclude from UDB	53
B	Exclude from UDB	21
C	Exclude from UDB	12
D	Exclude from UDB	2
TOTAL		88

URBAN DEVELOPMENT BOUNDARY - GJ
 201 PERSIGO BOUNDARY



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**City of Grand Junction and Mesa County
Proposed Changes to Urban Development Boundary (UDB)
Information Meeting**

Mesa County Library, Downtown

October 23, 2024

Please Sign In

Name

Address

Email

DAH KOMLO

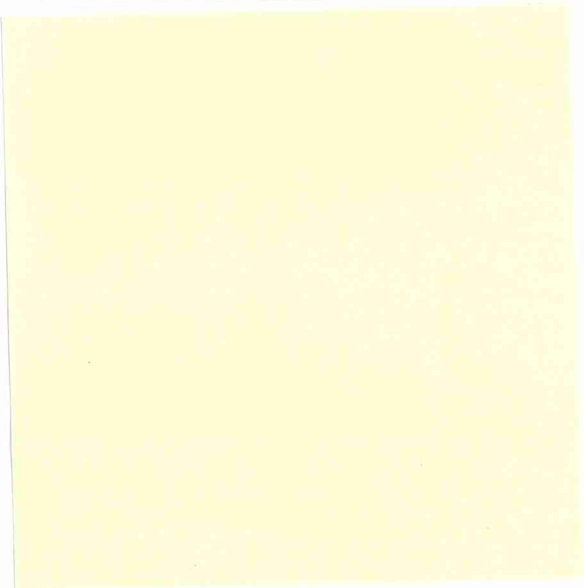
852 24¹/₂ RD

DAVE ZOLLNER

2545 CANADAN

LARRY TILG

775 26 RD



STAFF IN ATTENDANCE

- ① DAVE THORNTON - City of GJ
- ② TIM Lehrbach - City of GJ
- ③ TAMRA Allen - City of GJ
- ④ Greg Moberg - Mesa County

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

AN ORDINANCE AMENDING THE *ONE GRAND JUNCTION COMPREHENSIVE PLAN (COMPREHENSIVE PLAN)*, BY AMENDING THE URBAN DEVELOPMENT BOUNDARY (UDB) AND AMENDING THE INTENSIFICATION AND GROWTH TIERS MAP, TITLE 31 OF THE GRAND JUNCTION MUNICIPAL CODE (GJMC) AND TO REPEAL AND REPLACE THE LAND USE MAP FOUND ON PAGE 59 OF THE ONE GRAND JUNCTION COMPREHENSIVE PLAN, CHAPTER 3 AND REPEAL AND REPLACE THE INTENSIFICATION AND GROWTH TIERS MAP FOUND ON PAGE 57 AND REPEAL AND REPLACE THE SERVICE AREA AND DEVELOPMENT MAP FOUND ON PAGE 52 OF THE ONE GRAND JUNCTION COMPREHENSIVE PLAN APPENDIX B (ORDINANCE NO. 4971).

ESTABLISHING A LAND USE DESIGNATION OF RESIDENTIAL LOW ON THE LAND USE MAP FOR TWO PROPERTIES THAT HAVE BEEN ADDED TO THE 201 BOUNDARY AND UDB AND INCLUDE THE TWO PROPERTIES IN THE TIER 2 AREA ON THE INTENSIFICATION AND GROWTH TIERS MAP, CHAPTER 3 OF THE ONE GRAND JUNCTION COMPREHENSIVE PLAN

Recitals:

The City of Grand Junction on April 17, 2024 and Mesa County on July 9, 2024 approved the Second Amendment to the 1998 Intergovernmental Agreement (Persigo Agreement) between the City of Grand Junction and Mesa County relating to City growth and joint policy making for the Persigo Sewer System.

The Persigo Agreement requires development to be consistent with the adopted Comprehensive Plan. The parties agreed that the UDB and the 201 Boundaries should be the same.

The UDB and the 201 boundaries do not currently align. The Second Amendment to the Persigo Agreement amended the 201 Boundary and expanded it further into the UDB and with the Agreement aligned and declared them to be one and the same (hereinafter "2024 UDB").

Aligning the two boundaries provides clarity and predictability for landowners, neighbors, the development community and the City and County. It helps anticipate infrastructure needs, predicting the size and location for long term community needs.

An aligned boundary helps better accommodate growth, providing the growth that was anticipated with the Comprehensive Plan and providing locations for urban development to expand.

The One Grand Junction Comprehensive Plan established a Land Use Plan (Chapter 3) in the One Grand Junction Comprehensive Plan. When property is added to the UDB, establishing the appropriate Land Use designation for each property is necessary.

The One Grand Junction Comprehensive Plan established three Growth Tiers. When property is added to the UDB, establishing the appropriate Growth Tier for each property is necessary.

The City desires to formalize the change to the UDB and establish a land use designation Growth Tier assignment for added properties to the UDB by following the requirements of the City's Municipal Code Section 21.02.050(e) Comprehensive Plan Amendment, Non Administrative.

The Planning Commission reviewed and considered the amendments to the One Grand Junction Comprehensive Plan in a public hearing on November 12, 2024, found and determined that it satisfies the criteria in 21.02.050(e)(4)(iii) of the Zoning and Development Code and is consistent with the purpose and intent of the Comprehensive Plan, and recommended adoption of the amendments to the Plan.

The City Council has reviewed and considered amendments to the One Grand Junction Comprehensive Plan and determined that it satisfied the criteria in 21.02.050(e)(4)(iii) of the Zoning and Development Code and is consistent with the purpose and intent of the Comprehensive Plan.

After due consideration the City Planning Commission and City staff recommend that the City Council amend the One Grand Junction Comprehensive Plan.

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

In consideration of and with the adoption of the foregoing Recitals the following amendments are made to the *Comprehensive Plan*:

GJMC TITLE 31, *Comprehensive Plan* of the City of Grand Junction, Colorado is hereby amended the following elements:

A. Chapter 31.04.010

Change the Urban Development Boundary (UDB) to align with the Persigo 201 Boundary as established by the Persigo Board in 2024. See Exhibit A.

Update the UDB and 201 boundaries on the Land Use Map, Repeal and Replace the Land Use Map (pg. 59). See Exhibit B.

Update the UDB and 201 boundaries on the Intensification and Growth Tiers Map, Repeal and Replace the Intensification and Growth Tiers Map (pg. 57). See Exhibit C.

Update the UDB and 201 boundaries on the Service Area and Development Map, Repeal and Replace the Service Area and Development Map (pg. 52).

Establish the Residential Low Land Use designation on two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Land Use Map in chapter 3 of the Comprehensive Plan (pg. 59).

Establish the Tier 2 designation on the Intensification and Growth Tiers Map for two properties (Tax parcels 2943-213-00-064 and 2943-213-00-065), including them on the Intensification and Growth Tiers Map in chapter 3 of the Comprehensive Plan (pg. 57).

The full text of this Ordinance, including the attached text One Grand Junction Comprehensive Plan, shall, in accordance with paragraph 51 of the Charter of the City of Grand Junction, shall be published in pamphlet form with notice published in accordance with the Charter and ordinances of the City.

INTRODUCED on first reading the ___ day of _____ 2024 and ordered published in pamphlet form.

ADOPTED on second reading the ___ day of _____ 2024 and ordered published in pamphlet form.

Abram Herman
President of the City Council

ATTEST:

