

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA
SPECIAL JOINT SESSION WITH THE PLANNING COMMISSION
MONDAY, JULY 30, 2001, 7:00 P.M.
MUNICIPAL HEARING ROOM, CITY HALL, 250 N. 5TH STREET**

MAYOR'S INTRODUCTION AND WELCOME

7:00 REVIEW WEDNESDAY COUNCIL AGENDA

- 7:10 ONE YEAR REVIEW OF THE ZONING & DEVELOPMENT CODE:**
Community Development staff will review the Zoning & Development Code adopted one year ago and any need for revisions. [Attach W-1](#)

Suggested format for the review is:

1. Summary of projects reviewed under the new Code.
2. The Review Process
3. Major Issues for Discussion
 - a. Superstore/Big Box
 - b. Public and Private Parks
 - c. Minimum Density
 - d. Off-Premise Signage
4. Direction from Planning Commission and City Council on the next steps in the amendment process.

9:15 COUNCILMEMBER REPORTS

9:20 CITY MANAGER'S REPORT

9:25 REVIEW OF FUTURE WORKSHOP AGENDAS [Attach W-2](#)

9:30 ADJOURN

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

Attach W-1
Zoning & Development Code Review

CITY COUNCIL/PLANNING COMMISSION AGENDA
CITY OF GRAND JUNCTION

<i>CITY COUNCIL</i>		
Subject:	Zoning and Development Code Update	
Meeting Date:	July 30, 2001	
Date Prepared:	July 23, 2001	
Author:	Kathy Portner	Planning Manager
Presenter Name:	Kathy Portner	Planning Manager
x	Workshop	Formal Agenda

Subject: Joint workshop with the Planning Commission and City Council to discuss major issues for the Zoning and Development Code Update.

Summary: The Grand Junction Zoning and Development Code was adopted on March 7, 2000, with an effective date of April 22, 2000. As requested by the City Council, this is a review of the Code provisions to determine whether any changes are needed. Over the last year the staff has made notes on sections that need further refinement or clarification. In addition, we sent out over 700 notices to groups and individuals who we have worked with over the last year or who participated in the initial adoption of the Code requesting their input. We also put a display ad in the Sentinel requesting comments. We received feedback from only 12 individuals or groups, which are attached.

Background Information: Since April of 2000 there have been 259 new projects reviewed under the new code. Not all projects that were received after the effective date of the Code have been reviewed under the new code. Projects for which pre-application conferences occurred prior to the effective date of the Code were allowed to be reviewed under the old code. Also, phased projects that had received some level of approval under the old code are allowed to continue with future phases under the old code. Major project types reviewed include:

Growth Plan Amendments	4
Site Plan Reviews	57
Conditional Use Permits	24
Subdivisions	22
Annexations	19

The majority of the amendments the staff is proposing are clerical corrections, format and clarifications. Those will be presented to the Planning Commission and City Council separately. Following is a summary of the major issues identified from the public. On July 24, 2001 staff met with members of the original Code focus group to

discuss some of the major issues. General comments from the group are included in some of the following sections.

1. Pre-Application Conference (Section 2.3.B.2): Prior to the adoption of the Code a new pre-application conference process was created by a steering committee working with staff. That new process created the required General Meeting and the optional Pre-Application process. The Pre-application process requires that the applicant submit information prior to the meeting for staff review so we are better able to give them guidance on the project prior to the submittal. If sufficient information is provided prior to the Pre-app, the staff will make commitments on requirements the staff has final decision-making authority on. Since the adoption of this process, we've only had 3 developers choose the optional pre-application conference process. Those were the Rump Subdivision, the Grand Mesa Center and a Mesa Mall pad site.

The position paper presented by the Chamber and others indicates that they feel the process envisioned by the committee that created the new process is not being adhered to and they cite the recent Target application. In fact, with only three projects having gone through the pre-application process it's difficult to determine how well it is or isn't working. The Target "application" they are referring to had an expired pre-app that was done under the old code and a new general meeting or pre-application conference was never scheduled, nor was an application made. However, the applicant did continue to submit pieces of plans to get a reaction from the staff, which probably led to confusion. We think we should consider a policy on how much review and feedback we offer on a project for which there has not been an official pre-application conference or submittal.

The Focus Group suggested that the development community just needed to be better informed that the pre-application process is an option, and for some projects, a strongly encouraged option.

2. Applicant's Response (Section 2.3.B.5.b): The position paper presented by the Chamber and others expresses a concern that the applicant's response time to review comments is too short. Section 2.3.B.5.b of the Zoning and Development Code allows the applicant to have a minimum of 5 calendar days to respond to comments. It also states that the Director may permit up to an additional 60 calendar days to respond upon request by the applicant. In reality, the applicant may get additional time to respond, depending on the deadlines established for any given month. The length of time really depends on when the first Planning Commission hearing of the month falls in the calendar. The entire review schedule is very compressed to allow for the compressed time frame of getting from submittal to hearing.

The option of lengthening the review process has been discussed in the past. Giving the applicant more time to respond to comments will result in the project going to a later hearing date, which may be preferable to being pulled from an agenda for not responding or providing inadequate response. Staff will be reviewing the process in the

coming months, using a process similar to that used to create the Pre-application conference. The Focus Group agreed with this tact.

3. Preliminary Plat Requirements (Section 2.8.B.2): The position paper presented by the Chamber and others expresses a concern that “Review Criteria” listed is redundant. Staff will review the criteria and try to eliminate redundancy. They also indicate a concern that more information is now required with the Preliminary Plat step, since the final review is administrative. They specifically reference the geotechnical investigation. While we think some level of geotechnical investigation is needed for preliminary plan stage, staff agrees that a complete study is not needed until final plat and design. We are proposing to amend the Submittal Standards for Improvements and Development (SSID) checklist to include a preliminary geologic report and a final geotechnical report.

The Focus Group agrees with our recommendation to revise SSID to include a preliminary and final report. It was also suggested that the requirements for environmental audit be revised in SSID to allow for a more basic industry standard review at preliminary, which our staff concurs with.

4. Superstore/Big Box Development Standards (Section 4.3.M): Two responses indicate a concern that the big box standards may not work in Grand Junction, because costs cannot be supported by the rents retailers are willing to pay in our market. The Chamber position paper also recommended that the 50,000 s.f. threshold be increased. Other specifics were not provided.

We’ve really not had much of an opportunity to test the big box standards. The recently approved Grand Mesa Center was reviewed under the standards and has chosen to proceed. The site improvements for the Conditional Use Permit for Rimrock were also reviewed under these standards and the proposed buildings will have to meet the standards. At the public hearing for the CUP, the applicant indicated that he had no problem complying with the standards. Given our limited experience with the provisions, staff recommends we not do any changes to the section at this time. We also recommend leaving the threshold at 50,000 s.f.

Generally, the Focus Group encouraged the continued use of the standards set forth in the Code for Big Box standards, but not everyone agreed. After we’ve had the opportunity to apply the standards to more projects there may be other minor adjustments of the ordinance that are needed.

5. Public and Private Parks (Section 6.3): The position paper presented by the Chamber and others states their opposition to the code provisions that require both a 10% land dedication or fee in lieu and the \$225.00 per unit parks fee. The \$225.00 per unit park fee has been in existence for 20 plus years with no increase. The 10% land dedication or fee in lieu was a compromise put into the new code rather than requiring a sliding scale amount of private open space in every subdivision. There was never any discussion that the 10% requirement would replace the \$225.00 fee.

They also state their preference that the fees be paid at the time of building permit rather than platting. The 10% land dedication or fee in lieu must be made at the time of platting, since the fee is based on an appraised value. It would, however, be possible to collect the \$225.00 per lot fee at the time of Planning Clearance since it is a fixed fee.

Another comment received on the 10% requirement is a request that developers be allowed to develop on-site open space rather than paying into the fund. The connotation is that the 10% dedication or fee would be better used for neighborhood parks rather than regional. Generally, the purpose of the 10% land or fee is for neighborhood parks, but it is not allocated to a specific area at this time.

Staff has promulgated an Administrative Regulation clarifying that it is the City's decision as to whether the 10% land dedication is required or the fee in lieu of dedication. The Administrative Regulation will be incorporated into this amendment of the Code.

The Focus Group felt this was a section of the Code that needed further discussion and analysis. They were looking for a better link to fees paid and the provision of neighborhood parks, and perhaps just one fee that better represented the cost of providing parks if the fees were actually allocated to the area from which they were paid.

6. Landscaping Requirements (Exhibit 6.5.A): Two respondents commented that the landscape requirements included on this exhibit are too onerous. The analysis included in the position paper concludes that 16-acre site would require 11 acres of landscaping. However, the analysis includes some calculation errors. The total number of shrubs and trees is generally calculated correctly but there are miscalculations in the formula from there. The correct analysis per Code is as follows:

279 trees x 140 sf planting area per tree (not "crown area")=	39,060 sf
2,323 shrubs x 16 sf planting area per shrub	= 37,168 sf
Total Landscape Area Required	= 76,228 sf
	or 1.75 acres
	or 11% of the 16 acre site

New Code Requirement for a 1-acre site:

43,560 sf / 2,500 sf per tree =	18 trees per acre (2,520 sf)
43,560 sf / 300 sf per shrub =	146 shrubs per acre (2,336 sf)
Total of 4,856 sf landscaping or	11% of the site

Comparison of Projects: Old Code vs. New Code

Redlands Albertsons – Large Project, Old Code

9.58 acres

Required 162 trees and 969 shrubs

Approximately 17 trees per acre and 102 shrubs per acre

Total of 44,986 sf landscaping or 10.8% of the site

Grand Mesa Center – Large Project, New Code (not constructed)

17.6 acres (Lot 1 only, less public ingress-egress easement)

Required 307 trees and 2,565 shrubs

Approximately 18 trees per acre and 146 shrubs per acre

Approximately 84,020 sf of landscaping or 11% of the site

1st and Grand Rite-Aid – Small Project, Old Code

2.035 acres

Required 56 trees and 540 shrubs

Approximately 27 trees per acre and 265 shrubs per acre

This site required more landscaping because it has four street frontages (upon which the Old Code requirement was based). Additional plantings were also required to screen the site from the adjacent residential area to the north.

