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**GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, SEPTEMBER 6, 2006, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation – David Eisner, Congregation Ohr Shalom

Presentation of Certificate of Appointment

To the Urban Trails Committee

Proclamations/Recognitions

Introduction of A.J. Johnson, New Executive Director for Habitat for Humanity of Mesa County

Proclaiming September 2006 as “Library Card Sign Up Month” in the City of Grand Junction

Proclaiming the week of September 16 through September 22, 2006 as “Constitution Week” in the City of Grand Junction

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Summary of the August 14, 2006 Workshop, the Minutes of the August 14, 2006 Special Meeting and the August 16, 2006 Regular Meeting

2. **Vacation of a Utility Easement in the Prairie View South Subdivision, Located at 3028 and 3032 D ½ Road** [File #FP-2006-168] [Attach 2](#)

A request to vacate a 20-foot utility easement along the northern perimeter of the proposed Prairie View South Subdivision, located at 3028 and 3032 D-1/2 Road.

Resolution No. 106-06 – A Resolution Vacating a Utility Easement Within the Properties Located at 3028 and 3032 D-1/2 Road Also Known as the Prairie View South Subdivision

®Action: *Adopt Resolution No. 106-06*

Staff presentation: Kristen Ashbeck, Senior Planner

3. **Setting a Hearing on Zoning the Colvin Annexation, Located at 2940 B ½ Road** [File #ANX-2006-204] [Attach 3](#)

Request to zone the 9.98 acre Colvin Annexation, located at 2940 B ½ Road, to RSF-4 (Residential Single Family, 4 du/ac).

Proposed Ordinance Zoning the Colvin Annexation to RSF-4, Located at 2940 B ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for September 20, 2006*

Staff presentation: Adam Olsen, Associate Planner

4. **Revoke and Reissue a Revocable Permit to Spyglass Ridge Home Owners Association for Trail Construction, Located on City-owned Property Adjacent to the Water Plant** [File #FP-2005-090] [Attach 4](#)

A request to revoke a Revocable Permit and issue a new Revocable Permit with an amended alignment for trail construction and the placement of trail benches and signs on City-owned property adjacent to the water plant, west of Spyglass Ridge.

Resolution No. 111-06 – A Resolution Revoking a Revocable Permit and Approving an Amended Revocable Permit to be Issued to Spyglass Ridge Home Owners Association with an Amended Alignment for Trail Construction, Located on City-Owned Property Adjacent to the Water Plant

®Action: *Adopt Resolution No. 111-06*

Staff presentation: Kathy Portner, Assistant Director of Community Development

5. **Setting a Hearing on Zoning and Development Code Text Amendments Concerning Multifamily Development** [File #TAC-2006-215] [Attach 5](#)

A request to amend the Zoning and Development Code pertaining to multifamily development, including attached units.

Proposed Ordinance Amending Various Sections of the Zoning and Development Code Pertaining to Multifamily Development

Action: Introduction of Proposed Ordinance and Set a Hearing for September 20, 2006

Staff presentation: Kathy Portner, Assistant Director of Community Development

6. **Signal Communications Design Contract** [Attach 6](#)

Award of a Professional Services Design Contract for Signal Communications Design Phase 1d to Apex Design, PC in the amount of \$58,137.50. Phase 1d will connect 24 traffic signals in the central city along North Avenue, 1st Street, 7th Street, 12th Street and 28 ¼ Road to the existing fiber optic cable network that was constructed for phases 1a, b and c. In addition, the design will allow Parks administration and up to two Mesa County facilities to be connected to the fiber network.

Action: Award the Contract for the Signal Communications Design Phase 1d to Apex Design, PC in an Amount not to Exceed \$58,137.50

Staff presentation: Trent Prall, Engineering Manager

7. **Continue Public Hearing for the Baldwin Annexation, Located at 2102 and 2108 Highway 6 & 50** [File #ANX-2006-182] [Attach 7](#)

Request to continue the Baldwin Annexation to the September 20, 2006 City Council Meeting. The request to continue is to allow additional time to clarify boundary issues with the adjacent neighbor to the north.

Action: Continue the Adoption of the Resolution Accepting the Petition for the Baldwin Annexation and Public Hearing to Consider Final Passage of the Annexation and Zoning Ordinances to the September 20, 2006 City Council Meeting

Staff presentation: Faye Hall, Associate Planner

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

8. **City Youth Council Bylaws** [Attach 8](#)

The City Youth Council is ready to have City Council adopt their bylaws. The City Youth Council would also like to be introduced to the City Council and to present the new executive officers for the 2006-2007 year.

Resolution No. 112-06 – A Resolution Adopting the Bylaws of the Grand Junction, Colorado City Youth Council

®Action: *Adopt Resolution No. 112-06*

Staff presentation: Angela Harness, Management Intern
Lisa Truong, Youth Mayor

9. **Purchase Two Police Enforcement Motorcycles** [Attach 9](#)

This purchase is for two 2006 BMW R1200RTHP Police Enforcement Motorcycles for Police Patrol.

Action: *Authorize the City Purchasing Manager to purchase two 2006 BMW R1200RTHP Police Enforcement Motorcycles from a local dealer, All Sports Honda/BMW, LTD, the lowest responsive bidder, for the amount of \$43,125.78*

Staff presentation: Jay Valentine, Purchasing Manager
Bill Gardner, Police Chief

10. **Public Hearing – Watershed Protection Ordinance** [Attach 10](#)

Public hearing on the citizen-initiated Watershed Protection Ordinance, received by the City Clerk's Office August 1, 2006.

Ordinance No. 3961 – An Ordinance Establishing Watershed and Water Supply Standards; Establishing Requirements for Watershed Permits in Connection with Various Activities within said Watersheds; Prohibiting any Person from Polluting said Watersheds; and Requiring the City Council to Adopt Implementing Ordinances or Resolutions

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3961*

Staff presentation: John Shaver, City Attorney

11. **Set the Ballot Title on the Watershed Protection Ordinance** [Attach 11](#)

In the event that the watershed protection ordinance submitted by way of a citizens initiative petition is not adopted as presented, the matter will be referred to the November 7 ballot. The resolution approves the form and title of the measure for the ballot.

Resolution No. 113-06 – A Resolution Setting a Title and Submitting to the Electorate on November 7, 2006 a Question Regarding a Watershed Protection Ordinance

®Action: *Adopt Resolution No. 113-06*

Staff presentation: Stephanie Tuin, City Clerk
John Shaver, City Attorney

12. **City Council District Boundary Adjustments** [Attach 12](#)

The City Council District boundaries are established through the City Charter. City Council may adjust those boundaries by Resolution as they determine appropriate. An adjustment was last discussed in December, 2004 but no action was taken due to time constraints relative to the City Council election. The matter was again discussed at a workshop in August, 2006.

Resolution No. 114-06 – A Resolution Designating Voting District Boundaries in the City of Grand Junction

®Action: *Adopt Resolution No. 114-06*

Staff presentation: Stephanie Tuin, City Clerk

13. **Amendment to the 7th Street Corridor Design Services Contract** [Attach 13](#)

City Council / Downtown Development Authority approved the expansion of the 7th Street Corridor Project to reconstruct 7th Street from the south side of Grand Avenue to the north side of Ute Avenue on February 22, 2006 with DDA agreeing to provide an additional \$2,000,000 in funding. As a result of that decision the design contract with Ciavonne, Roberts and Associates must be amended to reflect the additional work.

Action: Approve \$178,144.00 of Additional Funding for Ciavonne, Roberts and Associates (CRA) to Design the Expanded 7th Street Area

Staff presentation: Mark Relph, Public Works and Utilities Director

14. **Public Hearing – Halliburton Annexation and Zoning, Located at 3199 D Road** [Attach 14](#)
[File #ANX-2006-210]

Request to annex and zone 48.4 acres, located at 3199 D Road, to I-1 (Light Industrial). The Halliburton Annexation consists of 2 parcels and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 115-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Halliburton Annexation, Located at 3199 D Road Including Portions of the D Road and 32 Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3962 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Halliburton Annexation #1, Approximately 0.29 Acres, Located at 3199 D Road

Ordinance No. 3963 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Halliburton Annexation #2, Approximately 48.11 Acres, Located at 3199 D Road Including Portions of the D Road and 32 Road Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3964 – An Ordinance Zoning the Halliburton Annexation to I-1, Located at 3199 D Road

®Action: Adopt Resolution No. 115-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3962, 3963, and 3964

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing – Central Grand Valley Sanitation District (CGVSD) Annexation and Zoning, Located at 541 Hoover Drive** [File #ANX-2006-175]

[Attach 15](#)

Request to annex and zone 0.94 acres, located at 541 Hoover Drive, to C-1 (Light Commercial). The Central Grand Valley Sanitation District (CGVSD) Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 116-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the CGVSD Annexation, Located at 541 Hoover Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3965 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, CGVSD Annexation Approximately 0.94 Acres, Located at 541 Hoover Drive

c. Zoning Ordinance

Ordinance No. 3966 – An Ordinance Zoning the CGVSD Annexation to C-1, Located at 541 Hoover Drive

®Action: Adopt Resolution No. 116-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3965 and 3966

Staff presentation: Senta L. Costello, Associate Planner

16. **Public Hearing – Burkey Park II Annexation and Zoning, Located at 179 28 ½ Road** [File #ANX-2006-179] [Attach 16](#)

Request to annex and zone 9.68 acres, located at 179 28 ½ Road, to CSR (Community Services and Recreation). The Burkey Park II Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 117-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Burkey Park II Annexation, Located at 179 28 ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3967 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park II Annexation, Approximately 9.68 Acres, Located at 179 28 ½ Road

c. Zoning Ordinance

Ordinance No. 3968 – An Ordinance Zoning the Burkey Park II Annexation to CSR, Located at 179 28 ½ Road

®Action: Adopt Resolution No. 117-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3967 and 3968

Staff presentation: Adam Olsen, Associate Planner

17. **Non-Scheduled Citizens & Visitors**

18. **Other Business**

19. **Adjournment**

Attach 1
Minutes

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
August 14, 2006**

The City Council of the City of Grand Junction, Colorado met on Monday, August 14, 2006 at 7:02 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason, and Council President Jim Doody.

Summaries and action on the following topics:

1. DISCUSS BOUNDARY ADJUSTMENTS FOR CITY COUNCIL DISTRICTS:

City Clerk Stephanie Tuin presented the current issues with the Council district boundaries and presented possible options for adjustments. Ms. Tuin said boundary adjustments are one of the few things that Council can change in the Charter without a vote. She said Council can change the actual legal descriptions of the district boundaries in the Charter by resolution. Ms. Tuin said the last time the boundaries were adjusted was in the year 2000. She reviewed the boundaries from the year 2000 and also the areas that have been added due to annexations that have occurred. Ms. Tuin suggested some possible ways that Council can make small changes to the boundaries and balance the population. She explained that Council is not obligated to establish districts that are proportional by population, registered voters, or by land mass.

Councilmember Spehar questioned if the numbers provided are a three year projection. Ms. Tuin said the projection was based on the approved 2005 – 2006 subdivisions and said it depends on how long it takes to build those out. Councilmember Spehar questioned if Council traditionally looks at the district boundaries every 3 to 5 years. Ms. Tuin said it has been 6 years since the last changes were made and said before that it was longer. During high growth periods, City Clerk Tuin recommended a review at least every five years.

Councilmember Hill thanked Ms. Tuin for all of her hard work providing scenarios and suggestions for Council. He said this could be a good time to ask Council to form a Charter Commission that is made up of a good cross section of citizens to look at the Charter and make recommendations to Council for any possible changes.

Councilmember Coons inquired if Councilmember Hill is suggesting looking at changes to be ready for the election in April or allow a year or two for the Charter Commission to research the Charter before sending it to the voters. Councilmember Hill said the Charter Commission should be given enough time to research the Charter and reach out to the community to get feedback from the citizens and not rush for a deadline in April.

Councilmember Coons asked Councilmember Hill if he is suggesting that Council look at some minor redistricting in the short term and a Charter Commission taking a longer time. Councilmember Hill said he is uncomfortable making minor changes to the Charter. He would rather postpone the redistricting until a Charter Commission completes its review.

Councilmember Coons asked Ms. Tuin if there were any compelling reasons to look at boundary changes for this year's upcoming election. Ms. Tuin responded that the population range between districts is at 10%. In a couple years, it is projected to be at 15%; which could still be considered reasonable if there is justification. However, it is on the outer edge of being considered balanced.

Councilmember Spehar feels that there is a mixed number of issues being discussed this evening. He said that he has not had anyone from the community ask why the City doesn't do things differently. He feels that the general public does not perceive that there is a problem with the Charter and said this has not been a topic of conversation that the community has approached him with.

Councilmember Palmer said Council can make some minor changes and can make those changes as frequently or as infrequently as it desires. He would like to proceed in that particular matter on an as needed basis.

Council President Doody thanked Ms. Tuin for all of her hard work on this item. He asked Councilmember Hill to discuss in more detail if a committee were to be formed who would serve on the committee. Councilmember Hill said it is up to the Council. He said Council could solicit interested citizens and then choose who would be on the committee.

Council President Doody asked Councilmember Hill what part of the Charter he wants looked at and changed. Councilmember Hill said he is not looking to change the Charter but to have a committee look at it and have the public's observations.

Councilmember Coons wanted to make sure that the City does not get into a situation where the citizens spend a lot of time discussing Charter amendments and then have it get dismissed.

Councilmember Spehar stated that going back to the basic premise, this was a citizens Charter back in 1925. He said that he could see making a change if there was a line of people saying that the Charter needs to be changed, but no one is standing there. He said Council has the option at anytime to do the housekeeping changes. He proposed putting a technical clean up on the ballot since the community is not asking for the Charter to be changed.

Councilmember Hill said he represents the community “At Large” and he has had citizens express concerns. He said that he feels it is worthy to look at the City Charter.

Councilmember Palmer said he also represents the community through “District C” and has not heard the same concerns.

Council President Doody said that he can see what Councilmember Hill is asking. He said the Charter was written over 80 years ago and Councilmember Hill is asking to form a task force just to review the Charter.

Councilmember Beckstein asked when the Charter was last updated. Ms. Tuin said the last change was to change the Council’s salary. She said in the earlier years Council made a lot of changes, but within the last 13 years there have not been very many changes to the Charter.

Councilmember Spehar said one direction is to have Staff revisit with Council the list of housekeeping changes to update the Charter. He said he would like to adjust the boundaries and wait to hear from the citizens before making more substantive changes to the Charter.

Councilmembers Coons, Palmer, and Thomason agreed.

Councilmember Beckstein said she does not have a problem with looking into the Charter and make sure it is servicing the community in the right way. She supports forming a committee to look into the Charter and make recommendations if there is a need for changes or to see if the Charter is serving the community as it is.

Councilmember Hill said it is part of his responsibility for this community to look at things like this. He feels that the community has not been given the opportunity to come forward and discuss the Charter. He suggested there be a luncheon for citizens to come and talk to Council to give their comments on the Charter. He said that he is only suggesting making the Charter better and allowing the citizens to come forward and to address their comments.

Council President Doody said he would like to be open minded about the request to form the task force.

Action summary: Staff was directed to bring two resolutions with two different scenarios regarding the boundary adjustments and Council will discuss further the forming of a focus group to review the Charter.

Council President Doody called a recess at 8:39 p.m.

The meeting reconvened at 8:55 p.m.

2. **CODE TEXT AMENDMENTS:** A list of proposed Code changes has been compiled. Staff will review the time line for the proposed changes, inform the City Council as to the process for changing the Code, and present some brief information on each of the proposed amendments for Council consideration.

Interim Community Development Director Sheryl Trent reviewed this item. She said discussions have been held with various community members who are part of a focus group and some of those members are in attendance. She then introduced each of them.

Councilmember Hill expressed his support and gratitude for the continuing efforts to refine the Zoning and Development Code.

Ms. Trent then addressed five items that the focus group would like to address and said the first three issues are Big Box Standards including the reuse of vacated big box facilities, the renaming of Big Box to Large Retail Establishments (LRE) to differentiate them from large hotels and motels, and a fee to be assessed that would be used to rehabilitate such facilities. City Attorney John Shaver then added that there may even be requirements that the building be built so that it can be subdivided later. Ms. Trent said the next item is non conforming sites and reduction of landscaping, screening and buffering requirements. She said the Code requires 100% compliance and the suggestion from the focus group is 80% compliance.

Councilmember Hill pointed out examples of facilities that were built under the old standards and said now the new owner wants to remodel so the new Code requirements are then applied. He said a change in use or a 25% remodel will trigger that requirement and suggested the threshold be 75%.

Councilmember Palmer said he is concerned when the City has a change and grandfathers something, then the grandfathering seems to go on forever. He said there are a lot of properties that never seem like they get into compliance in a reasonable amount of time and then the City ends up with a great deal of properties that don't comply for a lot of different reasons that don't hit a trigger that makes them get into compliance. City Attorney Shaver agreed, noting that there could be triggers on both sides and said the law only requires that a reasonable cost of recovery can be obtained. Ms. Trent said this will become more and more of an issue and said Staff and the focus group should take a look at those triggers and the grandfathered in items as well.

The third topic is multi-family development. Townhomes in particular are almost impossible to build under the existing City Code. She said the text amendments have been drafted and those were recommended for adoption by the Planning Commission. The amendments will be before Council for first reading September 6th. Assistant Community Development Director Kathy Portner

explained that the difference is measuring open space rather than minimum lot size.

Duncan McArthur, a developer with TML Enterprises, complimented Staff on their handling of the discussions. He explained the difficulties in the City Code to produce townhomes and how that affects borrower's availability in the lending industry.

Ms. Trent then covered the minimum lot size and dimensional standards. She said RSF-4 often cannot be built because of various constraints. She said discussions have taken place on adding additional zone districts, but changes to the requirements of the existing zone districts will cause a change of future developments. She asked Mr. John Davis, a developer, to elaborate.

John Davis, a developer with Blue Star Industries, stated that in looking at all the existing RSF-4 developments, none were built as four units per acre, the highest was 3.89 units per acre. He asked that the requirements for RSF-4 be made RSF-3 and then bring down the requirements for RSF-4. He wanted more options and with the high prices of homes in the area, he thought more density is needed. He said most buyers are from out of town because the in-town people cannot afford a medium priced home in this market. He thought his suggestion would help control the prices.

Councilmember Hill said he and Councilmember Palmer both supported that four years ago. He said that he understands the developers want to maximize the density which will make things more affordable and said that would be worth looking at.

Councilmember Palmer stated that RSF-4 zoning is intended to be a maximum, which does not guarantee results and said that he does not want to compromise open space and road width. He would like to pursue RSF-3.

Councilmember Coons said that she likes the idea of zoning to actual density and feels that it will help people know what they are really going to get in the end.

Ms. Trent said the landscaping code has been a continuing issue and said the Chamber has been involved in the discussions. She said Staff is trying to get more specific on what isn't liked. Ms. Trent said the landscaping code had a big overhaul in the year 2000 and again in 2002 as it related to industrial sites. She asked Diane Schwenke from the Chamber to address the comments she has heard.

Councilmember Hill questioned why the report only address I-O zone. Ms. Trent said the focus group only wanted to address I-O at this time.

Ms. Schwenke said more information needs to be gathered regarding the landscaping code. She said the #1 item that comes out of exit interviews with developers are the landscaping requirements. She said a lot of the issues are non-conforming sites and infill sites. She pointed out that there needs to be an effort to address specific issues and to educate the flexibility and xeriscaping options.

Councilmember Palmer agreed that there are issues with smaller industrial lots regarding what the landscaping requirements are and what is required according to the Code. He feels the City should look at industrial a little different, but does not want to exclude the landscaping requirements in certain areas just because no one drives by there. He feels the City should be more flexible with the options that are available.

Ms. Schwenke said the bottom line is that in certain areas there needs to be some flexibility or potential Code changes that would still let the community look nice and still let the business owner be able to operate.

Councilmember Palmer said the continuous request for variances tells Council there is a problem with the Code.

Ms. Schwenke suggested a point system that would allow the business owner the flexibility to meet a minimum number of plants. Ms. Trent said that a point system lacked consistency.

Councilmember Beckstein questioned why not require native trees and plants that are adaptable to this area. Ms. Trent said the Code already states that and said actually xeriscaping is more expensive initially but will pay back later with a lower maintenance cost.

Councilmember Hill said the parking is the issue because the businesses have to use part of their parking lots for landscaping. He said the flexibility is there but it also affects other things on the non-conforming sites.

Ms. Trent said there is a need to do more outreach and education on the options. She questioned if Council would like I-O to be looked at.

Councilmember Spehar said I-O is different than industrial office situations. He said maybe Council should be looking at the parking side of the issue instead of the landscaping issues. He would like to see ways to deal with the reuse of big box buildings and the need for a variety of affordable housing. He said regarding the zone district issue, there are concerns of having a zone for every number. He would like to deal with the variances and acknowledge the issue but balance the needs.

Councilmember Coons would like to encourage the focus group to determine the real issues with the landscaping.

Ms. Trent said Larry Rasmussen would like to speak to Council.

Larry Rasmussen with AMGD, representing builders, realtors, and contractors, said he would like to echo all of the comments that have been made and is pleased with all of the discussions so far. He said there are a couple of issues regarding the conflict between the process from the preliminary to the final plan. He said there have been discussions regarding the review process and the time elements and said that he would like to continue to perform the exit interviews and track the comments.

Ms. Trent said Rebecca Wilmarth also would like to address Council.

Rebecca Wilmarth, Sharper Engineering, thanked Staff for all of their work with the focus group.

Councilmember Spehar said that he appreciates all of the great strides the focus group has made and asked that they keep up the good work.

Councilmember Hill said that he hopes this Council can set the tone to continue to adjust the Code to make this community great. He said this is a long term process and Staff needs to look at all of the angles.

Council President Doody questioned if the main issue is the cost of the landscaping. Ms. Trent said most of the comments is that it is too onerous for the desert and is too expensive, but most of all the quantity that is expected is the biggest issue.

Action summary: Council thanked Staff and the focus group for all of their comments on this issue and wanted Staff to keep Council informed of their findings.

ADJOURN

The meeting adjourned at 10:14 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

AUGUST 14, 2006

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, August 14, 2006 at 5:30 p.m. in the Administration Conference Room, 2nd Floor of City Hall. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Also present was Interim City Manager David Varley, City Attorney John Shaver and Associate Municipal Judge Care' McInnis-Raum.

Council President Doody called the meeting to order.

Councilmember Thomason moved to go into executive session for discussion of personnel matters under Section 402 (4)(f) (I) of the Open Meetings Law relative to personnel concerning the Municipal Court Judge position and they will not be returning to open session. Councilmember Hill seconded the motion. The motion carried.

The City Council convened into executive session at 5:40 p.m.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

August 16, 2006

The City Council of the City of Grand Junction convened into regular session on the 16th day of August 2006, at 7:06 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason, and President of the Council Jim Doody. Also present were Interim City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Beckstein led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Mark Quist, New Life Church.

Presentations of Certificates of Appointment

To the Riverfront Commission

Ken Henry, Tom Kenyon, and Lesley Kibel were present to receive their certificates for the Riverfront Commission.

To the Urban Trails Committee

Steve Bliss, John Borgen, and Joseph Moreng were present to receive their certificates for the Urban Trails Committee.

Appointment to the Building Code Board of Appeals

Councilmember Spehar moved to ratify the appointment of Norman Kinney to the Building Code Board of Appeals. Councilmember Palmer seconded the motion. Motion carried.

Citizen Comments

Lee Ann Hill, 434 Teller Avenue, advised that the Department of Energy (DOE) Uranium Leasing Program protest period ends in 1 ½ weeks and she is concerned about transportation routes to the mills as it impacts the roads and it is a hazardous transport. There are safety issues to consider and she feels that the City Council should be involved. There have been several public meetings held in other places and she thinks there needs to be one in Grand Junction and that there needs to be more time than 1 ½ weeks to assess the situation. There is an environmental assessment going on now but Ms. Hill said there needs to be a more in-depth study. She asked Council to ask the DOE to take it slowly.

Carol Chowen, 2342 Rattlesnake Court #B, submitted comments from 400 citizens regarding water quality. She expressed that the issue is important and they need to keep the water pure. She read several of the comment cards. Ms. Chowen thanked the City Council for their formal protest to the BLM regarding the leases in the watershed and asked that they make clean water a priority. She encouraged the City Council to ask their representatives to do everything in their power to protect the water and to continue to protest the drilling activity in the watershed.

Beverly Kolkman, 2502 Mt. Sopris Drive, said she was concerned about the leases on the Grand Mesa. She read a note from a man who works in the gas drilling industry, and had anecdotal comments from other people who work in the industry who voiced concerns over the impacts.

Janet Magoon, 2752 Cheyenne Drive, encouraged the City Council to continue the appeal to the BLM. She pointed out the shortage of enforcement and monitors of the activities and noted it only takes one spill to spoil the water. She said there is no amount of rules that can guarantee there will not be an accident.

Matt Sura, 405 25 Road, stated that accidents in an industrial zone are inevitable. He advised that just Friday there was a well blowout in Clark, Wyoming from a well site drilling at 8,000 feet. They had to evacuate entire neighborhood which now has to drink bottled water. He asked the City Council to do everything in their power to ensure drilling does not occur in the watershed.

CONSENT CALENDAR

Councilmember Hill moved that item #11, the appointment of the municipal judge, be moved to first on the individual consideration. Councilmember Beckstein seconded. The motion carried.

Councilmember Beckstein read the list of items on the Consent Calendar.

It was moved by Councilmember Hill, seconded by Councilmember Palmer and carried by roll call vote to approve Consent Calendar items #1 through #10.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the July 31, 2006 Annual Persigo Meeting and the Minutes of the August 2, 2006 Regular Meeting

2. **Continue Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation** [File #ANX-2005-076]

Request to continue the Bookcliff Veterinary Hospital Annexation to the December 20, 2006 City Council Meeting. The request to continue is to allow

additional time to clarify land ownership issues adjacent to the Grand Valley Canal.

Action: Continue the Adoption of the Resolution Accepting the Petition for the Bookcliff Veterinary Hospital Annexation and Public Hearing to Consider Final Passage of the Annexation Ordinance to the December 20, 2006 City Council Meeting

3. **Setting a Hearing on Zoning the Central Grand Valley Sanitation District (CGVSD) Annexation, Located at 541 Hoover Drive** [File #ANX-2006-175]

Request to zone the 0.94 acre Central Grand Valley Sanitation District (CGVSD) Annexation, located at 541 Hoover Drive to C-1, (Light Commercial).

Proposed Ordinance Zoning the CGVSD Annexation to C-1, Located at 541 Hoover Drive

Action: Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006

4. **Setting a Hearing on Zoning the Halliburton Annexation, Located at 3199 D Road** [File #ANX-2006-210]

Request to zone the 48.4 acre Halliburton Annexation, located at 3199 D Road to I-1 (Light Industrial).

Proposed Ordinance Zoning the Halliburton Annexation to I-1, located at 3199 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006

5. **Setting a Hearing on the Colvin Annexation, Located at 2940 B ½ Road** [File #ANX-2006-204]

Request to annex 9.98 acres, located at 2940 B ½ Road. The Colvin Annexation consists of 1 parcel and is a two part serial annexation.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 102-06 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Colvin Annexation, Located at 2940 B ½ Road and Including a Portion of the B ½ Road Right-of-Way

Action: Adopt Resolution No. 102-06

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Colvin Annexation #1, Approximately 0.36 Acres, Located at 2940 B ½ Road and Including a Portion of the B ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Colvin Annexation #2, Approximately 9.62 Acres, Located at 2940 B ½ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for September 20, 2006

6. **Setting a Hearing on the Pine E Road Commercial Annexation, Located at 3046 & 3048 E Road** [File #ANX-2006-211]

Request to annex 3.48 acres, located at 3046 & 3048 E Road. The Pine E Road Commercial Annexation consists of 2 parcels.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 103-06 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Pine E Road Commercial Annexation, Located at 3046 & 3048 E Road

Action: Adopt Resolution No. 103-06

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pine E Road Commercial Annexation, Approximately 3.48 Acres, Located at 3046 & 3048 E Road

Action: Introduction of Proposed Ordinance and Set a Hearing for September 20, 2006

7. **Setting a Hearing on Zoning the Burkey Park II Annexation, Located at 179 28 ½ Road** [File #ANX-2006-179]

Request to zone the 9.68 acre Burkey Park II Annexation, located at 179 28 ½ Road, to CSR (Community, Services and Recreation).

Proposed Ordinance Zoning the Burkey Park II Annexation to CSR, Located at 179 28 ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006*

8. **Setting a Hearing on Zoning the Baldwin Annexation, Located at 2102 and 2108 Highway 6 & 50** [File #ANX-2006-182]

Request to zone the 3.23 acre Baldwin Annexation, located at 2102 and 2108 Highway 6 & 50 to I-1 (Light Industrial).

Proposed Ordinance Zoning the Baldwin Annexation to I-1 (Light Industrial), Located at 2102 and 2108

Action: *Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006*

9. **Setting a Hearing Accepting Improvements and Assessments Connected with Alley Improvement District No. ST-06**

Improvements to the following alleys have been completed as petitioned by a majority of the property owners to be assessed:

- East/West Alley from 5th to 6th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Main Street and Rood Avenue
- East/West Alley from 11th to 12th, between Main Street and Rood Avenue
- North/South Alley from 23rd to 24th, between Grand Avenue and Ouray Avenue
- East/West Alley from 17th to 18th, between Hall Avenue and Orchard Avenue
- North/South Alley from 22nd to Linda Lane, between Orchard Avenue and Walnut Avenue
- North/South Alley from 21st to 22nd, between Walnut Avenue and Bookcliff Avenue

Resolution No. 104-06 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-06

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-06 in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of said Cost to Each Lot or Tract of Land or Other Real Estate in Said Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said Districts;

Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Action: Adopt Resolution No. 104-06, Introduction of Proposed Ordinance and Set a Hearing for September 20, 2006

10. **Sale of Remnant Property at 635 West White Avenue**

The remnant parcel of Lot 2, Block 1 WDD Subdivision located at 635 West White is recommended to be sold to the adjacent property owner, West White Avenue Partnership, LLP located at 747 West White for \$79,860.

Resolution No. 105-06 – A Resolution Authorizing the Sale of Lot 2, Block 1, WDD Subdivision to West White Avenue Partnership, LLP.

Action: Adopt Resolution No. 105-06

11. **Appointment of Municipal Judge - Moved to Individual Consideration**

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Appointment of Municipal Judge

In June of this year, long time Municipal Judge David Palmer succumbed to cancer. For many years prior to Judge Palmer's death Caré McInnis-Raaum served the Court as an Associate Judge. The Council having interviewed Judge Raaum and having received recommendations from Judge Palmer and City Attorney John Shaver has determined that Associate Judge McInnis-Raaum should be appointed as Municipal Court Judge beginning immediately.

Councilmember Hill explained his reason for pulling this item off the Consent Calendar was that this is an important appointment and to express how thrilled the Council is to have the honor of appointing Caré McInnis-Raaum as the Municipal Judge.

Councilmember Spehar lauded the service of Judge Palmer and agreed with Councilmember Hill about Ms. McInnis-Raaum.

Resolution No. 110-06 – A Resolution Appointing McInnis-Raaum as Municipal Court Judge

Councilmember Thomason moved to adopt Resolution 110-06. Councilmember Palmer seconded. Motion carried by roll call vote.

Airport Improvement Program Grant at Walker Field Airport for Expansion of Cargo Area and Ramp Construction

AIP-31 Schedule I is for the placement of sub-base and base material for the expansion of the air cargo area west of the Mesa Maintenance Hangar. The project will place 145,000 square yards of dirt for future ramp construction. Schedule II is for the purchase of a 5-yard wheel loader. The estimated grant amount is \$1,300,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Rex A. Tippetts, Airport Manager, reviewed this item. This is the first of three grants; this one is for two projects. He described the projects and stated the amounts of the grants.

Councilmember Palmer, as Council's representative on the Walker Field Airport Authority board, commended the efforts of Mr. Tippetts as the new Airport Manager. This is one effort to improve the infrastructure of the airport.

Councilmember Palmer moved to authorize the Mayor to sign FAA AIP-31 grant for the capital improvements at Walker Field Airport. Councilmember Coons seconded the motion. Motion carried.

Airport Improvement Program Grant at Walker Field Airport for Layout Plan Update

AIP-32 is for an Airport Layout Plan Update. The project will look at a number of the Airport's more immediate projects to help us estimate the costs. The estimated grant amount is \$200,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Rex A. Tippetts, Airport Manager, reviewed this item. He described the project as part of the Master Plan that was in the works prior to him coming on board. It is a \$200,000 planning grant.

Councilmember Palmer advised that there continues to be issues to address and this planning piece is a necessary step in addressing those issues.

Councilmember Palmer moved to authorize the Mayor to sign FAA AIP-32 grant for an Airport Layout Plan Update at Walker Field Airport. Councilmember Coons seconded the motion. Motion carried.

Councilmember Hill pointed out the need for motions to approve the signing of the co-sponsorship agreements.

Councilmember Hill moved to authorize the City Manager to sign the supplemental Co-Sponsorship Agreement for the FAA Grant AIP-31 for the capital improvements at Walker Field Airport. Councilmember Spehar seconded the motion. Motion carried.

Councilmember Hill moved to authorize the City Manager to sign the supplemental Co-Sponsorship Agreement for FAA Grant AIP-32 for an Airport Layout Plan Update at Walker Field Airport. Councilmember Coons seconded the motion. Motion carried.

Carter & Burgess Contract Amendment for the Riverside Parkway Project

This amendment is the fifth of five planned amendments to the existing contract with the engineering firm of Carter & Burgess. This scope of services covers the construction engineering and field inspection for the Riverside Parkway Phases 2 & 3 for the period beginning in August, 2006 through November, 2008.

Trent Prall, Engineering Manager, reviewed this item. He explained that this is the fifth amendment to the engineering contract. This will complete the project in that this covers Phases 2 and 3. The change is for about \$2 million to bring the total contract to over \$12 million.

Councilmember Palmer asked if this contract amount is the standard percentage for engineering for this type of project. Mr. Prall said generally 15% of construction contracts is for design of such a project, so this amount is well within that percentage.

Councilmember Hill asked if this amendment will cover their services to the end of the project. Mr. Prall responded it does, it is through Phase 3 and that includes the interchange which is the last phase. The project is ahead of schedule. Phase 2 is currently under construction along River Road and through the Riverside neighborhood.

Council President Doody asked if there are incentives for the contractor SEMA to finish early. Mr. Prall said the City included incentives in all of the contracts.

Councilmember Coons moved to authorize the City Manager to amend the existing contract for construction engineering and field inspection for the Riverside Parkway with Carter & Burgess for a total fee of \$12,327,520. Councilmember Spehar seconded the motion. Motion carried.

Public Hearing – Request from New Hire Fire Pension Board

A Resolution authorizing an election by our sworn fire department personnel to change from the City's Defined Contribution Retirement Plan back to one of the Colorado Fire and Police Association (FPPA) sponsored Defined Benefit Plans.

The public hearing was opened at 7:51 p.m.

Ron Lappi, Administrative Services & Finance Director, reviewed this item. He highlighted the fact that the City Management team recommends against adopting the resolution. They feel a no vote is appropriate because for the past twenty years the City has been contributing about 33% more to the Fire and Police Defined Contribution Plan,

higher than what is required by State Statutes; it is a very rich plan and will result in a comfortable retirement for the employees. The request is to reenter a plan that was left years ago; it results in a defined benefit rather than an investment plan like the general employees. With a defined benefit plan, there is a risk of an unfunded liability for the City whereas there is no risk of that under the current plan. Changing the benefit of one group would leave the rest of the employees in the defined contribution plan; the current plans are local plans and totally under the control of the City Council. The defined benefit plan is more controlled by the State Legislature.

Councilmember Palmer asked if employees can take out loans on their current plan. Administrative Services Director Lappi replied they can; under the proposed plan, employees could still repay any loans but could not borrow against the plan.

Mr. Lappi continued that he is concerned about the markets going forward. The defined benefit plan assumes an 8% return, but economists feel that will be difficult to achieve. If the 8% is not achieved then it could create an unfunded liability similar to what PERA (Public Employees Retirement Association) is experiencing. Mr. Lappi said he does not blame the Fire Department for asking as it would guarantee their benefits but felt it is not fair to shift responsibility to the taxpayers.

Councilmember Coons inquired if other large employers have defined benefit plans. Mr. Lappi answered that the school district is in PERA and the State employees are in a defined benefit plan. St. Mary's is in a defined contribution plan and most private companies have 401Ks; many employers are moving away from defined benefit plans; even states are abandoning defined benefit plans because of the long term uncertainty.

Councilmember Coons asked if employers provide support to employees on how to invest their contributions for those in defined contribution plans. Mr. Lappi stated that in 1993/1994, the City moved to allow the employees more choices and since then have had educational meetings and one-on-one meetings with providers. John Williams, a fireman, has taught classes on investing contributions. The City has an ongoing effort to make more options available and the current provider has model portfolios which automatically adjusts investments as one approaches retirement. All the plans are managed by Wells Fargo currently.

Councilmember Beckstein asked if employee satisfaction has ever been assessed. Mr. Lappi answered they did on all three plans last year and that the cost is comparable to other plans. He noted that periodically the City will open it up for other providers to bid on.

