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**CITY COUNCIL AGENDA
WEDNESDAY, DECEMBER 20, 2017
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

Call to Order, Pledge of Allegiance, Invocation

Sherry Cole, Global Heart Spiritual Center

(The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future, and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand, or leave the room.)

Appointment

To the Riverfront Commission

Certificate of Appointments

To the Historic Preservation Board

To the Horizon Drive Association Business Improvement District Board

To the Visit Grand Junction Board

Citizen Comments

Council Reports

Consent Agenda

1. Approval of Minutes

- a. Summary of the December 4, 2017 Workshop
- b. Minutes of the December 6, 2017 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. An Ordinance Amending Various Sections of the Zoning and Development Code Regarding Administration and Procedures, Setbacks, Cluster Development, Fences and Flood Damage Prevention and Set a Public Hearing for January 3, 2018
- b. Quasi-judicial
 - i. An Ordinance Rezoning Property Located at 2802 Patterson Road From R-4 (Residential, 4 DU/AC) to MXOC (Mixed Use Opportunity Corridor) and Set a Public Hearing for January 3, 2018
 - ii. An Ordinance Zoning Properties to I-O (Industrial/Office Park), Located at 2201 and 2202 ½ H Road, and Set a Public Hearing for January 3, 2018
 - iii. An Ordinance Vacating the East-West Alley Right-of-Way Between 2nd and 3rd Streets, South of Colorado Avenue, and Set a Public Hearing for January 3, 2018

3. Contracts

- a. Purchase of Three Medium-Duty Ambulance Vehicles from Braun Northwest
- b. Contracts for Visit Grand Junction Advertising Services and Website Development/Internet Marketing Services
- c. 2018 Agreement with Mesa County for Animal Control Services

4. Other Action Items

- a. Sole Source Purchase of a Portable X-Ray System

Regular Agenda

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

5. Public Hearing

- a. Legislative

- i. An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles
 - ii. A Resolution Regarding the Las Colonias Park Plan of Development Amendment
 - b. Quasi-judicial
 - i. Consider a Request to Vacate Alley Right-of-way in Block 84, Original City Plat, also known as the R-5 High School Block
- 6. Non-Scheduled Citizens & Visitors**
- 7. Other Business**
- 8. Adjournment**



Grand Junction City Council

Regular Session

Item #

Meeting Date: December 20, 2017
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Riverfront Commission

RECOMMENDATION:

Appoint applicant recommended by the Riverfront Commission municipal representatives.

EXECUTIVE SUMMARY:

There is one vacancy on the Riverfront Commission due to a resignation.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the Riverfront Commission municipal representative's recommendation to the Riverfront Commission.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: December 20, 2017
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Historic Preservation Board

RECOMMENDATION:

Present certificates.

EXECUTIVE SUMMARY:

Greg Gnesios and Jody Motz were appointed to the Historic Preservation Board for terms ending December 2021.

BACKGROUND OR DETAILED INFORMATION:

City Council approved the appointments at the December 6, 2017 regular meeting.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: December 20, 2017
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Horizon Drive Association Business Improvement District Board

RECOMMENDATION:

Present certificate.

EXECUTIVE SUMMARY:

Fonda Delcamp was appointed to the Horizon Drive Association Business Improvement District Board for a partial term ending April 2021.

BACKGROUND OR DETAILED INFORMATION:

City Council approved the appointment at the December 6, 2017 regular meeting.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: December 20, 2017
Presented By: City Council
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Visit Grand Junction Board

RECOMMENDATION:

Present certificates.

EXECUTIVE SUMMARY:

Appointed to the Visit Grand Junction Board are Susan Kiger for a partial term ending December 2018, Tammy Anderson for a partial term ending December 2019, and Elizabeth Hallgren and Paul Petersen for terms ending December 2020.

BACKGROUND OR DETAILED INFORMATION:

City Council approved the appointments at the December 6, 2017 regular meeting.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
December 4, 2017 – Noticed Agenda Attached

Meeting Convened: 5:30 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:08 p.m.

City Council Members present: Councilmembers Boeschstein, Kennedy, McArthur, Norris, Wortmann, and President of the Council Taggart.

Staff present: Caton, Shaver, LeBlanc, Romero, Prall, Watkins, Nordine, Allen, Portner, and Winkelmann.

President of the Council Taggart called the meeting to order.

City Manager Greg Caton distributed a memo in preparation for the budget discussion on Wednesday's Council meeting. The City received information last week from the City's current Workers Compensation excess insurance carrier, Safety National, stating it will no longer insure the City's Wildland Fire Fighting program under the current terms and the proposed new terms increased the City's exposure significantly as well as the cost of insurance. The City is currently self-insuring its Workers Compensation; Mr. Caton explained that fully insured policies are more common with smaller municipalities and Safety National (starting in 2018) will only cover excess insurance over \$1 million and the City would be responsible for any incidents between \$500,000 and \$1M. There are three options to address this situation:

1. Not deploy wildland firefighting.
2. Remain in the self-insurance model and carry the risk.
3. Switch to a fully-insured model with CIRSA to reduce the City's risk (the City would still cover incidents below \$250K). CIRSA is the agency who carries the City's general liability coverage.

Discussion ensued about the reasons the City is sending firefighters to events outside the City limits, such as the community benefit of having highly trained and experienced firefighting personnel. Mr. Caton noted that there is always personnel and equipment available for Grand Junction events and the City is reimbursed for the services rendered and equipment utilized.

The Council expressed support for option 3 above. Mr. Caton noted \$261,000 for the insurance premium will be reflected in the 2018 budget. An additional \$200,000 of contingency is recommended to provide flexibility in managing actual claims experience under the new model.

The second budget item is regarding Persigo. A 5.2% overhead charge is being included in the budget (which is higher than the current 2.9% charge and lower than the proposed 7.5% discussed at a recent Persigo Workshop).

City Manager Caton stated that the applicants for the Weeminuche subdivision have withdrawn their application, which was scheduled for Council discussion at the December 6 meeting. A press release will be issued to inform those interested in this project.

Agenda Topic 1. Discussion Topics

Update on the Circulation Plan.

Tamra Allen, Community Development Director, reported that Council met with the Planning Commission earlier this year regarding the Circulation Plan. It is appropriate to review the plan every five years or so. The Urban Trails Master Plan needs to be updated as well.

Ms. Allen noted staff has been engaged in 1:1 meetings and focus groups to discuss the plan and receive feedback.

Kathy Portner, Community Services Manager, stated that the Circulation Plan was amended in 2010 and adopted as an element of the Grand Junction Comprehensive Plan. The Urban Trails Master Plan was adopted by City Council in 2001. It needs to be updated to reflect the transportation planning found with the 2010 Comprehensive Plan. Together with the Circulation Plan a comprehensive transportation Master Plan will be created.

The Comprehensive Circulation Plan consists of four sections: network map, street functional classification map, active transportation map, and strategies and policies.

The draft Circulation Plan contains six policies and strategies:

1. Adopt a complete street policy for Grand Junction and develop and adopt a Compete Streets Policy for Mesa County.
2. Develop and revise policies for support of an integrated transportation system.
3. Create and update sub-area maps.
4. Improve inter connectivity between Grand Valley Transit centers, neighborhoods and community attractions.
5. Improve Urban Trails system.
6. Maintain or improve circulation of vehicles on road system.

Ms. Portner reviewed the public outreach for this process that has occurred or will occur in the future: technical team meetings, workshops, stakeholder 1:1's, focus group meetings, public open houses, and public hearings.

Staff requested feedback about additional stakeholders and groups to involve in this process.

Discussion ensued about the need to prioritize these items in future budgets. Councilmembers offered their assistance in future discussions with stakeholders.

Agenda Topic 2. Next Workshop Topic

For December 18: Presentation by the Fire and Police Protection Association (FPPA) on their defined benefit plan. Mr. Caton stated in the past FPPA required 100% enrollment in this plan. Changes to the plan now permit voluntary enrollment.

Other Business

Councilmember McArthur requested a future discussion on Vacation Rentals by Owners (VRBOs) as it is estimated there are close to 100 in existence. Ms. Allen stated this discussion will occur at the next joint City Council - Planning Commission Workshop in March.

Mayor Taggart reported a special meeting of the Airport Authority Board will be held tomorrow evening to finalize the agreement for the new Executive Director.

Councilmember Kennedy reported Robin Brown has been named as the next Executive Director of Grand Junction Economic Partners (GJEP).

Councilmember Boeschstein noted the Commission on Arts and Culture has been meeting and working towards official designation.

Adjournment

With no further business the meeting was adjourned.



**GRAND JUNCTION CITY COUNCIL
MONDAY, DECEMBER 4, 2017**

**PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM
WORKSHOP, 5:30 P.M.
CITY HALL AUDITORIUM
250 N. 5TH STREET**

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

1. Discussion Topics

- a. Update on Circulation Plan

2. Next Workshop Topics

- a. December 18: Fire and Police Pension Association of Colorado
Presentation on Defined Benefit Plan

3. Other Business

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
December 6, 2017**

The City Council of the City of Grand Junction convened into regular session on the 6th day of December 2017 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Duncan McArthur, Barbara Traylor Smith, Duke Wortmann, and Council President Rick Taggart. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

Council President Taggart called the meeting to order. Councilmember Kennedy led the Pledge of Alliance which was followed by a moment of silence.

Council President Taggart announced the agenda item #5.a.ii regarding the Weeminuche Subdivision was withdrawn by the applicant.

Presentation - Recognition of New Neighborhood Associations

The Emerson Park Neighborhood and the Lincoln Park Neighborhood submitted applications for registration as Neighborhood Associations. The City has a neighborhood program that helps neighborhoods organize and form non-binding associations. It has been the practice for the City Council to recognize the formation of these neighborhood associations and recognize them at a Council meeting with a formal certificate.

Senior Planner Kris Ashbeck introduced the new neighborhood association representatives.

Elizabeth Rowen, Lincoln Park Neighborhood representative, thanked City staff for helping them through this process. There are 110 residences in this neighborhood and through meetings a consensus was reached to form an association. Ms. Rowen noted that some issues arose at the meetings and said these will be addressed at future quarterly meetings. She said they would like to expand the historic district within their boundaries and that forming this association will help provide a better sense of community. The members of the association introduced themselves.

Emerson Park Association representatives Collin and Carrie St. Claire were present and spoke of how they moved into the area last year and helped form the association. They thanked their downtown neighbors and City staff for helping them form the association in order to help build a stronger sense of community. Mr. and Mrs. St. Claire hope other areas pursue associations as well.

Proclamations**Proclaiming December 7, 2017 as "National Pearl Harbor Remembrance Day" in the City of Grand Junction**

Councilmember Kennedy read the proclamation. Michael Kilmer, Grand Junction Veterans Health Care System Director, and Stan Holmes, Executive Assistant to the Director, were present to receive the proclamation. Mr. Kilmer thanked Council on behalf of the more than 1,300 World War II veterans.

Proclaiming December 18, 2017 as "International Day of the Migrant" in the City of Grand Junction

Councilmember McArthur read the proclamation. Mario Bravo-Fuentes from the Hispanic Affairs Project (HAP), along with HAP Director Tom Aker, Palisade Child and Migrant Services Executive Director Karalyn Dorn, and Migrant Education Program Director Tracy Gallegos, were present to accept the proclamation. Mr. Bravo-Fuentes thanked City Council noting this day is special to him because his family members are migrants, although he has lived in the United States all his life. This day is not just for migrants but for everyone because this is a land of immigrants.

Mr. Gallegos thanked Council for the proclamation and said it is an honor for this day to be recognized because migrants need this type of recognition and support. Ms. Dorn thanked Council on behalf of the migrants her organization serves and noted how much the population depends on migrants for fresh food, hard work, strength and expertise. Mr. Aker thanked Council for their support of the migrant community and urged everyone to please consider the repercussions of the DREAM Act and asked that they encourage their representatives to support the legislation.

Appointments**To the Historic Preservation Board**

Councilmember Boeschstein moved to appoint Greg Gnesios and Jody Motz to the Historic Preservation Board for terms ending December 2021. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

To the Horizon Drive Association Business Improvement District Board

Councilmember Wortmann moved to appoint Fonda Delcamp to the Horizon Drive Association Business Improvement District Board for a partial term ending April 2021. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

To the Visit Grand Junction Board

Councilmember Norris moved to appoint Susan Kiger for a partial term ending December 2018, Tammy Anderson for a partial term ending December 2019, and Elizabeth Hallgren and Paul Petersen for terms ending December 2020 to the Visit Grand Junction Board. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Certificate of Appointment to the Commission on Arts and Culture

Nora Hughes was present to receive her certificate of appointment to the Commission on Arts and Culture. She thanked Council for her appointment.

Citizens Comments

Mayor Taggart announced there is a new timer system and explained how it works.