Selestina Sandoval
City Clerk

Exhibit A

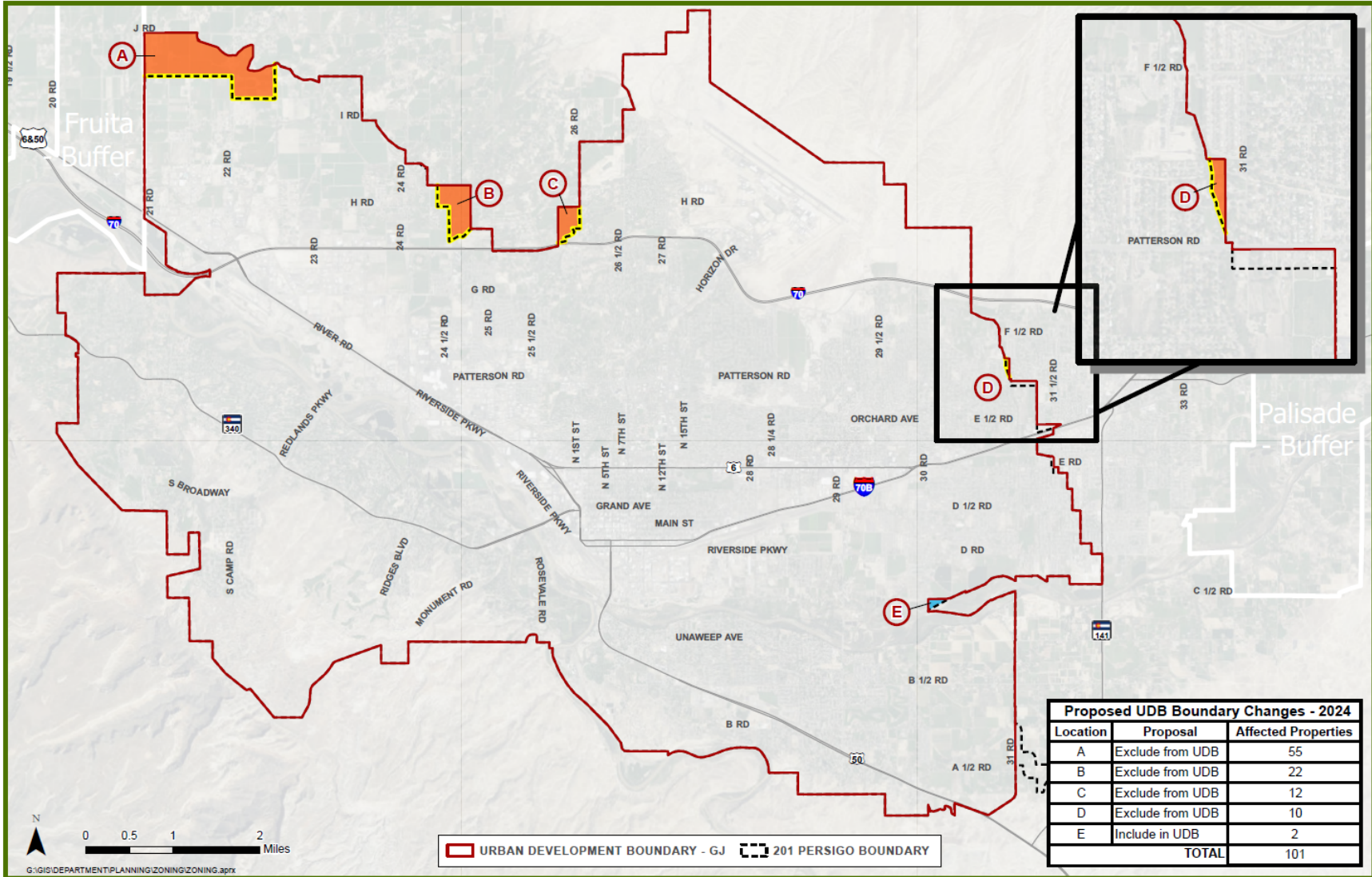


Exhibit B

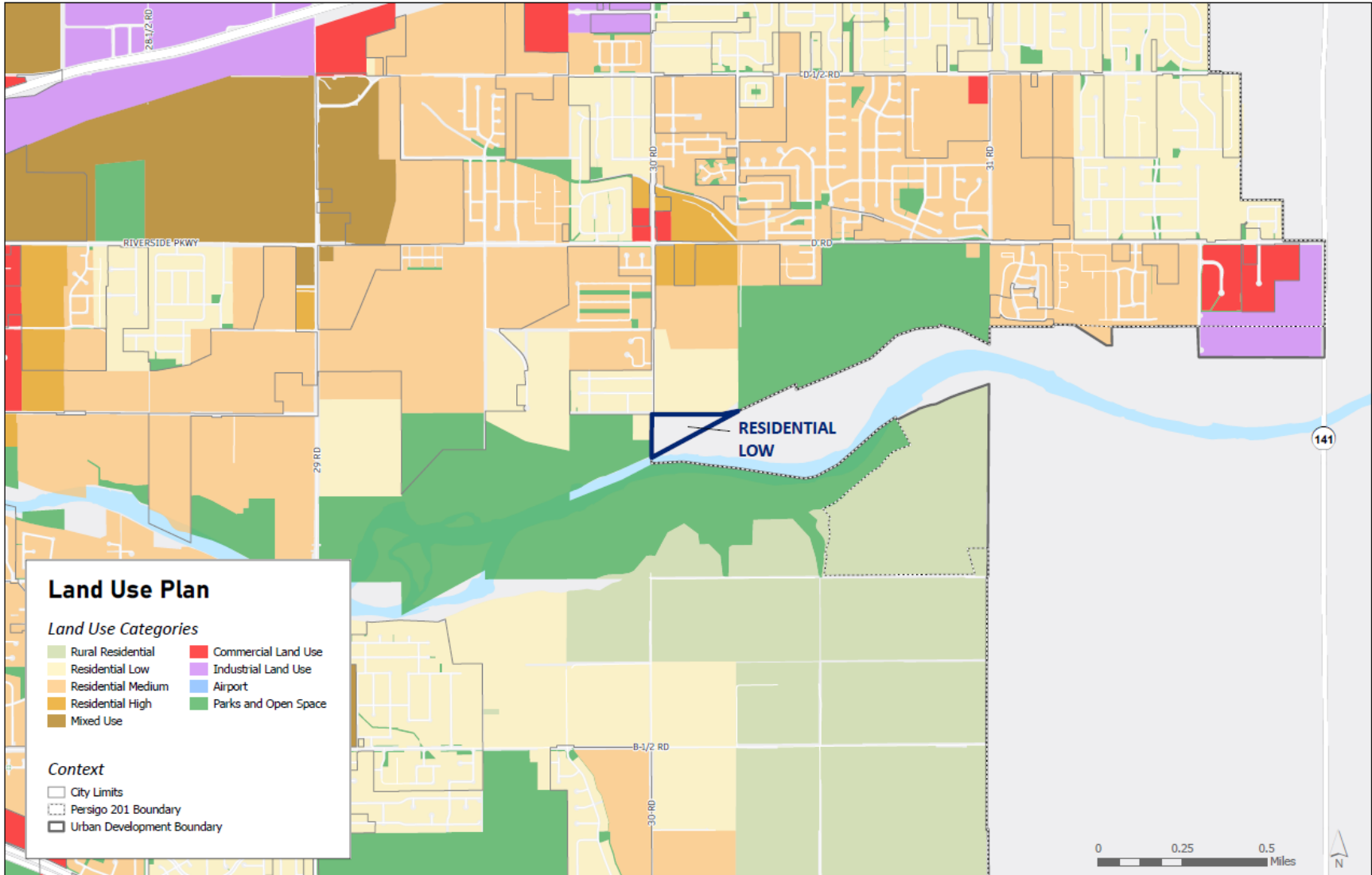
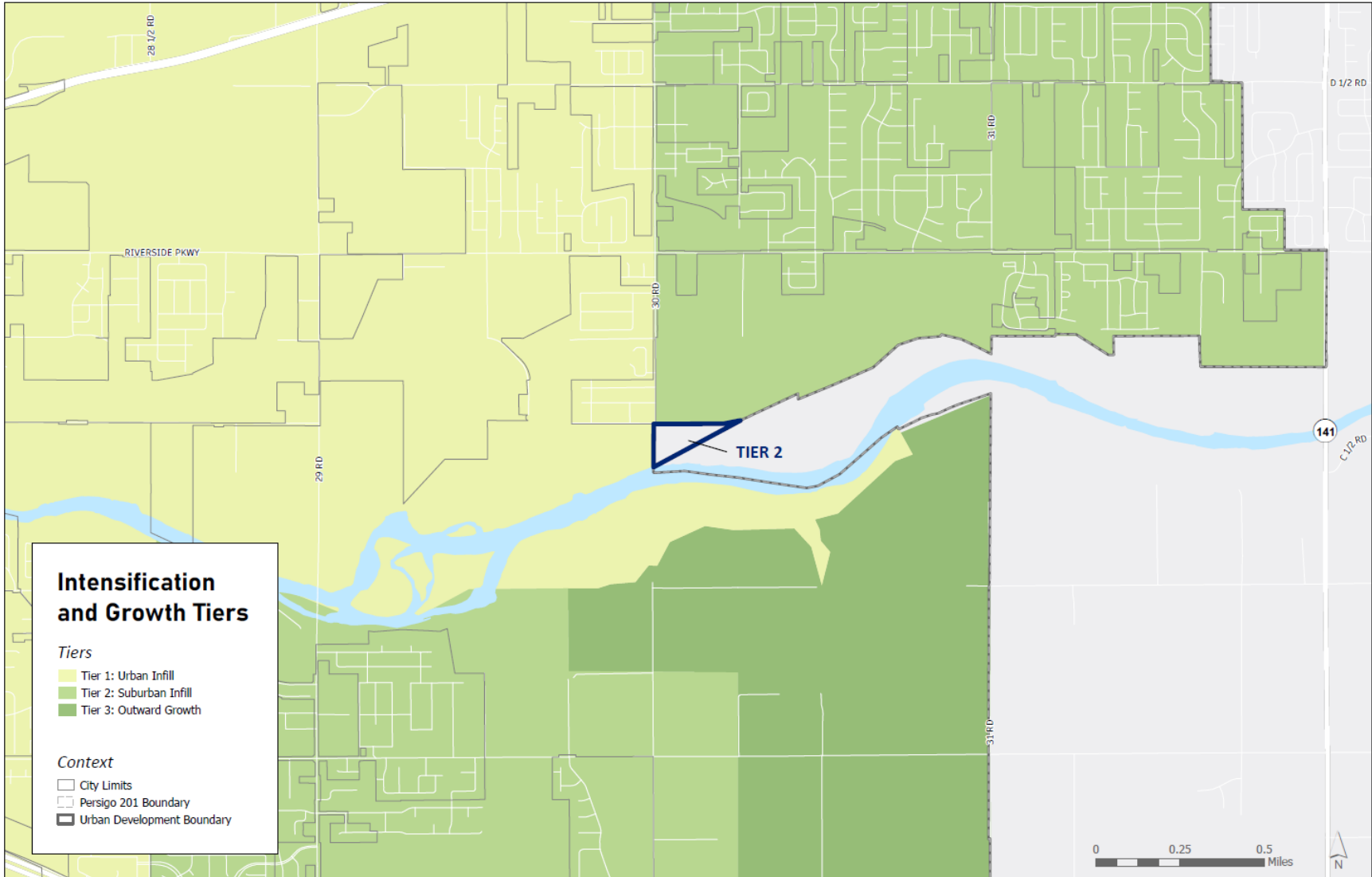


Exhibit C





Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: November 12, 2024
Presented By: Niki Galehouse, Planning Supervisor
Department: Community Development
Submitted By: Niki Galehouse, Planning Manager

Information

SUBJECT:

Consider Amendments to Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Application Outreach Meetings, Withdrawn Applications, Public Notice, Minor Plat Amendments, Simple Subdivisions, Administrative Changes to the Comprehensive Plan, Non-Administrative Comprehensive Plan Amendments, Conditional Use Permits, Permitted Encroachments, Mixed-Use Districts Regulations, Public, Civic, and Institutional Campus (P-2) Zone District Regulations, Principal Use Table, Use-Specific Standards for Industrial Uses, Accessory Uses and Structures, Accessory Use-Specific Standards, Temporary Uses and Structures, Shared Driveway (Autocourt) Standards, Residential Compatibility Standards, Preservation of Significant Trees, Off-Street Parking and Loading, Measurements, and Definitions.

RECOMMENDATION:

Staff recommends approval of this request.

EXECUTIVE SUMMARY:

When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice, have challenges with implementation of new practice, or could use additional clarification.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City contracted with Clarion Associates in December 2021 to update the City's Zoning and Development Code with the intent of updating regulations to better reflect the key principles and policies described in the 2020 One Grand Junction Comprehensive Plan, achieve a higher level of regulatory efficiency, consistency, and simplicity, and identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies. When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice, have challenges with implementation of new practice, or could use additional clarification.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code (2023 ZDC).

GJMC 21.02.030(c)(5)(iii) Application Outreach Meetings, Notice (Update)

Notice requirements in the 2023 ZDC included posting a copy of the neighborhood meeting notice in two public places within 1,000 feet of the site. With many project sites, finding public locations within this distance has proven to be difficult. Additionally, if the applicant or project has a website, it must be posted on that as well. This is difficult to enforce and monitor, and as it is not required for the applicant to create a project website it can create a disparity in requirements between projects. This amendment removes both of these requirements.

GJMC 21.02.030(f)(1)(iii) Complete Applications with Changed Status, Withdrawn Application (General)

There has been some confusion regarding the correct procedure for an application that may need to be pulled from a public hearing agenda to be remanded back to staff for a technical issue. This amendment removes the requirement to wait 120 days and resubmit a new application after requesting withdrawal. This would leave the process following a request to withdraw at the discretion of the Director and could be determined based on the reasons for withdrawal, which could vary greatly.

GJMC 21.02.030(g)(3)(vi)(B) Public Notice and Public Hearing Requirements, Mailed Notice (General)

Historically, mailed notices have been required to be sent to any homeowners' association (HOA) that falls within 1,000 feet of a subject property. This requires that the HOA be registered with the City and that the registration be maintained and current. The HOAs within the City are not diligent about this process. It generally falls to City staff to maintain & seek updated information, with a low success rate. The accuracy and completeness of the list on-hand is not at a level staff feels comfortable with being able to relay to the community that their HOA will be noticed, so this

amendment removes that requirement.

GJMC 21.02.040(a, h, & j) Minor Plat Amendments & Simple Subdivision (Update)

Historically, the simple subdivision has been a misnomer, leading an applicant to believe that the process will be easy. The intent of these amendments are to change the name of the Simple Subdivision to a Minor Subdivision to provide a more accurate representation of the application type. In reviewing this, it came up in conversations with the legal and survey staff that the Minor Plat Amendment process is not necessary as the items covered within it are either outlined in Colorado Statutes or within the Minor Subdivision process.

