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**CITY COUNCIL AGENDA  
WEDNESDAY, FEBRUARY 1, 2017  
250 NORTH 5<sup>TH</sup> STREET  
6:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM  
7:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

*To become the most livable community west of the Rockies by 2025*

**Call to Order, Pledge of Allegiance, Moment of Silence**

**Certificates of Appointment**

Certificates of Appointment to the Visitor and Convention Bureau Board of Directors

Certificate of Appointment to the Parks and Recreation Advisory Board

**Citizen Comments**

**Council Reports**

**Consent Agenda**

**1. Approval of Minutes**

- a. Minutes of the January 4, 2017 Regular Meeting
- b. Minutes of the January 18, 2017 Special Meeting

**2. Set Public Hearing**

- a. Quasi-judicial
  - i. Proposed Ordinance Vacating Alley Public Rights-of-Way in Block 84 City of Grand Junction at 310 North 7th Street (R-5 High School Block) and Set a Hearing for February 15, 2017

**3. Contract**

- a. 2017 Contract Street Maintenance

**4. Resolution**

- a. Resolution No. 12-17 - A Resolution Accepting a \$29,400 Habitat Restoration Grant from the State Board of the Great Outdoors Colorado Trust Fund for the Las Colonias Riparian Area

**Regular Agenda**

*If any item is removed from the Consent Agenda, it will be heard here*

**5. Public Hearing**

- a. Legislative
  - i. Ordinance No. 4737 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Signage

**6. Resolution**

- a. Resolution No. 13-17 - A Resolution Authorizing the City Manager to Sell a Portion of the City-owned Property, Known as the Jarvis Property, and Approval of an Incentive Package for Sunshine Polishing Technology

**7. Other Action Items**

- a. North Avenue Catalyst Grant Request in the Amount of \$8,328.50 from Western Rockies Federal Credit Union, Located at 2302 North Avenue
- b. Change in Use Incentive Grant Request in the Amount of \$3,909.60 from Taco Corp Worldwide, LLC, Located at 126 S. 5th Street
- c. Change in Use Incentive Grant Request in the Amount of \$6,760.80 from Hops Culture, Located at 457 Colorado Avenue

**8. Non-Scheduled Citizens & Visitors****9. Other Business****10. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** February 1, 2017

**Presented By:** City Council

**Submitted By:** Stephanie Tuin, City Clerk

**Department:** Admin - City Clerk

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**Information**

**SUBJECT:**

Certificates of Appointment to the Visitor and Convention Bureau Board of Directors

**RECOMMENDATION:**

Present Certificates

**EXECUTIVE SUMMARY:**

City Council to present certificates of appointment to newly appointed Tim Pollard and Britt Mathwich and reappointed member Kevin Reimer.

**BACKGROUND OR DETAILED INFORMATION:**

Tim Pollard, Britt Mathwich, and Kevin Reimer were appointed to the VCB Board on January 18, 2017.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

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**Meeting Date:** February 1, 2017

**Presented By:** City Council

**Submitted By:** Stephanie Tuin, City Clerk

**Department:** Admin - City Clerk

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**Information**

**SUBJECT:**

Certificate of Appointment to the Parks and Recreation Advisory Board

**RECOMMENDATION:**

Present Certificate to Newly Appointed Gary Schroen

**EXECUTIVE SUMMARY:**

City Council to present certificate of appointment to Gary Schroen, newly appointed member of the Parks and Recreation Advisory Board.

**BACKGROUND OR DETAILED INFORMATION:**

Gary Schroen was appointed to the Parks and Recreation Advisory Board on January 18, 2017.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None

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

**JANUARY 4, 2017**

The City Council of the City of Grand Junction convened into regular session on the 4<sup>th</sup> day of January, 2017 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Traylor Smith led the Pledge of Allegiance followed by a moment of silence.

**Proclamation**

Proclaiming January 16, 2017 as Martin Luther King, Jr. Day in the City of Grand Junction.

Councilmember Kennedy read the proclamation. David Combs and Janielle Westermire were present to accept the proclamation. Mr. Combs spoke on behalf of the Martin Luther King, Jr. Day Committee, thanked Council, and described the events surrounding Martin Luther King, Jr. Day including the reading of the proclamation by Council President Norris in front of City Hall at 1:00 p.m. on January 16<sup>th</sup>, a symbolic march in downtown Grand Junction, the presentation of the Third Annual Harry Butler Community Service Award, and an evening program with community leaders.

**Appointments**

To the Horizon Drive Association Business Improvement District Board

Councilmember Boeschstein moved to appoint Linda Romer Todd to the Horizon Drive Association Business Improvement District Board for the remainder of a four-year term expiring April 2017. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

To the Planning Commission

Councilmember Taggart moved to reappoint Jon Buschhorn, Keith Ehlers, and William Wade to the Planning Commission for four year-terms expiring October 2020. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

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## **Citizens Comments**

Bruce Lohmiller, 3032 North 15<sup>th</sup> Street, #208, provided contact information for The Second Wind Fund, mentioned Night Patrols, HomewardBound, and extended an open invitation for everyone to attend the Veterans Art Competition Exhibit and Reception, January 24<sup>th</sup> - 27<sup>th</sup>.

## **Council Reports**

Councilmembers Kennedy, Traylor Smith, Taggart, McArthur, Chazen, and Council President Norris said in the interest of time they had no comments.

Councilmember Boeschstein said he attended the North Avenue Owners Association meeting on December 21<sup>st</sup>, a spectacular performance of "Guys and Dolls" at Colorado Mesa University (CMU) presented by the High Desert Opera on January 1<sup>st</sup>, and the Grand Junction Business Incubator Center meeting on January 4<sup>th</sup>.

## **Consent Agenda**

Councilmember Kennedy moved to approve adoption of Consent Agenda items #1 through #4. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

### **1. Approval of Minutes**

- a. Summary of the December 5, 2016 Workshop
- b. Minutes of the December 7, 2016 Regular Meeting

### **2. Other Action Item**

- a. Grand Junction Regional Airport Authority 2017 State and Federal Grant Application Presentation

### **3. Resolutions**

- a. Resolution No. 01-17 – A Resolution Designating the Location for the Posting of the Notice of Meetings, Establishing the 2017 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council
- b. Resolution No. 02-17 – A Resolution Establishing a Change in Use Incentive Grant Pilot Program

#### 4. Set Public Hearings

##### a. Legislative

- i. Proposed Ordinance Adopting Amendments to the 2012 Edition of the International Fire Code and Prescribing Regulations Governing Outdoor Burning, Restricted and Unrestricted Burning; Providing for the Issuance of Permits for Certain Burning Activities and Defining Extinguishment Authority (Set Hearing for January 18, 2017)

##### b. Quasi-judicial

- i. Proposed Ordinance Zoning the McHugh Annexation to R-4 (Residential - 4 du/ac), Located at 115 Vista Grande Road (Set Hearing for January 18, 2017)

#### **Contract – To Acquire, through a Lease (with an option to purchase) Agreement, a Dell/EMC VxRail Hyper Converged Infrastructure Storage System through Reseller Venture Technologies**

The Information Technology (IT) Division proposes to replace the City's enterprise storage area network system (SANS) and seven associated virtual host servers with a Dell/EMC VxRail Hyper Converged Infrastructure (HCI) system that uses the latest technology to reduce costs and simplify management of the City's data storage and server infrastructure. The proposal uses a four-year, zero interest, lease and maintenance agreement to acquire the system with an option to purchase the equipment for \$1 at the end of the lease.

Jim Finlayson, IT Director, said data storage is one of the most critical and costly components of the City's technology infrastructure and technology advancements now provide the City with the opportunity to replace the current system with a more cost effective alternative. He explained that by utilizing a four-year lease agreement that includes four years of hardware and software support, the City will save \$170,000 over the four-year period and free up \$800,000 in funds accrued for the eventual replacement of the SANS as well as seven high performance Dell servers that support most of the City's 160+ virtual servers.

Councilmember Traylor Smith asked how the cost reduction will affect the 2017 budget. City Manager Caton said the amount needed will be less than the amount anticipated and budgeted to replace the technology for each department.

Councilmember Chazen asked if funding the lease is subject to annual appropriation. City Attorney John Shaver said yes.

Councilmember Kennedy said he is glad to see a lease agreement that provides technology maintenance with the option to purchase the equipment for \$1 at end of four years. He asked if the City will purchase the equipment at the end of the four-year lease. Mr. Finlayson said it will be decided at the end of the lease.

Councilmember Taggart stated the last equipment lease the City had of this type was a three-year lease. He asked what type of condition the equipment was in at the end of that lease and if the City would be better served to have a three-year lease instead of the proposed four-year lease. Mr. Finlayson said the proposed four-year equipment lease is cost effective and appropriate.

Councilmember Chazen moved to authorize the City Manager to enter into a four-year lease agreement with Dell Financial Services for the annual amount of \$203,359.72 to lease a Dell/EMC VxRail HCI System through Reseller Venture Technologies. Councilmember Kennedy seconded the motion. Motion carried by roll call.

**Public Hearing – Ordinance No. 4731 – An Ordinance Rezoning the Grand Junction Lodge Development, Located at 2656 Patterson Road, to PD (Planned Development) Zone, with a Default Zone of MXOC (Mixed Use Opportunity Corridor) and Approve an Outline Development Plan**

The applicants request approval of an Outline Development Plan (ODP) to develop a 45,000 square foot Senior Living Facility, under a Planned Development (PD) zone district with a default zone of MXOC (Mixed Use Opportunity Corridor), located at 2656 Patterson Road.

The public hearing opened at 7:15 p.m.

Kathy Portner, Community Development Manager, described the request and the site location. She explained how the project will be accessed and noted the Patterson Road Corridor is designated by the Comprehensive Plan as an Opportunity Corridor and that a form-based zone district, Mixed Use Opportunity Corridor (MXOC), was established in 2014 which permits all types of group living facilities and other types of commercial uses. She said the project proposes no deviations from the required standards of the zone district. She described the surrounding zoning and uses and stated the MXOC designated areas may be rezoned and the applicant is asking for a Planned Development Zone for the proposed use only. Ms. Portner noted the revised application reduced the square footage, number of beds, staff, provides for off-peak shift changes, and off-site parking for special events which increases the facility's parking ratio. She said some long term community benefits are a more effective use of infrastructure while providing housing for patients, especially those with memory care needs. Ms. Portner said the application was recommended for approval by the Planning Commission.



Terry Claussen, 650 Lariat Lane, Glenwood Springs, CO, representing the applicant, addressed the Council and staff. He said the issues previously brought up, parking and facility size, have been evaluated and addressed. Mr. Claussen said they anticipate an increased need for this type of facility in the community due to the increasing senior population and noted the property is close to medical facilities and the development is designed as a high quality, low impact, residential community that will blend in with the existing neighborhood and create a synergistic development for the residents whose average age will be 87. Mr. Claussen said the applicant also plans to partner with the local hospitals and university to provide internship opportunities. He said changes made to the proposed facility are an almost 20% reduction in size and the available parking will be significantly over the Code requirements. He described the proposed facility saying it will have a greenhouse for the residents to use, walkways, a 12-unit family style setting Memory Care facility, and a staggered employee work schedule which will make the parking ratio higher than any other existing facility. Mr. Claussen provided the results of the parking study and said local businesses were utilized for the consulting and engineering work.

Mr. Claussen then introduced Skip Hudson, Traffic Engineer and President of Turn Key Consulting Group, LLC. Mr. Hudson provided the results of a traffic analysis and two-day traffic study that included camera counts and video documentation. He said the study also considered a westbound right turn lane from N. 8<sup>th</sup> Court onto Patterson Road and an eastbound left turn lane with a traffic median on Patterson Road in front of N. 8<sup>th</sup> Court.

Mr. Claussen displayed elevations of the building and stated the property will be well landscaped with toned down lighting. He said health care industry is growing in Grand Junction and this facility will provide employment and be an asset to the area. He said all of the concerns from the previous meeting have been addressed and he hopes for a unanimous approval from Council on the rezoning.

Councilmember McArthur said that the existing structure is elevated above Patterson Road and asked if the proposed facility will also be elevated. Mr. Claussen answered, yes, the facility will be three feet above Patterson Road and have a visual impact of no more than a one-story building.

Councilmember Boeschstein asked if the main building will be set back off of Patterson Road. Mr. Claussen said the setback is 10-feet from the property for the buffer with an additional 10 feet beyond that.

Councilmember Boeschstein asked if setback would include a vegetative buffer along Patterson Road. Mr. Claussen answered yes, and displayed the proposed landscape plan. Councilmember Boeschstein asked if it will be difficult for westbound traffic to turn right out of the facility. Mr. Claussen said the analysis indicates substantial gaps in

traffic for westbound turn access. Councilmember Boeschenstein asked if staff concurs with this analysis.

Rick Dorris, City Development Engineer, said staff looked very closely at the traffic analysis, reviewed the data, went to the site and watched the traffic. Staff concurs with TurnKey Consulting, LLC's traffic analysis conclusions.

Council President Norris stated for the record that she is not related to Norris-Snell Real Estate, LLC who is the real estate agent involved with this project.

Councilmember Traylor Smith asked if this facility is considered a group home. Ms. Portner said no.

Councilmember Taggart asked for clarification on the number of staff the facility would employ. Mr. Claussen said there will be 15 to 20 full time employees and a few part time employees. At any given time, there would only be 9 to 12 employees at the facility.

Nicole Troester, 2714 N. 8<sup>th</sup> Court, said it appeared a number of employees will be part time and not full time. She said part time employment is not much of a positive economic impact to the community as proposed.

Richard Troester, 2714 N. 8<sup>th</sup> Court, said this is a good project, just not in the right place. He said this facility will be huge, have a negative impact on N. 8<sup>th</sup> Court residents, and be a hindrance to traffic. He expressed concern about the facility's parking overflow on N. 8<sup>th</sup> Court and disagreed with the traffic study findings. He repeated this project does not make sense at this location.

John Hart, 2649 Central Drive, said he agrees with Mr. Troester regarding this being a great project but he believes that it is in the right location. He said his parents need assisted living and memory care and there is a lack of such facilities in this area. This project will be high end with on and off-site parking to handle parking overflow and will be close to St. Mary's Hospital and other medical facilities. He feels this project should be approved.

Pauline Gorman, 2712 N. 8<sup>th</sup> Court, said her fence will back up to this project and said her neighborhood is a small community of 12 houses and hopes this project will be built elsewhere. Ms. Gorman expressed concern about the possible increase of traffic and mentioned an accident that occurred between 7<sup>th</sup> and 12<sup>th</sup> Streets which blocked access to N. 8<sup>th</sup> Court. She then asked for a list of plants that would be grown in the facility's greenhouse. Ms. Gorman said she is concerned about the facility's commercial trash pick-up, laundry service, and food delivery trucks adding to the traffic.

Karen Troester, 2714 N. 8<sup>th</sup> Court, said this is a residentially zoned cul-de-sac and not a through street. She provided pictures of the existing parking and traffic problems on N.

8<sup>th</sup> Court. Ms. Troester asked if she would be able to sell her residential property as commercial because this is what is being proposed with the property at 2656 Patterson Road. Ms. Troester said the owner of 2656 Patterson Road let the property deteriorate and does not know why it is being sold as commercial when it is a residential property. She said the traffic study results are not realistic and she had conducted her own study of parking space availability at similar facilities. She asked how many driveways would be created from the facility to N. 8<sup>th</sup> Court. Ms. Troester asked Council to deny the rezoning.

Heather Rienks, 2631 Chestnut Drive, Preconstruction Manager for Shaw Construction Company, said she understands that this project is an emotional issue to the residents of N. 8<sup>th</sup> Court. She wanted to reassure those concerned that Shaw Construction Company does not compromise on quality. Ms. Rienks said Terry Claussen is as much for quality construction as Shaw Construction Company. She said a strong emphasis is being placed on this facility to have less of a visual impact on the area and to exceed the Code required minimums. Ms. Rienks said the property is prime real estate and will likely be developed as commercial now or in the future. She recommended Council to approve the rezoning.

Lois Dunn, 2680 Capra Way, said her property is two blocks east of N. 8<sup>th</sup> Court. She said her property is near several apartments that provides housing to some Mesa County ex-convicts. Ms. Dunn said she would have been glad to have a senior living facility instead of these apartments. She looks forward to having this facility as nice new neighbors.

Kristi Pollard, Grand Junction Economic Partnership (GJEP) Executive Director, 122 N. 6<sup>th</sup> Street, said she appreciates that this is not an easy decision and emphasized the economic impact of this project. She said this project will bring construction and health care jobs to the area. She encouraged the Council to approve the rezoning.

George Jachim, 2715 N. 8<sup>th</sup> Court, said he is against the project and it will not blend in with neighborhood.

Diane Schwenke, Grand Junction Area Chamber of Commerce, Executive Director, 360 Grand Avenue, said the Chamber does not have a position on this project. She attended the last meeting regarding this rezoning and is sympathetic to the neighbors of N. 8<sup>th</sup> Court. Ms. Schwenke said since the last meeting concerns have been addressed by the developer. She urged Council to consider the economic impact for businesses to grow and thrive in the community when voting on this issue.

Angel Bautista, 608 Irwin Street, said he is close to the Troester family and visits them often. He said adding this building to the neighborhood will increase traffic.

Karen Troester, returned to the podium and said her concern is not about the “not in my neighborhood” comment, it is about safety in a small neighborhood.

Vicki Bledsoe, 2719 N. 8<sup>th</sup> Court, stated details of her husband’s difficult experience trying to make an eastbound turn onto Patterson Road from N. 8<sup>th</sup> Court. She said he waited through 3 traffic light cycles before he made a westbound turn. Ms. Bledsoe said once a commercial property is in the neighborhood, the entire neighborhood will go away. She is against the project.

Ashley Troester, 2714 N. 8<sup>th</sup> Court, said the traffic study was not done properly. She said the times of increased traffic in the area of N. 8<sup>th</sup> Court need to be studied further.

There were no other public comments.

The public hearing was closed at 8:49 p.m.

Councilmember Kennedy asked if N. 8<sup>th</sup> Court is part of a Homeowner’s Association (HOA) and if so, do the by-laws allow permitted parking. City Attorney Shaver stated there is no HOA for N. 8<sup>th</sup> Court and a traffic circulation analysis would need to be completed before permitted parking could be considered. He added permitted parking is possible, but it would need to be privately enforced and there could be an issue of a public versus private street.

Ms. Portner said the Planning Commission provided neighborhood meeting notices to the developer for mailing, however, no neighborhood residents attended. She said some of the neighbors said they did not receive the meeting notice.

Councilmember Kennedy said Patterson Road is becoming a nonresidential corridor and this facility is more amenable than an apartment complex or strip mall. He stated the Planning Commission supports this project and he is also inclined to give his support.

Councilmember Boeschstein asked if the house currently on this property is on the Historic Register. Ms. Portner said no. Councilmember Boeschstein then asked if the facility would be considered residential or commercial and if the parking requirements are more or less restrictive than for a single family residence. Ms. Portner said the facility would fall under the residential category and said the parking requirements are less restrictive, however, the developer has ensured the parking will exceed the minimum requirements.

Councilmember Boeschstein said he appreciates the developer’s efforts to decrease the facility’s density and asked if the traffic study suggested making the exit from N. 8<sup>th</sup> Court a right turn only. Mr. Dorris deferred the question to Mr. Hudson.

Mr. Hudson said the traffic study considered two scenarios: a right turn in and out of the facility, which works well, and installing a raised median on Patterson Road for left turns, which is not recommended (raised medians are typically installed for an entire corridor and create the need for U-turns). Councilmember Boeschstein asked if staff recommends a right turn only for N. 8<sup>th</sup> Court.

Mr. Dorris said he concurred with Mr. Hudson's traffic study results.

Councilmember Boeschstein said he will support this request.

Councilmember McArthur complimented the developer for requesting the traffic study and working to address the neighborhood's concerns. He feels this request is in line with the City's Comprehensive Plan (CP) and is glad to support it.

Councilmember Traylor Smith was pleased to see the CP implemented and said this is a transition in land use which is a situation Council has to deal with as the community grows. Councilmember Traylor Smith said there is a need for this type of facility and it is a good use of the property. She said she will support the request.

Councilmember Taggart said this is a difficult issue and he is uncomfortable pitting economic development against a congested neighborhood. He said he is respectful of the CP and zoning, but feels it is a small lot for the size of the development and is concerned the increased parking will negatively impact the neighborhood.

Councilmember Chazen said he is concerned with the parking and traffic concerns, however, he is pleased the developer addressed both of these issues; he will support the request.

Council President Norris said her concern from the last meeting is traffic and she is glad the developer commissioned a traffic study. She said the traffic focus is Patterson Road and the property in question is located on Patterson Road. She said this is a great project for the area and she will support the request.

Councilmember McArthur moved to adopt Ordinance No. 4731 – An Ordinance rezoning the Grand Junction Lodge Development, located at 2656 Patterson Road, to PD (Planned Development) Zone, with a Default Zone of MXOC (Mixed Use Opportunity Corridor) and approve an Outline Development Plan on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call.

The Council took a break at 9:24 p.m.

The meeting reconvened at 9:34 p.m.

**Public Hearing – Ordinance No. 4732 – An Ordinance Vacating Right-of-Way for Balanced Rock Way, Located between Flat Top Lane and F ¼ Road**

This is a request to vacate the entire right-of-way of Balanced Rock Way, between Flat Top Lane and F ¼ Road. Balanced Rock Way is a north/south street platted with the Sundance Village Subdivision and is located between vacant parcels that are currently in the Site Plan Review process for an apartment complex. By vacating the right-of-way, this area can be better utilized and designed for access and angled parking between the adjacent properties. The right-of-way to be vacated will be retained as easement for the existing utilities and public access.

The public hearing was opened at 9:25 p.m.