Councilmember Palmer asked for an explanation of the old hire plan. Mr. Lappi gave the following overview. There are the Old Hire Police and Old Hire Fire Plans. There are only two employees who are still working who are under those plans, which are defined benefit plans. The Old Hire Police Plan is getting \$400,000 from the State every year and the City is putting that much in too annually because it is under funded. The City is also contributing \$334,000 annually to the Old Hire Fire Plan.

Councilmember Palmer asked if unfunded liabilities are a concern with the defined contribution plans that the Police and Fire are currently under. Mr. Lappi said it is not. Councilmember Hill confirmed that 8% return is assumed in order for the defined benefit plan to pay out the assumed benefits and if that return is not achieved or if the retirees live longer, the fund could be affected. Mr. Lappi answered that is correct along with other factors such as raises given through the plan.

Council President Doody inquired about the vesting date on the defined contribution plan. Mr. Lappi replied that after seven years, 100% of contributions made by the City belong to the employees. The vesting is a graduated amount up until the seven years of service.

John Williams, Battalion Chief and Chair of the New Hire Fire Pension Board, said he is an investments trainer yet his portfolio has lost 60%. What has been mentioned is the potential liability and the potential for employees to stay to age 60, which doesn't work for firefighters. The contribution from the City will be decreased with the change and will save the City money. Mr. Williams said by 2012, 38 firefighters will be eligible to retire. With nearly 100 fire employees, there will be additional savings as new hires come on. The change would affect the new hires coming on in October if approved.

Councilmember Spehar asked if it is fair to compare the old defined benefit plans to the current plans. Mr. Williams answered that there are safeguards in place to ward off the possibility of unfunded liabilities in the new plan. The old plans, which were State managed and locally funded initially, had problems from the beginning.

Councilmember Beckstein asked if he foresaw any difficulty achieving the assumed rate of the return. Mr. Williams answered the situation is looked at differently by different people.

Councilmember Hill voiced concern about forecasting the markets. He felt the proposal did put Grand Junction in a liability situation and asked if there is a way to take the risk away from the City of Grand Junction.

Jim Houlihan, Fire Department Captain and also on the retirement board, said there is lot of talk about unfunded liability, but it is a potential unfunded liability and not a reality. FPPA (Fire and Police Pension Association) is currently funded at 112%, and has averaged 115% since the start of FPPA. Mr. Houlihan then outlined the safeguards in place to prevent the development of an unfunded liability. Besides the reliability of FPPA, they are mandated by State Law to maintain funding for 30 years in advance. If they did not achieve the assumed rate of return, the first thing they would do is take away cost of living increases; then they would cut individual retirement plans, eliminate plan amendments, increase retirement age, and finally FPPA would pursue legislation to increase contribution levels.

Councilmember Palmer inquired when FPPA started. Mr. Houlihan answered the 1980's. Councilmember Palmer asked why the employees voted to go out of the plan then but Mr. Houlihan did not know.

Councilmember Coons stated that her parents are retired school teachers and their retirement program considered joining PERA for safety, but didn't. Now PERA has had serious problems even though it too had many of the same safeguards mentioned to avoid those situations for employees yet they are still in an unfunded situation.

Mr. Houlihan said the first thing FPPA would do is take away cost of living adjustments (COLA). Councilmember Coons pointed out that those still working would then be at risk of losing their COLA and their benefits and current employees might be asked to contribute more.

Mr. Houlihan answered that is the last safeguard they have in place as well as employers. FPPA is being held out as the ultimate model.

Councilmember Coons noted that current employers would also have to contribute more.

Mr. Houlihan said it is not fair to compare with corporate America, because private enterprise wants to make a profit. Looking at other government entities, many are reentering defined benefit plans. One example is the State of Nebraska.

Councilmember Spehar asked about other Colorado cities. Mr. Houlihan said there are 12 organizations in Colorado that have gone back into FPPA (he named Brighton, Carbondale, Lafayette, Lake City, Dillon, Trinidad, Westminster, and Colorado Springs). He said seven of the ten cities Grand Junction is compared to for benefits are in defined benefit plans. He noted that the Fire Department is already treated differently as they do not have social security. Plus it is a dangerous occupation; their lives are at risk daily; all positions are sworn positions plus there are fit for duty requirements and different work schedules.

Council President Doody asked if there are other Staff members wishing to speak.

Mike Gadzak, Fire Training Officer who has been with the City 26 ½ years, knows the history regarding the decision to drop the defined benefit plan as he was present when the change occurred. He described his recollection of what happened for the change. Since it is not good to have 60 year old firefighters, FPPA improved the plan and shortened the age; however, if you work until 60 there are additional benefits. He then reiterated the differences between sworn fire fighters and general employees.

Administrative Services Director Ron Lappi pointed out that workers compensation rate sheet rates the level of risk for all City employees, and although the Fire Department is very appreciated for their work, fire fighters are rated #6, with employees from both public works and parks rated as riskier, with street workers as the highest. Mr. Houlihan is correct that the City is a not-for-profit organization but they still must account for unfunded

liability in the City's financial statements, and any shortfall in resources going forward would be shared with both employees and the employer.

Council President Doody asked about the statement that the plan is required to be stable for 30 years. Mr. Lappi noted that the FPPA board makes investment decisions and they have been profitable decisions but they are referring to projections if the 8% return is achieved.

Councilmember Beckstein inquired about the worst case scenario and where does the money come from to fund liabilities. Mr. Lappi replied that both police and fire are part of the General Fund. He added that decisions on what changes would be made to the Plan would be made by the State Legislature. Councilmember Beckstein asked how an injured worker that has to stop working is paid now. Mr. Lappi answered if the injury was on the job it would fall under workers compensation. If the injury is off the job, the City provides both short and long term disability insurance.

More questions were directed to Mr. Lappi, who also serves on the FPPA board, about investments, maintaining an 8% return actuary goal, changing assumptions, lowering the projection, the ups and downs, the years the fund did not hit 7½%, whether PERA's problems were a result of market fluctuations or poor decisions. Mr. Lappi replied that FPPA did not provide the COLA and has made other short term kinds of adjustments during the economic downturn. According to the current FPPA board chair it is going to be difficult to achieve the 8%. Mr. Lappi said FPPA lost \$100 of millions in the economic downturn. As far as PERA, the problems arose from multiple reasons. As with all boards, as the board members change so does the expertise.

Police Chief Bill Gardner, who sits on the Police Pension Board, applauded his fellow public safety officers but recommended against this measure. He noted his command personnel disagree with him but he believes it would be a flawed decision to return to defined benefit plans. However, if the measure does pass, he will support the police officers to make the same change. Chief Gardner believes the City has an outstanding benefit plan and as he sees the need for additional resources over the next ten years to provide police protection and because he advocates the wisest use of tax dollars, he opposes the change. It would send a bad message to the taxpayers and would create an entitlement class of the public safety employees.

Council President Doody asked how the retirement plan affects hiring. Chief Gardner agreed that a defined benefit plan might add to the hiring process at face value, but he thinks the City already has an outstanding benefit package.

Councilmember Beckstein asked Fireman Houlihan what information he used to base his assumptions. Mr. Houlihan pointed out that FPPA, in 26 years, has never had an unfunded liability and has averaged an 11% return. He introduced Ruth Ryerson, current FPPA Chief Executive Officer (CEO) and noted other FPPA board members in the audience.

Ruth Ryerson, CEO of FPPA, agreed with Mr. Lappi's statements but noted that FPPA is looking at other investments as achieving 8% won't be easy. A portable office strategy has added 2-3% returns. The current CFO will be the new CEO. Ms. Ryerson contrasted FPPA and PERA, pointing out the differences: for COLA, PERA is mandated to pay 3½%, while FPPA has a 3% COLA and it is not mandatory. PERA allowed buy-ins for years of service, FPPA has SRAs, where FPPA gives money to members but keeps it in their fund so that is a safety valve. She said she is not present to sell the program but here to provide information.

Administration Services Director Lappi added that the diversification the board has been working on may be more risky investments, with more volatility.

Council President Doody called a recess at 9:24 p.m.

The meeting reconvened at 9:42 p.m.

President of the Council Jim Doody asked for public comments.

Darren Starr, a City employee, Public Works Superintendent, spoke on behalf of the view of the general employees. He sat on the General Employees Retirement Board for around nine years. He disagreed with contention that general employees can work longer than fireman as their jobs are less hazardous; he has had a lot of experience with employees in his department getting hurt on the job. In the 22 years he has been with the City, he had two workers that left the job and never made it to retirement. As for someone like him, 47 years old, before he can access social security, he has to be 66 years, 10 months. He cannot depend on social security. He puts money not only in the 401K but also into ICMA (457). When he was on the board, they did look at other providers and he agreed that it is probably time again to look at other providers. Most employees would probably be willing to pay a higher management fee if there was a greater return. He personally has taken advantage of some of the model portfolios. He agreed self-directed investing is difficult.

Irene Carlow, a City employee and a taxpayer, did not want to condemn the Fire Department in their desire for a defined benefit program, everyone would want that. However, it transfers the risk to the taxpayer. She did not feel it is appropriate. Under the current plan, everyone assumes their own risk.

Mike Kelly, a City resident and a Captain in the Fire Department, pointed out that the money in the current retirement accounts would be transferred into the new fund so the Fire Department personnel are also taking a risk. He thought the risk for an unfunded liability is miniscule with all the safeguards in place. The employees could transfer their money into a secured account. He disagreed that Public Works is a riskier job just because they are getting hurt more. He said the real argument is that firemen have a shortened career life.

There were no additional public comments.

The public hearing was closed at 9:58 p.m.

Councilmember Coons said it is a difficult issue and won't be taken lightly. The issue affects people's lives and is respected. She said she is pleased to hear that FPPA is being managed so well, however at one time PERA was a model of how retirement plans should be managed. Even with the best management things can happen. There is no guarantee and there is a risk in any case. Under FPPA, it should be noted that to get full pay out, one has to work until age 50. She pointed out that the average person in the U.S. does not stay in one career in their lifetime so dependent on one's health, someone at age 50 can start a new career. She agreed that everyone would like to have a defined benefit plan but she is worried about such a plan.

Councilmember Beckstein said the City offers a plan which takes into consideration the risk factors for fire fighters and paramedics and she would believe it is in the best interest of the taxpayers to ensure the firefighters are guaranteed the best training, equipment and manpower, the best workers compensation, and the best retirement plan, but ultimately the Council is responsible to the taxpayers. As much as the City Council would like to offer it to all employees, it should not be offered to one sector. It would not be a sound business practice for the City to take this on at this time.

Councilmember Spehar said it is more than just a business decision. He is concerned with setting up one sector of the employees as a separate class however the public has higher expectations of the public safety employees. He doesn't dispute the points of Darren Starr or the figures provided by Mr. Lappi, he said you can't automate fire fighting. He is familiar with the PERA system and doesn't feel the two systems (FPPA and PERA) can be compared. He is persuaded that seven out of ten cities in Colorado to which Grand Junction uses for market studies are on defined benefit plans. The average FPPA return of 11% is also compelling. There is an intuitive difference between those that fight fires or carry a gun, and age is also a factor. He felt the City asks for a lot of risk from the public safety employees and so he thought the risk regarding their retirements should be shared. The proposal will save some money and the arguments are speculations. Therefore he supports the request.

Councilmember Thomason agreed it is not an easy decision, however he thought a vote against the proposal is most prudent. It still leaves the Fire Department with a good retirement system. A vote in favor puts the taxpayer at risk. So he will not support the request. It would also not be good to separate the Fire Department from the rest of the employees; it would not be good for team unity.

Councilmember Palmer expressed sincere appreciation for the firefighters and the police officers. To him, it was not the numbers but rather it was the guarantee; the proposal asks for the risk to be shifted to the taxpayers. The current retirement plan is very fair. Therefore he will not support the request.

Councilmember Hill pointed out that regardless of the safeguards, the risk could not be eliminated. The current program is an outstanding program. He said his role is to balance accountability to the taxpayers while still providing a good benefit package. In comparison to the private sector, the contribution is almost double, plus the City has better wages. The City recognizes the quality of its employees. The savings benefit to be gained by the switch is an amount he would rather pay in order to ensure there is no risk to the taxpayer while still providing a quality retirement program to all City employees.

President of the Council Doody outlined his experiences with various retirement packages including self-directed contribution plans. He recognized the higher standards for the firefighters, the quality of the employees and also the quality of the benefits plans provided. He said he will vote no on the proposal.

Councilmember Coons added the separation of fire and police from the other employees is something she has seen being considered in other situations and she disagrees with that division, using nurses at St. Mary's as an example.

Resolution No. 106-06 – A Resolution Requesting Coverage Under the System Administered by the Fire and Police Pension Association (FPPA) for Members Currently Covered by the New Hire Money Purchase Defined Contribution Plan

Councilmember Hill moved to adopt Resolution No. 106-06. Councilmember Palmer seconded the motion. Motion failed by roll call vote with Councilmember Spehar voting YES.

Initiative Petition Regarding a Watershed Protection Ordinance

Initiative petitions for the adoption of a Watershed Protection Ordinance were received by the City Clerk's Office on August 1, 2006. 186 petitions sections containing 4,270 signatures were submitted. The City Clerk's Office verified 2,635 of those signatures as valid, qualified electors. This is a sufficient number to require that the City Council either adopts the ordinance as presented or refer the matter to an election.

Stephanie Tuin, City Clerk, reviewed this item. She reported that her office reviewed the petitions received and found that sufficient signatures were submitted. The required number, based on ten percent of the number of City voters who voted in the last election for governor, is 1,580. With a sufficient ten percent petition, the City Council can either send the measure to the ballot on the November 7th general election or adopt the ordinance as submitted. The general election on November 7th is a polling place election using vote centers; it is not a mail ballot.

Ms. Tuin has had discussions with Mesa County Elections on including the measure on the November 7th ballot and the estimated cost will be around \$40,000.

The proposed ordinance was included in the materials submitted to City Council as well as a proposed intergovernmental agreement (IGA) with the County to include the

measure on the ballot. City Clerk Tuin recommended that the City Council authorize her to sign the intergovernmental agreement even if they decide to set the ordinance for public hearing so that the option is still open to be on the ballot. There is an opt-out provision in the IGA if the Council does adopt the ordinance and placement on the ballot is not necessary.

Councilmember Palmer inquired if the City Council also has the option to refer their own measure to the ballot. City Clerk Tuin said that is correct but the initiated measure would also have to be on the ballot. Whichever measure received the highest number of votes would then prevail.

Councilmember Spehar asked about the costs if the IGA were to be signed and then the Council adopted the ordinance. Ms. Tuin advised that very little cost would be incurred, only the temporary help already used and the voter registration data base cost has been incurred so far.

Councilmember Hill asked for clarification on the two measure option. City Clerk Tuin clarified that the assumption is that if both passed, then the highest number prevails. If the one or both measures fail, then they fail.

Councilmember Spehar noted if the measure is passed by the voters, then amendments can only be made by taking amendments back to the voters. On the other hand if the City Council adopts the measure, then amendments can be made as necessary in the future by the current City Council. City Clerk Tuin affirmed that to be true.

Councilmember Coons asked if at the public hearing, the City Council were to decide to send a different measure to the ballot, they could. City Attorney Shaver advised that they could but then this measure would also have to go to the ballot; City Council must adopt this measure as presented or refer it to the ballot.

Councilmember Palmer noted that it would be confusing if the City Council placed a second measure on the ballot.

Councilmember Spehar expressed the City Council is in a better position to adopt the ordinance as presented rather than send it to the ballot as it appears the measure would pass at the ballot box. Then as provisions in the ordinance become outdated or need updating, the requirement to send such changes to the ballot would delay that action.

Councilmember Hill expressed his concerns about a watershed ordinance and how it was not good enough to protect the water; so it is too small of a tool to do the job. However, if the legislature changes the law that would allow changes to the watershed ordinance, it would be beneficial not to have to wait for an election to make changes to the ordinance. He was concerned that the ordinance would only be protecting the watershed that supplies the City water system which does not cover all the water being

provided in the Grand Valley; it is actually just a small part of that supply. He favored adding another tool to the toolbox, even though the tool may be too small.

Councilmember Palmer was in favor of the MOUs (Memorandums of Agreement) that were approved in lieu of adoption of a watershed ordinance in 2003. However, the people by virtue of the petition have said they want more. He was concerned that people in the community may think that the ordinance will stop drilling, which it will not. He thought Councilmember Spehar's point was well taken; if they adopt it then they have the ability to make adjustments in the ordinance. Therefore, he favors setting the hearing and considering adoption at the public hearing.

Councilmember Spehar clarified that all of the Council favored adoption of the MOUs; the differing opinions were on adoption of the watershed protection ordinance that came before them in 2003. He continues to favor the adoption of a watershed ordinance as it gives the City truly decision-making capability with some limited impact.

Councilmember Coons stated she is in favor of considering adoption of the ordinance because the citizens, through this petition process, have expressed their desire and the Council should listen. It is up to the Council to balance the two issues; make sure there is access to enough energy resources but make sure they do what they can so not to damage other resources.

Councilmember Thomason asked if there is a downside to adopting the proposed ordinance. City Attorney Shaver replied that from a legal perspective, he does not see a downside. Any relationship issues that arise can be resolved.

Council President Doody asked if the ordinance will affect permits on the Grand Mesa. City Attorney Shaver advised that the Forest Service has said that if the ordinance is enacted the Forest Service may require some additional permitting from the City. The reason for that is the Forest Service wants to understand how the ordinance will fit into their regulatory structure. The Forest Service has primacy and the City does not want to interfere with that primacy as it relates to forest operations. The City however may at times regulate the impacts of those permittees as far as requiring best management practices, not prohibiting them rather in regards to the impacts that are occasioned by those activities. It creates another layer of regulatory structure. Federal law prohibits the City from interfering with forest operations. Those kinds of questions will have to be worked through.

Councilmember Coons noted that dual permitting has occurred with other entities. City Attorney Shaver agreed.

Councilmember Hill referred to a letter from the Forest Service that addressed adoption of watershed ordinance and gave directives to Forest Service staff on how to handle it. Mr. Shaver said he interprets the letter as telling the regional supervisors not to condition their permits on the municipal permit but rather advise the permittee that these other rules exist.

Councilmember Palmer asked if there is protection in the ordinance for the inevitable mishap and the restoration of lands, etc. Mr. Shaver said it depends, he cannot say that there is no circumstance in which there would be damage. A lot is left up to the City's discretion. The ordinance allows for the City Manager to make the determination as to the degree of protection that needs to be in place for a particular activity and such determination will be made in an educated process.

Councilmember Palmer had concerns that with the number of wells being drilled, the likelihood of a mishap is something to be considered. Mr. Shaver pointed out that with the federal partners the City's ordinance is not the only remedy.

Councilmember Coons countered that the ordinance allows an additional level of protection. Councilmember Hill said in his opinion it does not but it is really the relationships and the ordinance should not be considered a club or a weapon but rather another protection being asked for by the citizens. If not used wisely, it could damage the relationships that have been developed.

Councilmember Spehar agreed saying he valued the relationships too. He pointed out that the City has three issues: the short-term issue which is the adoption of the watershed ordinance and the expectations it creates; the one year issue in working with Genesis to determine best managements practices regarding their leases and make sure working with BLM, the Forest Service, and Palisade is all it can be; and then long term what happens next as there will likely be more leases in the future.

City Attorney Shaver said that the City will be looking to the federal partners for their expertise; in fact the practices already in place with the federal government may be sufficient and no additional provisions will be necessary.

Council President Doody inquired if additional staff will be needed to administer the ordinance. City Manager Varley said initially contact would be made with Genesis and existing staff would be used; additional expertise would probably need to be acquired. Councilmember Spehar pointed out that the ordinance also allows for the expense of that expertise to be assessed to the permittee. Council President Doody questioned if the City's legal staff was sufficient to handle the additional workload. City Manager Varley said it depends on how things go; it will have to be evaluated as time goes on and as things develop.

Councilmember Coons suggested the decision on setting the hearing or referring the measure to the ballot should be made and the debate of the ordinance itself should take place at a hearing if that is scheduled.

Proposed Ordinance Establishing Watershed and Water Supply Standards;
Establishing Requirements for Watershed Permits in Connection with Various Activities within said Watersheds; Prohibiting and Person from Polluting said Watersheds; and Requiring the City Council to Adopt Implementing Ordinances or Resolutions

Councilmember Spehar moved to authorize the City Clerk to enter into an Intergovernmental Agreement with Mesa County Clerk and Recorder and also set a hearing on the Watershed Ordinance for September 6, 2006. Councilmember Coons seconded the motion.

It was clarified that the motion really postponed the decision. By setting a hearing, both sides of the issue will be heard. City Attorney Shaver noted that the motion also preserves the option through the IGA of having the ballot content set on September 6th.

Motion carried.

Public Hearing – Zoning the Arbogast Annexation, Located at 785 24 Road [File #GPA-2006-064]

Request to zone the 18.05 acre Arbogast Annexation, located at 785 24 Road, to RSF-E (Residential Single Family Estate with a maximum of one unit per two acres) zone district.

The public hearing was opened at 11:14 p.m.

David Thornton, Principal Planner, reviewed this item. He advised that the City Council previously approved the annexation and denied the request for a Growth Plan Amendment. The Growth Plan designation has remained as Estate. The request is to zone the site as RSF-E; there are two zone classifications that would be applicable in the designation, RSF-E or RSF-R. The RSF-E zone district does conform to the area and the designation.

Mr. Thornton advised that the use on the property is being operated under a Condition Use Permit issued by the County and the City inherited that permit when it annexed the property which makes the current use a legal non-conforming use.

There were no public comments.

The public hearing was closed at 11:16 p.m.

Ordinance No. 3949 – An Ordinance Zoning the Arbogast Annexation to RSF-E (Residential Single Family – Estate, 1 Unit per Two Acres), Located at 785 24 Road

Councilmember Hill moved to adopt Ordinance No. 3949 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Clymer Annexation, Zoning and Vacation of Right-of-Way, Located at 182 27 Road [File #VR-2006-153]

Request to annex and zone 4.58 acres, located at 182 27 Road, to RSF-2 (Residential Single Family, 2du/ac). The Clymer Annexation consists of two parcels and is a two part serial annexation. Request to vacate a portion of the 27 Road Right-of-Way.

The public hearing was opened at 11:17 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the request which includes annexation, zoning and the vacation of a right-of-way. Ms. Edwards described the location, the site, and the reason it is being annexed. The vacation will allow for an extension into the Spyglass Subdivision and create an additional access. Surrounding the property is property in the County zoned RSF-4. The request is to lower the existing zoning to RSF-2, which will be compatible to the Spyglass Subdivision nearby. The request is consistent with the Growth Plan. The Planning Commission did recommend approval. The vacation does not conflict with the Growth Plan and does not land lock any parcels. The benefit to the City is the second access into Spyglass subdivision.

The applicant was not present.

There were no public comments.

The public hearing was closed at 11:19 p.m.

a. Accepting Petition

Resolution No. 107-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Clymer Annexation No. 1 and Clymer Annexation No. 2, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3950 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Clymer Annexation No. 1, Approximately .13 Acres, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way

Ordinance No. 3951 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Clymer Annexation No. 2, Approximately 4.45 Acres, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3952 – An Ordinance Zoning the Clymer Annexation to RSF-2, Residential Single Family with a Density not to Exceed Two Units per Acre, Located at 182 27 Road

d. Right-of-Way Vacation Ordinance

Ordinance No. 3953 – An Ordinance Vacating a Portion of the 27 Road Right-of-Way, Located Adjacent to 182 27 Road

Councilmember Spehar moved to adopt Resolution No. 107-06 and Ordinance Nos. 3950, 3951, 3952, and 3953 on Second Reading and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Schroeder Annexation and Zoning, Located at 527 Reed Mesa Drive [File #ANX-2006-139]

Request to annex and zone 0.81 acres, located at 527 Reed Mesa Drive, RSF-4 (Residential Single Family 4 du/ac). The Schroeder Annexation consists of 1 parcel.

The public hearing was opened at 11:20 p.m.

Senta Costello, Associate Planner, reviewed this item. She described the location of the property and the site. She outlined the request and the reason that triggered annexation. The Growth Plan designation is residential medium low, while to the east is a residential half acre to two acres per dwelling unit designation, surrounded mostly by the residential medium low designation. The applicant is requesting an RSF-4 zone district. It is surrounded by County zoning of RSF-4. Staff finds that the request meets the requirements of the Growth Plan and the Zoning and Development Code and recommends approval. Planning Commission reviewed the request on July 11th and recommended the RSF-4 zoning.

There were no public comments.

The public hearing was closed at 11:22 p.m.

a. Accepting Petition

Resolution No. 108-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Schroeder Annexation, Located at 527 Reed Mesa Drive Including Portions of the Broadway (Hwy 340) and Reed Mesa Drive Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3954 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schroeder Annexation, Approximately 0.81 Acres, Located at 527 Reed Mesa Drive Including Portions of the Broadway (Hwy 340) and Reed Mesa Drive Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3955 – An Ordinance Zoning the Schroeder Annexation to RSF-4, Located at 527 Reed Mesa Drive

Councilmember Palmer moved to adopt Resolution No. 108-06 and Ordinance Nos. 3954 and 3955 on Second Reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – Zoning and Development Code Amendments Concerning Downtown Residential Density [File #TAC-2006-190]

A request to amend the Zoning and Development Code to implement the recently-approved Growth Plan Amendment that eliminated the maximum residential density requirement for downtown properties/developments.

The public hearing was opened at 11:23 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She explained that in June the City Council approved a Growth Plan Amendment to delete the maximum density in residential in the downtown area on properties zoned B-2. It was recognized then that the maximum density was an impediment to housing development in the downtown. There are no other areas in the City zoned B-2. She displayed a map that showed the areas zoned B-2. The proposed amendments are in Chapter 3 which outlines the standards to the B-2 zone district. There are some amendments to other portions of the Code that are appropriate in order to make projects in the downtown more urban in character. Provisions such as landscaping promote more of a suburban character. The Code already contemplated such differences by allowing the Community Development Director to waive certain requirements in the B-2 zone district. The proposal also adds a new section in the B-2 zone district regarding open space which changes those provisions that are more applicable to a suburban development. It eliminates any dedication of land and only requires the parks impact fee of \$225 per unit plus the 10% of the value of the raw land be paid. There is a change to the table that allows for the reduction of the setback by the Community Development Director in the B-2 zone district. Planning Commission recommended approval and found the proposal consistent with the Growth Plan.

Councilmember Hill clarified that the Code Amendments make the changes to the Code that correspond to Council's decision earlier regarding the Growth Plan text amendments. Ms. Ashbeck advised that as they implement the changes, other provisions may need to be adjusted. The City might also consider looking at the B-1 zone district for these types of changes.

Councilmember Spehar said he is anxious to see these changes implemented and the changes make a lot of sense.

There were no public comments.

The public hearing was closed at 11:29 p.m.

Ordinance No. 3956 – An Ordinance Amending Sections 3.2 and 3.4.C. of the Zoning and Development Code Regarding Downtown Residential Density

Councilmember Hill moved to adopt Ordinance No. 3956 on Second Reading and order it published. Councilmember Coons seconded the motion. Motion carried by roll call vote with Councilmember Beckstein voting NO.

Public Hearing – Coop/Myers Annexation and Zoning, Located at 2997 D Road [File #ANX-2006-137]

Request to annex and zone 5.48 acres, located at 2997 D Road, to RMF-8 (Residential Multifamily, 8 du/ac). The Coop/Myers Annexation consists of 2 parcels.

The public hearing was opened at 11:30 p.m.

Adam Olsen, Associate Planner, reviewed this item. He described the location and the site. The current uses are residential and agricultural; the surrounding uses were described. The Future Land Use Map designates the site as a Residential Medium, 4 to 8 units per acre; the allowed zonings are RSF-4, RMF-5 and RMF-8. Staff finds that it meets the criteria of the Zoning and Development Code and the Growth Plan. The Planning Commission also recommended approval.

Robert Jones, II, Vortex Engineering, was representing the applicant and in agreement with staff. He said he was available for questions.

James Powell, who lives at 1261 Chipeta and owns a two-acre parcel near the site, is against the high density. He was not opposed to the annexation but asked for a lesser density due to the traffic on 30 Road. He thought the proposal for RMF-8 is too high; he would rather see RSF-4.

There were no other public comments.

The public hearing was closed at 11:34 p.m.

Councilmember Hill noted that the County PD (Planned Development) at 6.3 units per acre looks like higher density than that. Mr. Olsen said that is over the whole site including park areas. He agreed it looks more dense. Councilmember Hill recalled the discussion Monday night about more developments not being able to realize full density when zoned RSF-4; he asked if the same is true for RMF-8.

Mr. Olsen said from what he has seen, that is also true with RMF-8; with utilities and infrastructure it is hard to realize the full density.

Councilmember Palmer asked if the site south of there is multi-family or single family. Mr. Olsen said it is all manufactured housing. Mr. Palmer asked why the property is not being zoned as it is in the County, that is, RSF-R. Mr. Olsen said the Growth Plan Map designates the area four to eight units per acre, not rural as it was in the County.

Council President Doody inquired if there have been any traffic studies yet. Mr. Olsen said no plan has been submitted yet so no traffic studies have been required.

Councilmember Spehar confirmed that at that point a better idea will be had as to the layout and the roads. Mr. Olsen said that is correct. Councilmember Spehar said although it is confusing to the public, the Council knows the area won't end up being developed out at eight units per acre.

a. Accepting Petition

Resolution No. 109-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Coop/Myers Annexation, Located at 2997 D Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3957 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Coop/Myers Annexation, Approximately 5.48 Acres, Located at 2997 D Road

c. Zoning Ordinance

Ordinance No. 3958 – An Ordinance Zoning the Coop/Myers Annexation to RMF-8, Located at 2997 D Road

Councilmember Hill moved to adopt Resolution No. 109-06 and Ordinance Nos. 3957 and 3958 on Second Reading and ordered them published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – Rezoning Property Located at 510 Pear Street [File #RZ-2006-172]

Request to rezone 0.49 acres, located at 510 Pear Street from RMF-8 (Residential Multi-Family – 8 units/acre) to C-1 (Light Commercial).

Councilmember Palmer disclosed that his wife is on the Grand Mesa Little League board which has parking agreements with these owners. After discussions with the City Attorney, it was determined there was not a conflict. The Council had no objections to his participation.

The public hearing was opened at 11:35 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the location and that the site had a single family home on it that has been removed. The Future Land Use Map shows this site as commercial and the request is to change it to commercial, with C-1 zoning. There were no objections at the Planning Commission meeting. Staff finds that the request is consistent and meets the requirements of the Zoning and Development Code. The applicant and representatives were in the audience.

Tom Logue, representing the applicant, agreed with Staff's presentation and had nothing to add.

There were no public comments.

The public hearing was closed at 11:40 p.m.

Ordinance No. 3959 – An Ordinance Rezoning the Property Known as the Pear Street Rezone to C-1, Light Commercial, Located at 510 Pear Street

Councilmember Coons moved to adopt Ordinance No. 3959 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – Vacating the Alley at Mesa County Corrections and Treatment Facility, Located at 636 South Avenue [File #VR-2006-076]

Request to amend and correct Ordinance No. 3898, vacating rights-of-way for an alleyway located at the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues.

The public hearing was opened at 11:41 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the request and the site location. This item was before the City Council on May 17th and approved. It is back because a portion of the alley vacated does need to be retained for a utility easement. The facility expansion is under construction. The site is designated as Public and the zoning is split between C-1 and C-2. She indicated the area to be retained as an easement on the map.

There were no public comments.

The public hearing was closed at 11:44 p.m.

Ordinance No. 3960 – An Ordinance Amending and Correcting Ordinance No. 3898 Vacating Rights-of-Way for an Alleyway, Located at the Eastern 250' of the East/West Alley and the North/South Alley Between 6th and 7th Streets and Pitkin and South Avenues, Mesa County Correction and Treatment Facility – 636 South Avenue

Councilmember Thomason moved to adopt Ordinance No. 3960 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 11:46 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Vacation of a Utility Easement in the Prairie View South Subdivision Located at 3028 and 3032 D ½ Road

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject	Prairie View South Subdivision Vacation of Easement					
Meeting Date	September 6, 2006					
Date Prepared	August 30, 2006				File: FP-2006-168	
Author	Kristen Ashbeck		Senior Planner			
Presenter Name	Kristen Ashbeck		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: A request to vacate a 20-foot utility easement along the northern perimeter of the proposed Prairie View South Subdivision, located at 3028 and 3032 D-1/2 Road.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution vacating a utility easement.

Background Information: See attached Background Information/Staff Report

Attachments:

Site Location and Aerial Photo Maps
 Future Land Use and Existing Zoning Maps
 Proposed Prairie View South Subdivision
 Proposed Easement Vacation Resolution & Exhibit

BACKGROUND INFORMATION					
Location:		3028 and 3032 D-1/2 Road			
Applicants:		Owner: Koos Tri-Star South LLC Developer: Same Representative: Rolland Engineering, Eric Slivon			
Existing Land Use:		Residential			
Proposed Land Use:		29 Detached Single Family Units			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		Residential Multifamily 5 units per acre (RMF-5)			
Proposed Zoning:		Same			
Surrounding Zoning:	North	City RMF-5			
	South	County Planned Development (PD)			
	East	County Residential Rural (RSF-R)			
	West	County RSF-R			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

BACKGROUND: The proposed Prairie View South Subdivision is located at 3028 and 3032 D-1/2 Road (total 7.21 acres). The subject property was annexed into the City on December 7, 2005 with a zoning of RMF-5. A Preliminary Plan was approved for the 29-lot subdivision in March 2006 and the Final Plat is currently in the development review process. There is an existing 20-foot utility easement along the northern perimeter of the property that was dedicated with an early plat for this area. The easement encumbers the rear yards of proposed Lots 1, 2 and 3 of Block 3. The easement does not contain any existing utilities nor is it proposed to be used for the new subdivision. Thus, the applicant is requesting vacation of the easement prior to recording the Final Plat.

ANALYSIS:

Consistency with the Growth Plan: The Future Land Use Map of the Growth Plan shows this area as Residential Medium 4 to 8 units per acre. The density of the proposed subdivision of 4 units per acre is within the density range of the Growth Plan. The proposed vacations do not impact this analysis of consistency.

Section 2.11 of the Zoning and Development Code: Requests for vacation of easements shall conform to the criteria listed below.

- a. The Growth Plan, major street plan, and other adopted plans and policies;

Vacation of the unused utility easement will be inconsequential to the Growth Plan and other adopted plans and policies. Utilities for the new subdivision will be provided within the rights-of-way and multipurpose easements of the new streets.

- b. No parcel shall be landlocked as a result of the vacation;

This criterion is not applicable to the proposed sewer easement vacation.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

Access to existing and new utility services will not be affected by the proposed easement vacation.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of the public facilities and services provided to any parcel shall not be reduced (e.g. police/fire protection and utility services);

There are no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and the utility service in the area will be unaffected by the vacation of the easement.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 6 of this Code; and

Public facilities and services are not inhibited to any property by the vacation of this easement.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

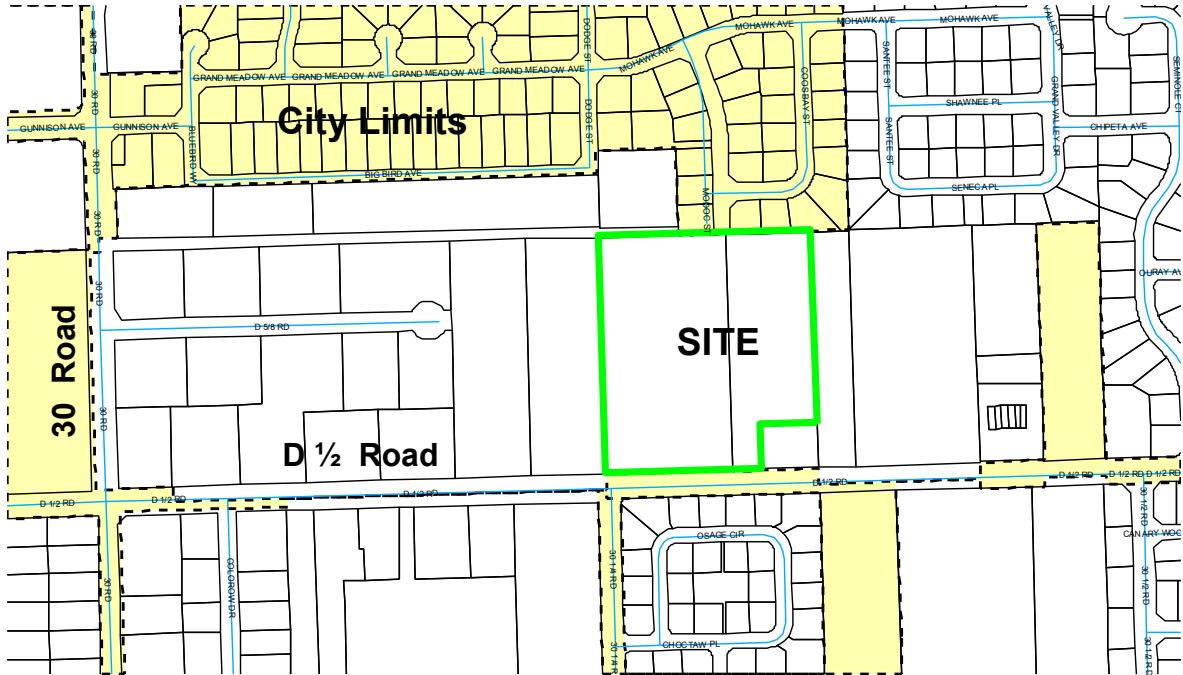
The proposed easement vacation will be inconsequential to the City. Utility services within the new development will be constructed per City standards.