Total of 16,120 sf landscaping or 18.2% of the site

US Tech – Small Project, Old Code

.89 acres

Required 16 trees and 120 shrubs

Installed 67 shrubs due to increased size of trees planted and concern with keeping the easement for GVIC open.

Approximately 15 trees per acre and 107 shrubs per acre

Total of 4,132 sf landscaping or 10.6% of the site

12th Street Plaza – Small Project, New Code (under construction)

1.3 acres

Required 23 trees and 192 shrubs

18 trees per acre and 148 shrubs per acre

Total of 14,494 sf landscaping or 25% of the site

This site included more landscaping for several reasons: there was more area on the parcel than needed to accommodate site requirements; in order to meet required setbacks; and provide buffering to the adjacent, existing residential area to the west

Chili's Restaurant – Small Project, New Code

1.6 acres

Plan included 35 trees and 311 Shrubs*

22 trees per acre and 194 shrubs per acre

Total of 13,068 sf landscaping or 18% of the site

*Site required 28 trees and 232 shrubs. Developer chose to exceed plant requirement.

Board of Realtors Office – Small Project, New Code

0.93 acres

Plan included 30 trees and 161 shrubs*

30 trees per acre and 161 shrubs per acre

Total of 10,304 sf landscaping or 25% of the site

*Site required 17 trees and 135 shrubs. Per Code allowance, Developer substituted a greater number of small trees for large trees and provided additional landscaping in an area proposed for future expansion of the building.

The Focus Group generally agreed that the landscaping provisions were working pretty well and that there weren't specifics at this time that needed amending.

7. Minimum Density (Chapter 3): The position paper by the Chamber and others indicates a concern with minimum density requirements. They state that it has created problems with infill projects where adjacent lots are larger. They request more flexibility. Section 3.6.B.4 of the Code allows for flexibility in minimum density as follows:

- Minimum density does not apply to simple subdivisions...
- The density of development of 10 acres or less may be one-half of the otherwise required minimum density.
- Minimum density shall not apply to two lots in a major subdivision if one of the two lots can reasonably be resubdivided in the future and the rest of the lots meet minimum density.
- If minimum density of the zoning conflicts with minimum density of the Growth Plan, the minimum density shall be no lower than 80% of the minimum density established by the Growth Plan.

The Focus Group discussed the pros and cons of minimum density, but didn't really come to a consensus on the issue. Staff recommends that we maintain the provisions in the Code for minimum density.

8. Zoning District Dimensional Standards (Table 3.2): Several people commented that it appears to be impossible to build to the densities of the higher density zone districts because of the required dimensional standards. It's true that the densities cannot be met in the multifamily zone districts if the minimum lot size is used for each unit. However, the intent of the multifamily zones is not to provide individual lots but rather for true multifamily and mixed density projects such as multi-story and multi-unit apartments and condominiums. The standard that then applies to this type of housing density is listed under the Intensity/Density section of each zone district.

This section provides a minimum lot size (or area) for the first dwelling unit, and then adds additional square footage for each additional unit. For example, RMF-24 states that the minimum lot size shall be 4,000 square feet for the initial dwelling unit plus 1,000 square feet for each additional unit. This determines an aggregate area upon which the proposed housing units must be sited. If the definition of this area is clarified so that it includes some common area outside and around the units that overlap with

the required landscaped and open space area, then the density can be achieved. To illustrate this, the multifamily zone districts were analyzed for a 2-acre site as follows.

2 Acres = 87,120 sf Landscape Requirement per Code = 9,556 sf (11%)

RMF-24: 48 units on 2 acres

Lots:	51,000 sf	(4,000 sf + 1,000 sf for each addn'l du)
Parking (1.8/ du):	27,405 sf	(315sf/sp incl aisles & 1/3 req landscape)
Landscaping:	6,371 sf	(remaining 2/3 required landscape)
Req Open Space:	19,200 sf	(200 sf/bedroom; all 2-bedroom units)

TOTAL sf Required: 103,976 (2.39 acres)

RMF-16: 32 units on 2 acres

Lots:	50,500 sf	(4,000 sf + 1,500 sf for each addn'l du)
Parking (1.8/ du):	18,270 sf	(315sf/sp incl aisles & 1/3 req landscape)
Landscaping:	6,371 sf	(remaining 2/3 required landscape)
Req Open Space:	12,800 sf	(200 sf/bedroom; all 2-bedroom units)

TOTAL sf Required: 87,941 (2.02 acres)

RMF-12: 24 units on 2 acres

Lots:	50,000 sf	(4,000 sf + 2,000 sf for each addn'l du)
Parking (1.8/ du):	13,860 sf	(315sf/sp incl aisles & 1/3 req landscape)
Landscaping:	6,371 sf	(remaining 2/3 required landscape)
Req Open Space:	9,600 sf	(200 sf/bedroom; all 2-bedroom units)

TOTAL sf Required: 79,831 (1.83 acres)

RMF-8: 16 units on 2 acres

Lots:	64,500 sf	(4,000 sf + 2,000 sf for each addn'l du)
Parking:	0 sf	(not required – parking met at each unit)
Landscaping:	6,371 sf	(remaining 2/3 required landscape)
Req Open Space:	9,600 sf	(200 sf/bedroom; all 3-bedroom units)

TOTAL sf Required: 80,471 (0.92 acres)

While the above calculations for RMF-16 and RMF-24 result in an area needed larger than the 2 acres, It is assumed that some of the lot area and open space requirement will include landscaping, therefore, there is some overlap in the square footage requirements. It appears the densities could easily be accommodated with the standards.

The Focus Group agreed that more experience using the standards was needed to evaluate how well they work. Staff recommends not making any changes to these standards at this time.

9. Subdivision Standards—Sidewalks and Pathways: The position paper by the Chamber and others states a concern that there doesn't seem to be standard widths for sidewalks and pathway systems. There are standard street sections that include standard sidewalk widths, but the inconsistencies have occurred with detached trails and trail connections. The Cities standards include a detached path section that shows 8' minimum and 10' typical. That standard needs to be clarified to indicate where each width is required. There have also been inconsistencies on the required width of connections to trails systems. This is an issue that needs to be addressed with the future amendments to the Urban Trails Master Plan and Major Street Plan.

The Focus Group agreed with the staff recommendation.

10. SSIDs and TEDs Manuals: There was a concern raised that the SSIDs and TEDS Manuals have not been adopted and that staff is inconsistent in the application of the standards. SSIDs has been adopted and is being used as adopted. The concern that checklists in SSIDs are tailored for individual projects is a difficult one to address. SSIDs is a series of checklist that are all "laundry lists" of everything that might be required for a report or type of application. The intent always was to tailor each checklist for individual projects since requirements vary for different types and sizes of projects, as well as different locations. The alternative is to require everything for every project, which doesn't make sense.

The original TEDS manual was never formally adopted, but has been used as a policy document. The City has done a major revision to TEDS that will be discussed at a Council workshop on August 13th.

The Focus Group agreed that the staff needed to continue to tailor the SSID checklists for various projects and were supportive of the efforts to get TEDS adopted and SSID updated.

11. Transportation Capacity Payment (TCP): The position paper by the Chamber and others requests a review of the TCP since the City is now requiring road improvements to be installed in lieu of escrow or payment of the TCP. The specific comment regarding TCP involves a shift in the collection of fees as a result of TABOR. When the City exceeds the revenue limits, it is not prudent to collect or escrow TCP payments, so staff has suggested the improvements simply be constructed. Staff and City Council are re-evaluating the issue of transportation payments by participating with Mesa County, Fruita and Palisade in a valley wide study to understand transportation needs and associated costs. Additionally, the City is developing policies that can be applied in public/private partnerships to improve the road system as development occurs. The goal of this effort will be to develop a transportation improvement plan and fee structure that encourages continued growth and meets the needs of the transportation system.

The Focus Group didn't reach a conclusion on this topic but felt this was a major issue that needs to be addressed in the near future. The Zoning and Development Code only provides a framework for requiring street improvements and TCP. Future policy changes on TCP might require minor Code modifications, but none are proposed at this time.

12. Administrative Regulations: The position paper by the Chamber and others questions administrative regulations and how they are implemented. The City uses administrative regulations to clarify intent or procedure for adopted regulations. By doing so, applications of regulations that are unclear or could be interpreted many ways can be more consistent. Staff will propose that Administrative Regulations be incorporated into the Code with the upcoming amendment. Some examples of Administrative Regulations include:

- Administrative Regulation No. 00-1—Clarification of Appeals Process
- Administrative Regulation No. 00-2—Clarification of inconsistencies in Code regarding telecommunications facilities/towers
- Administrative Regulation No. 00-3—Racing Pigeons and conditions for keeping these animals.
- Administrative Regulation No. 01-1—Clarification of definition of “Bar”
- Administrative Regulation No. 01-2—Clarification of intent of open space requirement
- Administrative Regulation No. 11-01—Lot grading and stormwater management

The legal authority for administrative regulations is found in the Grand Junction Code of Ordinances (GJCO), section 2-61. There is no specific notice procedure provided. The section provides “the department directors of the various departments of the City may promulgate, after public notice, administrative regulations for the purpose of interpreting, clarifying and effectuating the purposes of this Code. A violation of an administrative regulation shall constitute a violation of this Code.”

Administrative regulations were specifically authorized by the Council in 1994 with the re-codification of the GJCO. The 1994 provision formalized what had prior to that been an informal, ad hoc process. The administrative regulation process is very important to a fair and consistent application of the regulations.

The Focus Group did not take exception to the use of Administrative Regulations, but suggested that proposed Admin. Regs. be posted on the City's WEB site, which is a good suggestion.

13. Annexation and Persigo Requirements: A concern was raised regarding the length of time it takes to get through the process when annexation is required. The City allows project review to occur concurrent with the annexation process. While the annexation process through completion takes up to 90 days to completion, the City takes land use authority with the acceptance of petition and first reading of the annexation ordinance, which generally occurs within 3 to 4 weeks of submittal. After we have land use authority, the project is allowed to continue through the process concurrent with the remaining annexation process.

14. Sign Code (Section 4.2): A request was made that the sign code be amended to increase the allowed size for real estate signs in the non-residential zones from 16 sf to 20 sf. That has, in fact, generally been the size of signs in existence for some time. Staff concurs with the requested change. The Focus Group did not take exception to increasing the size.