Lori V. Bowers, Senior Planner, presented this item, described the request, and the location including the surrounding area of the proposed development. Ms. Bowers stated the request meets the CP goals and Zoning Code criteria. She said the provision for public access and the utility easement will ensure that no parcel will be landlocked. Ms. Bowers stated the Planning Commission approved the vacation of the right of way.

Ms. Bowers introduced Lynn Rindlisbacher, Scenic Development, Bluffdale, Utah. Mr. Rindlisbacher described the type of complexes Scenic Development builds and the type of complex, along with the high end amenities, proposed for this development adding that his company provides quality construction. Mr. Rindlisbacher said Scenic Development owns as well as develops and manages these complexes; they are not just a build and sell development company.

Councilmember Kennedy asked if the project went from Rockslide Lane to 24½ Road. Mr. Rindlisbacher said the project will be from Devil's Thumb Drive and extend to the east end of 24½ Road.

Councilmember McArthur asked if the street would be gated. Mr. Rindlisbacher said no, but for safety, speed bumps may be installed.

Councilmember McArthur then asked if the street is concrete or asphalt. Ms. Bowers said it is concrete.

Councilmember Boeschenstein asked how will Window Rock Lane be addressed. Ms. Bowers said the streets are private and will only be named for postal purposes.

There were no public comments.

The public hearing closed at 9:37 p.m.

Councilmember Boeschenstein moved to adopt Ordinance No. 4732 – An Ordinance vacating right-of-way for Balanced Rock Way, located Between Flat Top Lane and F¼

Road upon final passage and ordered final publication in pamphlet form.  
Councilmember Traylor Smith seconded the motion. Motion carried by roll call.

**Resolution No. 03-17 – A Resolution Setting the Title for and Submitting to the Electorate on April 4, 2017 a Measure to Increase the Sales and Use Tax from 2.75% to 3.00% and to Retain and Spend Revenues as a Voter Approved Revenue Change as Defined by Article X, Section 20 of the Colorado Constitution and to Incur Bonded Indebtedness to Build an Event Center and Improve the Two Rivers Convention Center**

The City of Grand Junction, Colorado is a home rule municipal corporation duly organized and existing under the laws and Constitution of the State of Colorado and the City Charter. The City Council is duly authorized by the Charter and the Constitution to act for and on behalf of the City and the Council does hereby find and determine that it is in the public interest to increase the sales and use tax from 2.75% to 3.00% for the purpose of financing the costs of constructing and operating of an event center and making improvements to the Two Rivers Convention Center. Council is seeking voter approval.

City Manager Greg Caton provided an event center timeline detailing Council and staff's evaluations, focus groups, and research. City Manager Caton said a feasibility study proposed a 5,000+ seat event center with improvements to the existing Two Rivers Convention Center (TRCC). The facility would be well placed for performers to stop while traveling between Salt Lake City and Denver. He noted the City has lost some of its regional presence and believes this project is critical for Grand Junction to keep its presence for regional services.

City Manager Caton stated this event center could bring new events to the area including large indoor sporting events, concerts, family shows, graduations, larger conferences, and conventions. It would also serve the growing recreation, entertainment, convention, and tourism industries and in addition bring more business to restaurants, hotels, and motels. City Manager Caton said the economic impact of the proposed event center would be increased jobs/wages, new spending, additional sales and lodging taxes, and one-time construction projects. He said the proposed .25 percent sales tax increase (groceries and medicine are still exempt) would leverage dollars by outside visitors paying the larger portion. He stated the City's major source of revenue for operations is sales tax. He detailed the anticipated economic impact of an event center to the downtown area.

Councilmember Boeschstein asked if any parking issues are anticipated. City Manager Caton said he feels there will be plenty of parking with TRCC's parking structures, other parking lots close by, and there are plans to partner with private lots which empty around 5 p.m.

Councilmember McArthur asked if this initiative could be split into two. City Manager Caton said the event center has been discussed for a number of years, however a sales tax increase requires a vote of the community. City Manager Caton said if the initiative is not successful, then staff will revisit the future of TRCC.

Councilmember Chazen asked if the interested hockey league would do their own viability assessment and at what stage is the City included with those negotiations. City Manager Caton said staff has been in communication with the East Coast Hockey League (ECHL) Commissioner and they are interested in locating a team in Grand Junction. If the facility is approved, the ECHL would build and develop a team during its construction.

Councilmember Traylor Smith said it is important to combine the facilities in order to attract larger events and provide a greater economic impact. She asked what the projected impact of the sales tax increase would be on the average City household. City Manager Caton said the increase for each City household will be about \$30 per year. Councilmember Traylor Smith then asked if measures will be put in place in case the sales tax revenue drops in 2017 as it did in 2016. City Manager Caton said plans have been put in place for possible cyclical downturns, however, the economic development plan projections indicate the event center will be profitable. He said the studies estimated a \$30 million per year impact to the community's economy.

Councilmember Traylor Smith asked what the annual subsidy is for TRCC. City Manager Caton said it was projected to be \$450,000, but with the new management structure the amount is capped at \$225,000 and includes a six-month transition period, however, the proposed facility is projected to stand on its own.

Councilmember Traylor Smith noted it is important to maintain the City's regional status which appeals to younger residents.

Councilmember Kennedy said he attended a committee meeting shortly after being elected to Council which discussed an event center and hockey league arena. He said he has always been in support of an event center in downtown Grand Junction. Councilmember Kennedy stated he will support combining TRCC with an event center and asked if community partners have committed to supporting this facility.

City Manager Caton said the Fair Campaign Practices Act (FCPA) prohibits staff from using public (City) resources to support initiatives, however, a community group is mobilized to move forward and gain community support.

City Attorney Shaver said the FCPA prohibition does not extend to elected officials.

Councilmember Kennedy asked if other incomes could be used to help retire the event center debt. City Attorney Shaver said additional event fees could be assessed and



would not require a ballot question. Councilmember Kennedy said he will support bringing this initiative to a vote.

Councilmember Taggart agreed that this initiative should be brought to a vote. He then asked when bond financing could be secured. City Manager Caton said as soon as July 2017 if the measure is approved.

Councilmember Chazen urged voters to carefully study the issue and said he is glad to get the initiative on the ballot to let taxpayers decide.

Council President Norris stated several studies have been done for this issue. She feels the event center will be a regional draw and hopes the community supports it.

Councilmember Traylor Smith moved to adopt Resolution No. 03-17 – A Resolution Setting the Title for and Submitting to the Electorate on April 4, 2017 a Measure to Increase the Sales and Use Tax from 2.75% to 3.00% and To Retain and Spend Revenues as a Voter Approved Revenue Change as Defined by Article X, Section 20 of the Colorado Constitution and to Incur Bonded Indebtedness to Build an Event Center and Improve the Two Rivers Convention Center. Councilmember Boeschstein seconded the motion. Motion carried by roll call.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

There was none.

### **Adjournment**

The meeting was adjourned at 10:40 p.m.

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Stephanie Tuin, MMC  
City Clerk

## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**JANUARY 18, 2017**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, January 18, 2017 at 5:15 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bennett Boeschstein, Marty Chazen, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and President of the Council Phyllis Norris. Councilmember Chris Kennedy arrived at 5:19 p.m. Also present were City Manager Greg Caton, City Attorney John Shaver, Parks and Recreation Director Rob Schoeber, Grand Junction Area Chamber of Commerce Executive Director Diane Schwenke, Grand Junction Economic Partnership Executive Director Kristi Pollard, and Bonsai Design, Inc. Founders and Owners, Thaddeus and Sarah Shrader.

Councilmember Boeschstein moved to go into Executive Session to Discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal, or Other Property Interest Under Colorado Revised Statutes Section 24-6-402(4)(a) of the Open Meetings Law and they will not return to open meeting. Councilmember Chazen seconded the motion. Motion carried.

The City Council convened into executive session at 5:16 p.m.

Councilmember Chazen moved to adjourn the meeting. Councilmember Kennedy seconded the motion. Motion carried.

The meeting adjourned at 6:25 p.m.

Stephanie Tuin, MMC  
City Clerk



**Grand Junction City Council**

**Regular Session**

**Item #2.a.i.**

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**Meeting Date:** February 1, 2017

**Presented By:** Kristen Ashbeck, Sr. Planner/ **Submitted By:** Kristen Ashbeck,  
CDBG Admin Senior Planner

**Department:** Admin - Community  
Development

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**Information**

**SUBJECT:**

Proposed Ordinance Vacating Alley Public Rights-of-Way in Block 84 City of Grand Junction at 310 North 7th Street (R-5 High School Block) and Set a Hearing for February 15, 2017

**RECOMMENDATION:**

Approval of First Reading of the Vacation Ordinance and set a hearing for February 15, 2017. The Planning Commission recommended approval of the alley rights-of-way vacation at its January 24, 2017 meeting.

**EXECUTIVE SUMMARY:**

This is a request to vacate the public alley rights-of-way in Block 84, City of Grand Junction also known as the R-5 High School Block. Vacation of the alley rights-of-way will clear encumbrances for potential redevelopment of the block.

**BACKGROUND OR DETAILED INFORMATION:**

The Grand Junction Downtown Development Authority (DDA), as the owner of the property known as the R-5 High School block on the southeast corner of 7th Street and Grand Avenue (Block 84, Original City Plat) is in the process of redeveloping the site. Currently, the east-west and north-south alley rights-of-way bisect the block and are an encumbrance to potential development of the property. Therefore, the DDA requests approval from the City to vacate both the east-west and north-south alley rights-of-way in Block 84, Original City Plat (approximately 11,777 square feet or 0.27 acres). Only portions of the rights-of-way have been improved and the R-5 High School building was constructed on the east-west alley. There are private electrical facilities located on

the east end of the east-west alley for which Xcel Energy has stated that retention of an easement is not required. There is also a public sewer line that runs north-south through the property west of the north-south alley. An easement for this line has already been granted by the property owner, the DDA to the City for the benefit of the Persigo 201 Sanitary Sewer System.

**FISCAL IMPACT:**

This removes the City from further responsibility for construction and/or maintenance and repairs of the alley rights-of-way.

Council directed staff to evaluate on a case by case basis the value of selling Right-of-Way (ROW) at the time of a vacation request. ROW recently acquired by the City has been valued at \$5.00 per square foot as a base and goes up from there, depending on site location, resulting in an estimated value of at least \$58,806 for the proposed vacation of alleys. However, based on past City Council direction, the City has not been compensated for vacated ROW.

**SUGGESTED MOTION:**

I MOVE to introduce a Proposed Ordinance Vacating Public Alley Rights-of-way in Block 84, City of Grand Junction located at 310 North 7th Street and Set a Hearing for February 15, 2017.

**Attachments**

1. Planning Commission Staff Report
2. Proposed Ordinance



Date: January 4, 2017  
 Author: Kristen Ashbeck  
 Title/ Phone Ext: Senior Planner /1491  
 Proposed Schedule: Planning  
 Commission January 24, 2017; City  
 Council 1<sup>st</sup> Reading – February 1, 2017  
 2nd Reading: February 15, 2017  
 File: VAC-2016-582

**ATTACH 1**

**PLANNING COMMISSION AGENDA ITEM**

<b>Subject:</b> Vacation of Alley Public Rights-of-Way – R-5 High School Block
<b>Action Requested/Recommendation:</b> Forward a recommendation to City Council to vacate alley public rights-of-way in Block 84, Original City Plat, also known as the R-5 High School Block to clear encumbrances for potential redevelopment of the block.
<b>Presenter(s) Name &amp; Title:</b> Kristen Ashbeck – Senior Planner

**Executive Summary:**

Forward a recommendation to City Council to vacate alley public rights-of-way in Block 84, Original City Plat, also known as the R-5 High School Block to clear encumbrances for potential redevelopment of the block.

**Background, Analysis and Options:**

The Grand Junction Downtown Development Authority (DDA), as the owner of the property known as the R-5 High School block on the southeast corner of 7<sup>th</sup> Street and Grand Avenue (Block 84, Original Plat, City of Grand Junction) is in the process of redeveloping the site. Currently, the east-west and north-south alley rights-of-way bisect the block and are an encumbrance to potential development of the property. Therefore, the DDA requests approval from the City to vacate both the east-west and north-south alley rights-of-way in Block 84, Original City Plat (approximately 11,777 square feet or 0.27 acres – see attached vacation exhibit). Only portions of the rights-of-way have been improved and the R-5 High School building was constructed on the east-west alley. There are private electrical facilities located on the east end of the east-west alley for which Xcel Energy has stated that retention of an easement is not required. There is also a public sewer line that runs north-south through the property west of the north-south alley. An easement for this line has already been granted by the property owner, the DDA to the City for the benefit of the Persigo 201 Sanitary Sewer System.

**Neighborhood Meeting:**

Because the rights-of-way have not been improved, a portion of the east-west alley has already been constructed upon (R-5 High School building), and the adjacent property (all owned by the DDA) is the only beneficiary, no neighborhood meeting was held.

**How this item relates to the Comprehensive Plan Goals and Policies:**

**Goal 4:** Support the continued development of the downtown area of the City center into a vibrant and growing area with jobs, housing and tourist attractions.

The requested alley vacations will render the entire block unencumbered by the rights-of-way, thereby it will be more conducive to future redevelopment which supports this goal.

**How this item relates to the Economic Development Plan:**

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed vacation of rights-of-way request does not specifically further the goals of the Economic Development Plan, it does make the parcel more attractive for redevelopment for both renovation of the historic school and new development. The vacation also eliminates the responsibility of the City of Grand Junction for construction and maintenance of the alleys.

**Board or Committee Recommendation:**

There is no other committee or board recommendation.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

This request has not previously been presented or discussed.

**Attachments:**

1. Background information
2. Staff report
3. Site Location Map
4. Alley Location Map
5. Survey Exhibit
6. Ordinance

BACKGROUND INFORMATION					
Location:		310 North 7 <sup>th</sup> Street. Block 84 Original City Plat – Southeast corner of 7 <sup>th</sup> Street and Grand Avenue			
Applicant:		DDA – Brandon Stam, Executive Director			
Existing Land Use:		Partially improved rights-of-way for alleys			
Proposed Land Use:		Incorporate into future redevelopment of the block			
Surrounding Land Use:	North	Church, Office and Multifamily Residential			
	South	Office, Duplex and Vacant			
	East	Commercial Services and Office			
	West	Office and Multifamily Residential			
Existing Zoning:		N/A – rights-of-way; Block is B-2 (Downtown Business)			
Proposed Zoning:		B-2 (Downtown Business)			
Surrounding Zoning:	North	PD (Planned Development) and R-O (Residential Office)			
	South	B-2 (Downtown Business)			
	East	R-O (Residential Office)			
	West	B-2 (Downtown Business)			
Future Land Use Designation:		Downtown Mixed Use			
Zoning within density range?		X	Yes		No

Section 21.02.100 of the Grand Junction Municipal Code

The vacation of the right-of-way shall conform to the following:

- a. *The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.*

The vacation of the alley rights-of-way will remove encumbrances from the entire block except for a remaining sanitary sewer easement, thereby making the property more attractive for redevelopment. It will also eliminate the City's responsibility for construction and maintenance of the alleys. This does not impact the Grand Valley Circulation Plan and is consistent with the Comprehensive Plan and Greater Downtown Plan. Therefore, this criterion has been met.

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

No parcels are landlocked if the alleys are vacated. Therefore, this criterion has been met.

- 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.*

Vacation of the alleys will not change the access or restrict access to any properties, particularly since the entire block is under one ownership. The vacation will increase total developable square footage of the block, maximizing future (re)development potential. Therefore, this criterion has been met.

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

The review of the proposed vacation elicited the following comments:

Development Engineer: No comments.

City Planner: Easement for sanitary sewer line has been recorded. A sanitary sewer easement is being retained in that area of the right-of-way being vacated that is included in the description of the sanitary sewer easement granted by the DDA in the document recorded in the Mesa County Clerk and Recorder's Office with Reception #2784040. Xcel Energy has stated that the private electric facilities in the east-west alley do not require an easement be retained.

City Surveyor: No comments.

As no other adverse impacts on the health, safety, and/or welfare of the general community have been raised and the quality of public facilities and services provided to any parcel of land will not be reduced as a result of this vacation request, this criterion has been met.

- e. *The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.*

Except for a sanitary sewer line for which an easement has been dedicated, all existing public facilities or services are located outside of the alleys being considered for vacation. A sanitary sewer easement is being retained in that area of the right-of-way being vacated that is included in the description of the sanitary sewer easement granted by the DDA in the document recorded in the Mesa County Clerk and Recorder's Office with Reception #2784040. Therefore, this criterion has been met.



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

The proposed vacation provides a public benefit by eliminating future construction and maintenance costs for the alleys and creates a full block of real estate that is more attractive to a developer. Therefore, this criterion has been met.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Vacation of Public Alley Rights-of-Way – R-5 High School Block, VAC-2016-582 for the vacation of public alley rights-of-way, I make the following findings of fact and conclusions:

1. The requested vacation of alley rights-of-way does not impact the Grand Valley Circulation Plan and is consistent with the Comprehensive Plan and Greater Downtown Plan.
2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have all been met.
3. Retain a sanitary sewer easement for the benefit of the Persigo 201 System in that area of the right-of-way being vacated included in the area granted as a sanitary sewer easement by the Grand Junction, Colorado, Downtown Development Authority in the document recorded in the Mesa County Clerk and Recorder's Office with Reception Number 2784040 with the retained and reserved easement having the same covenants, uses and purposes as set forth therein.

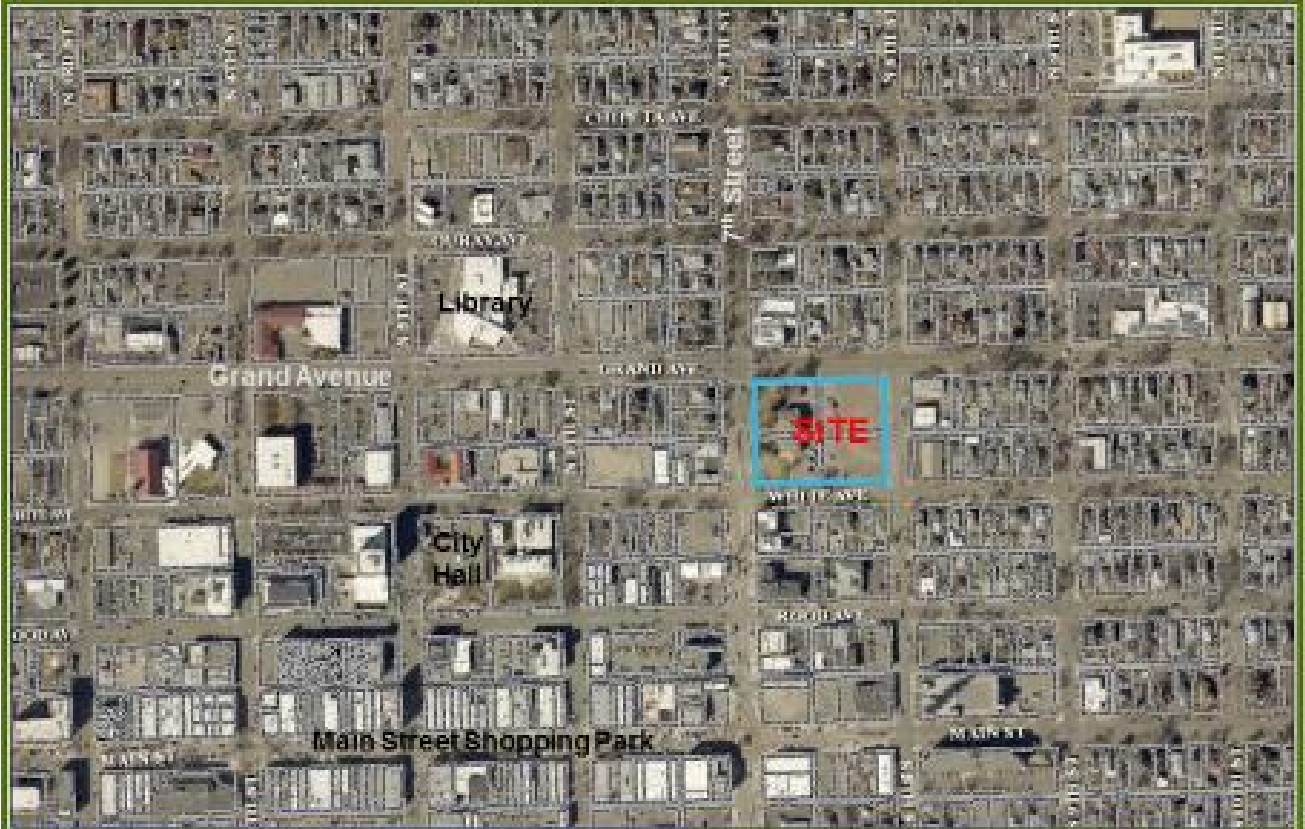
## STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested alley rights-of-way vacation, VAC-2016-582 to the City Council with the findings and conclusions listed above.

## RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on item VAC-2016-582, I move we forward a recommendation of approval to the City Council on the request to vacate the alleys in Block 84, City of Grand Junction located at 310 North 7<sup>th</sup> Street with the findings of fact and conclusions in the staff report.