FINDINGS OF FACT/CONCLUSIONS/RECOMMENDATION: After reviewing the Prairie View South Subdivision application, FP-2006-168, for vacation of a utility easement, Planning Commission made the following findings of fact and conclusions and recommended approval of the vacation:

1. The requested vacation is consistent with the Growth Plan.
2. The review criteria of Section 2.11 of the Zoning and Development Code have all been met.

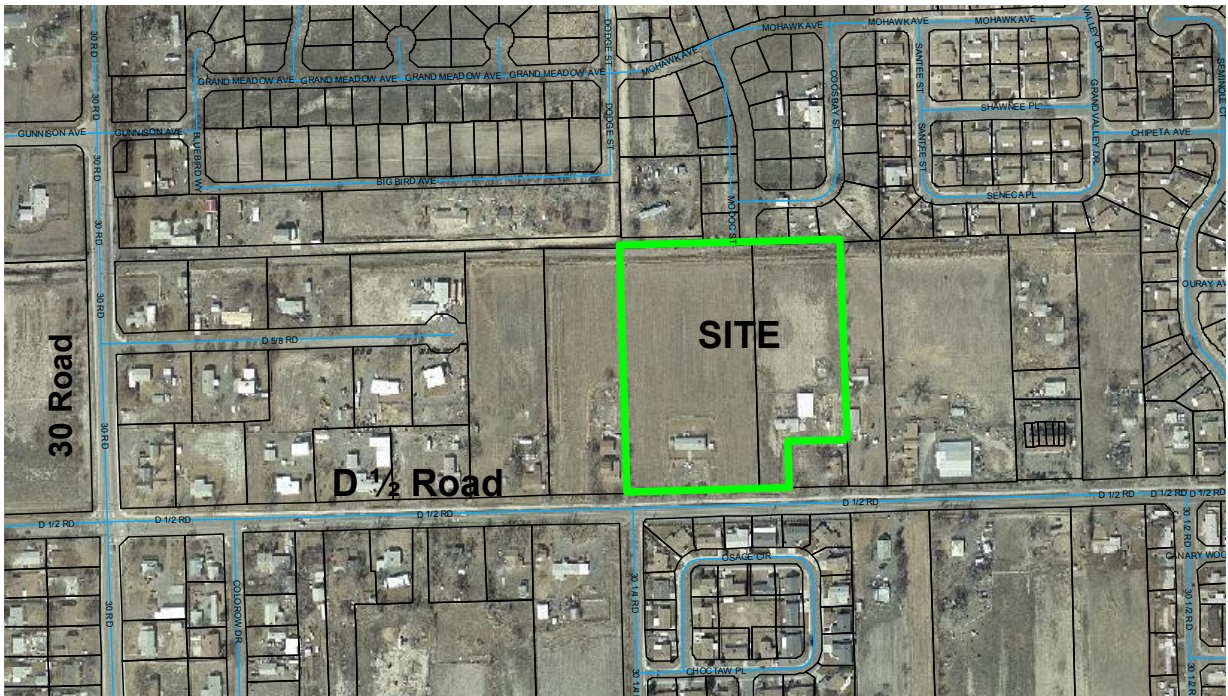
Site Location Map

Figure 1



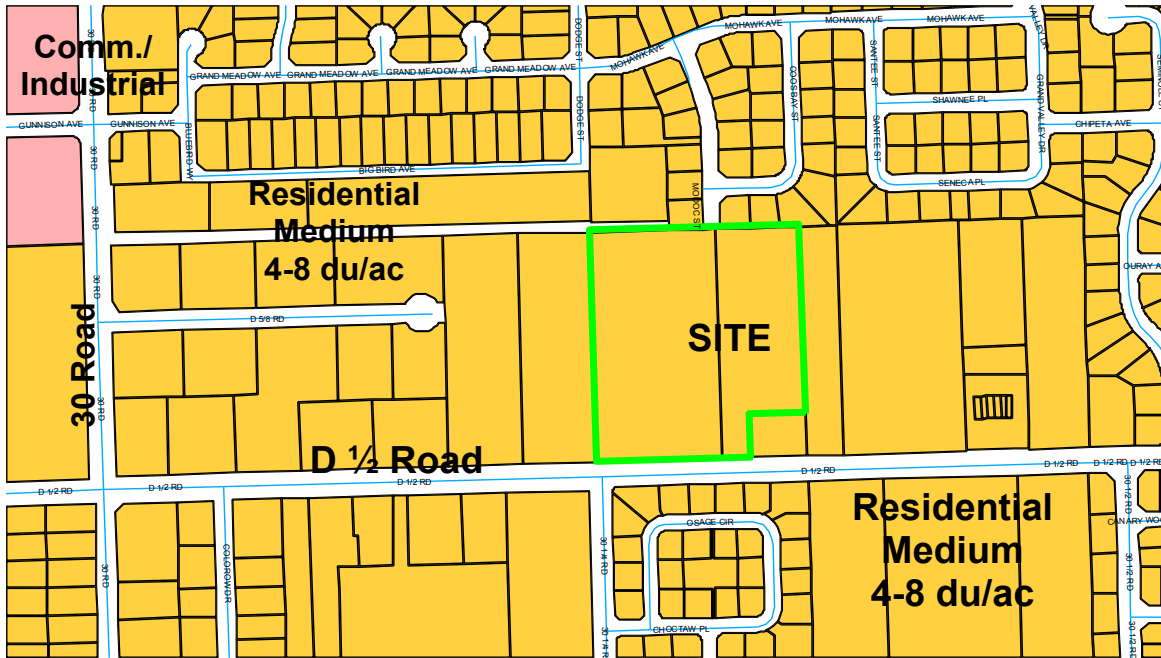
Aerial Photo Map

Figure 2



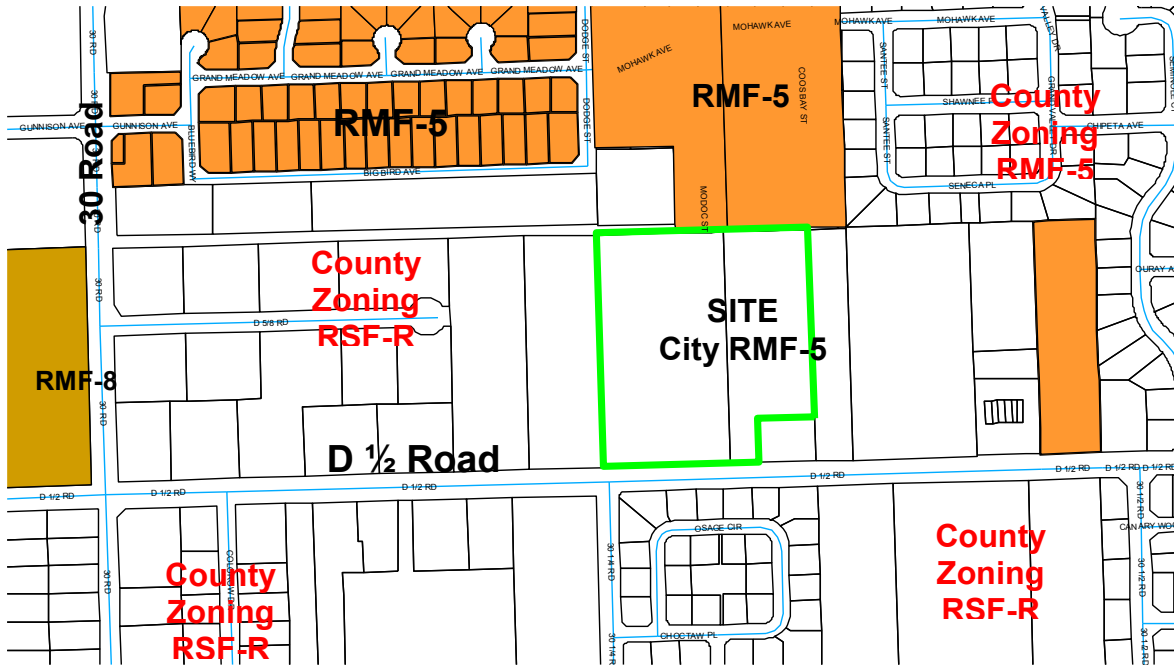
Future Land Use Map

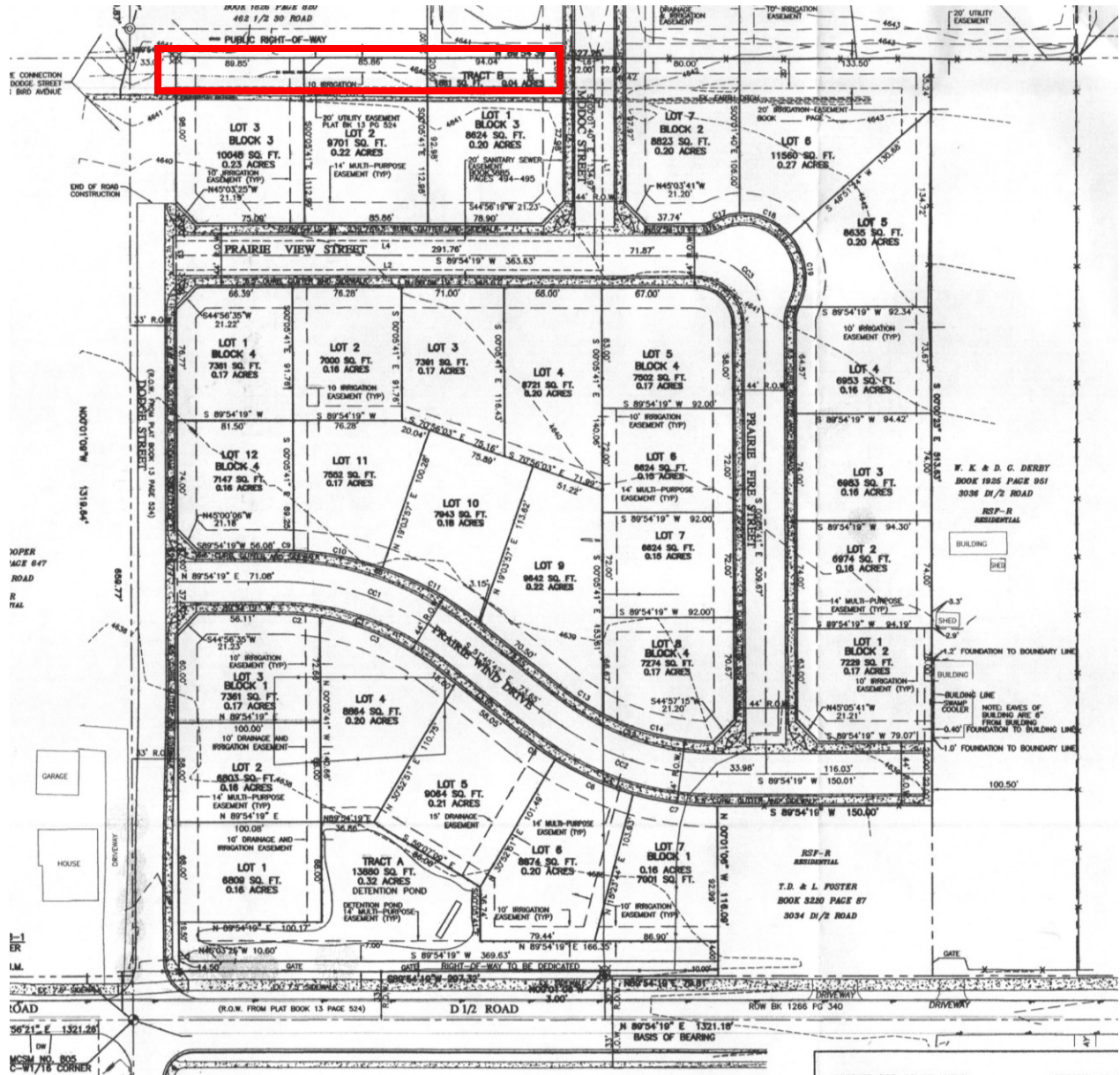
Figure 3



Existing City and County Zoning

Figure 4





PROPOSED PRAIRIE VIEW SOUTH SUBDIVISION



UTILITY EASEMENT TO BE VACATED

**CITY OF GRAND JUNCTION
RESOLUTION NO. __**

**A RESOLUTION VACATING A UTILITY EASEMENT WITHIN THE PROPERTIES
LOCATED AT 3028 AND 3032 D-1/2 ROAD ALSO KNOWN AS THE PRAIRIE VIEW
SOUTH SUBDIVISION**

Recitals

A request for the vacation of a utility easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the existing the 20-foot sewer easement along the northern boundary of the site be vacated as it encroaches on several proposed lots. There are no existing utility lines in the easement and new utilities for the new subdivision will be constructed in the multipurpose easements and rights-of-way for the new streets. The existing 20-foot utility easement was originally dedicated via an earlier plat recorded at Plat Book 13 Page 524 in the records of the Mesa County Clerk and Recorder. The vacation request is required to proceed with completion of the Prairie View South Subdivision.

The Grand Junction Planning Commission, at its hearing on August 22, 2006 reviewed the vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11 of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE UTILITY EASEMENT AREA DESCRIBED BELOW IS HEREBY VACATED.

A utility easement situate in a portion of Lot 1 in Victorian Manor, a subdivision as recorded in Plat Book 13 at Page 524, Reception Number 1574740 in the Office of the Mesa County Clerk and Recorder, said subdivision being a part of the SE ¼ NW ¼ of Section 16 in Township One South, Range One East of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado; said easement being more particularly described as follows:

The northerly twenty feet of said Lot 1, as measured at right angles to the northerly line of said Lot 1. Containing 5,946 square feet, more or less

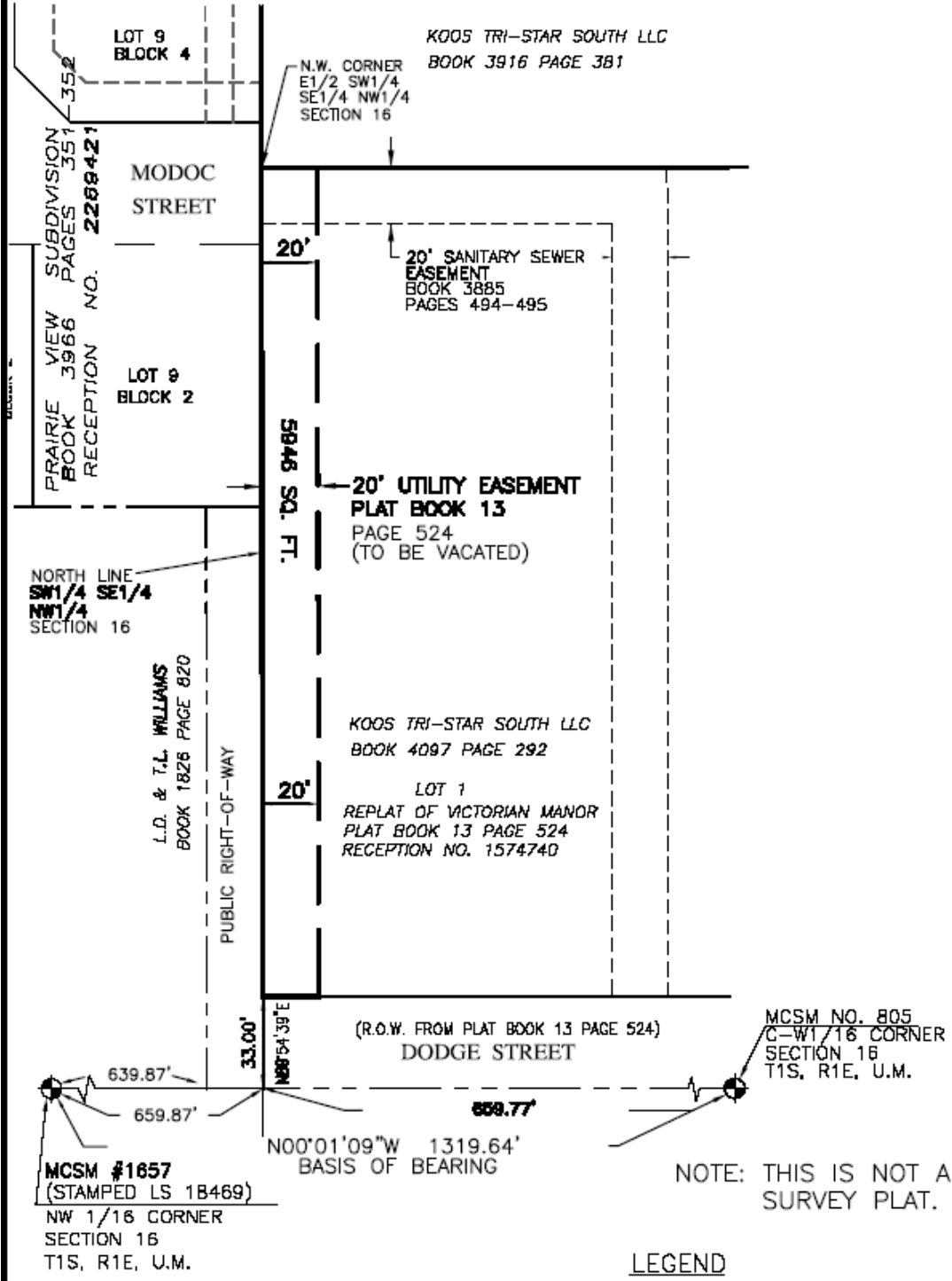
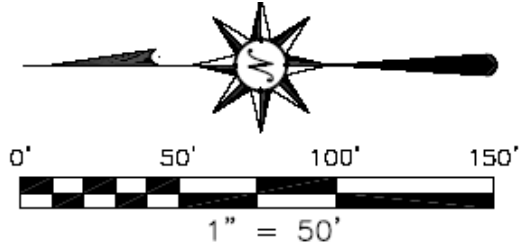
See Easement Vacation Exhibit attached hereto and incorporated by this reference as if fully set forth.

PASSED on this _____ day of _____, 2006.

ATTEST:

City Clerk

President of Council



LEGEND

 MESA COUNTY SURVEY MARKER

Attach 3

Setting a Hearing on Zoning the Colvin Annexation, Located at 2940 B ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Colvin Annexation, located at 2940 B ½ Road.					
Meeting Date		September 6, 2006					
Date Prepared		August 31, 2006			File #ANX-2006-204		
Author		Adam Olsen		Associate Planner			
Presenter Name		Adam Olsen		Associate Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 9.98 acre Colvin Annexation, located at 2940 B ½ Road, to RSF-4 (Residential Single Family, 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for September 20, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2940 B ½ Road		
Applicants:		Applicant: Hunter Construction Representative: Development Construction Services, Inc.		
Existing Land Use:		Residential/Agriculture		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Agriculture		
	South	Residential		
	East	Residential/Agriculture		
	West	Residential/Agriculture		
Existing Zoning:		RSF-R		
Proposed Zoning:		RSF-4		
Surrounding Zoning:	North	RSF-R (County)		
	South	RSF-4		
	East	RSF-R (County)		
	West	RSF-R (County)		
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)		
Zoning within density range?	x	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan designation of Residential Medium Low (2-4 du/ac). The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The RSF-4 zone district is compatible with the neighborhood and will not create adverse impacts. The future land use map designates all surrounding

properties, with the exception of a property to the northeast, as RML (Residential Medium Low 2-4 du/ac). The property directly to the south, across B ½ Road is zoned in the City as RSF-4. B ½ Road is classified as a minor arterial and right of way for B ½ Road is included in this annexation.

The RSF-4 zone district is in conformance with the following goals and policies of the Growth Plan and the Orchard Mesa Neighborhood Plan

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

Goal 1, Orchard Mesa Plan, Zoning: Zoning should be compatible with existing development densities on Orchard Mesa.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

a. RSF-2

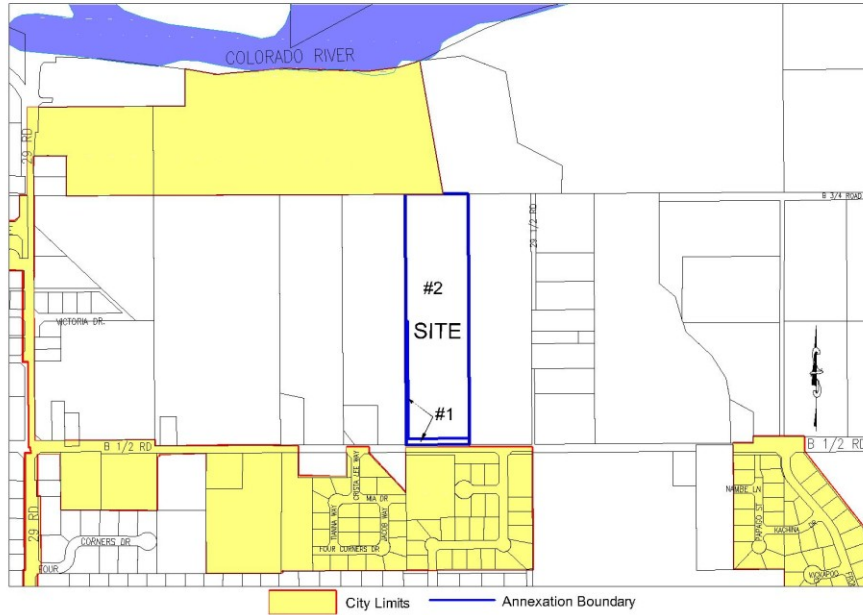
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-4 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

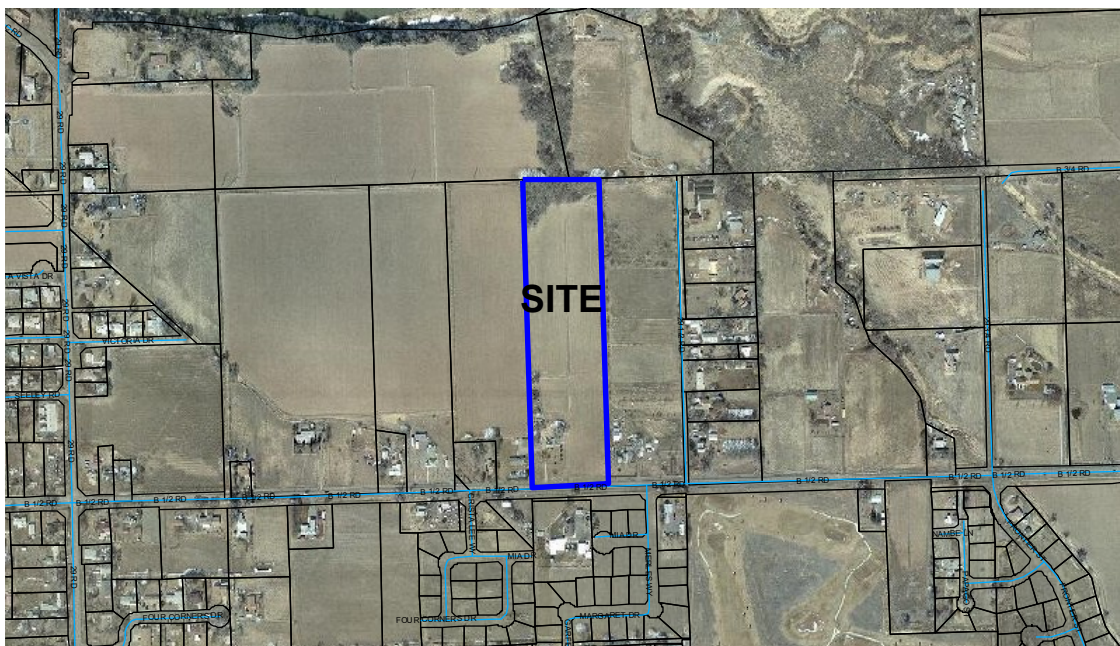
Figure 1

Colvin Annexations #1 & #2



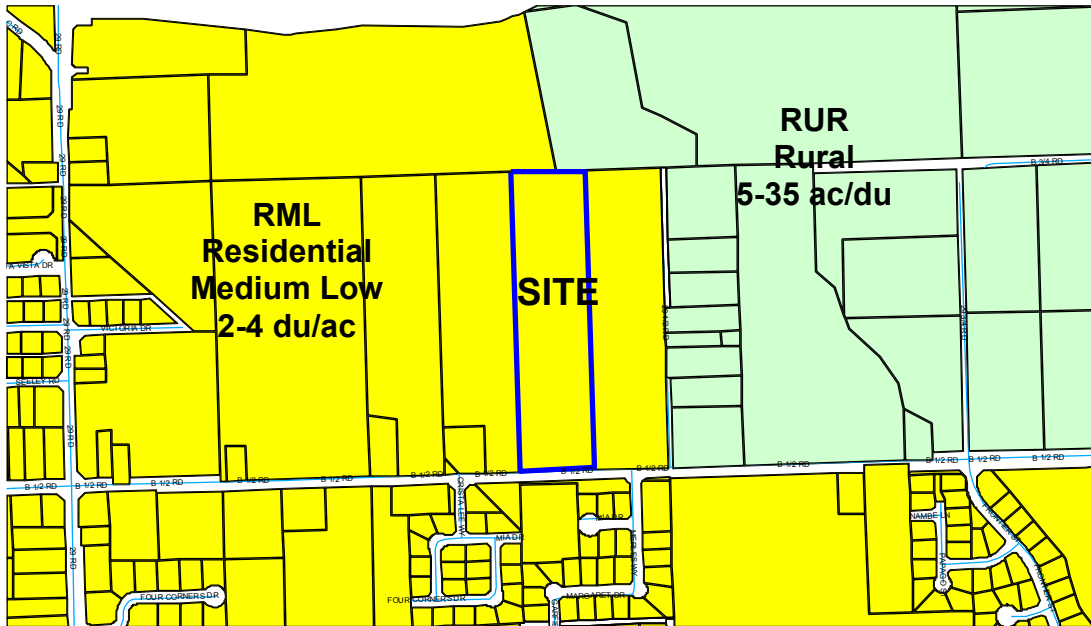
Aerial Photo Map

Figure 2



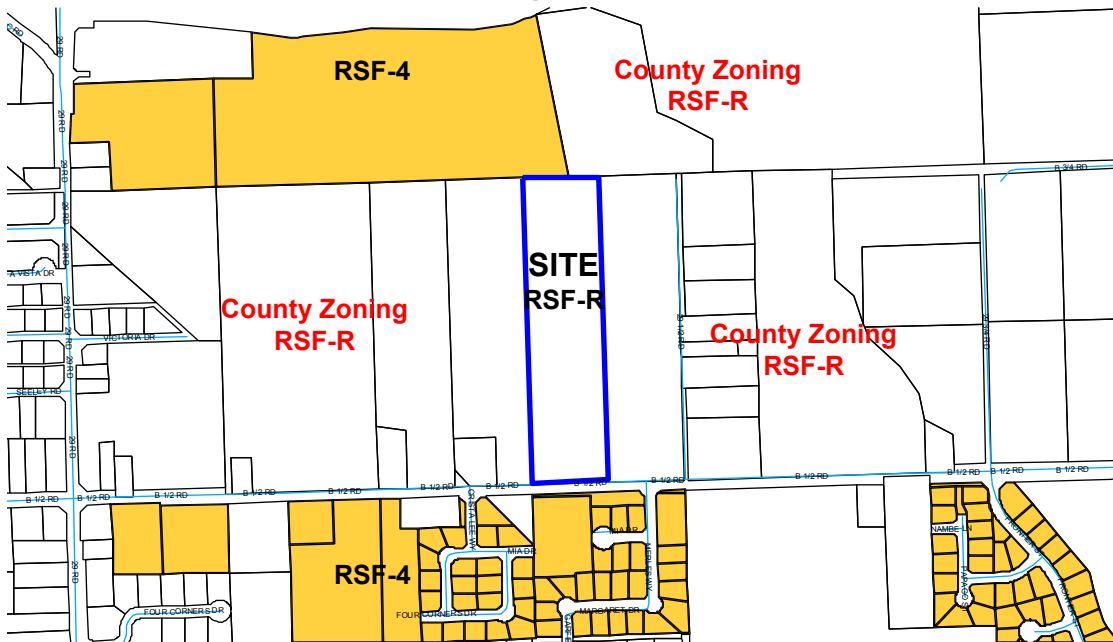
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE COLVIN ANNEXATION TO
RSF-4**

LOCATED AT 2940 B ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Colvin Annexation to the RSF-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned RSF-4 (Residential Single Family 4 units/ac).

COLVIN ANNEXATION NO. 1

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of said Section 29, and assuming the South line of the SE1/4 NW1/4 of said Section 29 bears S89°50'36"W with all other bearings contained herein being relative thereto; thence S89°50'36"W along said South line a distance of 329.90 feet to the Southeast corner of that certain parcel of land as described in book 4163, page 485, Public Records of Mesa County, Colorado and also being the POINT OF BEGINNING; thence S89°50'36"W along the South line of the SE1/4 NW1/4 of said Section 29 a distance of 329.91 feet to the Southwest corner of said parcel; thence N00°09'45"W along the West line of said parcel a distance of 650.00 feet; thence N89°50'36"E a distance of 10.00 feet to a point on a line being 10.00 feet East of and parallel with the West line of said parcel; thence S00°09'45"E along said parallel line a distance of 620.00 feet to a

point on a line being 30.00 feet North of and parallel with the South line of the SE1/4 NW1/4 of said Section 29; thence N89°50'36"E along said parallel line a distance of 319.91 feet to a point on the East line of said parcel; thence S00°09'25"E along said East line a distance of 30.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.36 acres (16,098 square feet), more or less, as described.

COLVIN ANNEXATION NO.2

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of said Section 29, and assuming the South line of the SE1/4 NW1/4 of said Section 29 bears S89°50'36"W with all other bearings contained herein being relative thereto; thence S89°50'36"W along said South line a distance of 329.90 feet to the Southeast corner of that certain parcel of land as described in book 4163, page 485, Public Records of Mesa County, Colorado; thence N00°09'25"W a distance of 30.00 feet to a point on the East line of said and being the POINT OF BEGINNING; thence from said Point of Beginning S89°50'36"W along a line being 30.00 feet North of and parallel with the South line of the SE1/4 NW1/4 of said Section 29 a distance of 319.91 feet to a point on a line being 10.00 feet East of and parallel with the West line of said parcel; thence N00°09'45"W along said parallel line a distance of 620.00 feet; thence S89°50'36"W a distance of 10.00 feet to a point on the West line of said parcel; thence N00°09'45"W along said West line a distance of 669.93 feet to the Northwest corner of said parcel; thence N89°50'55"E along the North line of said parcel a distance of 330.03 feet to the Northeast corner of said parcel; thence S00°09'25"E along the East line of said parcel a distance of 1289.89 feet, more or less, to the Point of Beginning.

Said parcel contains 9.62 acres (419,430 square feet), more or less, as described.

INTRODUCED on first reading the ____ day of _____, 2006 and ordered published.

ADOPTED on second reading the ____ day of _____, 2006.

ATTEST:

President of the Council

City Clerk

Attach 4

Revoke and Reissue a Revocable Permit to Spyglass Ridge Home Owners Association for Trail Construction, Located on City-owned Property Adjacent to the Water Plant

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Revocable Permit Issued to Spyglass Ridge Home Owners Association for Trail Construction, Located on City-owned Property Adjacent to the Water Plant					
Meeting Date	September 6, 2006					
Date Prepared	August 18, 2006			File # FP-2005-090		
Author	Kathy Portner		Assistant Director of Community Development			
Presenter Name	Kathy Portner		Assistant Director of Community Development			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: A request to revoke a Revocable Permit and issue a new Revocable Permit with an amended alignment for trail construction and the placement of trail benches and signs on City-owned property adjacent to the water plant, west of Spyglass Ridge.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution revoking a Revocable Permit and issuing an amended Revocable Permit

Background Information: Please see attached Staff report

Attachments:

1. Staff report/Background information
2. General Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Resolution
5. Revocable Permit

BACKGROUND INFORMATION					
Location:		City water plant property, adjacent to Spyglass Ridge Subdivision, Orchard Mesa			
Applicant:		Spyglass Ridge Homeowners Association, Inc., David G. Behrhorst			
Existing Land Use:		Undeveloped open space adjacent to the water plant			
Proposed Land Use:		Soft-surface trail and associated signage and benches			
Surrounding Land Use:	North	City water plant			
	South	Open space			
	East	Spyglass Ridge Subdivision			
	West	Open space			
Existing Zoning:		CSR			
Proposed Zoning:		CSR			
Surrounding Zoning:	North	CSR			
	South	CSR			
	East	RSF-2			
	West	CSR			
Growth Plan Designation:		Public			
Zoning within density range?		X	Yes		No

Project Analysis:

1. Background:

Resolution No. 177-05 was approved on December 7, 2005, to issue a Revocable Permit to the Spyglass Ridge Homeowners Association for trail construction on City-owned property adjacent to the Water Plant. The Revocable Permit was signed and issued for the specified alignment. In working with the Bureau of Land Management for access to BLM land from the City-owned land, the applicant has determined a modified alignment would be better for trail construction. City staff has reviewed the amended alignment and concur with the requested change.

Spyglass Ridge Subdivision has received Preliminary Plan approval of 225 single family lots on approximately 159 acres and final plat approval for Filing 1, consisting of 61 lots. The plan includes a variety of trails through the subdivision open space. The developer would like to connect the subdivision open space trails to the city-owned property where the water plant is located. There have been informal trails through the Spyglass Ridge property, as well as the adjacent city-owned property and BLM land. The revocable permit will allow the developer to delineate a 3' wide natural surface, dirt

path, pedestrian trail, within a 20 foot wide defined area, as well as place benches, shade structures, and interpretive and directional signage at selected locations along the trail. The developer is also working with the BLM to allow the trail to continue onto the BLM land.

City staff, including Terry Franklin, Manager of the water plant, has reviewed the proposed trail location and find it will not interfere with the operation of the water plant. The trail will be maintained by the Spyglass Ridge Homeowners Association, but open to the general public.

2. Section 2.17.C of the Zoning and Development Code:

Requests for a revocable permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.
- b. There is a community need for the private development use proposed for the City property.
- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.
- d. The proposed use shall be compatible with the adjacent land uses.
- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.
- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.
- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, this Chapter Two of the Zoning and Development Code and the SSID Manual.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Spyglass Ridge application, FP-2005-090, for the issuance of a revocable permit amending the alignment for trail development and associated benches, shade structures and signage, staff makes the following findings of fact and conclusions:

1. The review criteria in Section 2.17.C of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

Staff recommends approval of the requested revocable permit for trail development and associated benches, shade structures and signage, FP-2005-090.