Mark Gamble, the owner of CWOA Outdoor Advertising has requested that the sign code be amended to allow off-premise signs (billboards) in the C-1 zone. The prior code also did not allow off-premise signs in the C-1 zone. Mr. Gamble argues that the new zoning map down-zoned many areas that previously allowed off-premise signs. He would like the opportunity to provide his signage on the North Avenue and Horizon Drive corridors. Except for a few blocks of North Avenue, those corridors did not allow off-premise signage previously. The most notable changes in zoning that eliminated billboards as an allowable use were along the Ute/Pitkin and 1st Street corridors.

Mr. Gamble would also like the ability to replace existing non-conforming billboard structures. The purpose of the non-conforming status is to provide for the eventual elimination of the non-conforming site.

Generally, the Focus Group was not in favor of allowing off-premise signage in the C-1 zone district.

15. Expansion of the Downtown Parking Area: The current Code identifies the downtown parking area as extending from 1st Street to 8th Street and Pitkin Avenue to Grand Avenue. Within that boundary it is assumed that parking needs are met with existing public and private parking. There has been a request to extend the special parking area west of 1st Street to include the area around the Justice Center. At the public hearing for a CUP for expansion of the Sports Page Restaurant, Planning Commission gave staff direction to look at including that area. Staff concurs and proposes that the area be expanded to include that area zoned B-2 between 1st Street, HWY 340 and the railroad.

The Focus Group was supportive of expanding the downtown parking area to include the area west of First Street, but suggested that parking needed for any development west of First Street should be required to be west of First Street. They felt First Street was too much of a barrier to assume people would park on one side to do business on the opposite side.

16. Required Right-of-Way dedication: A comment was received on the policy specific to River Road where all of the needed right-of-way for the future road section is obtained from properties south of River Road because of the constraint of the railroad to the north. The City has required that the needed right-of-way for River Road to accommodate the street section for the current classification of the road be dedicated all from the properties on the south because we cannot obtain additional right-of-way from the railroad. That is similar to right-of-way requirements along the north side of sections of G Road where Leech Creek is a constraint on the south. The value of the additional right-of-way dedicated can be considered as a TCP credit.

17. Integration of Low Income Housing into Neighborhoods: The comments received on this topic included four major concerns. One was notice to the neighborhood of proposed subdivision. The new code does require neighborhood notice for any subdivision, including simple subdivisions where only one additional lot is created. Two was the requirement for infrastructure improvements. This probably falls under the TCP policy as it was described above as being something currently under study. The policy and requirements have certainly varied over the years, but the policy was never based on whether it was for low income housing. Third is the issue of density and compatibility with the surrounding area, which was also covered previously in the discussion of minimum density. Finally, the issue of new housing being compatible with existing housing in design. Architectural design of single family homes is not regulated in the Code, and is not something staff would recommend we include at this time.

18. Infill Policy/Infrastructure Improvement and Extension Policy: A comment was received that the City needs an infill policy to encourage redevelopment in certain areas, as well as an infrastructure improvement and extension policy so the first development in does not have to bear all the cost of improvements. City staff is working on formalizing the infrastructure improvement approaches that were identified in the 24 Road transportation study to bring back to Council for policy discussion. The staff has also been given direction to begin a infill/redevelopment policy discussion.

19. Neighborhood Meeting Requirement: Neighborhood Meetings are required for Growth Plan amendments or rezonings to a greater intensity/density and for a project creating 35 or more dwellings or lots. Since the Code was adopted, there have only been 10 to 12 projects that have required neighborhood meetings. Attendance has varied greatly, from two to forty interested citizens. Generally, the planners think the meetings have been worthwhile for everyone involved. Staff is proposing a clarification to the Code to require the notice for the neighborhood meeting be postmarked at least 10 days prior to the meeting to give residents adequate notice.

We received a comment on several aspects of the neighborhood meeting requirement.

One suggestion is that the neighborhood meeting should be held after the project has been submitted for review and has gone through at least one round of review comments, the rationale being that a project might drastically change between submittal and hearing. The Code requires that the meeting be held prior to submittal so the applicant has the opportunity to modify the design to accommodate the neighbors concerns, if possible. Staff recommends leaving the requirement for the neighborhood meeting prior to submittal.

It was also suggested that the developer send out a copy of the proposed plan with the notice, which we think is a good idea, but would suggest that that be a recommendation rather than a requirement. The final comment was that the notice area for larger projects be increased from 500' to 1000' and 1500' if more than 100 units. The new Code increased our general notice requirement from 200' to 500' and also includes a requirement for homeowner's associations on record with the City within 1000'. For most projects that area seems to be adequate.

20. On-Street Parking: A concern was raised that on streets with medium density single-family development, each with their own driveway cut, on-street parking is very limited or non-existent. Standards could be incorporated into TEDS to include a requirement for shared driveways and/or additional parking, similar to what's required on private streets, on streets where driveway cuts would eliminate on-street parking. This is a street design issue rather than a Zoning and Development Code issue and will be considered in the updated TEDS.

21. Multi-family Bedroom Count: A comment was received suggesting that density be tied to number of bedrooms in a multi-family unit, allowing a lower density if more three and four bedroom units were provided in a development. If density were tied to number of bedrooms, it would have to extend to single family units as well as multi-family units. A per unit count is a much more consistent method.

22. Clerical/Clarification Corrections: The staff has a series of clerical and clarification corrections to propose. All changes will be indicated by "strike-outs" and "underlining" of the text so you can review all proposed changes. These have not been provided for this workshop. Should Council direct taking any Code amendments to hearing, these changes will be included at that time.

Action Requested/Recommendation: Planning Commission/City Council direction on the next step on bringing the amendments forward through the hearing process.

Citizen Presentation:	<input checked="" type="checkbox"/>	No		Yes	If Yes,
Name:					
Purpose:					

Report results back to Council:	<input checked="" type="checkbox"/>	No		Yes	When:	
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Placement on Agenda:		Consent		Indiv. Consideration	<input checked="" type="checkbox"/>	Workshop
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DECISION MAKER TABLE

Application Process	Decision Maker			
	Director	PC	CC	ZBOA
<u>ADMINISTRATIVE PERMITS</u>				
Planning Clearance	D	-	-	A
Certificate of Occupancy	D	-	-	A
Home Occupation	D	-	-	A
Temporary Use	D	-	-	A
Change of Use	D	-	-	A
Site Plan Review (Major/Minor)	D	A	-	-
Fence	D	-	-	A
Sign	D	-	-	A
Floodplain Permit	D	-	-	A
GROWTH PLAN AMENDMENT				
Text Amendments	R	R	D	-
Map Amendments	R	R	D	-
CODE AMENDMENTS				
Zoning Map Amendments	R	R	D	-
Text Amendments	R	R	D	-
MAJOR SUBDIVISION				
Concept Plan (optional)	D	-	-	-
Preliminary Plan not in conjunction with action requiring Council approval	R	D	A	-
Final Plat	D	A	-	-

Application Process	Decision Maker			
	Director	PC	CC	ZBOA
Development Improvement Agreements	D	-	-	-
PLANNED DEVELOPMENT				
ODP (optional)	R	R	D	-
Preliminary Plan	R	R	D	-
Final Plan	D	A	-	-
Plan Amendments Major Minor	R D	D A	A -	- -
OTHER APPLICATIONS				
Conditional Use Permit	R	D	A	-
Historic Preservation	R	-	D	-
Revocable Permit	R	-	D	-
<u>Zoning of Annexation</u>	R	-	D	-
Simple Subdivision	D	A	-	-
Vacation Plat, Easement or Right-of-way	R	R	D	-
Variance City Council ZBOA	R R	R -	D -	- D
Vested Rights	R	R	D	-
Appeal of Director Decisions	-	-	-	D

July 13, 2001

Ms. Kathy Portner
City of Grand Junction Community Development Department
250 North 5th Street
Grand Junction, CO 81501

RE: Position Paper concerning 1 year review of City of Grand Junction *Zoning and Land Development Code*

Dear Ms. Portner:

A lot of water has gone under the bridge since the Grand Junction City Council adopted the new City of Grand Junction *Zoning and Land Development Code (Code)*, dated March 7, 2000. By and large our efforts paid off and we are operating under an improved *Code*. We would estimate that from 70 to 80% of the *Code* is working well, but nobody should be surprised that there are some areas that need to be dealt with, some procedural and some substantial issues need to be addressed or readdressed.

This Position Paper represents the consensus of the Grand Junction Area Chamber of Commerce, Home Builders Association of NW Colorado, Mesa County Association of Realtors, Western Colorado Association of Contractors, Associated Builders and Contractors of Western Colorado and the National Association of Women in Construction as evidenced by the signatures below. We have attempted to address all of our concerns and problems with various sections of the *Code*, and in addition to this paper, we are prepared to site specific examples where the *Code* is just not working, causing unnecessary time delays and unnecessary financial requirements.

We are looking forward to an opportunity to further discuss these issues with the Planning Staff, Planning Commission and City Council in the near future.

Specific issues to be addressed in an abbreviated form in position paper are:

- 1) Pre-Application Conference and Miscellaneous Procedures;
- 2) Superstore/Big Box Development/Shopping Center;
- 3) Public and Private Parks and Open Spaces;
- 4) Landscaping and Buffering;
- 5) Zoning -- Minimum Density Requirements and RMF Zones Bulk Requirements;
- 6) Subdivision Standards;
- 7) SSID's and TED's Manuals have not been adopted;
- 8) TCP Payment; and,
- 9) Administrative Regulations.

- 1) **Section 2.3B.2, page 15, Pre-Application Conference.** After recommendations made from the Urban Land Institute (ULI) review of the development process in Grand Junction, an excellent cross section of our community reviewed this procedure for several months with one of the primary goals to eliminate the need of staff to continue to require additional requirements before the "due process" commenced. Section 2.3.B states "*At any time during the processing of any application, the Director may require additional information to respond to issues or concerns that may not have been evident at the Pre-Application conference.*" It is our position that the process envisioned by the "Pre-App Committee" is not adhered to (example, recent Target Application). We should make sure the *Code* language and staff's review follows the Committee's recommendations.

