

**JOINT HEARING OF THE
GRAND JUNCTION CITY COUNCIL
GRAND JUNCTION PLANNING COMMISSION
PROPOSED ZONING & DEVELOPMENT CODE
MARCH 7, 2000 MINUTES**

The specially scheduled joint hearing of the Grand Junction City Council and Grand Junction Planning Commission convened at 7:04 p.m. on March 7, 2000 and was held at Two Rivers Convention Center.

Representing the Grand Junction City Council were: Gene Kinsey (Mayor/Council President) and Councilmembers Reford Theobald, Jack Scott, Earl Payne, Cindy Enos-Martinez and Janet Terry. Representing the Grand Junction Planning Commission were: John Elmer (Chairman) and Commissioners Joe Grout, Terri Binder, Dr. Paul Dibble, James Nall, Nick Prinster and Jerry Ainsworth. (Note: Commissioner Ainsworth arrived after the vote to remove the salvage yard section from consideration.) Asst. City Manager/Acting Community Development Director Dave Varley, City Attorney Dan Wilson, Asst. City Attorney John Shaver, and City Planning Manager Kathy Portner were also present. Other staff present included Ivy Williams, Bill Nebeker and Scott List. Terri Troutner was present to record the minutes.

Council President Kinsey indicated that due to the controversy surrounding the salvage yard section of the *Development Code*, that section would be pulled from consideration and would be subject to another 60-day review. The extended timeframe would allow City staff to meet with salvage yard owners, et al., to discuss relevant issues. This drew strong objection from the salvage owners, their representatives, and the public. As a concession, Dean VanGundy (1018 S. 5th Street, Grand Junction) was given the opportunity to make a statement as representative for his business and other salvage yard owners.

Mr. VanGundy felt that the section should be opened to the public for discussion. He'd brought in an expert from Arizona who could provide important testimony. Councilmember Terry said that citizen testimony was considered more important than testimony received from paid experts.

PLANNING COMMISSION MOTION: (Commissioner Grout) "Mr. Chairman, on section 4.3.D regarding salvage yards, I move that we table the section for the following reasons: 1) provisions in the existing *Zoning and Development Code* addressing salvage yards in similar uses shall remain in full force and effect until the City Council adopts the replacement of section 4.3.D dealing with salvage yards, and it is expected that the new section dealing with salvage yards will be studied for approximately 60 days and then considered for adoption by the City Council. When the new provisions addressing salvage yards are adopted, the provisions in the prior *Code* shall then be repealed as will be noted in the ordinance adopting the new salvage yard provisions."

Commissioner Binder seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

CITY COUNCIL MOTION: (Councilmember Theobald) “I would move approval of the Planning Commission recommendation.”

Councilmember Terry seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

CONSIDERATION OF THE PROPOSED ZONING MAP

The following information represents a synopsis of City Council/Planning Commission discussion and changes proposed for the City of Grand Junction *Zoning and Development Map*, as outlined by Kathy Portner and contained in the March 6, 2000 Staff Review.

1. The Community Hospital property, located on the northwest corner of 1st Street and Patterson Road, was changed from B-1 to PD to reflect the recently approved plan for the property.
2. The Northridge Filing #3 property has a proposed zoning of RSF-4. The owner, Dr. Merkel, wanted to retain a PD zoning on the property. A letter had been submitted.
3. The Hall property on the east side of 24 ½ Road, north of F ¼ Road was changed to PD to reflect the ODP, which had been approved for the property.
4. The PD zoning for the Brookside Subdivision, located at the northwest corner of F ½ and 30 Roads, was extended to the parcel to the west, which is the parcel directly north of the extension of Oxbow and Broken Spoke.
5. The following zones were recommended for properties on the west side of 12th Street, between Horizon Drive and G Road: parcel 009, RSF-4; parcels 003 and 010, RMF-5 zoning; and parcels 061, 062 and 941, RMF-8 zoning. This was consistent with an alternative proposal submitted by area neighbors. Ms. Portner said that the increased density along 12th Street was consistent with previous City Council and Planning Commission discussions and the property owner’s request. Staff agreed that the busy corridor warranted higher densities and had supported the request.
6. The parcel at the northeast corner of G Road and Victor Drive was changed from RSF-4 to RSF-2.
7. Properties bounded by 12th Street, Horizon Drive, Budlong Street, and Midway Avenue were changed from RMF-16 to RSF-4. The property owner, Dr. Merkel, opposed the RSF-4 zoning and had submitted a letter.
8. All of the Etter/Epstein property on the south side of Horizon Drive west of 27 ½ Road was changed to reflect PD zoning, including the triangular piece bounded by Horizon and Cliff Drives.

9. RSF-2 zoning had been recommended for property north of Crossroads Blvd. and east of 27 Road. The owner, Dr. Merkel, had submitted a letter stating his preference for PD zoning with a higher density or, perhaps, a commercial zone.
10. Zoning for the property located at 1101 Kimball Avenue was changed to I-2. Since an adjacent parcel was targeted by the City for park development, City Council and Planning Commission members determined that CSR and buffering requirements should apply to the I-2 zoned property; however, fencing/wall costs separating the industrial/public uses should be shared by both property owners. Clarification was given that while the CSR and buffering requirements would apply to all applicable parcels, specific focus and direction was being given to the subject property at this time. Staff was directed to include parks and other public uses in the adjacent use buffering table (buffering discussions were deferred, see Chapter 7).

PUBLIC COMMENTS

Doug Cleary (2691 Kimberly Drive, Grand Junction), representing neighbors who had signed the petition and form letters, expressed support for the alternative zoning plan as submitted previously to staff and later outlined in attorney Richard Krohn's letter. The alternative plan would provide a better transition while preserving property values.

Richard Krohn (744 Horizon Court, Ste. 300, Grand Junction), representing Gertrude and Walter Dalby, referenced a letter submitted on behalf of his clients, who owned parcels 061 and 062. He supported the alternative proposal and agreed that it made more sense than the City's proposal. The alternative, he said, still complied with *Growth Plan* recommendations, represented good infill, and provided for better transitioning.

Charles Reems (695 Cascade Drive, Grand Junction) supported the petition although his name was not on it. He preferred that the parcels be given lower-density zoning, given the unique "problems" associated with each lot, and suggested that any rezoning be deferred until such time as a plan was brought before the City for consideration. He expressed concern that traffic from higher density development would be directed onto Cascade Drive, a street not designed to handle such flows.