GJMC 21.02.040(f) & 21.02.050(e) Comprehensive Plan Changes and Amendments, Purpose (Update)

The purpose sections in the administrative and public hearing Comprehensive Plan revision sections were flipped, with the administrative section referring to amendments and the public hearing section referring to administrative changes. These amendments clarify the purpose of each section to appropriately reflect its process.

GJMC 21.02.050(f) Conditional Use Permit (Update)

This amendment fixes an incorrect section reference in the Public Notice and Public Hearing Requirements section of the Conditional Use Permit process.

GJMC 21.03.040(e) Setback Exceptions, Permitted Encroachments (Update)

The list of setback encroachments was modified with the 2023 ZDC to be more specific. However, in this transition, pergolas were unintentionally dropped from the list. They previously were allowed to encroach any distance into any setback. This revision adds them back to the list and adds a definition for a pergola.

GJMC 21.03.060(d), Mixed-Use Districts (Update)

This amendment fixes an incorrect name title for the MU-2 zone district. It should be Mixed-Use Light Commercial, not Mixed-Use Corridor.

GJMC 21.03.080(d) Public, Civic, and Institutional Campus (P-2) Regulations (Update)

The P-2 district regulations refer to residential districts for bulk standards, but did not have the language that provided how these were to be used which was present in other zone districts, such as the Mixed-Use districts. The first part of the amendments to this section adds this language and removes the applicability of the remaining bulk standards to the interior of the property, as they would already be meeting setbacks inside the site.

The second part of the amendment to this section is to remove the limitation that property within the P-2 district may not be subdivided. This was initially put into place as a precaution to prevent the misuse of the zone district to circumvent the density standards of the land use designation. However, upon further review of the ownership of the properties with this classification, it is unlikely that this will be an issue and it prevents reasonable development on public properties.

GJMC 21.04.020(e) Principal Use Table, Dwelling, Duplex (Update)

The Public, Civic, and Institutional Campus (P-2) district is intended to provide housing in support of other civic uses. It came to staff's attention that the Dwelling, Duplex use was not permitted here and this revision adds the use.

GJMC 21.04.020(e) Principal Use Table, Outdoor Entertainment and Recreation (General)

The Public Parks and Open Space (P-1) and Public, Civic, and Institutional Campus (P-2) districts are intended to serve a variety of uses, including passive and active recreation in the form of parks and other entertainment venues. It came to staff's attention that the Outdoor Entertainment and Recreation use was not permitted in the P-1 district and was only permitted by Conditional Use Permit in the P-2 district. This revision makes the use allowed by-right in both districts.

GJMC 21.04.020(e) Principal Use Table, Industrial, Light and Heavy (Update)

The Industrial/Office Park district was retired with the 2023 ZDC. As part of the update, the best effort was made to leave allowed uses in any districts which were determined to be retired the same. There appears to have been an error in the Industrial/Office Park, Retired allowed uses, as Industrial, Heavy is allowed and Industrial, Light is not. These should be the opposite, which this revision accomplishes.

GJMC 21.04.020(e) Principal Use Table, Tower, Concealed (Update)

Concealed cell towers in the pre-2023 ZDC were allowed by-right in all certain zone districts to encourage placement in those districts with streamlined permitting and to encourage the use of concealed tower design. The Mixed-Use Light Commercial (MU-2), General Commercial (CG), Light Industrial (I-1), and Heavy Industrial (I-2) districts inadvertently listed Tower, Concealed as a conditional use instead of allowed in the 2023 ZDC. This revision corrects the use table accordingly.

GJMC 21.04.030(e)(3-4) Use-Specific Standards, Industrial Uses (Update)

There are two revisions within this section of the 2023 ZDC. The first adds clarifying language allowing incidental sales for mini-warehouse uses as well as the provision of a moving vehicle, provided no rental is occurring to the general public. The second revision cleans up an incorrect code reference for screening standards for commercial outdoor storage.

GJMC 21.04.040(c)(3) General Standards for Accessory Uses and Structures, Location (General)

There has been some difficulty surrounding the application of the locational standards for accessory structures for accessory dwelling units (ADUs) on corner lots. Often, there is no way to add an ADU on a corner lot unless it is in the exterior side lot, so the provision as currently written precludes the use. This revision provides relief for corner lots so an ADU may be permitted in these locations.

GJMC 21.04.040(e)(2)(iii)(B) Accessory Use-Specific Standards, Prohibited Home

Occupations (Update)

The 2023 ZDC left an incomplete sentence in this section. This revision fills in the blank, which is that the use cannot have combustible or hazardous materials. It also found that the second half of the provision should be its own subsection, so this is separated as well.

GJMC 21.04.050(c)(5) Temporary Uses and Structures (Update)

It has come to staff's attention that with the classification in the 2023 ZDC of an emergency shelter as a temporary use, there may be a need for the use to extend past the 120 day limit of a traditional temporary use. This revision allows the Director to provide a one-time extension of up to 60 days if there are severe weather conditions that necessitate longer operation of such a shelter.

In addition, the provision which exempts mobile food vendors from the 30 day waiting period is often missed, so it has been separated into its own provision.

GJMC 21.05.020(e)(5)(iii)(A) Shared Driveway (Autocourt), Access (Update)

During the 2023 ZDC update, it was discussed with the Code Committee and engineering staff that the limitation of 5 dwelling units accessing off a shared driveway would be removed. This was inadvertently missed. This revision removes this requirement and puts the applicant on notice that criteria through the building, fire, and subdivision review process may provide other sources of limitation to the maximum number of units which may ultimately access off a shared driveway.

GJMC 21.05.050(c)(1 & 4), (d) Residential Attached and Multifamily Design Standards (Update)

There are two provisions in the new Residential Attached and Multifamily Design Standards section that have come to light as being difficult to implement with rigid 'shall' language – one requiring a mix of housing types and the other requiring energy conservation in the building design. The mix of housing types should be highly encouraged, but requiring it would limit the ability of a developer to provide, for example, an apartment complex. While energy conservation is highly encouraged, staff does not typically get involved in the review of building construction plans. This requirement would need more detail to be truly enforceable by staff.

Finally, the last revision changes the language from four to three apartment buildings in the example of applicability. While the four is also applicable, it has caused some confusion amongst users and staff feels that using three here would be easier to understand.

GJMC 21.07.040(d)(1) Preservation of Significant Trees (General)

A situation arose where a property had a large quantity of trees that staff would like to encourage preservation for, but did not have the ability to leverage an incentive within the landscaping regulations. This provision adds that flexibility by providing that the City Forester can make a determination that trees under the minimum threshold to be considered significant can be approved for credit towards preservation.

GJMC 21.08.010(d)(2)(iii)(A) Alternative Parking Plans, Ineligible Activities (General)

The Code does not allow for an alternative parking plan to be used for residential or small retail uses. Staff believes there would be value in allowing this flexibility for these uses. They would still need to meet the remaining criteria for an alternative parking plan to be approved. This revision removes the prohibition for these uses and allows them to be eligible.

GJMC 21.08.010(e)(4)(iii) Vehicle Parking Location and Design, Pedestrian Crossings (General)

The Code requires that there be a pedestrian crossing every three drive aisles or a distance not to exceed 150-feet. The 150-foot distance puts the crossing in a location that is difficult to manage given the length of vehicle stalls and width of drive aisles, making it a very difficult standard to meet. This revision removes the distance alternative and simply makes the standard every three drive aisles.

GJMC 21.14.010(c)(1&4) Measurements, Frontage & Lot Width (General)

There was duplicity in the way in which the calculation of lot or street frontage and lot width were described, but also different minimum standards for lot frontage and lot width in the bulk standards. Lot frontage and street frontage are used in different contexts throughout the ZDC, so staff does not find it appropriate to remove one or the other at this time. However, this revision cleans up the calculation methods so they appropriately reflect how the measurement is taken and the intent of the minimum standards.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.030(g). Notice of the public hearing was published on November 3, 2024 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between November 5 and November 11, 2024 through the GJSpeaks platform.

ANALYSIS

The criteria for review are set forth in Section 21.02.050(d) of the Zoning and Development Code, which provides that the City may approve an amendment to the text of the Code if the applicant can demonstrate evidence proving each of the following criteria:

(A) Consistency with Comprehensive Plan

The proposed Code Text Amendment is generally consistent with applicable provisions of the Comprehensive Plan.

The proposed amendments to the 2023 Zoning & Development Code are generally consistent with the Comprehensive Plan. Plan Principle 11 seeks to create effective government through Strategy 3.c., which encourages the evaluation of existing practices and systems to find opportunities for improvement of outcomes. The proposed revisions are the result of a constant evaluation of existing practices and

regulations and seek to provide resolution and excellent customer service. Staff finds this criterion has been met.

(B) Consistency with Zoning and Development Code Standards

The proposed Code Text Amendment is consistent with and does not conflict with or contradict other provisions of this Code.

The proposed amendments to the 2023 Zoning & Development Code are consistent with the rest of the provisions in the Code and do not create any conflicts with other provisions in the Code. Staff finds this criterion has been met.

(C) Specific Reasons

The proposed Code Text Amendment shall meet at least one of the following specific reasons:

The proposed amendments to the 2023 Zoning and Development Code (ZDC) all meet specific reasons identified in this criterion for review. Each amendment is identified with its appropriate reason below.

- a. To address trends in development or regulatory practices;
 - Temporary Uses and Structures:* This amendment **modifies requirements** in the code to address the potential need to allow emergency shelters longer than a standard 120-day period if weather is unusually cold. It acknowledges that there may be unusual circumstances which necessitate deviation from the norm to ensure the health, safety, and welfare of the City's residents.
 - Shared Drive Dwelling Unit Limit:* This amendment **modifies requirements** in the code to address shifting practices which desire to provide access to more than five homes. There are situations where a duplex may be appropriate on a lot or other scenarios in which a greater number of units could be accommodated. The number of units will be naturally limited by other site design requirements.
 - Alternative Parking Plan Limitations:* The amendment to the alternative parking plan regulations **modifies requirements** to address trends to reduce parking requirements and provide flexible solutions, regardless of use.
- b. To expand, modify, or add requirements for development in general or to address specific development issues;
 - Setback Exceptions, Permitted Encroachments:* The amendment to the permitted setback encroachments **modifies requirements** to address an inadvertent oversight in the 2023 ZDC which left pergolas out of the table. This correction will allow pergolas to encroach in the setback as allowed under the previous code.
 - Industrial Use-Specific Standards:* The amendment to the use-specific standards for mini-warehouse regulations **modifies requirements** to address

a common practice to sell boxes and other incidental goods from the office of the property. The current language would prohibit this. In addition, it allows for provision of a rental vehicle, which is a different level of intensity than a truck rental service operating to the public out of the site. The last change here is a correction to an incorrect section reference for screening standards for outdoor commercial storage.

Accessory Dwelling Unit Location: The amendment to the location restrictions on accessory structures **modifies requirements** to respond to the need for additional housing units and the limitation that is placed on corner lots. Changing this requirement will allow for the easier construction of ADUs on these properties.