Section 2.3.B.5.d, page 18, Applicant's Response. As previously indicated during the initial review, the response time to review comments is too short and ultimately causes delays in the scheduling of public hearings. Typically, 2nd round of review comments are generated, which causes further delays.

Section 2.8.B.2, page 30, Preliminary Plat. This section is one of many under "Review Criteria" which seems redundant. In reviewing the criteria of subsection b, c, d and e, each one of these subsections is repeated in the referenced subsection. This makes review of an application by the applicant much more difficult. Simplicity should be the goal.

Another item of concern deals with the amount of information required now at the preliminary plat stage, due to the final plat stage being administrative. The need for Geotechnical Investigations with core drillings, and other more technical reports before a final design has been approved by the Planning Commission is very costly and may not be applicable is the subdivision design is required to be modified.
 - 2) **Section 4.3.M, page 45, Superstore/Big Box Development/Shopping Center.** Under date of June 21 Greg Schafer of Bray and Company sent to Kathy Portner an E-mail outlining some of the ways this section is not working. We support Greg's comments. Also the minimum size should be increased from 50,000 square feet and the Design Standards should be reviewed if the regulations are to be implemented in total development over 50,000 square feet.
 - 3) **Section 6.3, page 9- Public and Private Parks.** During the prior review of the *Code*, we were under the assumption that the \$225.00 per lot Open Space fee would **not** continue to be collected with the implementation of the new *Code* requirement of either the dedication of open space or a payment of 10% of the appraised value of the subject property in lieu of dedication of land. We continue to believe that either one or the other type of fee should be charged, not both. This double dipping is inequitable. We also still have concerns on the timing of the payment of Open Space Fee. We believe that the impact to the park system comes with the building of homes. We believe that all of the fee should not be required to be paid at the time of platting, possibly a percentage at platting and the additional at the time of application for building permit.
-

- 4) **Exhibit 6.5.A, page 25, Landscaping Requirements.** This exhibit needs to be completely revised. The term "Improved Area" must be revised especially when it comes to including storage or display areas. Under the strict interpretation of this section a 16-acre site zoned I-1, with outdoor storage would be required to provide 279 trees and over 2,300 shrubs under the requirement of 1 tree per 2,500 square feet of improved area, and 1 shrub per 300 square feet of improved area. Doing the math (1 tree has a 40 square foot crown and 1 shrub has a 16 square foot crown), approximately 11-acres of the 16-acre site would be covered in landscaping. This seems excessive to the undersigned groups.
- 5) **Chapter 3, page 1 through 50, Zoning.** Minimum density requirements is an interesting concept in attempting to implement the *Growth Plan*. The problem encountered numerous times during the last year is one of compatibility, especially when developing "infill" projects. This is especially true when adjacent platted lot sizes are much larger than what is now required by the *Code* or the *Growth Plan*. Although a 20% reduction of the minimum density is allowed by the *Code*, more flexibility is still needed.

Table 3.2, page 2, Zoning Districts Dimensional Standards. A review of the RMF-8 through RMF-24 bulk standards should occur. As stated in this table, it is almost impossible to build the maximum density allowed using the zone's bulk standards and the parking, buffering, and landscaping standards in the *Code*. This is also occurring in the non-residential zones as well (See Exhibit 6.5.A Comment).

- 6) **Subdivision Standards.** The subdivision standards for the most part are acceptable to the development community. An area of concern is the inconsistent width requirement of sidewalks and pedestrian trails. The City standards on sidewalks and trails are shown in cross-section maps. On-road attached sidewalks are shown at 5½ feet in width, but some city staff have required up to 8-feet in width on some subdivisions. Trails are shown with an 8 foot width, but most of the recent requests from staff are for 10 foot wide trails. Once again, approved standards should be enforced.
- 7) **SSID's and TED's Manuals have not been adopted.** Updated versions of these two manuals have not been adopted noting the changes made in the new *Code*. Without these documents being completed and implemented, the purpose of the ULI recommendations and the "Pre-App Committee" of determining the required application material needed by the City staff to accurately inform a potential applicant is incomplete.


Although a draft TEDS Manual has been under review, but not adopted, the staff at many Pre-App meetings are requiring the use of the draft TEDS Manual in the design of a subdivision or Site Plan. What occurs if this draft is not adopted or the draft is revised? Will the application be required to be changed to meet the new draft? Only the adopted version of the TEDS Manual should be required to be used.

At several Pre-application or General Meetings attended by member of the undersigned groups, the existing SSIDS Manual requirement sheets have been tailored for individual projects. This causes many inconsistencies in the submittal or procedural requirements, and enhances the chances of delays or additional requirements being added at a later date.


- 8) **TCP Payment.** The TCP fee needs to be reviewed in light of the shift of the Public Works Department requiring road improvements to be installed in lieu of escrow or payment of the TCP.
- 9) **Administrative Regulations.** There have been questions throughout the development community of "What exactly are Administrative Regulations?" It seems several of these Administrative Regulations have been proposed and implemented by the Public Works Department on lot grading, fire flow, etc.. How are these regulations authorized to become part of the *Code*, TEDS, SSIDs or other manuals, policies, plans, etc.? Are they adopted by the City Council?

Thank you again for the opportunity to make comments on the 1 year review of the *Code*. Overall our groups feel that a majority of the new *Code* is an improvement over the previous *Code*. We look forward to discussing the "problem" areas with the staff, Planning Commission and City Council in workshops in the near future. If you would like additional information or have questions or comments, please feel free to call either Larry Rasmussen at 434-1569, or Mike Joyce at 255-1131. Once again, thank you for considering our concerns.

Sincerely,



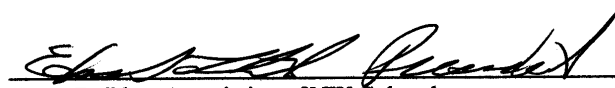
Larry Rasmussen



Mike Joyce, AICP



Dick Schick, Pres/CEO
Grand Junction Area Chamber of Commerce



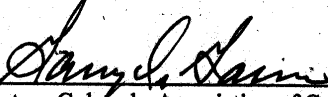
Elizabeth Grand
Home Builders Association of NW Colorado



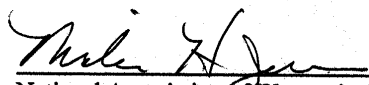
Charles P. Moore, President
Mesa County Association of Realtors

Ms. Kathy Portner
Position Paper on 1 year review of *Zoning and Development Code*
July 13, 2001

5


Western Colorado Association of Contractors


Associated Builders and Contractors of Western Colorado


National Association of Women in Construction

cc: Grand Junction Area Chamber of Commerce
Home Builders Association of NW Colorado
Mesa County Association of Realtors
Western Colorado Association of Contractors
Associated Builders and Contractors of Western Colorado
National Association of Women in Construction

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: GROWTH PLAN MAP vs ZONING DISTRICT STANDARDS:

In processing a proposed development in the D/30 area, a situation was encountered that may be typical for more than just this area.

In this area, the D to D-1/2 and 29 to 30-Road block, (the south half of Section 17), most undeveloped parcels are divided into increments of 330 feet width, up to a quarter mile deep. The Growth Plan Map calls for 4 to 8 units density in this particular half-section.

The problem with this dimension is that it is too wide for a single street up the middle, but too narrow for two, when imposing the 4 to 8 unit density. One street up the middle is the most cost-effective approach, BUT the maximum single-family zoning, (RSF-4) creates lots of 143 foot depth, by the minimum lot width of 75 feet, (10,725 sf), it's impossible to achieve more than 3.2 units to the acre maximum.

I offer the proposed Flint Ridge Subdivision as a case in point.

Also, the northerly portion of Westland Estates Subdivision.

Any street layout that meanders and cul-de-sacs increases the percent of land occupied by street, to the detriment of land left for lots. Increasing the street area, to say 25%, and providing 8000 sf per lot allows 4.1 units per acre! Clearly, we have a point of diminishing returns when street area exceeds 25% of the land areas. If streets occupy 30% of the site, then only 3.8 units per acre can be achieved! The amount of infrastructure expense increases, and the desirability of the lots (and resulting property values (tax base)) are eroded, and most lots end up being tight pie-shapes, only to satisfy an arbitrary number on a page! Really, this is not good planning.

Where this 330 feet dimensional increment occurs, or situations like it, some consideration needs to be made to allow a reasonable balance between infrastructure expense and lot dimension desirability.

Westland Associates, Box 1411, Clifton, CO 81520-1411 (970)263-4014

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: PUBLIC MEETING: The code calls for a public neighborhood meeting to be held prior to the project's first submission to the Planning Commission. In fact, what the developer intends to build, as compared to what he will be allowed to build, after several rounds of review, can be dramatically different. Requiring a neighborhood meeting be held that early on, misleads the public, as the developer can't possibly know at that early date what his development will end up looking like.

It would be more useful and accurate for neighbors to see the project AFTER the plan has been processed thru at least one round of comments. That way, the neighbors can see a plan that better reflects reality, rather than just 'eyewash'. If the project has serious problems, as evident by its review comments, then the meeting should be delayed until the development plan is more reasonably correct.

Ideally, the neighborhood meeting should be held about ten to fifteen days before the Public Hearing of the Planning Commission. That way, the neighbors will have correct information to work from, and can better keep in mind when to attend the hearings.

It would be especially helpful and informative for developers to send out a small plan with the notice for the neighborhood meeting. That plan should show enough of adjacent properties and street network to make it clear what effect it will have on abutters.

On larger projects, the 500 foot notice rule should be expanded to 1000 feet. If more than 100 units, then 1500 feet.

Westland Associates, Box 1411, Clifton, CO 81520-1411 (970)263-4014

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: STIPULATIONS: In the processing and final approval of a development plan, planners will occasionally impose 'stipulations' right at the last minute, that can effect whether or not his development can go before the Planning Commission for final acceptance.

In some cases, those stipulations are discussed in advance with the applicant, some times they are not.

I suggest that any 'stipulations' imposed that are NOT presented in a time and manner that allows consideration and discussion, NOT BE allowed to carry the same degree of finality as those that are.

What happens is that a developer is put in a position of having to incur further delays, should he want to enter into discussion on any final surprise stipulations. This does not do justice to either party, and can frustrate a reasonable solution, to say nothing of it overthrowing those agreed solutions that resulted from negotiations earlier in the review process.