Bruce Lohmiller said he spoke to Sheriff Matt Lewis about gang issues and the idea that officers participate with the Partners program to work with local youths. He also said he asked the City Manager for help with night patrols and mentioned other concerns with mental hygiene in the school district, the 211-Information Line, and M-1, 72 hour holds.

Council Reports

Councilmember McArthur attended the Homeless Coalition meeting on November 16th along with representatives that provide services to the homeless community and noted Grand Valley Peace and Justice is looking for volunteers during the winter months. Chief Camper has left his position and Interim Chief Nordine is filling in. There were a few events that took place for this, including the Change of Command Ceremony that he attended. He wished Chief Camper well. He attended the Grand Junction Sports Commission (GJSC) presentation on December 4th where they discussed the consultant's recommendations for the strategic plan. On December 6th he attended the Associated Members of Growth and Development meeting where Dave Thornton and Tamra Allen presented the City's new Circulation Plan; the Plan is available online at gjcity.org. Earlier that day he went to the Visit Grand Junction luncheon for volunteer recognition.

Councilmember Wortmann also attended the GJSC meeting and is thrilled to see good things coming up for the City. He saw many good friends at the Visit Grand Junction Volunteer Luncheon earlier that day. He noted that in the last three weeks the Valley has seen new businesses come in and he spoke of some retirees moving back to the area which reminds him of how thankful he is to live in such a wonderful place.

Councilmember Boeschstein attended many of the same meetings and said the going away ceremony for Chief Camper was well attended and he thanked Chief Camper for his work. He attended the Cultural District Group Meeting on November 21st, the Historic Preservation Board meeting on December 5th, and the Visit Grand Junction Volunteer Luncheon.

Councilmember Kennedy expressed that the biggest thing he hoped for was that everyone had a happy Thanksgiving. He congratulated Robin Brown for being appointed as the new Executive Director for the Grand Junction Economic Partnership (GJEP) and he pointed out that Steve Jozefczyk was promoted to Deputy Director. Councilmember Kennedy spoke of four new companies that recently moved to town and how eleven local companies have taken advantage of the rural Jump Start tax incentive. GJEP has 140 active prospects and more than 2,000 leads that they are working with to bring to the valley. On a personal note, he spoke of going to Pennsylvania for Thanksgiving where his mother lives and was released from the hospital after two months. She is not doing well and for that reason he is withdrawing from the congressional race. Councilmember Kennedy appreciates the thoughts and prayers as his family works through this trying time.

Councilmember Traylor Smith had been out of town but she was glad the GJSC meeting went well. She echoed that Chief Camper's ceremony was heartfelt and is thankful Interim Chief Nordine is stepping up; there is good talent in the police department and it is in good hands.

Councilmember Norris attended many meetings but spoke only about the going away events for Chief Camper and how she is grateful that he still considers Grand Junction home and that he hopes to return someday. She is confident that Interim Chief Nordine will do a great job.

Council President Taggart was not able to attend Chief Camper's events and apologized to Interim Chief Nordine. Grand Junction Regional Airport Authority appointed a new director, Angela Padalecki. Council President Taggart is very excited and believes she will do wonders. The airport is an economic driver and he feels it will get even bigger. Estrella Ruiz, with Hispanic Affairs Program, asked him to speak at the DREAM Act 17 event. He told of the pictures on Main Street for the DREAM Act which has bi-partisan support. On December 5th he attended the W.R. "Bob" Bray's memorial service and Council President Taggart said he was a pillar of the community and he will treasure having known him and his family.

Consent Agenda

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

1. Approval of Minutes

- a. Summary of the November 13, 2017 Workshop
- b. Minutes of the November 15, 2017 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles and Set a Public Hearing for December 20, 2017
 - ii. An Ordinance Amending Chapter 2 of the Grand Junction Municipal Code Concerning Fees, Costs and Surcharges in Municipal Court and Set a Hearing for January 3, 2018
- b. Quasijudicial
 - i. An Ordinance Vacating Right-of-way within Block 84 City of Grand Junction, located at 310 North 7th Street and Set a Public Hearing for December 20, 2017

3. Contracts

- a. A Resolution Authorizing the City Manager to Execute a Contract for the Purchase of the (Wells Fargo) Property at 261 Ute Avenue in Grand Junction, Colorado
- b. 911 Phone System Purchase for the Grand Junction Regional

Communication Center

4. Resolutions

- a. Resolution Issuing a Revocable Permit for the Installation of a Center Median that would include Landscaping and Subdivision Monument Signage in the Proposed Aiguille Drive Right-of-way as Part of the Pinnacle Ridge Subdivision, Located East of Mariposa Drive in the Redlands
- b. Resolutions Levying Taxes for the Year 2018 in the City of Grand Junction, Colorado and the Downtown Development Authority
- c. A Resolution Adopting Rates and Fees for Water, Wastewater, and Solid Waste

Regular Agenda

Public Hearing - Zoning Properties, Located at 2404, 2412, 2424 and 2432 N. 12th Street and 1225 Wellington Avenue. R24 24+ Dwelling Units Per Acre

The applicant requests a rezone of five properties located at 2404, 2412, 2424 and 2432 N. 12th Street and 1225 Wellington Avenue from R-8 (Residential 8 dwelling units per acre) to R-24 (Residential 24+ dwelling units per acre) zone district.

The public hearing was opened at 6:48 p.m.

Senior Planner Kris Ashbeck reviewed the location, site, current zoning, the history of the property, and explained the purpose of the request is to allow the applicant to develop 89 apartment units on the combined properties. R-24 zone district no longer has a cap and would allow for the development and density. Land uses are mostly nonresidential. The proposed zoning works to implement the Comprehensive Plan and meets the criteria. Ms. Ashbeck reviewed the zoning and mixed use of the surrounding properties and said during development the overhead utilities will be placed underground. The Planning Commission recommends approval.

Councilmember Kennedy appreciates the proposed development as it will provide needed housing. He asked if the developer, John Poovey of Gemini Capital, owns all the lots. Dr. Poovey said they do and that currently the houses are being rented on a month-to-month basis. Ms. Ashbeck said the development plans are done and have been reviewed. Councilmember Kennedy asked if there would be sufficient parking. Dr. Poovey said the building will be raised to allow parking underneath the apartments along with some other parking areas. He spoke of his vision to make it beneficial to residents to walk and ride their bikes since it so close to shopping and other facilities, and thus reduce traffic. They will also provide bike storage to help support this vision.

Dr. Poovey and his wife believe this type of project will be beneficial to Colorado Mesa University (CMU), St. Mary's Hospital, and the community.

Councilmember Norris asked if a traffic study was done, and if so, how will the additional traffic affect that area. Mark Austin, Austin Civil Group, said a traffic study was completed when City Market went into that area and the study included expansion and growth factors. Some improvements proposed are auxiliary turn lanes.

Councilmember McArthur asked if this project will deal with the same drainage issues that City Market dealt with. City Attorney Shaver said yes, but they are prepared to deal with them.

Councilmember Boeschenstein asked if there would be driveway cuts onto 12th Street. Mr. Austin responded that they will be there but the majority of traffic would use a turn lane. Councilmember Boeschenstein said he was glad to hear it will be a bicycle friendly facility, but would like to know how a bike lane could be added without expanding 12th Street. Mr. Austin said that would be a citywide project for that type of improvement. Ms. Ashbeck said bike traffic is directed to 15th Street which is a bike route with a bicycle lane.

Councilmember Norris asked if the residents will pull out onto Wellington Avenue. Mr. Austin said that was correct.

Dr. Poovey said this encompasses the future vision of the community and that of CMU. It is important to treat this as a long-term vision.

There were no public comments.

The public hearing was closed at 7:05 p.m.

Councilmember McArthur asked what the zoned density is of the project behind the property. Ms. Ashbeck said she did not know, but guessed 8-10 units per acre.

Councilmember Kennedy moved to adopt Ordinance No. 4774 - An ordinance zoning properties located at 2404, 2412, 2424, and 2432 N. 12th Street and 1225 Wellington Avenue to R- 24 (residential 24+ dwelling units per acre) on final passage and ordered final publication in pamphlet form. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Outline Development Plan (ODP) and a Rezone to Planned Development (PD) with an R-2 (Residential 2 du/ac) Default Zone District for Weeminuche Subdivision Located between 26 & 26 1/2 Roads, South of H 3/4 Road – WITHDRAWN

Council President Taggart announced this item was withdrawn by the applicant.

Public Hearing - Appropriating Certain Sums of Money to Defray All Necessary Expenses and Liabilities of the City of Grand Junction, Colorado and the Downtown Development Authority for the Year Beginning January 1, 2018 and Ending December 31, 2018 also known as the Annual Appropriation Ordinance

The public hearing was opened at 7:07 p.m.

City Manager Greg Caton noted an additional public comment period was added this year to provide the community an additional opportunity to speak and for himself as well. He outlined the main purpose of a budget and explained that it is through the budget the City delivers services. He presented the 2018 budget timeline and overview and noted some highlights. City Manager Caton provided more detail on how the budget works with the Strategic Plan.

The budget was an eight-month process which started earlier this year to incorporate the five and ten year financial plans which sets the tone for the coming years. Doing this was enabled some items to be moved up this year and more notice was also given to those impacted by cost increases.

The Strategic Plan has two guiding principles of partnerships and fiscal responsibility; those along with the strategic directives (public safety, planning and infrastructure, diversification of economic base, communication, outreach and engagement) influenced the creation of the budget.

The 2018 Budget allows for ten new public safety positions: four police officers to re-establish the traffic unit and six fire fighters to establish the North Area ambulance station. It includes funds for fire training improvements at the regional Colorado Law Enforcement Training Center, additional ambulances in fleet, to replace police and fire specialty operating equipment, and to establish a savings account for engine/truck 6 using voter authorized funds for public safety.

2018 planning and infrastructure include a 65% increase in capital investment over 2017, park improvements, Las Colonias Business and Recreation Park infrastructure, maintenance and improvements of existing streets, and Safe Routes to Schools to include Bookcliff Middle and Nisley Elementary Schools.

City Manager Caton spoke to the 2018 diversification of Grand Junction's economic base in that there is a 76% increase in economic development funding over 2017, there will be monies to fund Colorado Mesa University Scholarships, funds to establish Las

Colonias Business Park Partnership, funds to improve Two Rivers Convention Center to prepare for expansion into the regional market, increased funding to economic development partner and funds to over 50 agencies in the economic development budget for \$5.4 million.

The City's communication, outreach, and engagement has been achieved through: double-digit increases in all department Facebook followers in one year, continued growth in the reach of news releases for all departments using subscription blog formats, performed a citizen survey to understand the sentiments of the community and improved transparency.

City Manager Caton said the budget document and projections are very conservative and that the General Fund balance is higher in order to make investments. He thanked staff, directors, and specifically Jodi Romero and Linda Longenecker for their hard work on the budget.

Councilmember Wortmann asked if 45 days worth of cash reserve in the General Fund is enough. City Manager Caton said that is a good question and will be addressed in the first quarter of 2018. He believes a better strategy to having a hard-set number is to have a bottom line that is lower and then have some area to float depending on opportunities and the economy.

Council President Taggart said the proper calculation is \$21 million divided by \$70 million.

Councilmember Norris said the City has \$6 million out on long term loans and therefore cash is less than that amount. Councilmember McArthur concurred.

Councilmember Traylor Smith said the loans can be converted to cash if needed since it was loaned to the City itself.

Councilmember Kennedy said this is the first positive budget where they are speaking of investments and not wondering where to save a nickel. He is very excited about economic development. He thanked City Manager Caton and the rest of the staff who worked on the budget. He then asked if the entire \$500,000 going into savings is for the station 6 truck. City Manager Caton said the plan is to save \$500,000 most years, although the first year will be \$400,000 (10 months worth of revenue). \$350,000 was budgeted for the temporary structure, but he is not sure if this amount will entirely complete the project, so some money may be pulled from the \$400,000. Councilmember Kennedy spoke of how previous Councils supported CMU and how he

is glad this support continues, although it is unique to invest in the Mesa County Valley School District 51 students through CMU scholarships. This is unique within the US and has the potential to do so much good. He then asked about the status of the General Fund and the Black Box and TABOR (Taxpayer's Bill of Right's). Jodi Romero, Finance Director, explained there are two calculations: the Black Box which is all in, and then just the property tax calculation. The City is in an excess situation in the property tax calculation, the sales tax would have to grow so much to exceed what we already have in the property tax. The margin in Black Box has not grown enough to get beyond that yet and there is no danger exceeding that number in this budget cycle.

Councilmember Traylor Smith thanked staff and appreciates the level of detail and the presentations. She is very pleased with the results.