Margaret Moore (2679 Homestead Road, Grand Junction) clarified that Cascade Drive did not extend beyond Homestead Road as the map suggested.

DISCUSSION

Councilmember Terry referenced item 2 above and said that the property's RSF-4 zone was the most compatible for the area. The City did not support planned zones without corresponding plans. With regard to item 7, the covenants of that subdivision were more restrictive than the City's proposed zoning. With item 9, if the petitioner wanted to change the property's zoning to Commercial, he would have to take any such request through the normal planning/public hearing process. The current process addressed changes in intensity not changes in use.

Commissioner Dibble asked if discussions on the 24 Road corridor were being deferred pending completion of the 24 Road Corridor Study, to which Council President Kinsey replied affirmatively.

Councilmember Theobald went through the list of proposed changes as modified to ensure consensus, which was confirmed.

CONSIDERATION OF THE PROPOSED ZONING AND DEVELOPMENT CODE

CHAPTER ONE:

Section 1.18.A-D: Clarification provided by Dan Wilson. He recommended amending section 1.18.B to add the words at the end of the last sentence, "...but thereafter this *Code* shall apply throughout the project."

Council President Kinsey opened the hearing up for public comment but none was offered.

CHAPTER TWO:

Table 2.1, note 5, page 2: The threshold for required neighborhood meetings was changed from 25 lots to 35 lots.

Section 2.2.B.4.d, page 6: Delete "...to ???..."

Section 2.3.B.8.b.4, page 20: Replace "???" with "testimony" and change number 3 to number 1, and number 6 to number 2.

Section 2.2.D.3, page 8: Verbiage changed to read, "No person shall change the use of a structure or property to another principal use unless the Director has issued a permit therefore.

The change of use does not occur unless: (a) the *Code* requires more off-street parking than is available on the property; (b) the gross square footage of the structure has increased; or (c) there will be an increase in traffic from the change."

Section 2.3.H, page 32: The review of condominium and lease holdings to establish zoning rights was retained, but the required review of all condominium plats was deleted.

Section 2.4.D.1, page 55: The warranty period for public improvements, where a developer has entered into a Development Improvements Agreement with the City, was changed from two years to one year.

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) referenced his handout dated March 7, 2000 denoting a number of typos and other errors. Given the volume of those errors, he wondered what adoption of the *Code* would mean.

Mr. Wilson said that in the event of an obvious gap, the City would go back to the "Blue Book" for precise language.

The following amendments were provided: Section 2.2.B.4.d, page 6, delete "...to ???..."; Section 2.3.B.8.b.4, page 20, replace "???" with "testimony" and change number 3 to number 1, and number 6 to number 2.

DISCUSSION

Commissioner Nall asked if there were any trip numbers associated with Section 2.2.D.3, page 8, to which Mr. Wilson replied negatively. He said that in the presence of good data, any literal increases would be measured. In the absence of such data, national standards could be referenced. If the use changed and calculated to a higher use, that would represent the “trigger.” Ms. Portner added that the trigger only required the applicant to go through a Change of Use review.

CHAPTER THREE:

Table 3.2, page 2: The maximum lot coverage for Business, Commercial and Industrial zones was deleted.

Section 3.4, pages 17-29: The maximum district size for all non-residential zones was deleted.

Table 3.5, pages 31-36: Placed in the *Code* backwards; will be corrected.

Section 3.4.B.5: Add section g. to read, “For the purpose of rezones, consideration shall be given to locating the B-1 district at least 8/10 of a mile from another business or commercial zone district. The distance shall be measured between the closest boundaries of the two existing and proposed districts.”

Section 3.8.A.1: The last two sentences were deleted.

Section 3.8.B.1, the following verbiage was added at the end of the paragraph to read, “Maintenance or minor repair of a non-conforming structure or site is allowed.”

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) said that in Table 3.5, page 36, under Institutional & Civic, the section on Daycare, previous discussions included adding a footnote referencing that section to read, “Must comply with all state licensing requirements.” The footnote was not reflected in the current draft.

Mr. Wilson said that the City was obligated to follow State law anyway, so the requirement was implied even if omitted from the *Code*.

Karl Antunes (288 Pine Street, Grand Junction) asked that consideration of the entire Non-Conforming Use section (Section 3.8) be deferred and reviewed with the salvage yard section, since he felt that both sections were closely interrelated. Reroofing, he said, should be considered as maintenance on a non-conforming use.

Ms. Portner agreed that reroofing was more of a maintenance undertaking. Following discussion, the last two sentences of Section 3.8.A.1 were deleted. Under Section 3.8.B.1, the following verbiage was added at the end of the paragraph to read, “Maintenance or minor repair of a non-conforming structure or site is allowed.”

Councilmember Terry said that if review of the salvage yard section necessitated changes to the non-conforming use section, any such changes would be dealt with at that time.

CHAPTER FOUR:

Section 4.3.K, page 37: The Mineral Extraction section was modified to better define right-of-way use and improvements, extensions and permitted noise levels. The Use/Zone Matrix was not modified. Gravel pit operations would be permitted in RSF-R, IO, I-1, I-2 and CSR zones, with a CUP.

Section 4.3.O, page 50: The Group Living facility section was modified to clarify three types of living facilities and the requirements, based on number of residents. The Use/Zone Matrix was modified to include the modification.

Section 4.1.F, page 3: Add "...IN RESIDENTIAL ZONE DISTRICTS" to the section heading after the word "...VEHICLES." Delete subsections c. and d. in their entirety. In subsection e., add the words, "...or driveway..." after the word "street" and change the words "...forty-eight (48)..." to "seventy-two (72)..."

Section 4.1.I.11.d: Add the words "...for new development..." after the word "containers." The gating requirement would be subject to additional review.

Section 4.3.A.3.c (1): Amend verbiage to clarify that prior agricultural uses are protected, and that even with a gap of up to one year, the use is still protected.

PUBLIC COMMENTS

René Day (3134 Brownie Circle, Grand Junction) said that in her case she had an inoperable vehicle stored at her inlaws' home in the rear yard of their property. Was that allowed? Councilmember Theobald answered that as long as the vehicle was properly screened (e.g., covered by a tarp), she could continue to keep the vehicle at her inlaws' home as stated. Ms. Day asked about Section 4.1.I.4.c prohibiting the outdoor storage of vehicle parts. Could those parts be "screened" by virtue of placing a camper shell over them? Ms. Ivy Williams replied affirmatively.