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: ZONING STANDARDS: ON-STREET PARKING:

In residential developments, particularly multi-family residential developments, the code addresses the amounts of parking to be provided off-street for each dwelling unit. What is overlooked, is those situations where the frontage along the street is almost ENTIRELY taken up with driveways or parking pads. Cases in point, the four-plex areas of Clifton, and the Flint Ridge Subdivision. In those, if each unit has all of its parking spots filled, and there is a car or two overflow, there IS NOWHERE to park on the street! All of the street frontage is effectively driveway.

If 4 parking spaces are provided off-street per unit, and if that family has a boat or RV, and mom, dad and teen have cars, then all 4 spaces are already taken. Where does even a single visitor park?

The code needs to address those situations where NO ADDITIONAL PARKING is available on the street, within reasonable distance. The situation does exist, especially as we get into the higher density developments.

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: ZONING DISTRICT STANDARDS: BEDROOM COUNTS:

Under Multi-Family Standards, no thought is given to bedroom-count mix in multi-family developments.

Typically, in the rental market, units tend overwhelmingly to be of the TWO-BEDROOM configuration. Most multi-family developments tend to end up being rental housing.

The Development Code needs to address the bedroom-count mix in any new development, perhaps allowing lower densities in exchange for providing more three and four bedroom units in the development.

GRAND JUNCTION
ZONING AND DEVELOPMENT CODE

JUNE 25, 2001

COMMENT: ZONING DISTRICT DIMENSIONAL STANDARDS: TABLE 3.2

A question was posed to planners, that they were not able to answer. In the above referenced table, there is an apparent 'lockout discrepancy' between the 'Zoning District' and the 'Minimum Lot Size'. One allows 8, 12, 16, and 24 units per acre, while the adjacent column imposes a minimum lot size of 4500/4000 per dwelling unit!!

Take RMF-12, for instance. In any development plan, it is expected that street infrastructure will occupy some 20 percent of the land. So, in any acre, 0.8 acres will be available for lots after streets are laid-out. Divide that by the 4000, and the maximum number of lots the site can have is only 8.7 to the acre. ($43560 \text{ sf} \times 80\% \div 4000 = 8.712 \text{ units.}$) How does one get a higher density than 8.7 at 4000 square feet per dwelling unit under a RMF-12 and higher?

Under RMF-16 and -24, it only gets more impossible! This section needs review and clarification.

Anything above RMF-5 has this problem.

RMF-24 would need 2.7 dwelling units per 4000 sf lot to attain 24 dwelling units to the acre. Etc, etc...

From: <Dkoarch@aol.com>
To: <kathy@ci.grandjct.co.us>
Date: 9/3/01 12:19PM
Subject: Response to "Zoning and Dev. Code Update"

Hi Kathy,

Thanks for soliciting comments. Her's my two cents worth:

1. The landscaping requirements - number of plants, is very high. The density of plant materials may be a problem for property maintenance when trees and plants reach maturity.
2. The application of the code for special circumstances - which can't easily meet the code requirements - should be somewhat flexible.

Thanks,

Kreg

From: john thomas <cindy@wic.net>
To: <kathyp@ci.grandjct.co.us>
Date: 6/11/01 11:34AM
Subject: one year check-up

Kathy, thanks for the opportunity to comment.

In planning our next project we have become aware that the new code favors regional park facilities over on site facilities by requiring the more often used 10% of appraisal payment in lieu of land. This does not leave the developer any money to create useable active play areas and will foster cookie cutter lot layout design. Our experience in Canyon View filings 7-9 is that the central 1.75 acre active rec space is being used and becoming more used all the time. We get comments all the time from the residents that it is nice to have someplace to go that is in walking distance. As you know we are just beginning a new Redlands transportation plan. Putting the available rec money into regional facilities which require vehicle access only makes the transportation capacity problems worse. A bit ironic, don't you think? I would prefer to see more flexibility in the fee in lieu requirement to allow developers to design quality on site open space rec areas with the balance of the required fee go to the regional facility.

Thanks for listening,
John Thomas



April 12, 2001

Kathy Portner, Acting Director
Community Development Department
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RECEIVED
APR 13 2001
COMMUNITY DEVELOPMENT
DEPT.

RE: Sign Code, Commercial, Business and Industrial Properties

Dear Kathy:

Thanks for taking the time to meet with me and Robert Bray on April 11, 2001. We were delighted to determine that the existing code allows 16 sq. ft. for real estate sale/lease signs in the above referenced zoning districts.

Following up on our conversation, I'd like to reiterate what we try to accomplish for our clients with respect to commercial signage. The basic information we need to convey is as follows:

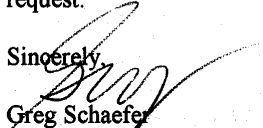
- 1.) whether property is for sale/lease
- 2.) real estate company name
- 3.) telephone number
- 4.) real estate agent name
- 5.) property special features.

Since many of our listings are on major thoroughfares with 30 to 34 mph speed zones, lettering needs to be large enough for passing motorists to read. As a result, we routinely use 6" riders for agent name and special features in addition to our standard 4x4 generic sign. I'm attaching a photo of a typical installation with 4x4 and two 6" riders, all of which totals 20 sq. ft.

In recognition of this need, we would greatly appreciate your consideration of a revision of the sign code to allow up to 20 sq. ft. of real estate signage in these zoning categories.

Thanks again, Kathy. We look forward to your feedback on this request.

Sincerely,

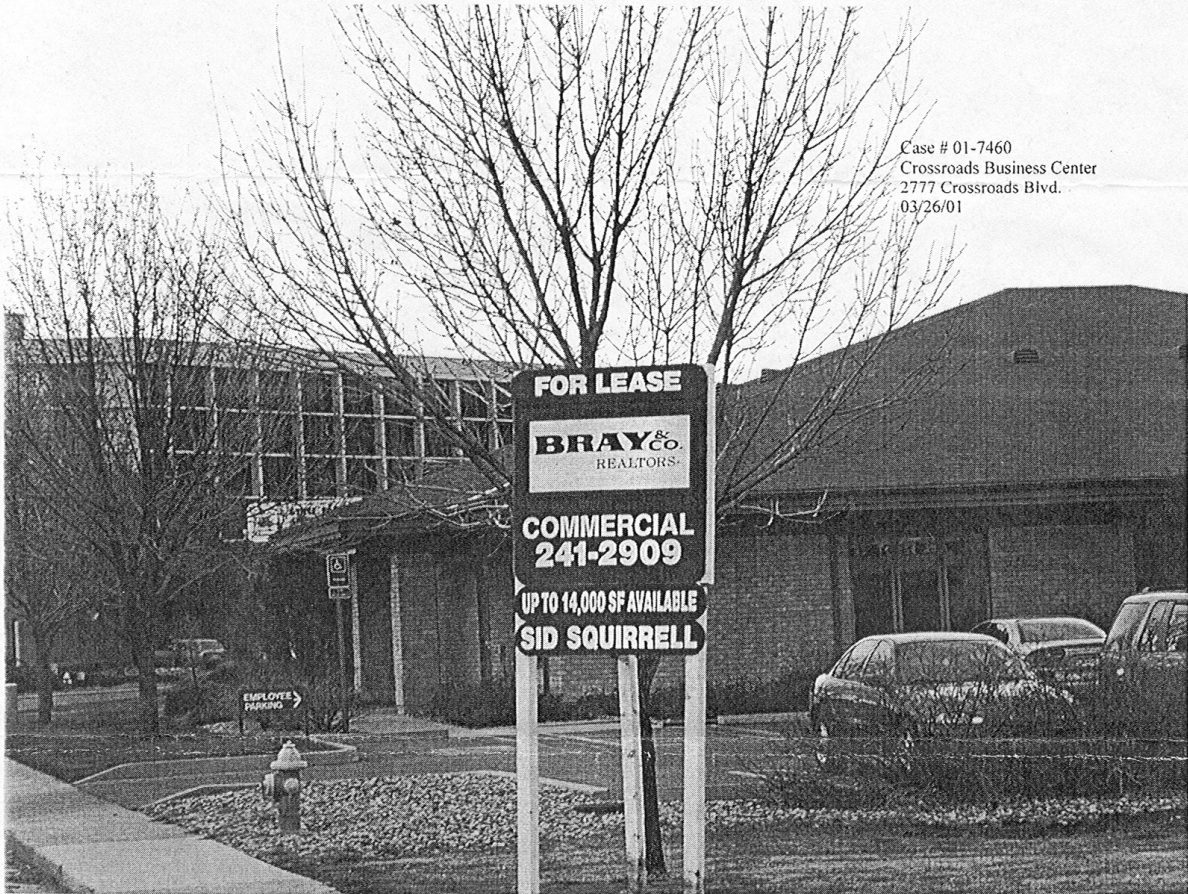

Greg Schaefer
Broker Associate

C: Mavco, Harry Mavrakis
Hill & Holmes, Stacey Cook
Coldwell Banker, Dale Beede
Robert Bray

SALES
LEASING
MANAGEMENT
MARKETING
AQUISITION
DEVELOPMENT
CONSULTING

1007 N. 7TH STREET
GRAND JUNCTION,
COLORADO 81501
970/241-2909
FAX: 970/241-6223
1-800-695-0539

Case # 01-7460
Crossroads Business Center
2777 Crossroads Blvd.
03/26/01



INTEGRATION OF LOW INCOME HOUSING INTO NEIGHBORHOODS
Planning elements and considerations for successful integration;
-a resident's perspective-

This "letter or article" is written with deep sincerity and concern for the well being and happiness of neighborhoods struggling with housing issues. It is written to reflect the concern, importance, gravity of working with **all** affected people from those who need housing assistance to planners, city representatives, developers **and** the people who will be permanently affected by developments- the residents-the neighbors.

A low income development was built in a Grand Junction neighborhood without any notice and without any avenue for participation or comment by neighbors. The only avenue for participation was a meeting called by neighbors with the low income developers to express neighborhood concerns. The neighbors very simply wanted the development to be 'congruent with the neighborhood' and put "two or even three homes on the property" instead of crowding four onto the site which is about one half acre. The developers immediately took a the response- 'how dare you not accept the wonderful thing we are doing.'