# Block 84 (R-5) Alley Vacation Location Map



Printed: 12/29/2016

1 inch = 358 feet



# R-5 Alley Vacation

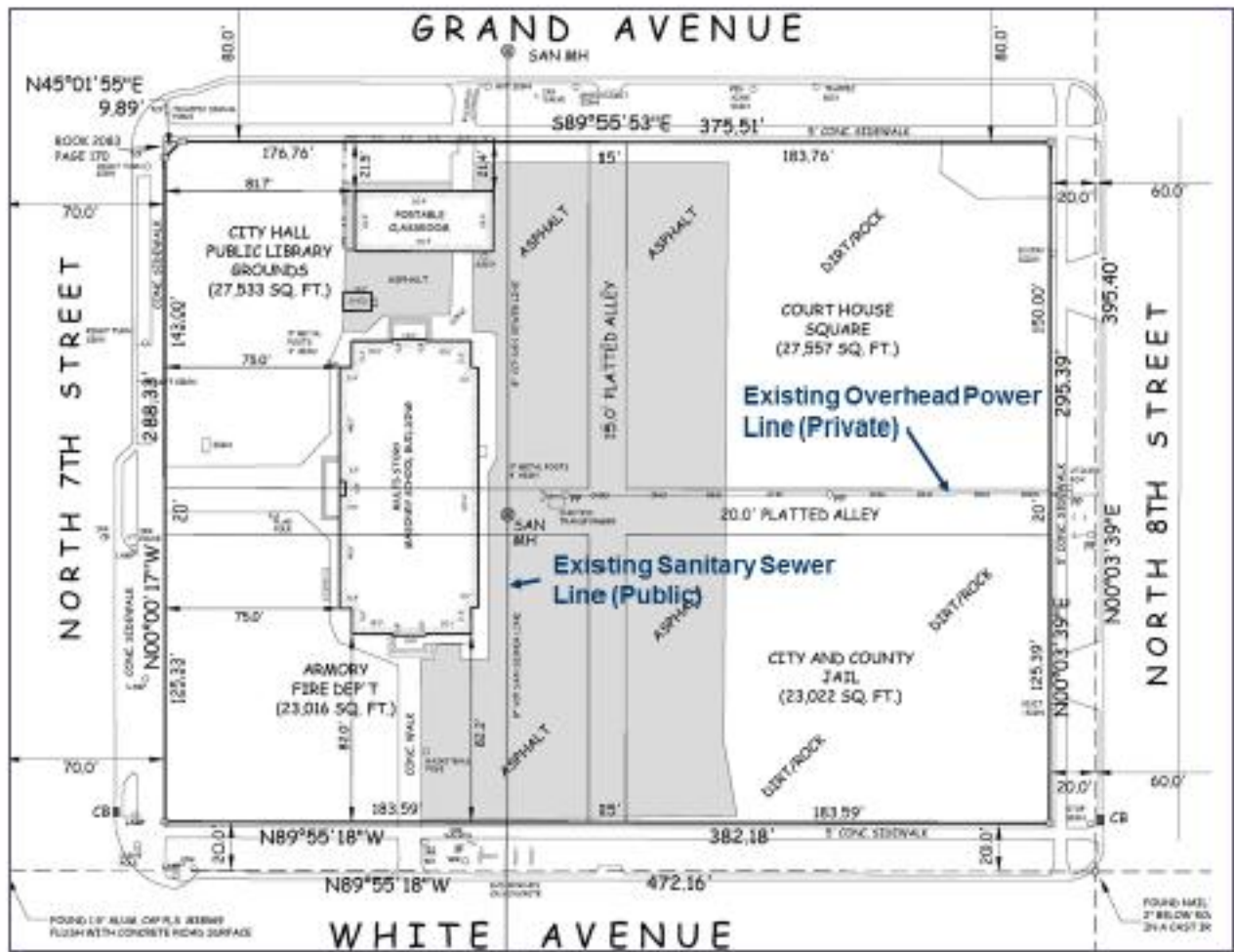


0 0.025 0.05 Miles

Printed: 12/20/2016

1 inch = 90 feet





**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING ALLEY PUBLIC RIGHTS-OF-WAY IN BLOCK 84 CITY OF GRAND JUNCTION LOCATED AT 310 NORTH 7<sup>th</sup> STREET**

**RECITALS:**

Vacation of the alleys has been requested by the adjoining property owner.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacations be approved.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

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

The following described dedicated rights-of-way are hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following rights-of-way are shown on "Exhibit A" as part of this vacation of description.

Dedicated rights-of-way to be vacated:

**ALLEY RIGHTS-OF-WAY VACATION DESCRIPTION**

Certain parcels of land lying in the Southeast Quarter (SE 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The East-West 20.0 foot wide alley and the North-South 15.0 foot wide alley lying within Block 4, Plat of Resurvey of Second Division of City of Grand Junction, as same is recorded in Plat Book 2, Page 37, Public Records of Mesa County, Colorado.

**CONTAINING 11,777 Square Feet or 0.270 Acres, more or less, as described.**

A sanitary sewer easement for the benefit of the Persigo 201 System is hereby retained and reserved by the City of Grand Junction in that area of the right-of-way being vacated included in the area granted as a sanitary sewer easement by the Grand

Junction, Colorado, Downtown Development Authority in the document recorded in the Mesa County Clerk and Recorder's Office with Reception Number 2784040 with the retained and reserved easement having the same covenants, uses and purposes as set forth therein. A copy of the document is attached as Exhibit "B."

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of City Council

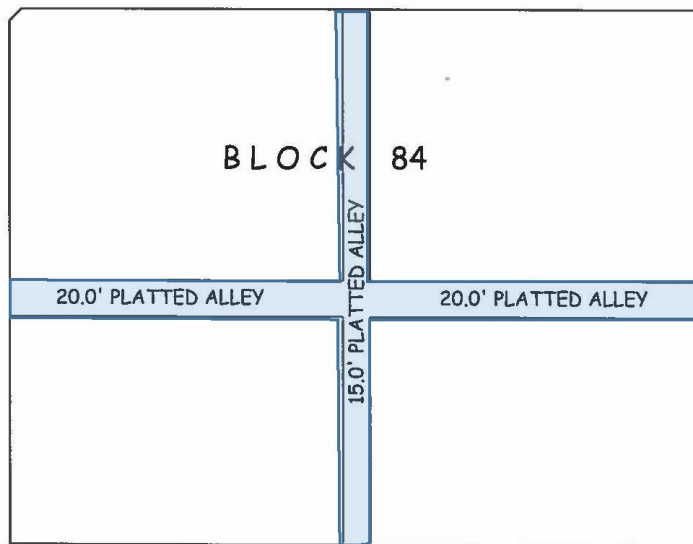
\_\_\_\_\_  
City Clerk

# EXHIBIT "A"

GRAND AVENUE

NORTH 7TH STREET

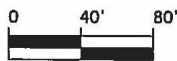
NORTH 8TH STREET



WHITE AVENUE

ABBREVIATIONS

P.O.C. POINT OF COMMENCEMENT  
 P.O.B. POINT OF BEGINNING  
 R.O.W. RIGHT OF WAY  
 SEC. SECTION  
 TWP. TOWNSHIP  
 RGE. RANGE  
 U.M. UTE MERIDIAN



1 inch = 80 ft.

Lineal Units = U.S. Survey Foot



NICAD/PETER/SURVEYS BY PTZ/BLOCK 84

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

SHEET 2 OF 2

DRAWN BY: P.T.K.  
 DATE: 11-28-2016  
 SCALE: 1" = 80'  
 APPR. BY: M.G.

ALLEY VACATION WITHIN BLOCK 84  
 PLAT OF RESURVEY OF  
 SECOND DIVISION OF  
 CITY OF GRAND JUNCTION



# EXHIBIT B

3 PAGE DOCUMENT

RECEPTION#: 2784040  
12/14/2016 8:31:27 AM, 1 of 3  
Recording: \$21.00, Doc Fee Exempt  
Sheila Rainar, Mesa County, CO,  
CLERK AND RECORDER

## GRANT OF SANITARY SEWER EASEMENT

**Grand Junction, Colorado, Downtown Development Authority, Grantor**, whose address is 437 Colorado Avenue, Grand Junction, CO 81501, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable consideration; the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the **City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 N. 5th Street, Grand Junction, CO 81501, for the benefit of the Persigo 201 System a perpetual Sanitary Sewer Easement ("Easement") for the installation, operation, maintenance, repair and replacement of sanitary sewer facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:


Easement as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantor shall have the right to use and occupy the real property burdened by this Easement for any lawful purpose which is not inconsistent with and which will not interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee or which might act to prevent or impede reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee shall not be responsible for any damage caused by the removal of any burden within the Easement area which interferes with Grantee's reasonable ingress or egress on, along, over, under, through and across the Easement area and/or Grantee's use of the Easement area.
3. Grantor hereby further covenants with Grantee that Grantor has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons claiming an interest by, through, or under the Grantor.

Executed and delivered this 13 day of December, 2016.

GRAND JUNCTION, COLORADO,  
DOWNTOWN DEVELOPMENT AUTHORITY

By:   
Kirk Granum  
Chairman of the Board

State of Colorado    )  
                                  )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of December, 2016 by Kirk Granum as Chairman of the Board of the Grand Junction, Downtown Development Authority.

My commission expires: 7-11-2018  
Witness my hand and official seal.

  
Notary Public

JANET HARRELL  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20144027406  
My Commission Expires July 11, 2018



**EXHIBIT "A"**

**20' SANITARY SEWER EASEMENT**

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

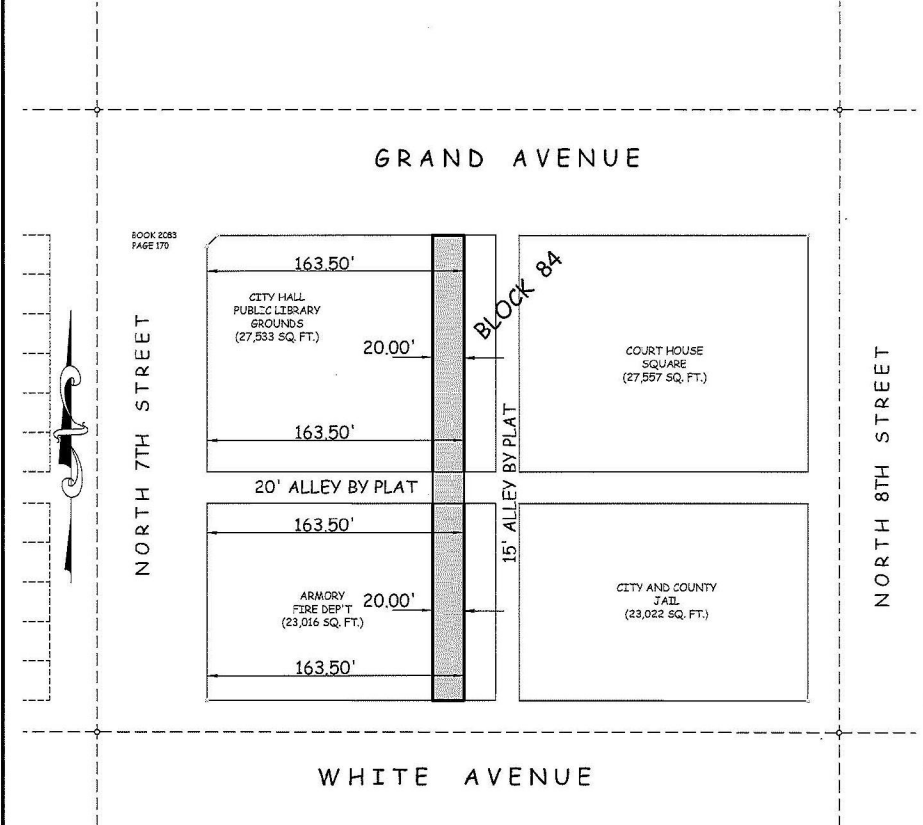
The East 20.00 feet of the West 163.50 feet of Block 84, Plat of Resurvey of Second Division of City of Grand Junction, as same is recorded in Plat Book 2, Page 37, Public Records of Mesa County, Colorado.

CONTAINING 5,907 Square Feet or 0.136 Acres, more or less, as described.

Description created by:

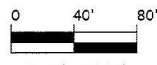
Peter T. Krick, PLS  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

# EXHIBIT "A"



ABBREVIATIONS

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN



1 inch = 80 ft.

Lineal Units = U.S. Survey Foot

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



SHEET 3 OF 3

DRAWN BY: P.T.K.  
 DATE: 07-28-2015  
 SCALE: 1" = 80'  
 APPR. BY: M.G.

20' UTILITY EASEMENT WITHIN  
 BLOCK 84  
 PLAT OF RESURVEY OF  
 SECOND DIVISION OF  
 CITY OF GRAND JUNCTION



INCADD/PETERK/SURVEYS BY PTX/BLOCK 84



## Grand Junction City Council

### Regular Session

Item #3.a.

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**Meeting Date:** February 1, 2017

**Presented By:** Greg Lanning, Public Works Dir,  
Jay Valentine, Internal Serv. Man.

**Submitted By:** Justin Vensel,  
Project  
Engineer

**Department:** Public Works - Streets

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### Information

**SUBJECT:**

2017 Contract Street Maintenance

**RECOMMENDATION:**

Authorize the City Purchasing Division to enter into a Contract with Elam Construction of Grand Junction, CO for the 2017 Asphalt Overlay and Pavement Preservation Project in the amount of \$1,820,383.50.

**EXECUTIVE SUMMARY:**

This is the first of two construction contracts this year for the annual street maintenance program. This contract with Elam Construction for \$1,820,383.50 if approved, will overlay 10 roads at 15.8 lane miles, and chipseal 3 roads at 11.1 lane miles, for a total of 13 roads at nearly 30 lane miles. A second street maintenance contract will be brought to Council later this year for unique pavement preservation treatments that could not be included in this bid.

**BACKGROUND OR DETAILED INFORMATION:**

This year's total street maintenance program is funded at \$3.5 million, including \$2.7 million for outsourced contract work and \$800,000 for the materials necessary for the annual chipseal program applied by City street department crews. Total funding of the program at \$3.5 million represents a 25% increase over last year's funding.

Roads throughout the City have been rated for condition and an asset management program is used to determine the road and the treatment list for the annual program. This contract consists of resurfacing (overlying) City streets with up to 2" of new

asphalt pavement based on the condition of the existing street. Work items associated with the paving in this contract include milling of existing asphalt pavement where needed, patching of failed sections of roadways, adjusting manhole lids and valve covers to grade, and placing shoulder gravel on roads that do not have curb and gutter. Some streets selected will have sewer line replacements ahead of the overlay, with sewer funds being used to pay a portion of the resurfacing cost affected by the sewer installation.

This contract includes 78,800 square yards of asphalt milling, 14,375 tons of hot mix asphalt in overlays totaling 15.8 lane miles, and 77,200 square yards of road surface, or 11.1 lane miles, that will receive a chip seal surface as pavement preservation.

The street selected for this contract include:

#### Overlays

1. 24 Road - G Road to north of Canyon View Park Entrance
2. 25 Road - I-70B to Patterson Road
3. 26 Road - Patterson Road to F 1/2 Road
4. 4th Street - Grand Avenue to North Avenue
5. 7th Street - Teller Avenue to North Avenue
6. 9th Street - S. 1st Street to Ute Avenue
7. 12th Street - Pitkin Avenue to Gunnison Avenue
8. Bookcliff Avenue - 7th Street to 10th Street
9. Gunnison Avenue - 12th Street to 24th Street
10. D Road - 31 Road to 32 Road

#### Pavement Preservation

1. B 1/2 Road - 27 1/2 Road to 29 Road
2. Grand Avenue - 1st Street to 12th Street
3. Horizon Drive - 12th Street to G Road

A formal Invitation for Bids was issued via BidNet (an on-line site for government agencies to post solicitations), posted on the City's Purchasing website, sent to the Grand Junction Chamber of Commerce and the Western Colorado Contractors Association, and advertised in The Daily Sentinel. Two companies submitted formal bids, which were found to be responsive and responsible in the following amounts:

Firm	Location	Amount
Elam Construction	Grand Junction, CO	\$1,820,383.50
United Companies	Grand Junction, CO	\$2,014,267.25

This project is scheduled to begin on early June with an expected final completion date of early August.

**FISCAL IMPACT:**

The funding for this project is budgeted in the Sales Tax Capital Improvement fund and the Joint Sewer System fund and is detailed below.

**Sources**

Contract Street Maintenance	\$2,700,000
Sewer Line Replacement Allocation	<u>180,000</u>
<b>Total Project Sources</b>	<b>\$2,880,000</b>

**Expenditures**

<b><i>Construction Contract Elam Construction</i></b>	<b><u>\$1,820,384</u></b>
<b>Remaining Budget</b>	<b>\$1,059,616</b>

The remaining budget will fund a separate contract and for alternative pavement preservation road treatments including High Density Mineral Bond and Micro-surfacing.

**SUGGESTED MOTION:**

I MOVE to authorize the City Purchasing Division to enter into a Contract with Elam Construction of Grand Junction, CO for the 2017 Asphalt Overlay and Pavement Preservation Project in the Amount of \$1,820,383.50.

**Attachments**

None



## Grand Junction City Council

### Regular Session

Item #4.a.

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**Meeting Date:** February 1, 2017

**Presented By:** Rob Schoeber, Parks and Recreation Director      **Submitted By:** Traci Wieland,  
Recreation Superintendent

**Department:** Parks and Recreation

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### Information

#### **SUBJECT:**

Resolution No. 12-17 - A Resolution Accepting a \$29,400 Habitat Restoration Grant from the State Board of the Great Outdoors Colorado Trust Fund for the Las Colonias Riparian Area

#### **RECOMMENDATION:**

Staff recommends the approval of the resolution to Great Outdoors Colorado (GOCO) for a Habitat Restoration grant for the Las Colonias Riparian Restoration project.

#### **EXECUTIVE SUMMARY:**

A water channel (slough) was excavated as part of the Las Colonias Amphitheater project. This excavated material was used in the seating area of the Amphitheater as opposed to removing it via a costly off-site alternative. The excavated slough was designed for year-round, low volume water flow to create and enhance wildlife habitat, riparian habitat, and human interaction with nature. The project is now poised for continued phased development including revegetation via several outside funding sources, including the GOCO Riparian Restoration grant.

#### **BACKGROUND OR DETAILED INFORMATION:**

During the master planning process for Las Colonias Park, the need for an enhanced riverfront experience for users became an important objective. A 15 acre area, previously cleared of Russian olive and tamarisk thanks to partnerships with the Tamarisk Coalition and the Colorado Army National Guard, became a viable option to create a riparian and wildlife habitat as well as an opportunity for users to connect with nature and water. Concurrently, a large amount of fill was necessary to create the

gently sloped seating area for the Amphitheater. The excavated water channel was subsequently designed to provide year-round, low volume water flow to create and enhance wildlife habitat, riparian habitat, and human interaction with nature.

The City has been working closely with numerous entities to ensure compliance with regulations and project success. These entities include: US Fish and Wildlife, Department of Energy (DOE), Navarro (contractor to the DOE), Colorado Department of Public Health and Environment, Army Corps of Engineers, Ducks Unlimited, Grand Valley Audubon, and the Tamarisk Coalition.

The excavation project has been completed as part of the Amphitheater construction project is now poised for continued phased development. There are numerous grants available for the ongoing phased development and revegetation of this site. The GOCO Riparian Restoration grant will fund four weeks of Western Colorado Conservation Corps to plant materials on the site. Funding for the plant materials is available through a partnership with Ducks Unlimited. The City will rent a skid steer to assist in the planting process. In addition, the Tamarisk Coalition will provide in-kind project management support similar to the support provided during the Indian Wash non-native species removal projects in 2015 and 2016.

Once vegetation is established, long-term goals include improved access for people to interact with the area, natural playscapes, and interpretive signage highlighting the restoration project, the importance of riparian habitat, and the benefits to wildlife (waterfowl, endangered fish, and yellow-billed cuckoo).

#### **FISCAL IMPACT:**

The GOCO Riparian Restoration grant is for \$29,400. Matching requirements allowed for the use of \$10,389 of completed design services in 2016. Additional match includes \$3,000 the 2017 Las Colonias Riparian Restoration budget specifically designed for the ongoing small scale development and design of the area.

#### **SUGGESTED MOTION:**

I MOVE to adopt Resolution No. 12-17 – A Resolution Accepting the Habitat Restoration Grant for the Las Colonias Riparian Restoration project from the State Board of the Great Outdoors Colorado Trust Fund.

#### **Attachments**

1. GOCO Habitat Restoration Resolution

**RESOLUTION NO. \_\_-17**

**A RESOLUTION SUPPORTING THE AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR THE LAS COLONIAS RIPARIAN RESTORATION**

Recitals:

The City of Grand Junction supports the completion of Las Colonias Park Riparian Restoration. The City of Grand Junction has received a Riparian Restoration grant from Great Outdoors Colorado to fund the Las Colonias Riparian Restoration project, subject to execution of a grant agreement.

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

- 1: The City Council of the City of Grand Junction hereby authorizes the City Manager to sign the grant agreement with Great Outdoors Colorado.
- 2: The City Council of the City of Grand Junction hereby authorizes the expenditure of funds as necessary to meet the terms and obligations of the grant agreement and application.
- 3: This resolution to be in full force and effect from and after its passage and approval.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2017.

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Phyllis Norris  
President of the City Council

**ATTEST:**

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Stephanie Tuin  
City Clerk





**Grand Junction City Council**

**Regular Session**

**Item #5.a.i.**

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**Meeting Date:** February 1, 2017

**Presented By:** David Thornton, Prin.  
Planner

**Submitted By:** David Thornton,  
Prin. Planner  
Kathy Portner,  
Comm. Services  
Manager

**Department:** Admin - Community  
Development

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**Information**

**SUBJECT:**

Ordinance No. 4737 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Signage

**RECOMMENDATION:**

The Planning Commission recommended approval of the original proposed ordinance addressing both content neutrality (including removal of the off-premise sign section) and electronic and digital signage at their October 11, 2016 hearing. The City Council, at their November 16, 2016 hearing, tabled the ordinance. The content neutrality portion has now been separated from the remaining provisions and is before the City Council for adoption.