Adell Larson (2508 Mt. Sopris, Grand Junction) said that the 48-hour notation contained in Section 4.1.F.1.e was too restrictive. The Heatheridge covenants, he said, allowed for up to 4 days of on-street parking. He also owned a house on a corner lot and, as a result, had fewer storage options. Given the *Code's* verbiage, he suggested that he could legally park 48 hours on one street frontage and 48 hours on the other. He noted that, if parked in his driveway, his RV would extend 8 feet out into the street. Mr. Larson felt that the *Code* should be amended to allow for up to 4 days of on-street parking.

When clarification of on-street parking was requested by Commissioner Grout, Ms. Williams said that the *Code* limited storage of goods within a public right-of-way to 48 hours. The *Model Traffic Code* contained a 72-hour abandonment section.

Mr. Larson said that more than half the people in his subdivision would be in violation, based on the 48-hour restriction. It didn't make sense, he said, to impose a restriction that people couldn't or wouldn't comply with.

When Councilmember Theobald asked which took precedence—covenants or *Code*, Mr. Wilson said that the City did not recognize covenants since they represented a private contract between private parties.

Ray McGhghy (1826 O Road, Grand Junction) said that if enforcement was complaint-driven, it could create conflicts and inequities between neighbors. One neighbor might complain about an RV stored on the street, so the *Code* restriction would be applied to the RV's owner. Another neighbor may have no problem with the parked RV and therefore not complain, and so for that RV's owner, storage of the vehicle would be permitted. Some RV storage lots weren't open on the weekend, so pickup may occur on a Thursday or Friday.

John Colley (address and correct spelling of name unknown) felt that the entire outdoor storage section of the *Code* was unrealistic and should be pulled.

Mel Southam (1303 Main Street, Grand Junction) agreed that longer vehicles should be covered, and that the number of vehicles stored in a rear yard should not be restricted, regardless of whether or not the vehicle is operable. He supported screening any stored vehicles with 6-foot solid privacy fencing and supported lengthening the on-street storage time to 4 days. He also asked for clarification of the term "driveway." Did it mean the entire length of the driveway, or only that portion up to the sidewalk? Large RV's should be kept off the street, he said, to reduce safety hazards. He also thought that screening/fencing of refuse containers, as outlined in Sections 4.1.I.6.c and 4.1.I.11.d, was unreasonable and could create a number of problems for City and private trash collection businesses. He suggested replacing these sections with verbiage requiring only that trash collection areas be kept neat. Screening of trash collection areas, he added, could create sight distance problems, and placement of the City's trash receptacles in alleys away from rear property lines were creating safety hazards.

Councilmember Theobald agreed that the driveway issue should be addressed further at some point.

David Williamson (2742 Laguna, Grand Junction) said that he owned a number of RV's but had no access available to either his side or rear yards, so the only storage option available to him was in the front yard or on the street. He agreed that 48-hours was too restrictive, and he supported enforcement on a complaint-only basis. He noted the layout of his property and said he preferred that vehicles NOT be stored in the back yards of his neighbors.

Dino Lobato (1540 ½ White Avenue, Grand Junction) said that he had no alley or rear yard available to him. He had an inoperable vehicle on his lot but due to a recent disability, he couldn't afford to fix it up or have it towed. He wondered what he was to do. Also, his neighbors did not have driveways or garages and had no other options but to store their vehicles on the street.

Vern Jones (259 Laura Lee, Grand Junction) concurred with statements made by the previous speaker. This *Code* section, he said, was unfair to people who did not have the financial means to comply. With regard to Section 4.1.F.1.b, he noted that Wal-Mart and K-Mart chains, along with many fraternal organizations, offered courtesy parking to people traveling in RV's. This section would make that practice illegal. What about company arriving in RV's?

Richard Woods (124 Sherman Drive, Grand Junction) pointed out that many of the art objects currently on display in the City's Art on the Corner would be in violation of Section 4.1.I.4.c, since many of these sculptures included vehicle parts. He suggested that the section be deleted.

Lee Meredith (252 Laura Lee, Grand Junction) referenced Section 4.1.I.4.a said that the way the section was written, his son couldn't come over and ask for help in changing out a vehicle part.

Councilmember Theobald said that repairs could still be effected within the stated 48-hour period. Mr. Meredith said that even in that case, he would be unable to order in a part for the car or have off-site repairs made to a part if the vehicle remained on the property longer than 48 hours. Ms. Williams explained that the intent of the section was with regard to vehicle storage; however, complaints could be registered by neighbors if work was being done on the vehicle in the front yard and vehicle parts were stored, unscreened, within the front yard setback. This section, she said, was intended to address future repair or restoration.

Thomas Rose (535 Pierce Avenue, Grand Junction) said that in his case the City had issued him a building permit for construction of an RV storage driveway within his front yard setback. The 48-hour on-street parking restriction for RV's, he said, was unreasonable. He may take several days to get his camper ready for travel before actually moving the unit.

Councilmember Payne asked staff for clarification on the driveway permit. Ms. Portner said that typically the City did not ask the property owner about the intended purpose of a driveway.

Dixie Larson (2508 Mt. Sopris, Grand Junction) asked that the City Council and Planning Commission reconsider the outdoor storage section of the *Code*. As a proponent of personal property rights, she felt that people should be able to use their property as they want.

Robert Labaron (1525 N. 1st Street, Grand Junction) agreed that the 48-hour restriction for on-street RV parking was unreasonable. He also agreed that Sections 4.1.I.6.c and 4.1.I.11.d regarding dumpster screening needed further review and would create access issues for public and private trash haulers. With regard to Section 4.3.A.3.c (1), he felt that there would be problems with that section and wondered how agricultural rights would be protected.

Mr. Wilson said that the use 'first in' has the rights. Thus, if residential homes were constructed next to a property, which already contained a horse, the horse would be considered a prior non-conforming use and would be grandfathered in without having to comply with this section. If the horse was obtained after the housing units went in and complaints were lodged by the new property owners, the owners of the horse would have to comply with this *Code* section. Abandonment of the non-conforming use would be interpreted to have taken place after a one-year timeframe.

Council President Kinsey supported the inclusion of verbiage to clarify that prior agricultural uses are protected, and that even with a gap of up to one year, the use was protected. Mr. Labaron suggested not adopting the section until the section was amended, to prevent confusion and help prevent property owner disputes.

Councilmember Theobald wondered if the City could adopt or incorporate verbiage similar to the State's "Right-to-Farm Act," which many of Colorado's counties had used. Mr. Wilson said that something similar was available, and he offered to bring it before City Council for consideration. Chairman Elmer didn't see a problem since this section primarily addressed those residential properties being annexed into the City.