Councilmember Norris said last year when the City bought the Pawn Shop, staff went above and beyond and repay the money back and she thanked City Manager Caton for that. She spoke of the General Fund balance saying she did not know where it should be, but suggested that it could be used as savings in order to invest. She expressed disappointment that the City is giving more to CMU and said she would rather have it spent in our community. Councilmember Norris thanked staff for their work.

Councilmember Boeschstein thanked staff too. He said it was a very refreshing budget that serves a lot of issues. He was pleased to see money being spent for the homeless issue being paid to different agencies and acknowledged the need to continue to work on that. He believes the economy is still growing and listed some projects that money has gone to and he is looking forward to the future showing confidence.

There were no public comments.

The public hearing was closed at 7:53 p.m.

Council President Taggart said capital budgeting is critical and thanked staff for doing a terrific job.

Councilmember Traylor Smith moved to adopt Ordinance No. 4776 - An ordinance appropriating certain sums of money to defray all necessary expenses and liabilities of the City of Grand Junction, Colorado and the Downtown Development Authority for the year beginning January 1, 2018 and ending December 31, 2018 also known as the Annual Appropriation Ordinance on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Making a Supplemental Appropriation for the Downtown Development Authority

The public hearing was opened at 7:55 p.m.

Downtown Development Authority (DDA) Executive Director Brandon Stam detailed the amounts and projects the requested funds would cover and noted the 2017 budget amendments have been approved by the Downtown Development Authority Board.

Supplemental appropriations are required for the following:

Fund 103 - \$19,500

\$10,500 - Severance settlement

\$9,000 - Purchase of Sun Worshippers art piece funded by Legends monies managed by the DDA as well as \$1,000 in DDA funds.

Fund 203 - \$50,000

\$50,000 - To increase the special capital projects budget which includes funding of the facade grant program, Wi-Fi, and Breezeway lighting.

Fund 611 - \$4,495,000

\$3,395,000 - The outstanding principal amount for the refinance of the 2012A bonds at an average interest rate of 5.01% to the 2017 bonds with an interest cost of 3.36%

\$60,000 - Issuance costs for the 2017 bonds

\$500,000 - Originally it was budgeted to make the 2nd and 3rd payment for the purchase of the R-5 building in 2016 and 2017, however the 2nd payment needed to be carried forward to 2017.

Councilmember Kennedy asked if there is further need for the facade program. Mr. Stam said they will look at different grant opportunities. Councilmember Kennedy said it has made a difference in the look and feel of the area and he hopes the DDA keeps the program and business owners take advantage of it.

Councilmember Boeschstein thanked Mr. Stam and the DDA and said the partnership is very important and added he hopes the train depot can be restored. Mr. Stam said the depot owner is finalizing the concept and looking for an anchor tenant, although the design plans will need to be submitted.

The public hearing was closed at 8:00 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4777 - An ordinance making a supplemental appropriation to the 2017 Budget of the City of Grand Junction, Colorado, Downtown Development Authority on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Resolution - Allocation of Certain Property Tax and Sales Tax Revenues for the Grand Junction Downtown Development Authority (DDA) and for Certification of Property Tax Distribution Percentages to the County Assessor

The DDA was formally established in 1981 and is funded in part through tax increment funding (TIF) revenues.

Finance Director Jodi Romero presented the item and explained through State statute, the DDA receives 50% of the property tax increments from all the taxing jurisdictions within the DDA boundary. This resolution affirms the commitment of 100% of the City property taxes attributable to the increment in property assessments. This resolution also confirms the commitment of 100% of the City sales tax revenues within the DDA District attributable to the increment of sales tax growth.

TIF revenues must go to debt service, and historically the City has contributed 100% of both increments and beginning last year calculated one half of the sales tax increment as DDA's participation in the Downtown Police Patrol Program. For 2018 the amount of the property tax TIF is estimated at \$76,000 (which is really the second 50%) and for the tax revenues it is \$347,000. This has been another example of a great partnership between the City and the DDA.

Councilmember Norris said the police patrol was paid by DDA last year and asked if they will be doing so again in 2018. Ms. Romero answered that it would be paid for out of the calculation again this year. Councilmember Norris said this was very successful and that she heard many positive comments about it.

Council President Taggart asked if the \$347,000 represents 50%. Ms. Romero answered that is the full 100%. She said it is very unusual for a municipality to participate in sale tax increment so the State Statute doesn't speak towards that amount.

Mr. Stam said he is only aware of only one other DDA that receives a sales tax increment.

Councilmember Norris wants to see it continue.

Councilmember Kennedy moved to adopt Resolution No. 75-17 - A resolution for allocation of certain property tax revenues for the Grand Junction Downtown Development Authority and for certification of property tax distribution percentages to the County Assessor and Resolution No. 76-17 - A resolution for allocation of certain sales tax revenues for the Grand Junction Downtown Development Authority. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Wortmann recognized that Interim Chief Nordine and Human Resources Director Claudia Hazelhurst welcomed two new granddaughters this week.

Adjournment

The meeting adjourned at 8:06 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: December 20, 2017

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

An Ordinance Amending Various Sections of the Zoning and Development Code Regarding Administration and Procedures, Setbacks, Cluster Development, Fences and Flood Damage Prevention and Set a Public Hearing for January 3, 2018

RECOMMENDATION:

The Planning Commission recommended approval at the December 12, 2017 hearing.

EXECUTIVE SUMMARY:

The Applicant is requesting amendments to various sections of the Zoning and Development Code to address issues of relevancy, clarity, organizational changes and other minor corrections. The proposed changes include changes to Chapters 2, 3, 4 and 7 of the Zoning and Development Code.

BACKGROUND OR DETAILED INFORMATION:

General descriptions of the proposed amendments are proposed as follows. The specific proposed redlines of these Code sections are provided in Attachment A.

GENERAL

Since the original adoption of the Zoning and Development Code, the structure of the Department has changed from the Public Works and Planning Department to the Community Development Department. The proposed amendment would replace all references to the Public Works and Planning Department and/or Director with the Community Development Department and/or Director.

21.02 Administration and Procedures

Section 21.02.070(a)

Proposed changes to Section 21.02.070(a) include formatting changes and the deletion of “Building Permits” from Section 21.02.070(a)(8)(i) showing expiration of permits, since Building Permits are issued by the Mesa County Building Department and can often times be extended for periods greater than 180 days.

Section 21.02.070(l)

Proposed changes to Section 21.02.070(l) Administrative Adjustment clarifies the criteria to be used in considering a request for a 10% deviation from bulk standards, including setbacks for additions and construction errors. It also modifies the existing provision allowing the Director to permit an accessory structure in a front yard or side yard of a corner lot to allow an accessory structure in any setback, including fences and retaining walls, subject to specific criteria. The revision to this section is to allow for flexibility in the location of accessory structures, including fences and retaining walls that require a building permit, where the Director finds there are unique or unusual conditions pertaining to the property and the granting of an adjustment would not be materially detrimental to property owners in the vicinity. This modification would be consistent with the intent of the current code that allows for the Director to approve accessory structures in the front and rear setback when there are unique or unusual property features and the placement would not be detrimental to adjacent property owners. By replacing the existing provision, for those wanting to place an accessory structure in the front or side yard setback, the applicant would no longer have to meet the criteria for a variance which is a set of standards that are very high and unlikely to be met.

Section 21.02.200

Proposed revisions to Section 21.02.200, Variances, consolidates the criteria and deletes redundancy and clarifies that all of the criteria must be met for a variance to be granted.

21.03 Zoning Districts

Section 21.03.030(d)(2)(xiii)

The proposed change to section 21.03.030(d)(2)(xiii) is to correct an error to one of the allowed encroachments into a required setback. This section allows for uncovered terraces, patios and porches to extend into a required setback up to 6 feet, but no closer than 3 feet to a property line. The proposed amendment clarifies that the allowed 6 feet encroachment is into the setback and it corrects the inconsistency in the text that states “uncovered, unenclosed terraces, patio ‘covers’ or porches...” by deleting the term “covers”.

Section 21.03.060.

The proposed changes to 21.03.060 Cluster Provisions include corrections to the table showing examples of lot size modifications allowed based on percentage of open space provided. The specific equation used to calculate lot size is also added and is the example of the formula already provided and maintained in the Code.

21.04 Uses

Section 21.04.040(i)

This proposed amendment deletes the section allowing the Director to increase the allowable fence height, with or without a retaining wall, and places that provision in Section 21.02.070(l) as an Administrative Adjustment.

21.07 Special Regulations

Section 21.07.010

In 2012, the City adopted floodplain management regulations in accordance with minimum standards established by the National Flood Insurance Program (NFIP) and the State of Colorado. Guidance was provided by the Colorado Water Conservation Board with a model ordinance. In a side-by-side comparison, staff found the section specific to Recreational Vehicles includes two significant deviations. One is a prohibition of Recreational Vehicles being located in a special flood hazard area between April 1st and June 30th of each year. Since that prohibition is not in the model ordinance staff are proposing to delete it, finding that all the other regulations in place provide adequate protection. The other proposed amendment appears to be a scrivener's error where "and" was used rather than "or" between sections that detail requirements as a temporary structure versus a permanent structure.

ANALYSIS

In accordance with Section 21.02.140(c), an Application for an amendment to the text of this Code shall address in writing the reasons for the proposed amendment. No further criteria for review is provided. Staff has provided reasoning for the proposed amendments in Section III. Background of this staff report.

FISCAL IMPACT:

These amendments to the Zoning and Development Code do not have any direct fiscal impact.

SUGGESTED MOTION:

I move to approve the proposed ordinance amending various sections of the Zoning and Development Code regarding administration and procedures, setbacks, Cluster Development, fences and flood damage prevention and set a public hearing for

January 3, 2018.

Attachments

1. Attachment A--Proposed Amendments
2. Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING ADMINISTRATION AND PROCEDURES, SETBACKS, CLUSTER DEVELOPMENT, FLOOD DAMAGE PREVENTION AND FENCES

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 and has directed that the Code be reviewed and amended as necessary.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed Zoning and Development Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Zoning and Development Code amendments are necessary to maintain effective regulations to implement the Comprehensive Plan.

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

The Zoning and Development Code is amended as follows (additions underlined, deletions struck through):

General

Find and replace all references to the Public Works and Planning Department and/or Director with the Community Development Department and/or Director.

21.02 Administration and Procedures

21.02.70 Administrative development permits.

(a) Common Elements of Administrative Development Permits.-

~~(7) Appeals and Amendments. The Director's decision is final unless the Director receives written appeal within 10 working days of the date the City's records show the notice of decision was mailed. A permit shall be amended through the process it was originally approved.~~

~~(7) Appeals and Amendments. The Director's decision is final unless the Director receives written appeal within 10 working days of the date the City's records show the notice of decision was mailed. A permit shall be amended through the process it was originally approved.~~

(7) Amendments. A permit shall be amended through the process it was originally approved.

(8) Appeals. An aggrieved party may appeal the Director's decision by submitting a written appeal within 10 working days of the Director's decision.

21.02.70 Administrative development permits.

(a) Common Elements of Administrative Development Permits.

(8) Validity.

(i) Administrative permits shall expire after the issue date according to the following table:

Permit Type	Expiration
Administrative Permits (except below)	One year
Planning Clearance and Building Permit	180 days
Fence Permit	180 days
Home Occupations	n/a
Preliminary Subdivision	Two years
Final Plat (unrecorded)	Two years
Minor and Major Site Plans	Two years

21.02.070 Administrative development permits.

(l) Administrative Adjustment.

(1) The Director may permit ~~up to a 10 percent~~ deviation from any bulk standard, ~~including maximum building size,~~ upon a finding of compliance with the ~~goals and policies of the Comprehensive Plan~~ criteria as set forth in this section. The purpose of this process is to permit inconsequential deviations from the zoning district bulk standards where deviation(s) are desirable but cannot be accommodated through a strict application of the bulk standards.

~~(2) The Director may permit an accessory structure in a required front yard or the side yard of a corner lot upon a finding of compliance with the criteria of GJMC-21.02.200, Variance.~~

~~(3) An administrative adjustment shall be granted only when the applicant establishes that all of the following criteria are satisfied.~~

(i) Additions. Requests for an administrative adjustment to accommodate an addition to an existing structure shall comply with all of the following:

(A) Conforming locations for the addition are impractical, significantly more expensive or have a significant adverse impact on the site plan in terms of overall site design or relationships between site plan elements including, but not limited to, structures, patios, driveways and landscaping;

(B) The location of the addition represents a logical extension of the existing floor plan in terms of function and design;

(C) The location of the addition does not result in the creation of unsafe conditions or create circulation conflicts;

(D) The exterior design of the addition represents a logical extension of the existing structure and is consistent with the design of the existing structure;

(E) Site and structural design elements of the addition shall be considered. Such elements include, but are not limited to:

a. Height of the addition relative to neighboring structures;

b. The location, number and size of windows, doors, porches, balconies and outdoor lights;

c. The location of patios and walkways;

d. The location, size and types of hedges, walls and fences; and

e. The level of privacy to occupants of both neighboring properties and the addition. Such privacy shall be equal to or greater than that provided if the addition were located within the required setback;

(F) ~~The addition complies with all building, fire and other adopted codes and policies;~~

(G) The requested deviation is only 10 percent or less; and

(H) The deviation shall not result in physical encroachment into an easement, right-of-way or neighboring property.