**EXECUTIVE SUMMARY:**

A proposed ordinance addressing both content neutrality and electronic and digital signage was tabled by City Council at their November 16, 2016 meeting with direction to get business input on the proposed changes, specifically to the electronic and digital sign regulations. The staff is working with the Chamber of Commerce to garner input and will be bringing the electronic sign regulations portion of the ordinance back to the City Council during the first quarter of 2017.

Based on direction given by City Council at the December 19, 2016 workshop, the outdoor advertising/billboard provisions of the Code would stay intact and not be amended as a part of the proposed content neutrality provisions. The Council also requested that staff review the upgrade limitations imposed on outdoor advertising/billboards that are non-conforming due to overlay zone districts. Since that had not been considered with the original proposed ordinance, proposed amendments specific to non-conforming billboards will be brought forth separately through the Planning Commission for recommendation and onto City Council for a final decision.

This proposed ordinance amends the existing sign code regulations to be content neutral by clarifying and defining sign types, number of signs, location and height of signs allowed by zone district and establishing four categories of signs: (1) signs that do not require a permit, (2) signs that do require a permit, (3) temporary wind driven/banner signs and (4) governmental exempt signs. The ordinance also includes other minor amendments that clarify or simplify the code provisions. The provision to limit illumination of residential signs between 11 pm and 5 am and the provision to eliminate regulations specific to Off-Premise signs from the Sign Code have been removed from the revised ordinance.

## **BACKGROUND OR DETAILED INFORMATION:**

### Content Neutral Sign Regulations

Sign regulations are restrictions on speech and therefore must conform to the First Amendment to the United States Constitution. A government may impose reasonable time, place and manner restrictions on speech so long as they are content neutral and there is a rational basis for the restriction. In June of 2015, the United States Supreme Court expanded in “Reed vs Gilbert” what constitutes a content-based regulation while striking down the sign code for the Town of Gilbert, Arizona. Now, if one needs to read the sign to determine whether or how the restrictions apply, the regulation is content-based and, therefore, presumptively unconstitutional.

Following Reed, several sections of the City’s sign code have been identified as content-based, including the provisions relating to temporary signs, exempt signs, and off-premise signs. The proposed amendments comply with Reed.

### Commercial Speech and Off-Premise Advertising

In order to determine whether a sign is an “off-premise” sign, one must refer to the content of the sign. This means that following Reed an “off-premise” regulatory distinction is content based and presumptively unconstitutional. If regulation of “off-premise” signs could be limited to commercial speech, special regulations for such signs could possibly survive a First Amendment challenge; however, enforcement of

such regulations would be impractical. Even prior to Reed, the City had lost the practical ability to make on- and off-premise advertising distinctions for signs. Once a sign is erected, the message on a sign face can be easily changed. The advent of changeable copy (electronic) signs, in which the messages can change from one minute to the next, has made it practically impossible to strictly enforce the “off-premise” distinction for some time. Moreover, it makes little sense to force removal of a sign based on a change in the message it carries when the primary goal of sign regulation is to mitigate the visual impact of the signs in the community or in a particular corridor or area.

The current Sign Code regulates off-premise outdoor advertising signs (billboards) separately from on-premise signs. The original recommendation was to eliminate the designation of “off-premise signs” as part of the content neutral approach to regulating signage allowing such signs based on street frontage, etc., as all other signs in commercial and industrial zones. Staff now recommends that the off-premise sign section of the Code remain, but renamed outdoor advertising, which will allow the billboard industry to continue to do business as usual while ensuring that the distinction is based on commercial speech, which can, under Reed, still be regulated differently from non-commercial speech. This new recommendation comes after meeting and listening to the business community at a meeting with the Chamber of Commerce on December 13, 2016. At such time when the courts further review and hand down decisions relating to the off-premise/outdoor advertising industry, the City can then amend the sign code to reflect those decisions. With this change to the ordinance, the provision to allow an additional freestanding sign on parcels that have 600 feet of frontage is no longer justified and has also been removed from the proposed ordinance.

#### First Amendment and “Temporary/Exempt” Signage

The current Zoning and Development Code lists a number of “Exempt” and Temporary” Signs that are all content based, in that the message determines whether it’s allowed. Examples include signs for charitable or religious institution, nameplates, a drive thru menu, private warning or instructional signage like “beware of dog”, temporary signs describing sale or lease of property or goods, or political signs. These existing provisions in the Code are all regulating verbiage describing specific content and therefore are illegal under “Reed”. The proposed amendments delete all reference to sign content and instead specify the number and size of signs allowed on a property.

#### Summary of Proposed Amendments to the Code affected by Content Neutrality

1. Eliminate all existing Code language that is content specific.
2. Delete or modify the following terminology: Billboard Sign, Institutional Sign, Identification Sign, Integral Sign, Off-premise signs and Outdoor Advertising.

3. Establish that all signs placed by a governmental agency (including schools) are exempt.
4. Eliminate Street Banners from the Code since they will fall under the new proposed Governmental Signs and be Exempt.
5. Eliminate content specific categories such as real estate signs, political signs, No Trespassing signs, etc. and replace with the following sign categories:
  - a. Signs that do not require a permit;
  - b. Wind Driven Signs and Banners;
  - c. Signs that require a permit; and
  - d. Governmental (Exempt) Signs.



6. Allow the following signs in any zone district without a sign permit:
  - a. One sign that is integral to or flush-mounted on a building or structure that is no greater than four (4) square feet in area.
  - b. A sign that is not illuminated, not digital or electronic, and not permanent in nature, for example, one that is planted into the ground or affixed to an object or structure by temporary means, does not have a foundation, is made of lightweight and thin materials such as a single sheet of plastic, thin metal, plywood or paper, except for wind driven signs and banners which are regulated separately and except for prohibited signs, with the following limitation:
    - (i) On a parcel of less than one acre, up to six such signs are allowed, so long as each sign is not greater than 6 square feet in area, except in that one of these signs may be up to 32 square feet in area when construction is occurring on a parcel or a subdivision of land is being developed.
    - (ii) On a parcel of one acre or larger, up to six such signs per acre are allowed, so long as each sign is not greater than 6 square feet in area, except that one sign per acre can be up to 32 square feet in area.

7. Establish the number and type requirements for signs requiring a permit in Residential Zone Districts as follows:
  - a. one 6 square feet sign per parcel;
  - b. one 32 square feet sign at multi-family apartment/condominium building/complexes and on each common area parcel that abuts a public right-of-way; and
  - c. one 24 square feet sign per street frontage for nonresidential land uses in Residential Zone Districts.

#### Other Proposed Changes - Clarification and Consolidation

As part of the proposed amendments, staff identified and Planning Commission recommended changes that will provide business flexibility, and help clarify and consolidate existing language. The proposed changes include defining sign types; providing consistency for how signs are measured; extending the time period for abandoned signs to remain from 3 to 12 months; including all Form Based Zone Districts in the Sign Code and making them consistent with each other; establishing regulations for temporary signs to conform with the conditions of the temporary use permit; allowing roof signs to be taller than 40 feet up to the maximum height in the zone district; clarifying the restriction of outdoor advertising signs along the Riverside Parkway and providing more flexibility for wind driven and banner signs displayed by businesses.

#### Summary of Other Proposed Amendments to the Sign Code

1. Add definition for Illuminated Sign, and redefine Prohibited Sign and Portable Sign. The provision to limit illumination of residential signs between 11 pm and 5 am has been removed from the revised ordinance.
2. Make the following changes, clarifying or consolidating existing language in the Code:
  - a. Exclude the base of monument signs from the sign size calculation in all zone districts.
  - b. Define double face signs, to include those that are constructed at angles of 60 degrees or less.
  - c. Redefine "Abandoned Sign" and extend the timeframe requiring removal from 3 months to 12 months after the sign has been determined to be abandoned.
  - d. Incorporate sign regulations for MXG, MXS and MXR Form Based Zone Districts to be the same as found in the MXOC Form District.
  - e. Clarify that visibility of Outdoor Advertising signs from Riverside Parkway is determined by the boundaries depicted in Figure A.
3. Amend the code section regulating Wind Driven Signs and Banners:
  - a. Increase the number of days allowed for wind driven signs from 14 to 30 consecutive days to be consistent with the time allowance for banners;

b. Allow both wind driven signs and banners to be displayed for 30 consecutive days up to four times per calendar year, with allowance for the months to run consecutively.

4. Eliminate the code provision allowing a nonconforming sign to be exempt by City staff.

5. Establish sign regulations for temporary uses to conform to the requirements, conditions and terms of the temporary use permit.

6. Increase maximum height for roof signs from 40 feet to not exceed the maximum building height of the zone district.

Subsequent to adoption of these proposed sign code provisions, amendments to the overlay districts will also be required and will be brought forward at a later date.

Since Council's review of these proposed changes to the Sign Code, staff has revised the proposed ordinance and removed portions related to Digital and Electronic Signs. Staff will bring back proposed changes to the digital and electronic signs section of the Sign Code in early 2017. In addition, this proposed ordinance also eliminates the sections specific to the provision to limit illumination of residential signs between 11 pm and 5 am and regulations specific to Off-Premise (Outdoor Advertising) signs. The revised ordinance is attached, see Attachments 5 and 6.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to (approve or deny) Ordinance No. 4737 – An Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Signage on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Proposed Revised Ordinance - revised since Nov. 16th meeting - formerly ATTACHMENT 5
2. Proposed Revised Text - Clean Copy - Revised since Nov. 16th meeting - formerly ATTACHMENT 6

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING SIGNAGE**

**Recitals:**

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions. The City Council has developed an Economic Development Plan and desires that the zoning and development code be reviewed and amended where necessary and possible to facilitate economic development.

Signage is an important part of the economic engine of the community and an important means of communication of political, religious, educational, ideological, recreational, public service, and other messages. The Council also recognizes that the proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, create safety hazards and contribute to visual pollution to the detriment of the general public.

Regulation of signage is a restriction on speech and therefore must conform to the First Amendment to the United States Constitution. A government may impose reasonable time, place and manner restrictions on speech so long as they are content-neutral and there is a rational basis for the restriction. In June of 2015, the United States Supreme Court changed the applicable definition of content-neutrality while striking down the sign code for the Town of Gilbert, Arizona in a decision known as *Reed v. Town of Gilbert*. Following *Reed*, if we have to read a sign to determine whether or how certain restrictions apply, the regulation is not content-neutral, but content-based.

A content-based regulation is presumptively unconstitutional. It is subject to strict scrutiny, meaning that it must be the least restrictive means necessary to further a compelling government interest. It is unlikely that a content-based restriction on signage would survive a First Amendment challenge.

Cities and towns across the nation have been struggling to bring sign codes into conformance with this expanded definition content-based regulation. Almost all sign codes at the time *Reed* was decided included common-sense accommodations for things like "for rent" and "for sale" signs, temporary directional signs, political signs, nameplates, historical and public interest plaques, and other categories of common signs. Grand Junction's sign code has such regulations, which, following *Reed*, are content-based, including those relating to temporary signs, exempt signs, and off-premise signs.

Because such regulations could be challenged on their face, regardless of how or even whether they are enforced, the City Council finds it necessary and beneficial to amend the City's sign regulations to comply with *Reed's* expansive interpretation of First Amendment protections for signs.

With these code amendments, content-based distinctions are eliminated in favor of regulations that are based on size, location, number, height, illumination, and other physical attributes of the signs not related to content.

Signs made non-conforming by this amendment are not, by this amendment, subject to phasing out or removal. Removal of signage is only required (whether the sign is conforming or non-conforming) where a sign has fallen into disrepair on property where a use has been abandoned.

The City Council finds that the amendments to the City's sign regulations strike an appropriate and careful balance between protecting First Amendment rights and community aesthetics.

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

**Section 21.06.070 *Sign regulation* is amended as follows (additions underlined, deletions struck through):**

**21.06.070 Sign regulation.**

(a) ~~Sign Regulation.~~ This regulation governs exterior signs on real property. The proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, and contribute to visual pollution to the detriment of the general public. No sign shall be displayed in any zone district without a sign permit, except where the provisions of this Section expressly provide otherwise. Signs placed by a governmental entity are exempt from this Section.

(a) **Definitions.** As used in this Section 21.06.070, the following terms shall have the following meanings:

*Illuminated sign:* A sign which is illuminated by a light source. *Internal illumination or internally illuminated* means a sign illuminated by a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. *Indirect illumination or indirectly illuminated* means a sign that is illuminated with an artificial light located away from the sign and directed onto the sign face so that the message is visible in darkness.

*This Section shall mean and refer to Section 21.06.070, Sign regulation.*



(b) **Prohibited Signs.** Prohibited signs are signs which:

- (1) Contain ~~a~~ an obscene statement, word, or picture describing or depicting sexual activities or specified sexual anatomical areas;
- (2) Contain, or are an imitation of, an official traffic sign or signal or contain the words: "STOP," "GO SLOW," "CAUTION," "DANGER," "WARNING," or similar words;
- (3) Are of a size, location, movement, content, coloring or manner of illumination which may be confused with, or construed as, a traffic control device or which hide from view any traffic or street sign or signal;
- (4) Contain or consist of portable signs, tent signs, or strings of light bulbs not permanently mounted on a rigid background, except that one portable sign per business will be allowed next to the building in shopping areas where pedestrians circulate, so long as such that are designed to invite pedestrian traffic. ~~In no case shall a portable sign be~~ is not placed in a parking lot or in any median, does not visually or physically obstruct vehicular or pedestrian circulation, ~~No sign shall be allowed that creates a hazard for or impedes motorists or pedestrians. Signs may and does not exceed 12 square feet in size and may not exceed three feet in width;~~
- (5) Are erected after adoption of this code and do not comply with the provisions of this regulation; ~~or~~
- (6) Do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted and/or amended. See § 43-1-401 C.R.S. et seq.;
- (7) Create a hazard for, or impede safe or efficient movement of, motorists or pedestrians;
- (8) Are placed in whole or in part in, on or over any part of a public right-of-way, except where the sign is placed by a governmental entity. The Director has the authority to remove and dispose of any sign placed in or on or protruding into, onto or over any part of a public right-of-way without compensation to any person or entity; or
- (9) Are interactive signs that are readable with normal vision from the public right-of-way. Interactive signs readable from the public right-of-way are prohibited because they distract drivers and pedestrians so as to constitute a significant safety risk.

(c) **Exemptions. Signs that do not require a permit.** The following signs are exempt from all the provisions of this code, allowed on a lot/parcel in any zone district:

(1) One sign that is integral to or flush-mounted on a building or structure that is no greater than four square feet in area.— Public Signs. Signs of a noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty, such as, but not limited to, safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs and the like.

(2) A sign that is not illuminated, not digital or electronic, and not permanent in nature, for example, one that is planted into the ground or affixed to an object or structure by temporary means, does not have a foundation, is made of lightweight and thin materials such as a single sheet of plastic, thin metal, plywood or paper, except for wind driven signs and banners which are regulated separately in subsection (d) below, and except for prohibited signs discussed in subsection (b) above, with the following limitation:

(i) On a parcel of less than one acre, up to six such signs are allowed, so long as each sign is not greater than 6 square feet in area, except in that one of these signs may be up to 32 square feet in area when construction is occurring on a parcel or a subdivision of land is being developed.

(ii) On a parcel of one acre or larger, up to six such signs per acre are allowed, so long as each sign is not greater than 6 square feet in area, except that one sign per acre can be up to 32 square feet in area.

~~—Institutional. Permanent signs which set forth only the name of a public, charitable, educational or religious institution, located entirely upon the premises of that institution, and which do not exceed an area of 24 square feet per street frontage. If mounted on a building, these signs shall be flat wall signs and shall not project above the roofline; if ground mounted, the top shall be no more than six feet above ground level.~~

(3) ~~Integral. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent type construction and made an integral part of the structure.~~

(4) ~~Private Traffic Direction. Signs directing traffic movement into a premises or within a premises, not exceeding three square feet in area for each sign. Illumination of these signs shall be permitted in accordance with the GJMC~~

~~21.06.080. Horizontal directional signs on, and flush with, paved areas are exempt from these standards.~~

~~(5) — Nameplate. A nameplate not exceeding two square feet in area, containing only the name of the resident, title and/or name of home occupation. A nameplate may be located anywhere on the property.~~

~~(6) — Temporary Decorations or Displays. Temporary decorations or displays clearly incidental and customary and commonly associated with national or local holiday celebrations.~~

~~(7) — Rear Entrance Signs. Rear entrance signs, when associated with pedestrian walk-through buildings. These signs shall not exceed 16 square feet in area and shall be flush mounted, identifying only the name of the establishment and containing directional information.~~

~~(8) — Temporary Signs Not Advertising a Product or Service. Signs not in excess of six square feet may be erected as participation in a public parade, event, or celebration for a period not to exceed 10 days.~~

~~(9) — Menu Signs at Drive-In Restaurants. Signs which are not readable from the nearest public right-of-way; and signs not readable and/or visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.~~

~~(10) — Private Warning or Instructional Signs. Signs such as “NO SOLICITING,” “NO TRESPASSING,” “BEWARE OF DOG,” or other similar types of signs not exceeding one and one-half square feet per sign.~~

~~(11) — Nonprofit Organization Fund-Raising Campaign Signs (Temporary). Temporary signs not in excess of 32 square feet advertising nonprofit organization fund-raising campaigns may be erected for campaign purposes in nonresidential zone districts only. The number of campaign signs per parcel is limited to one. Such signs may not be placed in the public right-of-way and are required to be removed within seven days after the fund drive has ended. A campaign sign may not be in place more than 90 consecutive days in any 12-month period.~~

~~(12) — Transit Shelter and Bench Signs. A sign on or incorporated within a City-approved transit shelter or transit bench. The requirements and specifications that apply to each transit shelter and bench are found in GJMC [21.04.030\(r\)](#), Transit Shelters and Benches, for use-specific standards.~~

~~(13) Campaign Signs. Noncommercial speech signs, such as political signs used for campaigning purposes, shall be allowed for a time period not to exceed 60 days prior to the scheduled primary election and shall be removed no later than 10 days after the election date on which the office, issue or ballot question is decided. Signs shall not be placed in any public right-of-way, including medians, except that adjacent property owners may place campaign signs in a landscaped right-of-way area between the sidewalk and curb adjacent to private property. Signs placed on private property shall not obstruct the vision of motorists or pedestrian traffic due to size or location.~~

~~(d) Temporary Signs.~~

~~(1) The following on-premises temporary signs shall be allowed in all zones and shall not require a permit, unless otherwise indicated.~~

~~(i) A non-illuminated sign, advertising the sale or development of land containing not less than five lots, or an area of not less than one acre, shall not exceed, and not more than one sign shall be placed per parcel per street frontage. Signs shall not be erected for more than one year on any parcel unless the Director approves an application for continuance. The Director may issue approval to continue the sign for an additional year. Not more than one sign per parcel per street frontage shall be allowed.~~

~~(ii) A non-illuminated sign, not to exceed six square feet in area (see also subsections (g)(1)(i)(C), (g)(2)(ii) and (g)(3)(ii)(A) of this section), pertaining to the sale or lease of the premises on which it is located. This sign shall not be erected for more than one year for any parcel. The sign shall be removed within 24 hours after the transfer of title or the signing of a lease. During the period of time between the execution of a contract for sale or lease and the finalizing of the same, a "sold," "sold by," or similar sign shall be permitted as long as the maximum size of six square feet is not exceeded. Not more than one sign per parcel per street frontage shall be allowed.~~

~~(iii) An on-site, non-illuminated sign, advertising the development or improvement of a property by a builder, contractor, or other person furnishing service, materials, or labor to the premises during the period of construction. The size of the sign shall not be in excess of 32 square feet in area. Such sign shall be removed within 24 hours after a certificate of occupancy is issued. Not more than one sign per parcel per street frontage shall be allowed.~~

~~(iv) A sign, not exceeding 16 square feet in area, advertising the sale of produce grown on the premises. Only one sign per street frontage shall be permitted.~~

~~(v) Corporation flags, limited to one flag per parcel, when flown in conjunction with the United States or State of Colorado flags.~~

~~(vi)~~

**(d) Wind driven signs and banners.** are subject to the following:

~~(1) (A) A special events banner permit shall be required prior to any use of wind driven signs or banners except for those allowed under subsection (c)(6) of this section, Temporary Decorations or Displays.~~

~~(B) Wind driven signs, excluding banners, may be displayed for up to 14 days, but not more than four times in a calendar year. The days shall be consecutive.~~

~~(2) (C) Banners and wind driven signs may be displayed for a up to 30 consecutive days 30-day period, but not more than up to four times in a 12-month calendar year. Permit periods may run consecutively.~~

~~(3) All banners must be secured directly to the building structure, fence, or post that is permanently affixed to the ground at all contact points.~~

~~(4) All wind driven signs must be professionally made, must be in good repair and appearance, and must also be so located and installed so as not to pose a safety hazard for motorists or pedestrians. Such signs shall not be attached to any object located in the public right-of-way.~~

~~(2) (5) In addition to other available penalties, failure to comply with the terms of a permit issued under this section shall result in the loss of a permit for the following quarter.~~

~~(3) Signage for temporary uses requiring a temporary use permit shall conform to the requirements for a temporary use permit.~~

**(e) Nonconforming Signs.**

(1) All signage on site shall be brought into conformance with this code prior to approval of any new sign permit on the property.

(2) Any nonconforming sign that has been damaged in excess of 50 percent of its replacement cost by fire, wind or other cause except vandalism shall not be restored without conformance with the provisions of this regulation.

(3) Any ~~off-premises~~ outdoor advertising sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of this section may continue only in the manner and to the extent that it existed at the time of the adoption of the ordinance codified in this title. The sign must not be re-erected, relocated or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of the ordinance codified in this title, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance codified in this title.