Julie Fisher (234 27 Road, Grand Junction) said that her family owns an auto wrecking yard. With regard to Section 4.1.I.11.d, she said that their trash hauler had refused on occasion to pick

up their trash because the trash receptacle wasn't placed in a proper position. Screening requirements, she surmised, would only intensify their resistance to trash pickup.

Councilmember Theobald suggested that staff contact local trash haulers and solicit input on that section. He wondered if the City's Public Works Department had had an opportunity to review the section. Ms. Portner said that while no Public Works input on the section had been received, over the years input had been received which suggested that while enclosing the trash receptacles/dumpsters would probably not be a problem, gating may be and should be subject to additional review. Enclosures for dumpsters already existed within the City limits. Ms. Portner suggested adding the words "...for new development..." after the word "containers" in Section 4.1.I.11.d.

Benjie Berg (2214 Avon Drive, Grand Junction) said that he recently bought 3 acres so that he could have a horse but could not yet afford to erect a fence. Given previous discussions, would he lose his horse ownership rights if someone built next to him? Ms. Portner said that in Mr. Berg's case, he could not have the horse fenced any closer than 100 feet from the nearest residence if those residential units went in after procurement of his horse. Ms. Williams added that if the horse was there first on Mr. Berg's property, the 100-foot restriction would not apply.

Ron Elliott (244 Chipeta Avenue, Grand Junction) said that since RV's were licensed vehicles, they should have the right of on-street parking anywhere and for any length of time. The 48-hour on-street restriction, he said, was unreasonable and was sure to generate a lot of complaints.

Ben Rose (2713 B ¾ Road, Grand Junction) objected to the inclusion of Section 4.1.I.4.c. He felt that the section should be deleted altogether.

Dennis Gustafson (1561 Highway 50, Grand Junction) said that he currently had an RV which sat sideways in front of his home. This was an improvement, he said, over the aesthetics of his house. In his case, he fixed up inoperable cars to give to charitable organizations and the poor and often had vehicles and miscellaneous parts stored on site. The Outdoor Storage of Vehicles and Residential Outdoor Storage sections would greatly impact him. He asked for consideration in reducing the amount of 'paperwork.'

Councilmember Theobald noted that Mr. Gustafson resided in a Commercial zone, and as such, restrictions on his property would be lessened with adoption of the new *Code*.

DISCUSSION

Councilmember Terry recalled previous conversations where research was to have been undertaken to ascertain whether gravel pit operations could be allowed uses in additional zones. Ms. Portner said that the original proponent had asserted that gravel pit operations should be at least a Conditional Use in all zones. Council President Kinsey said that the issue had been brought up in the context of a property's annexation. Ms. Portner said that in those instances, one option included placing a CSR zone on a property where mining was anticipated. The CSR zone could extend through the life of the mining operation and could be applied in a variety of places.

Councilmember Terry supported the suggestion but wondered how the City would be reminded of this discussion.

When the discussion turned to identifying potential gravel extraction sites, Mr. Wilson said that data was available at state and county levels identifying potential resource areas. Chairman Elmer suggested attaching overlay districts to potential gravel extraction areas, research those areas further, and make determinations at that time.

Councilmember Theobald objected to adding gravel pit operations to the CSR zone district.

General discussion ensued over the Storage of Vehicles (Section 4.1.F) and Residential Outdoor Storage (Section 4.1.I) sections of the *Code*. Focus was given to the operability, ownership, and quantity of vehicles in one's possession, and screening of the property in a residential area. The definition of "screening" was reviewed (Chapter 9, page 44). Ivy Williams clarified that in the event a large RV was stored in the rear yard setback, the intent was that there would not necessarily be an expectation that the RV would be screened. Councilmembers and Planning Commissioners agreed that screening of large vehicles or objects over 6 feet in height via a fence taller than 6 feet was not desirable since a building permit and Conditional Use Permit would be necessary in such instances.

Ms. Williams said that corner lots could not use their side yard setbacks for outdoor storage. Ms. Portner clarified that corner lots still had two predefined front yards, one side yard and one rear yard setback.

Lengthy discussion ensued over the 48-hour on-street parking limitation for RV's. A compromise of 72 hours was reached. Commissioner Binder recalled that only one developer had submitted a plan providing for RV parking as a part of the development proposal. She thought it a good idea and wondered why the City didn't encourage this more often from developers.

CHAPTER 5:

No substantial changes.

Council President Kinsey opened up the hearing for public comment and discussion but there was none.

CHAPTER 6:

Section 6.5, page 13: The landscaping and buffering section was modified to clarify and correct. The perimeter landscaping requirement was deleted. Table 6-5 and Exhibit 6-5.B were inadvertently left out of the adoption draft and were later included in City Council and Planning Commissioner packets. Table 6-5 was modified to delete some requirements for buffering. The CSR zone district was proposed for inclusion into Table 6-5. A CSR zone district, when adjacent to any residential zone district, would not require any screening or buffering. Buffering requirements between the CSR and C-2 and I-O zones, I-1 and I-2 zones should be equivalent to the B (Business) zone, which is a 25-foot landscape strip. A more intensive zone district (starting with the C-1 zone district) would be required to provide screening/buffering adjacent to the CSR zone. A footnote would be added that gravel operations would be subject to buffering adjacent to residential zones as per the Gravel Operation section.

Section 6.5, page 30: Table 6.6 was modified for some uses to better define the parking requirements.

Section 6.5.B.6.a, page 14: Included to encourage irrigation and to give Ute Water a rationale for an exception.

Table 6.5.A, page 23: The word “deciduous” was deleted from the table and from footnotes 6 and 7.

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) referenced Table 6.5.A on page 23 and suggested that the word “deciduous” be deleted from both the table and footnotes 6 and 7. This met with general approval by both City Councilmembers and Planning Commissioners.

DISCUSSION

Councilmember Theobald urged elimination of the CSR zone district as a designation for gravel operations. CSR zone districts, he said, were typically “benign.” Gravel operations were typical very intense and very controversial uses, and inclusion of them in the CSR zone would change the tone of the zone.

Council President Kinsey agreed that while appearing inconsistent, a Conditional Use Permit was required for gravel pits in several different zones.

Ms. Portner said that CSR buffering requirements (between CSR and C-2 and I-O zones, I-1 and I-2 zones) should be equivalent to the B (Business) zone, which is a 25-foot landscape strip.

