

PAL98BUF

TYPE OF RECORD: ACTIVE PERMANENT

CATEGORY OF RECORD: **CONTRACT** (COOPERATIVE PLANNING AGREEMENT)

NAME OF PARTIES: TOWN OF PALISADE AND MESA COUNTY

SUBJECT/PROJECT: ESTABLISHMENT OF A TRANSITION AREA BETWEEN GRAND
JUNCTION AND PALISADE (BUFFER ZONE)

LOCATION:

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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COOPERATIVE PLANNING AGREEMENT

THIS AGREEMENT, entered into this 9th of February, 1998 by and between MESA COUNTY, COLORADO, a Body Politic organized under and existing by virtue of the laws of the State of Colorado and the TOWN OF PALISADE, COLORADO and the CITY OF GRAND JUNCTION, COLORADO.

WHEREAS, this agreement is entered under the authority authorized by Title 29, Article 20, Colorado Revised Statutes, as amended, and;

WHEREAS, the Board of County Commissioners, the Palisade Town Council and the Grand Junction City Council find it is for the mutual benefit of all parties and in the interest of the public and affected land owners to cooperatively plan the future land use of an area between Palisade and Clifton, and;

WHEREAS, the Board of County Commissioners, the Palisade Town Trustees and the Grand Junction City Council entered an Interim Cooperative Planning Agreement (MCA 96-70) on November 18, 1996 which provided for the creation of this agreement to supercede the 1996 agreement, and;

WHEREAS, the Mesa Countywide Land Use Plan expresses countywide goals, policies, and actions to provide guidance in land use decision making, and;

WHEREAS, Mesa County has initiated the process of revising the Mesa County Land Development Code to be consistent with and implement the Countywide Land Use Plan, and;

WHEREAS, the Growth Plan for the City of Grand Junction and the Mesa Countywide Land Use Plan both have the following as a goal statement:

To ensure orderly transitions or buffers in areas of joint concern between different communities (i.e., Grand Junction, Fruita, Palisade) that help define distinct communities within Mesa County.

and;

WHEREAS, the above Plans both have the following as a policy statement:

Grand Junction and Mesa County will coordinate with the Town of Palisade to establish and maintain a transition area between Grand Junction and Palisade that includes the proposed area of joint concern....

and;

WHEREAS, there is an area between Clifton and Palisade in which there are no sewer lines, limited domestic water lines, a general lack of urban services, and lengthy response times for emergency

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services, and;

WHEREAS, there is considerable pressure for development in the area between Clifton and Palisade, and;

WHEREAS, without an agreement between Mesa County and the municipalities the area between Palisade and Clifton could develop in a manner making one community indistinguishable from the other, adding to existing traffic problems, and requiring additional urban services at taxpayer expense, and;

NOW, THEREFORE, in consideration of the covenants and obligations herein expressed, it is agreed by and between the parties as follows:

1. This intergovernmental agreement shall pertain to the geographic area labeled as "cooperative planning area" on Exhibit A, attached.
2. This intergovernmental agreement supersedes the interim agreement between the parties dated November 18, 1996 (MCA 96-70).
3. Within the "cooperative planning area," neither the City of Grand Junction nor the Town of Palisade will:
 - a. annex any territory
 - b. extend any municipal utility services that are not already presentwithout the mutual consent of all parties.
4. Within the "cooperative planning area," all parties will not
 - a. extend any sanitary sewer line
 - b. recommend amendment to any 201 sewer service area boundarywithout the mutual consent of all parties.
5. It is the goal of all parties that future land use decisions within the "cooperative planning area" will enhance the rural character of the area.
6. All parties will respect the adopted master plans for each jurisdiction pertaining to the "cooperative planning area."
7. Within the "cooperative planning area" changes in the zoning of a property (rezone) will be consistent with the recommendations of the Mesa Countywide Land Use Plan, where applicable, unless the change is formally approved by the governing bodies of all parties to this agreement.