Residential Attached and Multifamily Design Standards: This amendment **modifies requirements** to make the standards easier to comply with and to reduce the need to discourage needed housing types. It also clarifies an example to make a regulation easier to understand.

Significant Tree Preservation: The amendment to the significant tree preservation regulations expands requirements to allow for additional flexibility in the preservation of existing, healthy trees.

Pedestrian Crossings in Parking Lots: This amendment **modifies requirements** to apply a logical approach to the spacing of pedestrian crossings in parking lots.

Frontage and Lot Width Measurements: The amendment to the measurement methodology for frontage and lot width **modifies requirements** to account for practical application of the terminology.

- c. To add, modify or expand zone districts; or

Mixed-Use Light Commercial (MU-2): This amendment **modifies zone districts** to correct a scrivener's error in the title of the zone district name.

Public, Civic, and Institutional Campus (P-2): The amendment to the Public, Civic, and Institutional Campus (P-2) zone district **modifies the zone district** to account for the potential use of sites as strictly residential and removes the prohibition on subdividing the properties.

Duplex Dwelling Unit, Principal Use Table: The amendment to the Public, Civic, and Institutional Campus **expands the zone district** to allow for an additional use type which allows greater flexibility for potential residential development. The duplex dwelling unit use has the potential to provide greater compatibility with surrounding residential zone districts and the exclusion in this zone district was unintentional in the 2023 ZDC update.

Outdoor Entertainment and Recreation, Principal Use Table: The amendment to the Public Parks and Open Space and the Public, Civic, and Institutional Campus **modifies the zone districts** to ensure that the use of outdoor entertainment and recreation is allowed by-right where it is most commonly used.

Light & Heavy Industrial, Principal Use Table: The amendment to the Industrial/Office Park, Retired zone district **modifies the zone district** to correct an error in the 2023 ZDC update which incorrectly allowed Industrial, Heavy in the district and disallowed Industrial, Light.

Concealed Tower, Principal Use Table: This amendment to the Principal Use Table **modifies the zone districts** as necessary to correct an inadvertent error in the 2023 ZDC update which converted the Tower, Concealed use to a conditional use instead of an allowed by-right use in several districts.

- d. To clarify or modify procedures for processing development applications.
Application Outreach Meeting Notice: This code provision is being amended to **modify procedures** for application outreach meetings that were added to the City of Grand Junction Code with the intent of being more inclusive but are proving to be more cumbersome and difficult to implement than anticipated.

Withdrawn Applications: The amendment to the process for withdrawn applications **clarifies procedures** to be explicit that this set of regulations does not apply in a specific circumstance where an item is pulled from a hearing and remanded to staff for a technical matter.

Mailed Notice for Public Hearings: The amendment to the requirements to mail notice to HOAs **modifies procedures** to remove a provision that is difficult to enforce and creates a false expectation for notification by the public. With this provision intact, the public expects to get notified if they are within an HOA, when in fact their HOA may not be properly maintaining contact information to allow the City to be able to provide that notification. Removing it aligns the expectation that the notification will only be provided to those within the outlined buffer.

Comprehensive Plan Amendments and Conditional Use Permits: The amendments to the above public hearing items *clarify requirements* to ensure the purpose of each is in alignment with the process outlined in the 2023 ZDC and corrects a scrivener's error in a section reference.

Staff finds this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendments, the following findings of fact have been made:

In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, the proposed text amendments to Title 21 are consistent with the Comprehensive Plan and the Zoning & Development Code Standards and meet at least one of the specific reasons outlined. Therefore, Staff recommends approval of this request.

SUGGESTED MOTION:

Mr. Chairman, on the request to amend Title 21 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-660, 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. ZDC (Title 21) Amendments Q4 Draft Ordinance_CLEAN

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING APPLICATION OUTREACH MEETINGS, WITHDRAWN APPLICATIONS, PUBLIC NOTICE, MINOR PLAT AMENDMENTS, SIMPLE SUBDIVISIONS, ADMINISTRATIVE CHANGES TO THE COMPREHENSIVE PLAN, NON-ADMINISTRATIVE COMPREHENSIVE PLAN AMENDMENTS, CONDITIONAL USE PERMITS, PERMITTED ENCROACHMENTS, MIXED-USE DISTRICTS REGULATIONS, PUBLIC, CIVIC, AND INSTITUTIONAL CAMPUS (P-2) ZONE DISTRICT REGULATIONS, PRINCIPAL USE TABLE, USE-SPECIFIC STANDARDS FOR INDUSTRIAL USES, ACCESSORY USES AND STRUCTURES, ACCESSORY USE-SPECIFIC STANDARDS, TEMPORARY USES AND STRUCTURES, SHARED DRIVEWAY (AUTOCOURT) STANDARDS, RESIDENTIAL COMPATIBILITY STANDARDS, PRESERVATION OF SIGNIFICANT TREES, OFF-STREET PARKING AND LOADING, MEASUREMENTS, AND DEFINITIONS

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.

When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice, have challenges with implementation of new practice, or could use additional clarification.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code.

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 amendments.

After public notice and public hearing, the Grand Junction City Council finds that the amendments to the Zoning & Development Code implement the vision and goals of the Comprehensive Plan and that the amendments provided in this Ordinance are responsive to the community's desires, encourage orderly development of real property in the City, and otherwise advance and protect the public health, safety, and welfare of the City and its residents.

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

The following sections of the zoning and development code (Title 21 of the Grand Junction Municipal Code) are amended as follows (deletions ~~struck through~~, added language underlined):

...

21.02.030 COMMONLY APPLICABLE PROCEDURES

...

(c) Application Outreach Meetings

...

(4) Notice

...

- (ii) Once the notice has been approved, the Director will assist the applicant to identify all property owners and organized groups in the neighborhood or outreach area. The application shall:

...

~~(C) Post a copy of the notice in at least two locations in or within 1,000 feet of the outreach area that are open to the public, such as a community notice board in a grocery store or coffee shop.~~

~~(D) If the applicant or project has a website, post a copy of the notice on the website.~~

...

(f) Complete Applications with Changed Status

(1) Withdrawn Application

- (i) An applicant may withdraw an application by providing written notice to the Director of the applicant's intent to withdraw. After such withdrawal, no further City action on the application shall take place.
- (ii) Fees will not be refunded for a withdrawn application.
- (iii) For any application requiring a public hearing, the applicant may request in writing that the application be withdrawn before the hearing is opened. An applicant may ask to withdraw after the hearing is opened, but the decision-making body will decide whether or not to approve the request.
- ~~(iv) A withdrawn rezone application may be refiled after a 120-day waiting period.~~
- ~~(v) To re-initiate review, the applicant shall re-submit the application with a new application fee payment, and the application shall in all respects be treated as a new application for purposes of review and scheduling.~~

...

(g) Public Notice and Public Hearing Requirements

...

(3) Public Notice

...

(vi) Mailed Notice

...

(B) Notice shall be provided to:

a. Within the distance specified in GJMC 21.02.030(g)(3)(iii), each owner at the address on file with the Mesa County, Colorado, Assessor;

b. Each homeowners' association (HOA) or other group registered with the Community Development Department and located within 1,000 feet of the subject property; and

c. Each person who attended any required Application Outreach Meeting and signed-up to receive notice.

...

21.02.040 ADMINISTRATIVE APPLICATIONS

(a) Overview

Administrative applications are reviewed and decided on by the Director or other specified City staff member. The following application types are administrative and some of them have additional review requirements that are identified in the right column:

Table 21. Error! No text of specified style in document.-1: Administrative Applications		
Application Type	Purpose	Additional Application Requirements
Administrative Approvals		
...		
Minor Plat Amendments	Limited amendments to approved Final Plats	0
...		
Simple Subdivision, <u>Minor</u>	Allow an applicant to create or consolidate lots, move lot lines, and correct plats.	0
...		

...

(h) ~~Minor Plat Amendment~~ Plat Revision

(1) ~~Purpose~~

Common Procedures for Administrative Applications

The purpose of this section is to describe the approval procedure for minor amendments to approved plats.

(2) Applicability

The Director may approve minor amendments to approved plats, which shall be recorded and shall control over the preceding or Final Plat without vacation of that plat, if the amending plat is signed by the applicants only and the sole purpose of the amending plat is to:

- (i) Correct an error in a course or distance shown on the preceding plat;
- (ii) Add a course or distance that was omitted on the preceding plat;
- (iii) Correct an error in a real property description shown on the preceding plat;
- (iv) Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- (v) Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- (vi) Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- (vii) Correct an error in courses and distances of lot lines between two adjacent lots if:
 - (A) Both lot owners join in the application for amending the plat;
 - (B) Neither lot is abolished;
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) The amendment does not have a material adverse effect on the property rights of the owners in the plat;
- (viii) Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement; or
- (ix) Relocate or remove one or more lot lines between one or more adjacent lots if all of the following have been met:
 - (A) The owners of all those lots join in the application for amending the plat;
 - (B) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (C) The amendment does not increase the number of lots.

1	General Meeting or Pre-Application Meeting Per Table 21.02-3
2	Application Submittal & Review Sec. 21.02.030(d) and 21.02.030(e)
3	Complete Applications with Changed Status Sec. 21.02.030(f)
4	Director Decision Sec. 21.02.030(h)
5	Post-Decision Actions Sec. 21.02.030(i)

(3) Review Procedures

Applications for Minor Plat Amendment shall meet the common review procedures for administrative applications in GJMC GJMC 21.02.040(b), with the following modifications:

(i) Form of Approval

Minor Plat Amendments shall be prepared in the form of an affidavit or, where deemed necessary by the Director, a revised plat certified by a land surveyor licensed with the State of Colorado and shall be filed with the Mesa County Clerk and Recorder.

(ii) Review Criteria

The Director shall approve or deny a request for a Minor Plat Amendment based upon a finding that the adjustment to the previously approved Final Plat complies with the following criteria:

- (A) There is no increase the number of lots or parcels nor does the amendment create new lots or parcels;
- (B) The amendment revision does not affect a recorded easement without approval of the easement holder;
- (C) Street locations will not be changed; and
- (D) The amendment will not create any nonconformities or increase the degree of nonconformity of any existing structure, use, or development standards.

(4) Post Approval Actions

- (i) If the request for a Minor Plat Amendment is denied, the applicant shall be entitled to request a major amendment to a previously approved Final Plat or a subdivision exemption, if applicable.
- (ii) If an application is approved, the applicant shall submit to the Director an amended plat of the affected lots for approval, containing signatures of all owners and mortgagees of the affected property.
- (iii) The plat shall be recorded within 90 days of the date of approval.

...

(j) Simple Subdivision, Minor

Common Procedures for Administrative Applications	
1	General Meeting or Pre-Application Meeting Per Table 21.02-3
2	Application Submittal & Review Sec. 21.02.030(d) and 21.02.030(e)
3	Complete Applications with Changed Status Sec. 21.02.030(f)

(1) Purpose

The Simple Minor Subdivision process allows an applicant to create or consolidate lots, move lot lines, and correct plats.