Councilmember Terry wondered if verbiage could be added to address the practicality of xeriscaping. Ms. Portner said that provisions in the *Code*’s landscaping section encouraged xeriscaping.

CHAPTER 7:

Section 7.1.H, page 13: The Ridgeline Protection Area maps were included with City Councilmember and Planning Commissioner packets.

Section 7.1.D.2.b(1): Delete the words, “...as defined by.”

Section 7.2.H.1.a: Add a comma after the word “Area” and delete the words, “...shown on Exhibit _____.”

Council President Kinsey opened up the hearing for public comment but there was none.

CHAPTER 8:

No substantial changes.

Council President Kinsey opened up the hearing for public comment and discussion but there was none.

CHAPTER 9:

A memo outlining added and/or changed definitions to Chapter 9 was included with City Councilmember and Planning Commissioner packets. Staff had not had sufficient time to define all terms noted. Said definitions would be developed and brought back to City Council members and Planning Commissioners for future consideration.

Council President Kinsey opened up the hearing for public comment but there was none.

DISCUSSION

Councilmember Theobald suggested adding a definition for “storage.” Commissioner Dibble asked that a definition also be added for “watercourse.”

Commissioner Dibble hoped that some of the issues brought up during the process could be resolved following the *Code*’s adoption. He felt that staff’s work had just begun. Chairman Elmer agreed.

PLANNING COMMISSION MOTION: (Commissioner Grout) “Mr. Chairman, on Ordinance #3240 and Ordinance #3241, an ordinance to adopt the new *Zoning and Development Code* for the City of Grand Junction and an ordinance to adopt the new *Zoning Maps* as an integral part of the new *Zoning and Development Code*, I move that we forward a recommendation of approval to the City Council with the changes noted tonight.”

Commissioner Nall seconded the motion.

Mr. Wilson recommended enacting the new *Code* without repealing the old one since the City was not finished with it. He suggested amending the language to read, “...to enact the new *Zoning and Development Code* and it will supercede all portions, as appropriate, of the existing *Code*...”

When asked by Commissioner Grout if “adoption” of the new *Code* would be sufficient verbiage, Mr. Wilson agreed. Thus, the former motion was retained in its originally proposed form.

A vote was called and the motion passed unanimously by a vote of 7-0.

CITY COUNCIL MOTION: (Councilmember Terry) “Mr. Mayor, based upon the recommendation from the Planning Commission, I move that this Council adopt Ordinances #3240 and #3241, adopting the new *Zoning and Development Code* and the new *Zoning Maps* for the City of Grand Junction.”

Councilmember Scott seconded the motion.

When asked if the City Charter allowed for a simple voice vote versus a roll-call vote, Mr. Wilson said that either was acceptable.

A vote was called and the motion passed unanimously by a vote of 6-0.

The hearing was adjourned at 12:20 a.m.

Stephanie Nye, CMC
City Clerk

DUFFORD, WALDECK, MILBURN & KROHN, L.L.P.

ATTORNEYS AT LAW

744 HORIZON COURT, SUITE 300
GRAND JUNCTION, CO 81506
TELEPHONE: (970) 241-5500
FAX: (970) 243-7738

WILLIAM G. WALDECK
FLINT B. OGLE
OF COUNSEL

BETTY C. BECHTEL
WILLIAM H.T. FREY
RICHARD H. KROHN
LAIRD T. MILBURN

NATHAN A. KEEVER
CHRISTOPHER G. McANANY*
SAM D. STARRITT†
KERI A. YODER

MOAB, UTAH
(435) 259-2225

D.J. DUFFORD
(1919-1998)

MONTROSE OFFICE
222 B SOUTH PARK AVENUE
MONTROSE, CO 81401
TELEPHONE: (970) 249-4500
FAX: (970) 249-5537

*ADMITTED IN UTAH
†ADMITTED IN WYOMING

March 7, 2000

Grand Junction City Council
518 28 Road
Grand Junction, CO 81501

Grand Junction Planning Commission
518 28 Road
Grand Junction, CO 81501

Ladies and Gentlemen:

Our firm and Rolland Engineering represent Walter L. Dalby and Gertrude I. Dalby concerning property the Dalby family has owned for forty years in the vicinity of the northwest corner of 12th Street and Horizon Drive. The property is identified by Mesa County Tax Parcel Nos. 2945-021-00-062 (Parcel A) and 2945-021-00-061 (Parcel B). The Proposed City Zone Map would zone the Dalby Property RMF-8. ***Dalbys support, and ask you to approve, the current zone map proposal zoning their property RMF-8 for the following reasons:***

PROPERTY

- Owners: Walter and Gertrude Dalby
- Acreage: Approximately 10.29 acres (shaped like a reverse "L")
- Location: Approximately northwest corner of 12th Street & Horizon Drive (see Exhibit A - Parcels A and B)

GROWTH PLAN

- Horizon Drive is identified as a "Key Corridor" along its entire length (Growth Plan-Exhibit V.10)
- In the Airport Environs/Horizon Drive area "the City and County will encourage the development of . . . highway oriented commercial development serving tourists and visitors (e.g. lodging, recreation, and restaurants) along Horizon Drive between Crossroads Blvd. and

G Road (Policy 8.4)

- This area is effectively expanded to the intersection of 12th Street and Horizon Drive by the commercial zoning of the property on the North side of Horizon from G Road to 12th Street
- Development of the Dalby Property is consistent with the Growth Plan goal to promote infill (Maintaining Compact Development Patterns, page V.5)

NEIGHBORHOOD

- Boundaries
 - Topographically defined - Bowl shaped with 12th & Horizon intersection its center
 - West boundary has steep ridges running north-south along west boundary of the Dalby property (see dark line superimposed on Exhibit B)
 - South and southeast boundary formed by hill across 12th Street along south side of Horizon to G Road
 - North boundary defined by higher elevation and established foliage in the vicinity of G Road
- Uses
 - Northeast corner 12th and Horizon - [Lot 1 Horizon Park Meadows] zoned C-1
 - 8 acre parcel (undeveloped), subdivision approved December 1, 1999
 - Owner has stated intends 60,000 square feet retail space (80,000 square feet allowed under C-1 zoning)
 - Some other allowed uses in C-1 zone:

| | |
|------------------|------------------------------|
| * Hotel/motel | * Bus Depot |
| * Medical clinic | * Auto Repair |
| * Arcade | * Rental services |
| * Liquor store | * Storage units |
| * Restaurant | * Farm implements/feed store |