Attachments:

Site Location Map / Aerial Map

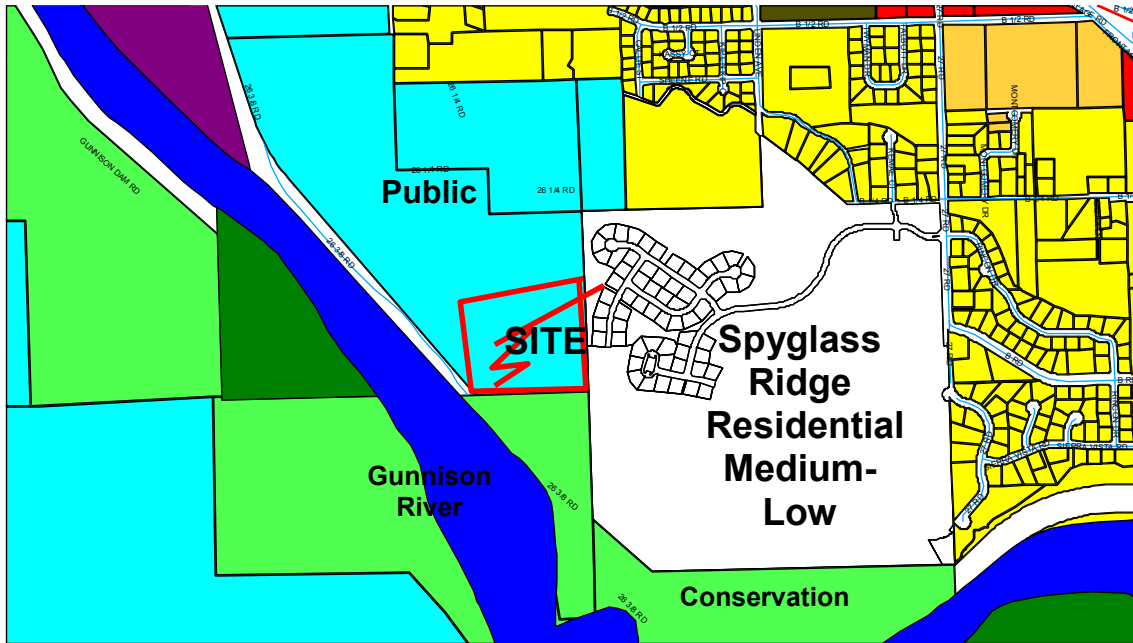
Future Land Use Map / Existing Zoning Map

Resolution

Revocable Permit

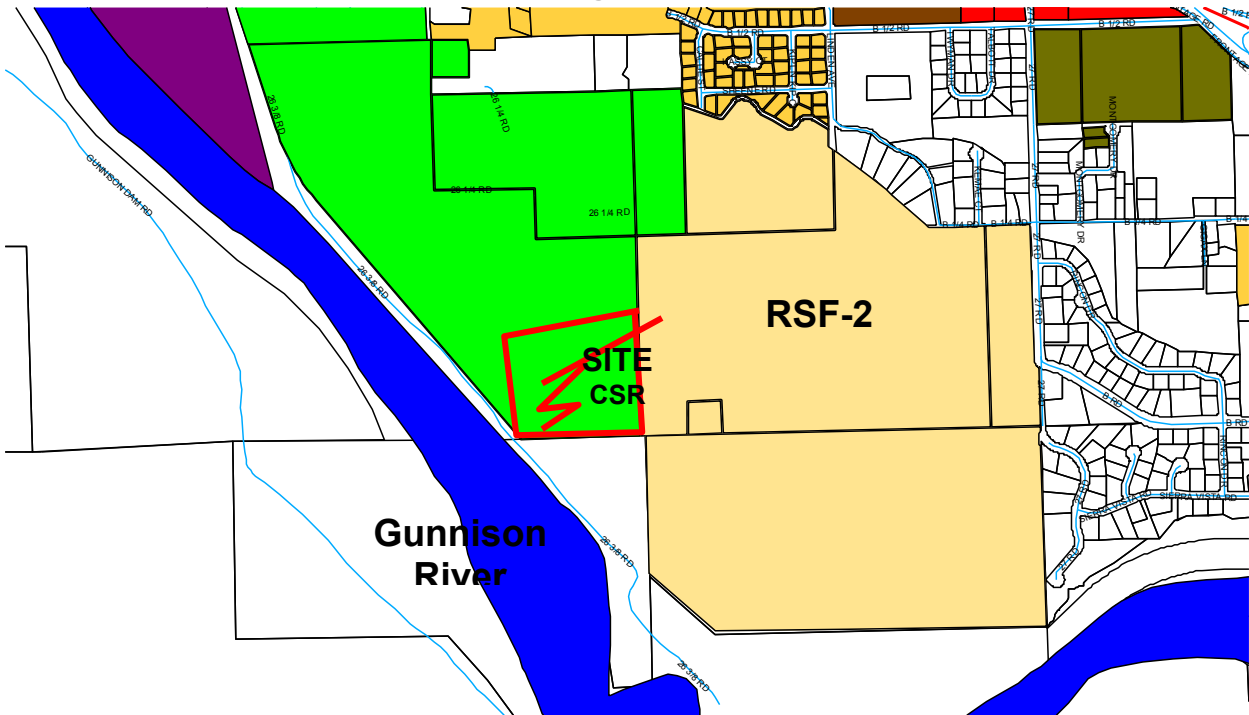
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RESOLUTION NO. _____

A RESOLUTION REVOKING A REVOCABLE PERMIT AND APPROVING AN AMENDED REVOCABLE PERMIT TO BE ISSUED TO SPYGLASS RIDGE HOME OWNERS ASSOCIATION WITH AN AMENDED ALIGNMENT FOR TRAIL CONSTRUCTION

LOCATED ON CITY-OWNED PROPERTY ADJACENT TO THE WATER PLANT

Recitals.

1. Spyglass Ridge Homeowners Association, Inc., a Colorado nonprofit corporation, was issued a Revocable Permit to allow the Petitioner to build and maintain a pedestrian trail and associated benches, shades structures and signage on City-owned property (Resolution No. 177-05);
2. In working with the Bureau of Land Management for access to BLM land from the City-owned land, the applicant has determined a modified alignment would be better for trail construction. City staff has reviewed the amended alignment and concur with the requested change (Exhibit A).
3. Based on the foregoing, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

That the Revocable Permit, authorized by Resolution No. 177-05, is hereby revoked and that the City Manager, on behalf of the City and as the act of the City, is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purposes aforescribed and within the limits of the City-owned property aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this _____ day of _____, 2006.

Attest:

President of the City Council _____

City Clerk

REVOCABLE PERMIT

Recitals

Spyglass Ridge Homeowners Association, Inc., a Colorado nonprofit corporation, has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to build and maintain a pedestrian trail and associated benches, shade structures and signage within the limits of the following described City-owned property, to wit:

See attached Exhibit A (legal description and drawing).

Based on the foregoing, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purposes aforescribed and within the limits of the City-owned property aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. A maximum 3 foot wide natural surface dirt path trail shall be constructed within the described 20 foot swath. No trail shall be allowed to be placed in a natural drainage course, however, the trail alignment shall be allowed to cross, generally perpendicular, to any drainage course.
2. The construction of the trail shall be by hand using shovel and pick to grub the trail to minimize vegetation removal and visual impact, similar to a Forest Service or backcountry hiking trail.
3. The trail shall be for pedestrian use only.
4. Benches, shade structures and interpretive and directional signage shall be allowed to be placed in selected locations along the trail. Such locations shall be reviewed and approved by the City prior to placement.
5. The Petitioner's use and occupancy of the City-owned property as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public roadways, sidewalks,

utilities, or any other facilities presently existing or which may in the future exist in said property.

6. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed City-owned property for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.
7. The Petitioner, for itself and for its successors and assigns, agrees that it shall not hold nor attempt to hold the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said City-owned property or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.
8. The Petitioner agrees that it shall at all times keep the above described City-owned property in good condition and repair.
9. This Revocable Permit shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole expense and cost of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said City-owned property and, at its own expense, remove any encroachment so as to make the aforescribed City-owned property available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.
10. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this _____ day of _____, 2006.

Attest:

The City of Grand Junction
a Colorado home rule municipality

City Clerk

City Manager

Acceptance by the Petitioner:

By: _____

AGREEMENT

Spyglass Ridge Homeowners Association, Inc., a Colorado nonprofit corporation, for itself and for its successors and assigns, does hereby agree to: Abide by each and every term and condition contained in the foregoing Revocable Permit; As set forth, indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit; Within thirty (30) days of revocation of said Permit, peaceably surrender said City-owned property to the City of Grand Junction and, at its sole cost and expense, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2006.

Spyglass Ridge, Inc.,
a Colorado nonprofit corporation

Attest:

By:

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2006, by David G. Behrhorst as President of Spyglass Ridge Homeowners Association, Inc., a Colorado nonprofit corporation.

My Commission expires: _____
Witness my hand and official seal.

Notary Public

EXHIBIT A

TRAIL DESCRIPTION

A twenty foot wide strip of land across Lot 3 of Section 26, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said strip of land lying ten feet each side of the following described centerline:

Beginning at a point on the East line of said Lot 3, whence the South one-quarter corner of said Section 26 bears South 00°22'10" East, a distance of 762.85 feet;
Thence South 72°28'25" West, a distance of 35.45 feet;
Thence 60.18 feet along the arc of a 133.55 foot radius tangent curve to the right, through a central angle of 25°49'09", with a chord bearing South 85°22'59" West, a distance of 59.67 feet; to a point of reverse curvature;
Thence 31.14 feet along the arc of a 23.20 foot radius curve to the left, through a central angle of 76°52'41", with a chord bearing South 59°51'13" West, a distance of 28.85 feet;
Thence South 21°24'53" West tangent to said curve, a distance of 25.03 feet;
Thence 129.16 feet along the arc of a 179.00 foot radius tangent curve to the right, through a central angle of 41°20'36", with a chord bearing South 42°05'10" West, a distance of 126.38 feet;
Thence South 70°03'17" West, a distance of 25.87 feet;
Thence 18.33 feet along the arc of a 20.00 foot radius non-tangent curve to the left, through a central angle of 52°31'18", with a chord bearing South 42°43'44" West, a distance of 17.70 feet;
Thence South 16°28'05" West tangent to said curve, a distance of 46.09 feet;
Thence 71.70 feet along the arc of a 71.01 foot radius tangent curve to the right, through a central angle of 57°51'25", with a chord bearing South 45°23'48" West, a distance of 68.70 feet;
Thence South 74°19'30" West tangent to said curve, a distance of 9.90 feet;
Thence 49.64 feet along the arc of a 75.00 foot radius tangent curve to the left, through a central angle of 37°55'18", with a chord bearing South 55°21'51" West, a distance of 48.74 feet;
Thence South 36°24'12" West tangent to said curve, a distance of 17.59 feet;
Thence South 55°16'19" West, a distance of 62.75 feet;
Thence South 69°37'47" West, a distance of 63.52 feet;
Thence South 63°14'11" West, a distance of 42.08 feet;
Thence 31.93 feet along the arc of a 54.06 foot radius tangent curve to the right, through a central angle of 33°50'10", with a chord bearing South 80°09'16" West, a distance of 31.46 feet;
Thence North 82°55'40" West tangent to said curve, a distance of 52.14 feet;
Thence 61.25 feet along the arc of a 47.09 foot radius tangent curve to the left, through a central angle of 74°31'39", with a chord bearing South 59°48'31" West, a distance of 57.03 feet;
Thence South 22°32'42" West tangent to said curve, a distance of 28.96 feet;
Thence South 15°30'54" West, a distance of 27.51 feet;
Thence 69.91 feet along the arc of a 67.93 foot radius tangent curve to the left, through a central angle of 58°57'47", with a chord bearing South 13°58'00" East, a distance of 66.87 feet;
Thence South 43°26'53" East tangent to said curve, a distance of 30.28 feet;
Thence South 29°32'26" East, a distance of 20.54 feet;
Thence 38.82 feet along the arc of a 74.14 foot radius tangent curve to the left, through a central angle of 30°00'17", with a chord bearing South 44°32'35" East, a distance of 38.38 feet; to a point of compound curvature;

Thence 48.79 feet along the arc of a 55.00 foot radius curve to the left, through a central angle of $50^{\circ}49'54''$, with a chord bearing South $84^{\circ}57'40''$ East, a distance of 47.21 feet; to a point of reverse curvature;

Thence 27.24 feet along the arc of a 66.95 foot radius curve to the right, through a central angle of $23^{\circ}18'53''$, with a chord bearing North $81^{\circ}16'49''$ East, a distance of 27.06 feet;

Thence South $87^{\circ}03'45''$ East tangent to said curve, a distance of 6.00 feet;

Thence 20.61 feet along the arc of a 15.00 foot radius tangent curve to the right, through a central angle of $78^{\circ}43'37''$, with a chord bearing South $47^{\circ}41'56''$ East, a distance of 19.03 feet; to a point of compound curvature;

Thence 14.77 feet along the arc of a 24.89 foot radius curve to the right, through a central angle of $34^{\circ}00'08''$, with a chord bearing South $08^{\circ}39'56''$ West, a distance of 14.56 feet;

Thence South $48^{\circ}38'56''$ West, a distance of 6.02 feet;

Thence 9.92 feet along the arc of a 20.00 foot radius tangent curve to the left, through a central angle of $28^{\circ}25'55''$, with a chord bearing South $34^{\circ}25'59''$ West, a distance of 9.82 feet;

Thence South $20^{\circ}13'01''$ West tangent to said curve, a distance of 32.88 feet;

Thence 7.06 feet along the arc of a 20.00 foot radius non-tangent curve to the right, through a central angle of $20^{\circ}14'03''$, with a chord bearing South $39^{\circ}27'58''$ West, a distance of 7.03 feet; to a point of reverse curvature;

Thence 7.20 feet along the arc of a 10.42 foot radius curve to the left, through a central angle of $39^{\circ}35'28''$, with a chord bearing South $29^{\circ}47'15''$ West, a distance of 7.06 feet;

Thence South $09^{\circ}39'54''$ West, a distance of 12.35 feet;

Thence 10.59 feet along the arc of a 20.00 foot radius non-tangent curve to the right, through a central angle of $30^{\circ}20'08''$, with a chord bearing South $24^{\circ}24'49''$ West, a distance of 10.47 feet;

Thence South $39^{\circ}34'53''$ West tangent to said curve, a distance of 2.15 feet;

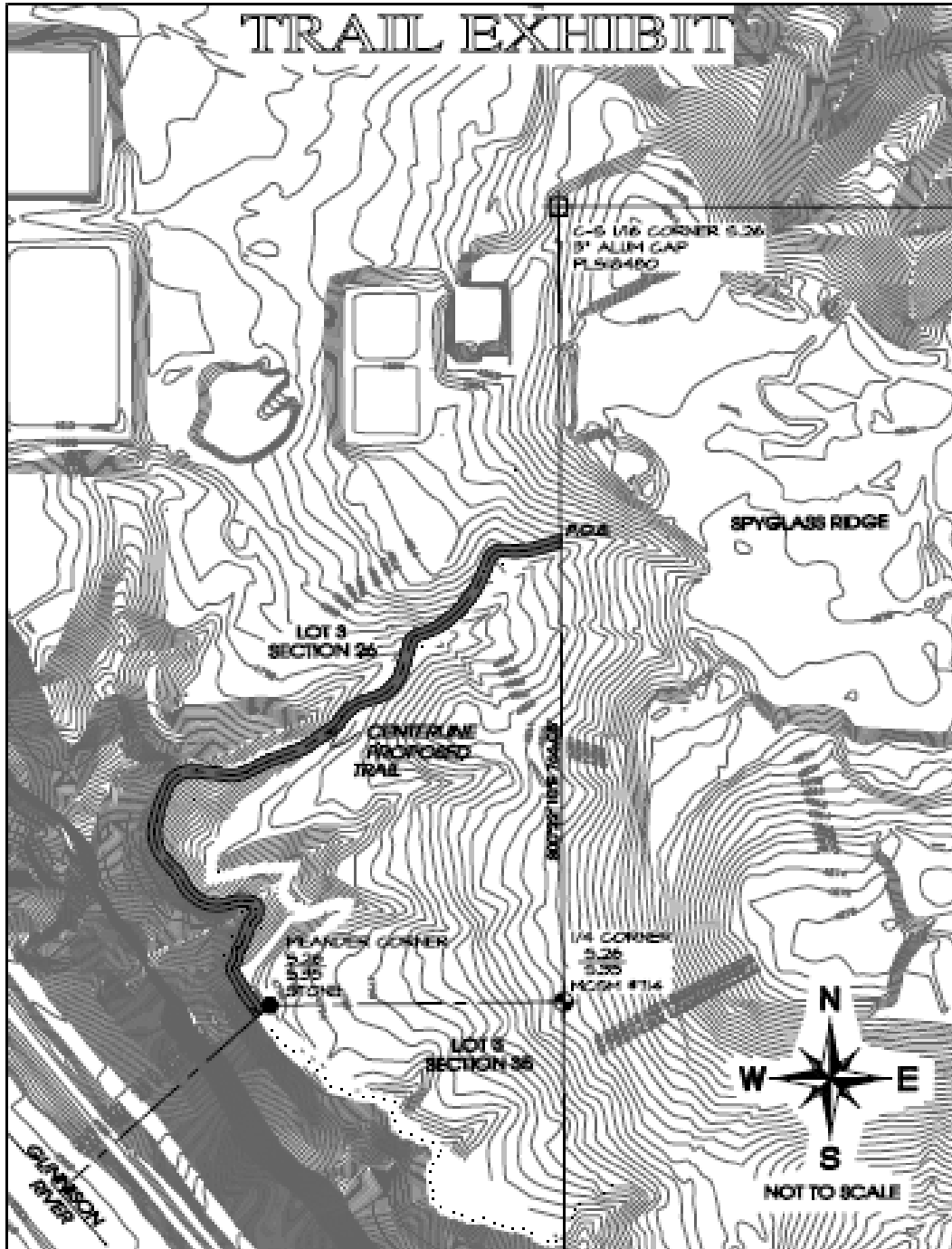
Thence 12.25 feet along the arc of a 10.00 foot radius tangent curve to the left, through a central angle of $70^{\circ}11'30''$, with a chord bearing South $04^{\circ}29'08''$ West, a distance of 11.50 feet;

Thence South $30^{\circ}36'37''$ East tangent to said curve, a distance of 40.89 feet;

Thence South $35^{\circ}43'44''$ East, a distance of 42.88 feet to the South line of said Lot 3, the Point of Termination of the centerline herein described; whence the marked stone meander corner on the south line of said Section 26 bears North $48^{\circ}27'13''$ East, a distance of 21.15 feet.

The sidelines of said easement shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.

TRAIL EXHIBIT



Attach 5

Setting a Hearing on Zoning and Development Code Text Amendments Concerning Multifamily Development

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning and Development Code Text Amendments— Multifamily Development						
Meeting Date	September 6, 2006						
Date Prepared	August 28, 2006			File # TAC-2006-215			
Author	Kathy Portner		Assistant Director of Community Development				
Presenter Name	Kathy Portner		Assistant Director of Community Development				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: A request to amend the Zoning and Development Code pertaining to multifamily development, including attached units.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed ordinance and set a public hearing for September 20, 2006.

Attachments:

- Applicant’s Request
- Planning Commission Minutes (to be provided at 2nd reading of the ordinance)
- Proposed Changes (markup copy)
- Proposed Ordinance

Background Information: See attached Staff Report

AGENDA TOPIC: TAC-2006-215 Zoning and Development Code Text Amendments – Multifamily Development

ACTION REQUESTED: Recommendation on Text Amendments to the Zoning and Development Code

BACKGROUND INFORMATION	
Location:	Citywide
Applicant:	Ciavonne, Roberts & Associates

PROJECT DESCRIPTION: Request approval of revisions to the Zoning and Development Code pertaining to multifamily development, including attached units.

RECOMMENDATION: Staff recommends approval.

ANALYSIS/BACKGROUND:

The 2000 version of the Zoning and Development Code made significant changes in the types of housing allowed in various zone districts, in anticipation of the housing offered becoming more diverse. Those zone districts with a multifamily designation allow a variety of housing types, including single family attached, duplex, townhouse and multifamily.

In the last year we have been experiencing an increase in the number of higher density, multifamily and single family attached residential housing projects proposed in the City. As staff and developers work through the Code requirements, we have found conflicts with density and lot size.

The proposed text amendments would do the following:

- Eliminate the minimum lot size and minimum lot width for attached housing in the RMF-8, 12, 16 and 24 zone districts;
- Reduce the minimum lot size and minimum lot width for detached housing in the RMF-8, 12, 16 and 24 zone districts;
- Make open space requirements consistent for attached housing in the RMF-8, 12, 16 and 24 zone districts; and
- Improve and clarify Code definitions to better match building code and planning terminology

Currently, the zone districts identify required lot sized based on a certain square footage for the first unit and a somewhat smaller square footage for each additional unit

on the same lot. This results in more land area needed for traditional townhome-type development (i.e. attached units, each unit on its own lot) versus condo units (i.e. attached units that are on a common lot with “air-space” ownership).

Inconsistencies exist in the open space requirements between common/multi-ownership lots and fee simple lots. Fee simple lots require a minimum lot size and are subject to a 10% open space dedication or fee in-lieu. Common/multi-ownership lots, such as apartments or condos, require 200 square feet of open space per bedroom and no 10% open space dedication or fee.

The proposed text amendments would do the following:

- Require 600 square feet of open space (landscape area) per unit for all single family attached and multifamily dwelling developments.
- Require a 10% land dedication or fee in lieu of for all single family attached, multifamily and stacked dwelling developments.

Basing the open space/landscaped area on units rather than bedrooms is much more straight-forward and avoids having to determine housing floor plans with each development. The amendments also further define the required open space to be landscaped areas, both public and private, that surround the units or structures, including required buffers, but excludes detention/retention areas, parking areas, and driveways.

The minimum lot width requirement of 40 feet in the RMF zone district is unachievable for attached housing. The trend in row “townhome” design is a unit width of 16 to 30 feet. In addition, minimum lot size for fee simple ownership, as currently required in the Code, generally makes the density of the zone district unachievable. The proposed text amendments are to reduce the minimum lot width and lot size in the RMF-8, 12, 16 and 24 zone district.

A number of definitions are proposed to change or clarify housing types.

The following amendments are proposed to the footnotes of Table 3.2 Zoning District Dimensional Standards:

- For all dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts, the front yard setback shall be twenty (20) feet for principal structures for street facing garages and fifteen (15) feet for principal structures for alley loaded garages. *(This proposed amendment is intended to offer an incentive for providing alley loaded garages.)*
- Garage doors cannot exceed 45% of the width of the street facing façade on single family detached dwellings, two family dwellings, or duplex dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. The garage door can be up to a maximum of 60% of the street facing façade if the garage door is recessed at least 4’ behind the front façade of the house. *(This amendment is to*

reduce the garage-scape created along streets in the higher density zone districts with narrow lots.) As proposed, this amendment would only apply to lots platted after the effective date of the ordinance.

- No minimum lot size area, no minimum lot width, and no minimum lot frontage for single family attached dwellings and/or multifamily dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zoning districts.
- Minimum lot size and lot width for a duplex and stacked dwelling is one and one-half times the standards shown herein in the RMF-8, RMF-12, RMF-16 and RMF-24 zoning districts.

FINDINGS OF FACT/CONCLUSIONS:

Staff finds that the requested Code amendments further several goals and policies of the Growth Plan, including:

Policy 1.7: The City will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.

Policy 5.2: The City will encourage development that uses existing facilities and is compatible with existing development.

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

Policy 15.1: The City will encourage the development of residential projects that compatibly integrate a mix of housing types and densities with desired amenities.

Policy 15.4: The City should facilitate development of a variety of housing types (e.g. clustered units, zero lot line units and mixed density projects) without requiring the planned development process.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Code amendments with the findings listed above.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested text amendments at their August 8, 2006 hearing.

Clavonne, Roberts & Associates, Inc.
SITE PLANNING • LANDSCAPE ARCHITECTURE
844 GRAND AVE., GRAND JUNCTION, CO 81501
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970-241-0745 • FAX 241-0765



August 2, 2006

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

RE: City of Grand Junction Zoning and Development Code Proposed Text Amendment

Dear Kathy,

Enclosed please find our proposed Text Amendments to the City of Grand Junction Zoning and Development Code. These proposed amendments have been revised per meetings with both staff and some members of the development community. These proposed amendments only address the RMF zone districts (multi-family districts.)

Our proposed text amendments are as follows;

Chapter 3

Table 3.2, Page 2 and 3

See Attached Exhibit A

Eliminate any revisions related to the RMF-5 zone.

Table 3.2, Page 3, Footnotes

- (3) In all zones FAR (Floor Area Ratio) applies only to non-residential uses.
- (10) For all dwellings in the RMF 8, RMF-12, RMF-16, and RMF-24 zone districts, the front yard setback shall be a minimum of twenty (20) feet on principal structures for street facing garages and fifteen (15) feet for principal structures for alley loaded garages and for garages located in the rear yards of homes.
- (11) Garage doors cannot exceed 45% of the width of the street facing façade on single family detached dwellings, two-family dwellings, or duplex dwellings in the RMF 8, RMF-12, RMF-16, and RMF-24 zone districts. The garage door can be up to a maximum of 60% of the street facing façade if the garage door is recessed at least 4' behind the front façade of the house.
- (12) No minimum lot size area, no minimum lot width, and no minimum lot frontage for single-family attached dwellings and/or multi-family dwellings in RMF 8, RMF 12, RMF-16 and RMF-24 zoning districts.
- (13) Minimum lot size and lot width for a duplex is one and one-half times the standards shown herein in the RMF 8, RMF 12, RMF-16 and RMF-24 zoning districts.

Section 3.3, (G) RMF-8, Residential Multi-Family – 8, number 3, item b;

Minimum lot size shall be 4,000 square feet for single-family detached and two-family dwellings.

There is no minimum lot size, no minimum lot width, and no minimum lot frontage for single-family attached and/or multi-family dwellings except as noted in the footnotes in Table 3.2

Section 3.3, (H) RMF-12, Residential Multi-Family – 12, number 3, item b;

Minimum lot size shall be 2,500 square feet for single-family detached and two-family dwellings.

There is no minimum lot size, no minimum lot width, and no minimum lot frontage for single-family attached and/or multi-family dwellings except as noted in the footnotes in Table 3.2

Section 3.3, (I) RMF-16, Residential Multi-Family – 16, number 3, item b;

Minimum lot size shall be 2,000 square feet for single-family detached and two-family dwellings.

There is no minimum lot size, no minimum lot width, and no minimum lot frontage for single-family attached and/or multi-family dwellings except as noted in the footnotes in Table 3.2

Section 3.3, (J), RMF-24, Residential Multi-Family – 24, number 3, item b;

Single-family detached and two-family dwellings are not allowed in this zone district.

There is no minimum lot size, no minimum lot width, and no minimum lot frontage for single-family attached and/or multi-family dwellings except as noted in the footnotes in Table 3.2

Section 3.5, Table 3.5 Use/Zone Matrix

See attached Exhibit B

Chapter 6

Section 6.3, B 1 (Page 12 and 13)

The owner of any residential development of ten or more lots or dwelling units shall dedicated ten percent (10%) of the gross acreage of the property of the equivalent of ten percent (10%) of the value of the property. The decision as to whether to accept the money or land as required by this section shall be made, upon recommendation by the Director, by the Acting Body considering and deciding the underlying application. Subdivisions with less than ten lots of residential dwelling units are not required to dedicated ten percent (10%) of the gross acreage of the property or the equivalent of ten percent of the value of the property unless the developer or owner owns land adjacent to the proposed subdivision, in which case the Planning Commission shall determine the open space requirement.

Section 6.3, B 7 (Page 13)

Single-family attached, stacked dwelling and multi-family dwelling developments shall provide six hundred (600) square feet per unit of public and/or private outdoor living area in all zones. Single-family detached, two-family, and duplex dwellings are excluded from this requirement.

Section 6.7 D 3 – Two Family, Attached Single-Family Development and /Townhomes Multi-family Dwellings

In accordance with the provisions of this paragraph, attached single-family dwellings shall be allowed as indicated in Table 3.5. ~~The lot width standard of a zone does not apply to an attached dwelling or townhome but the minimum lot area rule does, unless the dwelling is clustered. Minimum lot area may include an average of the surrounding common open space.~~ There is no side setback for the interior units of an “attached single-family dwellings” or the common wall of two-family dwellings. ~~or townhome. The other zone setbacks apply, unless the development is clustered.~~ Covenants shall provide for the maintenance of common walls, other structures, common elements, spaces and facilities. The City Attorney may require changes and additions to ensure long term maintenance of all structures and property as a neat and well kept project. Construction of an attached unit on a lot originally platted for a detached dwelling in the RSF-2, RSF-4, RMF-5 or RMF-8 zone require a conditional use permit and the consent of the owners pursuant to the plat unless the plat or other plat approval document allowed such construction.

Chapter 9 - Definitions

Duplex

A dwelling containing two (2) single-family dwellings on the same lot and separated totally from each other by an un-pierced wall extending from ground to roof.

Dwelling, Multi-family

A building or portion thereof arranged, designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. This definition does not including hotels, motels, fraternity houses, and sorority houses and similar group accommodations.

Dwelling, Single-family attached

A single-family dwelling attached to two (2) or more dwelling units, with each dwelling located on separate lots.

Dwelling, Single-family detached

A single-family dwelling which is not attached to any other dwelling or building by any means, including mobile homes and manufactured housing situated on a permanent foundation on a single lot.

Dwelling, Stacked

A dwelling containing two (2) single-family dwellings on the same lot and separated vertically

Dwelling, Two-family

A single-family dwelling attached to only one (1) other single-family dwelling unit, with each dwelling located on separate lots.

Multi-family Dwelling

A building or portion thereof arranged, designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. This definition does not including hotels, motels, fraternity houses, and sorority houses and similar group accommodations.

Outdoor Living Area

Any property or portion thereof which is permanently set aside for public or private use, is landscaped with living plant material, and will not be further developed. The area can include landscape buffers. The area calculation excludes detention areas, parking areas, and driveways.

Townhouse (or Townhome)

Remove this definition from the Zoning and Development Code.

Additional Notes

- (1) We propose that a condominium should be considered a definition of ownership and not a type of structure. For example, units within a multi-family building can be sold as condominiums.

- (2) We propose that the term “Townhome” and “Townhouse” should be eliminated from the Zoning and Development Code. We maintain that a townhome is an architectural style (single-family attached units built in a row) and not a type of development.

Please feel free to contact us to discuss the aforementioned proposed text amendments. We look forward to going through these with you.

Sincerely,

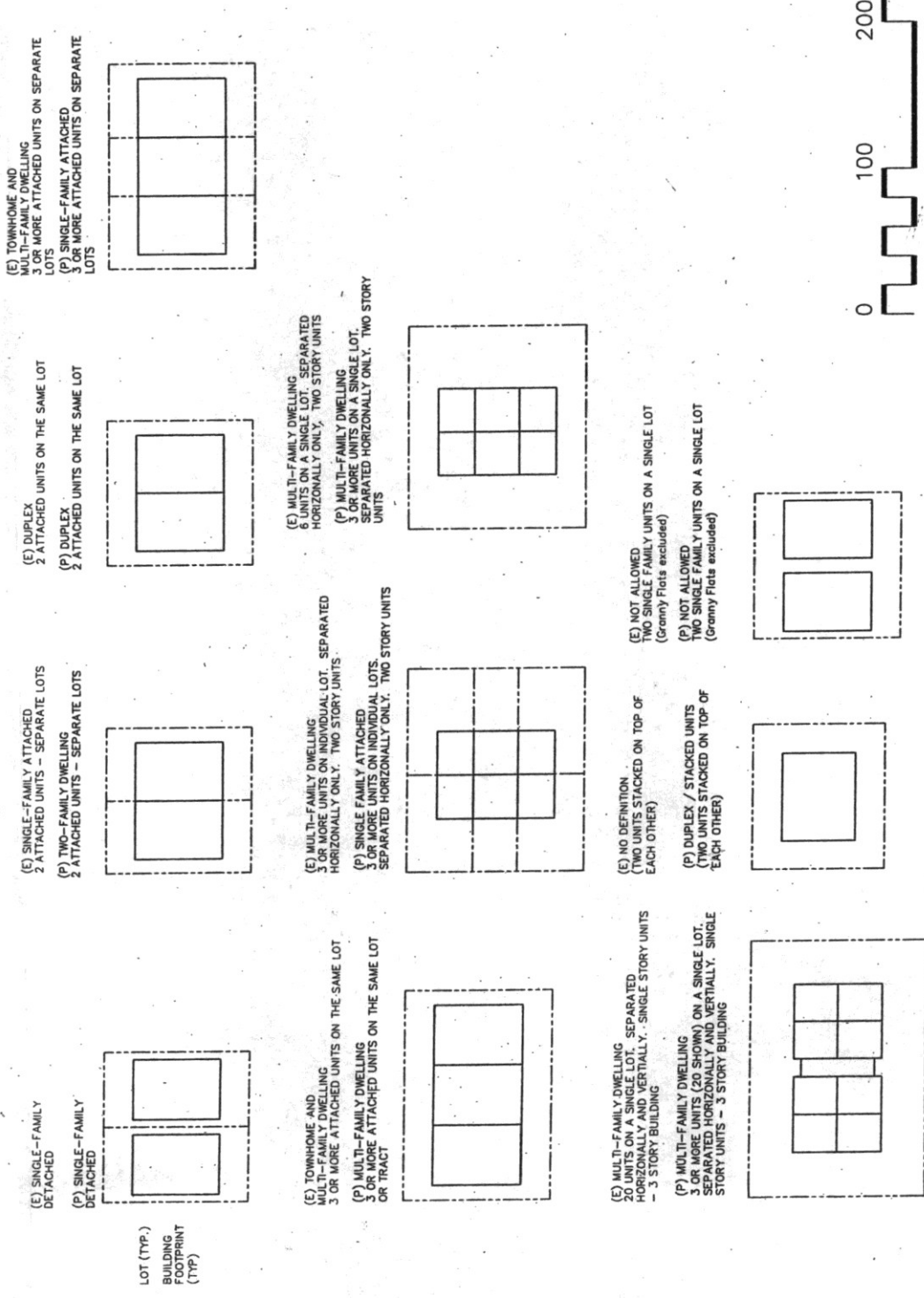
Ted Ciavonne, President
Ciavonne, Roberts & Associates

Joe Carter
Ciavonne, Roberts & Associates

Attached please find:

- o Table 3.2 Zoning Districts Dimensional Standards (2 pages)
- o Table 3.5 Use/Zone Matrix (1 page)
- o ZDC Text Amendment Lot Type Examples (1 page)

(E) = EXISTING ZONING AND DEVELOPMENT CODE TERMINOLOGY
 (P) = PROPOSED ZONING AND DEVELOPMENT CODE TERMINOLOGY



(E) TOWNHOME AND MULTI-FAMILY DWELLING 3 OR MORE ATTACHED UNITS ON SEPARATE LOTS
 (P) SINGLE-FAMILY ATTACHED 3 OR MORE ATTACHED UNITS ON SEPARATE LOTS

(E) DUPLEX 2 ATTACHED UNITS ON THE SAME LOT
 (P) DUPLEX 2 ATTACHED UNITS ON THE SAME LOT

(E) SINGLE-FAMILY ATTACHED 2 ATTACHED UNITS - SEPARATE LOTS
 (P) TWO-FAMILY DWELLING 2 ATTACHED UNITS - SEPARATE LOTS

(E) SINGLE-FAMILY DETACHED
 (P) SINGLE-FAMILY DETACHED

(E) MULTI-FAMILY DWELLING 6 UNITS ON A SINGLE LOT - SEPARATED HORIZONTALLY ONLY. TWO STORY UNITS
 (P) MULTI-FAMILY DWELLING 3 OR MORE UNITS ON A SINGLE LOT. SEPARATED HORIZONTALLY ONLY. TWO STORY UNITS

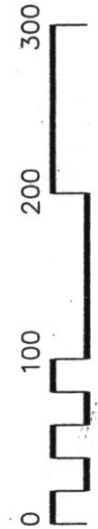
(E) MULTI-FAMILY DWELLING 3 OR MORE UNITS ON INDIVIDUAL LOT. SEPARATED HORIZONTALLY ONLY. TWO STORY UNITS
 (P) SINGLE FAMILY ATTACHED 3 OR MORE UNITS ON INDIVIDUAL LOTS. SEPARATED HORIZONTALLY ONLY. TWO STORY UNITS

(E) TOWNHOME AND MULTI-FAMILY DWELLING 3 OR MORE ATTACHED UNITS ON THE SAME LOT
 (P) MULTI-FAMILY DWELLING 3 OR MORE ATTACHED UNITS ON THE SAME LOT OR TRACT

(E) NOT ALLOWED TWO SINGLE FAMILY UNITS ON A SINGLE LOT (Granny Flats excluded)
 (P) NOT ALLOWED TWO SINGLE FAMILY UNITS ON A SINGLE LOT (Granny Flats excluded)

(E) NO DEFINITION TWO UNITS STACKED ON TOP OF EACH OTHER
 (P) DUPLEX / STACKED UNITS TWO UNITS STACKED ON TOP OF EACH OTHER

(E) MULTI-FAMILY DWELLING 20 UNITS ON A SINGLE LOT HORIZONTALLY AND VERTICALLY. SINGLE STORY UNITS - 3 STORY BUILDING
 (P) MULTI-FAMILY DWELLING 3 OR MORE UNITS (20 SHOWN) ON A SINGLE LOT. SEPARATED HORIZONTALLY AND VERTICALLY. SINGLE STORY UNITS - 3 STORY BUILDING



ZDC TEXT AMENDMENT

LOT TYPE EXAMPLES

Proposed Changes (markup copy)

Table 3.2
ZONING DISTRICTS DIMENSIONAL STANDARDS

Zoning District	Minimum Lot Size ^{12,13}		Minimum Street Frontage ¹²	Minimum Setbacks ¹ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width ¹¹ (ft.)		Front ⁸ (ft.)	Side (ft.)	Rear ⁸ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
Urban Residential Zoning Districts									
RSF-R	5 Acres	150	50 ²	20/25	50/50	50/50	5	0.40 ³	35
RSF-E	2 Acres	100	50 ²	20/25	15/5	30/10	15	0.40 ³	35
RSF-1	1 Acres	100	50 ²	20/25	15/3	30/10	20	0.40 ³	35
RSF-2	17,000	100	50 ²	20/25	15/3	30/5	30	0.40 ³	35
RSF-4	8,000	75	20	20/25	7/3	25/5	50	0.40 ³	35
RMF-5	6,500	60	20	20/25	5/3	25/5	60	0.40 ³	35
RMF-8	4,500 4,000	40	20	20/25 ¹⁴	5/3	10/5	70 ¹⁵	0.45 ³	35
RSF-12	4,000 2,500	40 30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.50 ³	40
RMF-16	4,000 2,000	40 30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.60 ³	40
RMF-24	4,000 2,000	40 30	20	20/25 ¹⁴	5/3	10/5	80 ¹⁵	0.60 ³	40
Nonresidential Zoning Districts									
R-O	5,000	50	20	20/25	5/5	10/5	70	0.40	35
B-1	10,000	50	N/A	20/25	0/0 ⁵	15/15	N/A	0.50	40
B-2	N/A	N/A	N/A	15/25 ⁷	0/0 ^{5,10}	0/0 ⁵	N/A	8.00	65 ⁴
C-1	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	1.00	40 ⁶
C-2	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	2.00	40
I-0	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.75	40 ⁶
I-1	1 Acre	100	N/A	15/25	5/5 ^{5,10}	10/10	N/A	2.00	40

Nonresidential Zoning Districts, continued

I-2	1 Acre	100	N/A	15/25	0/0 ¹⁰	10/10	N/A	2.00	40
CSR	1 Acre	100	N/A	15/25	5/5	10/5	N/A	1.00	65 ⁴
M-U	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.5	40 ⁹

GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Some properties might also be subject to additional restrictions and/or overlay zones.