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8. Mesa County will revise the Mesa County Land Development Code appropriately to implement this agreement.
9. Mesa County will provide the other two parties, with adequate notice, the opportunity to review and comment upon the following types of development activity and related matters in the cooperative planning area:
 - a. site plans
 - b. subdivision plats or replats
 - c. planned developments
 - d. special use permits
 - e. conditional use permits
 - f. zoning or development code text amendments that may effect the "cooperative planning area."
 - g. rezone applications
 - h. policy and plan amendments that may affect the "cooperative planning area."
10. All parties will share planning meeting and hearing agendas with the other parties in a timely manner.

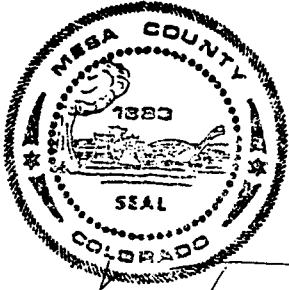
IMPLEMENTATION

11. All parties will work cooperatively to:
 - a. establish and adopt rural land use design standards for the cooperative planning area including, but not limited to: landscaping, signage, entryways, parking, and outdoor storage requirements; and adopt traffic access and engineering standards in conjunction with the Colorado Department of Transportation.
 - b. assist property owners in voluntary rezoning and/or replatting their properties in a manner consistent with the Mesa Countywide Land Use Plan, and the Palisade Strategic Development Plan to further the purposes of this agreement. Assistance may be provided in the form of fee waivers, and/or expedited review.
 - c. explore, develop, and support options and seek funding mechanisms available for preserving open lands and enhancing the rural character of the cooperative planning area,
 - d. establish a joint open space fund for acquisition of important land, development rights, and open space and conservation easements,
12. All parties will meet every five years or as needed, to review the status of the above provisions. Each party will rotate hosting these annual meetings.

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13. It is the intent of all parties that this agreement be binding upon all parties, and that each party shall be permitted to specifically enforce any provision of this agreement. Venue for any dispute hereunder shall be in the District Court of Mesa County, Colorado.

14. This agreement may be amended in writing no earlier than the year 2002, subject to the approval of all parties.

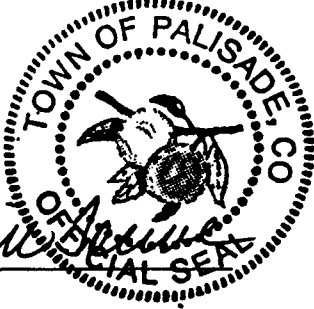


Attest:

Monika Todd
Monika Todd, Clerk and Recorder

Board of County Commissioners,
County of Mesa, State of Colorado

By: James R. Baughman
James R. Baughman, Chairman



Attest:

