

ORDINANCE NO. 4260

AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE REGARDING OFF-PREMISE SIGNS ON OR NEAR THE CENTERLINE OF THE RIVERSIDE PARKWAY

RECITALS:

In November 2003, the citizens of the City of Grand Junction ("City") approved a ballot measure authorizing the City to incur bonded indebtedness for the design and construction for the Riverside Parkway ("Parkway") in the total amount of \$100 million. The Parkway will be a three and five-lane urban beltway near land along the Colorado River. The Parkway is planned as the southern segment of a loop around the City. The roadway will eliminate congestion at various intersections, eliminate at-grade railroad crossings, reduce traffic within the Riverside neighborhood, minimize stops and driveways and generally improve safety and access to existing and proposed parks and Open Space along the City's riverfront.

Much time, effort and money has been applied to designing an attractive, well-designed, efficient means of moving the public from one end of town to the other in a manner acceptable to the public. Citizens have participated in the planning process for the Parkway from the beginning. In large measure because of the significant design and planning effort, the Parkway design meets the safety and aesthetic needs of all vehicular, pedestrian and bicycle users. The road will have gentle curves, good sight distances and reasonable grades. Impacts to open space will be minimized and the views, vistas and cityscapes have been preserved and enhanced with design features.

After much consideration of the City's obligation to promote the health, safety, and general welfare of the citizens, the City Council finds that off-premise advertising signs shall be prohibited on or near the Riverside Parkway. The intent is that no off-premise sign may be viewed by a parkway user, whether traveling by vehicle or on foot. Too much has been done to improve traffic safety with the design and ultimate construction of this project to allow off-premise signs which will reduce traffic safety. The aesthetics of the project will be greatly enhanced with the elimination of signs; signs create clutter and visual pollution. Statistics have shown that they also decrease safety. In this amendment to the Zoning and Development Code ("Code") the City Council is acting to protect the public benefits to be derived from the expenditure of \$100 million of the City's funds for the improvement and beautification of streets and other public structures by exercising reasonable control over the character and location of sign structures.

The elimination of off-premise advertising signs is reasonable and furthers the City's rights and responsibilities to protect the health, safety and welfare of its citizens. The City encourages development of private property in harmony with the desired character of the City while providing due regard for the public and private interests involved. The sign regulations as amended will promote the effectiveness of signs by preventing their undue concentration, improper placement, deterioration and excessive size and

number. The citizens will be protected from injury or damage as a result of limiting distraction or obstruction attributable to signs.

On-site and other signs will be allowed as long as the signs otherwise comply with the Code, other City rules and regulations, and state law.

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

Chapter 4 of the Code shall be amended as follows:

Section 4.2.G.4.e shall be added to read:

e. Off-premise outdoor advertising signs shall not be visible from the Riverside Parkway. No portion of a sign may be visible from the Riverside Parkway. It is rebuttably presumed that a sign is visible if the sign is located within 600 feet from the centerline of the Riverside Parkway as that location is depicted in Exhibit A attached hereto. Exhibit A is incorporated by the reference as if fully set forth.

Sections 4.2.E.3 and 4.2.E.4 shall be added to read:

3. Any off-premise sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of Section 4.2.G.4.e may continue only in the manner and to the extent that it existed at the time of the adoption of this ordinance. The sign must not be re-erected, relocated, or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of this ordinance, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of this ordinance.

4. A nonconforming sign which use is upgraded or exempted in writing shall be considered an allowed sign.

Chapter 9 of the Code shall be amended by including the following definition for Off-premise Sign and deleting the definition Sign, Billboard (Off-premise):

Off-premise sign is a sign that directs attention to a commercial business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located, including billboards.

This ordinance is proposed and adopted pursuant to and is consistent with the City's legal authority and obligation to promote the health, safety and general welfare of the citizens of the City. To the end, City Council does hereby direct the City Manager to take any and all lawful actions necessary or required to fully implement the terms hereof.

Introduced for first reading this 18th day of June, 2008.

Passed and adopted this 2nd day of July, 2008.