FOOTNOTES:

- 1 Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be twenty feet (20'), measured from the storage entrance to the property line.
- 2 Minimum street frontage on cul-de-sac is thirty feet (30').
- 3 ~~RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to nonresidential uses. RMF-8 through RMF-24, the FAR applies to multifamily and nonresidential uses.~~
- 4 Maximum height is forty feet (40') if adjacent to any residential zoning district.
- 5 10/5 foot setback if abutting a residential zone or use.
- 6 Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be sixty-five feet (65').
- 7 Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- 8 The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- 9 Maximum building height may be increased up to sixty-five feet (65') if the building setbacks (front, side and rear) are at least 1.5 times the overall height of the building. A minimum of fifty percent (50%) of the resulting front yard setback area must be landscaped per Code requirements.
10. A minimum side yard setback of six feet (6') will be required where perimeter side yard landscaping is required.
11. For all lots created after October 22, 2006, garage doors cannot exceed 45% of the width of the street facing façade on single family detached dwellings, two-family dwellings, or duplex dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. The garage door(s) can be up to a maximum of 60% of the street facing façade if the garage door is recessed at least 4' behind the front façade of the house.
12. Minimum lot size, minimum lot width, and minimum street frontage does not apply to single family attached dwellings or multifamily dwellings in RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. See Section 6.3.B.7 for outdoor living area requirements.
13. Minimum lot size and lot width for a duplex or stacked unit shall be one and one-half times the standards shown for the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts.
14. For all dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts, the front yard setback shall be a minimum of twenty (20) feet for principal structures with street facing garages and fifteen (15) feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage.
15. Maximum lot coverage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

3.3 RESIDENTIAL ZONING DISTRICTS

G. RMF-8: Residential Multifamily - 8

1. **Purpose.** To provide for medium-high density attached and detached dwellings, duplexes, two family dwelling, stacked dwelling and multifamily units. RMF-8 is a transitional district between lower density single family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. RMF-8 implements the *Residential Medium and Medium-High Density* future Land Use classifications of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the authorized uses in the RMF-8 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:
 - a. Maximum gross density shall not exceed eight (8) dwellings per acre;
 - b. Minimum lot size shall be 4,000 square feet for single family detached and two family dwellings and 6,000 square feet for a duplex and stacked dwelling;
 - c. Minimum net density shall not be less than four (4) dwellings per acre; and
 - d. Density shall also conform to the minimum and maximum densities identified in the Growth Plan.
4. **Performance Standards.**
 - a. No attached unit shall be constructed on a lot originally platted and zoned for detached dwellings unless a Conditional Use Permit has been issued.
 - b. For the purpose of calculating density on parcels smaller than five (5) acres, one-half (1/2) of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.
 - c. The creation of a duplex via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two (2) manufactured homes shall not constitute a duplex.
 - d. Minimum lot size, minimum lot width, and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

RMF-8 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily Civic
Max. Density	8 units/acre
Min. Density	4 units/acre

H. **RMF-12: Residential Multifamily - 12**

1. **Purpose.** To provide for high density development allowing several types of residential units within specified densities. RMF-12 may serve as a transitional district between single family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-12 implements the *Residential Medium High and High Density* future land use classifications of the GROWTH PLAN. This zone may be appropriate in lower density areas if used as a part of a mixed density development.

RMF-12 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	12 units/acre
Min. Density	8 units/acre

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the RMF-12 District.

3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:

- a. Maximum gross density shall not exceed twelve (12) dwellings per acre;
- b. Minimum lot size shall be 2,500 square feet for single family detached and two family dwellings and 3,750 square feet for a duplex and stacked dwelling;
- c. Minimum net density shall not be less than eight (8) dwellings per acre; and
- d. Density shall also conform to the minimum and maximum densities identified in the Growth Plan.

4. **Performance Standards.**

- a. For purpose of calculating density on parcels smaller than five (5) acres, one-half (½) of the land area of all adjoining rights-of-way may be included in the gross lot area.
- b. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.
- c. The creation of a duplex via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two (2) manufactured homes shall not constitute a duplex.
- d. Minimum lot size, minimum lot width, and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

I. **RMF-16: Residential Multifamily - 16**

1. **Purpose.** To provide for high density development allowing several types of residential unit types. RMF-16 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-16 implements the *Residential Medium High and High Density* future land use classification of the GROWTH PLAN. It may be appropriate in lower intensity areas if part of a mixed density development.

RMF-16 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	16 units/acre
Min. Density	12 units/acre

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the RMF-16 District.

3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:

- a. Maximum gross density shall not exceed sixteen (16) dwellings per acre;
- b. Minimum lot size shall be 2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;
;
- c. Minimum net density shall not be less than twelve (12) dwellings per acre; and
- d. Density shall also conform to the minimum and maximum densities identified in the Growth Plan.

4. **Performance Standards.**

- a. For purpose of calculating density on any parcel, one-half (½) of the land area of all adjoining rights-of-way shall not be included in the gross lot area.
- b. No right-of-way shall be counted to meet minimum lot area requirements.
- c. The creation of a duplex via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two (2) manufactured homes shall not constitute a duplex.
- d. Minimum lot size, minimum lot width, and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

J. **RMF-24: Residential Multifamily - 24**

1. **Purpose.** To provide for high density residential use. This district allows several types of residential unit types within specified densities. RMF-24 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in the neighborhood. RMF-24 implements the residential *High Density* future land use classification of the GROWTH

RMF-24 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	24 units/acre
Min. Density	16 units/acre

PLAN. It may be appropriate in lower intensity areas where it is part of a mixed density development.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the RMF-24 District.

3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following density provisions shall apply:

- a. Maximum gross density shall not exceed twenty-four (24) dwellings per acre;
- b. Minimum area required shall be;2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;
- c. Minimum net density shall not be less than sixteen (16) dwellings per acre; and
- d. Density shall also conform to the minimum and maximum densities identified in the Growth Plan.

4. **Performance Standards.**

- a. For purpose of calculating density on any parcel, one-half (½) of the land area of all adjoining rights-of-way shall not be included in the gross lot area.
- b. No right-of-way shall be counted to meet minimum lot area requirements.
- c. The creation of a duplex via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two (2) manufactured homes shall not constitute a duplex.
- d. Minimum lot size, minimum lot width, and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

CHAPTER SIX

DESIGN & IMPROVEMENT STANDARDS

6.3 PUBLIC AND PRIVATE PARKS AND OPEN SPACES

B. Open Space Requirements.

1. The owner of any residential development of ten (10) or more lots or dwelling units shall dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property. The decision as to whether to accept money or land as required by this Section shall be made by the Director. Subdivisions with less than ten (10) lots or residential dwelling units are not required to dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property unless the developer or owner owns land adjacent to the proposed subdivision, in which case the Planning Commission shall determine the open space requirement.

Single family attached and multifamily dwelling developments shall provide six hundred (600) square feet per unit of public and/or private outdoor living area in all zones. Single family detached, two family duplex and stacked dwellings are excluded from this requirement.

6.7 SUBDIVISION STANDARDS

D. Lot Layout and Design.

1. **Access to Public Roads.** All lots shall have direct or indirect access to a dedicated public road. If the plat provides for indirect access (i.e., over intervening private drives), access easements or tracts benefiting all lots with indirect access shall be provided on the recorded plat. Easements shall be used to access not more than one (1) lot with no street frontage. All access to public roads shall meet the standards as set forth in TEDS.
 - a. Creation of lots having (2) parallel property lines abutting a right of way ("double frontage lot") or lots having a rear lot line of which is adjacent to or across an alley from the side lot line of another lot ("reverse corner lot") is discouraged.
 - b. Double frontage lots shall comply with the subdivision perimeter enclosures provisions of Section 6.5.
 - c. A dwelling lot which abuts three (3) public streets are discouraged.
 - d. The rear lot line of a dwelling lot should not abut a residential collector, local or cul-de-sac.
 - e. The decision-maker may increase the required setback from a lot line bordering a collector or arterial street.
 - f. Single family attached dwellings and/or multifamily dwellings with no street frontage or limited street frontage may be allowed by the Director provided access is reasonably and readily available for each dwelling unit through the use of private streets, shared drives, parking lots, and/or other specifically identified limited common elements.
3. **Two Family, Attached Single Family, Multifamily Dwellings.** In accordance with the provisions of this paragraph, attached dwelling shall be allowed as indicated in Table 3.5.
 - a. There is no side setback for "attached single family dwellings" or the common wall of two family dwellings. Covenants shall provide for the maintenance of common walls, other common structures and common spaces and facilities.

- b. The City Attorney may require changes and additions to ensure long term maintenance of all structures and property as a neat and well-kept project.
- c. Attached single family and multifamily dwellings that front onto a private drive, shared drive, parking lot, or other private accessway shall be setback a minimum of 15 feet from the edge of the accessway, with front loading garages setback a minimum of 20 feet from any vehicular or pedestrian accessway.
- d. Construction of an attached unit on a lot originally platted for a detached dwelling in the RSF-2, RSF-4, RMF-5 or RMF-8 zone require a conditional use permit and the consent of the owners pursuant to the plat unless the plat or other plat approval document allowed such construction.

CHAPTER NINE DEFINITIONS

DUPLEX

A building containing two (2) single-family dwelling units on the same lot and separated by an unpierced common wall extending from ground to roof.

DWELLING, MULTIFAMILY

A building or portion thereof, arranged designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominimized.

DWELLING, SINGLE-FAMILY, ATTACHED

attached to two (2) or more dwelling units by common wall(s), with each dwelling located on separate lots. Includes townhomes.

DWELLING, SINGLE-FAMILY, DETACHED

A single family dwelling which is not attached to any other dwelling or building by any means, on a single lot.

DWELLING, STACKED

A dwelling containing two (2) single family dwellings on the same lot and separated vertically.

DWELLING, TWO FAMILY

A single family dwelling attached to only one (1) other single family dwelling unit by a common wall, with each dwelling located on separate lots.

MULTIFAMILY DWELLING

A building or portion thereof, arranged designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominimized.

OUTDOOR LIVING AREA

Any property or portion thereof which is permanently set aside for public or private use, is landscaped with living plant material (a minimum of 75% coverage), and will not be further developed. The area can include landscape buffers. The area calculation excludes detention areas, parking areas, and driveways.

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING AND DEVELOPMENT CODE PERTAINING TO MULTIFAMILY DEVELOPMENT

Recitals

The 2000 version of the Zoning and Development Code made significant changes in the types of housing allowed in various zone districts, in anticipation of the housing offered becoming more diverse. Those zone districts with a multifamily designation allow a variety of housing types, including single family attached, duplex, townhouse and multifamily.

In the last year there has been an increase in the number of higher density, multifamily and single family attached residential housing projects proposed in the City. As staff and developers work through the Code requirements, conflicts with density and lot size have been found.

The proposed text amendments would do the following:

- Eliminate the minimum lot size and minimum lot width for attached housing in the RMF-8, 12, 16 and 24 zone districts;
- Reduce the minimum lot size and minimum lot width for detached housing in the RMF-8, 12, 16 and 24 zone districts;
- Make open space requirements consistent for attached housing in the RMF-8, 12, 16 and 24 zone districts; and
- Improve and clarify Code definitions to better match building code and planning terminology

The Grand Junction Planning Commission, at its hearing on August 8, 2006 reviewed the proposed Zoning and Development Code amendments and determined them consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

1. Table 3.2 is hereby amended as follows:

Table 3.2
ZONING DISTRICTS DIMENSIONAL STANDARDS

Zoning District	Minimum Lot Size ^{12,13}		Minimum Street Frontage ¹²	Minimum Setbacks ¹ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width ¹¹ (ft.)		Front ⁸ (ft.)	Side (ft.)	Rear ⁸ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
Urban Residential Zoning Districts									
RSF-R	5 Acres	150	50 ²	20/25	50/50	50/50	5	0.40 ³	35
RSF-E	2 Acres	100	50 ²	20/25	15/5	30/10	15	0.40 ³	35
RSF-1	1 Acres	100	50 ²	20/25	15/3	30/10	20	0.40 ³	35
RSF-2	17,000	100	50 ²	20/25	15/3	30/5	30	0.40 ³	35
RSF-4	8,000	75	20	20/25	7/3	25/5	50	0.40 ³	35
RMF-5	6,500	60	20	20/25	5/3	25/5	60	0.40 ³	35
RMF-8	4,000	40	20	20/25 ¹⁴	5/3	10/5	70 ¹⁵	0.45 ³	35
RSF-12	2,500	30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.50 ³	40
RMF-16	2,000	30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.60 ³	40
RMF-24	2,000	30	20	20/25 ¹⁴	5/3	10/5	80 ¹⁵	0.60 ³	40
Nonresidential Zoning Districts									
R-O	5,000	50	20	20/25	5/5	10/5	70	0.40	35
B-1	10,000	50	N/A	20/25	0/0 ⁵	15/15	N/A	0.50	40
B-2	N/A	N/A	N/A	15/25 ⁷	0/0 ^{5,10}	0/0 ⁵	N/A	8.00	65 ⁴
C-1	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	1.00	40 ⁶
C-2	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	2.00	40
I-0	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.75	40 ⁶
I-1	1 Acre	100	N/A	15/25	5/5 ^{5,10}	10/10	N/A	2.00	40

Nonresidential Zoning Districts, continued

I-2	1 Acre	100	N/A	15/25	0/0 ¹⁰	10/10	N/A	2.00	40
CSR	1 Acre	100	N/A	15/25	5/5	10/5	N/A	1.00	65 ⁴
M-U	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.5	40 ⁹

GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Some properties might also be subject to additional restrictions and/or overlay zones.

FOOTNOTES:

- 1 Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be twenty feet (20'), measured from the storage entrance to the property line.
- 2 Minimum street frontage on cul-de-sac is thirty feet (30').
- 3 FAR (Floor Area Ratio) applies only to nonresidential uses.
- 4 Maximum height is forty feet (40') if adjacent to any residential zoning district.
- 5 10/5 foot setback if abutting a residential zone or use.
- 6 Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be sixty-five feet (65').
- 7 Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- 8 The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- 9 Maximum building height may be increased up to sixty-five feet (65') if the building setbacks (front, side and rear) are at least 1.5 times the overall height of the building. A minimum of fifty percent (50%) of the resulting front yard setback area must be landscaped per Code requirements.
10. A minimum side yard setback of six feet (6') will be required where perimeter side yard landscaping is required.
11. For all lots created after October 22, 2006, garage doors cannot exceed 45% of the width of the street facing façade on single family detached dwellings, two-family dwellings, or duplex dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. The garage door(s) can be up to a maximum of 60% of the street facing façade if the garage door is recessed at least 4' behind the front façade of the house.
12. Minimum lot size, minimum lot width, and minimum street frontage does not apply to single family attached dwellings or multifamily dwellings in RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. See Section 6.3.B.7 for outdoor living area requirements.
13. Minimum lot size and lot width for a duplex or stacked unit shall be one and one-half times the standards shown for the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts.
14. For all dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts, the front yard setback shall be a minimum of twenty (20) feet for principal structures with street facing garages and fifteen (15) feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage.
15. Maximum lot coverage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

2. Sections 3.3 G, H, I and J are hereby amended as follows:

G. **RMF-8: Residential Multifamily - 8**

1. **Purpose.** To provide for medium-high density attached and detached dwellings, duplexes, two family dwelling, stacked dwelling and multifamily units. RMF-8 is a transitional district between lower density single family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. RMF-8 implements the *Residential Medium and Medium-High Density* future Land Use classifications of the GROWTH PLAN.

RMF-8 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily Civic
Max. Density	8 units/acre
Min. Density	4 units/acre

Section 3.3.G.3.b: Minimum lot size shall be 4,000 square feet for single family detached and two family dwellings and 6,000 square feet for a duplex and stacked dwelling;

Section 3.3.G.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

H. **RMF-12: Residential Multifamily - 12**

1. **Purpose.** To provide for high density development allowing several types of residential units within specified densities. RMF-12 may serve as a transitional district between single family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-12 implements the *Residential Medium High and High Density* future land use classifications of the GROWTH PLAN. This zone may be appropriate in lower density areas if used as a part of a mixed density development.

RMF-12 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	12 units/acre
Min. Density	8 units/acre

Section 3.3.H.3.b: Minimum lot size shall be 2,500 square feet for single family detached and two family dwellings and 3,750 square feet for a duplex and stacked dwelling;

Section 3.3.H.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

I. **RMF-16: Residential Multifamily - 16**

1. **Purpose.** To provide for high density development allowing several types of residential unit types. RMF-16 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-16 implements the *Residential Medium High and High Density* future land use classification of the GROWTH PLAN. It may be appropriate in lower intensity areas if part of a mixed density development.

RMF-16 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	16 units/acre
Min. Density	12 units/acre

Section 3.3.I.3.b: Minimum lot size shall be 2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;

Section 3.3.I.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

J. **RMF-24: Residential Multifamily - 24**

1. **Purpose.** To provide for high density residential use. This district allows several types of residential unit types within specified densities. RMF-24 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in the neighborhood. RMF-24 implements the residential *High Density* future land use classification of the GROWTH PLAN. It may be appropriate in lower intensity areas where it is part of a mixed density development.

RMF-24 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	24 units/acre
Min. Density	16 units/acre

Section 3.3.J.3.b: Minimum lot size shall be 2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;

Section 3.3.J.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

3. Table 3.5, Residential, is hereby amended as follows:

4. Sections 6.3 and 6.7 are hereby amended as follows:

Section 6.3.B.1: The owner of any residential development of ten (10) or more lots or dwelling units shall dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property. The decision as to whether to accept money or land as required by this Section shall be made, by the Director. Subdivisions with less than ten (10)

Table 3.5 Use/Zone Matrix

Use Category- Definition. See Chapter Nine for complete description.	Specific Use Type	URBAN RESIDENTIAL										Use- Specific Standard
		RSE-R	RSE-E	RSE-1	RSE-2	RSE-4	RMF-5	RMF-8	RMF-12	RMF-16	RMF-24	
RESIDENTIAL												
Household Living - residential occupancy of a dwelling units by a "household	Business Residence											4.3.I
	Rooming/Boarding House							C	C	A	A	
	Two Family Dwelling ³				A	A	A	A	A	A	A	
	Single-Family Detached	A	A	A	A	A	A	A	A	A	A	4.3.N
	Duplex ³					A	A	A	A	A	A	
	Multi-Family ³							A	A	A	A	4.3.O
	Stacked Dwelling							A	A	A	A	
	Residential Subunits/Accessory Units	A	A	A	A	A	A	A	A	A	A	4.1.G
	Agricultural Labor Housing	A										
	Single Family Attached							A	A	A	A	
	Manufactured Housing Park							C	C	C	C	4.3.F
All Other Housing Living							A	A	A	A		
Home Occupation	Home Occupation	A	A	A	A	A	A	A	A	A	A	4.1.H
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	A	A	A	A	A	A	A	A	A	A	4.3.Q
	Large Group Living Facility (includes secure facilities)							C	C	C	C	4.3.Q
	Unlimited Group Living Facility									C	C	C

lots or residential dwelling units are not required to dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property unless the developer or owner owns land adjacent to the proposed subdivision, in which case the Planning Commission shall determine the open space requirement.

Section 6.3.B.7: Single family attached and multifamily dwelling developments shall provide six hundred (600) square feet per unit of public and/or private outdoor living area in all zones. Single family detached, two family duplex and stacked dwellings are excluded from this requirement.

Section 6.7.D.1.f: Single family attached dwellings and/or multifamily dwellings with no street frontage or limited street frontage may be allowed by the Director provided access is reasonably and readily available for each dwelling unit through the use of private streets, shared drives, parking lots, and/or other specifically identified limited common elements.

Section 6.7.D.3: **Two Family, Attached Single Family, Multifamily Dwellings.** In accordance with the provisions of this paragraph, attached dwellings shall be allowed as indicated in Table 3.5.

- a. There is no side setback for “attached single family dwellings” or the common wall of two family dwellings. Covenants shall provide for the maintenance of common walls, other common structures and common spaces and facilities.
- b. The City Attorney may require changes and additions to ensure long term maintenance of all structures and property as a neat and well-kept project.
- c. Attached single family and multifamily dwellings that front onto a private drive, shared drive, parking lot, or other private accessway shall be setback a minimum of 15 feet from the edge of the accessway, with front loading garages setback a minimum of 20 feet from any vehicular or pedestrian accessway.
- d. Construction of an attached unit on a lot originally platted for a detached dwelling in the RSF-2, RSF-4, RMF-5 or RMF-8 zone require a conditional use permit and the consent of the owners pursuant to the plat unless the plat or other plat approval document allowed such construction.

5. Chapter 9, Definitions, is hereby amended as follows, with all other definitions remaining:

DUPLEX—A building containing two (2) single family dwelling units on the same lot and separated by an unpierced common wall extending from ground to roof.

DWELLING, MULTIFAMILY—A building or portion thereof arranged designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominiumized.

DWELLING, SINGLE-FAMILY, ATTACHED—A single family dwelling attached to two (2) or more dwelling units by common wall(s), with each dwelling located on separate lots. Includes townhomes.

DWELLING, SINGLE FAMILY, DETACHED—A single family dwelling which is not attached to any other dwelling or building by any means, on a single lot.

DWELLING, STACKED—A dwelling containing two (2) single family dwellings on the same lot and separated vertically.

DWELLING, TWO FAMILY—A single family dwelling attached to only one (1) other single family dwelling unit by a common wall, with each dwelling located on separate lots.

MULTIFAMILY DWELLING—A building or portion thereof, arranged, designed and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominiumized.

OUTDOOR LIVING AREA—Any property or portion thereof which is permanently set aside for public or private use, is landscaped with living plant material (a minimum of 75% coverage), and will not be further developed. The area can include landscape buffers. The area calculation excludes detention areas, parking areas, and driveways.

Delete "Townhouse (or Townhome)" definition.

Introduced on first reading this ___ day of _____, 2006 and ordered published.

Adopted on second reading this ____ day of _____, 2006.

Mayor

ATTEST:

City Clerk

Attach 6

Signal Communications Design Contract

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Signal Communications Design Contract					
Meeting Date		September 6, 2006					
Date Prepared		August 31, 2006			File #		
Author		Jody Kliska		Transportation Engineer			
Presenter Name		Trent Prall		Engineering Manager			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Award of a Professional Services Design Contract for Signal Communications Design Phase 1d to Apex Design, PC in the amount of \$58,137.50. Phase 1d will connect 24 traffic signals in the central city along North Avenue, 1st Street, 7th Street, 12th Street and 28 ¼ Road to the existing fiber optic cable network that was constructed for phases 1a, b and c. In addition, the design will allow Parks administration and up to two Mesa County facilities to be connected to the fiber network.

Budget: The CIP has funds in 2006 for Activity F33800 in the amount of \$89,804.46 to fund design in 2006. Construction is anticipated to begin in 2007.

Action Requested/Recommendation: Award the contract for the Signal Communications Design Phase 1d to Apex Design, PC in an amount not to exceed \$58,137.50.

Attachments: Project Tasks.

Background Information: In 1999, the City, County and CDOT jointly funded a feasibility study for signal communications in the urban valley. The recommendations of the study resulted in programming funds over a ten year period to implement installation of fiber optic line to connect the traffic signals. As construction has progressed, the project has also begun to use the fiber optic cable to connect city and county facilities for computer and telephone service. Phase 1a was designed in 2000 and constructed in 2001 and connected traffic signals from Mesa Mall to 1st Street to the Transportation Engineering office at City Shops while providing fiber optic connection to the Mesa Mall County substation, food bank and Justice Facility. Phase

1b was designed in 2002 and constructed in 2003 and connected 23 signals in the downtown area to the system, as well as providing connections to City Hall, Mesa County Courthouse, Two Rivers Convention Center, the Police Station and Fire Station 1. Additionally, an exclusive pair of fibers was provided between the Police Station and the Sheriff's Department to meet requirements of Homeland Security. Phase 1c connected traffic signals along Patterson Road from 25 Road to 30 Road as well as connecting to Fire Stations 2 & 3. Riverside Parkway project will be installing fiber optic cable as part of the project to connect the new signals on the Parkway as well as the weather stations on the bridge structures.

Under this contract, Apex Design, PC will provide design services, a complete set of plans and specifications ready for bidding, provide bid support and provide construction support for Phase 1d.

The Signal Communications project is a long term commitment by the City of Grand Junction to improve traffic flow and system operations on major corridors.

Project Tasks

Task One: Project Management and Coordination

Develop and prepare a project schedule and assign tasks. The schedule shall show individual tasks described in the scope of work for the project and identify key milestone dates. The Consultant Project Manager (Consultant PM) shall maintain and update the project schedule as the work proceeds.

- Work Task Coordination: The Consultant PM shall assign and coordinate all work tasks being accomplished, including those to be performed by sub-consultants, to ensure project work is completed on schedule.
- Project Team Coordination: The City PM and the Consultant PM shall maintain ongoing communication about the project on a frequent and regular basis. Each PM shall provide the other with:
 - ▶ Written synopsis of their respective contacts (by telephone or in person) with others.
 - ▶ Copies of pertinent written communications, including electronic (E-mail) correspondence.
 - ▶ Early identification of potential problems or concerns.
- Progress Meetings: The City and Consultant shall meet, either in person or by telephone conference calls, at regularly scheduled Project Working Group Meetings held at approximate four-week intervals throughout the project. The meetings shall focus on the following topics:
 - ▶ Activities completed since the last meeting
 - ▶ Problems encountered or anticipated
 - ▶ Late activities/activities slipping behind schedule
 - ▶ Solutions for unresolved or newly identified problems
 - ▶ Schedule of upcoming activities
 - ▶ Information on items required from other agencies

The Consultant PM shall prepare a written summary report of the general discussions held including all action items assigned.

- Reporting Requirements: The Consultant PM shall provide the following on a routine basis:
 - Monthly status reports and billings

Task Two: Design

- **Review of Existing System:** The Consultant shall review the as-builts of the existing fiber optic system and the current fiber allocation plan. The City shall provide AutoCAD drawings of the existing fiber optic network splicing diagrams so that the consultant is familiar with the current system and how to tie the 24 signals, one city facility, and up to two Mesa County facilities into the existing fiber optic system. The City shall also provide electronic copies of the Phase 1c design plans for Consultant review. The City Parks and Information Services Departments and Mesa County personnel shall be available to locate building access and conduit routing.

Project Design: The design shall be prepared using City of Grand Junction aerial photos of the corridors and, for the ease of construction plan reading, a skeleton of the road beneath the aerial photo with the cable routing and installation. The fiber optic cable routing shall be clearly identified, as will the location of key elements including proposed optical transceivers (OTR's), pull boxes, manholes and existing cabinets and traffic signals. The plan set shall also include fiber optic splice diagrams, a communication block diagram, a summary of quantities and details.

The consultant shall prepare the bid documents and specifications for this project. The City shall provide an electronic copy of the bid documents from the previous signal communications project as a base document.

Deliverables:

- ▶ Photo log of device tie-ins
- ▶ 50% Level Design Plans (5 copies)
- ▶ 90% Level Design Plans, Specifications and Estimates (5 copies)
- ▶ 100% Level Design Plans, Specifications and Estimates (5 copies)
- ▶ Final Design Plans, Specifications and Estimates (City to produce advertisement copies)
- ▶ Electronic copies of Plans, Specifications and Estimates

Task Three: Construction Support

- **Bidding:** The consultant shall provide support to the City in the bidding process. Such assistance may include attendance at the pre-bid meeting, answering questions about the plans and specifications, assistance in writing revisions as needed to the bid documents. For the cost proposal, it is anticipated that this item will require 15 hours of consultant time.
- **Technical Assistance:** The consultant shall provide technical assistance to the City project personnel on an as-needed basis. Each bulleted item is anticipated to require 15 hours of consultant time.
 - ▶ Responding to questions in the field that arise relative to the plans, details, test methods or special provisions.
 - ▶ Revise the design as required by changes in the field or changes in technology.
 - ▶ Review contractor submittal documents and recommend actions to the City.
 - ▶ Attend construction meetings as requested by the City.

Attach 7

Continue Public Hearing for the Baldwin Annexation, Located at 2102 and 2108 Highway 6 & 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Continue Baldwin Annexation located at 2102 & 2108 Highway 6 & 50						
Meeting Date	September 6, 2006						
Date Prepared	August 30, 2006				File #ANX-2006-182		
Author	Faye Hall			Associate Planner			
Presenter Name	Faye Hall			Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When		
Citizen Presentation		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name		
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent		Individual Consideration

Summary: Request to continue the Baldwin Annexation to the September 20, 2006 City Council Meeting. The request to continue is to allow additional time to clarify boundary issues with the adjacent neighbor to the north.

Budget: N/A

Action Requested/Recommendation: Continue the adoption of the Resolution accepting the Petition for the Baldwin Annexation and Public Hearing to consider Final Passage of the Annexation and Zoning Ordinances to the September 20, 2006 City Council Meeting.

Attach 8
City Youth Council Bylaws

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	City Youth Council Bylaws					
Meeting Date	September 6, 2006					
Date Prepared	August 30, 2006				File #	
Author	Angela Harness		Management Intern			
Presenter Name	Angela Harness Lisa Truong		Management Intern Youth Mayor			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	x	Yes		No	Name	Lisa Truong and Youth Council Members will introduce themselves
	Workshop	x	Formal Agenda		Consent	x Individual Consideration

Summary: The City Youth Council is ready to have City Council adopt their bylaws. The City Youth Council would also like to be introduced to the City Council and to present the new executive officers for the 2006-2007 year.

Budget: NA

Action Requested/Recommendation: Adopt Resolution approving the Bylaws of the Grand Junction, Colorado City Youth Council

Attachments:

Proposed Resolution
City Youth Council Bylaws
CYC Roster for 2006/2007 School Year

Background Information: At the January 17th, 2005 City Council workshop the City Youth Council went before the City Council for a review of the Youth Council's bylaws. Based on the Council's input, the following items were added to the Youth Council's

proposed bylaws. Several other additions were made at the retreat, at the request of members.

The preamble states **“We will work to represent the diversity within Grand Junction, especially during the recruitment process.”** This was added to address a recruitment process that is mindful of the broad spectrum of young people in the community.

An attendance policy was established with automatic sanctions. **“1. All members are required to attend all regular meetings of the Youth Council. After two (2) absences during a one-year term, the Secretary will report the member to the rest of the Youth Council and that member shall be removed from the council. If the member wishes to rejoin the Youth Council he or she must submit a letter explaining the absence and a 2/3rd vote by the Youth Council shall readmit the member. Until the council reads the letter and votes, the member shall not attend the meetings.”**

Language was added to establish guidelines to remove a member who is found to have damaged the integrity of the Youth Council. **“2. If a member is found by the Youth Council to violate that oath or to otherwise damage the integrity of the Youth Council, they may be removed by a 2/3rd majority vote.”**

At the retreat, it was suggested that the Chair be called the **Youth Mayor** and the Vice-chair to be called the **Youth Vice-Mayor**.

Several responsibilities were changed in order to better notify members of the items to be discussed on the upcoming meetings and to give more responsibility to the executive officers.

The following was added to the Youth Vice-Mayor’s responsibilities: **“g) Shall distribute meeting agendas and meeting reminders to all members of the Youth Council at least two (2) days in advance of each regularly scheduled meeting”**

The following was changed under the Secretary’s responsibilities: **“a) Shall prepare the agenda and distribute it to the Youth Vice-Mayor at least four (4) days in advance of each regularly scheduled meeting”**

The following was added to the Treasurer’s responsibilities: **“c) Shall act as the Youth Council’s financial advisor”**

CITY OF GRAND JUNCTION

RESOLUTION NO. _____-06

**A RESOLUTION ADOPTING THE BYLAWS OF THE GRAND JUNCTION,
COLORADO CITY YOUTH COUNCIL**

RECITALS:

The Grand Junction, Colorado City Youth Council ("CYC") was established by the City Council in 2003 in order to allow input from the youth in the community as set forth in the 2002 Strategic Plan.

The bylaws of the CYC establishes the officers and their responsibilities, the conduct of members and meetings and the relationship with City staff as well as setting forth the Mission of the CYC.

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

That the bylaws of the Grand Junction, Colorado City Youth Council are adopted as attached.

PASSED and APPROVED this _____ day of _____, 2006.

ATTEST:

City Clerk

President of Council

Youth Council Bylaws
BYLAWS OF THE GRAND JUNCTION, COLORADO CITY YOUTH COUNCIL
(D R A F T)

NAME AND SCOPE

This body shall be called the Grand Junction City Youth Council and along with the other Boards and Commissions of the City, be an advisory board to the Grand Junction City Council.

MISSION STATEMENT

To better our community by providing a representative perspective to the City Council on issues concerning the young people of Grand Junction and inspiring a desire in youth to become responsible, involved citizens who positively affect the future of our City.

PREAMBLE

As the Grand Junction City Youth Council, we will work towards improving the local government's awareness of its youth and the youth's awareness of its local government. We will do our part to promote a safe, drug and alcohol-free environment within the community. We will reach out to support local charities and organizations that aid youth in need, or youth in general. We will work to represent the diversity within Grand Junction, especially during the recruitment process. As representatives of the Grand Junction Youth, we will work to further the positive perceptions and relations amongst the youth and adults within the community.

CITY YOUTH COUNCIL OFFICERS – DUTIES, POWERS, ELECTION and TERMS OF OFFICE

1. Youth Mayor
 - a) Presides at all meetings of the Youth Council
 - b) Votes under the same procedures as other members of the Youth Council
 - c) Elected by a majority vote of the Youth Council at the beginning of each new term
 - d) Signs all documents of the Youth Council
 - e) Acts as the Youth Council's official representative
 - f) Calls special meetings in accordance with these bylaws
 - g) Responsible for compiling agenda for transmittal to the Youth Council Secretary.

2. Youth Vice-Mayor

- a) During the absence, disability, or disqualification of the Youth Mayor or any other Youth Council officer, the Youth Vice-Mayor shall exercise or perform all the duties and be subject to all the duties of the Chairperson or other officer
- b) Elected by a majority vote of the Youth Council at the beginning of each new term
- c) Responsible for assisting the Youth Council Historian with his/her duties
- d) Shall succeed the Youth Mayor if the office is vacated before the term of the Youth Mayor has expired; The Youth Vice-Mayor shall serve the unexpired term of the vacated office. A new Youth Vice-Mayor shall be elected by a majority vote of the members of the Youth Council at the next regular meeting following the Youth Vice-Mayor assuming the role of the Youth Mayor.
- e) Shall be a resource for rules of order during meetings
- f) Shall act as a liaison to City Council and write a memo to them once a month
- g) Shall distribute meeting agendas and meeting reminders to all members of the Youth Council at least two (2) days in advance of each regularly scheduled meeting

3. Secretary

- a) Shall prepare the agenda and distribute it to the Youth Vice-Mayor at least four (4) days in advance of each regularly scheduled meeting
- b) Elected by a majority vote of the Youth Council at the beginning of each new term
- c) Responsible for keeping accurate minutes of Youth Council meetings and forwarding those minutes to the designated City Staff member upon their completion.
- d) Shall take attendance and keep track of referrals at all meetings and notify members of absences
- e) Responsible for checking e-mail on a regular basis and reporting back to the Youth Council when necessary

4. Treasurer

- a) Shall be responsible for keeping accurate financial records for City Youth Council activities and report to the Youth Council when requested.
- b) Elected by a majority vote of the Youth Council at the beginning of each new term
- c) Shall act as the Youth Council's financial advisor

5. Staff Support

- a) At least one member of City staff (to be appointed by the City Manager) shall be provided.

CITY YOUTH COUNCIL MEMBER CONDUCT

1. All members are required to attend all regular meetings of the Youth Council. After two (2) absences during a one-year term, the Secretary will report the member to the rest of the Youth Council and that member shall be removed from the council. If the member wishes to rejoin the Youth Council he or she must submit a letter explaining the absence and a 2/3rd vote by the Youth Council shall readmit the member. Until the council reads the letter and votes, the member shall not attend the meetings.
2. If a member is found by the Youth Council to violate that oath or to otherwise damage the integrity of the Youth Council, upon the first offense, they may be removed by a 2/3rd vote. Upon the second offense and thereafter, a simple majority vote is required to remove the member from office.

CITY STAFF RESPONSIBILITIES TO THE CITY YOUTH COUNCIL

1. Transmits messages between the Youth Council and the Grand Junction City Council.
2. Assists Chair and Secretary in preparation and distribution of agendas, minutes and other related documents.
3. Informs the Youth Council of correspondence relating to the business of the group and attends to such correspondence when necessary.
4. Administers funds allocated to the Youth Council in accordance with its directives, law and City regulations.

CONDUCT OF MEETINGS

1. The Youth Council shall meet a minimum of once a month during the academic year.
2. Additional meetings may be held at any time upon the call of the Chairperson or by a majority of the voting members of the Youth Council upon request of the Grand Junction City Council. All members of the Youth Council and the general public must be given four (4) days notice of such a meeting.
3. A majority of the members of the Youth Council in attendance at a meeting shall constitute a quorum for the transaction of business.
4. Ten (10) minutes at each regularly scheduled meeting will be set aside for public input. No one person will be allowed to speak for more than two (2) minutes unless approved by a majority of the Youth Council.

