

**RESOLUTION NO. 84-00**

**DEFINING VALID DEVELOPMENT APPLICATIONS  
AS REFERENCED IN AMENDMENT 24**

Recitals.

This community has addressed growth issues in the central Grand Valley with the adoption of the 1996 Growth Plan (City Council and Mesa County Planning Commission), and the 1998 Persigo Agreement (City and the Mesa County Commissioners). Other intergovernmental agreements, including the buffer agreements between the City, Mesa County, and the municipalities of Fruita and Palisade, serve to define the areas where urbanization should occur, and perhaps more importantly, where it should not occur.

The proposed amendment 24 to the Colorado Constitution, according to its initiators, is needed to address primarily issues arising out of the rapid growth in the Front Range areas. Given that this community has already decided to limit urban growth to the area to be served by the Persigo sewer system, and to promote growth which is consistent with the Growth Plan, the proposed amendment does not appear to assist in solving a problem which is damaging to the community.

Instead, if amendment 24 passes, it will primarily serve as an impediment to necessary additional development, at least as related to the Persigo Urban Growth boundary. The additional information which the amendment requires will serve to better educate the public, however, the price to obtain this information seems high, at least for this community.

The City Council concludes that as long as the existing regulations and requirements and adopted plans will continue to apply, development which would be consistent with such rules, requirements and plans should be accommodated without the delay and costs associated with voter approval for development.

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

1. Any application for development received by the Community Development Department by 5 p.m. on September 12, 2000, will be deemed to be a valid development application for the purposes of the proposed amendment 24, Initiative 256 if it is within the Urban Growth Boundary and it is:
  - (a) a site plan, preliminary plan, final plan, or other phase of a planned development application, major, minor or other subdivision of land (including condominium), preliminary plat, final plat, or any other development review process;
  - (b) a change of a zone or zoning;
  - (c) a conditional use permit; or

- (d) any other review process or request for which a public hearing is required under the Zoning and Development Code which, if approved, would result in additional lots or parcels or in additional new structures or any additional or new development.
2. Nothing in this resolution shall have the effect of reviving or recognizing plans, designs, applications or development plans that are not otherwise valid and enforceable under the Zoning and Development Code. Any such land use approval or request will be evaluated in accordance with existing provisions of the Zoning and Development Code.
  3. The term "valid development application" is more specific, and "later in the process" than, and thus does not include, an application or request in whatever form for text or map changes to any zone or growth plan or other master plan or neighborhood/area plan petitions. A petition to annex to the City is not a valid development application.
  4. This resolution does not create, nor attempt to create, any rights or privileges in addition to those, if any, created or regulated by the Zoning & Development Code.
  5. This resolution does not change any of the submittal, review, and other requirements, standards and rules that are in the Zoning & Development Code or are otherwise applicable to any land or proposal.
  6. A purported subdivision plat, townsite plat or any phase of any planned development that is not valid or recognized under the Zoning and Development Code is not revived or deemed to be valid by the adoption of this resolution.
  7. Any project or land for which the City has granted some development approval, under the Zoning and Development Code, and which is proceeding consistent with an approved development schedule is also deemed to be land for which a development application has been filed.
  8. **NOTICE: The terms of this resolution are adopted in anticipation of, and to be consistent with, Initiative 256 to be voted on by Colorado's voters in the fall of 2000. No person is entitled to rely on the adoption hereof by the City. Any person who relies on this resolution, or who takes action or spends money must do so based on such person's own reading of Initiative 256.**

Passed and adopted this 6<sup>th</sup> day of September, 2000

\_\_\_\_\_  
Mayor of the City of Grand Junction

ATTEST:

\_\_\_\_\_  
City Clerk