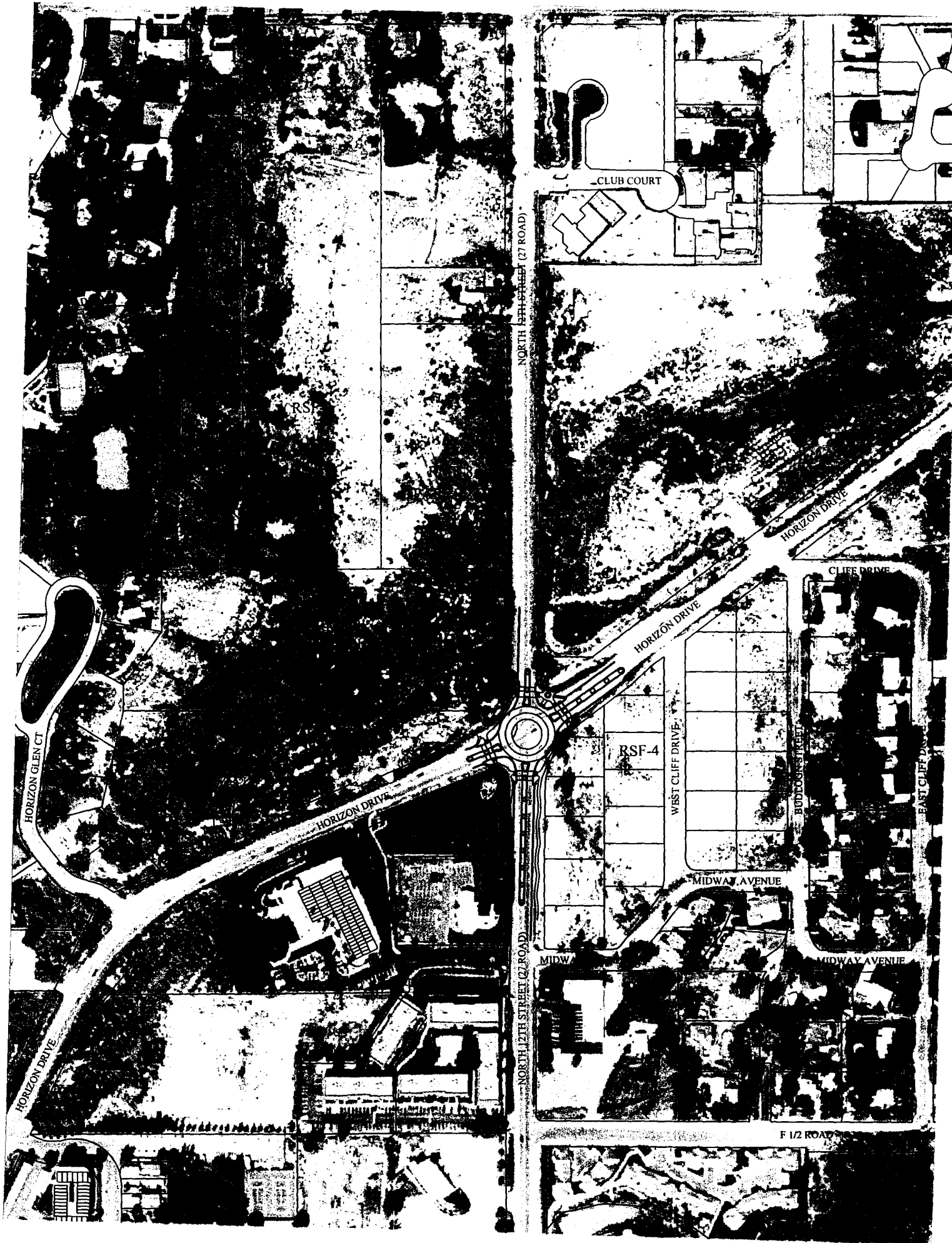


EXHIBIT A

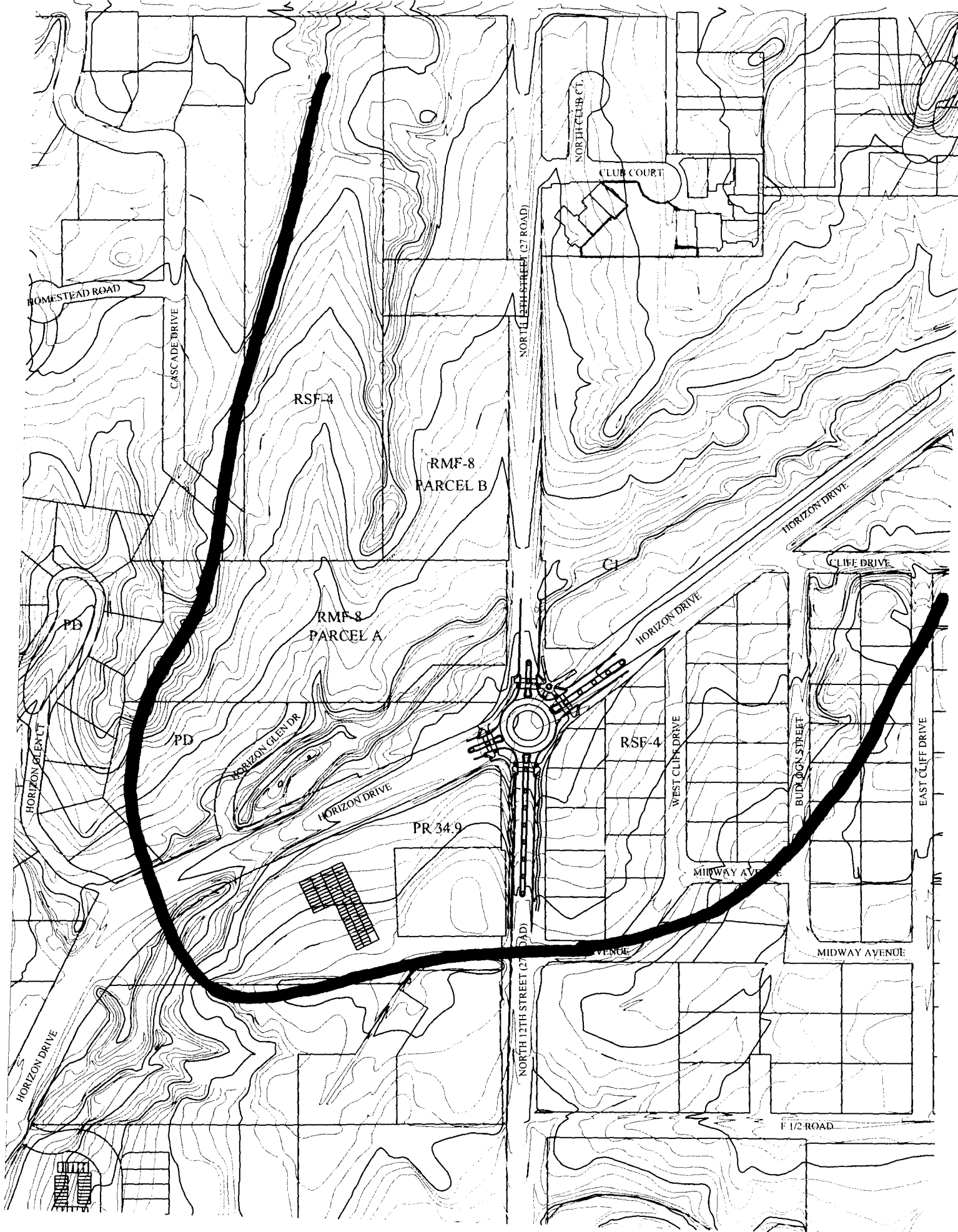


EXHIBIT B

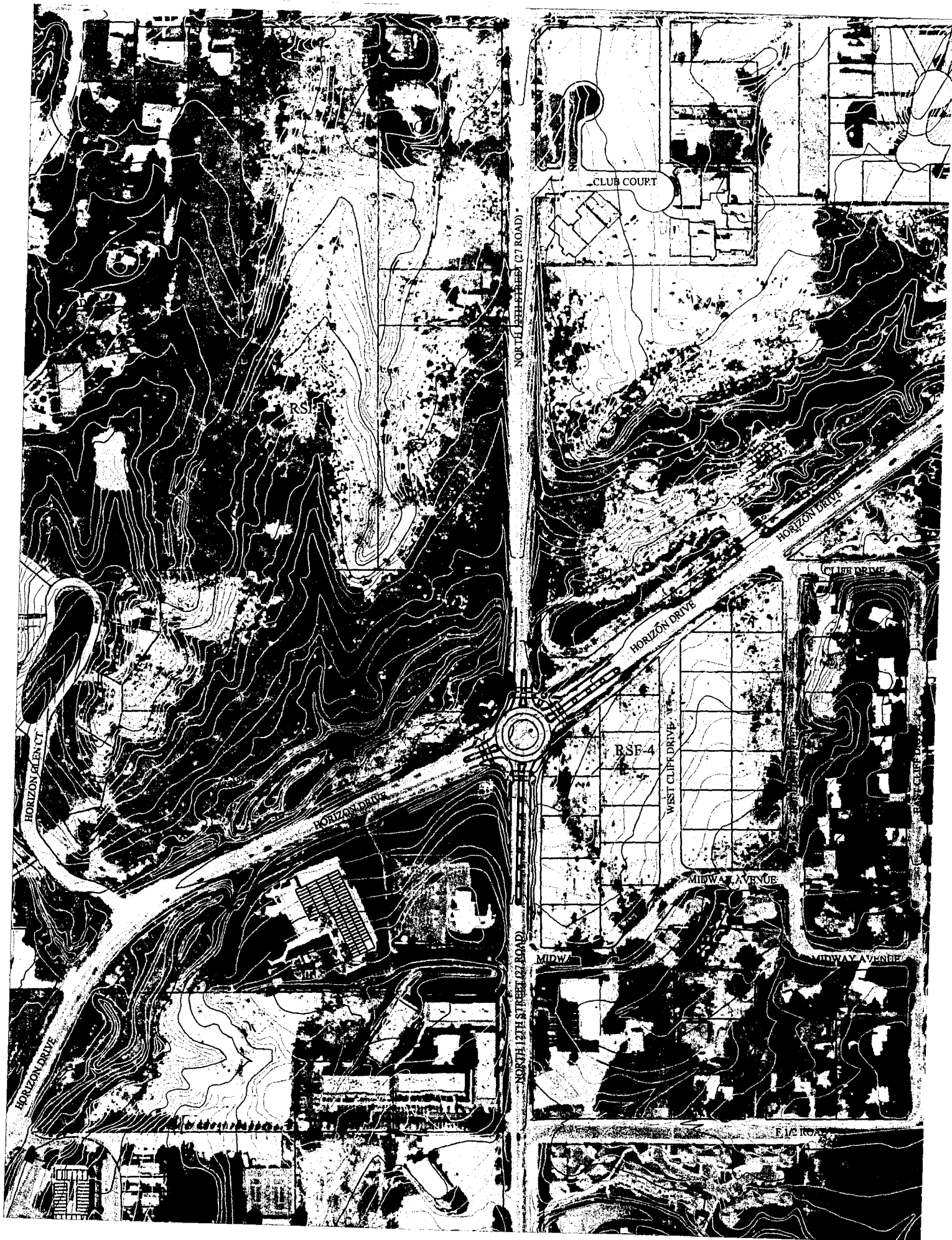


EXHIBIT C

Neighborhood Proposed Zoning

- RMF8-Multifamily 8/acre
- RMF5-Multifamily 5/acre
- RSF4-Single Family 4/acre

Our proposed zoning allows for a much better transition to the single family areas to the North, West, and East allowing for 40 single family homes and still having 110 multifamily housing units. A loss of only 14 multifamily units.

