

**MESA COUNTY & GRAND JUNCTION PLANNING COMMISSION
JOINT MEETING
SEPTEMBER 27, 2011 MINUTES
6:02 p.m. to 7:46 p.m.**

The Mesa County & Grand Junction Planning Commission Joint Meeting was called to order at 6:00 p.m. by (Grand Junction) Chairman Reggie Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice Chairman), Patrick Carlow, Rob Burnett, Ebe Eslami, Lyn Benoit and Greg Williams (Alternate). Commissioner Mark Abbott was absent.

In attendance, representing the County Planning Commission, were Christi Flynn (Chair), John Justman (Vice Chair), Phillip Jones (Secretary) and Wesley Lowe (Alternate).

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Dave Thornton (Principal Planner) and Senta Costello (Senior Planner).

Representing Mesa County was Kaye Simonson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 4 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Lisa Cox, Planning Manager, announced that the first meeting in October and the corresponding workshop would not be held. There were, however, agenda items for the second meeting for October 25th.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the August 9, 2011 Regular Meeting.

2. Fuoco Waterline Easement Vacation – Vacation of Easement

Request a recommendation of approval to City Council to vacate a 15' public water line easement.

FILE #: VAC-2011-1099

PETITIONER: Bob Fuoco – Fuoco Investments LLC

LOCATION: 2582 Highway 6 and 50

STAFF: Senta Costello

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on either of the Consent Agenda items.

MOTION: (Commissioner Pavelka) “I move we approve the Consent Agenda as read.”

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

(County) Chair Christy Flynn called to order the meeting of the Mesa County Planning Commission and announced the hearing item to be heard jointly was the Comprehensive Plan Text Amendment.

Public Hearing

3. Comprehensive Plan Amendment – Comprehensive Plan Text Amendment

The City of Grand Junction and Mesa County are proposing text amendments to the Grand Junction Comprehensive Plan to clarify which zone districts implement the Grand Junction Comprehensive Plan Future Land Use designations and to change the name of the “Agriculture” Future Land Use designation to “Large Lot 35+”.

CITY FILE #: CPA-2011-994
COUNTY FILE #: 2011-0185 MP – Grand Junction
Comprehensive Plan Update
PETITIONER: City of Grand Junction
LOCATION: City wide
STAFF: (City) Lisa Cox and (County) Kaye Simonson

STAFF PRESENTATION

(City) Lisa Cox, Planning Manager, stated that she would be working with (County) Kaye Simonson, to make the presentation. Ms. Cox provided some background and said the Grand Junction Comprehensive Plan was adopted by the Mesa County Planning Commission and the Grand Junction City Council. The Grand Junction City Council adopted the Comprehensive Plan on February 17, 2010. After working with the Plan for over a year staff was proposing amendments to the Plan that were intended to maintain the document as a dynamic planning tool for the community.

Part of the Comprehensive Plan includes the Future Land Use Map which provides land use designations to help guide development and growth in the community. When adopted, the Comprehensive Plan included new land use designations in certain areas of the community meant to implement the vision of the Comprehensive Plan.

In reviewing the Comprehensive Plan document and the City and Mesa County development codes, staff noticed there were some inconsistencies between the language of the Comprehensive Plan document and the zone districts that implement the specific land use designations. The City would like to update the text of the Comprehensive Plan so that it would be consistent with the City's Zoning and Development Code.

Amending the text of the Plan document to make it more efficient to find information and to be consistent with the Zoning and Development Code was consistent with the Comprehensive goals and policies. Ms. Cox identified a few of the goals which included the implementation of the Comprehensive Plan in a consistent manner between the City, Mesa County and other service providers. Another goal was that the City and County land use decisions would be consistent with the Future Land Use Map. Ms. Cox noted that the Comprehensive Plan would create order and balanced growth throughout the community.