5. The Youth Council shall conduct all meetings in accordance with generally accepted parliamentary procedure unless otherwise provided for in these rules.

YOUTH COUNCIL COMMITTEES

The Youth Council, by a majority vote, may form standing or temporary committees to work on issues in depth, and then report back to the Youth Council. The Youth Council, at its discretion, may choose to name members of the general public to these committees. Committee chairs will be chosen by a majority vote of committee members.

AMENDMENT OF CITY YOUTH COUNCIL BYLAWS

These rules may be recommended to be amendment at any meeting by a vote of the majority of the entire membership of the Youth Council provided five (5) days notice has been given to each member of the Youth Council. Proposed amendments approved by the Youth Council must be considered and approved by the City Council.

PASSED and APPROVED this ____ day of _____, 20__

ATTEST

President of Council

City Clerk

CITY YOUTH COUNCIL

Two Year Terms

NAME	SCHOOL	TERM
Mallory Brigham	Fruita Monument HS	2006-08
Shandie Case Secretary	Grand Junction HS	2006-08
Griffen Davis	Fruita Monument HS	2005-07
Ellen Garcia	Central High School	2006-08
Ryan Gregor	Fruita Monument HS	2006-08
Hudson Hawks	Fruita Monument HS	2006-08
Lauren Herron Youth Vice Mayor	Grand Junction HS	2006-08
Brea LaBonte	Grand Junction HS	2005-07
Erica Lang	Fruita Monument HS	2006-08
Ashley Lupfer	Central High School	2005-07
Melody Matiland	Central High School	2005-07
Kelsey Moreng	Grand Junction HS	2005-07
Ashley Morton	Grand Junction HS	2006-08
Kelly Murphy	Fruita Monument HS	2005-07
Baylee Rager	Grand Junction HS	2005-07
Lisa Truong Youth Mayor	Grand Junction HS	2006-08
Josh Vogel Treasurer	Fruita Monument HS	2006-08
Ashley Wiseman	Fruita Monument HS	2006-08

Attach 9

Purchase Two Police Enforcement Motorcycles

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Purchase Two Police Enforcement Motorcycles				
Meeting Date		September 6, 2006				
Date Prepared		August 17, 2006			File #	
Author		Shirley Nilsen		Senior Buyer		
Presenter Name		Jay Valentine Bill Gardner		Purchasing Manager Police Chief		
Report results back to Council		X	No		Yes	When
Citizen Presentation			Yes	X	No	Name
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: This purchase is for two 2006 BMW R1200RTHP Police Enforcement Motorcycles for Police Patrol.

Budget: The Fleet Division has budgeted \$42,716.00 in CIP for the addition of two police enforcement motorcycles to the fleet. With the below recommendation the additional cost of \$409.78 will be funded from available resource accruals in the Equipment Fund.

Action Requested/Recommendation: Authorize the City Purchasing Manager to purchase two 2006 BMW R1200RTHP Police Enforcement Motorcycles from a local dealer, All Sports Honda/BMW, LTD, the lowest responsive bidder, for the amount of \$43,125.78.

Background Information: The solicitation was advertised in the Daily Sentinel and invitations were sent to 29 potential providers. Three responsive and responsible proposals were received from:

Company	Make and Model	Unit Price
*All Sports Honda / BMW, LTD. Grand Junction, CO	BMW R1200RTHP	\$21,562.89
Grand Junction Harley Davidson,	Harley Davidson FLHTP	\$21,619.55

Inc. Grand Junction, CO		
All Sports Honda / BMW, LTD. Grand Junction, CO	Honda ST1300P3	\$22,129.00

*Recommended award

The Police Enforcement Motorcycles were selected through a competitive Request for Proposal process using the following evaluation criteria:

- Net Cost
- Demonstrated Capability
- Proven Performance/Ease of Operation
- Vendor Performance History
- Parts and/or Supplies/Service Availability
- Warranty
- Preventative Maintenance Costs

Proposals were opened and evaluated by a team of representatives from Fleet Services and Purchasing.

Both dealerships were contacted with a request to submit additional clarification and pricing of the police enforcement accessories specified in the RFP, so that we could complete the pricing comparison in a fair and objective manner.

The two BMW R1200RTHP Police Enforcement Motorcycles were chosen because of the following:

- Lowest cost on a comparable basis, of the three Police Motorcycles that will meet the City's needs.

Motorcycle	Motor Cycle Scheduled Maintenance Cost	Warranty
BMW R1200RTHP	\$3,301.00 for a total of 66,000 miles	39 Months 60,000 Miles (Limited)
Honda ST1300P3	\$2,900.00 for a total of 44,000 miles	36 Month Unlimited Mileage (Limited)
Harley Davidson FLHTP	\$4,050.00 for a total of 55,000 miles	24 Months Unlimited Mileage

The Purchasing Manager recommends the BMW R1200RTHP Police Enforcement Motor Cycles and the Police Chief agrees with this recommendation.

**CITY OF GRAND JUNCTION
ADMINISTRATIVE SERVICES DEPARTMENT
PURCHASING DIVISION**

**TO: Ron Lappi
Administrative Services and Finance Director**

**FROM: Jay Valentine
Purchasing Manager**

SUBJECT: Recommendation of Police Motorcycles

DATE: August 17, 2006

Attached is the City Council report for the recommendation of two BMW police motorcycles. Three proposals were received from two different vendors, Grand Junction Harley Davidson and All Sports Honda/BMW, with All Sports submitting bids on both the BMW and Honda motorcycles.

The original responses received from both vendors included only the base price of their respective motorcycles with no pricing for the required accessories specified in the original RFP. Both vendors were contacted and pricing for the accessories was requested and later received for the Harley and BMW bikes. The Honda motorcycle however, does not have a standard "police package" and all accessories for this bike must be custom made and a quotation has not been received at this time for the cost of those accessories. The base price of the Honda however, exceeds the total cost including accessories from both Harley and BMW.

The original specifications on the accessories contained several items that were unique to BMW motorcycles and were unable to have a quotation provided by any other manufacturer, so in order to fairly compare both makes of motorcycles; we used only the accessories that were common to each bike. We did not include in the total price, those accessories that were not common on both bikes. The accessories used in determining final proposal price are in bold italics. Additional considerations include the preventive maintenance and warranty. The preventive maintenance cost was bid based on mileage intervals determined by the vendor. The number shown below is the total cost of preventive maintenance per mile multiplied by 7,000 miles, the estimated yearly use by our police officers.

**Police Enforcement Motorcycle Accessories
Comparison**

Brand	Harley Davidson	BMW	Honda
Base Price	14,900 \$	\$ 17,906	\$ 22,129
LED Brake Tail Light (2)	Not Quoted	Quoted \$92	
Led Turn Signals (2)	Not Quoted	Quoted \$46	
Flashlight Baton/Holder	99	136	
Note Pad Holder (2)	Not Quoted	Quoted \$27	
Low Heated Adjustable Seat (2)	The seat is already low did not quote heat capability	Quoted \$203	
Low Band Antenna Mount	750	205	
Push Talk Button	Included	319	
LTI 20/20 Lidar Gun Mount	79	102	
Locking Radar Mount	Included	110	
Radar Integration Package	1,996	1,995	
Radio Power Module (2)	Not Quoted	Quoted \$102	
Emergency Response Kit #82	795	Included on Police Enforcement Motor Cycle	
Tour Package System with High Brake Kit	1,299	Included ""	
LED Lights for Tour Package	650	Included ""	
Front LED Pursuit Lamp Kit	530	Included ""	
Heated Hand Grip Kit	222	Included ""	
Processing Fee	-	90	
Additional Labor	300	700	
Total Cost	\$ 21,620	\$ 21,563	\$ 22,129 (1)

Additional Considerations

Annual Preventive Maintenance \$ **515** \$ **321** \$ **515**

Warranty **24 mths/unlimited** **39 mths/60,000** **36mths/unlimited**

(1) Honda has the highest price before accessories.

(2) These items are excluded from the cost comparison, since it was the City's intension not to require or request accessories that may only be available from BMW.

Attach 10

Public Hearing – Watershed Protection Ordinance

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Watershed Protection Ordinance							
Meeting Date		September 6, 2006							
Date Prepared		August 31, 2006			File #				
Author		Greg Trainor		Public Works and Utilities Operations Manager					
Presenter Name		John Shaver		City Attorney					
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary:

A public hearing on the citizen-initiated Watershed Protection Ordinance received by the City Clerk’s Office August 1, 2006.

Budget: There is no cost for the hearing action; costs associated with adoption and enforcement of the ordinance are unknown.

Action Requested/Recommendation:

Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance

Attachments:

Letter from Mesa County Commissioners
Watershed Protection Ordinance

Background Information:

Initiative petitions for the adoption of a watershed protection ordinance were received by the City Clerk’s Office on August 1, 2006. There were 2,635 signatures identified by the Clerk as valid, qualified signatures. This is a sufficient number to meet the legal requirements for the City Council to either adopt the ordinance as presented or refer the matter to an election.

On August 16, 2006 the City Council determined to set September 6, 2006 as the date for a public hearing to consider adoption of the ordinance.

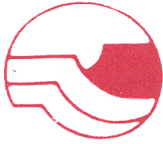
Generally, the purpose of the ordinance is to establish and exercise, as allowed by Colorado law, the powers and authorities of the City to protect the City’s water supply and waterworks from injury and to protect its water supply from pollution or from activities that may create a hazard to health, water quality or a danger of pollution to the

water supply of the City. The ordinance provides that the City authority shall be for the purpose of restricting any activity, or requiring changes in the way the activity or use is performed, within a watershed which creates a substantial risk of pollution or injury to the City's water supply or waterworks and/or the lands from under, or across or through which the water flows or is gathered.

This purpose of the ordinance is not, however, to be construed as an attempt to interfere with federal jurisdiction over federal lands within the City's watershed. The ordinance provides that it be construed to supplement and integrate with federal jurisdiction.

The City's primary watersheds (*i.e.*, Kannah Creek, North Fork of Kannah Creek, and Whitewater Creek) are declared to extend over all the territory occupied by the City of Grand Junction's waterworks in the drainages of the City's primary watersheds and shall include but not be limited to all reservoirs, streams, trenches, pipes and drains used in and necessary for the construction, maintenance and operation of the same and over all creeks, streams, lakes, reservoirs and the City's waterworks and all water sources tributary thereto for five (5) miles up gradient of each point from which any water is diverted for use by the City of Grand Junction or placed into any City domestic waterworks.

There are certain "high risk" activities that might be proposed in the watershed areas that will require a Watershed Permit from the City. These activities include timber cutting, surface and subsurface mining, mineral development, natural gas development, and use of hazardous materials.



Mesa County, Colorado
BOARD OF COUNTY COMMISSIONERS

District 1 - Craig J. Meis (970) 244-1605
District 2 - Tilman "Tillie" Bishop (970) 244-1604
District 3 - Janet Rowland (970) 244-1606

P.O. Box 20,000 • 544 Rood Avenue • Grand Junction, Colorado 81502-5010 • FAX (970) 244-1639

August 16, 2006

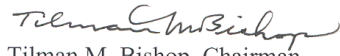
Jim Doody, Mayor and City Council Members
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501-2668

Dear Council Members:

On behalf of the Mesa County Commissioners, I am writing this letter in support of placing the question of a Watershed Protection Ordinance on the November ballot. Passage of a Watershed Protection Ordinance is a critical community issue. We believe placing this issue on the November ballot will allow for a full public airing of the benefits, costs, and consequences of adopting this law.

We wish you luck in your deliberation and thank you for your consideration.

Sincerely,


Tilman M. Bishop, Chairman
Board of County Commissioners

cc: Commissioners Janet Rowland and Craig Meis
Jon Peacock, County Administrator

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Ordinance No. _____

**An Ordinance Establishing Watershed and Water Supply Standards;
Establishing Requirements for Watershed Permits in Connection with
Various Activities within said Watersheds; Prohibiting any Person from
Polluting said Watersheds; and Requiring the City Council to Adopt
Implementing Ordinances or Resolutions**

BE IT ORDAINED BY THE VOTERS OF THE CITY OF GRAND JUNCTION that the following watershed and water supply protection ordinance is hereby passed and adopted.

1. CITATION. This ordinance shall be known as the “Watershed Protection Ordinance” of the City.
2. IMPLEMENTING ORDINANCE. The City Council is encouraged to adopt an additional ordinance or resolutions to further implement the provisions of this ordinance in light of the provisions and purpose hereof.
3. PURPOSE. The primary purpose for which the Watershed Protection Ordinance is established is the fullest exercise of the powers, authorities, privileges and immunities of the City of Grand Junction in maintaining and protecting the City's water supply and waterworks from injury and water supply from pollution or from activities that may create a hazard to health or water quality or a danger of pollution to the water supply of the City. The City's authority herein shall be for the purpose of restricting any activity, or requiring changes in the way the activity or use is performed, within a watershed which creates a substantial risk of pollution or injury to the City's water supply or waterworks and/or the lands from under, or across or through which the water flows or is gathered. This purpose and authority statement shall not, however, be construed as an attempt to interfere with federal jurisdiction over federal lands within the City's watershed: This Ordinance should be construed to supplement and integrate with federal law and jurisdiction.
4. DESIGNATED WATERSHEDS.
 - (A) The City's primary watersheds (*i.e.*, Kannah Creek, North Fork of Kannah Creek, and Whitewater Creek) are hereby declared to extend over all the territory occupied by the City of Grand Junction's waterworks in the drainages of the City's primary watersheds and shall include but not be limited to all reservoirs, streams, trenches, pipes and drains used in and necessary for the construction, maintenance and operation of the same and over all creeks, streams, lakes, reservoirs and the City's waterworks and all water sources tributary thereto for five (5) miles up gradient (*i.e.*, obtained or used upstream) of each point from which any water is diverted for use by the City of Grand Junction or placed into any City domestic waterworks. Any ordinance or resolution implementing this Ordinance shall address the City's water rights and

waterworks that are supplied by water from either the Gunnison and/or the Colorado Rivers.

5. STANDARDS. No land use activity shall be permitted in any primary watershed which creates a substantial risk of pollution or injury to the City's water supply or waterworks except in compliance with the provisions of this ordinance.

In addition:

(A) It shall be unlawful for any person to cause injury or damage to the City's waterworks, including all springs, seeps, streams, surface intakes, ditches, drains, pipelines and reservoirs used in and necessary for the construction, maintenance and operation of the same.

(B) All point and non-point sources of pollutants caused by or associated with a proposed land use activity shall not result in any measurable increase in pollution over the existing water quality of any waters of any primary watershed of the City potentially affected by the proposed land use or activity.

(C) The burden of proving the lack of substantial risk of pollution or injury, in terms of quantity and quality, to the City's water supply and/or waterworks shall be on the person proposing the land use or activity.

(D) Terms not defined herein shall be defined by the implementing ordinance and/or regulations. For the purposes of this ordinance, the following words shall have the following meanings.

(I) "Domestic Use" means: Construction of a single family residence of less than 10,000 square feet in total interior square feet; construction and maintenance of driveways, landscaping and accessory barns and sheds in connection with single family residence; the maintenance, cutting and clearing of necessary trees and vegetation to accomplish the same; and treatment of noxious weeds and fire fuels management on the single family residential property.

(II) "Drilling" or "Drilling Operations" means: Drilling for water, oil, gas or other natural resources, and includes grading, construction, and traffic activities associated with the drilling.

(III) "Excavating" means: The intentional movement of earth leaving any cut bank over three feet (3') in height or a movement of material in excess of ten (10) cubic yards.

(IV) "Filling" means: The intentional movement of earth that results in any earth bank over two feet (2') in height or filled earth over two feet (2')

deep, or artificial addition of earth above a line sloping up at a grade of one (1) vertical unit to five (5) horizontal units from the ground before the filling.

(V) "Grading" means: The intentional movement of over five (5) cubic yards of material; movement of any earth or material that changes the natural flow of surface water, or affects or creates a drainage channel; pioneering of a road, cutting or clearing of trees and shrubbery that results in creating a roadway or driveway in excess of twenty-five feet (25') in length; or the use of vehicles or keeping of any animals upon any land that could reasonably lead to a movement of five (5) cubic yards of material within any five (5) year period.

(VI) "Removing Vegetation" means: The intentional cutting, burning, grubbing, dragging, chemical killing or any other manner of removing any flora or tree; any shrubs and/or trees, or combination, covering an area of more than one hundred (100) square feet; or any grasses covering an area of more than one thousand (1,000) square feet. Notwithstanding the preceding sentence, "removing vegetation" does not include: removal of clearly diseased or dead trees for domestic uses; clearing of trees in order to construct a single family residence; cutting of Christmas trees for non-commercial purposes; yard or garden work incidental to domestic uses; treatment of noxious weeds; fire fuel reduction on a single family residential property; or, removing vegetation incidental to a lawful use existing as of the date of approval hereof.

6. HIGH RISK ACTIVITIES. Because certain activities in the City's primary watersheds pose a substantial risk of pollution or injury to the City's waterworks and/or the quality of the City's domestic water quality, it shall be unlawful for any person to engage in any of the following activities within the City's primary watersheds unless the proposed use falls under the category of a domestic use, or unless and until such person has first obtained a Watershed Permit issued by the City:

(A) Excavating, grading, filling or surfacing 100 cubic yards or more;

(B) Removing 1000 square feet or more of vegetation;

(C) Using, handling, storing or transmitting flammable, explosive, hazardous or radioactive materials or substances; except for domestic uses and except that above-ground fuel tanks containing 350 or fewer gallons, and storage tanks that are an integral part of a vehicle, are allowed for each farm or ranch within a primary watershed.

(D) Because timbering, mining, and confined animal feeding operations, have a potential to cause significant degradation of water quality in a primary watershed, each such activity is prohibited unless and until the proponent of

such land use or activity has obtained a City permit, based on the applicant/proponent having established that:

(I) Any alteration to water drainage courses shall not increase or decrease rates of stream flow, increase sediment load and/or deposition, cause erosion to stream banks, result in an increase or decrease in stream temperature, or otherwise cause injury to the aquatic environment. The City shall issue its permit if the applicant establishes that there is not a significant risk of pollution or injury to the City's water or waterworks;

(II) Any timber harvesting, other than the removal of deadfall or diseased trees, or the removal of trees for incidental purposes which may be associated with an activity that is not regulated by this ordinance, shall not cause degradation of water quality in a primary watershed;

(III) Surface or subsurface mining operations, including the extraction of gas and/or oil, and the preparation of sites in anticipation of drilling, mining or quarrying shall not cause degradation of water quality in a primary watershed. Reclamation activities pursuant to a state-approved reclamation plan are not regulated by this provision;

(IV) Confined animal feeding operations involving more than two hundred animals confined to less than 100 acres shall not cause degradation of water quality in a primary watershed.

(E) At a minimum, the applicant for a land use or activity involving timbering, mining or confined animal feeding operations shall provide: (I) Detailed plans and specifications of the proposed land use activity; (II) Itemization of all hazardous, toxic or explosive substances or materials to be used, transported, stored or handled as a part of the proposed land use activity; (III) A detailed description of any reasonable alternative to the proposed land use activity which may result in less of an impact to the City's water works and primary watersheds; (IV) Proposed detailed mitigation measures necessary assuming that best management practices are employed to reduce all adverse impacts to the primary watersheds, and the City's water and waterworks; (V) The existing water quality in all waters reasonably affected by the proposed activity for each parameter established by the Colorado Water Quality Control Commission; and (VI) A detailed description of the potential impacts the proposed land use activity will have on the quality and quantity of the City's water, waterworks and/or primary watersheds.

(F) Upon request of a rancher, farmer, resident of a single family dwelling or other person subject to the requirements of this ordinance, the City Manager may waive one or more of the above requirements if the City Manager determines that such information is not required in the particular circumstances

to adequately evaluate risks of pollution or potential of injury to the primary watersheds, City waters or waterworks.

(G) Ongoing industrial operations (such as timbering, oil and gas drilling or confirmed animal feeding) in any primary watershed may require the hiring of a third-party monitor selected by the City the costs of which are paid by the permittee for the duration of time the operations could cause damage to a primary watershed, City waters and/or waterworks.

7. STANDARDS FOR ISSUANCE OF PERMIT. A Watershed Permit shall only be issued when the City finds that the applicant has sustained its burden of proof that the proposed activity, including alternatives, mitigation and best management practices, if any, as proposed or required, does not present or create a foreseeable and substantial risk of pollution or injury to the primary watersheds, City waters or waterworks.

8. PERFORMANCE GUARANTEE INSPECTION COSTS.

(A) Before a permit authorizing a land use or activity in a primary watershed is issued, each permittee shall provide the City, at the permittee's expense, a performance guarantee in the form of cash or a letter of credit in the amount of one hundred percent (100%) of the City Manager's estimate, based on the best available information, of the cost to ensure compliance with this ordinance and/or any implementing ordinances or regulations, including, but not limited to, the cost of maintenance, operation, re-vegetation, reclamation and other requirements of or arising out of or under the proposed activities. Such performance guarantee shall be in effect for at least one year beyond the anticipated completion and reclamation of the activity identified in the permit.

(B) Any public utility regulated by the Colorado Public Utilities Commission, any governmental agency, any mutual water company, any conservancy district or any equivalent public or quasi-public water delivery entity may provide the City with an annual letter signed by an appropriate officer of the same guaranteeing: complete performance of the conditions prescribed in the permit; and, the correction of any defect in the work which the City discovers and for which the City gives written notice to the permittee within one year after the date when the City initially approves the completed work.

(C) Each permittee shall pay for the costs of City selected inspectors and/or testers deemed necessary by the City to evaluate each permit application and ensure that compliance is had with the requirements of this ordinance and any implementing ordinances and/or regulations.

9. SEVERABILITY. If any section, subsection, paragraph, clause, phrase or provision of this Ordinance shall be adjudged invalid, unenforceable or held to be unconstitutional by a court of competent jurisdiction, the validity of the rest of this

Ordinance shall not be affected in whole or in part, other than the provision adjudged to be invalid or unconstitutional.

Introduced on first reading this _____ day of _____
_____, 2006.

Adopted on second reading this _____ day of _____
_____, 2006.

President of the Council

ATTEST:

City Clerk

Attach 11

Set the Ballot Title on the Watershed Protection Ordinance

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Set the Ballot Title on the Watershed Protection Ordinance					
Meeting Date	September 6, 2006					
Date Prepared	August 28, 2006				File #	
Author	Stephanie Tuin			City Clerk		
Presenter Name	Stephanie Tuin John Shaver			City Clerk City Attorney		
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: In the event that the watershed protection ordinance submitted by way of a citizens initiative petition is not adopted as presented, the matter will be referred to the November 7 ballot. The resolution approves the form and title of the measure for the ballot.

Budget: The cost for placing the initiative on the November 7, 2006 ballot is estimated to be \$41,690.

Data base development, temporary help (costs associated with the initiative petition)	490
Contract with Mesa County Elections	40,000
Newspaper notices	1,200
Total	\$41,690

Action Requested/Recommendation: Adopt Resolution setting the ballot title. If the ordinance is passed by City Council in a separate action then no action is required and this resolution will be moot.

Attachments: Proposed Resolution

Background Information: The City Charter requires that any initiated measure submitted with sufficient signatures shall either be adopted as presented or referred to the ballot. The election rules, set forth by the Secretary of State, dictate the form and the numbering of the initiated measure.

RESOLUTION NO. _____ -06

A RESOLUTION SETTING A TITLE AND SUBMITTING TO THE ELECTORATE ON NOVEMBER 7, 2006 A QUESTION REGARDING A WATERSHED PROTECTION ORDINANCE

RECITALS.

On August 1, 2006, an initiative petition was submitted to the City Clerk regarding the adoption of a watershed protection ordinance.

On August 10, 2006, the City Clerk found the initiative petition sufficient to submit the matter to the City Council for either adoption or referral to the ballot.

The City Charter, Article XVI, Direct Legislation by the People, §134, Ten Percent Petition, provides that the City Council shall: “(a) Pass said ordinance without alteration (subject to the referendum vote provided in this article); or (b) Call a special election, unless a general or special municipal election is to be held within ninety days thereafter; and at such general or municipal election said proposed ordinance shall be submitted without alteration to the vote of the registered electors of the city.”

The City Council, on September 6, 2006, held a public hearing on the adoption of an ordinance regarding watershed protection at the hour of seven o'clock p.m. in the City Hall Auditorium. At the hearing, the City Council declined to pass said ordinance. The issue will therefore be referred to the November 7, 2006 ballot.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING QUESTION BE PLACED ON THE NOVEMBER 7, 2006 BALLOT:

CITY OF GRAND JUNCTION INITIATED MEASURE 200

Shall the City of Grand Junction adopt the following ordinance, the title to which shall read:

An Ordinance Establishing Watershed and Water Supply Standards; Establishing Requirements for Watershed Permits in Connection with Various Activities within said Watersheds; Prohibiting any Person from Polluting said Watersheds; and Requiring the City Council to Adopt Implementing Ordinances or Resolutions

FOR THE ORDINANCE

AGAINST THE ORDINANCE

Adopted this _____ day of _____, 2006.

President of the Council

ATTEST:

City Clerk

Attach 12

City Council District Boundary Adjustments

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		City Council District Boundary Adjustments							
Meeting Date		September 6, 2006							
Date Prepared		August 23, 2006				File #			
Author		Stephanie Tuin			City Clerk				
Presenter Name		Stephanie Tuin			City Clerk				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: The City Council district boundaries are established through the City Charter. City Council may adjust those boundaries by Resolution as they determine appropriate. An adjustment was last discussed in December, 2004 but no action was taken due to time constraints relative to the City Council election. The matter was again discussed at a workshop in August, 2006.

Budget: There is no budget impact since at this time the two documents that will be affected (the district maps and the City Charter) are scheduled for reprinting, pending the outcome of this proposal.

Action Requested/Recommendation: Adopt the proposed resolution which adopts the adjusted boundaries, two resolutions are being submitted for consideration - one with each scenario as outlined at the August 14, 2006 workshop.

Attachments:

Existing District Map

District map depicting the map with the boundary adjustments - Scenario 1

District map depicting the map with the boundary adjustments - Scenario 2

Proposed Resolution - Scenario 1

Proposed Resolution - Scenario 2

Proposed Resolution - correcting legal descriptions

Background Information:

The voting district boundaries were last redrawn in 2000. At that time every effort was made to balance the population in the districts using the most current information and to keep communities of interest together. Since that time, growth has occurred in all districts – though disproportionately. Either scenario includes adjustments that would

better balance the population in the five districts, while still complying with other recommendations from the Federal and State Voting Acts.

Specifically the adjustments proposed will maintain compact and contiguous districts, will better balance the population within the districts, will not affect seated Councilmembers, and will maintain communities of interest. The configuration of the districts proposed will still allow growth in each district out to the Urban Growth Boundary.

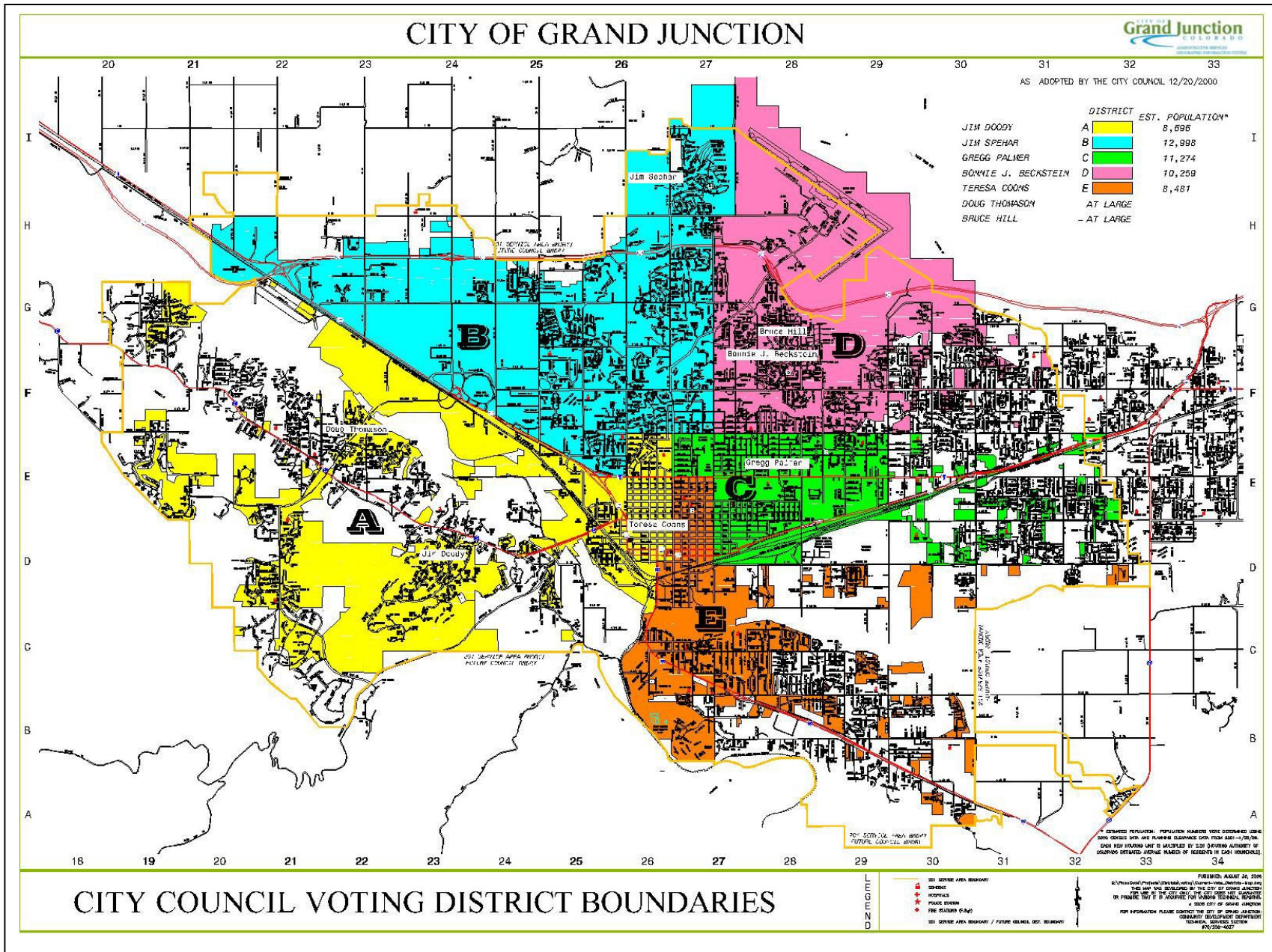
As proposed, the population in each district is estimated to be as follows:

District	Current	Scenario 1 = Add C-1 to E, Add B-2 to A	Scenario 2 = Add B-1 & B-2 to A, Add C-1 & C-2 to E
A	8,696	10546	10758
B	12,998	11148	10936
C	11,274	9821	9610
D	10,259	10259	10259
E	8,481	9934	10145
Range	4517	1327	1326

Either scenario will meet the objectives. Staff recommends Scenario 1.

In the event that the City Council decides to not make any adjustments to the boundaries at this time, the resolution containing corrected legal descriptions should be adopted. During the preparation of the new legal descriptions, some minor errors were discovered in the current descriptions.

EXISTING DISTRICTS



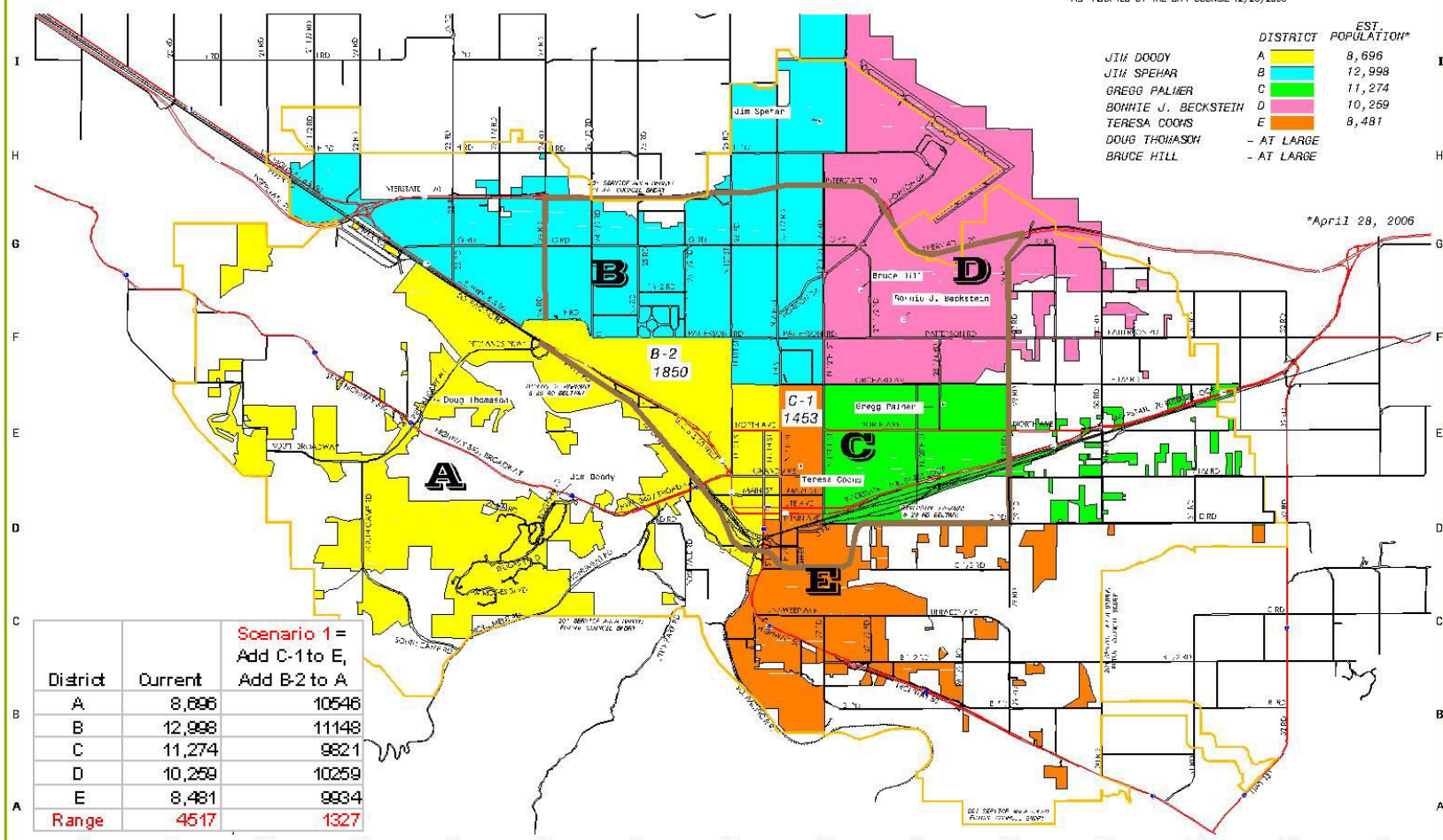
VOTING DISTRICT BOUNDARY OPTIONS - Scenario 1



AS ADOPTED BY THE CITY COUNCIL 12/20/2000

DISTRICT	EST. POPULATION*
A	8,696
B	12,998
C	11,274
D	10,269
E	8,481
DOUG THOMASOW	- AT LARGE
BRUCE HILL	- AT LARGE

*April 28, 2006



District	Current	Scenario 1 = Add C-1 to E, Add B-2 to A
A	8,696	10546
B	12,998	11148
C	11,274	9821
D	10,269	10259
E	8,481	9934
Range	4517	1327

+ SCHOOLS
+ HOSPITALS
+ POLICE STATION
+ FIRE STATIONS (F.S.#)

--- RIVERIDE PARKWAY/
29 ROAD BELTWAY
--- 201 SERVICE AREA BOUNDARY/
FUTURE COUNCIL BOUNDARY

PUBLISHED AUGUST 24, 2004
 CITY OF GRAND JUNCTION
 201 SERVICE AREA BOUNDARY
 FOR PUBLIC USE. IT IS SUBJECT TO THE CITY OF GRAND JUNCTION
 POLICY ON THE USE OF PUBLIC INFORMATION. © 2004 CITY OF GRAND JUNCTION
 FOR REVISION PLEASE CONTACT THE CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 201-255-4111

VOTING DISTRICT BOUNDARY OPTIONS- Scenario 2

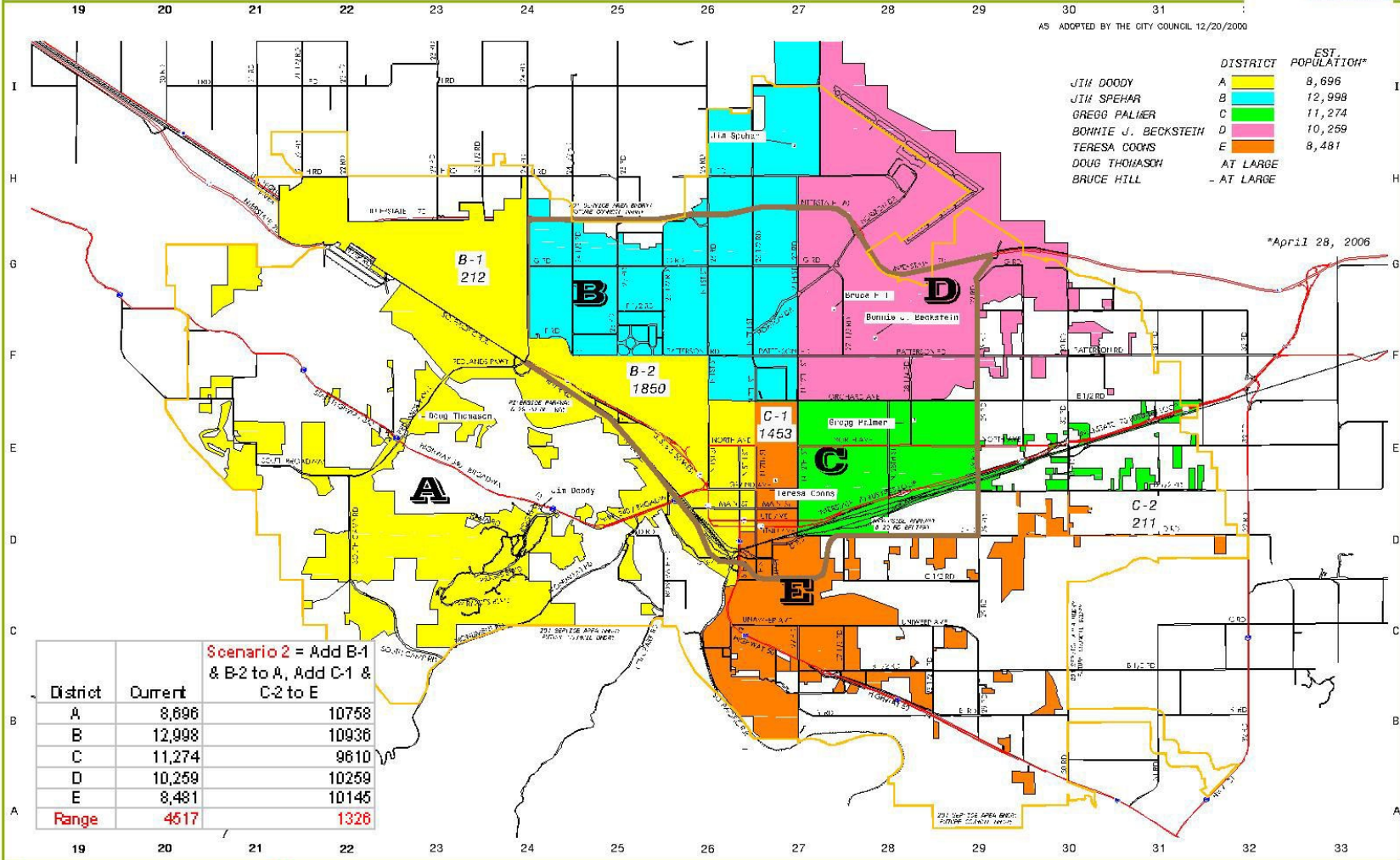


AS ADOPTED BY THE CITY COUNCIL 12/20/2000

DISTRICT	EST. POPULATION*
A	8,696
B	12,998
C	11,274
D	10,259
E	8,481
AT LARGE	- AT LARGE

- JIH DOODY
- JIH SPEHAR
- GREGG PALMER
- BOHIE J. BECKSTEIN
- TERESA COOBS
- DOUG THOMASOW
- BRUCE HILL

*April 28, 2006



District	Current	Scenario 2 = Add B-1 & B-2 to A, Add C-1 & C-2 to E
A	8,696	10758
B	12,998	10936
C	11,274	9610
D	10,259	10259
E	8,481	10145
Range	4517	1326

LEGEND

- SCHOOLS
- HOSPITALS
- POLICE STATION
- FIRE STATIONS (P.S.#)
- RIVERSIDE PARKWAY / 29 ROAD BELTWAY
- 301 SERVICE AREA BOUNDARY / FUTURE COUNCIL BOUNDARY

PUBLISHED MAY 24, 2006
 CITY OF GRAND JUNCTION POLICE DEPARTMENT, FIRE DEPARTMENT, AND PUBLIC WORKS DEPARTMENT
 THE USE OF THIS CITY PLAN, MAP, OR OTHER DOCUMENT IS LIMITED TO THE CITY OF GRAND JUNCTION
 FOR INFORMATION PURPOSES ONLY. THE CITY OF GRAND JUNCTION IS NOT RESPONSIBLE FOR ANY
 DAMAGES OR LOSSES OF ANY KIND ARISING FROM THE USE OF THIS CITY PLAN, MAP, OR OTHER DOCUMENT.
 GRAND JUNCTION, COLORADO 81501

Resolution No. __ -06

**A Resolution Designating Voting District Boundaries
in the City of Grand Junction
(Scenario 1)**

Recitals.

