

GRAND JUNCTION PLANNING COMMISSION
Public Hearing -- February 3, 1987
7:30 p.m. - 8:30 p.m.

The public hearing was called to order by Chairwoman Susan Rush at 7:30 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Susan Rush, Chairwoman	Ron Halsey
Jack Campbell	Karen Madsen
Ross Transmeier	

In attendance, representing the City Planning Department, was:

Karl Metzner

Terri Troutner was present to record the minutes.

There were approximately six interested citizens present during the course of the hearing.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, ON THE MINUTES OF DECEMBER 2, 1986, I MAKE THE MOTION THAT WE APPROVE THESE AS SENT TO US."

Commissioner Madsen seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

I. ANNOUNCEMENTS, PRESENTATIONS, AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

I. #2-87 RIGHT-OF-WAY VACATION

Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Karl Metzner stated that the Tech del Sol Subdivision had originally been dedicated with 160' of right-of-way when platted. Since Horizon Drive had been developed to its maximum size, there was excess right-of-way. Bordering property owners had been coming in for individual vacations and, at the last vacation, the Planning Commission had sought to initiate vacation of the entire portion of excess right-of-way at one time. Vacation of this remaining portion would fulfill that intent and leave Horizon Drive with its required 100' of right-of-way.

Karl continued that the only comment received was from Public Service who wanted the vacation left as a utility easement, so it was his recommendation that if approved, the vacation be subject to a utility easement.

QUESTIONS

Commissioner Transmeier asked if they were asking for a 40' easement.

Karl responded that the request was for an easement over the entire right-of-way.

Commissioner Transmeier asked if this was the width of the easement granted before on other vacations.

Karl replied affirmatively. To clarify, all other vacations had been granted subject to allowing a utility easement to remain.

PUBLIC COMMENTS

There were no comments either for or against the proposal.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, ON ITEM #2-87 A RIGHT-OF-WAY VACATION, I MAKE A MOTION THAT WE SEND THIS TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL SUBJECT TO AN EASEMENT BEING GIVEN TO PUBLIC SERVICE AND MOUNTAIN BELL FOR THEIR UTILITIES."

Commissioner Halsey seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

2. #1-87 TEXT AMENDMENTS FOR 1987 TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Petitioner: Grand Junction Planning Commission

PETITIONER'S PRESENTATION

Karl went through descriptions of the proposed text amendments as follows: Amendments 5-4-14 and 5-1-5G concerned variances for fence heights. This amendment gives the Board of Adjustment authority over variances for fence heights and keeps other variances with the City Council. Amendment 4-2-12D allows deviation from landscaping requirements in that zone for those businesses along major highways that have more right-of-way than setback. Those businesses would be expected to comply with the landscaping requirements adhered to by other businesses in town, which is 75% of the first 5' of the property. Chapter 13 adds definitions for helipads, heliports, and public-use heliports. Amending 4-3-4 would include a use in the Zone/Use matrix for propane or home fuel distribution, and be placed under farm implement sales allowed in heavy commercial and industrial zones. Amending 5-1-5A adds a subparagraph to allow fences up to 6' in the front yard setback along Patterson Road.

PUBLIC COMMENTS

Jim Hensley, 2734 Patterson Road, spoke out in support of amending 5-1-5A.

Pat Gormley, 626 Fletcher, asked for an explanation of the definitions of helipad, heliport and public-use heliport. This was given to him.

MOTION: (COMMISSIONER MADSEN) "MADAM CHAIRMAN, ON ITEM #1-87 TEXT AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE (INCLUDING AMENDING SECTIONS 5-4-14 AND ADDING PARAGRAPH 5-1-5G REGARDING VARIANCES; AMENDING SECTION 4-2-12D REGARDING LANDSCAPING; AMENDING CHAPTER 13 TO ADD DEFINITIONS FOR HELIPAD, HELIPORT, AND PUBLIC-USE HELIPORT; AMENDING 4-3-4, THE ZONE/USE MATRIX; AND AMENDING SECTION 5-1-5A REGARDING FENCE HEIGHTS), AND NOTING THAT WHERE IT SAYS PLANNING COMMISSION IN 5-1-5A, IT BE CHANGED TO SAY BOARD OF ADJUSTMENT, I MAKE A MOTION THAT THIS BE FORWARDED TO CITY COUNCIL WITH RECOMMENDATION OF APPROVAL."

Commissioner Campbell seconded the motion.

A vote was called and the motion was passed unanimously by a vote of 5-0.

3. #4-87 SIGN CODE AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE.

Petitioner: Dwayne Dodd

PETITIONER'S PRESENTATION

Neither the petitioner, nor a representative, was present to outline the proposal.