(ii) Construction Errors. Requests for an administrative adjustment to accommodate a construction error shall comply with all of the following:

(A) ~~All of the criteria applicable to additions~~ Complies with all building, fire and other adopted codes and policies;

(B) The requested deviation is only 10 percent or less;

(C) The deviation shall not result in physical encroachment into an easement, right-of-way or neighboring property;

~~(B)~~(D) The error shall have been inadvertent; and

~~(G)~~(E) The contractor responsible for the error shall not have been the recipient of another approved administrative adjustment in the past three years.

(2) The Director may permit an accessory structure, including a fence or retaining wall that are considered structures, in a required setback upon the finding that:

(a) There are unique or unusual conditions pertaining to the specific building or property; and

(b) The granting of an adjustment would not be materially detrimental to the property owners in the vicinity.

(c) The deviation shall not result in physical encroachment into an easement, right-of-way or neighboring property.

~~(4) (3) Decision-Maker.~~

(i) The Director shall approve, approve with conditions or deny all requests for an administrative adjustment.

~~(ii) Appeals from the Director shall be processed as a variance using the procedures provided in GJMC 21.02.200, but with the review criteria provided herein.~~

~~(5) (4) Application and Review Procedure. Application requirements and processing procedures are described in subsection (a) of this section. In addition, the applicant shall provide proof that the requested administrative adjustment does not conflict with any recorded covenants applicable to the property, or demonstrate in writing that the entity responsible for enforcing the covenants has approved the requested deviation. In the event there is no single entity responsible for enforcing the covenants, and the requested administrative adjustment does not conform to the covenants, the applicant shall provide a written statement acknowledging the inconsistency and that he/she shall indemnify and hold the City harmless for any action, damages claims or suits brought in the event the administrative adjustment is approved.~~

21.02.200 Variance.

(a) **Purpose.** The purpose of this section is to provide a process for consideration of variances from the certain standards of the Code.

(b) **Applicability.**

(1) A variance may be requested for a departure from The Director may approve variances of up to 10 percent of any bulk requirement. Requests for variance to the bulk standards, that are greater than 10 percent and variances to the performance or use specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC shall be heard by the Zoning Board of Appeals. Planning Commission shall hear variances to all other standards, unless otherwise specified.

(2) Variances shall not be heard or granted requested for:

- (i) The establishment or expansion of a use in a district in which such use is not permitted by this code;
- (ii) Residential development which would result in an increase in density greater than that permitted in the applicable zoning district; and
- (iii) Changes or modifications to any definition contained in this code.

(c) Approval Criteria.

~~(1) Variance Requests from Bulk, Performance, Use Specific and Other Standards. A variance is not a right. It may be granted to an applicant only if the applicant establishes that strict adherence to the code will result in practical difficulties or unnecessary hardships because of site characteristics that are not applicable to most properties in the same zoning district. The following criteria shall be used to consider variances from the bulk, performance and use-specific standards contained in Chapter 21.04 GJMC.~~

A variance may be granted only if the applicant establishes that all of the following criteria have been met:

- (i) ~~Hardship Unique to Property, Not Self Inflicted.~~ There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- (ii) ~~Special Privilege.~~ The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district;
- (iii) ~~Literal Interpretation.~~ The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant;
- (iv) ~~Reasonable Use.~~ The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance;
- (v) ~~Minimum Necessary.~~ The variance is the minimum necessary to make possible the reasonable use of land or structures;
- (vi) ~~Conformance with the Purposes of this Code.~~ The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code; and

(vii) ~~Conformance with Comprehensive Plan.~~ The granting of a variance shall not conflict with the goals, policies and guiding principles of ~~in~~ the City's Comprehensive Plan.

(d) Decision-Making

(1) A variance from bulk standards, performance or use specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC shall be heard and decided by the Zoning Board of Appeals.

(2) Variances to all other standards, unless otherwise specified, shall be heard and decided by the Planning Commission.

21.03 Zoning Districts

21.03.030(d) Setbacks.

(2) Exceptions and Permitted Encroachments. The following features may encroach into required setbacks:

(xiii) Uncovered, unenclosed terraces, patio ~~s~~ ~~covers~~ or porches, not to exceed six feet into the setback, but in no case closer than three feet to any property line;

21.03.060 Cluster Development

(c) Unless provided otherwise by the subdivision approval, cluster subdivisions must meet the following standards:

(1) Twenty percent of the gross acreage must be open space.

(2) The minimum lot size is the percentage of open space of total acres of the entire development multiplied by 1.5. The minimum lot size requirement of the underlying zoning district may then be reduced by the resulting percentage. Minimum lot size shall also be subject to other provisions, such as GJMC 21.07.020(f), Hillside Development, which might further restrict lot size. The following table provides example lot sizes based on various open space reservations.

$$\text{Minimum Lot Size} = (\text{existing min. lot size}) - (\% \text{ open space} \times 1.5 \times \text{existing min. lot size})$$

(3) In no event shall any lot be less than 3,000 square feet.

(4) Bulk standard requirements for clustered lots are those of the district which has the closest lot sizes. For example, if an R-2 district is developed with 30 percent open space then the bulk requirements of the R-4 district apply.

(5) The bulk standards of the R-8 district apply to every lot of less than 4,500 square feet.

	Min. Req. Lot Size	20 Percent Open Space	30 Percent Open Space	50 Percent Open Space	66 Percent Open Space
R-R	5 acres	3.5 acres	2.75 acres	1.25 acres	3,000 sq. ft.
R-E	1 acre	30,492 sq. ft.	23,958 sq. ft.	16,890 sq. ft.	3,000 sq. ft.
R-1	30,000 sq. ft.	21,000 sq. ft.	16,500 sq. ft.	7,500 sq. ft.	3,000 sq. ft.
R-2	15,000 sq. ft.	10,500 sq. ft.	8,250 sq. ft.	3,750 sq. ft.	3,000 sq. ft.
R-4	7,000 sq. ft.	4,900 sq. ft.	3,850 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
R-5	4,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.

21.04 Uses

21.04.040(i) Fences.

(1) General Standards.

- (i) The Director shall review fences proposed under this subsection in accordance with special permit criteria. See GJMC 21.02.120(c).
- (ii) All fences shall meet all TEDS (GJMC Title 29) requirements.
- (iii) A fence or wall that exceeds six feet in height and retaining walls four feet or higher are considered a structure and require a planning clearance and building permit instead of a fence permit, and shall comply with the International Building Code and all required setbacks.

(2) Fence Height Measurement.

- (i) The height of fences shall be determined by measurement from the ground level upon which the fence is located. Grade shall not be altered for the sole purpose of increasing fence height. An increase of up to two inches in height shall be allowed when spacing for drainage under the fence is needed.
- (ii) For fences erected on retaining walls, the height of the retaining wall shall be included in the height of the fence.
- (iii) ~~The Director may approve an increase in fence height with or without a retaining wall, where the unique feature of a property would warrant such an increase and the increase would not be detrimental to surrounding public or private properties.~~

21.07 Special Regulations

21.07.010 Flood damage prevention.

(d) Provisions for Flood Hazard Reduction.

(2) Specific Standards. The following provisions, as determined from BFE data, are required for all special flood hazard areas:

(v) Recreational Vehicles. Recreational vehicles occupied as a temporary dwelling in a special flood hazard area shall meet all of the following requirements or meet permit requirements, elevation and anchoring requirements for manufactured homes:

~~(A) Be permitted only where allowed in appropriate zone districts according to GJMC 21.04.010;~~

~~(B) Be authorized by an appropriate land use approval(s) from the City in accordance with the balance of this code (if no appropriate land use approval has been granted, the use is not allowed);~~

~~(D) (A) Be on the site for fewer than 180 consecutive days~~

~~(C) Not be on the site between April 1st and June 30th of each year;~~

~~(E) (B) Be fully licensed and ready for highway use;~~

~~(F) (C) Be attached to the site only by quick disconnect type utilities and security devices; and~~

~~(G) (D) Include no permanently attached additions; and~~

~~(H) (G) Meet the permit requirements, elevation and anchoring requirements for resisting wind forces as required for manufactured homes.~~

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

Adopted on second reading this _____ day of _____, 2018 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: December 20, 2017

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

An Ordinance Rezoning Property Located at 2802 Patterson Road From R-4 (Residential, 4 DU/AC) to MXOC (Mixed Use Opportunity Corridor) and Set a Public Hearing for January 3, 2018

RECOMMENDATION:

The Planning Commission recommended approval of this rezone request at their December 12, 2017 meeting.

EXECUTIVE SUMMARY:

The Applicant, 1st Church of the Nazarene, requests a rezone of 6.2 acres, located at 2802 Patterson Road, from R-4 (Residential-4 dwelling units per acre) to MXOC (Mixed Use Opportunity Corridor) zone district. The purpose of the rezone request is to enable the Applicant to erect signage consistent with a non-residential zone district. The MXOC zone district is consistent with the Future Land Use designation of Mixed Use Opportunity Corridor along this section of Patterson Road. The MXOC zone district allows for mixed use development and has specific site design and architectural standards to provide for a compatible transition to the surrounding residential neighborhoods. The signage standards require monument style signs not exceeding 15 feet in height and 300 square feet in size (based on the property's street frontage) and allow for digital displays, as desired by the Applicant.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The 1st Church of the Nazarene, inclusive of Heaven's Little Steps Child Care Center,

is located on 6.2 acres at the northeast corner of Patterson Road and 28 Road. The property has over 590 linear feet along Patterson Road and 440 linear feet along 28 Road and is currently zoned R-4 (Residential, 4 du/ac).

Adjacent properties to the east are zoned Planned Development with commercial development at the northwest corner of Patterson Road and 28 ¼ Road and multifamily and assisted living proposed on the remainder of the property; properties to the south across Patterson Road are zoned R-5 (Residential, 5 du/ac) with single family and assisted living development; to the west across 28 Road properties are zoned PD (Planned Development) with townhomes; and the property to the north is zoned R-4 (Residential, 4 du/ac) and contains a stormwater detention facility owned by the City.

Currently the property has a 24 square foot internally illuminated sign along the Patterson Road frontage. The Applicant would like to replace the sign with a larger, more visible sign with digital display. However, Section 21.06.070(h)(1) of the Zoning and Development Code restricts permanent signs in a residential zone district to 24 square feet in size and does not allow digital display. The Applicant requested a Variance to that provision from the Zoning Board of Appeals, but was denied in a unanimous decision due to the lack of ability to demonstrate compliance with the required criteria.

The Applicant is now requesting a rezone to MXOC (Mixed Use Opportunity Corridor) to accommodate the proposed sign. The MXOC zone district is consistent with the Future Land Use designation of Mixed Use Opportunity Corridor along this section of Patterson Road. The MXOC zone district allows for mixed use development and has specific site design and architectural standards to provide for a compatible transition to the surrounding residential neighborhoods. The signage standards require monument style signs not exceeding 15 feet in height and 300 square feet in size (based on the property's street frontage). Digital display is allowed, but must adhere to brightness standards found in the Code. These signage parameters meet the desire of the Applicant for new signage for their facilities.

A neighborhood meeting was held on November 14, 2017. There was nobody from the general public that attended.

ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria, which are addressed below.

(1) Subsequent events have invalidated the original premise and findings; and/or

The R-4 zoning on this property predates the 2010 Comprehensive Plan that designated this section of Patterson Road as a Mixed Use Opportunity Corridor. The adoption of the Comprehensive plan with the expressed vision for this corridor to be mixed use, invalidates the original premise that resulted in the residential zoning (R-4) that is the current zone district designation. Because the City's Comprehensive Plan has been update, providing for this property to be considered for an MXOC zone district, staff has found this criterion has been met. The Planning Commission concurred with this finding.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

This property has operated as a church and daycare for approximately 20 years. The property directly to the east is zoned PD (Planned Development) and is a mixed use development with commercial and multifamily uses. East of 28 ¼ Road is another large church and the 200+ acres Matchett Park property, planned for a Regional Park. In addition, a property located approximately ½ mile east of the church was rezoned MXOC for future development. In general, existing uses fall within a mixed use category and the Comprehensive Plan recognized that Patterson is now a major arterial street for the City, where lower density residential development is both unlikely and undesirable.