4

Director Decision
Sec. 21.02.030(h)

(2) Applicability

This section shall apply to any application to:

- (i) Consolidate one or more lots;
- (ii) Create up to three additional lots where no new infrastructure is required except as provided in GJMC 21.02.040(j)(3)(i) below;
- (iii) Adjust a lot line(s) between parcels in the same ownership;
- (iv) Change a non-disputed boundary line between abutting lots or parcels; or
- (v) Change a plat to:
 - (A) Correct an error in the description;
 - (B) Correct any monument; or
 - (C) Correct a clerical error such as lot numbers, acreage, street names and identification of adjacent recorded plats.

5

Post-Decision Actions
Sec. 21.02.030(i)

(3) Review Procedures

Applications for a Simple Minor Subdivision shall meet the common review procedures for administrative applications in GJMC 21.02.040(b) with the following modifications:

(i) Lots with Individual Septic Disposal Systems

An applicant may request a subdivision of existing parcels that are 25 acres or larger into three or fewer lots each of which are two acres or larger in size in Residential zone districts provided the resulting subdivision complies with the following criteria:

- (A) All lots comply with this Code; except that the minimum density/intensity requirements of a zone district or the Comprehensive Plan do not apply except in the R-R zone and the sewer regulations pertaining to the extension of sewer as a condition of subdivision need not be complied with if the applicant can demonstrate the following:
 - a. The applicant’s Colorado professional engineer affirms in writing that the lot can be served by an individual septic disposal system (ISDS) constructed at or prior to use of the lot for uses allowed by this Code then in existence;
 - b. The constructed ISDS system continues to function properly;
 - c. Sewer is not constructed within 400 feet of any lot line of any lot or out lot or out parcel created under the minor subdivision process; and
 - 1. The landowner executes a utility extension agreement in a form acceptable to the City. The utility extension agreement shall authorize the sewer to be extended by the City at a future date (all as provided

herein) at the then landowner's expense and/or in accordance with financing provided by the City and/or the sewer system.

2. The applicant is not seeking a variance or is seeking only to vary the requirement of extending sewer. No other variances shall be considered with a Minor Subdivision. Any other variances requested shall require the application be processed as a Major Subdivision;
 3. The proposed lot(s) is two acres or larger in size on a gross acreage basis and is created from a parcel at least 25 acres in size;
 4. The property from which the new lot(s) is proposed has been taxed agriculturally for the five years preceding the Minor Subdivision application; and
 5. The lot or originating parcel has not previously had a Minor Exemption Subdivision (2010 Code), ~~Simple~~ Minor Subdivision, a Mesa County minor subdivision, and/or Mesa County simple land division approval.
- (B) If the Minor ~~Exemption~~ Subdivision does not comply with the sewer regulations at the time of approval, then the approval shall be a conditional approval requiring the ISDS to be abandoned prior to the end of its useful life if a sewer is constructed either within 400 feet of the lot line of any lot or out lot or out parcel created under the Minor ~~Exemption~~ Subdivision process, or if the ISDS fails, or a sewer improvement district is formed that includes the lot created and any out lot or parcel.

(ii) Review Criteria

The Director shall review the application against the following additional criteria:

- (A) Any changes to existing easements or right-of-way have been completed in accordance with this Code or otherwise allowed by law (additional easements or right-of-way may be dedicated);
- (B) The right-of-way shown on the Grand Junction Circulation Plan is not changed;
- (C) If any part of the original parcel has an ISDS, the requirements of GJMC 21.02.040(j)(3)(i) are met; and
- (D) If a new lot(s) is being created, the total number of new lots on the property created through Minor Subdivision within the preceding 10 years does not exceed four.

(iii) Plat Notes

Approved ~~Simple~~ Minor Subdivisions shall include the following plat notes, as applicable:

- (A) "Any additional lot splits are required to be processed through applicable City subdivision processes. The property shown hereon may not be further subdivided without approval of the City in accordance with then applicable law."

(B) "In accordance with a Utility Extension Agreement the City may require any ISDS on the property to be abandoned prior to the end of its useful life if a sewer is constructed within 400 feet of the lot line of any lot created under this Minor Exemption Subdivision process or the ISDS fails or a sewer improvement district is formed that includes the lot."

(4) Post-Decision Actions

The final SimpleMinor Subdivision plat shall be recorded pursuant to GJMC 21.02.040(l)(5)(ii)(F)b.

(5) Lapsing and Extension of Approvals

A SimpleMinor Subdivision shall be recorded within two years of approval or it shall expire.

(6) Effect

Approval of a SimpleMinor Subdivision does not transfer property between the affected property owners. The real estate transfer must be achieved through separate action by all property owners involved.

...

21.02.040 ADMINISTRATIVE APPLICATIONS

...

(f) Comprehensive Plan, Administrative Changes

(1) Purpose

To ensure that ~~administrative changes proposed amendments~~ to the Comprehensive Plan are consistent with the vision, goals, and policies include in the Plan.

...

21.02.050 APPLICATIONS REQUIRING A PUBLIC HEARING

...

(e) Comprehensive Plan Amendment

(1) Purpose

The purpose of this section is to ensure ~~that administrative changes and proposed amendments~~ to the Comprehensive Plan are consistent with the vision, goals, and policies included in the Plan.

...

(f) Conditional Use Permit (CUP)

...

(3) Review Procedures, General

...

(iii) Public Notice and Public Hearing Requirements

The application shall be scheduled for a public hearing before the Planning Commission and shall be noticed pursuant to GJMC 21.02.030(g), unless the

application is for a minor expansion or change of a Conditional Use Permit in accordance with GJMC 21.02.050(fg), below.

...

21.03.040 DIMENSIONAL STANDARDS GENERAL RULES AND EXCEPTIONS

...

(e) Setback Exceptions

(2) Permitted Encroachments

...

Table 21.03-4: Permitted Setback Encroachments		
Permitted Encroachment	Encroachment into Principal Structure Setback	
	Front or Street Side Setback (max, feet)	Internal or Rear Setback (max, feet)
Site Elements		
...		
Pergolas	Any distance	Any distance
...		

21.03.060 MIXED-USE DISTRICTS

...

(d) Mixed-Use Corridor Light Commercial (MU-2)

...

21.03.080 PUBLIC, PARKS, AND OPEN SPACE DISTRICTS

...

(d) Public, Civic, and Institutional Campus (P-2)

(1) Intent

The P-2 district is intended to allow the creation of mixed-use civic and institutional campuses where housing is provided in support of the other uses on the campus. The P-2 district is appropriate as indicated in Table 21.03-2: Comprehensive Plan Implementation.

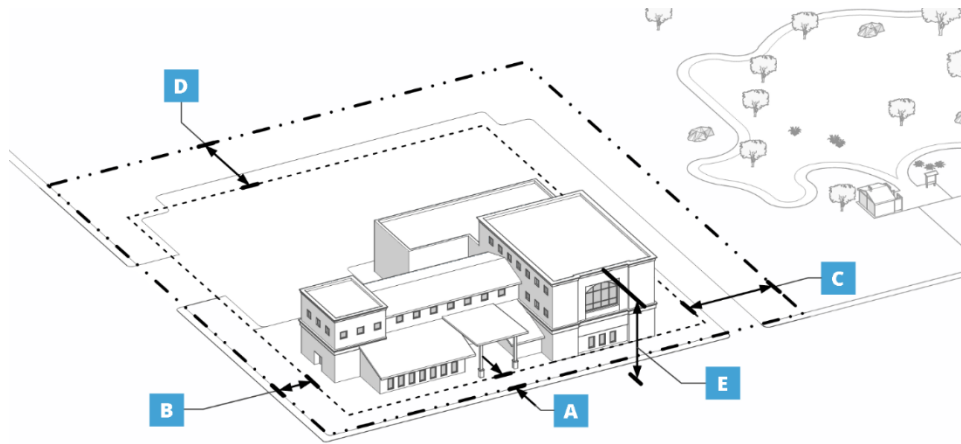
(2) Uses

Permitted principal and accessory uses are identified in GJMC Chapter 21.04.

(3) Dimensions

(i) The following dimensional standards are applicable to development along and within 150 feet of exterior lot lines in the P-2 district:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for P-2.



Lot Standards	
Residential Standards	
Applicable district standards [1]	RM-8 or RM-12
Minimum Density	8 du/acre
Mixed-Use Lot Standards	
Lot Area (min, ft)	10,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	80
Parking, Loading, Service	
Access and Location	Internal

Building Standards		
Setbacks: Exterior Boundary (min)		
A	Front	20
B	Side	20
C	Side Abutting Residential	20
D	Rear	20
Height (max, ft)		
E	Height	65
	Height Adjacent to Res.	40

(4) District Specific Standards

- (i) All structures shall remain on a single lot. Property in a P-2 district may not be subdivided.

...

21.04.020 PRINCIPAL USE TABLE

(e) Use Table

Zone Districts	..	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	..
Residential Uses											
Household Living											
...											
Dwelling, duplex		A								A	
...											
Commercial Uses											

Recreation and Entertainment											
...											
Outdoor entertainment and recreation			A		A	C	C		A	GA	
...											
Industrial Uses											
Manufacturing and processing											
...											
Industrial, light			A	A	A	A	A	A			
Industrial, heavy					A	A	A	A			
...											
Telecommunication											
...											
Tower, Concealed	...	C	GA	C	GA	C	GA	GA			...
...											

21.04.030 USE-SPECIFIC STANDARDS

(e) Industrial Uses

(3) Mini-Warehouse

(i) Uses Permitted

- (A) This use shall not include the sale of any item of personal property or any other type of commercial activity, including such uses as service and repair operations, manufacturing, or truck/equipment rentals, other than the leasing of the units.
 - a. Sales incidental to storage use out of the leasing office, such as that of boxes or moving supplies, shall be allowed.
 - b. The mini-warehouse owner or operator may provide a moving vehicle for use by lessees provided there are no rentals provided to members of the general public.
- (B) Estate or foreclosure sales held by the mini-warehouse owner or operator shall be allowed.

(4) Outdoor Storage, Commercial

- (i) All outdoor storage shall be screened per GJMC 21-05.040(f)(3)21.05.080(b)(3).

21.04.040 ACCESSORY USES AND STRUCTURES

...

(c) General Standards for Accessory Uses and Structures

...

(3) Location

In all zone districts, accessory structures shall not be located in the front yard or the exterior side yard of a corner lot unless approved by an Administrative Adjustment in accordance with GJMC21.02.040(c). Accessory dwelling units may be located in the front yard or exterior side yard of a corner lot.

...

(e) Accessory Use-Specific Standards

...

(2) Commercial Uses

...

(iii) Home Occupation, Daycare or Other

...

(B) Prohibited Home Occupations

...

- a. Occupations that involve highly combustible or hazardous materials ~~or any material~~.
- b. Occupations where the dimensions, power rating, or weight of equipment and tools used exceed that of normal household equipment and tools.

...

21.04.050 TEMPORARY USES AND STRUCTURES

...

(c) All Other Temporary Uses

...