STAFF PRESENTATION

Karl said the proposal would delete section 5-7-2F and would allow wind-driven signs without restrictions. The review agencies felt that there were some instances where wind-driven signs were a benefit, but added that there should be some restriction in allowing them, i.e. allowing them on a periodic basis with a permit being required. Karl felt that these instances would include special community events, grand opening/going-out-of-business sales, etc. Allowing this type of sign with no restriction would tend to make an area look "cluttered." He recommended an alterantive proposal be drafted to allow this type of sign on a periodic basis.

PUBLIC COMMENTS

FOR THE PROPOSAL:

Karl stated that a petition of 22 signatures (all of which were automobile dealers) was received by the department in favor of the proposal.

AGAINST THE PROPOSAL:

Dale Hollingsworth, 3135B Lakeside Drive, was vehemently opposed to the proposal. He said that he was one of several members who drafted the original sign code, and gave a lengthy history of why the sign code was put into place as it was. The objective, he stated, was to "clean up" Grand Junction's non-conforming and unsightly signs, making Grand Junction a more aesthetic place to live. It was his belief that the present sign code should be maintained and enforced, not weakened by the allowance of wind-driven signs. He voiced a real concern that approval of such a proposal would send Grand Junction back to a time when unsightly signs "littered" the highways and business sections.

Lee Schmidt, 536 Bookcliff, another member of the earlier sign code committee, also spoke against the proposal. He said that the present sign code had successfully stood against the test of time, and should not be weakened.

Pat Gormley, 626 Fletcher, concurred with this sentiment and also spoke in opposition to the proposal.

STAFF REBUTTAL

Karl said that due to the lack of department manpower, it could only enforce the sign code on a "complaint basis." He said that most violations occurred when a business had a special event or promotion; some businesses have asked for a twice-yearly allowance for this type of sign.

QUESTIONS

Commissioner Transmeier questioned that if the proposal was approved as submitted, it would totally open up use of the wind-driven signs.

Karl said that this assertion was correct, but added that they would still be forbidden in a right-of-way and must be on-premise. There would be no restrictions, however, regarding size, number, type, etc.

Commissioner Transmeier continued that because of the nature of a pennant, it would be nearly impossible to measure surface area; also, that the surface area would not even be deducted from the total allowable area for business signs since there was generally no writing on pennants.

Commissioner Madsen felt that leniency towards the sign code should not be encouraged.

Chairwoman Rush asked about the various action policies that could be taken on this issue; Karl Metzner clarified these to her and other Planning Commission members.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, ON ITEM #4-87 I MAKE A RECOMMENDATION THAT WE TABLE THIS MATTER FOR APPROXIMATELY 30 DAYS TO OUR NEXT PUBLIC HEARING."

There was no second to the motion, and the motion died.

Commissioner Transmeier felt uncomfortable deciding on the issue without the petitioner being present. He felt that City Council may look at the proposal and decide on it solely based on the petitioner's absence.

Chairwoman Rush disagreed saying that, since members of City Council received copies of the Planning Commission minutes, they would be able to see for themselves that the issue had been discussed, and understand the motives of the Planning Commission in making a decision at this time. She also felt that if the

issue wasn't considered important enough by the petitioner to attend the meeting or send a representative in his place, then perhaps he didn't consider it that important an issue in the first place.

She also pointed out that of the 22 signatures on the petition, not one of those people has shown up at tonight's hearing.

Commissioner Halsey voiced his support for a more, not less, restrictive sign code.

MOTION: (COMMISSIONER MADSEN) "MADAM CHAIRMAN, ON ITEM #4-87 SIGN CODE AMENDMENT TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE, I RECOMMEND THAT IT BE DENIED."

Commissioner Halsey seconded the motion.

A vote was called and the motion passed unanimously by a vote of 5-0.

In view of some of the recommendations presented at this evening's meeting, Commissioner Campbell thought that perhaps the Commission could look into consideration of allowing this signage for special events.

Karl stated that there were a number of alternatives which could be considered for things such as special events, promotions, etc.

Dale Hollingsworth expressed concern over this idea and wanted to be notified of any consideration to change the sign code.

Commissioner Halsey felt that if a petitioner felt strongly enough about the allowance of this type of signage on a temporary basis, the petitioner should be responsible for bringing the issue before the Planning Commission.

Commissioner Madsen agreed.

Karl stated that one of the motel chains contacted the Planning Department regarding this temporary allowance, but it was felt that since tonight's much more liberal proposal was being brought before the Commission for consideration, they decided to wait until its final outcome. Since tonight's proposal was recommended for denial, he could now contact the motel and encourage an alternate proposal.

Commissioner Transmeier asked Kari for estimated sign code enforcement figures.

Karl replied that when there was a fulltime enforcement officer, the department responded to approximately 700 cases per year--half to 60% of those being sign code violations. He felt that the actual number of violations increases when enforcement is lax, but again reiterated that manpower constraints limits the amount of enforcement that can be administered.

The meeting was adjourned at 8:30 p.m.