

GRAND JUNCTION PLANNING COMMISSION
PUBLIC HEARING -- APRIL 7, 1987
7:30 P.M. - 8:40 P.M.

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

In attendance, representing the City Planning Commission, were:

Karen Madsen, Acting Chairwoman	Miland Dunivent
Ron Halsey	Jack Campbell
Ross Transmeier	

In attendance, representing the City Planning Department, were:

Karl Metzner	Greg Flebbe
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Julie Russman was present to record the minutes.

There were approximately nine interested citizens present during the course of the meeting.

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I. APPROVAL OF MINUTES

MOTION: (COMMISSIONER DUNIVENT) "MADAM CHAIRMAN, ON THE GRAND JUNCTION PLANNING COMMISSION MEETING OF MARCH 3, 1987, I MOVE THAT THE MINUTES BE ACCEPTED."

Commissioner Campbell seconded the motion.

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

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or prescheduled visitors.

III. FULL HEARING

1. #15-87 REVISED FLOODPLAIN REGULATIONS

Petitioner: Grand Junction Planning Department

PETITIONER'S PRESENTATION

Greg Flebbe explained that the proposed ammendments outlined in the Grand Junction Zoning and Development Code being considered were a condition of continued eligibility for the city's participation in the National Flood Insurance Program, (NFIP) and compliance is required.

QUESTIONS

There were no questions at this time.

STAFF PRESENTATION

Karl Metzner summarized that for the city to remain eligible to participate in the flood insurance program, the recommendations needed to be followed.

PUBLIC COMMENTS

FOR:

There were no comments in favor of this proposal.

AGAINST:

Tom Lewis of 1337 White Avenue, felt there were already too many restraints on business and property owners and that more controls were not needed.

Phyllis Bollan of 708 Struthers asked for clarification of the proposal and who exactly was eligible for the insurance.

Karl clarified the proposal and responded that anyone residing in the floodplain was eligible for the insurance.

Greg went on to say that these changes were strictly concerned with mobile homes and not businesses. Further discussion followed.

Ms. Bollan felt this proposal sounded immaterial if there were no mobile homes presently located within the Grand Junction floodplain.

Commissioner Transmeier pointed out there were currently some mobile homes in the floodplain. He saw a problem with mobile homes having to meet the revised regulations whenever a new unit was placed in a park.

Mr. Lewis felt that if there were such strict controls imposed on mobile homes, it could lead to tighter controls on all residential structures.

Commissioner Transmeier explained that the NFIP was an insurance program, but he felt the proposed revisions were building regulations which would be required for any person wanting to get a building permit to place a unit whether insurance was wanted or not.

Bill Jarvis Jr. of 1001 South 3rd Street felt that the proposal was a form of blackmail in the sense that under the criteria specified in the proposal, the government would not finance a house in a floodplain, nor allow federally-backed money to go into a house in a floodplain without buying the insurance. Mr. Jarvis was strongly against the proposal.

PETITIONER'S REBUTTAL

Greg pointed out once again that these changes would only affect mobile home parks and not businesses in general. He also mentioned that this regulation would only apply when there was an increase of 50% or more in the value of the structure.

Commissioner Transmeier added that when one mobile home was moved out and another moved in, there has been a 100% change in character for that space.

Karl commented that determining if there was a net increase of 50% or more depended on the value of the new structure. If there was no substantial improvement of over 50% of the original structure, the regulation would not apply.

Commissioner Transmeier expressed opposition to the proposal.

Further discussion on this matter ensued.

QUESTIONS

Commissioner Transmeier stated that he would like to propose that the heading of this proposal be changed to read "Floodplain Building Permit Regulations", instead of "Floodplain Regulations" since he felt that this issue related more directly to building permits than it did to floodplain regulations alone.

Karl pointed out that only part of the overall floodplain regulations were being dealt with here. Things other than this issue alone would come under the floodplain regulations.

Commissioner Transmeier felt it was important that "floodplain development permit" be clearly stated and defined in the regulation.

Karl reassured the Commissioner that "floodplain development permit" was specifically described in the Code.

Commissioner Campbell asked for clarification on the extent of the floodplain area, and the number of structures that would be affected, which was provided to him.

MOTION: (COMMISSIONER TRANSMEIER) "MADAM CHAIRMAN, ON ITEM #14-87, WITH THE REVISED CHANGES AFFECTING MOBILE HOME PARKS, I MAKE A MOTION THAT WE DENY THIS."

There was no second for this motion and the motion died.

Acting Chairwoman Madsen asked if there was another motion.

MOTION: (COMMISSIONER CAMPBELL) "MADAM CHAIRMAN, I MAKE A MOTION THAT BECAUSE THERE IS STILL SOME DISCUSSION CONCERNING ISSUES IN THE PROPOSAL, I RECOMMEND THAT WE TABLE THIS ITEM UNTIL NEXT MONTH'S MEETING TO GIVE US THE TIME WE NEED TO REVIEW IT".