Ms. Cox reviewed the City's approval criteria and said that amendments to the Comprehensive Plan were required when a requested change significantly altered the land use or the Comprehensive Plan document. She went on to say that the City may amend the Comprehensive Plan, neighborhood plans, corridor plans and area plans if the proposed change was consistent with the vision, the goals and the policy of the Comprehensive Plan and one of five criteria. She identified those to be: 1) subsequent events invalidated the original premise and findings; and/or 2) the character and/or other conditions of the area had changed such the amendment was consistent with the plan; and/or 3) the public community facilities were adequate to serve the type and scope of the land use proposed; and/or 4) an inadequate supply of suitably designated land was available in the community to accommodate the proposed land use; and/or 5) the community or the area as defined by the presiding body would derive benefits from the proposed amendment. Ms. Cox said that in reviewing the City's criteria, there were inconsistencies identified between the Comprehensive Plan document and the Zoning Code document in terms of the zone districts that implemented each of the land use categories. The proposed amendments would create consistency between the Plan and the Development Codes, and therefore express a clearer vision for the community. The proposed amendments met the last criteria because the conflicting language in the Plan and the development codes would be resolved.

(Mesa County) Kaye Simonson, Senior Planner, discussed the Mesa County approval criteria and said that consistency was required with seven criteria. Those included the following: 1) there was an error in the original Master Plan; 2) subsequent to the adoption of the Master Plan the original premises and findings were invalidated; 3) the character and the condition of the area had changed enough that the amendment was acceptable; 4) the change was consistent with the goals and policies of the master plan; 5) adequate community and public facilities were adequate to serve the type and scope of the proposed land use; 6) an inadequate supply of suitably designated land was available in the community; and 7) the community area as planned by the presiding body would derive benefits from the proposed amendments. Ms. Simonson said that

similar to the findings by the City staff, the majority of the above-mentioned criteria were met. She said that the Commission must consider the general approval criteria and this amendment was consistent with the amendment the Mesa County Planning Commission made to the Code last month regarding implementing zoning. Ms. Simonson said that as part of the review and comment process, both Mesa County and the City sent out notification to various review agencies which might have an interest in the proposed amendments. Also, an Open House was held on August 31st for citizens to attend and provide comments. The proposed amendments were also posted to both the City and the County websites.

(City) Lisa Cox clarified that the County had an opportunity to provide comments on the City's proposed amendments and likewise the City had the opportunity to make comments on the County proposals. Ms. Cox also confirmed that although the public review and comment period was formally opened from August 22 through September 2, comments were accepted up to the hearing this evening. Ms. Cox said that in reviewing the proposed text amendments regarding the Comprehensive Plan in terms of vision, the goals and policies, City staff found that the proposed amendments were consistent with the Comprehensive Plan and that they would in fact implement the goals and visions of the Comprehensive Plan. Ms. Cox recommended the Planning Commission make a recommendation to City Council to approve and adopt the text amendments.

(County) Kaye Simonson said that County staff recommended the Planning Commission make a finding that the amendments met a majority of the approval criteria and recommended adoption of the proposed text amendments and to continue the project to the October 27th hearing in order to allow consideration by the Grand Junction City Council prior to final adoption by the Mesa County Planning Commission.

By use of a PowerPoint presentation, (City) Lisa Cox showed a compilation of the various land use designations found in the Comprehensive Plan document which represented the proposed changes. She explained that the basic objectives of the proposals were to correct Chapter One, "Land Use Designations," by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the "Agriculture" land use designation "Large Lot 35+".

Ms. Cox gave a brief description of the proposed amendments and noted that the staff report contained a graphic showing the new language as underlined text and the language to be eliminated was shown with strikethroughs. She then asked if any of the Commissioners had any questions concerning the proposed amendments.

QUESTIONS

(City) Chairman Wall asked for clarification regarding the land use designations of Residential Medium, Residential Medium High, Residential High Mixed Use and Urban

Residential Mixed Use. He asked what was the difference between Residential Medium and Residential Medium High, and the difference between the Residential High Mixed Use and Urban Residential Mixed Use land use designations. (City) Lisa Cox explained that both land use categories allowed a residential density range of 4 to 16 units per acre because of the Blended Map. She stated that the purpose of the Residential Medium was to encourage single family development with a mix of duplexes with limited low intensity multifamily development. The purpose of the Residential Medium High was to encourage higher residential density with a mix of housing types, particularly attached and multifamily. However, because of the Blended Map, the opportunity for residential density in those two land use categories was the same. Without the Blended Map, the density range in Residential Medium was 4 to 8 units and the zone districts that would implement that range would be limited to R-4, R-5 and R-8. She added that the Blended Map afforded an individual an opportunity to request a rezone to City Council for a broader range of densities.