The Comprehensive Plan designation in 2010 of Mixed Use Opportunity Corridor recognized the change in character that has occurred along this section of Patterson Road and, as such, staff finds the requested rezone is consistent with the Plan due to changes in the character and condition of the area. The Planning Commission concurred with this finding.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Access to the subject property is provided directly from the adjacent 28 Road and the site is adequately served by other public and community facilities including fire stations, hospitals, schools and public transit. Staff finds adequate public and community facilities and services are available to the property and are sufficient to serve the existing use of the property as well as the additional uses that would be allowed under the MXOC zoning. The Planning Commission concurred with this finding.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

The existing land use as a church and daycare facility is allowed in a wide variety of zone districts. Though there is a significant supply of land available in the community

for use by a church, there is only one property currently zoned MXOC along Patterson Road, located approximately ½ mile east of this property at 2872 Patterson Road. Because supply of suitably designated land is available in the community for this use, Staff finds this criterion has not been met. The Planning Commission concurred with this finding.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed MXOC zoning would create an opportunity at this key location along Patterson Road to provide for additional uses that could serve the community and will provide for an appropriate scale of signage along this important transportation corridor. MXOC allows for all types of household living, institutional and civic uses and limited commercial uses, including entertainment, lodging, office, recreation, and retail sales and service. The zone district also has design and architectural standards to address compatibility with surrounding residential areas. The implementation of this Plan-supported zone district will provide future options to this property for reuse and/or redevelopment that aligns with the vision of the Comprehensive Plan and will therefore further the goals of the community and will provide community benefit. Staff therefore finds this criterion has been met. The Planning Commission concurred with this finding.

Section 21.02.140(c)(2) of the Zoning and Development Code further requires: Residentially zoned property within a Mixed Use Opportunity Corridor designated on the Future Land Use Map in the Comprehensive Plan that are currently zoned for residential purposes may be rezoned to the Mixed Use Opportunity Corridor form district so long as the depth of the lot measured perpendicular to the corridor is at least 150 feet.

The depth of the property measured perpendicular to Patterson Road is 440 feet.

When considering a form district, the City Council shall consider the following:

(i) The extent to which the rezoning furthers the goals and policies of the Comprehensive Plan; and

The rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan, as described in discussion regarding Section 21.02.140, below.

(ii) The extent to which the proposed rezoning would enhance the surrounding neighborhood by providing walkable commercial, entertainment and employment opportunities, as well as alternative housing choices.

The MXOC zone district allows service, retail and office commercial uses, as well as a

variety of housing types and density. It is intended to create mixed use development opportunities along arterial corridors in a pedestrian friendly environment while providing for compatibility with surrounding neighborhoods through design and architectural standards.

Section 21.02.140 of the Grand Junction Zoning and Development Code states that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan.

Future Land Use Map: The Comprehensive Plan Future Land Use Map for the area is Mixed Use Opportunity Corridor, allowing for a rezone to MXOC, which allows service, retail and office commercial uses. The MXOC zone district is intended to create mixed use development along the corridor in a pedestrian-friendly environment while accommodating the more automobile-centric nature of the area. Further, the MXOC district provides a transition from nonresidential to existing neighborhood residential uses.

The proposed rezone is also compatible with the surrounding zone districts, as well as the surrounding mix of residential and commercial land uses.

After review of the Comprehensive Plan, Staff believes that the proposed rezone meets the following Comprehensive Plan goals and policies. The Planning Commission concurred with these findings.

Goal 3: Create ordered and balanced growth and spread future growth throughout the community.

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus improving air quality.

Goal 5: Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy B: Encourage mixed-use development and identification of locations for increased density.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as further development and related construction may have direct fiscal impact.

SUGGESTED MOTION:

I move to approve the proposed ordinance rezoning property located at 2802 Patterson

Road from R-4 (Residential, 4 du/ac) to MXOC (Mixed Use Opportunity Corridor) and set a public hearing for January 3, 2018.

Attachments

1. Applicant's Project Report
2. Site Maps and Photos
3. Proposed Ordinance



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: December 20, 2017

Presented By: Lori Bowers, Senior Planner

Department: Community Development

Submitted By: Lori Bowers

Information

SUBJECT:

An Ordinance Zoning Properties to I-O (Industrial/Office Park), Located at 2201 and 2202 ½ H Road, and Set a Public Hearing for January 3, 2018

RECOMMENDATION:

The Planning Commission recommended approval of this request at their December 12, 2017 meeting.

EXECUTIVE SUMMARY:

The Applicants, Jerry Patterson and TEK Leasing, LLC, are requesting an amendment to the Comprehensive Plan Future Land Use Map designation for properties located at 2202 and 2202 ½ H Road from "Neighborhood Center Mixed Use" to "Business Park Mixed Use" and to rezone the properties from MXG-3 (Mixed Use General-Low) to I-O (Industrial/Office Park) zone district on 8.59 acres, in anticipation of future development. The allowed uses in the MXG-3 zone district do not allow for outdoor storage which the properties owners would like to develop and the I-O zone district does support. The requested rezone to I-O is currently not supported by the underlying Comprehensive Plan designation of Neighborhood Center which has resulted in a two-part request to first amend the current Comprehensive Plan designation to Business Park Mixed Use followed by a request to rezone the property to I-O.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicants, Jerry Patterson and TEK Leasing, LLC, are requesting an amendment to the Comprehensive Plan Future Land Use Map designation for properties located at

2202 and 2202 ½ H Road from "Neighborhood Center Mixed Use" to "Business Park Mixed Use" and to rezone the properties from MXG-3 (Mixed Use General-Low) to I-O (Industrial/Office Park) zone district on 8.59 acres, in anticipation of future development. The allowed uses in the MXG-3 zone district do not allow for outdoor storage which the properties owners would like to develop and the I-O zone district does support. The requested rezone to I-O is currently not supported by the underlying Comprehensive Plan designation of Neighborhood Center which has resulted in a two-part request to first amend the current Comprehensive Plan designation to Business Park Mixed Use followed by a request to rezone the property to I-O.

Neighborhood Meeting. The Applicants held a Neighborhood Meeting on October 18, 2017 at Appleton Elementary School. Four citizens attended the meeting. There were a few general questions about the description of the proposed Comprehensive Plan Amendment /Rezone to (BPMU Business Park Mixed Use/ I-O Industrial/Office Park). There was one objection to the requested rezone. The attendee in opposition expressed concerns about the sale of his own property having to compete with the rezoned properties, which he felt would make their property more attractive to potential buyers than his.

ANALYSIS – Comprehensive Plan Amendment

Pursuant to Section 21.02.130 (Comprehensive Plan amendment) the City may amend the Comprehensive Plan if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets one or more of the following criteria:

(1) Subsequent events have invalidated the original premise and findings; and/or

The subject properties are currently all within the Future Land Use category of Neighborhood Mixed use. Neighborhood Mixed Use contemplates limited employment, residential, open space and limited retail, focused on uses that provide convenience items for the immediate neighborhood. Residential uses are encouraged to integrate with commercial uses. The land that has developed around this pod of Neighborhood Mixed Use is much higher in intensity and currently supports a variety of light and heavier industrial types of uses that are inconsistent with the intent of the neighborhood mixed use designation. The Applicant's request is to amend the Comprehensive Plan to Business Park Mixed Use, is in keeping with the current and growing heavier industrial uses in this area. There will be approximately 23 +/- acres that will remain designated as a Neighborhood Center, surrounding the subject parcels on the north and the east Staff finds this criterion has been met. The Planning Commission concurred with this finding.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The character and condition of the area has changed considerably. 22 Road from Highway 6 & 50 north to H ½ Road has seen a growth in businesses including the addition of Grand Valley Rural Power and Ute Water Conservancy District. This request to amend the Comprehensive Plan is compatible with the existing uses in the vicinity. The request is not consistent with the current future land use plan, however, other elements of the plan, including those cited in Goal 3, Policy A, Goal 12 and Policy B (below) that support such concepts as ordered and balanced growth, being a regional provider of services and provision of appropriate commercial and industrial opportunities. Staff believes the character and condition of the area has changed and the amendment would further the written policies of the Plan. Staff therefore finds this criterion has been met. The Planning Commission concurred with this finding.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy A: To create large and small “centers” throughout the community that provide services and commercial areas.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Adequate public and community facilities and services are available to the properties and are sufficient to serve the future use as allowed with the BPMU future land use map category. There exists a 12-inch water line in 22 Road and 24-inch line in H Road. Sanitary Sewer is available at 22 and H Road, but would need to be extended between 70 feet up to 300 feet to the individual properties for service. Grand Valley Power is the electrical service provider for this area. Staff finds this criterion has been met. The Planning Commission concurred with this finding.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

There is an inadequate supply of the BPMU designated properties in this area. The closest area designated BPMU is adjacent to the Riverside Parkway, over five miles away, southeast of the subject parcels. By amending the Plan to BPMU there would be an additional area for this designation. Staff therefore finds that this criterion has been

met. The Planning Commission concurred with this finding.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed amendment to Comprehensive Plan Future Land Use Map to Business Park Mixed Use will allow for the implementation of the plan through the rezone of the property to I-O (Industrial/Office) zone district. This zone district designation would in turn create an opportunity for storage or other commercial uses that are both consistent with the goals and policies of the plan as well as provides purportedly more immediate development potential. Some of the other possible uses allowed within the I-O zone district range from business residence, medical and dental clinics, hotels and motels, general offices, auto repair, warehousing, contractor and trade shops, oil and gas support, outdoor storage and operations. The purpose of this zone is to provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses. The ability to provide a land use designation that has a range of realistic development potential that is consistent with surrounding development provide both a community and area benefit, therefore Staff finds this criterion has been met. The Planning Commission concurred with this finding.

This Comprehensive Plan amendment request is consistent with the following vision, goals and/or policies of the Comprehensive Plan

Future Land Use Map: Granting the amendment to the Comprehensive Plan Future Land Use Map and rezoning the parcels to I-O will allow the applicants to sell their land to potential buyers who were turned away for their proposed use as it was not consistent with what is allowed in an MXG-3 Zoning District. The proposed Comprehensive Plan amendment and the rezone supports the following goals and policies from the Comprehensive Plan.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy A: To create large and small “centers” throughout the community that provide services and commercial areas.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

ANALYSIS – Rezone

Pursuant to Section 21.02.140, Code Amendment and Rezoning the City may rezone and amend the Comprehensive Plan if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets one or more of the following criteria:

(1) Subsequent events have invalidated the original premise and findings; and/or

The Applicants' request to amend the Comprehensive Plan to Business Park Mixed Use will allow for the rezone to I-O. I-O zoning allows uses that are complementary and consistent to the existing uses to the west and south. I-O zoning also supports light manufacturing uses, office park, limited retail and outdoor storage with proper screening and buffering. MXG-3 zoning is intended to be a mix of apartments, townhomes, multi-family uses with small neighborhood businesses. These are much less intense uses than what is in the area currently. This area currently serves as a base for businesses with large trucks and is not very pedestrian friendly as originally envisioned by the MXG zoning designation and as such works to invalidate the original premise that an MXB zone district category is an appropriate zone district for these properties. Staff finds this criterion has been met. The Planning Commission concurred with this finding.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The character and condition of the area has changed since 2010. 22 Road from Highway 6 & 50 north to H ½ Road has seen a growth in businesses including the addition of Grand Valley Rural Power and Ute Water Conservancy District. This rezone request is compatible with the existing uses in the vicinity. Assuming there is favorable consideration of the amendment of the plan to BPMU, this request will be consistent with Plan and reflective of the changing condition and character of the area, therefore, staff finds this criterion has been met. The Planning Commission concurred with this finding.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Adequate public and community facilities and services are available to the properties and are sufficient to serve the future use of these properties. There exists a 12-inch water line in 22 Road and 24-inch line in H Road. Sanitary Sewer is available at 22 and H Road, but would need to be extended anywhere from 70 to 300 feet, to the individual properties for service. Grand Valley Power is the electrical service provider for this area. Staff finds this criterion has been met. The Planning Commission concurred with this finding.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Most of the surrounding land in this area is still in unincorporated Mesa County. Of lands within the City limits, zoned I-O there are 458.19 acres, or 2% of the total zoned lands. There are 172.36 acres that remain vacant or 30% of the zoned land.

Underutilized land, meaning that there may be a single-family residence on an I-O property make up about 28% of that land. Staff believes that because there is such a limited supply of available I-O zoned land that approximately 30% of it is vacant that there is an inadequate supply of this designated land. In further support, staff has heard anecdotally that I-O is a sought-after zoning designation as it provides for a range of uses that are currently in demand for development. Staff therefore find this criterion has been met. The Planning Commission concurred with this finding.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed I-O zone district would create an opportunity for storage or other commercial uses that the owners have been approached by potential buyers to develop. Examples of other possible uses within the I-O zone district range from business residence, medical and dental clinics, hotels and motels, general offices, auto repair, warehousing, contractor and trade shops, oil and gas support, outdoor storage and operations. The purpose of this zone is to provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting. In addition, I-O zoning has performance standards that require appropriate screening and buffering to adjacent properties. These performance standards help to transition the uses to possible residential and neighborhood type uses that will remain unchanged adjacent to the subject parcels.