Commissioner Transmeier seconded the motion.

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

2. #19-87 TEXT AMENDMENTS TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE TO DELETE THE EXISTING SECTION 5-4-6 AND ADOPT A NEW SECTION 5-4-6.

Petitioner: Grand Junction Planning Department.

PETITIONER'S PRESENTATION

Karl Metzner summarized the proposal as changing the manner of calculating open space fees.

Karl explained that the new proposal would leave, unchanged, the dedication requirement for business, commercial, and industrial property at the present 5% of the appraised raw land value. The proposal recommends an open space fee to be set at \$225 per dwelling unit for residential units.

The Grand Junction Parks and Recreation Advisory Board recommended earlier that for the classes of Human Care Treatment Facilities and Community Facilities outlined in the Use/Zone Matrix, one half of 5% would be charged if it is a profit-making operation, and that there would be no charge for a nonprofit operation. With this method, the higher density developments would be assessed accordingly.

QUESTIONS

Commissioner Dunivent asked if the Peterson House would have been charged the \$225 per dwelling unit.

Karl responded that this particular establishment would fall under Human Care Treatment Facilities. Because they were a profit-making business, they would be charged the 2.5% of the appraised raw land value. Karl also added that apartment houses would also be charged the \$225 per dwelling unit.

Commissioner Transmeier questioned how one would determine the difference between Human Care Treatment Centers and apartment houses.

Karl answered that in treatment-type facilities, special facilities were available such as central kitchens, medical facilities, transportation, etc.

Commissioner Transmeier asked why 2.5% of appraised value was used as opposed to a straight per unit fee.

Karl replied that it was because some of the uses in the Human Care Treatment category do not have dwelling units.

Commissioner Transmeier felt that this would be a continuing definition problem in the future.

Karl commented that the existing method had some definition problems, and that this proposal offered more guidance. Therefore, it should help reduce some of the confusion. The \$225 per unit is what the County had been charging for the last five years. The Council Growth Committee had reviewed the proposal and suggested the city remain consistent with County open space criteria.

PUBLIC COMMENTS

FOR:

There were no comments in favor of the proposal.

AGAINST:

Dean VanGundy of 1018 South 5th Street asked for clarification of the proposal which was provided to him by Karl Metzner.

Mr. VanGundy asked if the proposed fee would increase or decrease the amount that would be paid based on the existing system.

Karl explained that it depended on what was being built. The less units put on a property, the cheaper it would be; the more units, the more expensive.

Mr. VanGundy announced then that he was opposed to the proposal and that there were too many regulations already. He felt that soon people will not be able to do anything with their properties.

Ms. Bollan asked where the money for the open space fees was going.

Karl answered that all monies were kept in a fund which were then used for parks acquisition and/or development.

QUESTIONS

Commissioner Transmeier explained there were some subdivisions that had set aside open space which may or may not count towards fulfilling this requirement regulation. There were some spaces that were presently controlled by the Home Owner's Association and not the City.

Karl commented that in addition to the public parks, some developments set aside private open space.

Commissioner Transmeier asked how the figure of \$225 was arrived.

Karl responded that the figure was based on a number of factors, including average price for land, an average price to develop park land, 2.3 persons per dwelling unit, and the needed park space for the population. The National Recreation of Parks Association's minimum land recommendations per 1,000 population is 10 acres. Through discussion, it was decided that this figure could be reduced to 5 acres per 1,000 population because of the proximity to other public lands. Combining this data to determine the overall figure, \$250 per dwelling unit was determined. Because of the contributions from business and commercial developments and because the Council Growth Committee wanted to bring it as close as possible to the county's figure, \$225 was chosen.

Commissioner Transmeier felt that the proposal included a substantial increase in fees which he felt, personally, may not be warranted.

Commissioner Transmeier suggested leaving the determined figure up to City Council.

Commissioner Dunivent asked when these fees would be assessed.

Karl explained that it would depend on the type of development as to when the payment would be made. If it was a subdivision requiring the recording of a final plat, then it would be paid at the time the final plat was recorded. If it was a type of development that did not require a plat, then the fee would be paid at the time the development commences.

Commissioner Dunivent felt that the developers should be solely responsible for the payment of additional park space. Acting Chairwoman Madsen felt that even the initial \$250 per unit fee was reasonable for a development designed to last for many years.

Karl explained that they had reviewed several other towns in Colorado, and \$225 was the lowest figure found.

Commissioner Transmeier felt that the city alone should not have to pay for this development.

MOTION: (COMMISSIONER CAMPBELL) "MADAM CHAIRMAN, I MAKE A MOTION THAT ON ITEM #19-87, WE RECOMMEND THIS TO CITY COUNCIL FOR APPROVAL".

Commissioner Dunivent seconded the motion.

A vote was called and the motion passed by a vote of 4-1 with Commissioner Transmeier opposing.

The hearing was adjourned at 8:40 p.m.