(City) Chairman Wall asked if there was anything specifically different allowed in Residential Medium High that would not be allowed in Residential Medium. (City) Lisa Cox said that she was not sure without contemplating some of the various opportunities but the Residential Medium High was geared more for larger, multi-family developments. She said that while the Blended Map provided an opportunity to ask for a rezone to a higher density, it did not necessarily guarantee it. The burden of proof to explain why a rezone request might be appropriate would still have to be made by an applicant to City Council.

(City) Commissioner Eslami asked if the R-4, R-5 and R-8 had something to do with the height. (City) Lisa Cox said that because the character of the zone districts that would be part of the analysis if someone were to request a rezone in terms of compatibility and the neighborhood and confirmed that height could be an issue. Zone districts that permitted a higher density had a higher height allowance.

(City) Commissioner Eslami asked if there was a height restriction in each zone. (City) Lisa Cox confirmed there was a height restriction.

DISCUSSION

(City) Chairman Wall said that he thought it made great sense to organize it in this fashion.

CITY MOTION: (Commissioner Pavelka) “Mr. Chairman, on File CPA-2011-994, Grand Junction Comprehensive Plan Text Amendments to Title 31 of the Grand Junction Municipal Code, I move that the Planning Commission forward a recommendation of approval of the proposed amendments with the facts and conclusions listed in the staff report.”

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

MESA COUNTY MOTION:(Commissioner Jones) “Madame Chairman, I move the Mesa County Planning Commission continue Project 2011-0185 MP, Grand Junction Comprehensive Plan update to October 27, 2011, to consider the adoption of Resolution 2011- 07 amending the Grand Junction Comprehensive Plan.”

Commissioner Justman seconded the motion. A vote was called and the motion passed unanimously by a vote of 4 - 0.

Chairman Flynn asked for a motion to adjourn the Mesa County Planning Commission meeting.

MESA COUNTY MOTION:(Commissioner Justman) “So moved.”

Commissioner Jones seconded the motion. A vote was called and the motion passed unanimously by a vote of 4 - 0.

A short recess was taken at the conclusion of the Joint Planning Commission meeting at 6:41p.m. and the Grand Junction Planning Commission meeting was reconvened by Chairman Wall at 6:46 p.m.

4. Comprehensive Plan Future Land Use Map Amendments – Comprehensive Plan Amendment

The City of Grand Junction is proposing to amend the Grand Junction Comprehensive Plan Future Land Use Map in various areas throughout the community to resolve conflicts between the current zoning of certain parcels and the Future Land Use designations. If adopted, the proposed amendments will be reflected as changes to the Comprehensive Plan Blended Residential Land Use Categories Map.

FILE #: CPA-2011-1064
PETITIONER: City of Grand Junction
LOCATION: City wide
STAFF: Lisa Cox

STAFF’S PRESENTATION

Lisa Cox, Planning Manager, provided the Commission with a citizen comment that had been submitted that day and was not included in the Commissioner’s staff report or packets. She pointed out that the staff report included different maps from what had been presented at the Planning Commission workshop. The new maps showed the current land use designation for each property as well as the proposed land use designation. Ms. Cox presented an overview of the proposed amendments and the review process. She identified 19 areas with some being divided into sub-areas so there were a total of 24 proposed amendments to the Comprehensive Plan Future Land Use Map.

Ms. Cox stated that the Comprehensive Plan was adopted on February 17, 2010 and that the City did not rezone property when the Comprehensive Plan was adopted. She

said this was significant because new land use designations to help implement the vision of the Comprehensive Plan were adopted and applied to certain properties in the community. As a result, a conflict was created between the current zoning of some properties and the new land use designation assigned to those properties.

When developing property, the Zoning Code requires that the development to be consistent with the Comprehensive Plan Land Use Designation and with the zone district. Where those were in conflict, either a rezone was needed to be consistent with the Comprehensive Plan or an amendment would be needed to the Future Land Use Map designation.

Ms. Cox said that after analysis, the current zoning of some properties was determined to be appropriate and consistent with the vision of the Comprehensive Plan,. Staff recommended that the conflict between the Comprehensive Plan land use designation and the current zoning be corrected so that when the property was ready for development or expansion/redevelopment, the property owner would not have the burden of having to correct the land use designation. Staff hoped that the proposed amendments would facilitate opportunities for the properties to develop by resolving the conflict between the Comprehensive land use designation and the zoning. The proposed amendments would also protect the current zoning of the properties because the objective of changing the Land Use Map was to maintain the current zoning of the properties.