(5) Duration

- (i) Temporary uses shall not exceed 120 calendar days, except as provided herein.
- (ii) A temporary low-traffic storage yard may be permitted in a CG, I-1 or I-2 zone district for up to one year from the date of issuance. One extension of one year may be granted by the Director upon showing of good cause. Any additional extensions may be granted by the Planning Commission. The Planning Commission must find good cause for granting an extension.
- (iii) A winter emergency shelter may be granted an extension of up to 60 days by the Director if unusual and extraordinary weather conditions necessitate its continued operation.
- (iv) No temporary uses shall be allowed until a minimum of 30 calendar days have passed since any previous temporary use on the parcel or lot.
- (v) Mobile food vendors are not subject to the 30 day waiting period this standard.

...

21.05.020 REQUIRED IMPROVEMENTS

...

(e) Multi-Modal Transportation System

...

(5) Shared Driveway (Autocourt)

...

(iii) Access

- (A) ~~No more than five single-family lots shall abut or touch any portion of the shared driveway and no more than five single-family~~ The number of dwelling units that may utilize a single shared driveway will be determined at time of subdivision review and may be limited by subdivision standards as well as currently adopted building and fire codes.

...

21.05.040 RESIDENTIAL COMPATIBILITY STANDARDS

...

(b) Applicability

- (1) The residential compatibility standards in this subsection apply when single-family attached of three units or more, multifamily residential, mixed-use development, or nonresidential development is proposed adjacent to structures in an R-R, R-ER, R-1R, R-2R, RL-4, or RL-5 zone district (protected residential districts).

...

21.05.050 RESIDENTIAL ATTACHED AND MULTIFAMILY DESIGN STANDARDS

...

(c) General Standards for all Residential Attached and Multifamily Development

- (1) **Mix of Housing Types.** ~~Developments shall~~ should promote a diverse community through the provision of a variety of housing types, such as a combination of duplex, tri-plex, four-plex, townhomes, apartments, and single-family units in a range of sizes. Developments are encouraged that are not dominated by a single type of home or dwelling unit.

...

(4) Energy Conservation and Site Orientation Guidelines

- (i) Consideration shall should be given to energy conservation in the building design. Use of solar space or water heating, or use of in-line hot water systems, efficient lighting systems, insulation and other energy efficient techniques are strongly encouraged.

...

(d) Development with Three or More Principal Structures. In addition to GJMC 21.05.050(c), these standards apply to all attached single-family or multifamily developments with three or more principal structures. For example, this would include a development with three rows of townhomes or ~~four~~ three apartment buildings. These standards are applicable whether the units are designed for individual lots or not.

...

21.07.040 PRESERVATION OF SIGNIFICANT TREES

...

(d) Preservation Required

- (1) Where significant trees exist on a property, at least one and no less than 30 percent of significant trees shall be preserved during development.
 - (i) Significant trees may be preserved in individual lots or private common areas
 - (ii) Significant trees may also be preserved in land dedicated for public use while still credited to the site tree preservation requirement. Where the value of the land dedication does not meet the minimum assessment requirement of GJMC 21.05.030(a), the valuation of the significant tree shall not be considered separately from or added to the assessment total.
 - (iii) The Developer may request review by the City Forester to determine if well-established, healthy trees under 15" in diameter may be approved for credit towards preservation at an equivalent DBH.

...

21.08.010 OFF-STREET PARKING AND LOADING

...

(d) Parking Credits and Adjustments

...

(2) Alternative Parking Plans

...

(iii) Off-Site Parking

Required off-street parking spaces may be permitted on a separate lot from the lot on which the principal use is located if the off-site parking complies with all of the following standards:

(A) Ineligible Activities

Off-site parking may not be used to satisfy the required parking ratios for residential uses (except for guest parking), as well as small retail sales. Required accessible parking spaces may not be located off site.

...

(e) Vehicle Parking Location and Design

...

(4) Pedestrian Crossings

...

- (iii) All parking lots that contain more than two double rows of vehicle parking shall include pedestrian walkways through the parking lot to the principal building entrance or a sidewalk providing access to the principal building entrance. At a minimum, walkways shall be provided for every three driving aisles or at a distance of not more than 150-foot intervals, whichever is less.

...

21.14.010 MEASUREMENTS

...

(c) Lot and Site Measurements

(1) Frontage

- (i) Lot frontage or street frontage is measured as the distance for which a lot abuts a street.
- ~~(ii) Street frontage is measured between side lot lines along the front lot line.~~
- (iii) When a lot fronts on more than one public street, one side shall may be designated by the property owner or applicant as the front. This will be used for the purposes of determining setbacks, street orientation, and other similar measurements. Where a lot abuts more than two public streets, the applicant and Director will determine location of front and identification of other sides for setback purposes based on existing or anticipated site context.

...

(4) Lot Width

- (i) Lot width is measured ~~between side lot lines along the front lot line.~~ at the front yard setback line between side property lines measured parallel to the street, said property lines or to the tangent of a curved street property line. If side property lines are not parallel, the lot width is the shortest distance between the side property lines.

21.14.020 DEFINITIONS

(a) Rules of Construction

To help interpret and apply this code, the following rules shall apply:

- (1) The particular controls the general;
- (2) The text shall control if there is a difference of meaning or implication between the text and any caption or title;
- (3) The words "shall" and "must" are always mandatory. The words "may" and "should" are permissive and are at the discretion of the decision-maker;
- (4) Words used in the present tense include the future;
- (5) Words in the singular include the plural;
- (6) Words of one gender include all other genders, unless the context clearly indicates otherwise;
- (7) Any term not herein defined shall be as defined elsewhere in the City code or, if not defined elsewhere in the City code, as defined in Webster's New International Dictionary, most recent edition;
- (8) Unless otherwise indicated, the term "days" means calendar days, if the period of time referred to is more than 30 days. If the period of time referred to is less than 30 days, "days" means days when the City is open for business;
- (9) If the last day of a submission date, period or other deadline is a Saturday, Sunday or a holiday recognized by the City, the period shall end on the last business day; and
- (10) Use of words like "City Council," "Planning Commission," "Director," and "Engineer" includes City officials and staff.

(b) Terms Defined

...

Frontage

The frontage of a parcel of land is that distance where a property line is common with a road right-of-way line.

...

Lot Frontage

The distance for which a lot abuts on a street.

...

Lot Width

The horizontal distance measured at the front yard setback line between side property lines measured parallel to the street, said property lines or to the tangent of a curved street property line. If side property lines are not parallel, the lot width is the shortest distance between the side property lines. The distance between side lot lines.

...

Outdoor Entertainment and Recreation

Outdoor facilities, excluding racetracks, for outdoor concerts, amusement parks, miniature golf, drive-in theaters, go-cart tracks, stadiums, and other similar outdoor activities, and that may provide

limited bleacher-type seating for the convenience of users. This use includes facilities for outdoor sports such as private swimming pools, tennis and basketball courts, skate parks, sports fields, and playgrounds/passive recreation. This use includes outdoor wedding venues.

...

Pergola

An open structure usually consisting of parallel colonnades supporting a roof of beams and crossing rafters or trellis work, at least 50% of which is open to the sky.

...

INTRODUCED on first reading this 20th day of November 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 4th day of December 2024 and ordered published in pamphlet form.

ATTEST:

Abram Herman
President of the City Council

Selestina Sandoval
City Clerk



Grand Junction Planning Commission

Regular Session

Item #3.

Meeting Date: November 12, 2024
Presented By: Timothy Lehrbach, Senior Planner
Department: Community Development
Submitted By: Tim Lehrbach, Senior Planner

Information

SUBJECT:

Consider Amendments to Title 21 Zoning and Development Code, Chapter 21.05 Site And Structure Development Standards, Regarding Pedestrian And Bicycle Connections Within Development Sites.

RECOMMENDATION:

Staff recommends approval of this request.

EXECUTIVE SUMMARY:

When the Zoning and Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that have challenges with implementation of new practice and/or could use additional clarification. The proposed amendments address the provision of bicycle and pedestrian improvements in Chapter 21.05 Site and Structure Development Standards.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City contracted with Clarion Associates in December 2021 to update the City's Zoning and Development Code with the intent of updating regulations to better reflect the key principles and policies described in the 2020 One Grand Junction Comprehensive Plan, achieve a higher level of regulatory efficiency, consistency, and simplicity, and identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies. When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice,

have challenges with implementation of new practice, or could use additional clarification. The proposed amendments address the provision of bicycle and pedestrian improvements in Chapter 21.05 Site and Structure Development Standards.

The Zoning and Development Code, Chapter 21.05 Site and Structure Development Standards, provides under the Multi-Modal Transportation System subsection, that "each development with one or more buildings (except detached dwellings) shall provide paved pedestrian sidewalk connections to nearby public streets. An adequate physical separation between pedestrian connections and parking and driveway areas shall be provided" (GJMC 21.05.020(e)(1)(iii)).

In addition, there are provisions pertaining to bicycle and pedestrian improvements in Sections 21.05.050 Residential Attached and Multifamily Design Standards, 21.05.060 Nonresidential and Mixed Use Design Standards, and 21.05.070 Retail Sales, Big Box.

Staff, the development community, and the Planning Commission have raised concerns with the requirement for "adequate physical separation," which have prompted significant discussions among staff, between staff and applicants for new development, and in two Planning Commission workshops on September 5, 2024 and October 17, 2024. In summary, concerns raised include:

1. Site constraints: the provision cannot be met on many sites or is too constraining or too costly for preferred site design or development patterns.
2. Equitability: safety for pedestrians entering a site from the street is being protected to a higher standard than safety for pedestrians walking between locations within the site.
3. Strict application: "adequate physical separation" is ambiguous but has been interpreted to mean that no conflicts between pedestrians and motor vehicles are acceptable. Such strict application may be unnecessary for some uses, in certain circumstances, or altogether.
4. Design standards: specified design standards may be adequate to protect pedestrians crossing motor vehicle areas.
5. Overlap, redundancy, and conflicts: bicycle and pedestrian access to and within development sites is addressed in four sections of Chapter 21.05, with some provisions providing more stringent requirements than others.

At the second of two Planning Commission workshops on October 17, 2024, the Planning Commission directed staff to respond to these concerns by preparing a draft code text amendment to allow protected crossings of motor vehicle areas by pedestrians traveling between the street and the building and to eliminate conflicts and redundancies between the standards at 21.05.020(e)(1)(iii) and 21.05.060(e)(1), which latter provides for pedestrian paths within a development site and between principal buildings and the street.

In the course of reviewing Chapter 21.05 and preparing amendments to the identified provisions, staff identified additional opportunities to eliminate redundancies and

conflicts, and to consolidate standards for pedestrian connections into two sections – one applying to all development, the other preserving more specific standards for big box development – rather than four.

Additionally, staff observed that bicycle circulation is addressed in three sections, whereas one is sufficient to provide equivalent bicycle circulation for all development (except single-family or duplex development on an individual lot, as intended by the code). Consolidating these standards is consistent with the Planning Commission’s direction to do the same for pedestrian connections.

Staff therefore proposes amendments to Chapter 21.05 Site and Structure Development Standards as provided in the draft ordinance and further described below.