In general, Staff believes the area will derive benefit from this proposed rezoning due to the type and variety of uses that are allowed within the I-O zone district as well as these uses being generally consistent and compatible with existing proximate uses to these properties. Staff therefore finds this criterion has been met. The Planning Commission concurred with this finding.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

Goal 7: New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.

I-O zonings performance standards will require adequate screening and buffering for

the adjacent properties that will remain MXG-3.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Policy B: The City and County will provide appropriate commercial and industrial development opportunities.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as further development and related construction may have direct fiscal impact.

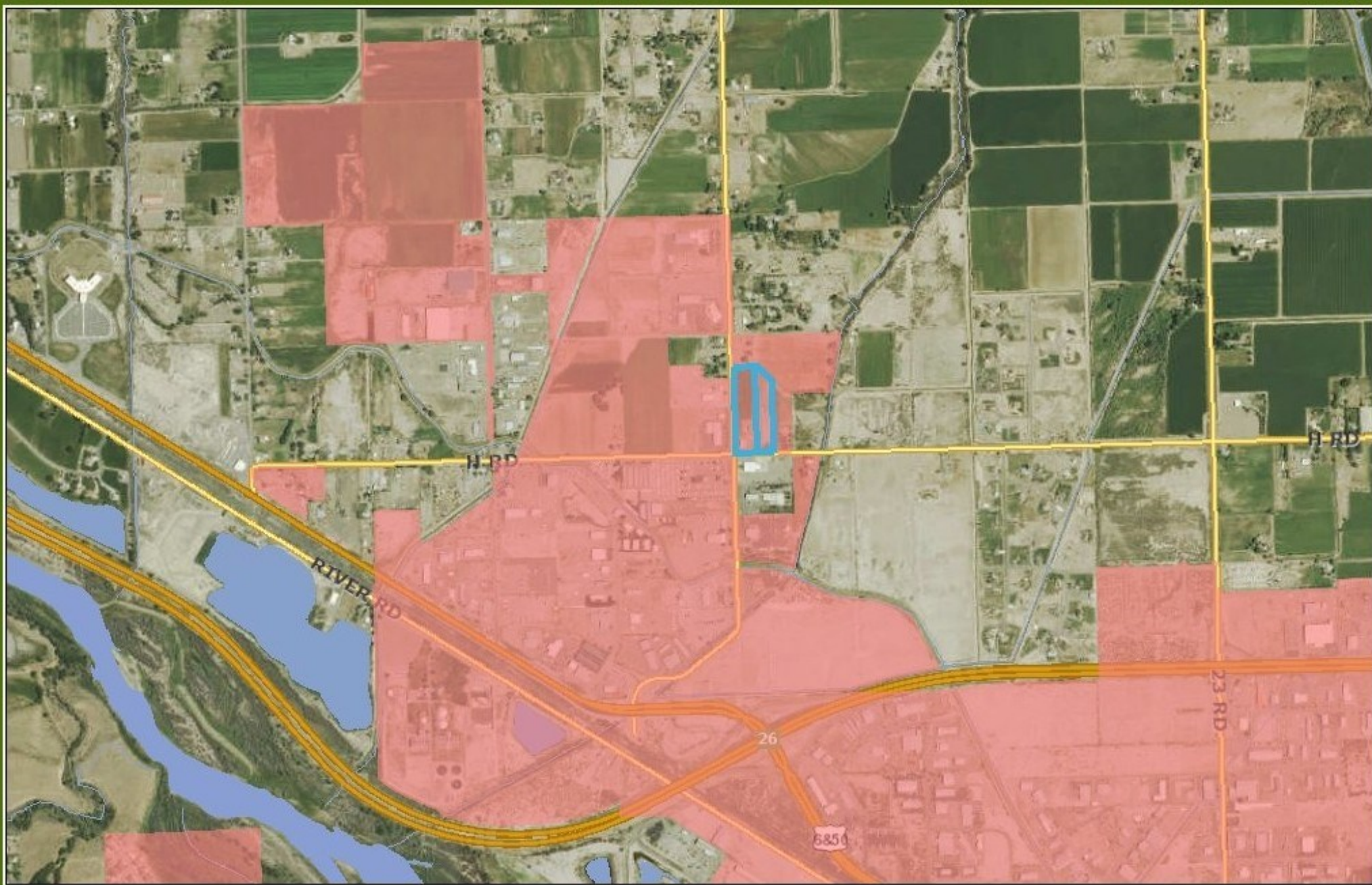
SUGGESTED MOTION:

I move to approve the proposed ordinance zoning properties located at 2202 and 2202 1/2 H Road to I-O (Industrial/Office Park) and set a public hearing for January 3, 2018.

Attachments

1. Site Maps and Photos
2. Proposed Ordinance

2202 and 2202 1/2 H Road Vicinity Map with City Limits (pink)



Printed: 11/22/2017

1 inch = 1,433feet

Site Location Map



0 0.1 0.2
Miles

Printed: 11/22/2017

1 inch = 358 feet

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Future Land Use Map

Residential
Medium

Commercial /
Industrial



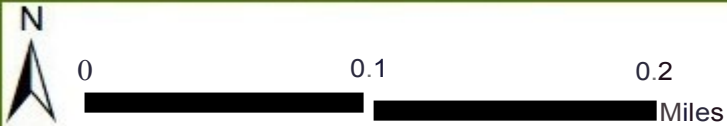
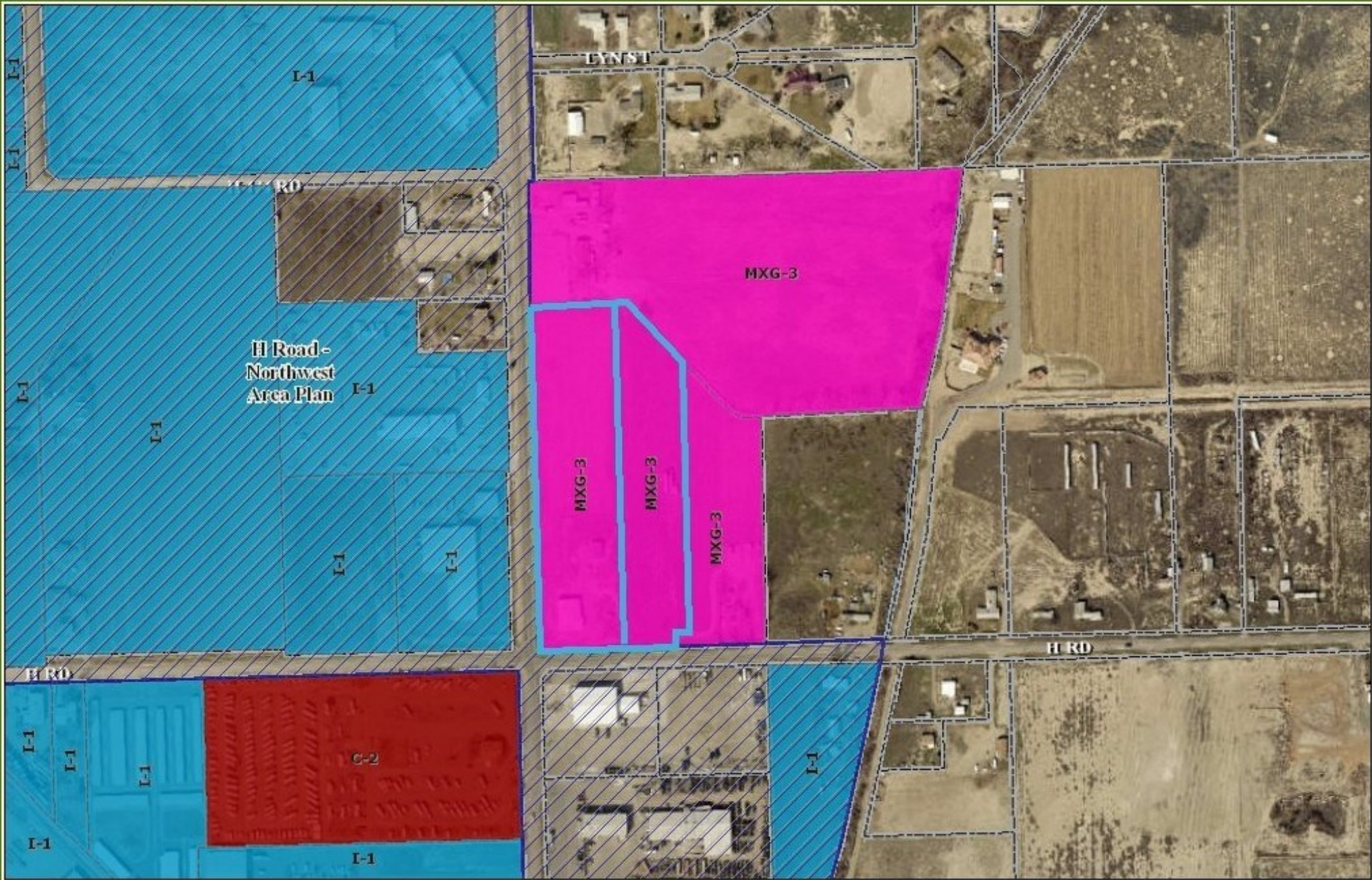
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1 inch = 358 feet

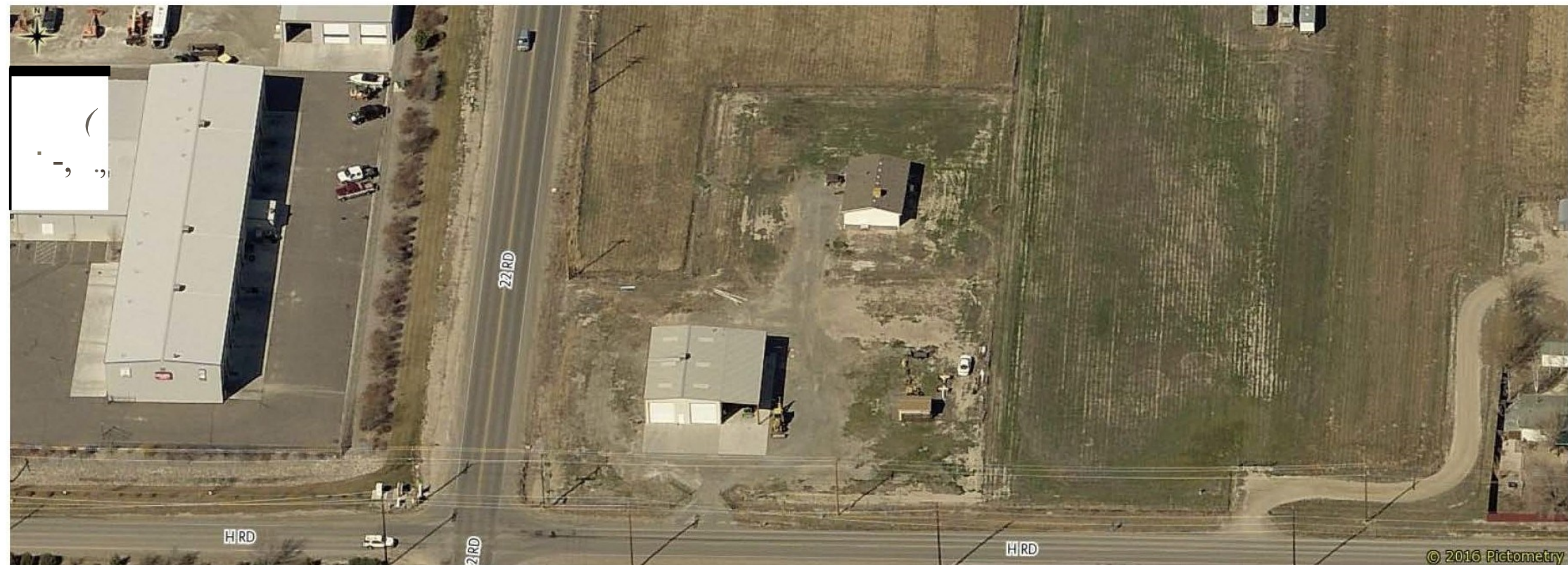
Existing Zoning Map



Printed: 11/22/2017

1 inch = 358 feet

picture of site





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Grand Junction City Council

Regular Session

Item #2.b.iii.

Meeting Date: December 20, 2017

Presented By: Lori Bowers, Senior Planner

Department: Community Development

Submitted By: Lori Bowers

Information

SUBJECT:

An Ordinance Vacating the East-West Alley Right-of-Way Between 2nd and 3rd Streets, South of Colorado Avenue, and Set a Public Hearing for January 3, 2018

RECOMMENDATION:

The Planning Commission recommended approval of this request at their December 12, 2017 meeting.