~~(4) A nonconforming sign which use is upgraded or exempted in writing shall be considered an allowed sign.~~

**(f) General Requirements.**

(1) The following requirements shall apply to all signs in all zones unless otherwise indicated:

(i) ~~A permit is~~ Permits shall be required for all placement or display of any new signs sign, except where otherwise stated or where specifically exempted by the provisions of this Section 21.06.070.

(ii) ~~Touching up, or repainting or changing existing letters, text, symbols, etc. graphics, or other content, shall be~~ is considered maintenance and repair and shall does not require a permit.

(iii) ~~Only a licensed sign contractor shall~~ can obtain a sign permit permits for signs.

(iv) ~~All signs shall be located on the premises to which they refer unless permitted as off-premises signs under this regulation.~~ All signs shall be permanent in nature except for those non-permanent signs allowed ~~herein~~ under subsection (c) of this Section.

(v) All exterior signs shall be engineered to withstand a minimum wind load of 30 pounds per square foot.

~~(vi) Signs which identify businesses, goods, or services no longer provided on the premises shall be removed by the owner of the premises within 90 days after the business ceases, or when the goods or services are no longer available.~~

~~(vii) (vi) No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property including the posting of handbills except as may otherwise expressly be authorized by this Section regulation.~~

(vii) Regardless of sign allowances by zone district, no single sign shall exceed 300 square feet in area.

(2) The following shall apply to the measurement of signs:

(i) The total surface area of one sign face of freestanding signs and projecting wall signs shall be counted as part of the maximum total surface area allowance. Sign enhancement features such as bases, pillars, and other decorative elements, as part of monument signs other than a single or double pole support, shall not be counted as part of the maximum square footage of the sign, sign's surface area. provided such features do not exceed the size of the sign face.

(ii) The total surface area of all sign faces of roof signs shall be counted as part of the maximum total surface area allowance.

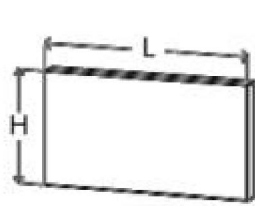
(iii) For measurement of different shapes of signs, see the graphic graphics below.

(iv) The total surface area of three-dimensional figures shall be counted as part of the maximum sign allowance.

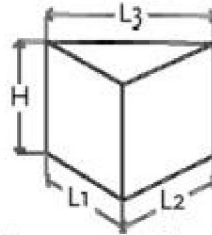
(v) The area of flush wall signs with backing or a background that is part of the overall sign display or when backed by a surface which is architecturally a part of the building shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), logo or figure including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

(vi) The area of a facade sign shall be determined to be the sum of the area of each of the smallest perimeter enclosing the limits of each work and

written or graphic representation, including letter, number, character, and/or logo used for advertising, offering or merchandising a product, or for service identification. The area of a mural painted on a wall shall not be included in the sign area calculation.

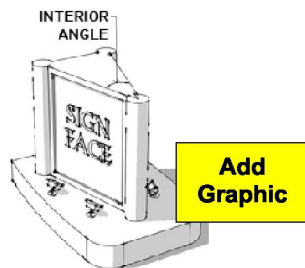


**DOUBLEFACE SIGN**  
**H x L**  
**Blade Sign**



**TRIANGULAR SIGN**  
 **$[(H \times L_1) + (H \times L_2) + (H \times L_3)] / 2$**   
**Double Face Sign**

(vii) Only one display face is measured if the sign faces are parallel or form an interior angle of less than or equal to 60 degrees, provided that the signs are mounted on the same structure. If the faces are of unequal area, then sign area is equal to the area of the larger face.



- (3) No illumination of a sign is permitted unless the following criteria are met:
- (i) The light from any illuminated sign shall be so shaded, shielded and directed that the light intensity or brightness shall not be objectionable to surrounding areas.
  - (ii) Neither the direct or reflected light from a light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares.
  - (iii) No exposed reflective type bulb or incandescent lamp, which exceeds 40 watts, shall be used on the exterior surface of a sign to expose the face of the bulb, light or lamp to any public street or adjacent property.



(iv) Electrical service provided to illuminated signs may require an electrical permit from the Building Department.

(4) Identification and Marking. Each sign requiring a permit shall bear an identification plate stating the following information:

(i) Date the sign was erected; and

(ii) Name of person, firm or entity responsible for its construction and erection.

~~(iii) Corridor Overlays. Signs shall be in conformance with corridor overlays, PD overlays, and RO district requirements.~~

(5) Sign(s) placed in connection with a temporary use that requires a temporary use permit shall conform to the requirements, conditions and terms of the temporary use permit.

**(g) Sign Standards by Zone.** ~~Only signs as described below and within this section shall be permitted in any zone. The following restrictions and requirements apply to permanent signs in the given zone districts:~~

(1) Residential Zones.

(i) One permanent sign per residential lot not exceeding six square feet in area is allowed, subject to the standards below.

(ii) One permanent monument sign up to 32 square feet in area is allowed at a multi-family apartment/condominium building/complex and on each common area parcel that abuts a public right-of-way; for purposes of this subsection, "common area parcel" means a parcel that is owned by a homeowners' association for the benefit of all lot owners in a planned community, common interest community or condominium.

(iii) For a nonresidential use in a residential zone, one sign not to exceed 24 square feet in area is allowed per street frontage.

~~(i) Types Allowed.~~

~~(A) A bulletin sign, not to exceed 24 square feet per street frontage, may be erected upon the premises of a church or other medical, public or charitable institution for the purpose of displaying the name of the institution and its activities or services.~~

~~(B) One identification sign shall be allowed for each apartment building or complex not to exceed 32 square feet per street frontage and, if lighted, shall utilize indirect illumination only, and contain only the building or complex name and name of the agent.~~

~~(C) Signs advertising any subdivision or other project being developed in the City shall be governed by the following:~~

~~a. Signs in the model home area and on the subdivision site shall not exceed a total aggregate of 200 square feet.~~

~~b. Permanent on-site subdivision signs shall be allowed at the entrances to the subdivision; provided, that each sign does not exceed 32 square feet.~~

~~(ii)~~ (iv) Location. Permitted signs may be anywhere on the property. If freestanding, the top shall not be over eight feet above the ground. If building mounted, the sign shall be flush mounted and shall not be mounted on a roof of the building or project above the roofline.

~~(iii)~~ (v) Illumination. Indirect or internal illumination only shall be utilized for letter faces and/or logos.

~~(iv) Sign Area. Sign enhancement features such as bases, pillars, and other decorative elements shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.~~

(2) Residential Office Zone.

(i) General. The residential office zone provides a transition from residential to commercial development and consequently requires more restrictive sign regulations to maintain compatibility.

(ii) Types Allowed. Flush wall signs and monument signs shall be the only sign type allowed. ~~One real estate sign advertising the property for sale or lease shall not exceed 10 square feet.~~

(iii) Location and Size. Signs shall be located at least 10 feet behind the front property line. Total sign area, ~~excluding real estate signs advertising the property for sale or lease,~~ shall not exceed 25 square feet per street frontage. The sign allowance for one street frontage may be transferred to a side of a building that has no street frontage, but cannot be transferred to

another street frontage. Monument signs shall not exceed eight feet in height.

(iv) Illumination. Signs may be externally illuminated; no other illumination of signs is allowed. All lights used for illumination of signs shall be arranged so as to confine direct light beams to the lighted sign and away from adjacent residential properties and out of the direct vision of motorists passing on adjacent streets. Illumination of signs shall comply complying with GJMC 21.06.080, "Outdoor lighting," and shall be limited to authorized business hours (external illumination only).

(v) Sign Area. The area of flush wall signs and monument signs shall be calculated as per the graphic shown under subsection (f)(2)(vi) (g)(2) of this sectionSection. Sign enhancement features such as bases, pillars, and other decorative elements as part of monument signs shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.

(3) Business, Commercial, Industrial Zones (B-1, B-2, C-1, C-2, I-O, BP, MU, I-1, I-2, and PAD).

(i) General. This subsection shall apply to all zones designated in Chapter 21.03 GJMC as business, commercial, industrial or any variety of these types. Signage on a property zoned CSR shall be limited to signage allowed in the surrounding zone districts.

(ii) Types Allowed.

(A) Signs in the business, commercial, and industrial zones may include facade signs, flush wall signs, freestanding signs, projecting signs and roof signs. All signs allowed in residential zones are also allowed in business, commercial or industrial zones. Real estate signs in these zones may be a maximum of 20 square feet.

(B) Street banners will only be allowed on 7th Street between Grand Avenue and Colorado Avenue, and on any street where City-installed banner poles exist. Pole flags will be allowed on all collectors and arterials where poles are installed by the City for that purpose. One banner will be allowed for each block, as determined by the Director. Street banners shall be installed, removed, and maintained by the City. A street banner authorized by this subsection shall refer only to the event in question and shall not contain advertising for any private product or service offered for sale except a logo or logos of the

~~sponsoring entity if the total area of the logo does not exceed five percent of the banner area.~~

(iii) Location and Size. Permitted signs may be anywhere on the premises except as specifically restricted in this subsection (see specific sign type and pertinent zoning regulation). The total amount of signage to be allowed on any property shall not exceed the sign allowance as calculated in accordance with subsection ~~(g)(3)(v)(B)~~ ~~(h)(3)(v)(B)~~ or ~~(g)(3)(vii)(B)~~ ~~(h)(3)(vii)(B)~~ of this section Section, whichever is greater. No single sign may be larger than 300 square feet. No projecting sign may exceed the allowances in subsection ~~(g)(3)(vi)~~ ~~(h)(3)(vi)~~ of this section.

(iv) Illumination. Unless specifically prohibited, all of the following signs may be illuminated within the limits allowed under subsection (f)(3) of this section and GJMC [21.06.080](#).

(v) Facade Signs, Flush Wall Signs and Roof Signs.

(A) The sign allowance shall be calculated on the basis of the area of the one building facade that is most nearly parallel to the street that it faces. Each building facade which faces a dedicated public street shall have its own separate and distinct sign allowance. The sign allowance for facade signs and flush wall signs on buildings located on interior lots (lots not on a corner) which are oriented perpendicular to the street shall be based on the longer building facade. The total sign allowance, or any percentage thereof, of one frontage may be transferred to a building facade that has no frontage on a dedicated public street, provided the transferred amount does not exceed two square feet of sign area per linear foot of the facade on which it is being placed.

(B) Two square feet of sign area shall be allowed for each linear foot of building facade for facade signs, flush wall signs and roof signs. The measurement of a roof sign shall be based on the square footage of each sign face. Flush wall signs may extend up to 12 inches from the face of the building if the base of the sign is at least eight feet above ground level. (Show window signs in a window display of merchandise when incorporated with such display will not be considered part of the total sign allowance.)

(C) On any building which allows facade signs, flush wall signs, roof signs, or projecting signs, a maximum of two of these types may be used. If a flush wall sign and roof sign are used, the sign allowance of

two square feet per linear foot of building may be divided between the two types of signs. If either a flush wall sign or roof sign and a projecting sign are used, the allowance for the projecting sign shall be subtracted from the flush wall sign or roof sign allowance.

(D) Roof signs shall be manufactured such that no guy wires, braces, or secondary supports shall be visible. Maximum height for roof signs shall be 40 feet above grade such that height of the structure and the sign together do not exceed the maximum height for the zone district.

(E) One sign that is flush-mounted on the rear façade of a structure that is no more than 16 square feet in area is allowed, which sign does not count toward the total sign allowance for the parcel or building (if there is more than one such sign, the other(s) shall count toward the total sign allowance).

(vi) Projecting Signs.

~~(A) Signs may project up to 72 inches from the face of the building if located eight feet or more above grade. They shall not project beyond the back of curb, nor within two feet of the edge of the roadway if there is no curb. Total area per sign face shall not exceed one-half square foot per linear foot of building facade. If the projecting sign is the only sign mounted on the building, the minimum sign allowance shall be 12 square feet.~~

~~(B) On places of public entertainment such as theaters, arenas, meeting halls, etc., where changeable copy signs are used which project over public property, the projection may be one-half foot for each linear foot of building frontage; provided, that it is no closer than four feet to the curb face (see definition, GJMC [21.10.020](#)).~~

(vii) Freestanding Signs. Freestanding signs shall comply with the following requirements.

(A) No more than one freestanding sign shall be permitted for any parcel for each street frontage. The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage, except where otherwise provided.

(B) Maximum sign allowance shall be calculated by the linear front foot of property on a public street right-of-way in conformance with the following:

a. Two traffic lanes: Maximum area of sign per face per front foot of property, three-quarters square foot; maximum height, 25 feet.

b. Four or more traffic lanes: Maximum area of sign per face per front foot of property, one and one-half square feet; maximum height, 40 feet.

(C) Signs may be installed at street right-of-way line. The sign face may project up to 72 inches into the right-of-way, if located 14 feet or more above grade, but shall not project closer than 24 inches to the back of the curb. If the existing street right-of-way width is less than that required in this code, the distance shall be measured from the line of such right-of-way as required by this code rather than from the existing right-of-way line. Ute and Pitkin Avenues shall be calculated using four lanes.

(D) On a corner lot, a freestanding sign shall not be placed within the sight-distance triangle, as defined in TEDS (GJMC Title [29](#)), unless free air space is maintained as provided in TEDS (GJMC Title [29](#)). A single pipe support with no sign structure or copy shall not be considered a violation of the free air space requirement.

(E) In addition to freestanding signs as allowed above, up to two additional freestanding signs per street frontage, not greater than 3 square feet in area and no more than 30 inches in height, are allowed.

~~(E)~~ (F) When electrical service is provided to freestanding signs, all such electrical service shall be underground.

~~(F)~~ (G) All freestanding signs shall require a building permit in addition to a sign clearance.

(viii) Flush wall or freestanding sign(s) with text so small as to not be readable with normal eyesight from a public right-of-way are allowed, so long as such sign does not exceed 32 square feet in area. Such signs shall not count toward the total sign allowance or the maximum free-standing sign allowance.

(4) ~~Off-Premises.~~ Off-premises Outdoor Advertising signs erected on ground or wall locations (and roof locations done within the regulations and limitations of roof signs) shall only be permitted in the C-2 (general commercial) and I-1 and I-2 (industrial) zones, subject to the following conditions, limitations and restrictions:

(i) Height Limitations. No ~~off-premises~~ Outdoor Advertising sign shall be erected higher than 40 feet above the level of the street or road upon which the sign faces, or above the adjoining ground level if such ground level is above the street or road level. No ~~off-premises~~ Outdoor Advertising sign shall have a surface or face area exceeding 300 square feet in area or containing less than 15 square feet in area.

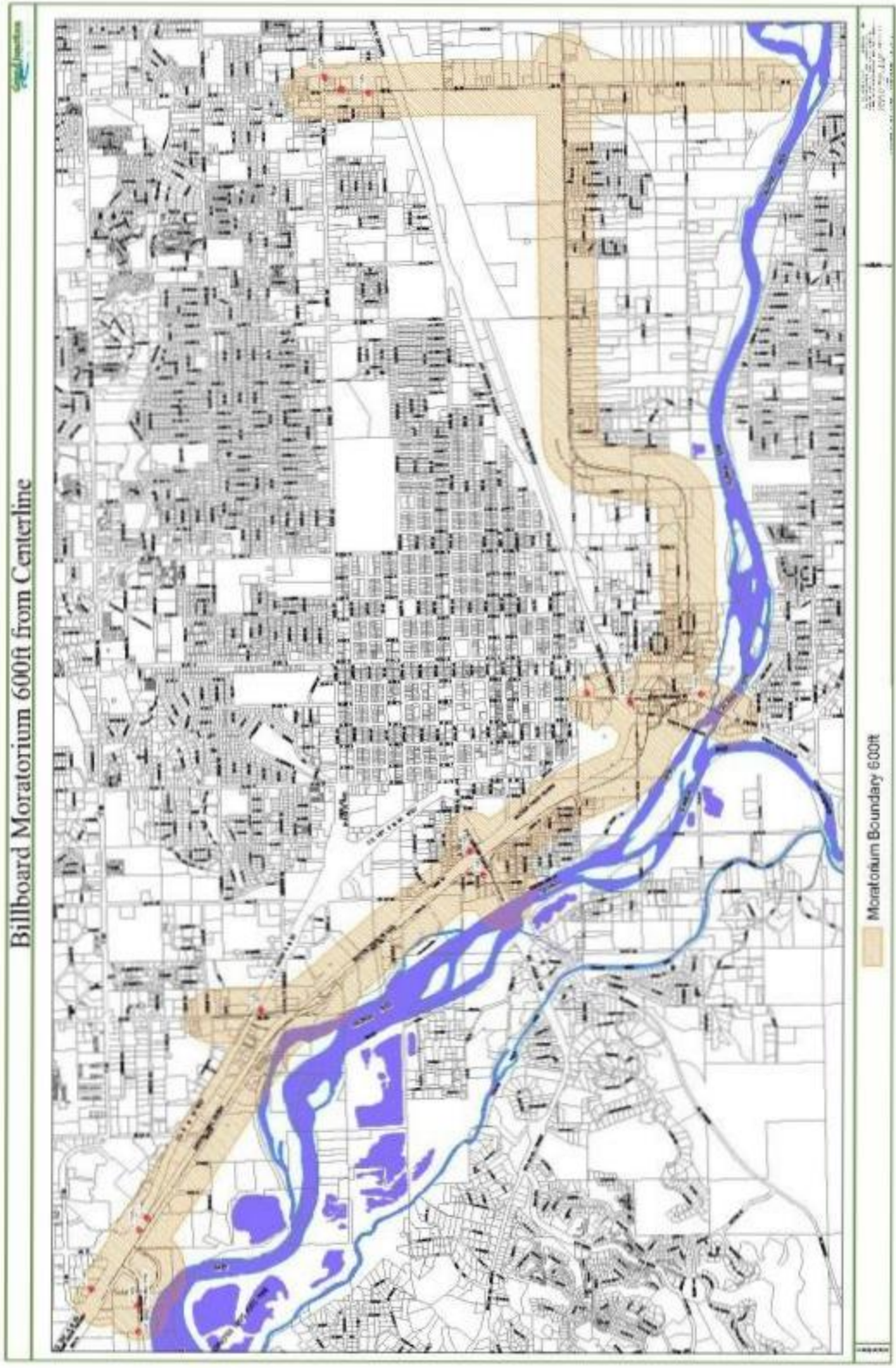
(ii) Distance. For each square foot of surface or facing of the sign, two feet of space from adjacent ~~off-premises~~ Outdoor Advertising signs shall be maintained. Such distances shall be determined by using the largest sign as criterion. For example, no sign can be erected closer than 600 feet to an existing 300-square-foot sign. A maximum of one ~~off-premises~~ Outdoor Advertising sign shall be allowed per lot or parcel of land.

(iii) Location. A sketch, drawn to scale, depicting the size and location of the proposed billboard shall be provided. The sketch shall be prepared by a licensed surveyor and shall indicate dimensions from the proposed billboard to the closest adjacent aliquot section line and shall include coordinates. The sketch shall also include the location of the proposed billboard to the nearest adjacent right-of-way line, if applicable. The sketch shall be signed and sealed by the surveyor.

~~(iv) Service clubs may be allowed one common off-premises sign, in any zone, adjacent to each major highway, to a maximum of five signs. These signs do not have to comply with subsections (g)(4)(i) and (ii) of this section but must receive site plan approval by the Planning Commission as to size, height, placement and impacts on traffic and adjacent properties.~~

~~(v) (iv) Off-premises Outdoor advertising signs shall not be visible from the Riverside Parkway. No portion of a sign may be visible from the Riverside Parkway. It is rebuttably presumed that a sign is visible if the sign is located within 600 feet from the centerline of the Riverside Parkway as the location is depicted in [Exhibit Figure A](#) attached to Ordinance 4260 and following this subsection. Exhibit A is incorporated by this reference as if fully set forth.~~

**Click the graphic to view a higher-resolution version.**



**Exhibit Figure A**



(vi) Illumination. ~~Off-premises (outdoor advertising signs)~~ that are illuminated by indirect or external illumination shall use only downward facing, downcast light to confine direct light beams to the sign and out of the direct vision.

(vii) Prohibited signs are signs that do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted or amended. See § [43-1-401](#) C.R.S. et seq.

(5) CSR. Signage on a property zoned CSR shall be limited to signage allowed in the surrounding zone districts.

(6) Form Districts. Signage shall conform to subsection (h)(3) of this Section except that all freestanding signs shall be monument style signs with a maximum height of 15 feet.

~~(5)~~ (7) Planned Developments. No sign other than those permitted in any zone district in subsection 21.06.070(d) ("Signs that do not require a permit") shall be allowed on properties in a planned development zone unless the sign has been approved as part of the development plan. Variance of the maximum total surface area of signs shall not be permitted, but the maximum sign allowance for the entire development or use may be aggregated and the total allowance redistributed.

~~(6)~~ (8) Sign Packages. A site or sites that consist of more than one developed parcel of land that are abutting and function as one through the sharing of vehicular access through, across, over, entrance onto, and/or exit from the site and/or parking (such as a shopping center) may be considered for a sign package through a sign package permit. Variance of the maximum total sign allowance shall not be permitted, but the maximum sign allowance for the entire site or sites may be aggregated and the total allowance redistributed for the same type of sign. For example, freestanding sign allowance may be redistributed among freestanding signs, but a freestanding sign allowance may not be redistributed for a facade sign. See GJMC [21.02.070\(n\)](#).

**(h) Removal and Disposition of Signs.**

(1) Maintenance and Repair.

(i) No person shall allow, on any premises owned or controlled by him, any sign that is in a dangerous or defective condition.

(ii) The Director shall require the owner of the sign and/or the owner of the premises upon which it is located to remove or repair any such sign. In cases of immediate danger to the public due to the defective nature of a sign, the Director may have the sign removed and assess the costs of the removal against the property. Such assessment shall constitute a first and prior lien on the property, equivalent to ad valorem taxes, and shall be collected in the same manner as the real estate taxes on the property.