Quirac Arreola

Town of Palisade

By: Reed Smith

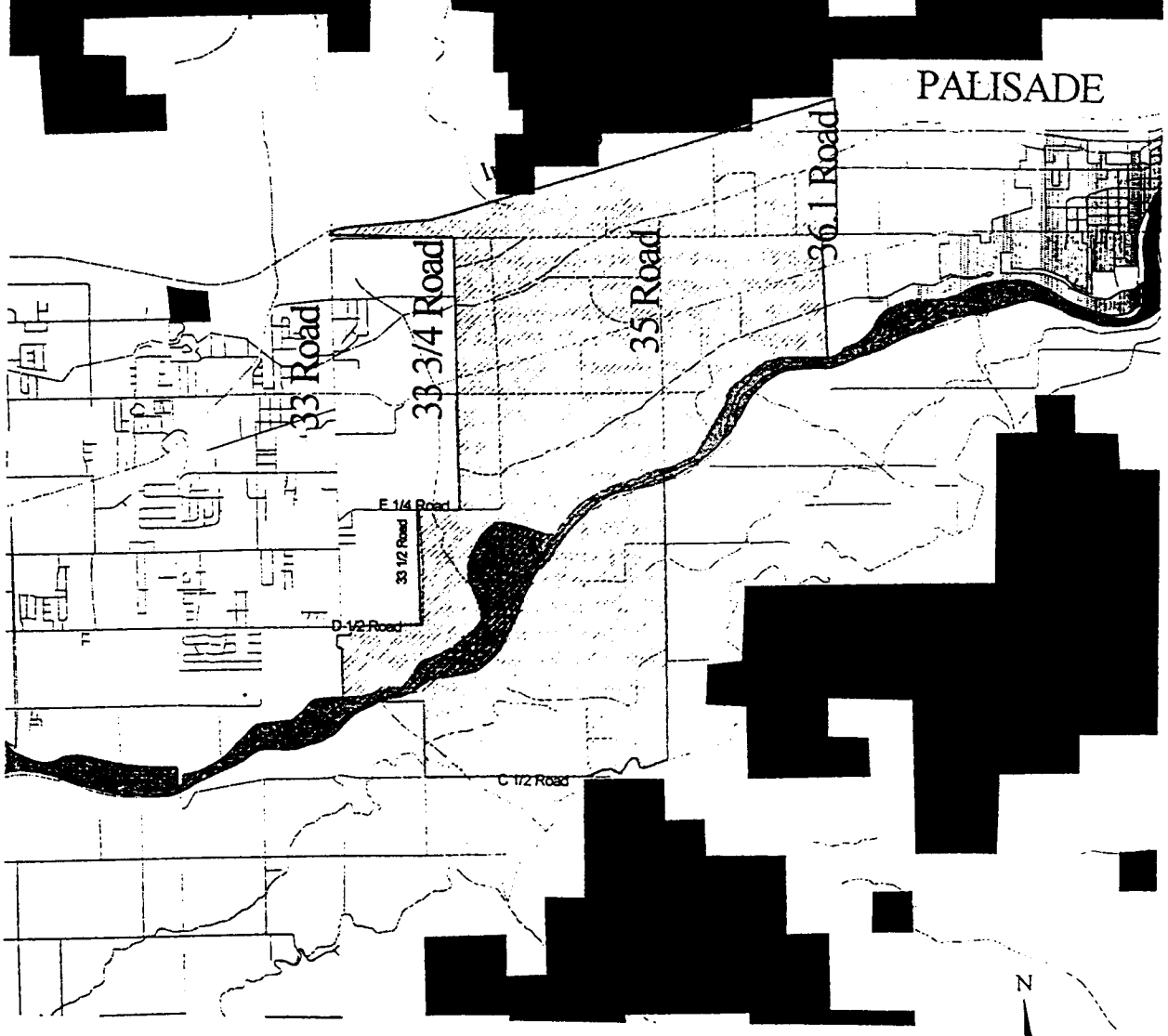


Stephanie Hye

City of Grand Junction

By: Janet L. Hye

EXHIBIT A



PALISADE/GRAND JUNCTION/MESA COUNTY COOPERATIVE PLANNING AREA

Plot date
12/2/97



March 13, 2000

City of Grand Junction , Colorado
250 North 5th Street
81501-2668
Phone: (970) 244-1501
FAX: (970) 244-1456

State Board of the Great Outdoor Colorado Trust Fund
1600 Broadway, Suite 1650
Denver, CO 80202

RE: Mesa County Community Separator Project

Dear Board Members:

The Grand Junction City Council is pleased to support the Mesa County application for an Open Space grant to further the Mesa County Community Separator project. We are anxious to continue and expand our partnership with Mesa County, Fruita and Palisade. Our pledge of \$50,000 to this project illustrates our commitment to purchasing development rights within the Grand Valley's Community Separators.

The Community Separator project is consistent with the goals and policies of the Grand Junction Growth Plan and various intergovernmental agreements. We are pleased to say we have been active partners in this endeavor since 1996 when we first entered Intergovernmental Agreements with Mesa County, Fruita, and Palisade. The next logical step in the project is to begin a purchase of development rights program. Approval of this grant application will allow us to demonstrate one more available growth management tool to protect the integrity of our existing communities and the rural character of the Community Separators.

Thank you for your consideration of this important request.

Sincerely,

A handwritten signature in cursive script that reads "Gene Kinsey".

Gene Kinsey,
Mayor

pc: Mesa County Board of County Commissioners
Sue Gormley, Mesa County Facilities and Parks Director
Keith Fife, Mesa County Long Range Planning Director