PROPOSED AMENDMENTS

GJMC 21.05.020(e)(1)(iii) Multi-Modal Transportation System – Design Standards

This revision strikes the provision which originally prompted the discussions and resultant direction from the Planning Commission, and which requires “pedestrian sidewalk connections” to the street with “adequate physical separation between pedestrian connections and parking and driveway areas.” The requirement for “adequate physical separation” is proposed to be replaced with specified design requirements where crossings of motor vehicle areas occur, as described below.

GJMC 21.05.020(e)(7)(i)(B) Bicycle Circulation – Required Bicycle Access

This revision replaces the provision stating that bicycle access “shall be located so that it does not interfere with vehicular or pedestrian access and circulation, or with required landscaping” with the provision, relocated from 21.05.050 Residential Attached and Multifamily Design Standards, directing that bicycle circulation be given equal consideration as automobile traffic. The existing provision creates the same challenges for implementation as the pedestrian connection provision insofar as it is ambiguous, may be interpreted as allowing no conflicts between bicyclists and vehicles or pedestrians, and may be impossible to achieve if no crossings of required landscaping are permitted. Relocating the circulation standard requiring equal consideration for bicycles and automobiles from the Residential Attached and Multifamily Design Standards preserves the intent of that standard and applies it equally to all development (except individual lot development of a single-family detached or duplex dwelling).

GJMC 21.05.020(e)(8) Pedestrian Circulation

This revision provides a new set of standards pertaining to pedestrian circulation within the Multi-Modal Transportation System subsection of the Required Improvements section. This replaces the requirement for “adequate physical separation” with specific design requirements for crossings of motor vehicle areas by pedestrian connections to the street and consolidates requirements for all pedestrian connections (excluding the additional standards applicable to big box development) into one section. An alternative to “adequate physical separation” is provided through the requirement that, except at crossings built to the specified standards, pedestrian crossings shall be separated from

motor vehicle areas by a curb or other physical barrier approved by the Director. For all pedestrian sidewalk connections other than the one required connection between a principal building and the street, the design standards previously at 21.05.060(e) are preserved, relocated to this section, and applied to all development (except individual lot development of a single-family detached or duplex dwelling).

GJMC 21.05.020(e)(9) Access

This revision relocates and modifies text from the Nonresidential and Mixed Use Design Standards pertaining to minimizing traffic conflict points into and out of a development, such that the provision applies equally to all development.

GJMC 21.05.050(d)(3) Residential Attached and Multifamily Design Standards – Development with Three or More Principal Structures: Circulation and Parking.

This revision strikes the first two provisions, which are adequately addressed by the Bicycle Circulation and Pedestrian Circulation requirements proposed to be preserved in or amended to 21.05.020(e). The remaining seven provisions are renumbered accordingly.

GJMC 21.05.060(e) Nonresidential and Mixed Use Design Standards – Site Design

This revision strikes subsection (e) Site Design. The subsection addresses circulation and access for pedestrian and vehicular traffic. By consolidating all requirements for pedestrian sidewalk connections (except those specifically intended for big box development) into a new set of Pedestrian Circulation standards, the code becomes easier to read and implement, and safety for all pedestrians within a development site is ensured. Provision (2), pertaining to vehicular access, is preserved in the proposed amendment and applied consistently to all development.

GJMC 21.05.070 Retail Sales, Big Box - Sidewalks

This revision preserves the requirements applicable to certain paths within big box development, which provide enhanced comfort and safety for pedestrians and mitigate the risks inherent to walking within big box development. The standard for pedestrian walkways in parking areas is replaced with a reference to the proposed Pedestrian Circulation requirements amended to 21.05.020(e).

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.030(g). Notice of the public hearing was published on November 3, 2024 in the *Grand Junction Daily Sentinel*. An online hearing with opportunity for public comment was held between November 5 and November 11, 2024 through the GJSpeaks platform.

ANALYSIS

The criteria for review are set forth in Section 21.02.050(d) of the Zoning and Development Code, which provides that the City may approve an amendment to the text of the Code if the applicant can demonstrate evidence proving each of the following criteria:

A. Consistency with Comprehensive Plan

The proposed Code Text Amendment is generally consistent with applicable provisions of the Comprehensive Plan.

The proposed amendments to the 2023 Zoning & Development Code are generally consistent with the Comprehensive Plan.

Plan Principle 2, Goal 3, Strategy f. provides direction to “[c]ontinue to identify and pursue ways to reduce barriers to entry for new businesses.” The proposed amendments reflect the collaborative efforts of the Planning Commission, the development community, and staff to achieve clear, consistent, and reasonable requirements for pedestrian improvements. The resulting increased flexibility in site design may reduce barriers to new development and redevelopment, as well as avoid disrupting successful business models.

Plan Principle 3, Goal 6 supports the development of neighborhood-centered commercial uses and mixed-use development. Strategy 6.e provides direction to “ensure that all development contributes to the positive character of the surrounding area” through architectural and site details. The proposed amendments do not affect building architecture but may have an impact on site design. All development standards inherently influence the design and function of buildings and sites. While it is difficult to isolate the impact of one standard among all applicable codes and requirements, it is appropriate to evaluate amendment to any one standard in light of its expected impact on site design and function.

In the case of the requirement for pedestrian connections to nearby streets with adequate physical separation from motor vehicles, the Planning Commission, staff, and the development community have discussed consequences of amending the provision, including enabling motor vehicle areas between the building and the street and encouraging the continuation of design templates that are reliably successful for businesses. It remains an open question for the Planning Commission and City Council whether the proposed amendments contribute to or further inhibit the “mix of uses,” “walkable centers,” or “context-sensitive development” envisioned by Goal 6, Strategies b, c, and e.

Members of the Planning Commission indicated that addressing these consequences, and site character generally, may be best suited for independent consideration. This reflects Goal 7, Strategy b within the same Plan Principle 3, which calls for the development of basic design standards for key corridors. Such location-specific requirements may be the most suitable tool for enhancing positive neighborhood character.

Plan Principle 5, Strong Neighborhoods and Housing Choices, includes several aspirational statements, goals, and strategies pertaining to walkability. The “Where We Are Today” section highlights residents’ expressed “preference for homes in neighborhoods that are walkable,” while the “Where We Are Going – High Quality

Development” section focuses on “connecting residences to surrounding commercial areas and amenities providing a high level of walkability and bikeability. Specifically, Goal 1, Strategy e addresses an important mobility and equity consideration: aging in place. This is germane to the consideration of these amendments because many seniors cannot or do not drive, and it is identified here as important to “[e]ncourage [...] infrastructure design to accommodate multigenerational needs.” Transportation mode choice for all users is addressed by Goal 4, which includes strategies to complete gaps between community destinations (c) and prioritize infrastructure that improves safety and quality of life (d).

Additionally, the “Where We Are Going – High Quality Development” section of Plan Principle 5 calls for “[w]orking closely with the development community and property owners,” thereby ensuring that “residential areas are supported by walkable and bikeable connections between neighborhoods, commercial areas, and parks and open space.” The “adequate physical separation” requirement has been identified as an obstacle to new development. Staff, the development community, and the Planning Commission have worked together to find a solution that promotes the walkable and bikeable characteristics envisioned by the Comprehensive Plan by “encourag[ing] creativity, flexibility, and innovation in the design and construction of new developments and neighborhoods to adapt to unique site conditions and that promote an engaged community and facilitate active and healthy lifestyles...” (Goal 5, Strategy c). While the existing text may be said to promote the aspirations and strategies of this Plan Principle, the proposed design standards for pedestrian crossings between principal buildings and the street are themselves novel for Grand Junction and may be expected to foster innovative design towards these goals.

Plan Principle 6, Efficient and Connected Transportation, acknowledges that most residents drive for most trips, but demand for multimodal transportation is growing. Mobility choice is related to quality of life, equity, sustainability, and economic competitiveness. The Plan Principle reflects an understanding that efficient and connected transportation depends on connected and accessible neighborhoods and commercial areas, encouraging higher-intensity, walkable development, and “getting people out of their cars except for essential trips.” The intended result is efficient automobile traffic and convenient and safe walking and cycling. Plan Principle 6 therefore provides goals for a multi-modal transportation system that balances the safety and needs of driving, bicycling, walking, and taking transit (Goal 1, Strategy a).

Members of the Planning Commission indicated to staff that the provision requiring “adequate physical separation” for pedestrians from vehicles is out of balance because the provision favored pedestrians walking from origin to destination over pedestrians within a development site who may have arrived by other means, and because the requirement is too constricting on design templates desired by businesses and developers. Goal 4 of Plan Principle 6 does “[e]ncourage the use of transit, bicycling, walking, and other forms of transportation” by equally prioritizing transit with other modes along major corridors (Strategy b), prioritizing first and last

mile connections by provision safe and continuous routes between transit stops and adjacent uses (d), and encouraging transit supportive development. Encouraging transit, bicycling, walking and other forms of transportation is most effective when providing the lowest level of traffic stress through proactive (rather than remedial) design interventions.

The proposed amendments represent an effort at balancing the safety and needs of all transportation modes – continuing to implement Comprehensive Plan principles, goals, and strategies pertaining to walkability while also upholding the other principles, goals, and strategies referenced here. The proposed amendments are informed by the approach adopted citywide in the Pedestrian and Bicycle Plan to address multimodal safety and experience by reducing the level of traffic stress for pedestrians and bicyclists. Implementing best practices for protecting pedestrian safety and comfort both within development sites and in the public right-of-way creates a consistent, predictable experience for those walking anywhere in Grand Junction. While the Comprehensive Plan provides reasons beyond safety to create an environment where walking from origin to destination is comfortable and attractive, the foundation for enhancing the walking experience and promoting conditions which allow those who must walk and those who would choose to walk to be comfortable is the provision of safety.

Plan Principle 11 seeks to create effective government through Strategy 3.c., which encourages the evaluation of existing practices and systems to find opportunities for improvement of outcomes. The proposed amendments are the result of a constant evaluation of existing practices and regulations and seek to provide resolution. The ambiguity and consequent strict application of the provision requiring “adequate physical separation” is resolved by adopting design standards which preserve the existing provision’s intended effect while delivering clear, objective requirements in the development review process.

Finally, Chapter 3, Land Use and Growth, reiterates the plan’s emphasis on creating mixed-use, walkable neighborhoods and encouraging “higher density development in areas located within the urban intensification as well as priority growth areas....” Regional centers are called out in particular: “[i]nternal walks should provide easy and direct connections through parking areas, from the street to store entries.” This attention to priority growth areas and regional centers may suggest the appropriateness of further, location-specific design standards.

Staff finds that this criterion has been met.

B. Consistency with Zoning and Development Code Standards

The proposed Code Text Amendment is consistent with and does not conflict with or contradict other provisions of this Code.

The proposed amendments to the Zoning and Development Code are consistent with the rest of the provisions in the Code and do not create any conflicts with other

provisions in the Code. Rather, the proposed amendments enhance consistency and remove conflicts.

Staff finds that this criterion has been met.

C. Specific Reasons

The proposed Code Text Amendment shall meet at least one of the following specific reasons:

- a. To address trends in development or regulatory practices;*
- b. To expand, modify, or add requirements for development in general or to address specific development issues;*
- c. To add, modify or expand zone districts; or*
- d. To clarify or modify procedures for processing development applications.*

The proposed amendments address a trend in the City's regulatory practices to emphasize lowering levels of traffic stress for pedestrians and bicyclists throughout the City. The proposed amendments apply standards to private development which are consistent with the approach taken to ensure multimodal safety and comfort in the public right-of-way. Specific reason a is therefore met.