(iii) All signs shall be safe and maintained in good appearance as well as safety including the replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance. Failure to properly maintain a sign shall be a violation of this code.

(2) Abandoned Signs. Signs are allowed on otherwise vacant property so long as a permit is obtained (unless a permit is otherwise expressly not required) and so long as the sign allowance for the zone district is adhered to. Except as otherwise provided in this regulation However, a sign structure that has no content or is "blank" and has fallen into disrepair and which is located on property which is unoccupied for a period of ~~three~~ twelve consecutive months or more, or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed abandoned.

~~(i) Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of the business shall not be considered abandoned unless the property remains unoccupied for a period of six months or more.~~

~~(ii) An abandoned sign is prohibited; the owner of the sign or the owner of the premises shall remove the sign and supporting structure. An abandoned sign which is not removed in a timely manner may be removed by the Director under the provisions of this section.~~

**21.10.020 Terms defined** is amended as follows (deletions struck through; additions underlined):

*Sign, billboard* (or ~~off-premises~~Outdoor Advertising) means a sign that directs attention to a commercial business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located, including billboards.

*Sign, institutional* means a sign setting forth the name of a public, charitable, educational, or religious institution.

~~*Sign, identification* means a sign which shall refer only to the principal use of the parcel upon which the sign is located.~~

*Sign, integral* means ~~names of buildings, dates of erection, monumental citations, commemorative tablets and the like~~ a sign which are that is carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

**All other definitions in and parts of Section 21.10.020 shall remain in effect and are not modified by this text amendment.**

**Section 21.03.090(h) (Mixed Use Opportunity Corridors) shall be amended as follows (deletions struck through, additions underlined):**

(h) **Mixed Use Opportunity Corridors.** See GJMC 21.02.140(c)(2). In addition to the standards established in subsections (f) and (g) of this section, except as specifically modified therein for the MXOC zone district, standards for the MXOC shall be as follows:

(1) **Access.** When the site is adjacent to a local or collector street, the primary access shall be on the lower order street. Additional access points may be allowed based on traffic safety, as determined by the City's Development Engineer. Whenever possible, access between two or more sites shall be combined and access points restricted on arterial streets.

(2) **Parking, Delivery/Pick-Up Areas, Trash Service.** Parking, delivery and pick-up, and trash service areas are not permitted between the building and the primary street (corridor).

~~(3) **Signage.** Signage shall conform to GJMC 21.06.070(g)(3) 21.06.070(h)(3) except that all freestanding signs shall be monument style signs with a maximum height of 15 feet.~~

(4) (3) **Architectural Standards.**

(i) Any facade of a new building along the corridor shall have visually interesting architectural features and patterns that are designed to reduce mass and scale and reflect the desired vision of construction; buildings at a human scale with urban design features attractive to the motoring public, the surrounding neighborhood, bicyclists and pedestrians.

(ii) The building facade shall exhibit a minimum of three of the following seven architectural design elements:

(A) Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall

surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features for all sides of the building.

(B) Facade articulation/variation such as recessed or projecting bays or pilaster/column projections at a minimum of every 30 feet for all sides of the building.

(C) Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs, eaves, recesses, projections, raised cornice parapets over doors or bays and peaked roof forms.

(D) Facade features on the primary street (corridor) that emphasize the primary building entrance through projecting or recessed forms, detail, color and/or material.

(E) Outdoor patio in combination with or without outdoor seating located between the building and the primary street (corridor).

(F) Ground story transparency of at least 50 percent in the form of windows and/or door(s) for facades facing all public street frontages.

(G) Other architectural and landscaping features that achieve the goals of the overall form district vision or concept, as determined by the Director.

**All other portions of Section 21.03.090(h) shall remain in effect and are not modified by this text amendment.**

**Section 21.02.070(n)(3) *Sign Package, Additional Approval Criteria*, is amended as follows (additions underlined; deletions struck through):**

(3) Additional Approval Criteria.

(i) All signs included on the site shall be in conformance with the criteria set forth in GJMC ~~21.06.070(f)~~ 21.06.070(g), except as allowed to deviate based on the other criteria in this section.

(ii) The application of the sign package is not contrary to and better implements the goals and objectives of the Comprehensive Plan, including but not limited to applicable neighborhood plans, corridor plans, and other adopted plans.

(iii) The application of the sign package is not contrary to and better implements the goals and objectives of moderating the size and number of signs as well as the reduction of clutter and obtrusive placement of signs.

**All other portions of Section 21.02.070(n) shall remain in effect and are not modified by this text amendment.**

INTRODUCED on first reading the 19<sup>th</sup> day of October, 2016 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the \_\_\_\_ day of \_\_\_\_\_, 2016 and ordered published in pamphlet form.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

### **21.06.070 Sign regulation.**

This regulation governs exterior signs on real property. The proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, and contribute to visual pollution to the detriment of the general public. No sign shall be displayed in any zone district without a sign permit, except where the provisions of this Section expressly provide otherwise. Signs placed by a governmental entity are exempt from this Section.

(a) **Definitions.** As used in this Section 21.06.070, the following terms shall have the following meanings:

*Illuminated sign:* A sign which is illuminated by a light source. *Internal illumination* or *internally illuminated* means a sign illuminated by a light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. *Indirect illumination* or *indirectly illuminated* means a sign that is illuminated with an artificial light located away from the sign and directed onto the sign face so that the message is visible in darkness.

*This Section* shall mean and refer to Section 21.06.070, Sign regulation.

(b) **Prohibited Signs.** Prohibited signs are signs which:

- (1) Contain an obscene statement, word, or picture describing or depicting sexual activities or sexual anatomical areas;
- (2) Contain, or are an imitation of, an official traffic sign or signal or contain the words: "STOP," "GO SLOW," "CAUTION," "DANGER," "WARNING," or similar words;
- (3) Are of a size, location, movement, content, coloring or manner of illumination which may be confused with, or construed as, a traffic control device or which hide from view any traffic or street sign or signal;
- (4) Contain or consist of portable signs, tent signs, or strings of light bulbs not permanently mounted on a rigid background, except that one portable sign per business will be allowed next to the building in shopping areas where pedestrians circulate, so long as such portable sign is not placed in a parking lot or in any median, does not visually or physically obstruct vehicular or pedestrian circulation, and does not exceed 12 square feet in size and three feet in width;
- (5) Are erected after adoption of this code and do not comply with the provisions of this regulation;

(6) Do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted and/or amended. See § 43-1-401 C.R.S. et seq.;

(7) Create a hazard for, or impede safe or efficient movement of, motorists or pedestrians;

(8) Are placed in whole or in part in, on or over any part of a public right-of-way, except where the sign is placed by a governmental entity. The Director has the authority to remove and dispose of any sign placed in or on or protruding into, onto or over any part of a public right-of-way without compensation to any person or entity; or

**(c) Signs that do not require a permit.** The following signs are allowed on a lot/parcel in any zone district:

(1) One sign that is integral to or flush-mounted on a building or structure that is no greater than four square feet in area.

(2) A sign that is not illuminated, not digital or electronic, and not permanent in nature, for example, one that is planted into the ground or affixed to an object or structure by temporary means, does not have a foundation, is made of lightweight and thin materials such as a single sheet of plastic, thin metal, plywood or paper, except for wind driven signs and banners which are regulated separately in subsection (d) below, and except for prohibited signs discussed in subsection (b) above, with the following limitation:

(i) On a parcel of less than one acre, up to six such signs are allowed, so long as each sign is not greater than 6 square feet in area, except in that one of these signs may be up to 32 square feet in area when construction is occurring on a parcel or a subdivision of land is being developed.

(ii) On a parcel of one acre or larger, up to six such signs per acre are allowed, so long as each sign is not greater than 6 square feet in area, except that one sign per acre can be up to 32 square feet in area.

**(d) Wind driven signs and banners.**

(1) A banner permit shall be required prior to any use of wind driven signs or banners.

(2) Banners and wind driven signs may be displayed for a up to 30 consecutive days up to four times in a 12-month calendar year. Permit periods may run consecutively.

- (3) All banners must be secured directly to the structure, fence, or post that is permanently affixed to the ground.
- (4) All wind driven signs must be professionally made, must be in good repair and appearance, and must also be so located and installed so as not to pose a safety hazard for motorists or pedestrians. Such signs shall not be attached to any object located in the public right-of-way.
- (5) In addition to other available penalties, failure to comply with the terms of a permit issued under this section shall result in the loss of a permit.

**(e) Nonconforming Signs.**

- (1) All signage on site shall be brought into conformance with this code prior to approval of any new sign permit on the property.
- (2) Any nonconforming sign that has been damaged in excess of 50 percent of its replacement cost by fire, wind or other cause except vandalism shall not be restored without conformance with the provisions of this regulation.
- (3) Any Outdoor Advertising sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of this section may continue only in the manner and to the extent that it existed at the time of the adoption of the ordinance codified in this title. The sign must not be re-erected, relocated or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of the ordinance codified in this title, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance codified in this title.

**(f) General Requirements.**

- (1) The following requirements shall apply to all signs in all zones unless otherwise indicated:
  - (i) A permit is required for placement or display of any new sign, except where otherwise stated or where specifically exempted by the provisions of this Section 21.06.070.
  - (ii) Touching up, or repainting or changing existing letters, text, symbols, graphics, or other content is considered maintenance and repair and does not require a permit.
  - (iii) Only a licensed sign contractor can obtain a sign permit.



(iv) All signs shall be permanent in nature except for those non-permanent signs allowed under subsection (c) of this Section.

(v) All exterior signs shall be engineered to withstand a minimum wind load of 30 pounds per square foot.

(vi) No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property including the posting of handbills except as expressly authorized by this Section.

(vii) Regardless of sign allowances by zone district, no single sign shall exceed 300 square feet in area.

(2) The following shall apply to the measurement of signs:

(i) The total surface area of one sign face of freestanding signs and projecting wall signs shall be counted as part of the maximum total surface area allowance. Sign enhancement features such as bases, pillars, and other decorative elements as part of monument signs shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.

(ii) The total surface area of all sign faces of roof signs shall be counted as part of the maximum total surface area allowance.

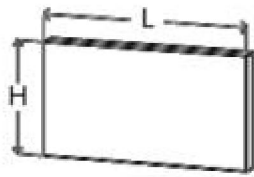
(iii) For measurement of different shapes of signs, see the graphics below.

(iv) The total surface area of three-dimensional figures shall be counted as part of the maximum sign allowance.

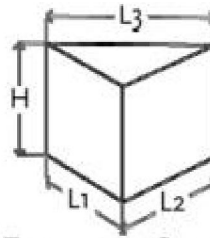
(v) The area of flush wall signs with backing or a background that is part of the overall sign display or when backed by a surface which is architecturally a part of the building shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), logo or figure including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

(vi) The area of a facade sign shall be determined to be the sum of the area of each of the smallest perimeter enclosing the limits of each work and written or graphic representation, including letter, number, character, and/or logo used for advertising, offering or merchandising a product, or for service

identification. The area of a mural painted on a wall shall not be included in the sign area calculation.

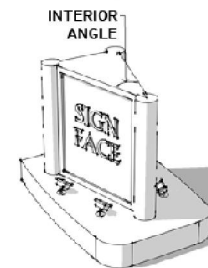


**DOUBLEFACE SIGN**  
**H x L**  
**Blade Sign**



**TRIANGULAR SIGN**  
 **$[(H \times L_1) + (H \times L_2) + (H \times L_3)] / 2$**   
**Double Face Sign**

(vii) Only one display face is measured if the sign faces are parallel or form an interior angle of less than or equal to 60 degrees, provided that the signs are mounted on the same structure. If the faces are of unequal area, then sign area is equal to the area of the larger face.



(3) No illumination of a sign is permitted unless the following criteria are met:

(i) The light from any illuminated sign shall be so shaded, shielded and directed that the light intensity or brightness shall not be objectionable to surrounding areas.

(ii) Neither the direct or reflected light from a light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares.

(iii) No exposed reflective type bulb or incandescent lamp, which exceeds 40 watts, shall be used on the exterior surface of a sign to expose the face of the bulb, light or lamp to any public street or adjacent property.

(iv) Electrical service provided to illuminated signs may require an electrical permit from the Building Department.

(4) Identification and Marking. Each sign requiring a permit shall bear an identification plate stating the following information:

- (i) Date the sign was erected; and
- (ii) Name of person, firm or entity responsible for its construction and erection.

(5) Sign(s) placed in connection with a temporary use that requires a temporary use permit shall conform to the requirements, conditions and terms of the temporary use permit.

**(g) Sign Standards by Zone.** The following restrictions and requirements apply to permanent signs in the given zone districts:

(1) Residential Zones.

(i) One permanent sign per residential lot not exceeding six square feet in area is allowed, subject to the standards below.

(ii) One permanent monument sign up to 32 square feet in area is allowed at a multi-family apartment/condominium building/complex and on each common area parcel that abuts a public right-of-way; for purposes of this subsection, "common area parcel" means a parcel that is owned by a homeowners' association for the benefit of all lot owners in a planned community, common interest community or condominium.

(iii) For a nonresidential use in a residential zone, one sign not to exceed 24 square feet in area is allowed per street frontage.

(iv) Location. Permitted signs may be anywhere on the property. If freestanding, the top shall not be over eight feet above the ground. If building mounted, the sign shall be flush mounted and shall not be mounted on a roof of the building or project above the roofline.

(v) Illumination. Indirect or internal illumination only shall be utilized for letter faces and/or logos.

(2) Residential Office Zone.

(i) General. The residential office zone provides a transition from residential to commercial development and consequently requires more restrictive sign regulations to maintain compatibility.

(ii) **Types Allowed.** Flush wall signs and monument signs shall be the only sign type allowed.

(iii) **Location and Size.** Signs shall be located at least 10 feet behind the front property line. Total sign area shall not exceed 25 square feet per street frontage. The sign allowance for one street frontage may be transferred to a side of a building that has no street frontage, but cannot be transferred to another street frontage. Monument signs shall not exceed eight feet in height.

(iv) **Illumination.** Signs may be externally illuminated; no other illumination of signs is allowed. All lights used for illumination of signs shall be arranged so as to confine direct light beams to the lighted sign and away from adjacent residential properties and out of the direct vision of motorists passing on adjacent streets. Illumination of signs shall comply with GJMC [21.06.080](#), "Outdoor lighting," and shall be limited to authorized business hours.

(v) **Sign Area.** The area of flush wall signs and monument signs shall be calculated as per the graphic shown under subsection (g)(2) of this Section.

(3) **Business, Commercial, Industrial Zones (B-1, B-2, C-1, C-2, I-O, BP, MU, I-1, I-2, and PAD).**

(i) **General.** This subsection shall apply to all zones designated in Chapter [21.03](#) GJMC as business, commercial, industrial or any variety of these types.

(ii) **Types Allowed.** Signs in the business, commercial, and industrial zones may include facade signs, flush wall signs, freestanding signs, projecting signs and roof signs. All signs allowed in residential zones are also allowed in business, commercial or industrial zones.

(iii) **Location and Size.** Permitted signs may be anywhere on the premises except as specifically restricted in this subsection (see specific sign type and pertinent zoning regulation). The total amount of signage to be allowed on any property shall not exceed the sign allowance as calculated in accordance with subsection (h)(3)(v)(B) or (h)(3)(vii)(B) of this Section, whichever is greater. No single sign may be larger than 300 square feet. No projecting sign may exceed the allowances in subsection (h)(3)(vi) of this section.

(iv) Illumination. Unless specifically prohibited, all of the following signs may be illuminated within the limits allowed under subsection (f)(3) of this section and GJMC [21.06.080](#).

(v) Facade Signs, Flush Wall Signs and Roof Signs.

(A) The sign allowance shall be calculated on the basis of the area of the one building facade that is most nearly parallel to the street that it faces. Each building facade which faces a dedicated public street shall have its own separate and distinct sign allowance. The sign allowance for facade signs and flush wall signs on buildings located on interior lots (lots not on a corner) which are oriented perpendicular to the street shall be based on the longer building facade. The total sign allowance, or any percentage thereof, of one frontage may be transferred to a building facade that has no frontage on a dedicated public street, provided the transferred amount does not exceed two square feet of sign area per linear foot of the facade on which it is being placed.

(B) Two square feet of sign area shall be allowed for each linear foot of building facade for facade signs, flush wall signs and roof signs. The measurement of a roof sign shall be based on the square footage of each sign face. Flush wall signs may extend up to 12 inches from the face of the building if the base of the sign is at least eight feet above ground level. (Show window signs in a window display of merchandise when incorporated with such display will not be considered part of the total sign allowance.)

(C) On any building which allows facade signs, flush wall signs, roof signs, or projecting signs, a maximum of two of these types may be used. If a flush wall sign and roof sign are used, the sign allowance of two square feet per linear foot of building may be divided between the two types of signs. If either a flush wall sign or roof sign and a projecting sign are used, the allowance for the projecting sign shall be subtracted from the flush wall sign or roof sign allowance.

(D) Roof signs shall be manufactured such that no guy wires, braces, or secondary supports shall be visible. Maximum height for roof signs shall be such that height of the structure and the sign together do not exceed the maximum height for the zone district.

(E) One sign that is flush-mounted on the rear façade of a structure that is no more than 16 square feet in area is allowed, which sign does not

count toward the total sign allowance for the parcel or building (if there is more than one such sign, the other(s) shall count toward the total sign allowance).

(vi) **Projecting Signs.** Signs may project up to 72 inches from the face of the building if located eight feet or more above grade. They shall not project beyond the back of curb, nor within two feet of the edge of the roadway if there is no curb. Total area per sign face shall not exceed one-half square foot per linear foot of building facade. If the projecting sign is the only sign mounted on the building, the minimum sign allowance shall be 12 square feet.

(vii) **Freestanding Signs.** Freestanding signs shall comply with the following requirements.

(A) One freestanding sign shall be permitted for any parcel for each street frontage. The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage, except where otherwise provided.

(B) Maximum sign allowance shall be calculated by the linear front foot of property on a public street right-of-way in conformance with the following:

a. Two traffic lanes: Maximum area of sign per face per front foot of property, three-quarters square foot; maximum height, 25 feet.

b. Four or more traffic lanes: Maximum area of sign per face per front foot of property, one and one-half square feet; maximum height, 40 feet.

(C) Signs may be installed at street right-of-way line. The sign face may project up to 72 inches into the right-of-way, if located 14 feet or more above grade, but shall not project closer than 24 inches to the back of the curb. If the existing street right-of-way width is less than that required in this code, the distance shall be measured from the line of such right-of-way as required by this code rather than from the existing right-of-way line. Ute and Pitkin Avenues shall be calculated using four lanes.

(D) On a corner lot, a freestanding sign shall not be placed within the sight-distance triangle, as defined in TEDS (GJMC Title [29](#)), unless free air space is maintained as provided in TEDS (GJMC Title [29](#)). A single

pipe support with no sign structure or copy shall not be considered a violation of the free air space requirement.

(E) In addition to freestanding signs as allowed above, up to two additional freestanding signs per street frontage, not greater than 3 square feet in area and no more than 30 inches in height, are allowed.

(F) When electrical service is provided to freestanding signs, all such electrical service shall be underground.

(G) All freestanding signs shall require a building permit in addition to a sign clearance.

(viii) Flush wall or freestanding sign(s) with text so small as to not be readable with normal eyesight from a public right-of-way are allowed, so long as such sign does not exceed 32 square feet in area. Such signs shall not count toward the total sign allowance or the maximum free-standing sign allowance.

(4) Outdoor Advertising. Outdoor Advertising signs erected on ground or wall locations (and roof locations done within the regulations and limitations of roof signs) shall only be permitted in the C-2 (general commercial) and I-1 and I-2 (industrial) zones, subject to the following conditions, limitations and restrictions:

(i) Height Limitations. No Outdoor Advertising sign shall be erected higher than 40 feet above the level of the street or road upon which the sign faces, or above the adjoining ground level if such ground level is above the street or road level. No Outdoor Advertising sign shall have a surface or face area exceeding 300 square feet in area or containing less than 15 square feet in area.

(ii) Distance. For each square foot of surface or facing of the sign, two feet of space from adjacent Outdoor Advertising signs shall be maintained. Such distances shall be determined by using the largest sign as criterion. For example, no sign can be erected closer than 600 feet to an existing 300-square-foot sign. A maximum of one Outdoor Advertising sign shall be allowed per lot or parcel of land.

(iii) Location. A sketch, drawn to scale, depicting the size and location of the proposed billboard shall be provided. The sketch shall be prepared by a licensed surveyor and shall indicate dimensions from the proposed billboard to the closest adjacent aliquot section line and shall include coordinates. The sketch shall also include the location of the proposed billboard to the nearest adjacent right-of-way line, if applicable. The sketch shall be signed and sealed by the surveyor.

(iv) Outdoor advertising signs shall not be located within 600 feet from the centerline of the Riverside Parkway as depicted in [Figure A](#).