I hesitate to revisit this issue but had better planning been in place and **Notification** been given to residents many animosities would not have been expressed against myself and my neighbors. The developer may have been able to integrate normal expected improvements and a lower density instead of charging ahead with a one sided approach. The harassment of neighbors (repeated harassing phone calls, property damage) could have been avoided and the low income residents could have been warmly welcomed into the neighborhood from the beginning. There were uninformed people, those who did not understand the neighbors simple wishes for a lower density and the construction of normal improvements-drainage, curb and gutter in conjunction with home design "as good as or better than the average of the neighborhood". Those people felt entitled to reprimand and or harass neighbors for daring to raise these normal considerations. It is my steadfast belief that there would have successful integration and no bad feelings had there been good planning. So much heartache could have been prevented.

Low income housing should be 'congruent' or be similar in style to existing housing. This makes it far more acceptable and eases worries of falling property values. It should fit in and look like the rest of the neighborhood. If residents have garages and car ports, landscaping - put that in. The density should be close to or the same as the existing housing - not a big multiple of the density of the area. It should not be an island or a separate isolated development. Normal infrastructure should be included with no exclusions for drainage. Curb and gutter would be built for proper drainage and not excluded just because it is a low income development. Why would anyone want their home to be flooded or mud to be carried into a neighbor's property? A low income owner should also have his or her property or investment protected by adequate drainage. This has already happened (mud flow onto a neighbor's property) as a direct result of the exclusion of development of drainage. There are "sight distance problems" at an intersection. One must drive into the intersection to view approaching traffic. This problem could have been avoided had a lower density development been designed. In addition, the higher density necessitated parking vehicles on lawns further reducing the sight triangle.

I hope that these considerations can be integrated into the City of Grand Junction's new development code.

Lenny Paulsen



FAWHAUS
architects

06/28/01

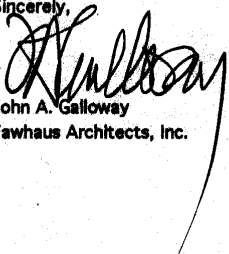
Kathy Portner
Planning Manager
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Ref: Sports Page Bar and Grill; CUP-2000-210

Dear Ms. Portner:

I represent Sherri Reed, owner of the Sports Page Bar and Grill, and am writing to you to request the expansion of the Downtown Parking District. This expansion is a condition of the referenced CUP. Our request is that the Downtown Parking District be extended to the west right of way line of N. Spruce Street. Thank you for considering this request.

Sincerely,



John A. Galloway
Fawhaus Architects, Inc.

Robert Raymond - President
Judy Bridge - Secretary - Treasurer
Phillip B. Bertrand - Superintendent

Telephone (970) 242-2762
FAX (970) 242-2770

Owns and Operates
THE GRAND VALLEY CANAL

THE GRAND VALLEY IRRIGATION COMPANY

688 - 26 Road
Grand Junction, Colorado
81506

June 26, 2001

Ms. Kathy Portner
City of Grand Junction
250 North Fifth Street
Grand Junction, Colorado 81501

RECEIVED
JUN 27 2001
COMMUNITY DEVELOPMENT
DEPT.

RE: Update and Fine Tuning of City Codes

Dear Kathy:

It is very important that the City maintain a position of trust and respect in our Community. This also applies to rewriting and fine tuning City Codes.

The City's present strong arm and behind the scenes pressure on landowners, developers and Canal Companies, to dedicate canal right-of-way for public use greatly deteriorates that position of trust and respect.

The GVIC canal systems are privately owned and operated. We have been a part of this Community since day one. Do not adopt, update or fine tune City Codes that would directly or indirectly interfere, harm, burden, harass, besiege and etc., our canal, canal right-of-way and canal delivery system.

The taking of private property and interfering with private operations also deteriorates that position of trust and respect. Do not use new zoning and development codes to separate the City from this Community.

Thank you for the opportunity to comment on your one year zoning and development code check up.

Sincerely yours,



Phil Bertrand
Superintendent

Xc: Kelly Arnold, City of Grand Junction Manager



P.O. Box 2906

Grand Jct., CO 81502

970-242-5248

July 20, 2001

Kathy Portner
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Kathy:

Enclosed are my proposals pertaining to the issues we have discussed in the previous months. Should you have any questions about my presentation please do not hesitate to contact me.

Also, in our conversation of July, 18, 2001 you informed me of an addition to the sign code under 4.2.C.1L Transit Shelter Signs. This raises some issues that may be of importance to my business. In addition we spoke of the transit systems' benches already sprouting up around town. Please keep me informed of any and all meetings and discussions addressing these issues.

Thanks for your time and cooperation.

Truly,
CWOA, Inc.

A handwritten signature in black ink, appearing to read "Mark L. Gamble", written over a horizontal line.

Mark L. Gamble
General Manager

Introduction

This letter and attached proposal are written in an effort to address the hardships placed upon my business, Colorado West Outdoor Advertising, by the adoption of the new City of Grand Junction Zoning and Development Code and the natural growth of our community since the last major revisions three decades ago.

Outdoor advertising has served the Grand Junction business community for over 60+ years that I have personal knowledge. I have had ownership of the company since 1978. Outdoor advertising has been utilized by virtually every business, public service and government entity in our community. I have attached a list of advertisers from the last few years for your review.

Specific Proposals

- I. The need for "off premise" (outdoor advertising signs) signage to be allowed into C-1 zoning.
- II. Permission to rebuild existing non-conforming structures.

Proposal I

The current sign code allows off-premise (outdoor advertising signs) in C-2, I-1 and I-2 zones. This section of the code was written for and specifically applies to my business. Thirty plus years ago the revisions to the sign code allowing off premise signs in C-2, I-1 and I-2 seemed fair and reasonable. Since that time the city boundaries have expanded to encompass 4-5 times the area. Commercial zoning has been increased from 5 basic zones (3 of which allowed off-premise) to 10-12 commercial zones today. The zoning philosophy has changed pertaining to the location of C-2, I-1 and I-2 zoning. No longer are the businesses relegated to these zones accepted or desired on primary traffic arteries. I currently have one location in an I-1 zone and no locations in I-2.

As of the date of this proposal I have thirty six locations in the Grand Junction market. Four of that thirty six are located in Mesa County zoning leaving thirty two locations in the City of Grand Junction. One of the thirty two locations were in a non-conforming zone prior to the adoption of the new zoning code. That leaves me with thirty one locations in legally conforming zoning prior to the new code. After the adoption of the new zoning code, sixteen of the thirty one locations were in non-conforming zoning. More than 50% of once legally conforming sign locations are now non-conforming.

An outdoor advertising company needs to have some presence on all the major traffic arteries within it's market. They need to have the ability to grow with the demands of that market. As we all know, Grand Junction's growth has been substantial over the last 10 years with continued growth predicted for the future. Current conditions eliminate my ability to grow with the certainty of the slow removal of my locations by development. Since the adoption of the new zoning code I have lost (had to remove) five locations to new construction. Under the new code there is NO opportunity to replace four of them.

The new zoning and development code basically provides very limited off premises zoning on two traffic arteries. Please review the attached Map I indicating the areas available for growth.

It is impossible to grow as a prosperous business entity under the current circumstances. Colorado West Outdoor Advertising needs to have legal conforming status on all of it's structures and the ability to build and relocate it's structures to be a viable business that has value and can be bought and sold on the merits of it's worth.

By allowing off-premise signs in the C-1 zone my company will be allowed back into most of the areas allowed prior to the adoption of the new code. In addition, off-premise signs would be allowed on:

Hwy 50 corridor - UnawEEP Ave. to approximately to B 1/2 Road overpass.

North Ave. corridor - From 5th Street to 29 Road

Horizon Drive corridor - From 12th Street to H Road

These corridors are busy commercial areas already developed, already utilizing many on-premise signs. The City of Grand Junction has made a special allowance for other businesses to have an off-premises sign in a non-allowed zone on Horizon Drive in the past. All three of these busy corridors are essential additions for the growth of my company. My customers ask for coverage on these heavy traffic areas.

I have served on the Sign Code Board of Appeals for the city of Grand Junction since 1988. I was the owner of Western Neon Sign Company, an on premise sign company, for 5 years. I am knowledgeable concerning sign codes and their impact on the sign companies, the businesses and the communities they serve. The solutions to my business's dilemma can be achieved without compromising the integrity or intent of the new code.

The current code, as it pertains to off-premise signs, concerning size, height and distance seems to have worked well over the years. The 300 square foot size of my billboards is an industry standard. Any deviation from this would make Colorado West Outdoor Advertising unable to service my national customers. The maximum height of 40 ft., consistent with on-premise signs maximum height allowance, seems to have worked without any concerns. Distance calculations of 2 feet of spacing for every square foot of sign face (300 sq. ft.) requires 600 ft. between off-premise signs. This spacing has caused little or no concern and is double the spacing allowance standard of the State of Colorado off-premise sign regulations.

I am asking to continue to grow and prosper my business. The current code eliminates, not regulates, that possibility.

Proposal II

Several billboard locations around the city are constructed utilizing the old telephone pole support system. In an effort to enhance the overall appearance of my billboards and improve my service and maintenance ability, I would invest to rebuild them using the newer all steel, single pole construction.

My request is to rebuild a specific location shown in photograph A. I have acquired this permission from the City of Grand Junction in the past. At that time I rebuilt a structure virtually identical to the structure in photograph A. Photograph B indicated the results of that rebuild.

The issue is that the sign is non-conforming in size to the current (and past) sign code. In order for a rebuild to conform I would have to lose two faces for advertising. The income loss of two faces would be substantial.

The structure I propose to rebuild is at least 40 years old. I am the owner of the property upon which it is located. It is my contention that rebuilding this structure and landscaping the property is a positive improvement for my company and the City of Grand Junction.

Thank you for your time.