The City Charter provides that the City Council may, by resolution, change the boundaries of the voting districts established by the Charter. Changes to the boundaries require a two-thirds vote of the members of Council.

The City Council last changed the voting district boundaries in 2000. That change was made in order to better balance the population and to keep communities of interest together.

Since 2000, areas of the City have experienced tremendous population growth. Additionally, a number of annexations have occurred throughout the urban growth boundary, increasing the land area of the City. Both these situations have affected the population within the existing boundaries and caused the balance of population to be disproportionate across the districts.

For these and other reasons, the City Council finds the need to adjust the district boundaries and that such boundaries will remain the same for subsequent elections, until those boundaries are changed by resolution of the City Council as provided by the Charter.

The boundaries as hereby adopted provide for each voting district to grow as development occurs out to the urban growth boundary line. Furthermore, the boundaries keep City Council members who are currently seated within their designated districts.

NOW THEREFORE, FOR THE REASONS STATED IN THE RECITALS ABOVE, BE IT RESOLVED THAT THE VOTING DISTRICT BOUNDARIES FOR THE CITY OF GRAND JUNCTION, COLORADO FOR MUNICIPAL ELECTIONS ARE DETERMINED TO BE AS FOLLOWS:

DISTRICT A: shall contain and include all that portion of the City of Grand Junction contained within the city limits South and West of a line described as follows:

Beginning at the intersection of Interstate 70 and 20 Road; thence Southeasterly along Interstate 70 to the intersection of Interstate 70 and the Southern Pacific Transportation Company railroad tracks; thence Southeasterly along the Southern Pacific Transportation Company railroad tracks to the intersection of the Southern Pacific Transportation Company railroad tracks and Patterson Road (F Road); thence

Northeasterly and Easterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and 1st Street; thence Southerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 7th; thence Southerly along 7th Street to the intersection of 7th Street and South Avenue; thence Westerly along South Avenue to the intersection of South Avenue and 5th Street; thence Southerly along 5th Street (Highway 50) to the intersection of 5th Street (Highway 50) and the Colorado River; thence Westerly to the intersection of the Gunnison River and 2nd Street; thence Southerly along the Gunnison River to the intersection of the Gunnison River and B 1/2 Road.

DISTRICT B: shall contain and include all that portion of the City of Grand Junction contained within the City limits North and West of a line described as follows:

Beginning at the intersection of Interstate 70 and 21 Road; thence Southeasterly along Interstate 70 to the intersection of Interstate 70 and the Southern Pacific Transportation Company railroad tracks; thence Southeasterly along the Southern Pacific Transportation Company railroad tracks to the intersection of the Southern Pacific Transportation Company railroad tracks and Patterson Road (F Road); thence Northeasterly and Easterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and 1st Street; thence Southerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 12th Street (27 Road); thence Northerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and H Road; thence Easterly along H Road to the intersection of H Road and 27 1/4 Road; thence Northerly along 27 1/4 Road to the North City Limits line.

DISTRICT C: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 12th Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Southerly along 32 Road to the intersection of 32 Road and D Road; thence Westerly along D Road to the intersection of D Road and 12th Street; thence Northerly along 12th Street to the intersection of 12th Street and Orchard Avenue (the Point of Beginning).

DISTRICT D: shall contain and include all that portion of the City of Grand Junction within a line described as follows:

Beginning at the intersection of North City Limits line and 27 1/4 Road; thence Southerly along 27 1/4 Road to the intersection of 27 1/4 Road and H Road; thence Westerly along H Road to the intersection of H Road and 12th Street (27 Road); thence Southerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Northerly along 32 Road and the Northerly projection thereof, to the North City Limits line; thence Westerly along the North City Limits line to

the intersection of the North City Limits line and 27 1/4 Road and the Point of Beginning.

DISTRICT E: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 7th Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 12th Street; thence Southerly along 12th Street to the intersection of 12th Street and D Road; thence Easterly along D Road to the intersection of D Road and 32 Road; thence Southerly along 32 Road (Highway 141) to the intersection of 32 Road (Highway 141) and Highway 50; thence Northwesterly along Highway 50 to the intersection of Highway 50 and 30 3/4 Road; thence Westerly to the Gunnison River; thence Northwesterly along the Gunnison River to the intersection of the Gunnison River and 2nd Street; thence Easterly to the intersection of 5th Street (Highway 50) and the Colorado River; thence Northerly along 5th Street (Highway 50) to the intersection of 5th (Highway 50) and South Avenue; thence Easterly along South Avenue to the intersection of South Avenue and 7th Street; thence Northerly along 7th Street to the intersection of 7th Street and Orchard Avenue (the point of beginning).

Annexations lying at, along or within the boundaries of any district or districts as extended shall be considered as being included within the particular district.

ADOPTED this _____ day of _____, 2006.

ATTEST:

President of the Council

Stephanie Tuin
City Clerk

Resolution No. __ -06

**A Resolution Designating Voting District Boundaries
in the City of Grand Junction
(Scenario 2)**

Recitals.

The City Charter provides that the City Council may, by resolution, change the boundaries of the voting districts established by the Charter. Changes to the boundaries require a two-thirds vote of the members of Council.

The City Council last changed the voting district boundaries in 2000. That change was made in order to better balance the population and to keep communities of interest together.

Since 2000, areas of the City have experienced tremendous population growth. Additionally, a number of annexations have occurred throughout the urban growth boundary, increasing the land area of the City. Both these situations have affected the population within the existing boundaries and caused the balance of population to be disproportionate across the districts.

For these and other reasons, the City Council finds the need to adjust the district boundaries and that such boundaries will remain the same for subsequent elections, until those boundaries are changed by resolution of the City Council as provided by the Charter.

The boundaries as hereby adopted provide for each voting district to grow as development occurs out to the urban growth boundary line. Furthermore, the boundaries keep City Council members who are currently seated within their designated districts.

NOW THEREFORE, FOR THE REASONS STATED IN THE RECITALS ABOVE, BE IT RESOLVED THAT THE VOTING DISTRICT BOUNDARIES FOR THE CITY OF GRAND JUNCTION, COLORADO FOR MUNICIPAL ELECTIONS ARE DETERMINED TO BE AS FOLLOWS:

DISTRICT A: shall contain and include all that portion of the City of Grand Junction contained within the city limits South and West of a line described as follows:

Beginning at the intersection of Interstate 70 and 20 Road; thence Southeasterly along Interstate 70 to the intersection of Interstate 70 and the Southerly projection of 21 Road; thence Northerly along 21 Road to the Northerly City Limits line; thence Easterly along the Northerly City Limits line to the intersection of the Northerly City Limits line and 24 Road; thence Southerly along 24 Road to the intersection of 24 Road and

Patterson Road (F Road); thence Easterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and 1st Street; thence Southerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 7th; thence Southerly along 7th Street to the intersection of 7th Street and South Avenue; thence Westerly along South Avenue to the intersection of South Avenue and 5th Street; thence Southerly along 5th Street (Highway 50) to the intersection of 5th Street (Highway 50) and the Colorado River; thence Westerly to the intersection of the Gunnison River and 2nd Street; thence Southerly along the Gunnison River to the intersection of the Gunnison River and B 1/2 Road.

DISTRICT B: shall contain and include all that portion of the City of Grand Junction within a line described as follows:

Beginning at the intersection of 24 Road and the North City Limits line; thence Southerly along 24 Road to the intersection of 24 Road and Patterson Road (F Road); thence Easterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and 1st Street; thence Southerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 12th Street (27 Road); thence Northerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and H Road; thence Easterly along H Road to the intersection of H Road and 27 1/4 Road; thence Northerly along 27 1/4 Road to the North City Limits line; thence Westerly along the North City Limits line to the intersection of 24 Road and the North City Limits line and the Point of Beginning.

DISTRICT C: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 12th Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Southerly along 32 Road to the intersection of 32 Road and D-1/2 Road; thence Westerly along D-1/2 Road to the intersection of D-1/2 Road and 29 Road; thence Southerly along 29 Road to the intersection of 29 Road and D Road; thence Westerly along D Road to the intersection of D Road and 12th Street; thence Northerly along 12th Street to the intersection of 12th Street and Orchard Avenue (the Point of Beginning).

DISTRICT D: shall contain and include all that portion of the City of Grand Junction within a line described as follows:

Beginning at the intersection of North City Limits line and 27 1/4 Road; thence Southerly along 27 1/4 Road to the intersection of 27 1/4 Road and H Road; thence Westerly along H Road to the intersection of H Road and 12th Street (27 Road); thence Southerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Northerly along 32 Road and the Northerly projection thereof, to the North City Limits line; thence Westerly along the North City Limits line to

the intersection of the North City Limits line and 27 1/4 Road and the Point of Beginning.

DISTRICT E: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 7th Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 12th Street; thence Southerly along 12th Street to the intersection of 12th Street and D Road; thence Easterly along D Road to the intersection of D Road and 29 Road; thence Northerly along 29 Road to the intersection of 29 Road and D-1/2 Road; thence Easterly along D-1/2 Road to the intersection of D-1/2 Road and 32 Road; thence Southerly along 32 Road (Highway 141) to the intersection of 32 Road (Highway 141) and Highway 50; thence Northwesterly along Highway 50 to the intersection of Highway 50 and 30 3/4 Road; thence Westerly to the Gunnison River; thence Northwesterly along the Gunnison River to the intersection of the Gunnison River and 2nd Street; thence Easterly to the intersection of 5th Street (Highway 50) and the Colorado River; thence Northerly along 5th Street (Highway 50) to the intersection of 5th (Highway 50) and South Avenue; thence Easterly along South Avenue to the intersection of South Avenue and 7th Street; thence Northerly along 7th Street to the intersection of 7th Street and Orchard Avenue (the Point of Beginning).

Annexations lying at, along or within the boundaries of any district or districts as extended shall be considered as being included within the particular district.

ADOPTED this _____ day of _____, 2006.

ATTEST:

President of the Council

Stephanie Tuin
City Clerk

Resolution No. __ -06

**A Resolution Designating Voting District Boundaries
in the City of Grand Junction
(Correction)**

Recitals.

The City Charter provides that the City Council may, by resolution, change the boundaries of the voting districts established by the Charter. Changes to the boundaries require a two-thirds vote of the members of Council.

The City Council last changed the voting district boundaries in 2000. That change was made in order to better balance the population and to keep communities of interest together.

During subsequent review of the district boundary legal descriptions, certain discrepancies were uncovered and there is a need to correct those errors.

NOW THEREFORE, FOR THE REASONS STATED IN THE RECITALS ABOVE, BE IT RESOLVED THAT THE VOTING DISTRICT BOUNDARIES FOR THE CITY OF GRAND JUNCTION, COLORADO FOR MUNICIPAL ELECTIONS ARE DETERMINED TO BE AS FOLLOWS:

DISTRICT A: shall contain and include all that portion of the City of Grand Junction contained within the city limits South and West of a line described as follows:

Beginning at the intersection of Interstate 70 and 20 Road; thence Southeasterly along Interstate 70 to the intersection of Interstate 70 and the Southern Pacific Transportation Company railroad tracks; thence Southeasterly along the Southern Pacific Transportation Company railroad tracks to the intersection of the Southern Pacific Transportation Company railroad tracks and Patterson Road (F Road); thence Northeasterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and U.S. Highway 6 & 50 West; thence Southeasterly along U.S. Highway 6 & 50 West to the intersection of U.S. Highway 6 & 50 and North Avenue; thence Easterly along North Avenue to the intersection of North Avenue and 1st Street; thence Northerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 7th; thence Southerly along 7th Street to the intersection of 7th Street and South Avenue; thence Westerly along South Avenue to the intersection of South Avenue and 5th Street; thence Southerly along 5th Street (Highway 50) to the intersection of 5th Street (Highway 50) and the Colorado River; thence Westerly to the intersection of the Gunnison River and 2nd Street; thence Southerly along the Gunnison River to the intersection of the Gunnison River and B 1/2 Road.

DISTRICT B: shall contain and include all that portion of the City of Grand Junction contained within the City limits North and West of a line described as follows:

Beginning at the intersection of Interstate 70 and 21 Road; thence Southeasterly along Interstate 70 to the intersection of Interstate 70 and the Southern Pacific Transportation Company railroad tracks; thence Southeasterly along the Southern Pacific Transportation Company railroad tracks to the intersection of the Southern Pacific Transportation Company railroad tracks and Patterson Road (F Road); thence Northeasterly along Patterson Road (F Road) to the intersection of Patterson Road (F Road) and U.S. Highway 6 & 50 West; thence Southeasterly along U.S. Highway 6 & 50 West to the intersection of U.S. Highway 6 & 50 and North Avenue; thence Easterly along North Avenue to the intersection of North Avenue and 1st Street; thence Northerly along 1st Street to the intersection of 1st Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 12th Street (27 Road); thence Northerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and H Road; thence Easterly along H Road to the intersection of H Road and 27 1/4 Road; thence Northerly along 27 1/4 Road to the North City Limits line.

DISTRICT C: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 7th Street and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Southerly along 32 Road to the intersection of 32 Road and D Road; thence Westerly along D Road to the intersection of D Road and 12th Street; thence Northerly along 12th Street to the intersection of 12th Street and North Avenue; thence Westerly along North Avenue to the intersection of North Avenue and 7th Street; thence Northerly along 7th Street to the intersection of 7th Street and Orchard Avenue (the Point of Beginning).

DISTRICT D: shall contain and include all that portion of the City of Grand Junction within a line described as follows:

Beginning at the intersection of North City Limits line and 27 1/4 Road; thence Southerly along 27 1/4 Road to the intersection of 27 1/4 Road and H Road; thence Westerly along H Road to the intersection of H Road and 12th Street (27 Road); thence Southerly along 12th Street (27 Road) to the intersection of 12th Street (27 Road) and Orchard Avenue; thence Easterly along Orchard Avenue to the intersection of Orchard Avenue and 32 Road; thence Northerly along 32 Road and the Northerly projection thereof, to the North City Limits line; thence Westerly along the North City Limits line to the intersection of the North City Limits line and 27 1/4 Road and the Point of Beginning.

DISTRICT E: shall contain and include all that portion of the City of Grand Junction surrounded by a line described as follows:

Beginning at the intersection of 7th Street and North Avenue; thence Easterly along North Avenue to the intersection of North Avenue and 12th Street; thence Southerly along 12th Street to the intersection of 12th Street and D Road; thence Easterly along D Road to the intersection of D Road and 32 Road; thence Southerly along 32 Road (Highway 141) to the intersection of 32 Road (Highway 141) and Highway 50; thence Northwesterly along Highway 50 to the intersection of Highway 50 and 30 3/4 Road; thence Westerly to the Gunnison River; thence Northwesterly along the Gunnison River to the intersection of the Gunnison River and 2nd Street; thence Easterly to the intersection of 5th Street (Highway 50) and the Colorado River; thence Northerly along 5th Street (Highway 50) to the intersection of 5th (Highway 50) and South Avenue; thence Easterly along South Avenue to the intersection of South Avenue and 7th Street; thence Northerly along 7th Street to the intersection of 7th Street and North Avenue (the Point of Beginning).

Annexations lying at, along or within the boundaries of any district or districts as extended shall be considered as being included within the particular district.

ADOPTED this _____ day of _____, 2006.

ATTEST:

President of the Council

Stephanie Tuin
City Clerk

Attach 13Amendment to the 7th Street Corridor Design Services Contract**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Amendment to the 7 th Street Corridor Design Services Contract					
Meeting Date	September 6, 2006					
Date Prepared	August 31, 2006			File # - N/A		
Author	Mark Relph Mike Curtis			Public Works and Utilities Director Project Engineer		
Presenter Name	Mark Relph			Public Works and Utilities Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: City Council / Downtown Development Authority approved the expansion of the 7th Street Corridor Project to reconstruct 7th Street from the south side of Grand Avenue to the north side of Ute Avenue on February 22, 2006 with DDA agreeing to provide an additional \$2,000,000 in funding. As a result of that decision the design contract with Ciavonne, Roberts and Associates must be amended to reflect the additional work.

Action Requested/Recommendation: Approve \$178,144.00 of additional funding for Ciavonne, Roberts and Associates (CRA) to design the expanded 7th Street area.

Attachments: Location Map

Background Information: As a result of the February 22, 2006 decision to include Phase III in the 7th Street project, the existing contract with CRA of \$205,270 must be amended to reflect the additional design work. This amendment is for \$178,144 which includes additional design costs of \$128,600, roundabout sub-consultant (Michael Wallwork) design assistance for \$10,404, and \$39,140 of additional costs incurred during project scoping and initial design which included alternative investigations, additional traffic analysis and an additional open house requested by City staff, City Council, and/or DDA.

All of these design costs were included in the budget discussion on February 22, 2006.

The amended contract with CRA will reflect a total fee of \$383,414.

Budget: Project Nos: 2011-F59600 & F59700

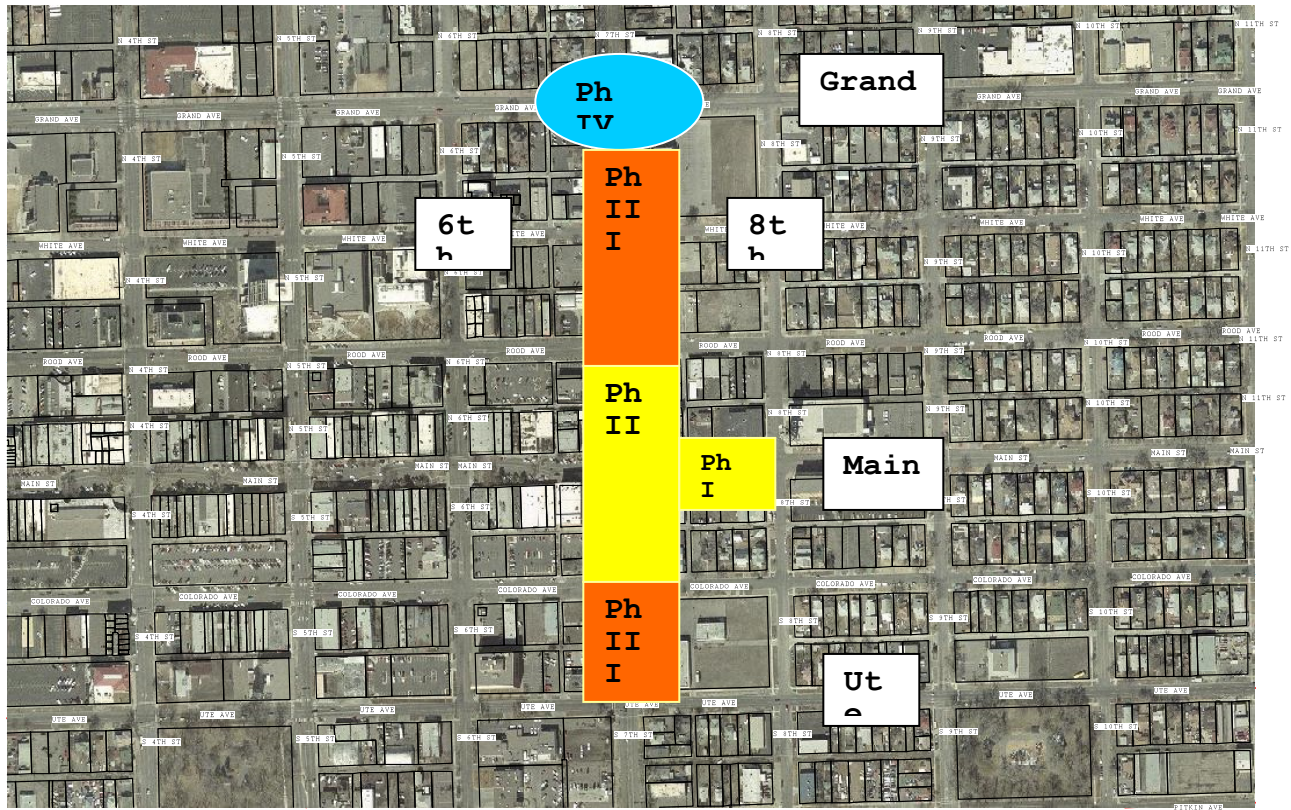
Project Budget:

Description	Estimated Cost
Phase I & II Construction Costs Main Street 7 th to 8 th and 7 th Street Main to Rood	\$1,090,000
Phase III Construction Costs 7 th Street Grand to Rood and Main to Ute	\$1,790,550
Consultant Conceptual & Scoping Design Costs	\$99,970
Additional scoping design costs (This item)	\$39,140
Phase I & II Consultant Design Costs	\$105,300
Phase III Consultant Design Costs (This Item)	\$128,600
Additional Phase II Roundabout Design Cost (This item)	\$10,404
Construction Admin, Inspection & Testing	\$70,000
Total Estimated Project Costs	3,333,964

Project Funding Sources:

Funding Source	Amount
City of Grand Junction/CDOT Enhancement Grant Main Street 7 th to 8 th	\$255,500
City of Grand Junction 7 th Street	\$447,000
Phase II Downtown Development Authority	\$700,000
Phase III Downtown Development Authority	\$2,000,000
Total Funding (2011-F59600 & F59700)	\$3,402,500

An open house meeting is scheduled for October 2006. Final design is scheduled to be completed by November 2006 with construction scheduled to start in January 2007 and be completed by late October 2007.



Phasing Location Map-7th Street Corridor Project

Attach 14

Public Hearing – Halliburton Annexation & zoning, Located at 3199 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Halliburton Annexation and Zoning, located at 3199 D Road					
Meeting Date		September 6, 2006					
Date Prepared		August 31, 2006			File #ANX-2006-210		
Author		Senta L. Costello		Associate Planner			
Presenter Name		Senta L. Costello		Associate Planner			
Report results back to Council		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Individual Consideration

Summary: Request to annex and zone 48.4 acres, located at 3199 D Road, to I-1 (Light Industrial). The Halliburton Annexation consists of 2 parcels and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Halliburton Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation - Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		3199 D Road		
Applicants:		Owner/Applicant: Halliburton Energy Services – Wayne Brookshire; Representative: John Galloway		
Existing Land Use:		Halliburton Energy Services		
Proposed Land Use:		Halliburton Energy Services		
Surrounding Land Use:	North	Vacant residential		
	South	Corn Lake State Park		
	East	Mesa County Sewer Ponds		
	West	Commercial/Industrial; Residential; Church		
Existing Zoning:		County PUD		
Proposed Zoning:		City I-1		
Surrounding Zoning:	North	County RMF-8		
	South	County PUD		
	East	County RSF-R		
	West	City C-2; RSF-4; County AFT		
Growth Plan Designation:		Commercial / Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 48.4 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff’s opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Halliburton Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u><i>ANNEXATION SCHEDULE</i></u>	
August 2, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
August 8, 2006	Planning Commission considers Zone of Annexation
August 16, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
September 6, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 8, 2006	Effective date of Annexation and Zoning

HALLIBURTON ANNEXATION SUMMARY		
File Number:		ANX-2006-210
Location:		3199 D Road
Tax ID Number:		2943-221-01-003; 2943-221-01-004
Parcels:		2
Estimated Population:		0
# of Parcels (owner occupied):		1
# of Dwelling Units:		0
Acres land annexed:		48.4 acres
Developable Acres Remaining:		44.45 acres
Right-of-way in Annexation:		172,164 sq ft of D Road and 32 Road rights-of-way
Previous County Zoning:		PUD
Proposed City Zoning:		I-1
Current Land Use:		Halliburton Energy Services
Future Land Use:		Halliburton Energy Services
Values:	Assessed:	= \$995,260
	Actual:	= \$3,431,930
Address Ranges:		3199 D Road, 363 – 399 32 Road (odd only); 368 – 384 31 5/8 Road (even only)
Special Districts:	Water:	Clifton Water District
	Sewer:	Clifton Sanitation District
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito

Zone of Annexation: The requested zone of annexation to the I-1 district is consistent with the Growth Plan designation of Commercial / Industrial. The existing County zoning is PUD. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

The historic use of the property has been agricultural and river front until it was developed by Corn Construction in the late 70's as a construction yard and offices. The site continued to be used in this manner until the property was purchased in 2001 by

Halliburton. The County zoning of PUD allowed for heavy commercial/light industrial type uses such as contractor/trade shops and yards, outdoor storage facilities, and towing companies.

The property is the Halliburton Energy Services oil field support base which includes drilling field chemical storage and mixing, truck washing, well fracing and logging facilities as well as the administrative offices. Halliburton is proposing to construct a new wash building and chemical terminal/frac loading facility which is triggering Annexation, a Conditional Use Permit, and Site Plan Review for the property.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zoning is compatible with the neighborhood. The property is adjacent to other commercial / industrial uses as well as Corn Lake State Park and residential on the west side of 31 5/8 Road and north of D Road. The areas along the park and residential will be buffered from operations on site through various measures including landscaping and a buffer wall.

The proposed zoning is consistent with the goals and polices of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- b. C-2
- c. I-O
- d. M-U

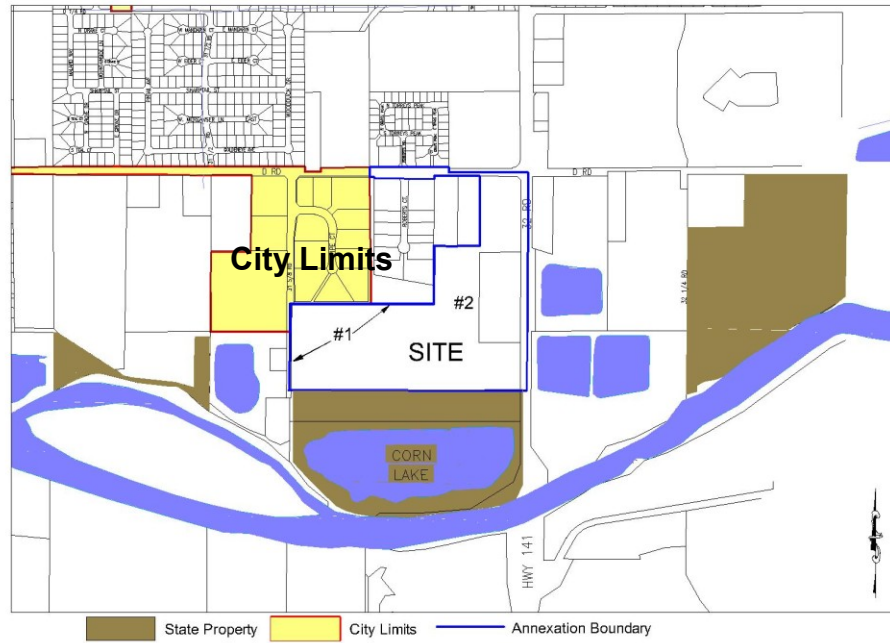
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

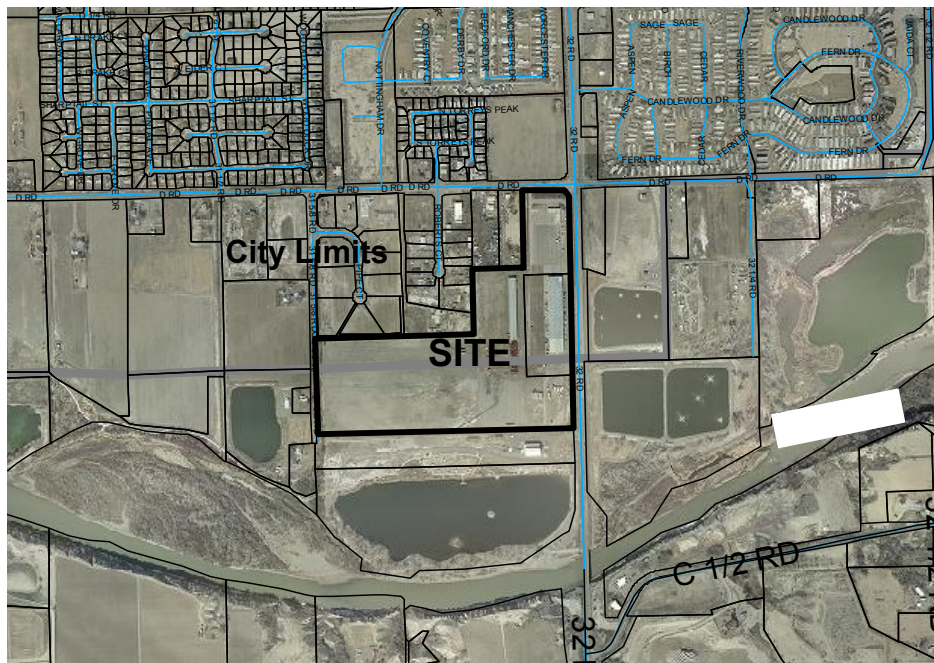
Figure 1

Halliburton Annexations #1 & #2



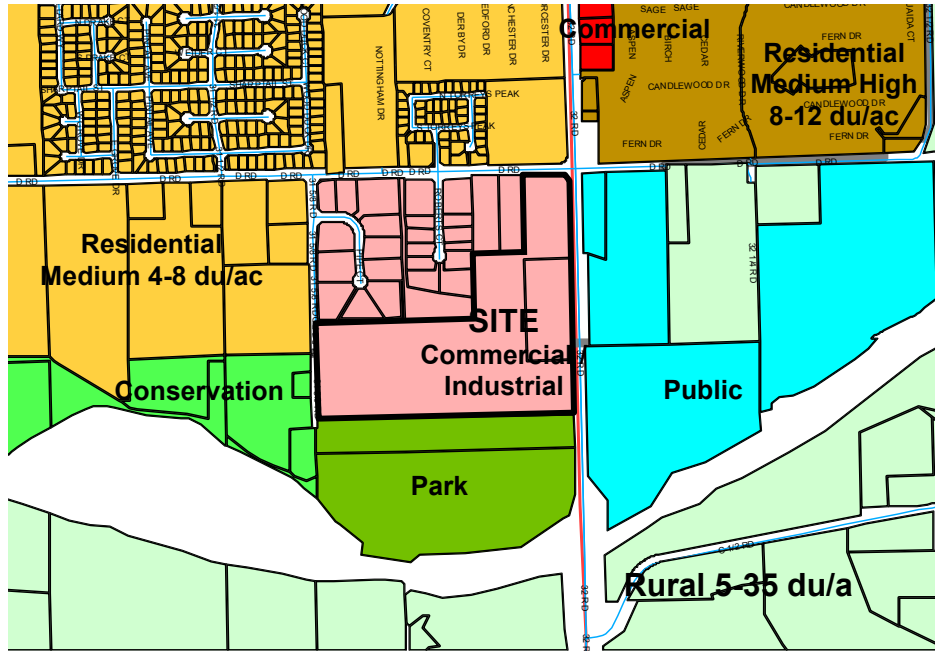
Aerial Photo Map

Figure 2



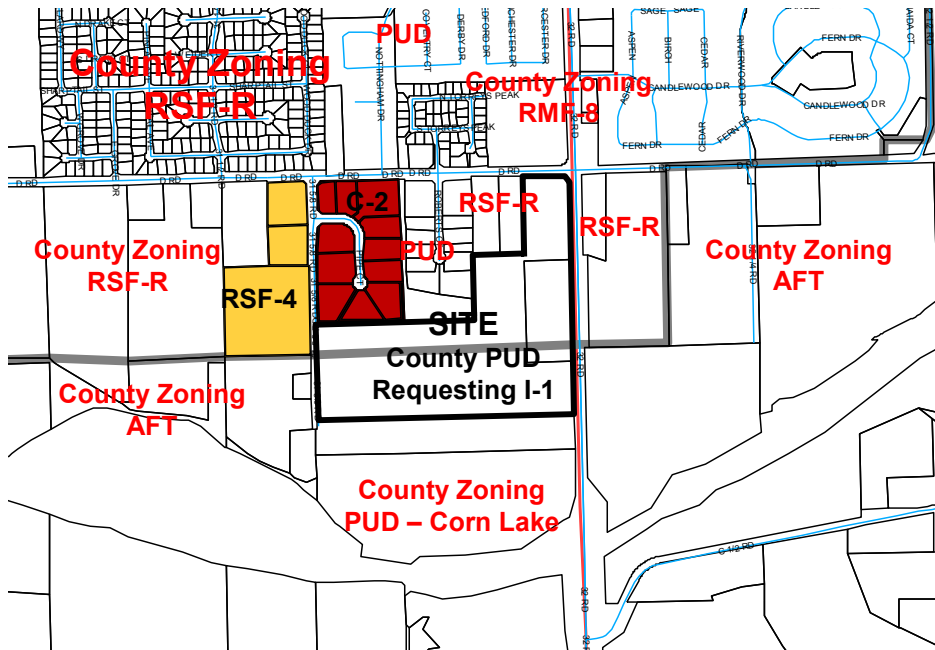
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

HALLIBURTON ANNEXATION

**LOCATED AT 3199 D ROAD INCLUDING PORTIONS OF THE D ROAD AND 32 ROAD
RIGHTS-OF-WAY.**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 2nd day of August, 2006, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

HALLIBURTON ANNEXATION #1

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and assuming the South line of said Pipe Trades Subdivision to bear S89°53'16"E with all bearings contained herein relative thereto; thence S89°53'16"E a distance of 523.39 feet to the Southeast corner of that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado Public Records; thence N00°06'44"E a distance of 489.73 feet to the Southwest corner of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado Public Records; thence S89°53'16"E a distance of 207.25 feet to the Southeast corner of said parcel; thence S00°06'44"W a distance of 5.00 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel to the south line of said parcel, a distance of 202.25 feet; thence S00°06'44"W along a line being 5.00 feet East of and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371, a distance of 489.73 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel with the South line of said parcel as described in Book 4076, Page 371 and said Pipe Trades Subdivision, a distance of 1187.70 feet; thence S00°26'37"W along a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, public records of Mesa County, Colorado, a distance of 717.72 feet; thence S89°59'52"W a distance of 5.00 feet to a point on the East line of said right of way; thence N00°26'37"W a distance of 722.73 feet to the Northwest corner of Corn Industrial Park Two, as same is recorded in Plat Book 4188, Pages 570 through 571, Mesa County,

Colorado Public Records; thence S89°53'16"E along the South line of said Pipe Trades Subdivision a distance of 664.28 feet , more or less, to the Point of Beginning. All lying within said plat of Corn Industrial Park Two. Said parcel contains 0.29 acres (13,011 square feet), more or less, as described.