Additionally, the proposed amendments modify and add requirements for development in general and to address specific development issues. Staff, the Planning Commission, and the development community have identified significant challenges to implementing GJMC 21.05.020(e)(1)(iii) regarding pedestrian connections from development to the street and requiring "adequate physical separation" from vehicles. In the course of evaluating this provision, staff and the Planning Commission further identified areas of overlap and inconsistency throughout Chapter 21.05 Site and Structure Development Standards pertaining to pedestrian and bicycle access and circulation.

The proposed amendments address the identified issues by eliminating overlap and inconsistency, by providing clear, objective standards for ensuring pedestrian safety, and by consolidating requirements into fewer provisions for ease of use by the development community, staff, and decision-makers. Specific reason b is therefore met.

Staff finds that this criterion has been met.

FINDING OF FACT AND RECOMMENDATION

After reviewing the proposed amendments, the following finding of fact has been made:

In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, the proposed text amendments to Title 21 are consistent with the Comprehensive Plan and the Zoning & Development Code Standards and meet at least one of the specific reasons outlined.

Therefore, Staff recommends approval of this request.

SUGGESTED MOTION:

Mr. Chairman, on the request to amend Title 21 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-656, 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. Draft Ordinance (Revised 20241108)

1
2 **CITY OF GRAND JUNCTION, COLORADO**

3 **ORDINANCE NO. _____**

4 **AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT**
5 **CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE), CHAPTER 21.05**
6 **SITE AND STRUCTURE DEVELOPMENT STANDARDS, REGARDING**
7 **PEDESTRIAN AND BICYCLE IMPROVEMENTS WITHIN DEVELOPMENTS**

8 Recitals

9 The City Council desires to maintain effective zoning and development regulations that
10 implement the vision and goals of the Comprehensive Plan while being flexible and
11 responsive to the community's desires and market conditions and has directed that the
12 Code be reviewed and amended as necessary.

13 When the Zoning & Development Code was repealed and replaced on December 20,
14 2023, it was anticipated that there would be necessary revisions to provide clarity and
15 alleviate practical issues with implementation. Staff has identified several items that
16 were amended which inadvertently conflict with standard practice, have challenges
17 with implementation of new practice, or could use additional clarification.

18 After public notice and public hearing as required by the Grand Junction Zoning and
19 Development Code, the Grand Junction Planning Commission recommended approval
20 of the proposed amendments.

21 After public notice and public hearing, the Grand Junction City Council finds that the
22 amendments to the Zoning & Development Code implement the vision and goals of the
23 Comprehensive Plan and that the amendments provided in this Ordinance are
24 responsive to the community's desires, encourage orderly development of real property
25 in the City, and otherwise advance and protect the public health, safety, and welfare of
26 the City and its residents.

27 **NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
28 **GRAND JUNCTION THAT:**

29 **The following sections of the zoning and development code (Title 21 of the Grand**
30 **Junction Municipal Code) are amended as follows (deletions ~~struck through~~,**
31 **added language underlined):**

35 ...

36 **21.05.020 REQUIRED IMPROVEMENTS.**

37 ...

38 **(e) Multi-Modal Transportation System.**

39 **(1) Design Standards.**

40 ...

41 ~~(iii) Each development with one or more buildings (except detached dwellings) shall~~
42 ~~provide paved pedestrian sidewalk connections to nearby public streets. An adequate~~
43 ~~physical separation between pedestrian connections and parking and driveway areas~~
44 ~~shall be provided.~~

45 ...

46 **(7) Bicycle Circulation.**

47 (i) Required Bicycle Access.

48 (A) All new development, except individual lot development of a single-family
49 detached or duplex dwelling, shall include reasonably direct connections to ~~the~~
50 ~~City's on-street bikeway network and~~ Active Transportation Corridors to the
51 maximum extent practicable.

52 (B) Bicycle circulation shall be given equal consideration to motor vehicle traffic. The
53 connection(s) and/or access point(s) shall be located so that it does not interfere
54 with vehicular or pedestrian access and circulation, or with required landscaping.

55 ...

56 **(8) Pedestrian Circulation.**

57 (i) Required Pedestrian Access.

58 (A) Each development with one or more buildings, except individual lot development
59 of a single-family detached or duplex dwelling, shall provide reasonably direct
60 paved pedestrian sidewalk connections from the front of principal building main
61 entrances to abutting public streets, between all principal buildings, between
62 buildings and outlying parking areas, between buildings and transit facilities, and
63 between the development and any abutting Active Transportation Corridor.

64 (B) Pedestrian circulation shall be given equal consideration to motor vehicle traffic.

65 (ii) Design Requirements.

66 (A) Each pedestrian sidewalk connection shall be a minimum of six feet wide and shall
67 be constructed of concrete.

68 (B) At least one pedestrian sidewalk connection between a principal building and an
69 abutting street shall provide access to a public sidewalk allowing continuous travel
70 to all abutting streets. The connection shall be separated from motor vehicle areas

71 by a curb or other physical barrier approved by the Director, except that crossing a
72 motor vehicle area is allowed when the following standards are met for each such
73 crossing:

- 74 a. The crossing shall be as close to a perpendicular angle to the vehicular
75 path of travel as possible.
- 76 b. The crossing shall be raised to a minimum of 3 inches above the height of
77 the adjacent pavement.
- 78 c. The crossing shall be constructed of concrete which contrasts in color
79 and/or texture with the pavement of the motor vehicle area.
- 80 d. The distance of the crossing shall be the minimum necessary. No crossing
81 shall exceed 20 feet.
- 82 e. Curb extensions shall be used to minimize crossing distance and maximize
83 visibility.
- 84 f. Vehicle turning movements shall be spaced as far as possible from the
85 crossing.
- 86 g. Advance warning signage and striping shall be provided.

87 (C) All other pedestrian sidewalk connections shall meet the following standards:

- 88 a. The connection shall be clearly visible and provide adequate lighting.
- 89 b. Where connections cross motor vehicle areas, each such crossing shall be
90 constructed of concrete which contrasts in color and/or texture with the
91 pavement of the motor vehicle area.
- 92 c. Advance warning signage and striping shall be provided as necessary to
93 facilitate circulation and improve public safety and awareness.

94 **(9) Access.** Site layout and access design shall minimize the number of traffic conflict
95 points into and out of a development by defining and consolidating driveways or
96 access points and designing shared access between/among businesses.

97 **21.05.050 RESIDENTIAL ATTACHED AND MULTIFAMILY DESIGN STANDARDS.**

98 ... 99 **(d) Development with Three or More Principal Structures.**

100 ... 101 **(3) Circulation and Parking.**

- 102 (i) ~~Circulation shall be designed to protect pedestrian/bicycle ways and shall minimize~~
103 ~~potentially unsafe interactions automobile traffic.~~
- 104 (ii) ~~Pedestrian and bicycle circulation shall be given equal consideration as automobile~~
105 ~~traffic. Pedestrian and visual linkages shall be made between a project and off-site~~
106 ~~amenities.~~

- 107 (i ~~iii~~) The project shall be designed to minimize negative traffic impacts on and of the
108 surrounding uses.
- 109 (ii ~~iv~~) To the maximum extent practicable, garage entries, carports, parking areas, and
110 parking structures shall be internalized in building groupings or oriented away from
111 street frontage.
- 112 (iii ~~v~~) Parking areas and freestanding parking structures (detached garages or carports) shall
113 not occupy more than 30% of each perimeter public street frontage of a multifamily
114 development.
- 115 (iv ~~vi~~) To the maximum extent practicable, freestanding parking structures that are visible
116 from perimeter public streets shall be sited so that the narrow end of the parking
117 structure is perpendicular to the perimeter street.
- 118 (v ~~vii~~) Temporary parking structures are not permitted.
- 119 (vi ~~viii~~) Projects that require parking areas with more than six parking spaces shall provide
120 maneuvering areas that accommodate ingress and egress from the lot by forward
121 motion of vehicles. The Director may allow parking that backs out directly onto a
122 street if the applicant can show this is a safe alternative for both pedestrians and the
123 driver.
- 124 (vii ~~ix~~) The visual focal point of drives and walkways should be free of utilities, trash
125 receptacles, and outdoor storage areas.

21.05.060 NONRESIDENTIAL AND MIXED USE DESIGN STANDARDS.

127 ...

128 ~~(e) Site Design.~~ Site design elements are intended to minimize vehicular orientation and
129 emphasize pedestrian activities such as ease of access from the public way and safe
130 access to parking areas, increase walkability of the district especially between the public
131 way, transit facilities and other buildings. They are also intended to provide safe access to
132 businesses from the street and sidewalks, as well as maximize multiple parcel
133 interconnectivity.

134 ~~(f) Circulation.~~

135 (i) ~~A six-foot wide sidewalk shall be provided from the street to the front of all principal~~
136 ~~building main entrances.~~

137 (ii) ~~Pedestrian paths shall be established between neighboring buildings, between~~
138 ~~buildings and outlying parking areas, and between buildings and transit facilities.~~

139 (A) ~~Pedestrian paths shall be clearly visible, have adequate lighting, and be designed~~
140 ~~to be reasonably direct.~~

141 (B) ~~Where pedestrian paths cross vehicular routes, a change in paving materials,~~
142 ~~textures, or colors shall be provided to emphasize the potential conflict point,~~
143 ~~improve visibility, enhance safety, and enhance aesthetics.~~

144 (iii) ~~On-site signage and traffic markings shall be provided as necessary to facilitate~~
145 ~~circulation and improve public safety and awareness.~~

146 ~~(2) **Access.** Site layout and access design shall minimize the number of traffic conflict~~
147 ~~points into and out of a business or overall development site by defining and~~
148 ~~consolidating driveways or access points and designing shared access~~
149 ~~between/among businesses.~~

150 **21.05.070 RETAIL SALES, BIG BOX.**

151 ...

152 **(e) Sidewalks.** Pedestrian accessibility from a big box to the neighborhood is important to
153 reducing traffic impacts and projecting a friendlier, more inviting image. This subsection
154 sets forth standards for public sidewalks and internal pedestrian circulation systems that
155 can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and
156 convenience within the center grounds.

157 ...

158 ~~(5) All walkways not governed by this subsection shall be designed in accordance with~~
159 ~~21.05.020(e)(8). Pedestrian walkways in public parking areas shall be distinguished~~
160 ~~from driving surfaces by the use of durable, low maintenance surface materials such~~
161 ~~as pavers, bricks or patterned concrete. Such walkways enhance pedestrian safety~~
162 ~~and comfort, as well as the attractiveness of the walkways.~~

163

164 **INTRODUCED** on first reading this 20th day of November 2024 and ordered published in
165 pamphlet form.

166 **ADOPTED** on second reading this 4th day of December 2024 and ordered published in
167 pamphlet form.

168 ATTEST:

169

170

171

172

173

174 _____
Selestina Sandoval

175 City Clerk

176

Abram Herman

President of the City Council