Sincerely,
Colorado West Outdoor Advertising

Mark L. Gamble
July 20, 2001

CWOA OUTDOOR ADVERTISING USERS

<u>CLIENT</u>	<u>CATEGORY</u>
Dave's Media	Advertising
Disney	Advertising
IKON	Advertising
Lamar	Advertising
Leggett Broadcasting	Advertising
On Cue	Advertising
Pendant Publishing	Advertising
Penny Pincher	Advertising
The Daily Sentinel	Advertising
The Yellow Pages	Advertising
Cabaret	Amusement
Carson & Barnes Circus	Amusement
Casa Blanco Casino	Amusement
Chant of the Wind Whistlers	Amusement
Colorado Stampede Rodeo	Amusement
Dinosaur Valley	Amusement
Mesa County Fair	Amusement
Modern World Productions	Amusement
Mud Run	Amusement
Player's Place	Amusement
Renaissance Fair	Amusement
Royal Gorge	Amusement
Sam's Junction Bingo	Amusement
Two Rivers Raceway	Amusement
Virgin River Casino	Amusement
Art Depot	Art Supplies
Gordon Gallagher	Attorneys
Kathleen Killian	Attorneys
Adam's Auto Supply	Automotive
A1 Muffler	Automotive
Amoco	Automotive
Basin Auto	Automotive
Bridges Towing	Automotive
Billings Auto Parts	Automotive
Brownlee Pollard	Automotive
Buggy Bath Car Wash	Automotive
Cox Motors	Automotive
Dodge	Automotive
Grease Monkey	Automotive
Heet	Automotive
Hertz	Automotive
Maaco Auto Painting	Automotive
Metric Automotive	Automotive
NAPA Auto Parts	Automotive
Silver 018	Automotive
Steve Westphal Chevrolet	Automotive
Steve Westphal Chevrolet YUGO	Automotive
Steve Westphal Nissan	Automotive
Super Wash	Automotive

CWOA OUTDOOR ADVERTISING USERS

Thrifty Car Rental	Automotive
Western Slope Chrysler	Automotive
Western Slope Ford	Automotive
Western Slope Lincoln	Automotive
Western Slope Toyota	Automotive
Avalon water	Beverages
Borden/Viva	Beverages
Citra	Beverages
Coca-Cola	Beverages
Colorado Java House	Beverages
Creme-O-Weber	Beverages
Meadow Gold	Beverages
Milk	Beverages
Nescafe	Beverages
Pepsi	Beverages
Crystal Bookstore	Books
Hastings	Books
El Rey Stucco	Building
Grainger	Building
Mr. Carpet	Building
Osborne & Sons	Building
Baha'i Faith	Church
Catholic Churches	Church
Fellowship of Excitement	Church
First Assembly of God	Church
Immaculate Heart of Mary	Church
Northeast Christian Church	Church
Redlands Faith Assembly	Church
Spirit of Life Christian Fellowship	Church
United Methodist Church	Church
American Lights	Cigarettes
Camels	Cigarettes
Camel Ultra Lights	Cigarettes
Doral	Cigarettes
FDA Compliance	Cigarettes
GPC	Cigarettes
Magna	Cigarettes
Malibu	Cigarettes
Marlboro	Cigarettes
Misty Lights	Cigarettes
More	Cigarettes
Richland	Cigarettes
Winston	Cigarettes
Lastra's Clothing	Clothing
Circle K	Convenient Food Store
Diamond Shamrock	Convenient Food Store
IKON	Electronics

CWOA OUTDOOR ADVERTISING USERS

Monument Camera	Electronics
U.S. Tech	Electronics
Delta Implement	Equipment
Honnen Equipment	Equipment
Small Engine Distributors	Equipment
Sunstate Equipment	Equipment
Western Implement	Equipment
Burger King	Fast Food
Dairy Queen	Fast Food
Dinner Dashers	Fast Food
Good Times	Fast Food
Kentucky Fried Chicken	Fast Food
McDonald's	Fast Food
Subway	Fast Food
Taco Bell	Fast Food
Wendy's	Fast Food
Alpine Bank	Financial
American Mortgage	Financial
Capital Funding	Financial
Commercial Federal	Financial
Evan's Mortgage	Financial
Fidelity Mortgage	Financial
Mesa National Bank	Financial
Metro Brokers	Financial
Norwest Bank	Financial
Sterling West Mortgage	Financial
US Bank	Financial
Vectra Bank	Financial
Waddell & Reed	Financial
Western Union	Financial
Flowers By Lorraine	Flowers
Dunkin Donuts	Food
Wrigley's Doublemint Gum	Food
Rent Club	Furniture
Rental Mart	Furniture
Sleep Factory	Furniture
Weberg Furniture	Furniture
Arrow Glass	Glass
Campbell's	Grocery
City Market	Grocery
Earthgrain's Rainbow Bread	Grocery
Enstrom's	Grocery
Farmiand	Grocery
Federici Pasta	Grocery
Kellogg's	Grocery
Nestles Supreme	Grocery
Procter & Gamble	Grocery

CWOA OUTDOOR ADVERTISING USERS

Rosarita Refried Beans	Grocery
Triple MMM	Grocery
Vegi Snacks	Grocery
Chiropractic Health Centers	Health
Claritin	Health
Community Hospital	Health
Community Hospital-Consumer Health Library	Health
Crossroads Fitness	Health
Dr. Riggert	Health
Grand Junction Athletic Club	Health
Marillac Clinic	Health
Medicaid	Health
Mesa County Health Department	Health
St. Mary's Hospital	Health
St. Mary's-Physician Referral Service	Health
St. Mary's Trauma Center	Health
The Optical Center	Health
Corner Stone Heating	Heating/Plumbing
Excel Plumbing & Heating	Heating/Plumbing
Valley Control	Heating/Plumbing
AIG Insurance	Insurance
American Family Insurance	Insurance
Blue Cross & Blue Shield	Insurance
HMO Insurance	Insurance
Medicaid	Insurance
State Farm Insurance	Insurance
The Prudential	Insurance
AirStar	Internet
Bewell Net	Internet
L Cook Jewelers	Jewelers
Scott Anker Jewelry	Jewelers
Mesa County Landfill	Landfill
High Country Lawns	Lawn Care
Nitro Green Lawn Care	Lawn Care
Valley Grown Nursery	Lawn Care
Blue Ribbon Lighting	Light Fixtures
Colorado Lottery	Miscellaneous
Eric Rechel	Miscellaneous
Halliburton	Miscellaneous
Hans Schmoltdt	Miscellaneous
Susan McClean	Miscellaneous
The Energy Office	Miscellaneous
Adam's Mark	Motel
Columbine Motel	Motel
Comfort Inn	Motel

CWOA OUTDOOR ADVERTISING USERS

El Palomino Motel	Motel
Grand Junction Hilton	Motel
Junction Country Inn	Motel
Riverwood Inn	Motel
Silver Spur Motel	Motel
Two Rivers Inn	Motel
Air Force Reserve	Organizations
American Cancer Society	Organizations
American Lung Association	Organizations
Boy Scouts	Organizations
CASA	Organizations
Catholic Social Service	Organizations
City of Grand Junction	Organizations
Colorado Archaeological Society	Organizations
Colorado Assist Alliance	Organizations
Colorado Department of Transportation	Organizations
Colorado Lottery	Organizations
Colorado Project Exile	Organizations
Colorado Right To Live	Organizations
Colorado Women's Cancer Society	Organizations
Crimestoppers	Organizations
F.A.C.T. Foundation	Organizations
FDA Compliance	Organizations
FFA - Future Farmers of America	Organizations
Farm Bureau	Organizations
Girl Scouts	Organizations
Grand Junction Chamber of Commerce	Organizations
Grand Junction Lions Club	Organizations
Home Builders Association	Organizations
Kiwanis	Organizations
Knights of Columbus	Organizations
League of Women Voters	Organizations
Local #7 Union	Organizations
MADD Mother's Against Drunk Drivers	Organizations
March of Dimes	Organizations
Marines	Organizations
McGruff Crime Prevention	Organizations
Mesa County Blue Ribbon	Organizations
Mesa County Christian Action Council	Organizations
Mesa County Department of Human Resources	Organizations
Mesa County Women's Network	Organizations
Mesa Valley Teachers	Organizations
National Veterans	Organizations
Partners	Organizations
Performing Arts Conservatory	Organizations
Powderhorn Race Club	Organizations
Power Team	Organizations
Red Cross	Organizations
Redlands Anti-Gravel Pit	Organizations
Right To Life	Organizations
SOS Staffing Service	Organizations
Teen Pregnancy	Organizations
The Arts Center	Organizations
The Guard & Reserve	Organizations

CWOA OUTDOOR ADVERTISING USERS

The Pregnancy Center	Organizations
The Resource Center	Organizations
United Way	Organizations
Western Colorado Peruvian Horse Club	Organizations
Western Colorado Shrine Club	Organizations
Orkin	Pest Control
Grand Valley Vets - Heartworm	Pets
J & M Aquatics	Pets
PetSmart	Pets
Ben Nighthorse Campbell	Politics
Bill Morris	Politics
Bob Holmes	Politics
Bob McCormick	Politics
City Council District B	Politics
Dick Pond	Politics
Don Rosenthal	Politics
Doug Thompson	Politics
Gale Berry	Politics
Hank Brown	Politics
Hautziner State Senate	Politics
Hugenberg for Commissioner	Politics
James Foster	Politics
Jim Adams	Politics
Jim Baughman	Politics
John Crouch	Politics
John Leane	Politics
John Moore	Politics
League of Women Voters	Politics
Maureen Johnson	Politics
Matt Smith	Politics
Mike Lanham	Politics
Mike Strang	Politics
Monica Todd	Politics
Ron Teck	Politics
Scott McInnis	Politics
Steve Stogsdill	Politics
Tim Foster	Politics
Tim Wirth	Politics
Tom Burke	Politics
Vicki Feinlee	Politics
Vote Republican	Politics
Vote Yes on #4	Politics
Western Colorado Congress	Politics
Whiting	Politics
C & D Shipping	Postal
U.S. Mail Service	Postal
PIP Printing	Printing Companies
Top Banana Printing	Printing Companies
BUZZ AM	Radio