HALLIBURTON ANNEXATION #2

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Section 22 Twp. 1S, Rge. 1E, U.M. and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of said Section 22 to bear S00°22'24"W with all bearings contained herein relative thereto; thence S00°22'24"W along said East line a distance of 1319.84 feet to the Southeast corner of said NE 1/4 NE1/4 of Section 22; thence S00°21'54"W a distance of 494.03 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence S89°59'52"W along the South line of Lot 1(A), Block 1(A) of Corn Industrial Park Two, as same is recorded in Book 4188, Pages 570 and 571, Public Records of Mesa County, Colorado, a distance of 1966.22 feet, to a point on a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, Mesa County, Colorado, Public Records; thence N00°26'37"E a distance of 717.72 feet along said parallel line, to a point on a line being 5.00 feet South of and parallel to the South line of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 1187.70 feet to a point on a line being 5.00 feet East and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371; thence N00°06'44"E a distance of 489.73 feet, to a point on a line being 5.00 feet South of and parallel to the South line of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 202.25 feet; thence N00°06'44"E a distance of 5.00 feet to the Southeast corner of said parcel; thence S89°53'37"E a distance of 180.00 feet to the Southeast corner of that certain parcel as described in Book 3118, Page 323, Mesa County, Colorado, Public Records; thence N00°22'25"E a distance of 575.30 feet to the Northeast corner of said parcel; thence N89°53'30"W a distance of 389.88 feet, to the Northwest corner of said parcel as described in Book 4040, Page 954; thence S00°06'38"W a distance of 20.00 feet, to the Northeast corner of Lot 1 of said "D" Road Commercial Park; thence N89°53'30"W a distance of 492.44 feet to the Northwest corner of Lot 12 of said "D" Road Commercial Park; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said parcel as described in Book 4076, Page 371; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said Pipe Trades Subdivision; thence N00°03'11"W a distance of 80.00 feet to the Southwest corner of Outlot A of The Peaks, as same is recorded in Plat Book 16, Page 258, Mesa

County, Colorado Public Records; thence S89°53'30"E a distance of 656.23 feet to the Southeast corner of Lot 7, Block One of said The Peaks; thence S00°09'18"E a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 22; thence S89°53'30"E along said North line a distance of 656.37 feet, more or less, to the Point of Beginning. Said parcel contains 48.11 acres (2,095,679 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

HALLIBURTON ANNEXATION #1

APPROXIMATELY 0.29 ACRES

LOCATED AT 3199 D ROAD

WHEREAS, on the 2nd day of August, 2006, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

HALLIBURTON ANNEXATION #1

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and assuming the South line of said Pipe Trades Subdivision to bear S89°53'16"E with all bearings contained herein relative thereto; thence S89°53'16"E a distance of 523.39 feet to the Southeast corner of that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado Public Records; thence N00°06'44"E a distance of 489.73 feet to the Southwest corner of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado Public Records; thence S89°53'16"E a distance of 207.25 feet to the Southeast corner of said parcel; thence S00°06'44"W a distance of 5.00 feet; thence

N89°53'16"W along a line being 5.00 feet South of and parallel to the south line of said parcel, a distance of 202.25 feet; thence S00°06'44"W along a line being 5.00 feet East of and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371, a distance of 489.73 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel with the South line of said parcel as described in Book 4076, Page 371 and said Pipe Trades Subdivision, a distance of 1187.70 feet; thence S00°26'37"W along a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, public records of Mesa County, Colorado, a distance of 717.72 feet; thence S89°59'52"W a distance of 5.00 feet to a point on the East line of said right of way; thence N00°26'37"W a distance of 722.73 feet to the Northwest corner of Corn Industrial Park Two, as same is recorded in Plat Book 4188, Pages 570 through 571, Mesa County, Colorado Public Records; thence S89°53'16"E along the South line of said Pipe Trades Subdivision a distance of 664.28 feet , more or less, to the Point of Beginning. All lying within said plat of Corn Industrial Park Two.

Said parcel contains 0.29 acres (13,011 square feet), more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 2nd day of August, 2006 and ordered published.

ADOPTED on second reading this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

HALLIBURTON ANNEXATION #2

APPROXIMATELY 48.11 ACRES

**LOCATED AT 3199 D ROAD INCLUDING PORTIONS OF THE D ROAD AND 32 ROAD
RIGHTS-OF-WAY.**

WHEREAS, on the 2nd day of August, 2006, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF GRAND JUNCTION, COLORADO:**

That the property situate in Mesa County, Colorado, and described to wit:

HALLIBURTON ANNEXATION #2

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Section 22 Twp. 1S, Rge. 1E, U.M. and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of said Section 22 to bear S00°22'24"W with all bearings contained herein relative thereto; thence S00°22'24"W along said East line a distance of 1319.84 feet to the Southeast corner of said NE 1/4 NE1/4 of Section 22; thence S00°21'54"W a distance of 494.03 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence S89°59'52"W along the South line of Lot 1(A), Block 1(A) of Corn Industrial Park Two, as same is recorded in Book 4188, Pages 570 and 571, Public

Records of Mesa County, Colorado, a distance of 1966.22 feet, to a point on a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, Mesa County, Colorado, Public Records; thence N00°26'37"E a distance of 717.72 feet along said parallel line, to a point on a line being 5.00 feet South of and parallel to the South line of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 1187.70 feet to a point on a line being 5.00 feet East and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371; thence N00°06'44"E a distance of 489.73 feet, to a point on a line being 5.00 feet South of and parallel to the South line of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 202.25 feet; thence N00°06'44"E a distance of 5.00 feet to the Southeast corner of said parcel; thence S89°53'37"E a distance of 180.00 feet to the Southeast corner of that certain parcel as described in Book 3118, Page 323, Mesa County, Colorado, Public Records; thence N00°22'25"E a distance of 575.30 feet to the Northeast corner of said parcel; thence N89°53'30"W a distance of 389.88 feet, to the Northwest corner of said parcel as described in Book 4040, Page 954; thence S00°06'38"W a distance of 20.00 feet, to the Northeast corner of Lot 1 of said "D" Road Commercial Park; thence N89°53'30"W a distance of 492.44 feet to the Northwest corner of Lot 12 of said "D" Road Commercial Park; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said parcel as described in Book 4076, Page 371; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said Pipe Trades Subdivision; thence N00°03'11"W a distance of 80.00 feet to the Southwest corner of Outlot A of The Peaks, as same is recorded in Plat Book 16, Page 258, Mesa County, Colorado Public Records; thence S89°53'30"E a distance of 656.23 feet to the Southeast corner of Lot 7, Block One of said The Peaks; thence S00°09'18"E a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 22; thence S89°53'30"E along said North line a distance of 656.37 feet, more or less, to the Point of Beginning. Said parcel contains 48.11 acres (2,095,679 square feet), more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 2nd day of August, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HALLIBURTON ANNEXATION TO
I-1**

LOCATED AT 3199 D ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Halliburton Annexation to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned I-1 (Light Industrial).

HALLIBURTON ANNEXATION

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and assuming the South line of said Pipe Trades Subdivision to bear S89°53'16"E with all bearings contained herein relative thereto; thence S89°53'16"E a distance of 523.39 feet to the Southeast corner of that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado Public Records; thence N00°06'44"E a distance of 489.73 feet to the Southwest corner of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado Public Records; thence S89°53'16"E a distance of 207.25 feet to the Southeast corner of said parcel; thence S00°06'44"W a distance of 5.00 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel to the south line of said parcel, a distance of 202.25 feet; thence S00°06'44"W along a line being 5.00 feet East of and parallel with the East line of "D" Road Commercial Park, as same is recorded in

Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371, a distance of 489.73 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel with the South line of said parcel as described in Book 4076, Page 371 and said Pipe Trades Subdivision, a distance of 1187.70 feet; thence S00°26'37"W along a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, public records of Mesa County, Colorado, a distance of 717.72 feet; thence S89°59'52"W a distance of 5.00 feet to a point on the East line of said right of way; thence N00°26'37"W a distance of 722.73 feet to the Northwest corner of Corn Industrial Park Two, as same is recorded in Plat Book 4188, Pages 570 through 571, Mesa County, Colorado Public Records; thence S89°53'16"E along the South line of said Pipe Trades Subdivision a distance of 664.28 feet, more or less, to the Point of Beginning. All lying within said plat of Corn Industrial Park Two. Said parcel contains 0.29 acres (13,011 square feet), more or less, as described.

AND ALSO: A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Section 22 Twp. 1S, Rge. 1E, U.M. and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of said Section 22 to bear S00°22'24"W with all bearings contained herein relative thereto; thence S00°22'24"W along said East line a distance of 1319.84 feet to the Southeast corner of said NE 1/4 NE1/4 of Section 22; thence S00°21'54"W a distance of 494.03 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence S89°59'52"W along the South line of Lot 1(A), Block 1(A) of Corn Industrial Park Two, as same is recorded in Book 4188, Pages 570 and 571, Public Records of Mesa County, Colorado, a distance of 1966.22 feet, to a point on a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, Mesa County, Colorado, Public Records; thence N00°26'37"E a distance of 717.72 feet along said parallel line, to a point on a line being 5.00 feet South of and parallel to the South line of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 1187.70 feet to a point on a line being 5.00 feet East and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371; thence N00°06'44"E a distance of 489.73 feet, to a point on a line being 5.00 feet South of and parallel to the South line of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 202.25 feet; thence N00°06'44"E a distance of 5.00 feet to the Southeast corner of said parcel; thence S89°53'37"E a distance of 180.00 feet to the Southeast corner of that certain parcel as described in Book 3118, Page 323, Mesa County, Colorado, Public Records; thence N00°22'25"E a distance of 575.30 feet to the Northeast corner of said parcel; thence N89°53'30"W a distance of 389.88 feet, to the Northwest corner of said parcel as described in Book 4040, Page 954; thence

S00°06'38"W a distance of 20.00 feet, to the Northeast corner of Lot 1 of said "D" Road Commercial Park; thence N89°53'30"W a distance of 492.44 feet to the Northwest corner of Lot 12 of said "D" Road Commercial Park; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said parcel as described in Book 4076, Page 371; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said Pipe Trades Subdivision; thence N00°03'11"W a distance of 80.00 feet to the Southwest corner of Outlot A of The Peaks, as same is recorded in Plat Book 16, Page 258, Mesa County, Colorado Public Records; thence S89°53'30"E a distance of 656.23 feet to the Southeast corner of Lot 7, Block One of said The Peaks; thence S00°09'18"E a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 22; thence S89°53'30"E along said North line a distance of 656.37 feet, more or less, to the Point of Beginning.

Said parcel contains 48.11 acres (2,095,679 square feet), more or less, as described.

INTRODUCED on first reading this 16th day of August, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

ATTEST:

President of the Council

City Clerk

Attach 15

Public Hearing – Central Grand Valley Sanitation District (CGVSD) Annexation & Zoning,
Located at 541 Hoover Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Central Grand Valley Sanitation District (CGVSD) Annexation, located at 541 Hoover Drive						
Meeting Date	September 6, 2006						
Date Prepared	August 31, 2006				File #ANX-2006-175		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Request to annex and zone 0.94 acres, located at 541 Hoover Drive, to C-1 (Light Commercial). The Central Grand Valley Sanitation District (CGVSD) Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Central Grand Valley Sanitation District (CGVSD) Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation - Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		541 Hoover Drive	
Applicants:		Owner: Central Grand Valley Sanitation – Lori Cosslett; Representative: Merritt LS, LLC – Thomas W. Sylvester	
Existing Land Use:		Office	
Proposed Land Use:		Office	
Surrounding Land Use:	North	Residential	
	South	Commercial	
	East	Commercial	
	West	Vacant Commercial / Office	
Existing Zoning:		County B-2	
Proposed Zoning:		City C-1	
Surrounding Zoning:	North	City RSF-4; County RSF-4	
	South	City C-1	
	East	City C-1	
	West	City C-1	
Growth Plan Designation:		Commercial	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.94 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff’s opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
August 2, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
August 8, 2006	Planning Commission considers Zone of Annexation
August 16, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
September 6, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 8, 2006	Effective date of Annexation and Zoning

CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) ANNEXATION SUMMARY		
File Number:		ANX-2006-175
Location:		541 Hoover Drive
Tax ID Number:		2943-094-77-944
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		0.94 acres
Developable Acres Remaining:		0.0 acres
Right-of-way in Annexation:		0.0 acres
Previous County Zoning:		B-2
Proposed City Zoning:		C-1
Current Land Use:		Office
Future Land Use:		Office
Values:	Assessed:	= \$27,790
	Actual:	= \$95,830
Address Ranges:		541 Hoover Drive
Special Districts:	Water:	Clifton Water District
	Sewer:	Central Grand Valley Sanitation District
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation / Grand Junction Drainage District
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito

Zone of Annexation: The requested zone of annexation to the C-1 district is consistent with the Growth Plan density of Commercial. The existing County zoning is B-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone district is consistent with the other commercial properties in the area. The office use that currently exists on the site will remain.

The proposed zoning is consistent with the goals and polices of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

- Adequate public facilities and services area available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- e. R-O
- f. B-1
- g. B-2
- h. C-2

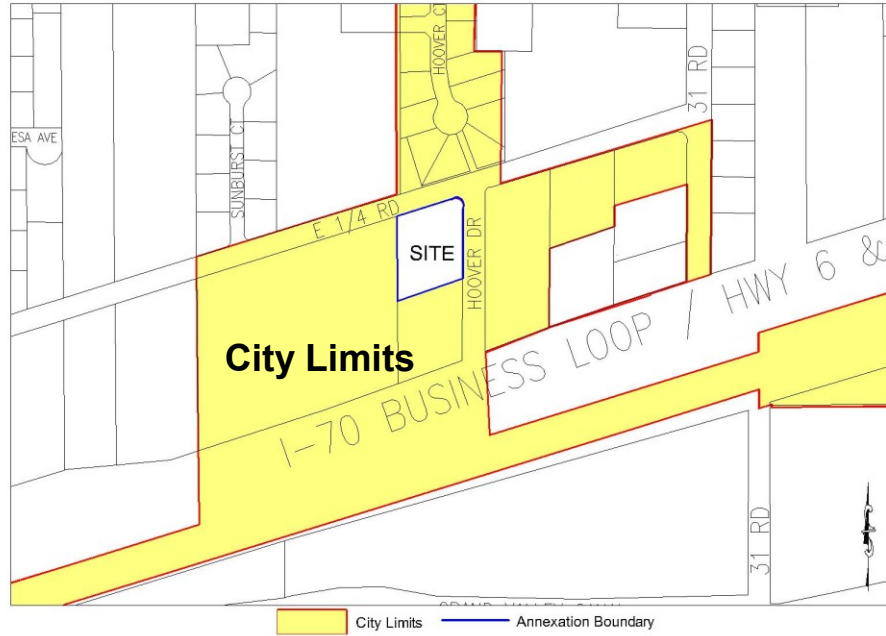
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the C-1 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

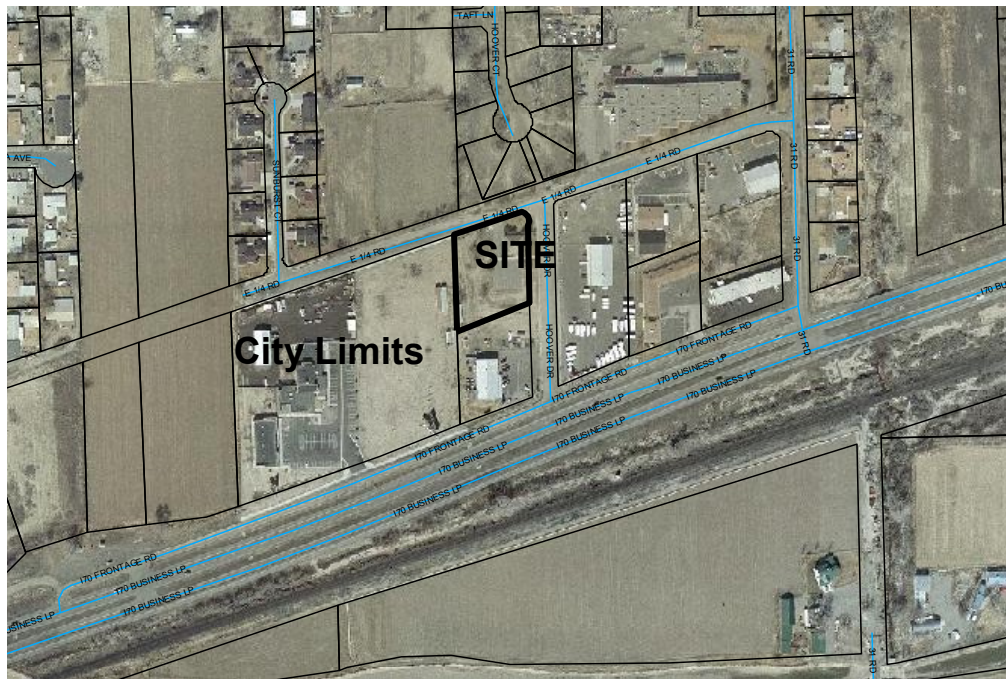
Figure 1

CGVSD Annexation



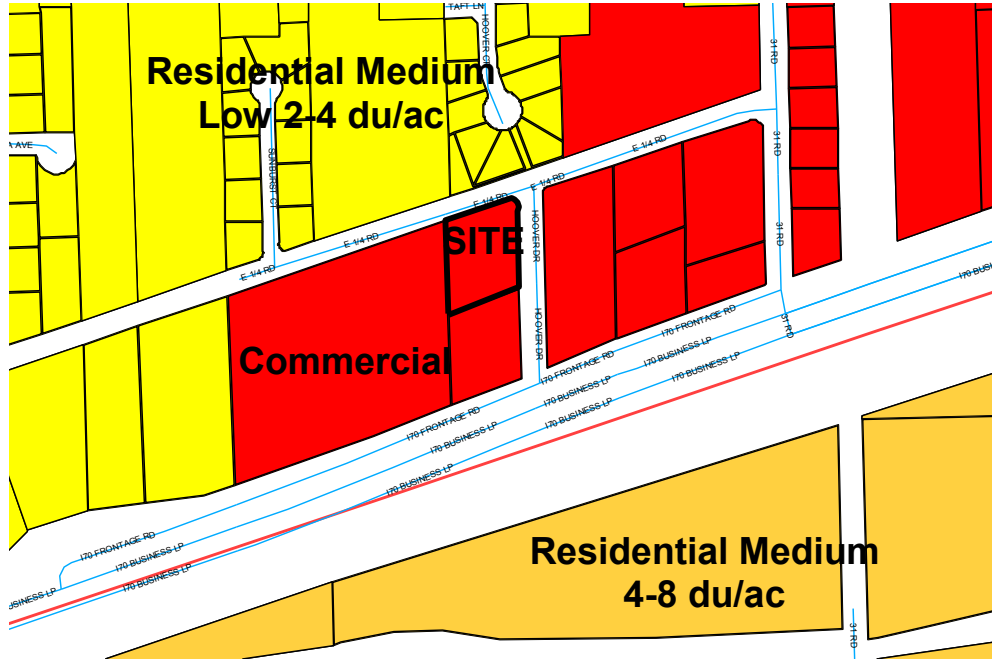
Aerial Photo Map

Figure 2



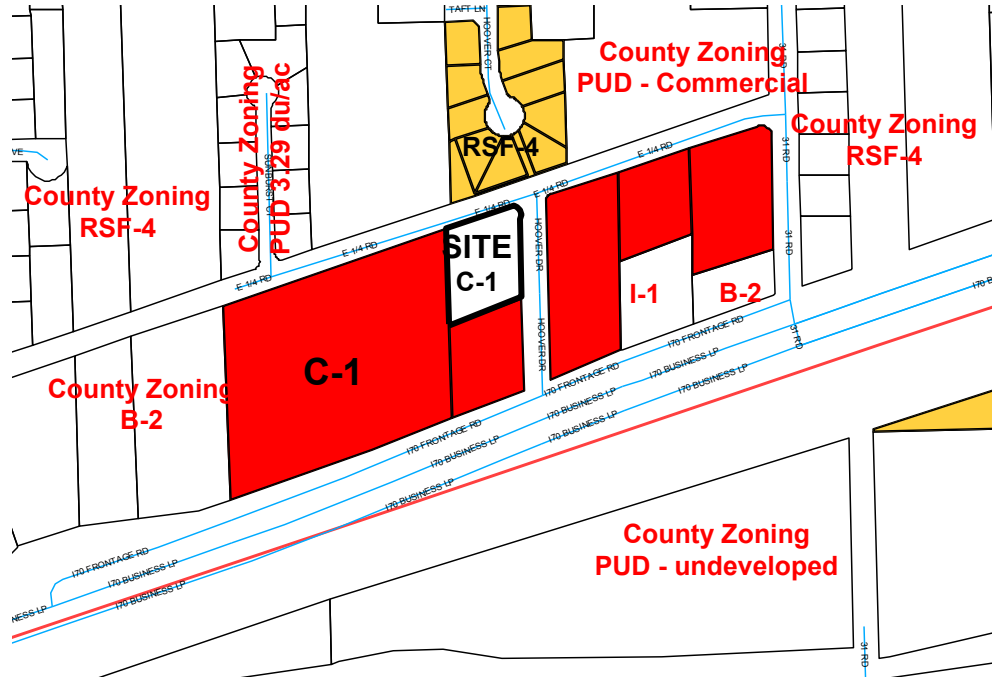
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

CGVSD ANNEXATION

LOCATED AT 541 HOOVER DRIVE

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 2nd day of August, 2006, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 4 of 31 Road Business Park as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado

Said parcel contains 0.94 acres (41,162 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF GRAND JUNCTION THAT;**

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

CGVSD ANNEXATION

APPROXIMATELY 0.94 ACRES

LOCATED AT 541 HOOVER DRIVE

WHEREAS, on the 2nd day of August, 2006, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 4 of 31 Road Business Park as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado

Said parcel contains 0.94 acres (41,162 square feet), more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 2nd day of August, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CGVSD ANNEXATION TO
C-1**

LOCATED AT 541 HOOVER DRIVE

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) Annexation to the C-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned C-1.

CENTRAL GRAND VALLEY SANITATION DISTRICT (CGVSD) ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 4 of 31 Road Business Park as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado

Said parcel contains 0.94 acres (41,162 square feet), more or less, as described.

INTRODUCED on first reading this 16th day of August, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

ATTEST:

President of the Council

City Clerk

Attach 16

Public Hearing – Burkey Park II Annexation and Zoning Located at 179 28 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Burkey Park II annexation and zoning located at 179 28 ½ Road					
Meeting Date	September 6, 2006					
Date Prepared	August 31, 2006				File #ANX-2006-179	
Author	Adam Olsen		Associate Planner			
Presenter Name	Adam Olsen		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Request to annex and zone 9.68 acres, located at 179 28 ½ Road, to CSR (Community Services and Recreation). The Burkey Park II Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Burkey Park II annexation and hold a Public Hearing and consider Final Passage of the Annexation and Zoning Ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation - Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

STAFF REPORT/BACKGROUND INFORMATION			
Location:		179 28 ½ Road	
Applicant:		City of Grand Junction	
Existing Land Use:		Vacant/Agriculture	
Proposed Land Use:		Future City Park	
Surrounding Land Use:	North	Residential	
	South	Residential/Agriculture	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-4 (County)	
Proposed Zoning:		CSR (Community Services and Recreation)	
Surrounding Zoning:	North	RSF-4 (County)	
	South	RSF-4 (County)	
	East	RSF-4 (County)	
	West	RSF-4 (County)	
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)	
Zoning within density range?		x	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 9.68 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Burkey Park II Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
July 19, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
July 25, 2006	Planning Commission considers Zone of Annexation
August 16, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
September 6, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 8, 2006	Effective date of Annexation and Zoning

BURKEY PARK II ANNEXATION SUMMARY		
File Number:	ANX-2006-179	
Location:	179 28 ½ Road	
Tax ID Number:	2943-312-00-944	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	9.68	
Developable Acres Remaining:	9.68	
Right-of-way in Annexation:	3,300 ft. (.075 ac)	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	CSR	
Current Land Use:	Vacant/Agriculture	
Future Land Use:	Residential Medium Low (2-4 du/ac)	
Values:	Assessed:	\$28,480
	Actual:	\$98,220
Address Ranges:	179 to 193 28 ½ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa
	Fire:	GJ Rural
	Irrigation/Drainage:	Orchard Mesa
	School:	District 51

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan. Section 3.4.I.1 of the Zoning and Development Code allows for the use of the CSR zone district for public property regardless of the land use classification. The existing County zoning is RSF-4. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone will not create any adverse impacts and is compatible with the neighborhood. When developed as a park, adequate parking will be available and any nighttime lighting will be directed inward toward the park so as to not be a nuisance to surrounding property owners.

The CSR zone district is in conformance with the following goals and policies of the Growth Plan and the Orchard Mesa Neighborhood Plan:

Goal 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities.

Goal 13: To enhance the aesthetic appeal and appearance of the community's built environment.

Policy 17.3: The City will support public and private projects which increase the attractiveness of the community for residents and tourists.

Goal 26: To develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban area.

Policy 26.2: The City will develop and maintain a network of recreation areas and facilities.

Policy 26.5: The City will obtain adequate park land needed to meet neighborhood, community, and regional park needs, as urban development occurs, through the subdivision process and other appropriate mechanisms.

Goal 1, Orchard Mesa Plan: Ensure there are adequate parks and recreational opportunities to meet the needs of the area.

Implementation Strategy #3, Beyond Long Term (2006+): Develop Burkey/Orchard Mesa neighborhood park.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- i. RSF-2
- j. RSF-4

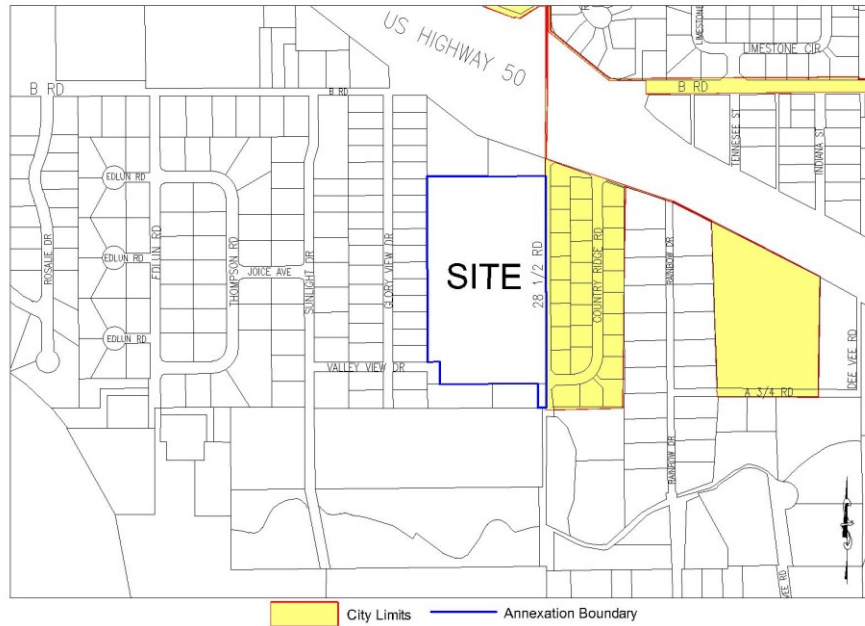
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1

BURKEY PARK II Annexation



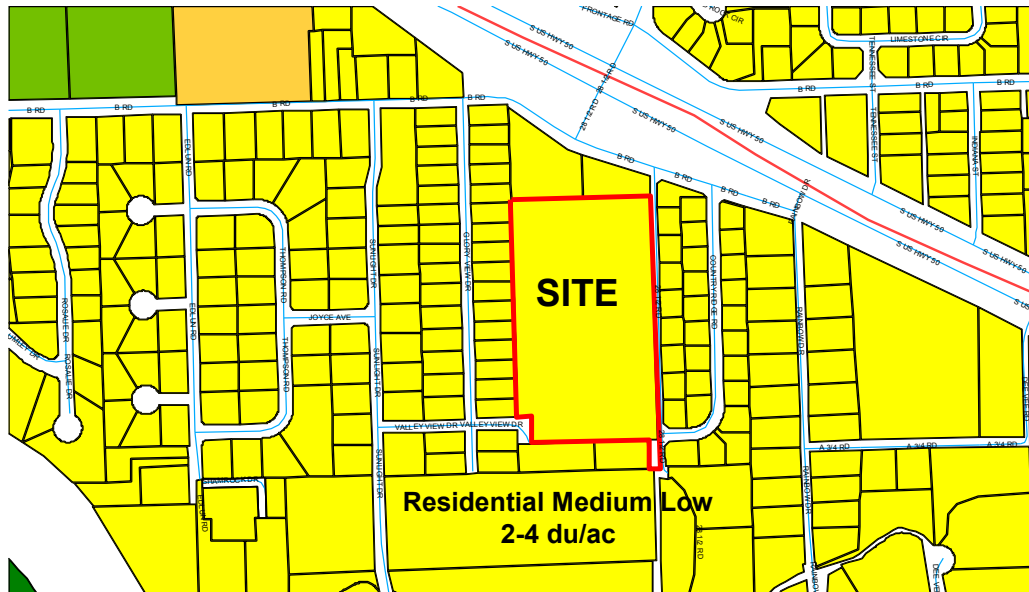
Aerial Photo Map

Figure 2



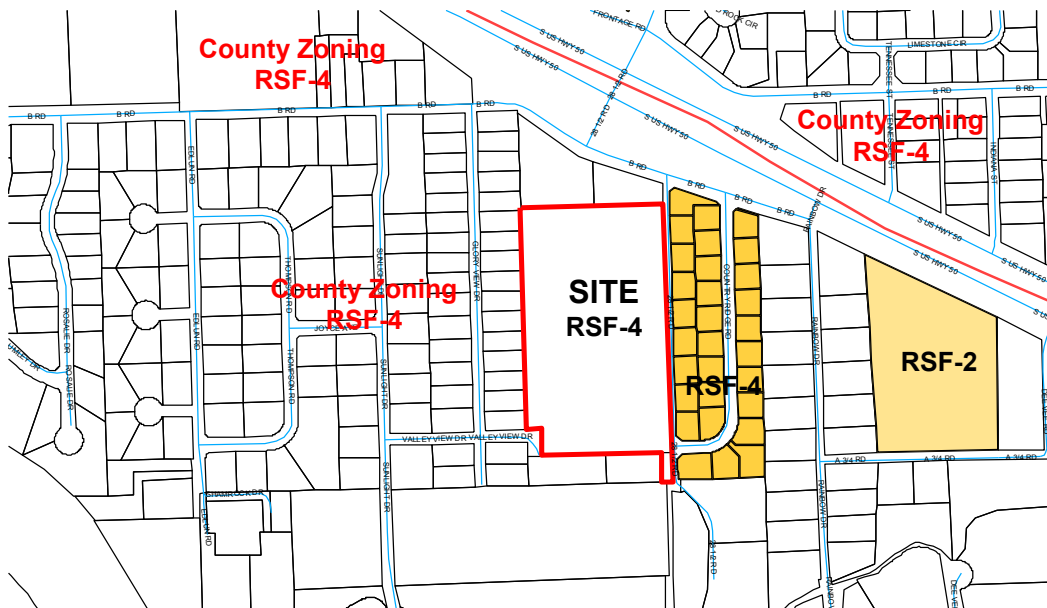
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

RESOLUTION NO. ____

**A RESOLUTION ACCEPTING A
PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

BURKEY PARK II ANNEXATION

LOCATED AT 179 28 ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th day of July, 2006, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BURKEY PARK II ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 31, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear S89°57'24"W with all bearings contained herein relative thereto; thence S89°57'24"W along the North line of the SE 1/4 NW 1/4 of said Section 31 a distance of 33.00 feet to the Southeast Corner of Lot 1 of Beezley - Hall Subdivision, as recorded in Plat Book 13, Page 149 of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Lot 1 a distance of 100.00 feet to the Northeast corner of said Lot 1; thence S89°57'19"W along the North line of Lots 1 and 2 of said Beezley - Hall Subdivision, a distance of 411.51 feet to a point on the East line of a road right of way recorded in Book 1166, Page 859, Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said road right of way a distance of 91.00 feet to a point on the North line of said road right of way; thence S89°57'19"W along the North line of said road right of way a distance of 50.00 feet to a point on the East line of Alpine Acres Subdivision, recorded in Plat Book 8, Page 23, of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Alpine Acres Subdivision, a distance of 764.31 feet; thence N89°57'54"E along the South line of two(2) quit claim deeds, recorded in Book 3097, Page 261 and Book 3123, Page 804, Mesa County, Colorado Public Records a distance of 494.51 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 31; thence S00°00'45"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 955.23 feet to the Point of Beginning.

Said parcel contains 9.68 acres (421,689 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

BURKEY PARK II ANNEXATION

APPROXIMATELY 9.68 ACRES

LOCATED AT 179 28 ½ ROAD

WHEREAS, on the 19th day of July, 2006, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of September, 2006; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

Burkey Park II Annexation

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 31, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear S89°57'24"W with all bearings contained herein relative thereto; thence S89°57'24"W along the North line of the SE 1/4 NW 1/4 of said Section 31 a distance of 33.00 feet to the Southeast Corner of Lot 1 of Beezley - Hall Subdivision, as recorded in Plat Book 13, Page 149 of the Mesa County, Colorado Public Records; thence N00°00'45W along the East line of said Lot 1 a distance of 100.00 feet to the Northeast corner of said Lot 1; thence S89°57'19"W along the North line of Lots 1 and 2 of said Beezley - Hall Subdivision, a

distance of 411.51 feet to a point on the East line of a road right of way recorded in Book 1166, Page 859, Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said road right of way a distance of 91.00 feet to a point on the North line of said road right of way; thence S89°57'19"W along the North line of said road right of way a distance of 50.00 feet to a point on the East line of Alpine Acres Subdivision, recorded in Plat Book 8, Page 23, of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Alpine Acres Subdivision, a distance of 764.31 feet; thence N89°57'54"E along the South line of two(2) quit claim deeds, recorded in Book 3097, Page 261 and Book 3123, Page 804, Mesa County, Colorado Public Records a distance of 494.51 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 31; thence S00°00'45"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 955.23 feet to the Point of Beginning.

Said parcel contains 9.68 acres (421,689 square feet), more or less, as described.

Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 19th day of July, 2006 and ordered published.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BURKEY PARK II ANNEXATION TO
CSR**

LOCATED AT 179 28 ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Burkey Park II Annexation to the CSR zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the CSR zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property be zoned CSR (Community Services and Recreation).

BURKEY PARK II ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 31, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear S89°57'24"W with all bearings contained herein relative thereto; thence S89°57'24"W along the North line of the SE 1/4 NW 1/4 of said Section 31 a distance of 33.00 feet to the Southeast Corner of Lot 1 of Beezley - Hall Subdivision, as recorded in Plat Book 13, Page 149 of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Lot 1 a distance of 100.00 feet to the Northeast corner of said Lot 1; thence S89°57'19"W along the North line of Lots 1 and 2 of said Beezley - Hall Subdivision, a distance of 411.51 feet to a point on the East line of a road right of way recorded in Book 1166, Page 859, Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said road right of way a distance of 91.00 feet to a point on the

North line of said road right of way; thence S89°57'19"W along the North line of said road right of way a distance of 50.00 feet to a point on the East line of Alpine Acres Subdivision, recorded in Plat Book 8, Page 23, of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Alpine Acres Subdivision, a distance of 764.31 feet; thence N89°57'54"E along the South line of two(2) quit claim deeds, recorded in Book 3097, Page 261 and Book 3123, Page 804, Mesa County, Colorado Public Records a distance of 494.51 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 31; thence S00°00'45"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 955.23 feet to the Point of Beginning.

Said parcel contains 9.68 acres (421,689 square feet), more or less, as described.

Introduced on first reading the 16th day of August, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

ATTEST:

President of the Council

City Clerk