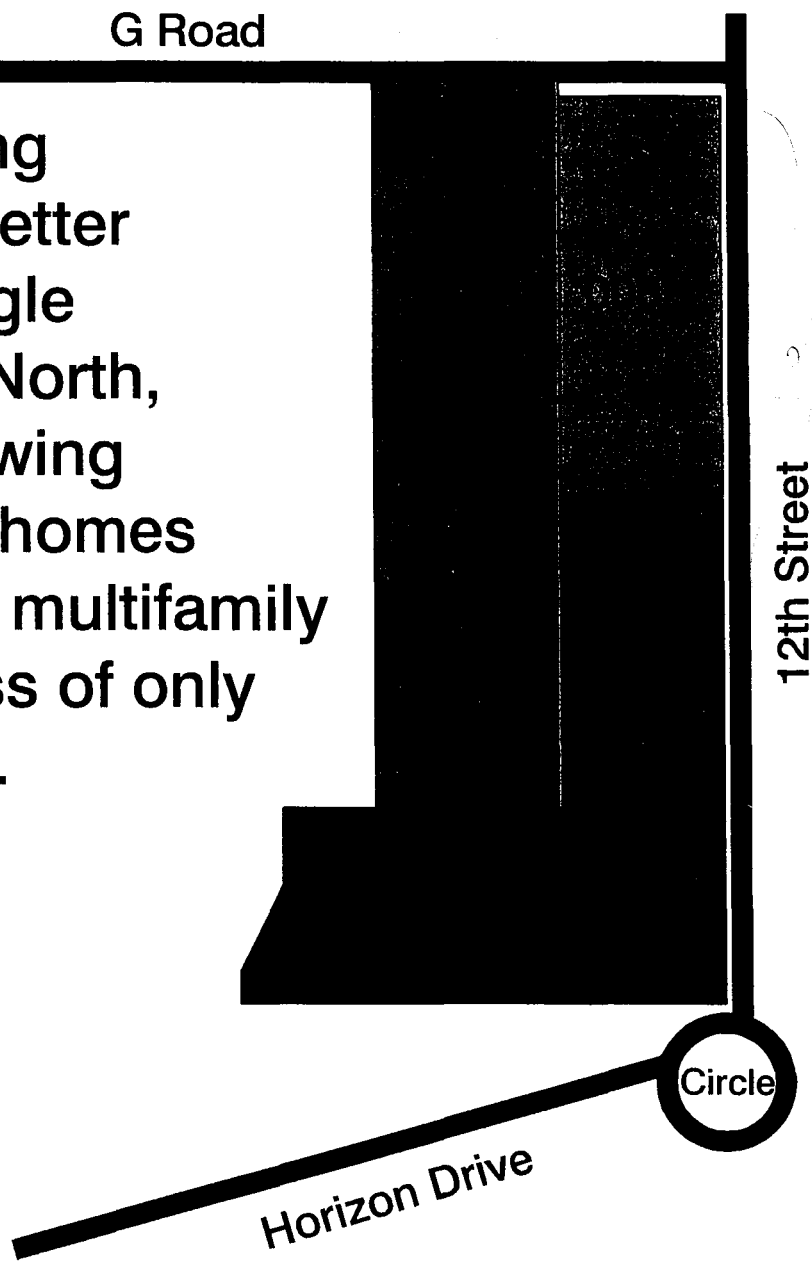
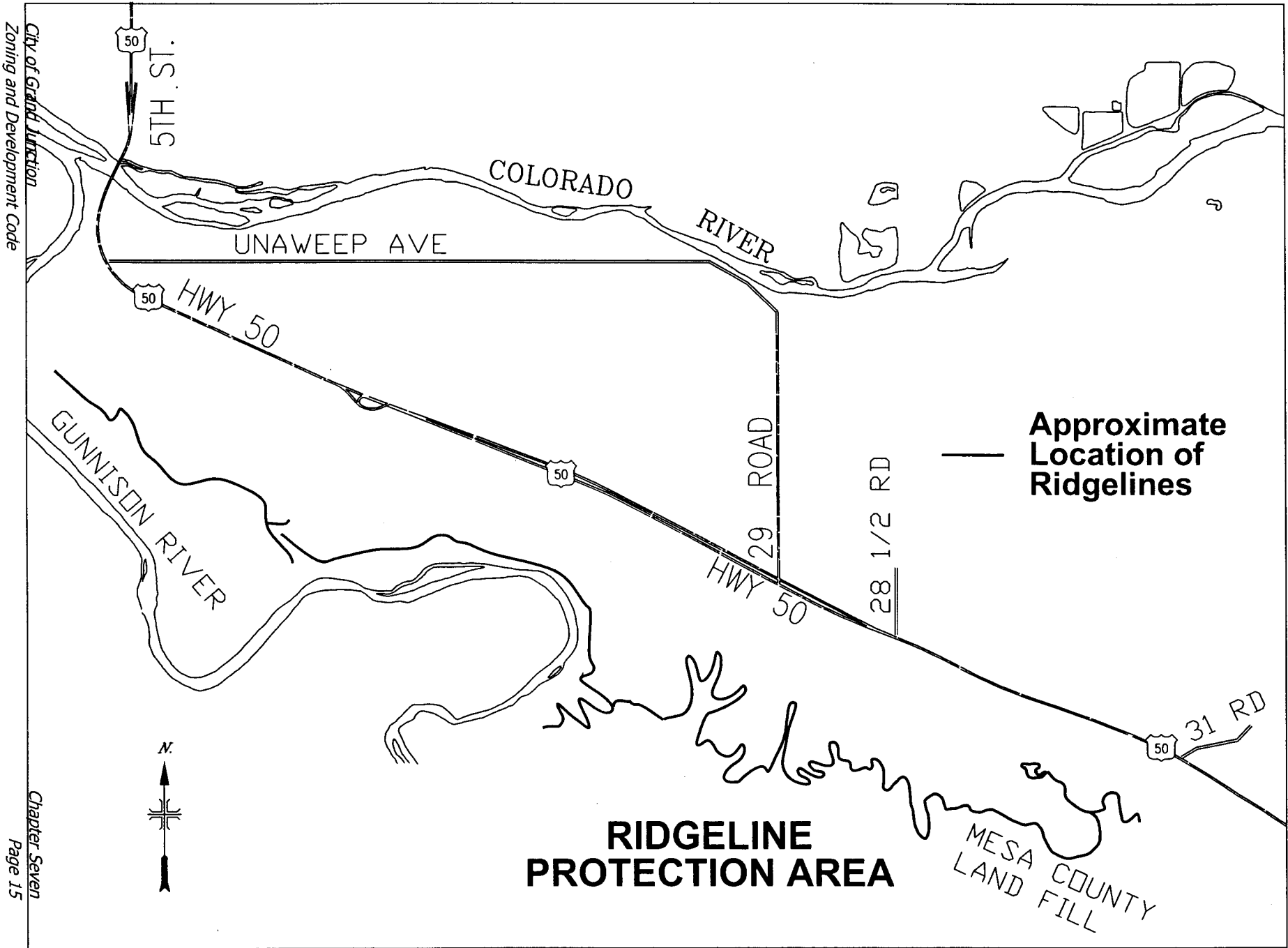


EXHIBIT D



City of Grand Junction
Zoning and Development Code

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Exhibit 7.2.C1

RIDGELINE PROTECTION AREA