**Click the graphic to view a higher-resolution version.**



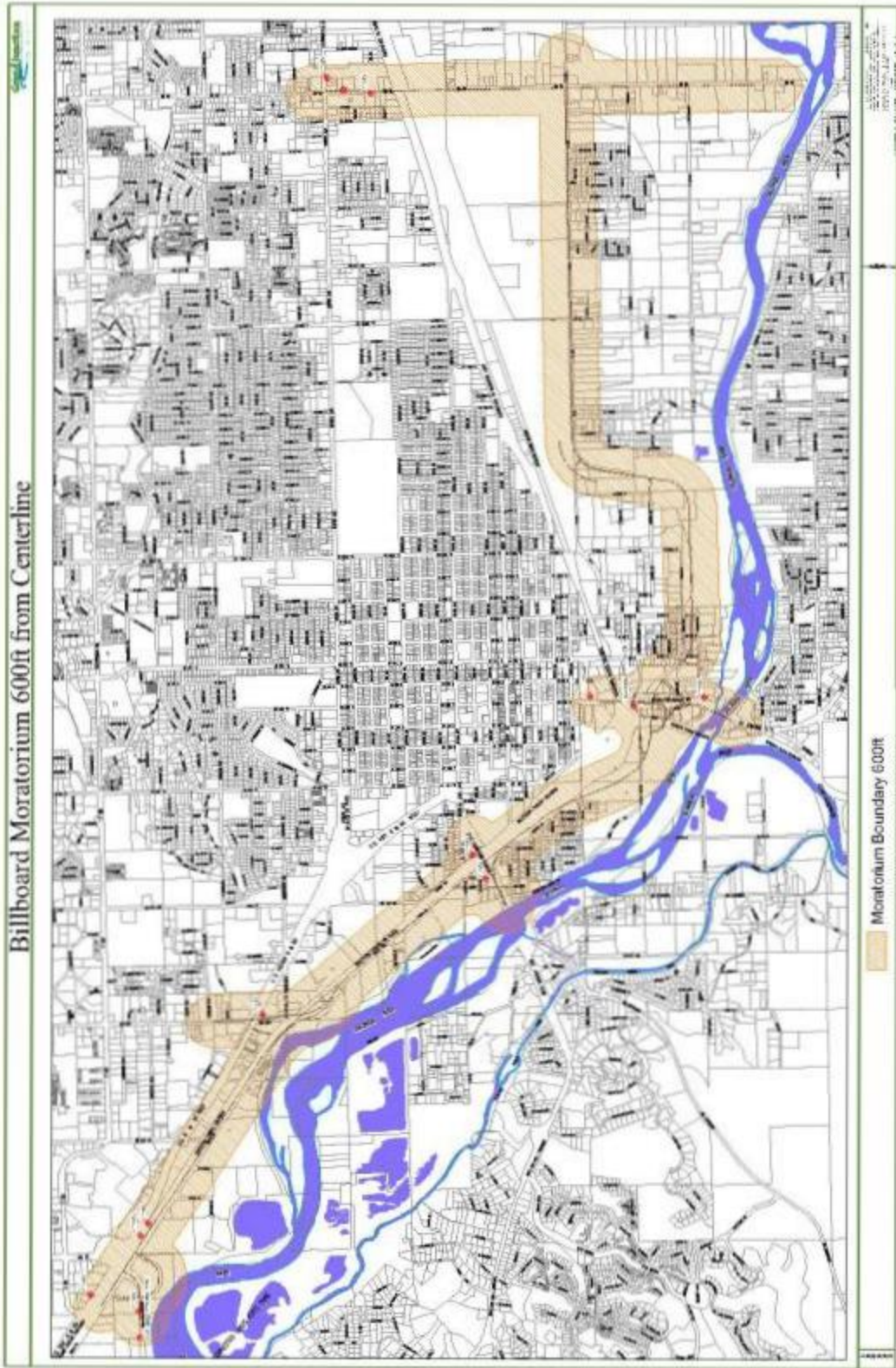


EXHIBIT "A"

(vi) Illumination. Off-premises (outdoor advertising signs) that are illuminated by indirect or external illumination shall use only downward facing, downcast light to confine direct light beams to the sign and out of the direct vision.

(vii) Prohibited signs are signs that do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted or amended. See § [43-1-401](#) C.R.S. et seq.

(5) CSR. Signage on a property zoned CSR shall be limited to signage allowed in the surrounding zone districts.

(6) Form Districts. Signage shall conform to subsection (h)(3) of this Section except that all freestanding signs shall be monument style signs with a maximum height of 15 feet.

(7) Planned Developments. No sign other than those permitted in any zone district in subsection 21.06.070(d) ("Signs that do not require a permit") shall be allowed on properties in a planned development zone unless the sign has been approved as part of the development plan. Variance of the maximum total surface area of signs shall not be permitted, but the maximum sign allowance for the entire development or use may be aggregated and the total allowance redistributed.

(8) Sign Packages. A site or sites that consist of more than one developed parcel of land that are abutting and function as one through the sharing of vehicular access through, across, over, entrance onto, and/or exit from the site and/or parking (such as a shopping center) may be considered for a sign package through a sign package permit. Variance of the maximum total sign allowance shall not be permitted, but the maximum sign allowance for the entire site or sites may be aggregated and the total allowance redistributed for the same type of sign. For example, freestanding sign allowance may be redistributed among freestanding signs, but a freestanding sign allowance may not be redistributed for a facade sign. See GJMC [21.02.070\(n\)](#).

**(h) Removal and Disposition of Signs.**

(1) Maintenance and Repair.

(i) No person shall allow, on any premises owned or controlled by him, any sign that is in a dangerous or defective condition.

(ii) The Director shall require the owner of the sign and/or the owner of the premises upon which it is located to remove or repair any such sign. In cases of immediate danger to the public due to the defective nature of a sign, the Director may have the sign removed and assess the costs of the removal against the property. Such assessment shall constitute a first and prior lien on the property, equivalent to ad valorem taxes, and shall be collected in the same manner as the real estate taxes on the property.

(iii) All signs shall be safe and maintained in good appearance as well as safety including the replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance. Failure to properly maintain a sign shall be a violation of this code.

(2) Abandoned Signs. Signs are allowed on otherwise vacant property so long as a permit is obtained (unless a permit is otherwise expressly not required) and so long as the sign allowance for the zone district is adhered to. However, a sign structure that has no content or is "blank" and has fallen into disrepair and which is located on property which is unoccupied for a period of twelve consecutive months or more shall be deemed abandoned.

An abandoned sign is prohibited; the owner of the sign or the owner of the premises shall remove the sign and supporting structure. An abandoned sign which is not removed in a timely manner may be removed by the Director under the provisions of this section.

**21.10.020 Terms defined** is amended as follows:

**[definitions of *Sign, billboard, and Sign, institutional* and *Sign, identification* are eliminated in their entirety.]**

*Sign, integral* means a sign that is carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

**[all other definitions remain the same]**

**Section 21.03.090(h) (Mixed Use Opportunity Corridors) shall be amended as follows**

**[subsection 21.03.090(h)(3) is eliminated in its entirety; other subsections of (h) remain the same]**

(h) **Mixed Use Opportunity Corridors.** See GJMC [21.02.140\(c\)\(2\)](#). In addition to the standards established in subsections (f) and (g) of this section, except as specifically modified therein for the MXOC zone district, standards for the MXOC shall be as follows:

(1) **Access.** When the site is adjacent to a local or collector street, the primary access shall be on the lower order street. Additional access points may be allowed based on traffic safety, as determined by the City's Development Engineer. Whenever possible, access between two or more sites shall be combined and access points restricted on arterial streets.

(2) **Parking, Delivery/Pick-Up Areas, Trash Service.** Parking, delivery and pick-up, and trash service areas are not permitted between the building and the primary street (corridor).

(3) **Architectural Standards.**

(i) Any facade of a new building along the corridor shall have visually interesting architectural features and patterns that are designed to reduce mass and scale and reflect the desired vision of construction; buildings at a human scale with urban design features attractive to the motoring public, the surrounding neighborhood, bicyclists and pedestrians.

(ii) The building facade shall exhibit a minimum of three of the following seven architectural design elements:

(A) Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features for all sides of the building.

(B) Facade articulation/variation such as recessed or projecting bays or pilaster/column projections at a minimum of every 30 feet for all sides of the building.

(C) Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs, eaves, recesses, projections, raised cornice parapets over doors or bays and peaked roof forms.

(D) Facade features on the primary street (corridor) that emphasize the primary building entrance through projecting or recessed forms, detail, color and/or material.

(E) Outdoor patio in combination with or without outdoor seating located between the building and the primary street (corridor).

(F) Ground story transparency of at least 50 percent in the form of windows and/or door(s) for facades facing all public street frontages.

(G) Other architectural and landscaping features that achieve the goals of the overall form district vision or concept, as determined by the Director.

**Section 21.02.070(n)(3):**

(3) Additional Approval Criteria.

(i) All signs included on the site shall be in conformance with the criteria set forth in GJMC 21.06.070(g), except as allowed to deviate based on the other criteria in this section.

(ii) The application of the sign package is not contrary to and better implements the goals and objectives of the Comprehensive Plan, including but not limited to applicable neighborhood plans, corridor plans, and other adopted plans.

(iii) The application of the sign package is not contrary to and better implements the goals and objectives of moderating the size and number of signs as well as the reduction of clutter and obtrusive placement of signs.

**[All other portions of Section 21.02.070(n) remain the same]**



**Grand Junction City Council**

**Regular Session**

**Item #6.a.**

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**Meeting Date:** February 1, 2017

**Presented By:** Kathy Portner, Planning  
Manager and Kristi Pollard,  
Executive Director GJEP

**Submitted By:** Kathy Portner,  
Community  
Development

**Department:** Admin - Community  
Development

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**Information**

**SUBJECT:**

Resolution No. 13-17 - A Resolution Authorizing the City Manager to Sell a Portion of the City-owned Property, Known as the Jarvis Property, and Approval of an Incentive Package for Sunshine Polishing Technology

**RECOMMENDATION:**

Adoption of the Resolution Authorizing the sale of Property and Approval of the Incentive Package for Sunshine Polishing Technology.

**EXECUTIVE SUMMARY:**

GJEP has successfully negotiated with Sunshine Polishing Technology to relocate its operations to Grand Junction with a new facility proposed to be located on a two-acre portion of the Jarvis property. The City Council will consider the sale of the property and an incentive package.

**BACKGROUND OR DETAILED INFORMATION:**

The Grand Junction Economic Partnership has been working with Sunshine Polishing Technology, an innovative ski lift and gondola services company that improves the condition of cable transport systems. As a pioneer in the field of plastic polishing, Sunshine Polishing Technology has recently evolved into a gondola lifts complete restoration specialist, thereby offering more aesthetic improvement solutions.

Sunshine Polishing Technology is an Eagle County based company that has decided to relocate its operations to Grand Junction, Colorado. Sunshine Polishing Technologies also has operations in Maria-Saal, Austria. The City of Grand Junction competed with Eagle, Montrose and Fruita, Colorado for the jobs.

Sunshine Polishing currently has 7 employees and will be expanding to 15 employees by summer of 2017. The average annual salary is \$57,269 per year.

The City acquired the 63 acre Jarvis property, located on the north bank of the Colorado River between the Highway 50/railroad bridge and the Riverside neighborhood, in 1990. Since that time, the property has been cleared, the Riverfront Trail was extended, and a backwater pond for endangered fish was created between the trail and River. The remaining acreage was intended for future redevelopment.

A two-acre parcel has been identified that suits the needs of Sunshine Polishing. The existing zoning of BP (Business Park) is appropriate for the proposed use. A portion of the property is within the 100-year floodplain, so development will be subject to the floodplain regulations. Direct access will be provided to Riverside Parkway with restricted right-in and right-out movement. The design of the two-acre parcel will allow for future redevelopment of the remainder of the property.

#### **FISCAL IMPACT:**

The 2 acres on the Jarvis site will be sold for \$20,000 which will be recorded as revenue in the General Fund.

The proposed incentive package includes the following costs which will be funded by the General and Capital Funds:

Construction of the access road and water line by City crews, with an estimated hard cost of \$30,000 and an in-kind value of approximately \$30,000.

Waiver of the development review fees totaling \$270.

4 years of property tax rebate for the levy years 2017 through 2020 (budget years 2018-2021). Because the City is currently not receiving property tax on the 2 acres, the rebate will be budget neutral. However after the rebate period expires the City will receive new property tax revenue on the land and improvements.

#### **SUGGESTED MOTION:**

I MOVE to (adopt or deny) Resolution No. 13-17 – A Resolution Authorizing the City Manager to Sell a Portion of the City-owned Property, Known as the Jarvis Property and Approval of an Incentive Package for Sunshine Polishing Technology.

**Attachments**

1. Location Map
2. Zoning Map
3. Proposed Lot
4. Proposed Resolution



# City of Grand Junction

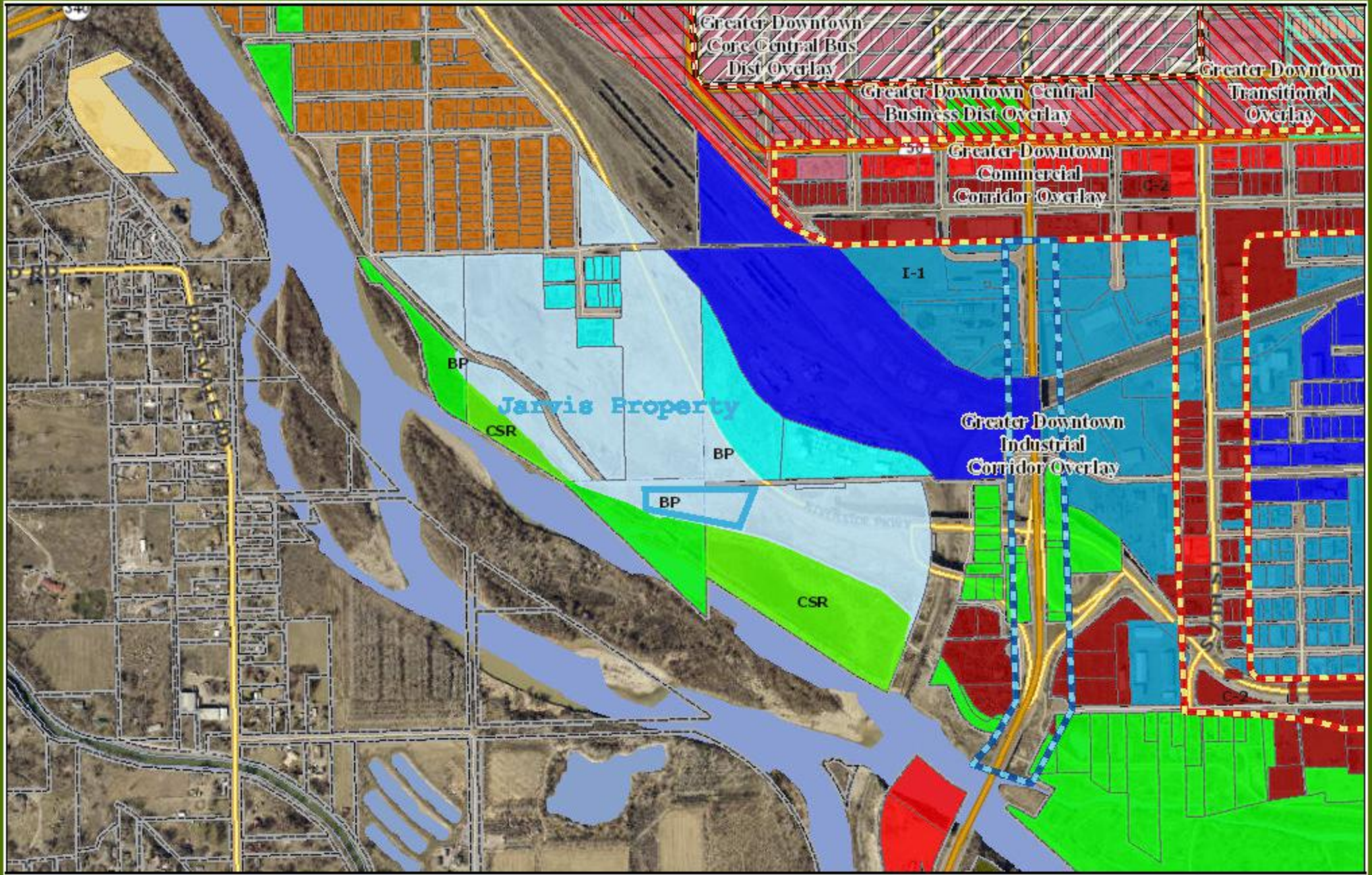


Printed: 1/25/2017

1 inch = 716 feet



# City of Grand Junction



Printed: 1/25/2017

1 inch = 716 feet

**CITY OF**  
**Grand Junction**  
COLORADO  
1000 MAIN STREET, SUITE 200  
GRAND JUNCTION, CO 81501

VER OF THE D&RGW RAILROAD  
PG 497



**RESOLUTION NO. \_\_-17**

**A RESOLUTION AUTHORIZING THE SALE BY THE CITY OF GRAND JUNCTION, COLORADO, OF CERTAIN REAL PROPERTY DESCRIBED AS LOT 5 OF THE JARVIS SUBDIVISION; RATIFYING ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH**

Recitals:

The City of Grand Junction has offered for sale to Sunshine Polishing Inc. (“Sunshine”) certain real property described as Lot 5 of the Jarvis Subdivision as further described in the Mesa County land records (“Property” or “the Property.”)

The City Council has reviewed the proposed sale and a majority of the members of the Council recommend the sale for the terms established herein and do hereby ratify the sale in accordance with and pursuant to a contract by and between Sunshine and the City.

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

1. That the City Council hereby authorizes the sale of the Property by the City to Sunshine Polishing Inc. for \$20,000.00. Furthermore, the City Council authorizes the City Manager to execute a contract to sell the property.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the sale of the Property which are consistent with the provisions of the attached Staff Report and this Resolution are hereby ratified, approved and confirmed.
3. That the officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and the attached Staff Report, including but not limited to entering into a contract and the delivery of the deed.

PASSED and ADOPTED this 1<sup>st</sup> day of February 2017.

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Phyllis Norris  
President of the City Council

Attest:

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Stephanie Tuin  
City Clerk



## Grand Junction City Council

### Regular Session

Item #7.a.

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**Meeting Date:** February 1, 2017

**Presented By:** Kristen Ashbeck, Sr. Planner/ **Submitted By:** Kristen Ashbeck,  
CDBG Admin Senior Planner

**Department:** Admin - Community  
Development

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### Information

#### **SUBJECT:**

North Avenue Catalyst Grant Request in the Amount of \$8,328.50 from Western Rockies Federal Credit Union, Located at 2302 North Avenue

#### **RECOMMENDATION:**

The North Avenue Catalyst Grant Committee recommended approval of the request.

#### **EXECUTIVE SUMMARY:**

Western Rockies Federal Credit Union has submitted an application for consideration of \$8,328.50 from the North Avenue Catalyst Grant Program. The amount is one-half of the cost for a proposed monument sign to replace the existing pole sign at 2302 North Avenue. This is the first 2017 application for this program to come before the City Council.

#### **BACKGROUND OR DETAILED INFORMATION:**

In November 2014, the City Council established a grant program in an effort to help revitalize North Avenue. The grant program requires a 50% match from the property/business owner with grant amounts up to \$10,000 per property. Projects meeting the requirements of the program and approved by City Council will be funded on a first come first serve basis.

The applicants are proposing signage upgrades with this application. They will be removing an existing pole sign and replacing it with a monument style sign. No other improvements are proposed for the grant but the owner will be upgrading other signs on the building at their own expense. Sight distance from the existing driveway will not

be in conflict with the sight distance requirements of the Zoning and Development Code.

The North Avenue Catalyst Grant Committee, made up of a City Council member, City staff member and three members of the North Avenue Owners Association, met on December 21, 2016 and recommended approval to the City Council of the grant request.

**FISCAL IMPACT:**

Since the inception of the program in 2015, the City Council has awarded \$79,125.50 in grants. \$30,000 was budgeted for the program in 2017. The applicant has requested \$8,328.50 which, if approved, would leave \$21,671.50 in the 2017 budget.

**SUGGESTED MOTION:**

I MOVE to (approve or deny) the North Avenue Catalyst Grant Request from Western Rockies Federal Credit Union, located at 2302 North Avenue, in the Amount of \$8,328.50.

**Attachments**

1. Site Location Map and Existing Photo
2. Catalyst Grant Application



Western Rockies Federal Credit Union – 2302 North Avenue



Existing pole sign – to be replaced with a monument style sign in the same location

# Grand Junction Commercial Catalyst Improvement Grant Program APPLICATION

Please note that application will not be considered until all information is submitted to the City Community Development Division, 250 N. 5th Street, Grand Junction, CO 81501, or scan and email to [planning@gjcity.org](mailto:planning@gjcity.org).

Name of Applicant(s): Western Rockies Federal Credit Union

Mailing Address: 2302 North Avenue Grand Junction CO 81501

Phone Number(s): 970-243-2434

Email: marketing@westernrockiesfcu.org

Project Address: 2302 North Avenue Grand Junction CO 81501

Business Name: Western Rockies Federal Credit Union Parcel Number: \_\_\_\_\_

Work to be performed on Front Façade Improvements and/or Pedestrian Safety & Streetscape (check all that apply):

- Repair, restoration, or installation of exterior masonry, stucco or siding
- Repair, replacement or installation of exterior awnings, window trim and doors
- Exterior lighting upgrades
- Signage upgrades (removal of pole sign and signage placed on façade and/or monument sign with maximum height 12 ft.)
- Addition of a plaza, fountain, outdoor dining or other pedestrian features in front of building and abutting North Avenue
- Construction of detached sidewalks and park-strip running the entire length of the property
- Construction and/or installation of park-strip hardscape features
- Design/Architect services for project (up to \$1,500)
- Renovation of front entryway to make more accessible
- Other (please describe) \_\_\_\_\_



Projected Start/Finish Dates for Project: 12/19/2016 / 1/16/2017

Total Estimated Cost of Improvements: \$ 16057.00

Grant Program Amount Requested: \$ 8328.50



# Grand Junction Commercial Catalyst Grant Program

## AGREEMENTS AND CONDITIONS

1. The following information must be submitted with your application: plans drawn to 30 scale; samples or depictions of finishes to be used; photos of existing condition of property; and detailed budget of project including cost estimates by contractors.
2. By submitting and signing this Application, the Applicant certifies and agrees to all terms and conditions of the Program, including:
  - The Applicant is in good standing with the City including payment of all taxes to the City of Grand Junction.
  - The Applicant agrees to adhere to the goals and vision for North Avenue as established in the Comprehensive Plan and the North Avenue Corridor Plans.
  - The Applicant agrees that all improvements to be undertaken will be consistent with all applicable zoning and building codes. Grand Junction Planning Commission or City Council review, where required must be conducted prior to commencement of work on the catalyst project. All permits and other requirements are the Applicant's sole responsibility.
  - The project must be started within three months of approval and completed within twelve months of approval to be eligible for reimbursement. Any work done on the project prior to approval of application is ineligible for reimbursement.
  - Only the work that is described in the application and approved by the Grand Junction City Council shall be eligible for reimbursement. Disbursement of funds will be made only after the entire project is complete and passes required inspections.
  - The Applicant must submit before and after photos of the project, copies of invoices, receipts, and a signed itemized statement of the total cost of the project to the City. All documentation for reimbursement must be provided to the City at time of request, with a maximum of two reimbursements. All receipts must be provided no more than 15 months after the application has been approved.
  - The Applicant understands that he/she is responsible for all construction management, including but not limited to traffic control and any permits required by the Colorado Department of Transportation (CDOT).
  - The project grant award will at all times be within the program guidelines. The amount designated by the City will not be increased due to cost overruns, changes in scope or other changes made or necessitated by the applicant, its agents and/or financiers.
  - It is expressly understood and agreed that the Applicant shall be solely responsible for all safety conditions and compliance with all applicable regulations, codes, and ordinances.
  - The Applicant shall indemnify, protect, defend, and hold harmless the City of Grand Junction and its agents and employees from all claims, damages, lawsuits, costs, and expenses for any property damage, personal injury, or other loss relating in any way to the Grand Junction Commercial Catalyst Grant Program.