/s/ Gregg Palmer
Gregg Palmer
President of the Council

Attest:

/s/ Stephanie Tuin
Stephanie Tuin
City Clerk

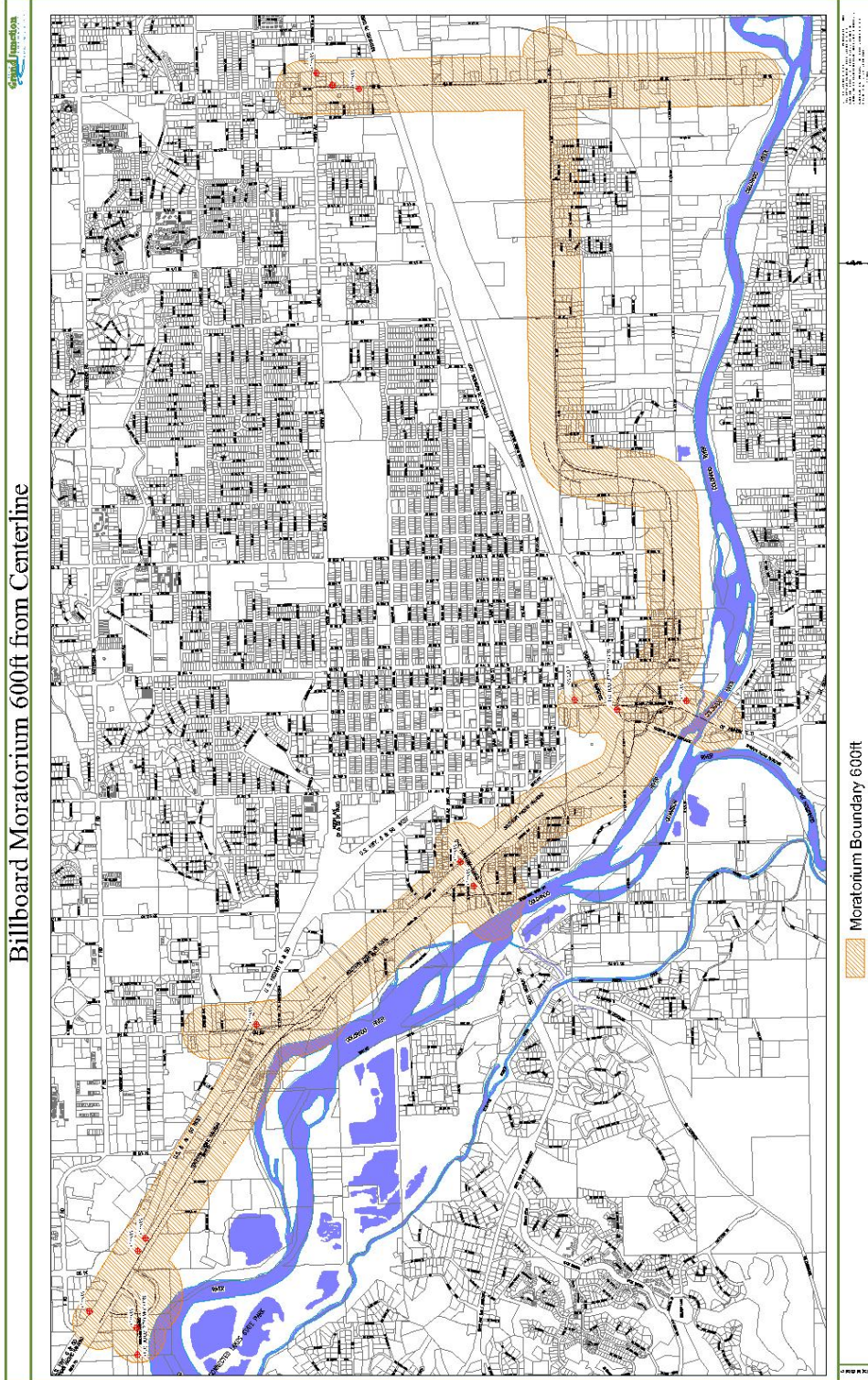


EXHIBIT "A"