EXECUTIVE SUMMARY:

The Applicant, Western Hospitality, LLC is requesting to vacate the entire alley right-of-way of Block 123 of the original townsite (between 2nd and 3rd Streets), between Colorado Avenue and Ute Avenue while retaining it as a utility easement. This request has been brought forth to be able to help facilitate the implementation of the Applicant's preferred site plan for a new hotel (Hilton Tru) at 243 Colorado Avenue. The Alley vacate request pertains to the entire east-west alley right-of-way, in Block 123.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant has assembled approximately 1.2 acres of currently vacant land to develop a new hotel. The properties combined form a reverse "L" shape, with the southernmost property line bounding Ute Avenue, and the western most property line bounding 2nd Street. The proposed alley vacation will facilitate the Applicant's desired traffic flow for the new hotel parking lot. The Applicant plans on fencing the parking lot to increase security and safety for hotel guests and their vehicles. Currently there is significant transient foot traffic through this area. Utility easements will be retained.

A Neighborhood Meeting was held on September 20, 2017. Three neighbors (adjacent property owners) were present at the meeting. The Applicant also indicated that they had spoken in person, by phone, and by email with other property owners adjacent to the alley regarding the proposal. All comments were supportive of the proposal and did not object to the alley vacation.

ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public 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 proposed alley vacation is supported by the following Goals and Policies of the Comprehensive Plan.

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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.

Policy A: The City and County will support the vision and implement the goals and actions of the Downtown Strategic Plan.

The Grand Valley Circulation Plan does not address alley right-of-ways, but neither of the adjacent streets will be impacted by the alley vacation.

This request conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City. Staff therefore finds this request conforms with this criterion.

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

The request to vacate the entire Alley in Block 123, will not leave any parcel landlocked. Properties will continue to have access from Colorado Avenue and Ute Avenue, therefore, staff finds this request conforms with this criterion. The Planning Commission concurred with this finding.

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.

No access to any parcel will be restricted as all properties will continue to have access from Colorado Avenue and Ute Avenue. Access easements for service and emergency responders shall be provided. Staff has found this request conforms with this criterion. The Planning Commission concurred with this finding.

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).

This request was sent as a referral to both the Fire Department and Police Department for review and comment. The Fire Department provided they do not object to the alley vacation and noted that they will be able to continue to provide adequate emergency access to the properties within this block. The Police Department had no comments on the alley vacation. Therefore, there shall be no adverse impacts on the health, safety, and/or welfare of the general community. The quality of public facilities and services provided to any parcel of land will not be reduced as a result of this vacation request; therefore, this request conforms with this criterion. The Planning Commission concurred with this finding.

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.

All existing easements and services located within the right-of-way shall be retained, and/or provided as necessary therefore, this request conforms with this criterion. The Planning Commission concurred with this finding.

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

New underground utilities will help clean up the appearance of the alley and improve vehicular access. The City will be relieved of any future maintenance of this alley. Staff finds this request conforms with this criterion. The Planning Commission concurred with this finding.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as further development and related construction may have direct fiscal impact.

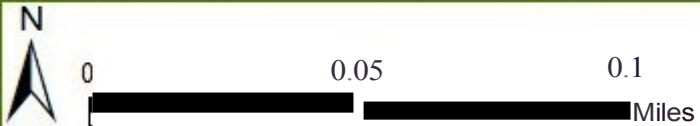
SUGGESTED MOTION:

I move to approve the proposed ordinance vacating the east-west alley Right-of-Way between 2nd and 3rd Streets, south of Colorado Avenue and set a hearing for January 3, 2018.

Attachments

1. Maps
2. Ordinance

Vicinity Map



Printed: 11/28/2017

1 inch = 188 feet

Site Location Map (red site) Alley to be Vacated (blue)

Printed: 11/22/2017

[Tric Junction](#)
[SIZING & DESIGN](#)





Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: December 20, 2017

Presented By: Ken Watkins, Fire Chief, Jay Valentine, Deputy Finance Director

Department: Fire

Submitted By: Ken Watkins

Information

SUBJECT:

Purchase of Three Medium-Duty Ambulance Vehicles from Braun Northwest

RECOMMENDATION:

Authorize the Purchasing Division to Purchase Three Medium-Duty Ambulance Vehicles from Braun Northwest in the Amount of \$582,768 and Authorize the City Manager to Accept the State of Colorado Emergency Medical and Trauma Services (EMTS) Grant award of \$76,500 for Assistance in Purchasing One of these Units.

EXECUTIVE SUMMARY:

This purchase is for three medium-duty ambulances. The purchase will add one additional ambulance to the current fleet of eight and replace two current units that were identified by the fleet committee as needing replaced. One of the ambulances is being purchased with the assistance of a grant from the Colorado EMTS Grant. This request is to authorize the purchase of the three ambulances and accept award of the grant.

BACKGROUND OR DETAILED INFORMATION:

The Fire Department has identified a need to increase the current ambulance fleet of eight units to nine in order to address the increasing emergency medical call volume. To address this need, the Fire Department applied for and was awarded a Colorado EMTS Grant to assist with the purchase of a medium-duty ambulance. In addition, the City's Fleet Replacement Committee has identified three current ambulances in need of replacement. This request is to purchase three medium-duty

ambulances, one unit as an addition to the fleet and two to replace existing units. The third replacement unit will be requested later in 2018 as it is planned to be a rechassis from a different vendor.

The existing ambulance fleet are on a lighter-duty chassis and are diesel fueled. Weight limitations and changes to diesel emission systems has caused corresponding safety and maintenance issues, prompting the decision to purchase medium-duty gasoline fueled ambulances. Research is showing maintenance savings with the larger chassis and reduction in operating costs by using the gasoline engines.

A solicitation was issued in late September for three Type 1AD (medium duty) ambulances. Four responses were received at the Oct 24, 2017 bid opening:

Company	Location	Price
Braun Northwest, Inc.	Chehalis, WA	\$582,768
Rocky Mountain Emergency Vehicles	Denver, CO	\$594,750
Front Range Fire Apparatus	Frederick, CO	\$609,489
Frazer, Ltd.	Houston, TX	\$656,700

An evaluation committee made up of representatives from the Fire, Fleet and Purchasing met several times to discuss the award. Braun Northwest was chosen because they offer a reliable gas engine, they covered all the necessary specifications and they were determined to be the best value for the City.

FISCAL IMPACT:

The full cost of this purchase is \$582,768. If approved, a grant award of \$76,500 will be applied to the purchase of one of these units and the Fleet Replacement fund has budgeted funds in 2018 to cover the balance of this unit and costs for the remaining two units.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a contract with Braun Northwest for the purchase of three medium-duty ambulance vehicles in the amount of \$582,768 and authorize the City Manager to accept the State of Colorado Emergency Medical and Trauma Services Grant award of \$76,500 for the purchase of one of these units.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.b.

Meeting Date: December 20, 2017

Presented By: Debbie Kovalik, Visit Grand Junction Exec. Director

Department: Visit Grand Junction

Submitted By: Debbie Kovalik

Information

SUBJECT:

Contracts for Visit Grand Junction Advertising Services and Website Development/Internet Marketing Services

RECOMMENDATION:

Authorize the City Purchasing Department to award a contract to Miles Partnership, LLLP, for two separate scopes of work: A). \$340,000 for advertising services and B). \$170,000 for website development and internet marketing services.

EXECUTIVE SUMMARY:

This request is to award a three-year, annual renewable contract for advertising services and a three-year, annual renewable contract for website development and internet marketing services to Miles Partnership, LLLP, from Lakewood, CO, who will work closely with Visit Grand Junction (VGJ) in developing and executing tourism-related marketing strategies resulting in a positive economic impact to the area.

BACKGROUND OR DETAILED INFORMATION:

The current advertising contract with Hill Marketing and Advertising, Inc., dba Hill and Company/Hill Aevium, from Edwards, CO, and the current website marketing contract with Miles Partnership LLLP, expires on December 31, 2017. A formal Request for Proposal (RFP) for advertising and website development and internet marketing services (in addition to public relation services) was advertised in the *Daily Sentinel* and sent to a source list of firms on BidNet's Rocky Mountain E-Purchasing System.

Ten responses were received for advertising services and seven responses were

received for website marketing services. All responses were evaluated by VGJ staff and Purchasing. Of the responses, the evaluation team narrowed the list to three finalists for each service. The agencies were invited to give formal, oral presentations to the City Manager, VGJ Staff, VGJ Board Chairperson and Vice-Chair on September 28, 2017.

Two agencies responded to both the RFP for advertising services and website development/internet marketing services. The evaluation team determined there are advantages of having one firm manage both services, such as, time and cost savings to further maximize marketing dollars. Firms were scored in the areas of: a) knowledge and experience; b) personnel; c) fees, budget, value; d) creativity and vision; e) research techniques, measurement methods and reporting; f) overall presentation; and g) overall sense of the right fit. The highest score possible was 420 points. The evaluation ratings are as follows in order of total assessment points:

Agency	City/State	Total Points
Miles Partnership, LLLP	Lakewood, CO	355.3
Hill Aevium	Edwards, CO	329.9

It was the consensus of the evaluation team that Miles Media, LLLP, has the necessary qualifications, extensive experience with destination marketing, competence, stability and creativity to best serve VGJ's interests and rebranding efforts. Each contract will be for a period of three years, renewable annually, beginning January 1, 2018 through December 31, 2018.

FISCAL IMPACT:

The contract amounts of \$340,000 and \$170,000 are appropriated in the Visit Grand Junction's requested budget for 2018.

SUGGESTED MOTION:

I move to authorize the City Purchasing Department to enter into a contract with Miles Partnership, LLLP, in the amount of \$340,000 for Visit Grand Junction advertising services and \$170,000 for Visit Grand Junction website development and internet marketing services.

Attachments

None



Grand Junction City Council

Regular Session

Item #3.c.

Meeting Date: December 20, 2017_

Presented By: Mike Nordine, Interim Police Chief

Department: Police

Submitted By: Jamie B. Beard

Information

SUBJECT:

2018 Agreement with Mesa County for Animal Control Services

RECOMMENDATION:

Approve and authorize the City Council President to sign the 2018 agreement between Mesa County and the City of Grand Junction for Animal Services.

EXECUTIVE SUMMARY:

The City has an ongoing, annually renewable agreement with Mesa County for animal control services within the City limits. The County was late in providing the terms for the 2017 contract to the City, but both parties have operated with the expectation that the agreement would be approved. The City pays the County a percentage of the Animal Services budget based upon the City's percentage of total calls for service from the previous fiscal year.

BACKGROUND OR DETAILED INFORMATION:

Since 1983, the City and Mesa County have combined forces for animal control services.

The Agreement is based upon actual service figures and costs that occurred during the County's fiscal year which ran from July 1, 2016 through June 30, 2017. The actual costs for animal control services during that time period was \$543,019.68. The City's share of that cost is 41.6% or \$225,896.19. The numbers are down some from the 2017 contract due mainly to less cost for personnel expenditures. Animal Services was operating at less than full capacity in anticipation of additional costs due to the

construction costs related to the repairs to its facilities and the ability to function under less than ideal conditions while the building was being repaired.

In addition to the contract services fee, the City also passes through 100% of the fines on animal control cases within the City limits that are processed and collected in the Grand Junction Municipal Court. This amount is estimated to be \$30,000 for 2018.

FISCAL IMPACT:

The contract services fee of \$225,896 paid to Mesa County for the City of Grand Junction's portion of the animal control program and the pass through of the animal control fines of \$30,000 for a total of \$255,896 is budgeted in the 2018 adopted budget.

SUGGESTED MOTION:

I move to approve the 2018 Mesa County Animal Services Agreement and authorize the Mayor to execute the same.

Attachments

1. 2018 Animal Services Agreement

**AGREEMENT
BETWEEN MESA COUNTY, COLORADO, A POLITICAL SUBDIVISION OF THE
STATE OF COLORADO, BY AND THROUGH THE MESA COUNTY BOARD OF
COUNTY COMMISSIONERS, FOR THE BENEFIT OF MESA COUNTY ANIMAL
SERVICES AND THE CITY OF GRAND JUNCTION, A COLORADO HOME RULE
MUNICIPALITY,
PERTAINING TO ANIMAL SERVICES.**

The City of Grand Junction, a Colorado home rule municipality ("City"), and Mesa County, Colorado, a Political Subdivision of the State of Colorado, by and through the Mesa County Board of County Commissioners, for the benefit of Mesa County Animal Services ("Mesa County" or "County") have determined that Mesa County shall provide animal services within the City. Those services will be pursuant to the City's home rule powers and under the provisions of §29-1-201, et seq., C.R.S. as amended. This Agreement, dated _____, 2018, effective as of January 1, 2018, for animal services for the year January 1, 2018 through December 31, 2018.