Applicant's Signature: Kurt Hildebrand, CEO/President Western Rockies Date: 12/08/16

Attest: (if LLC, Corporation or Legal Entity other than Sole Proprietorship)

Owner's Signature (if different): Kurt Hildebrand, CEO/President Western Rockies Date: 12/8/16

Attest: (if LLC, Corporation or Legal Entity other than Sole Proprietorship)



970 W40 3475  
 1040 Pitkin Ave.  
 Grand Junction, Colorado 81501  
 (970) 245-7700

# PROPOSAL AND ACCEPTANCE

PROPOSAL SUBMITTED TO <b>Western Rockies Federal Credit Union</b>		PHONE <b>(970)-243-2434</b>	DATE <b>11-15-16</b>
STREET <b>2302 North Ave.</b>		JOB NAME <b>WRFCU</b>	
CITY, STATE AND ZIP CODE <b>Grand Junction, CO. 81501</b>		JOB LOCATION <b>2302 North Ave.</b>	
ARCHITECT <b>Buds Signs</b>	DATE OF PLANS <b>11-14-2016</b>	<b>Kasadey Crawford</b>	JOB PHONE <b>970-683-7857</b>

We hereby submit specifications and estimates for:

All materials and labor to Design, Fabricate and Install of the following:

- Monument Sign w/18in Daktronics TIME/TEMP ..... \$16,657.00**
- Two 7ftx7ft Window perf. Graphics for windows & entry way..... \$978.00(\$498ea.)**
- One 6ftx4ft etch Vinyl logo on interior window..... \$685.00**
- One 30Inx80In Interior brushed aluminum Letter/Logo set.....\$1,150.00**
- One 5ftx6ft Window logo- ATM shade..... \$389.00**
- Two new faces for existing entrance sign..... \$960.00 (\$480.00ea.)**
- Three Door vinyl w/hours ..... \$375.00(\$125.00ea.)**
- Total..... \$21,194.00**

**We Propose** hereby to furnish material and labor - complete in accordance with above specifications for the sum of:

**Twenty One Thousand One hundred Ninety Four Dollars and 00/100** \_\_\_\_\_ dollars (\$ **\$21,194.00+tax** ).

Payment to be made as follows:

**50% Deposit/ Balance Net 30 Days**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's compensation insurance.

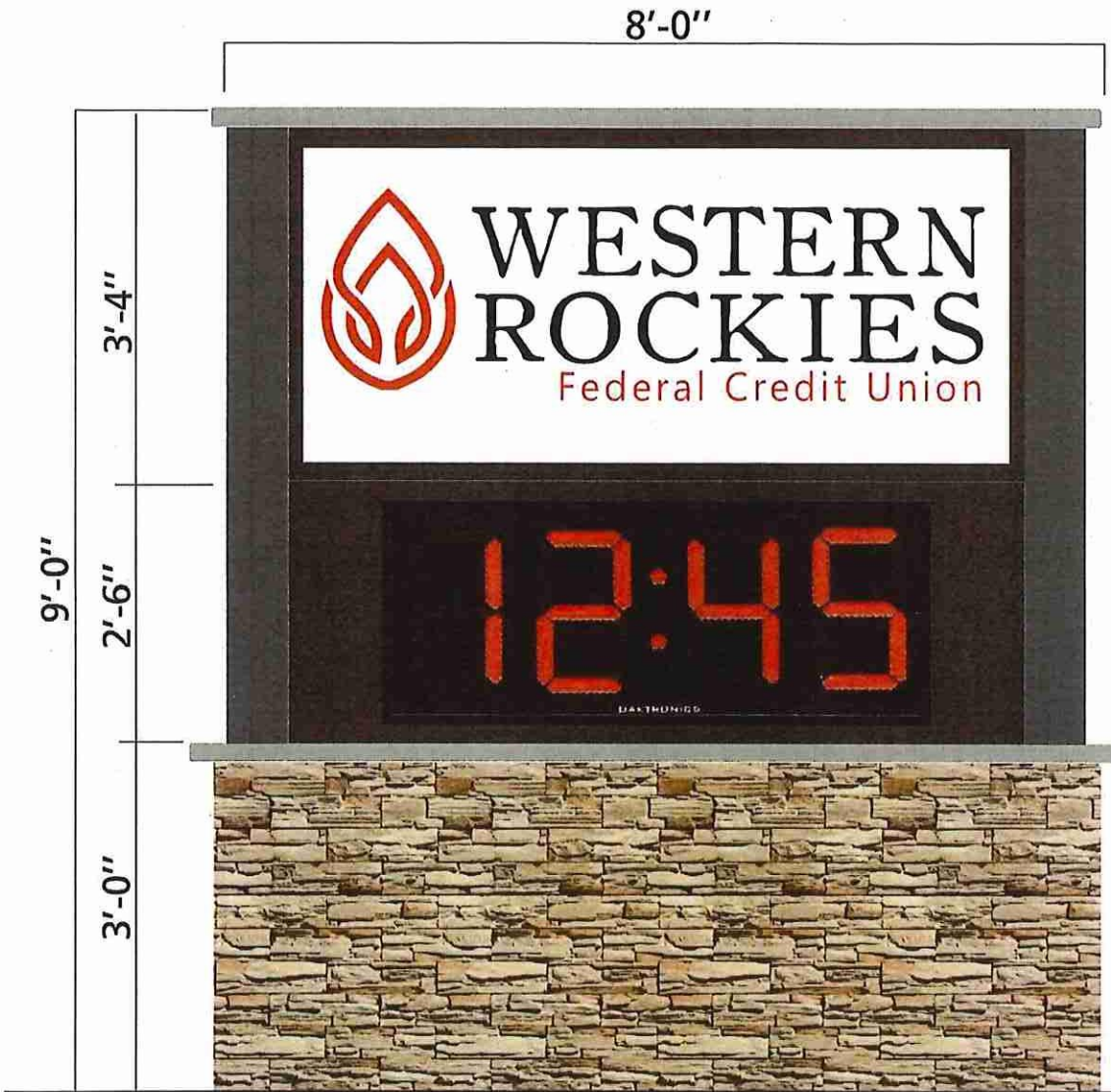
Authorized Signature Adam Hopper

Note: This proposal may be withdrawn by us if not accepted within **30 days** \_\_\_\_\_ days.

**Acceptance of Proposal** - The Customer agrees, that in consideration of the services to be rendered by Bud's Signs, Inc., the Customer hereby obligates itself/himself/herself to pay for the labor, services, and materials rendered. The Customer agrees that payment for the labor, services, and materials of Bud's Signs, Inc., is due and payable within 30 days of submission of the final invoice. The Customer further agrees that any accounts not paid within 30 days of submission of final invoice shall bear interest at the rate of 1.5% per month (18% per annum) until paid in full. Should the account be referred to an attorney or collection agency, the Customer agrees to pay all costs of collection and reasonable attorney's fees incurred by Bud's Signs, Inc.

Signature [Handwritten Signature]

Date of Acceptance \_\_\_\_\_ Signature \_\_\_\_\_



**MONUMENT SIGN**  
DOUBLE SIDED



**Grand Junction City Council**

**Regular Session**

**Item #7.b.**

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**Meeting Date:** February 1, 2017

**Presented By:** Kathy Portner,  
Planning Manager

**Submitted By:** Kathy Portner, Community  
Development

**Department:** Admin - Community  
Development

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**Information**

**SUBJECT:**

Change in Use Incentive Grant Request in the Amount of \$3,909.60 from Taco Corp Worldwide, LLC, Located at 126 S. 5th Street

**RECOMMENDATION:**

Approval of the grant request.

**EXECUTIVE SUMMARY:**

Taco Party, a proposed restaurant located at 126 S. 5th Street, has submitted an application for consideration of \$3,909.60 from the newly created Change in Use Incentive Grant program. The amount is 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use.

**BACKGROUND OR DETAILED INFORMATION:**

On January 4, 2017 the City Council established the Change in Use Incentive Grant Pilot Program to fund 25% of the sewer wastewater Plant Investment Fee (PIF), up to \$10,000 for the conversion of an existing building in the Greater Downtown Area to a restaurant use. The purpose of the program is to maintain and enhance the viability of downtown and encourage the reuse of existing buildings as restaurants.

Taco Party is a proposed restaurant reusing the building located at 126 S. 5th Street that was previously used as retail. The total Plant Investment Fee for the conversion is \$15,638.40, based on the additional impact to the sewer system of a restaurant use. The request meets the requirements of the Change in Use Incentive Grant program.

**FISCAL IMPACT:**

Funding for the Change in Use Incentive Grant is from funds budgeted for the Commercial Catalyst Grant program in the economic development budget. \$30,000 was budgeted in 2017, and of that, three requests are being considered by City Council as follows:

Catalyst Grant for Western Rockies Federal Credit Union \$ 8,328.50  
Change in Use Grant for Hops Culture \$ 6,760.80  
Change in Use Grant for Taco Corp. \$ 3,909.60  
TOTAL \$18,998.90

If all the above requests are approved, there will be \$11,001.10 remaining.

**SUGGESTED MOTION:**

I MOVE to (adopt or deny) the Change in Use Incentive Grant request from Taco Corp Worldwide, LLC, located at 126 S. 5th Street, in the Amount of \$3,909.60.

**Attachments**

1. Change in Use Incentive Grant Application

## Grand Junction Change in Use Incentive Grant Pilot Program APPLICATION

Completed application to be submitted to the City Community Development Division, 250 N. 5th Street, Grand Junction, CO 81501, or scan and email to [planning@cityofgj.org](mailto:planning@cityofgj.org).

Name of Applicant(s): Meal Estate, LLC - Jodi Nierenberg, Manager  
Mailing Address: 2161 Window Rock Ct. Grand Jct. CO 81507  
Phone Number(s): 303-356-1724  
Email: jodi@2454propertymanagement.com

Property Owner(s): Meal Estate, LLC  
Mailing Address: 2161 Window Rock Ct. Grand Junction CO 81507  
Phone Number(s): 303 356 - 1724  
Email: jodi@2454propertymanagement.com

Project Address: 126 S. 5th Street, Grand Junction, CO 81501  
Business Name: Taco Corp Worldwide, LLC  
Parcel Number: 2945-143-20-012

Projected Start/Finish Dates for Project: Start 7/2016 Finish 2/2017

Total Calculated Sewer Plant Investment Fees: \$15,638.40

Applicant's Signature: Jodi Nierenberg, Manager Date: 1/12/12  
Attest: \_\_\_\_\_ Date: \_\_\_\_\_

(If LLC, Corporation or Legal Entity other than Sole Proprietorship)

Owner's Signature (if different): \_\_\_\_\_ Date: \_\_\_\_\_  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)

Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)

\$3,909.60



## Grand Junction City Council

### Regular Session

Item #7.c.

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**Meeting Date:** February 1, 2017

**Presented By:** Kathy Portner,  
Planning Manager

**Submitted By:** Kathy Portner, Community  
Development

**Department:** Admin - Community  
Development

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### Information

#### **SUBJECT:**

Change in Use Incentive Grant Request in the Amount of \$6,760.80 from Hops Culture, Located at 457 Colorado Avenue

#### **RECOMMENDATION:**

Approval of the grant request.

#### **EXECUTIVE SUMMARY:**

Hops Culture, a proposed restaurant located at 457 Colorado Avenue, has submitted an application for consideration of \$6,760.80 from the newly created Change in Use Incentive Grant program. The amount is 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use.

#### **BACKGROUND OR DETAILED INFORMATION:**

On January 4, 2017 the City Council established the Change in Use Incentive Grant Pilot Program to fund 25% of the sewer wastewater Plant Investment Fee (PIF), up to \$10,000 for the conversion of an existing building in the Greater Downtown Area to a restaurant use. The purpose of the program is to maintain and enhance the viability of downtown and encourage the reuse of existing buildings as restaurants.

Hops Culture is a proposed restaurant reusing the building located at 457 Colorado Avenue that was previously used as retail. The total Plant Investment Fee for the conversion is \$27,042.20, based on the additional impact to the sewer system of a restaurant use. The request meets the requirements of the Change in Use Incentive

Grant program.

**FISCAL IMPACT:**

Funding for the Change in Use Incentive Grant is from funds budgeted for the North Avenue Catalyst Grant program. \$30,000 was budgeted in 2017. Of that, three requests are being considered by City Council as follows:

Catalyst Grant for Western Rockies Federal Credit Union \$ 8,328.50  
Change in Use Grant for Hops Culture \$ 6,760.80  
Change in Use Grant for Taco Corp. \$ 3,909.60  
TOTAL \$18,998.90

If all the above requests are approved, there will be \$11,001.10 remaining.

**SUGGESTED MOTION:**

I MOVE to (adopt or deny) the Change in Use Incentive Grant request from Hops Culture, located at 457 Colorado Avenue, in the Amount of \$6,760.80.

**Attachments**

1. Change in Use Incentive Grant Application



# Grand Junction Change in Use Incentive Grant Pilot Program APPLICATION

Completed application to be submitted to the City Community Development Division, 250 N. 5th Street, Grand Junction, CO 81501, or scan and email to [planning@gjcity.org](mailto:planning@gjcity.org).

Name of Applicant(s): Resto Venture 2, LLC  
Mailing Address: 625 E. Main St. Ste 102B-233 Aspen, CO 81611  
Phone Number(s): 970 300 2120  
Email: bill@wnggroup.com

Property Owner(s): 457 Grand Junction, LLC  
Mailing Address: 625 E. Main St. Ste 102B-233 Aspen, CO 81611  
Phone Number(s): 970 300 2120  
Email: bill@wnggroup.com

Project Address: 457 Colorado Ave  
Business Name: Hops Culture  
Parcel Number: 2945-143-28-006

Projected Start/Finish Dates for Project: Jan 17 / May 17  
Total Calculated Sewer Plant Investment Fees: \$27,043.20

Applicant's Signature: [Signature] Date: 1-17-16  
Attest: William Guth, Managing Member Date: \_\_\_\_\_  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)  
Resto Venture 2, LLC

Owner's Signature (if different): [Signature] Date: 1-17-16  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)  
Attest: William Guth, Managing Member Date: \_\_\_\_\_  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)  
457 Grand Junction, LLC

\$6,760.80

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: 02/01/17

Citizen's Name: Richard Swingle

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Subject: Broadband - An Overview

*Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.*

CITY COUNCIL MEETING

CITIZEN PRESENTATION

Date: FEB 1 2017

Citizen's Name: Bruce Lohmiller

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Subject: School and Law Enforcement Funding + Solidarity w/ County Patrols

*Please include your address, zip code and telephone number. They are helpful when we try to contact you in response to your questions, comments or concerns. Thank you.*

# City of Grand Junction City Council Meeting February 1, 2017

## Broadband – An Overview

Prepared by: Richard Swingle

## Broadband – An Overview Broadband Defined

- Broadband requires 25Mbps (Megabits per second) download and 3Mbps upload
- Charter Spectrum is the only local provider who can meet 25Mbps requirement for both businesses and homes

## Broadband – An Overview

### Wire

- Telephone wire – twisted pair – 1894
  - Reached maximum performance at 12Mbps (12,000,000)
- Coaxial or Cable wire – 1959
  - Reaching it's maximum performance capabilities – 500Mbps (60,000,000)
- Fiber optic cable
  - Typical minimum performance of 1Gbps (Gigabit per second) - (1,000,000,000)
  - Maximum lab performance demonstrated at 1Pbps (Petabit per second) - (1,000,000,000,000,000)
  - Light can be split in 100's of colors providing separate channels down each single strand (1,000,000,000,000,000 x 100)

## Broadband – An Overview

### Infrastructure

- Fiber optic cable must be broadly deployed for both Internet and wireless cell towers to achieve 1Gbps

## **Broadband – An Overview Business Models**

**Number of business models used for implementation**

- 1. City or municipality owns the infrastructure, servers, and delivery**
- 2. Create a consortium to deliver the Internet service**
- 3. Private enterprise**

## **Broadband – An Overview Nokia/SiFi Presentation**

- Next 3 pages (7, 8, and 9) are from the Nokia/SiFi presentation made to the City Council Workshop on January 16, 2017**
- Yellow highlight has been added for emphasis**

## Broadband – An Overview

### Nokia/SiFi Presentation – Page 16

#### Design Overview

- All business and municipal units fed diversely
- ~28,000 residential units
- 4,759 business units
- 7,000+ municipal Smart City demand points
- 3.6m ft of construction
- 2-2.5 year build
- Approximately 98% microtrenched 2% directional drilled
- 100% underground solution (no aerial)
- Ability to expand the network to neighboring areas
- Conservative estimated cost of \$70m

Grand Junction City Council—February 1, 2017

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## Broadband – An Overview

### Nokia/SiFi Presentation – Page 17

#### Meeting City Goals

- Municipal ownership through long term lease
- The City would ultimately own a fiber optic network that would pass every home and business within the City limits
- Broadband services shall be available to residences for \$50-80 per month and to businesses for under \$300 per month
- Cashflow positive position for the City
- Breakeven for the City well below forecasted demand and contracted revenues

Grand Junction City Council—February 1, 2017

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## Broadband – An Overview

### Nokia/SiFi Presentation – Page 17

#### Assumptions:

- Residential Retail rates between \$50-\$70
- Wholesale rates within agreed LOI rates with ISPs
- 2 year build schedule
- SiFi Networks to pay for operational expense
- 4 year ramp up to 36% take rate
- Demand survey reflects a conservative 40% take rate 12 months from completion
- SiFi Networks' model has allowed for 6 years slow ramp to 40%
- 2-3 ISPs on the network from commencement
- Triple play options to be available

## Broadband – An Overview

### How 30 Year Lease is Financed

- Certificates of Participation (COP) – GJ Sentinel – 02/01/17
  - Does not require a vote of the City residents
  - Excluded from TABOR requirements
  - Treated as an expense – no long-term commitment by the City
  - Last used to finance Police and Fire Station

## Broadband – An Overview

### Conclusions

- Fiber to the Premises (FTTP) will be required for our future
- Has the Internet become a utility? If yes, it has no ROI
- Number of Nokia/SiFi installations in the U.S. is zero
- 30 years in the technology field outsourced and sole sourced?
- Take rate (30%+) very aggressive
- How are Certificates of Participation (COPs) different than 30 year bonds?
- The Citizens of Grand Junction are on the financial hook if something goes wrong
- Are the Citizens of Grand Junction willing to be a 30 year experiment?





*Solidarity Not Charity is a free association of individuals dedicated to mutual aid, interconnectedness, and empowering all to seek truth, justice and creative, sustainable, wholistic solutions for our community and our world.*

**What We Do:**

- Enjoy a free meal in Whitman Park on Saturdays
- Provide donations and emergency supplies/assistance
- Build Community

- Provide meals and food for families in need
- Grand Junction Community Night Patrols
- Stand and act in Solidarity



Contact us:

(970)245-3720

[solidaritynotcharity@gmail.com](mailto:solidaritynotcharity@gmail.com)

Grand Jct. Event Center

# Our Projects <sup>Better Invested</sup>

JAW ENFORCEMENT CONCERNS  
AND SCHOOLS



Since 2008, Solidarity Not Charity has been sharing a meal in Whitman Park with those in need every Saturday. It is our longest running project. We are always looking for food donations, especially fresh fruits and vegetables and canned goods.

## Our Meal in the Park



## Community Night Patrols

We have been supporting Community Night Patrols for over six years. Volunteers go out on cold or extreme weather nights and search for those in need in our community and offer direct assistance like blankets, warm clothes and socks, or connections to emergency services.



Solidarity Not Charity is often available to assist families and individuals in need with emergency assistance, such as food boxes, warm clothing, housewares, or moral support. We're always looking for people to be "on call" to help in emergency situations. Let us know if you're interested! Direct Action gets Satisfaction!

## Emergency Assistance



## General Solidarity Work

Our volunteers offer direct support to those in need, whether it is moving, finding furniture for a newly acquired house, food support, or other odds and ends. We are committed to filling gaps of individual needs in our community that other services simply cannot. In the fall of 2012, for example, we were able to connect a local woman who recently got off the streets with a pair of sneakers she needed due to back problems by directly contacting the manufacturer and assisting with communications in the acquisition of donated brand-new sneakers.