Ms. Cox explained the jurisdictional approval and said that the Joint Planning Commission meeting was held between the Mesa County Planning Commission and the City Planning Commission to consider potential text amendments to the Comprehensive Plan document. When a decision impacted the overall plan, the Comprehensive Plan stated that both jurisdictions would be involved in the decision-making process. However, for areas located solely within the Persigo 201 boundary the City has sole land use jurisdiction to make changes. When the City has sole jurisdiction for decision making, Mesa County is entitled to review and comment on the City's proposed changes.

Ms. Cox next went through the approval process criteria for City's land use designation changes inside the Persigo 201 area. She noted that according to the Comprehensive Plan only one of the five criteria for plan amendments had to be satisfied in order to make a change. She stated that the City may amend the Comprehensive Plan and other neighborhood plans, corridor plans and area plans if the proposed change was consistent with the vision, the goals and the policies of the Comprehensive Plan and one of the five criteria were met.

Because the City did not rezone property to be consistent with the new land use designations with the adoption of the Comprehensive Plan, there were areas of conflict between the Comprehensive Plan land use designations and the current zoning of certain property. After analysis by City staff, it was determined that the current zoning supported the goals and the policies of the Comprehensive Plan and that the proposed

amendments to the Comprehensive Plan Future Land Use Map would resolve the conflict between the current zoning of the property and the new land use designations. The community would benefit from the resolution of the conflicts which would also help to facilitate development of property, therefore the final criterion for approval had been met.

Ms. Cox stated that the review and comment process had been a combined process with the proposed Comprehensive Plan text amendments. Mesa County and various review agencies had had an opportunity to review each of the proposed amendments. Because the City was the applicant, written notice was sent to individual property owners explaining the City's intent to propose an amendment to change the land use designation of property. The notice also explained the reasons for the change as well as what the review process was so that a property owner had an opportunity to communicate their interests or concerns. An Open House was also advertised where citizens and property owners could speak one-on-one with staff as well as complete a comment form.

The proposed amendments were posted on both the City and Mesa County's websites with a formal public review and comment period that was open from August 22 until September 2. Citizen comments were accepted up until the hearing this evening.

Ms. Cox said that many questions were received in one form or another (primarily email or phone calls) about how the proposed change might impact someone's property. Staff did not receive any comments of a negative nature or hear from anyone who objected to the proposed change. Ms. Cox stated that the public was advised that the changes were being proposed to protect the current zoning of their property in an effort to enhance or facilitate their ability to develop their property.

Ms. Cox stated that the proposed amendments were consistent with the goals and policies of the Comprehensive Plan and would implement the vision of the plan. Ms. Cox recommended that the Planning Commission forward a recommendation to City Council to adopt the proposed map amendments.

By way of a PowerPoint presentation, Ms. Cox reviewed each of the areas and sub-areas and identified the location, number of parcels within the area, the existing zoning and discussed the land use designation versus the current zoning. Ms. Cox provided a brief description of each area, including things such as existing neighborhoods, types of residences, types of businesses, the surrounding area and any topographical issues, as well as the reasoning for the requested amendment.

Ms. Cox then requested the Commission make a recommendation of approval to City Council on the proposed map amendments.

DISCUSSION

Commissioner Eslami stated that he appreciated the presentation and thought it was well done.

Commissioner Benoit said the changes would bring some resolution to some of the conflicts and would reduce future conflicts and create more consistency with the goals of the Comprehensive Plan.

Chairman Wall agreed and thought it made sense. He liked that the Planning Department was proactive in this approach. He said that in reading the public comments it was pretty clear that the majority, if not all, agreed with these particular items.

MOTION: (Commissioner Pavelka) “Mr. Chairman, I move that on File CPA-2011-1064, Grand Junction Comprehensive Plan Future Land Use Map Amendments to Title 31 of the Grand Junction Municipal Code, that the Planning Commission forward a recommendation of approval of the proposed amendments with the facts and conclusions listed in the staff report.”

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 – 0.

General Discussion/Other Business

None.

With no objection and no further business, the public hearing was adjourned at 7:46 p.m.