CWOA OUTDOOR ADVERTISING USERS

KEKB	Radio
KEXO	Radio
Kiss Country	Radio
KJOY	Radio
KOOL	Radio
KPRN	Radio
KQIX	Radio
KSTAR	Radio
KUBC	Radio
Mix 104.3	Radio
Mustang Country	Radio
Q 93	Radio
Radio Disney	Radio
Battlement Mesa	Real Estate
Bray Realty	Real Estate
Cathy Nordine	Real Estate
Cornstock Homes	Real Estate
Country Creek	Real Estate
Coventry Club	Real Estate
Dee Dee Hansen	Real Estate
Equinox	Real Estate
Fletcher Realty	Real Estate
Just Companies	Real Estate
Karen Milbank	Real Estate
Linda Afman	Real Estate
Maple Grove	Real Estate
Mesa County Real Estate Brokers	Real Estate
Monument Realty	Real Estate
Monument Valley Estates	Real Estate
Moonridge Falls	Real Estate
Mountain Realty	Real Estate
Native Sun Properties	Real Estate
Pinon Homes	Real Estate
Pioneer Village	Real Estate
Prestige Homes	Real Estate
Prudential Monument Realty Connie Badni	Real Estate
Pruett Homes	Real Estate
Racquet Club Apartments	Real Estate
Remax 4000	Real Estate
Remax Two Rivers	Real Estate
Roger Ladd	Real Estate
Rusty Sun	Real Estate
South Rim	Real Estate
Summit View Ranch	Real Estate
Colorado Rec. Equipment	Recreation
Colorado State Parks	Recreation
Competition Cycle	Recreation
Duck's Unlimited	Recreation
Gavin's RV & Marine	Recreation
Gibson's RV	Recreation
Grand Junction Harley Davidson	Recreation
Ice Rink	Recreation
KOA	Recreation

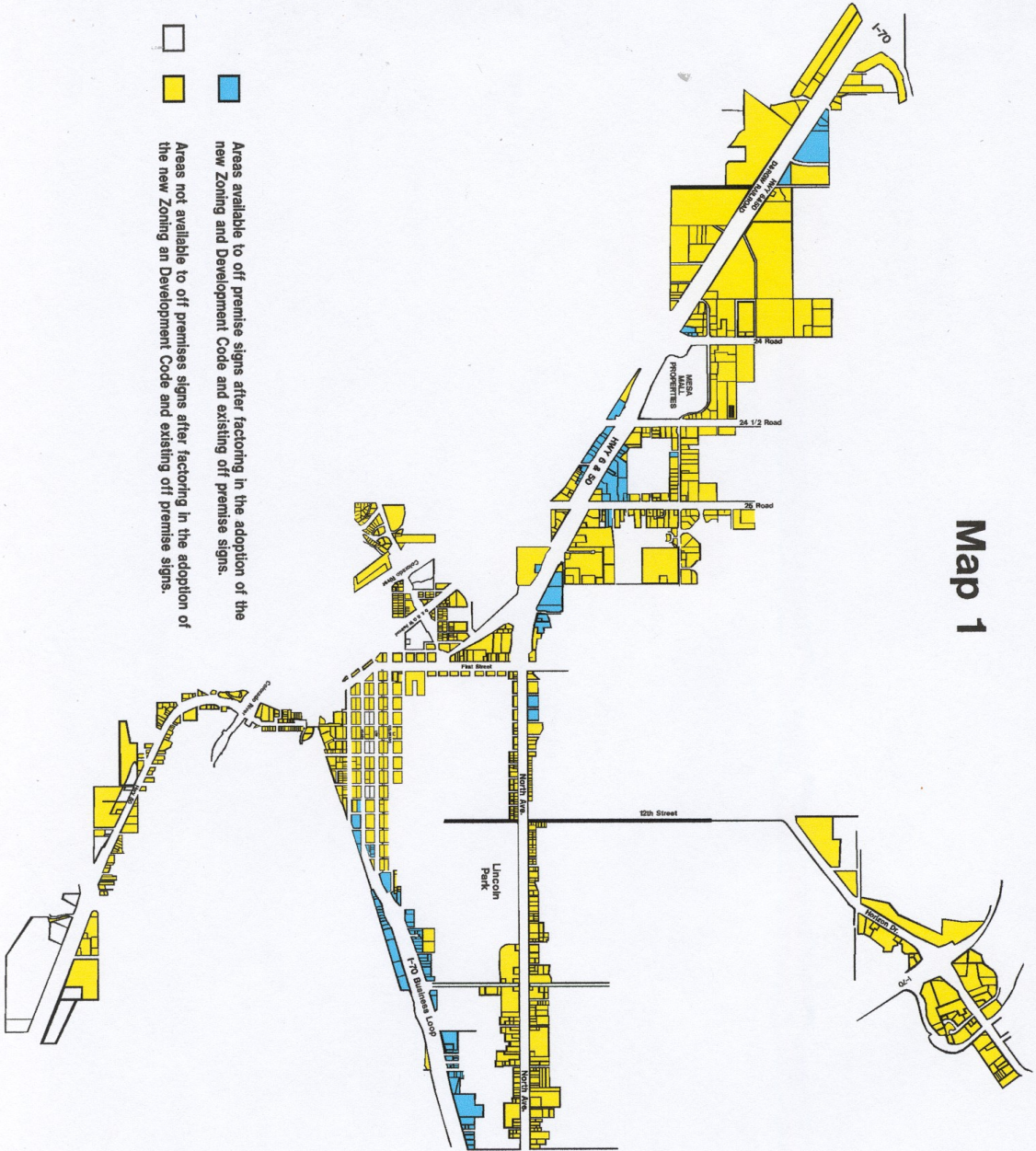
CWOA OUTDOOR ADVERTISING USERS

Mountainside Bike	Recreation
Polaris	Recreation
Powderhorn Ski Resort	Recreation
RV Resorts	Recreation
Ski Sunlight	Recreation
Snowmass Resort	Recreation
Sundance Marine	Recreation
Suzuki	Recreation
Yamaha	Recreation
Anything's Pasta-ble	Restaurant
A & W Restaurant	Restaurant
Bocaza	Restaurant
Branding Iron Tavern	Restaurant
Cajun Joe's	Restaurant
Colorado Java House	Restaurant
Dos Hombres	Restaurant
Junction Diner	Restaurant
Little Ceaser's	Restaurant
Mc Fadden's	Restaurant
Pizza Hut	Restaurant
Rocking Horse	Restaurant
Rockslide	Restaurant
Shake Rattle & Roll	Restaurant
Western Sizzlin	Restaurant
Brown's Shoe Fit	Retail Stores
Champion Boots	Retail Stores
Herberger's	Retail Stores
Mesa Mall	Retail Stores
Rite Aid	Retail Stores
Sleep Factory	Retail Stores
Snap One Hour Photo	Retail Stores
Toys for Tots	Retail Stores
Woolworth's	Retail Stores
Colorado Christian University	Schools
Grand Junction High School	Schools
Mesa County Valley School District	Schools
Mesa State College	Schools
UTEC	Schools
Colorado West Gun & Knife	Sporting Goods
Gene Taylor's	Sporting Goods
Jerry's Outdoor Sports	Sporting Goods
Louisville Slugger	Sporting Goods
Mountain Smith	Sporting Goods
Powderhorn Ski Patrol	Sporting Goods
Red Wing	Sporting Goods
REI Sporting Goods	Sporting Goods
Sports Center	Sporting Goods
Western Colorado Sporting Clays	Sporting Goods
Brach's Monument Mini Storage	Storage
The barnyard	Storage

CWOA OUTDOOR ADVERTISING USERS

California Tan	Tan Salons
Total Image	Tan Salons
AT & T Wireless	Telephone
Clear Talk	Telephone
Informatics	Telephone
Sprint	Telephone
U.S. West	Telephone
Mesa Travel	Travel
Sun Trips	Travel
Walker Field	Travel
Channel 11	TV
KJCT 8	TV
The Disney Channel	TV
United Artist	TV
United Cable TV	TV

Map 1





Photograph A



Photograph B

**Attach W-2
Future Workshop Agendas**

FUTURE CC WORKSHOP AGENDAS

AUGUST 13, MONDAY 6:00 PM: (Cindy & Janet absent)

- 6:00 TWO RIVERS CONVENTION CENTER CONSTRUCTION TOUR & FINAL COST UPDATE: meet at TRCC
- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 MUNICIPAL COURT OPERATIONS: Ron Lappi and Jodi Romero will update Council on the activities in this division.
- 7:45 TRAFFIC STANDARDS: Mark Relph will make a presentation about the Traffic Engineering Design Standards (TEDS) manual and changing the City's approach to level of service standards for traffic.

~~SEPTEMBER 3, MONDAY 7:00 PM:~~ CANCELED LABOR DAY

SEPTEMBER 5, WEDNESDAY 6:00 PM:

- 6:00 GRAND MESA SLOPES UPDATE AND POLICY DISCUSSION:

SEPTEMBER 17, MONDAY 7:00 PM:

- 5:30 CIP MEETING

OCTOBER 1, MONDAY 7:00 PM:

- 4:00-8:00 Specific times to be determined.

1. ANNUAL JOINT PERSIGO POLICY MEETING WITH THE MESA COUNTY BOARD OF COMMISSIONERS:
2. CELL TOWERS UPDATE BY CONSULTANT: Mesa County, Fruita and Palisade are invited to attend.

OCTOBER 15, MONDAY 7:00 PM:

- 7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA & REVIEW FUTURE WORKSHOP AGENDAS
- 7:25 CITY MANAGER'S REPORT
- 7:30 OPEN

FUTURE WORKSHOP ITEMS

1. DDA TIF UPDATE AND FINANCING OPTIONS: to be discussed at annual dinner with DDA
2. WATER PRESENTATION BY JIM LOCHHEAD: October
3. BOTANICAL SOCIETY MASTER PLAN
4. DARE & SCHOOL RESOURCE PROGRAMS
5. HAZARDOUS DEVICE TEAM
6. FORESTRY OPERATIONS
7. PARKS/SCHOOLS COOPERATIVE AGREEMENTS
8. ELECTRONIC RECORDS MANAGEMENT SYSTEM:
9. LIQUOR LICENSING PROCEDURES
10. TOUR OF NATURAL GAS FACILITIES: (After GMS overview)
11. SOLID WASTE COLLECTION IN NEWLY ANNEXED AREAS
12. CRIME LAB
13. HAZMAT
14. GOLF OPERATIONS
15. CODE ENFORCEMENT OPERATIONS
16. CABLE TELEVISION FRANCHISE