AGREEMENT

(1) The City has adopted Title 6 of the Grand Junction Municipal Code ("Code" or "the Code") for the control of animals within the City. The City hereby agrees to provide the County with the authority necessary to administer and enforce City regulations ("Code"), relating to animal control, within the City.

(2) The County agrees to enforce the Code as now codified and hereafter amended, in accordance with its provisions, consistent with proper enforcement practice and on a uniform basis throughout the City.

(3) During the term hereof, the City will pay to the County, Two Hundred Twenty-five Thousand, Eight Hundred Ninety-six and 19/100, (\$225,896.19). One-fourth of that amount, Fifty-six Thousand, Four Hundred Seventy-four and 04/100, (\$56,474.04) shall be paid quarterly. All fines and shelter/impoundment revenues derived from enforcement under this Agreement shall be paid to the County as additional consideration for the services rendered.

(4) The consideration paid by the City to the County is sufficient to support this Agreement and the same is determined as follows:

a. Mesa County's actual expenses for animal services from July 1, 2016 through June 30, 2017, along with Mesa County OMB Circular A-87 Cost Allocation Plan – 2016 Actual Numbers shall be reduced by actual revenues from July 1, 2016 through June 30, 2017. The resulting amount represents the cost of the overall combined City-County animal services program. The City and County

recognize and acknowledge that the County will occasionally incur capital expenditures related to the County facilities, equipment and/or tooling utilized in providing the services referenced in this Agreement. The only capital expenditures that would be permitted in the formula identified in paragraph (4)c hereof are capital expenditures that have been agreed to in writing by both the City and County prior to such costs for capital expenditures actually being expended.

b. As part of this Agreement, the County's dispatch and patrol stops are logged within a database. The percentage of animal services attributable to the City is calculated from this data after administrative stops have been deleted.

c. Multiplying the Cost of the Program by the percentage of the workload attributable to enforcement activity within the City yields an amount representing the cost of providing service to the City. The resulting figure is the amount due Mesa County under this Agreement for providing animal control services in 2018.

Listed below is the 2018 calculation:

\$ 566,559.01	personnel expenditures 7/1/16 to 6/30/17
\$ 132,235.31	operating expenditures 7/1/16 through 6/30/17
\$ 192,779.00	Mesa County A-87 Cost Allocation Plan 2016 Actual Expenditures
\$ 0.00	Capital expenditures
\$ 351,553.64	revenues from 7/1/16 through 6/30/17
\$ 543,019.68	cost of city-county program
X 41.6	City's percentage of Animal Control Responses 7/1/16 through 6/30/17
\$ 225,896.19	contract amount due Mesa County in 2018.
\$ 56,474.04	QUARTERLY PAYMENTS DUE Mesa County. Contract amount divided by four (4) quarterly payments.

(5) The County shall provide animal services pursuant to this Agreement during those hours best suited, as determined by the County, for enforcement. The County shall provide a standby system for emergency calls for all other hours. In situations that

cannot be handled solely by the County, the Grand Junction Police Department may be called by the County to assist.

(6) The County will select and supervise the personnel providing animal services under this Agreement. Mesa County shall provide to the City all necessary or required reports on the activities of the animal services officers.

(7) Enforcement actions arising out of or under the Code shall be prosecuted in the Grand Junction Municipal Court in the same manner as other enforcement actions as determined by the City prosecutor. The City agrees to reasonably cooperate with the County in enforcement and prosecution activities.

(8) Each party understands and agrees that each may be protected by and will rely on and do not waive or intend to waive by any provision of this Agreement the limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, 24-1-101, et seq., C.R.S. and as amended. Each party shall be responsible for its own acts and results thereof and shall not be responsible for the acts of the other party and the results thereof. Any person(s) employed by the City or the County that performs work hereunder shall remain employee(s) of the respective party and not agent(s) and/or employee(s) of the other party.

(9) This Agreement shall terminate upon six-months written notice of intent to terminate, or on December 31, 2018 if the parties to this Agreement enter into a new agreement for the provision of animal control services in the succeeding year as set forth below. Notice to terminate, if issued, shall be sent to the appropriate signatory of this Agreement by certified mail.

(10) It shall be the responsibility of the County to provide the City with a proposed animal services Agreement for 2018 services no later than November 1, 2018. After review of the proposed Agreement, the City will on or before December 1, 2018, either issue a preliminary acceptance of the proposed Agreement or a written notice of termination of the existing Agreement and a statement of the City's intention not to enter into the proposed Agreement for animal services in the succeeding calendar year.

(11) If preliminary acceptance has been given, the proposed Agreement shall not become effective until expiration of the then existing Agreement and until signed by the parties. The City's preliminary acceptance may be withdrawn at any time prior to signing of the Agreement by notification of termination being sent to the County as specified in paragraph 9. If preliminary acceptance is withdrawn by a notice of termination, the City will pay for, and the County will provide, animal services for six (6) months from the date of the notice of termination.

(12) The terms and rates for the six (6) months service continuation period after

notice of termination shall be those agreed to by the parties in the 2018 Agreement, unless the six months extends beyond December 31, 2018, in which case the remainder of the six months shall be controlled by the terms and rates of the proposed Agreement, which shall be effective during the service period following December, 2018 until the completion of the six-months termination period.

(13) If terms and conditions of the proposed Agreement are not accepted by the parties in the form of a signed written Agreement on or before December 31, 2018, the provision of animal services to the City shall cease June 30, 2019.

Attest:

CITY OF GRAND JUNCTION

City Clerk:

Mayor:

Date: _____

Date: _____

Attest:

COUNTY OF MESA

County Clerk:

Board of County Commissioners
Chairperson:

Date: _____

Date: _____



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: December 20, 2017

Presented By: Mike Nordine, Interim Police Chief, Jay Valentine, Deputy Finance Director

Department: Police

Submitted By: Mike Nordine, Interim Police Chief

Information

SUBJECT:

Sole Source Purchase of a Portable X-Ray System

RECOMMENDATION:

Authorize the City Purchasing Division to sole source the purchase of a portable x-ray system from Logos Imaging, LLC in the amount of \$70,647.09.

EXECUTIVE SUMMARY:

This request is to authorize the City Purchasing Division to sole source the purchase of a portable X-ray system from Logos Imaging, LLC in the amount of \$70,647.09. The purchase is 100% funded by a Homeland Security grant and seized funds. The X-ray system allows for remote investigation and demolition of explosives which significantly increases the safety of the bomb squad team. This X-ray unit would be the second unit and the sole source is requested to ensure compatibility with the existing training and equipment.

BACKGROUND OR DETAILED INFORMATION:

In 2007, the Grand Junction Police Department Bomb Squad (GJPDBS) purchased a portable X-ray system from Logos Imaging LLC. This system has been the primary X-ray system for the bomb team since that time and is still being used today. The X-ray system is a critical piece of equipment to the bomb team. It allows bomb technicians to have a better idea what is inside suspicious packages and potential improvised explosive devices. Without being able to X-ray these items the technician is going in without all the necessary information and having to make assumptions on how to deal

with the item. That is extremely dangerous to the technician. The purchase of the second X-ray system will allow the team to have two fully functioning response vehicles, which is important due to the large size of the response area the team is responsible for.

The GJPDBS was awarded a grant to purchase a new/second X-ray system in 2017.

Logos Imaging is a Colorado Company based out of Fort Collins, CO and since the purchase of the original system in 2007, the customer service provided by Logos Imaging has been exemplary. When a repair or part is needed, service and shipping are expedited since the company is within Colorado. Although this purchase is under \$200,000, because it is a sole source procurement, it is required by policy to be approved by City Council.

The new Logos x-ray system is very similar to our current system so the transition/training will be minimal thus decreasing associated training costs. In addition, the old system will continue to be used on a second response vehicle. It is important to maintain consistency across systems as this will allow technicians to be more familiar with those systems and not have to train on two different systems.

FISCAL IMPACT:

The purchase price of this system is \$70,647.09. The cost is 100% funded by a Homeland Security Grant and Seized Funds and budgeted in the 2018 budget.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to sole source the purchase of a portable X-ray system from Logos Imaging, LLC in the amount of \$70,647.09.

Attachments

None



Grand Junction City Council

Regular Session

Item #5.a.i.

Meeting Date: December 20, 2017

Presented By: John Shaver, City Attorney, Rob Schoeber, Parks and Recreation Director

Department: Parks and Recreation

Submitted By: Rob Schoeber, Parks and Recreation Director

Information

SUBJECT:

An Ordinance Amending Chapter 12 of the Grand Junction Municipal Code Concerning Riverfront and Other Trail Regulations Concerning the Operation of Electrical Assisted Bicycles

RECOMMENDATION:

Parks and Recreation Advisory Board unanimously supported this ordinance revision at their April 27, 2017 meeting. Staff recommends that City Council adopt the recommendation and approve the ordinance.

EXECUTIVE SUMMARY:

The City of Grand Junction currently maintains a trail system approximately 21 miles in length, including Riverfront, Ridges and Urban Trails. These developed hard surface trails are utilized for non-motorized activities such as walking, running and cycling. Other power driven mobility devices (OPDMDs) may be operated on any of these trails by individuals with mobility disabilities.

E-bikes, or electric assisted bicycles, use a small electric engine to boost rider's speeds. They are popular among riders of all ages and are designed to enhance a rider's pedaling with limited engine power.

During the recent Colorado legislative session, HB 17-1151 was approved by the legislature. In summary, this bill removes electrical assisted bicycles from the definition of motorized vehicles and creates three classes of E-bikes. The three classifications are defined according to the maximum speed of the electrical power in relationship to

the pedaling by the rider.

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided significant capital funding for trails in the Grand Valley, primarily the Riverfront Trail. In general, GOCO opposes motorized uses on all of their grant funded trails. Recently, however GOCO has stated that they view E-bikes differently than motorized uses, and are leaving these decisions up to the local communities.

During a City Council workshop on June 5, 2017, this topic was discussed with members of the Riverfront Commission. The Commission stated that they continue to support the ban of motorized equipment on the Riverfront Trail, with the exception of ADA compliant devices. They also stated that while they support the ban, they would not oppose the exception of E-bikes if the City chose to allow them.

The proposed ordinance revision would continue to ban all OPDMDs on City trails with the exception of ADA approved devices, and would also exclude Class I and Class II E-bikes from the definition of motorized devices.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction currently restricts the use of motorized devices (with exception of ADA approved) on developed trails throughout the community. The trail system encompasses approximately 21 miles of hard surface trails in the Ridges, along the Riverfront and throughout subdivisions and parks.

Electric assist bicycles are battery powered devices that can be operated either by power or pedaling. Depending upon the battery packs, E-bikes can range in speeds from 12 to 28 miles per hour. Earlier in 2017, the Colorado Legislature adopted House Bill 17-1151. This bill excludes E-bikes from the traditional definition of motorized devices, and defines them into three different categories according to maximum speed of the electrical power in relationship to pedaling by the rider. The classifications are as follows:

Class I Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class II Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

Class III Electrical Assisted Bicycle – An electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Great Outdoors Colorado (GOCO) has provided on-going grants for the development of the Riverfront Trail. This funding is contingent upon the trails being utilized for non-motorized uses only. In recognition of HB – 17-1511 however, GOCO has recently stated that local governments should develop policies that best fit their communities, and would support the allowance of E-bikes on GOCO funded trails.

The Riverfront Commission is made up of 11 members that are appointed by the City of Grand Junction, Town of Palisade, Mesa County and City of Fruita. In a letter dated September, 2016, the Commission expressed their concern about the use E-bikes on the Riverfront Trail and recommended the continued ban of all motorized devices on the trail (with the exception of ADA compliant devices). City Manager Greg Caton responded to their recommendation through a letter dated April, 2017, and encouraged the Commission to further study and evaluate the use of E-bikes on the trails. He cited several Colorado Communities who either allow their use or are exploring their uses on public trails. Several members of the Riverfront Commission attended a City Council workshop on June 5, 2017. They continued to support a full ban on motorized devices on the Riverfront Trail, however indicated that they would not oppose an exception for E-bikes if any of the local entities chose to allow exclude them from the ban.

The City of Grand Junction maintains a portion of the Riverfront Trail through an Intergovernmental Agreement with the City of Fruita, Town of Palisade, Mesa County and Colorado State Parks. Currently, the State is drafting a similar exception for Class I and Class II E-bikes, and the Town of Palisade continues to support the full ban.

The proposed ordinance revision would allow the use of Class I and Class II E-bikes on City trails. Class III E-bikes would be permitted on City streets.

FISCAL IMPACT:

Appropriate signage would be installed by Parks Department (estimate: \$300).

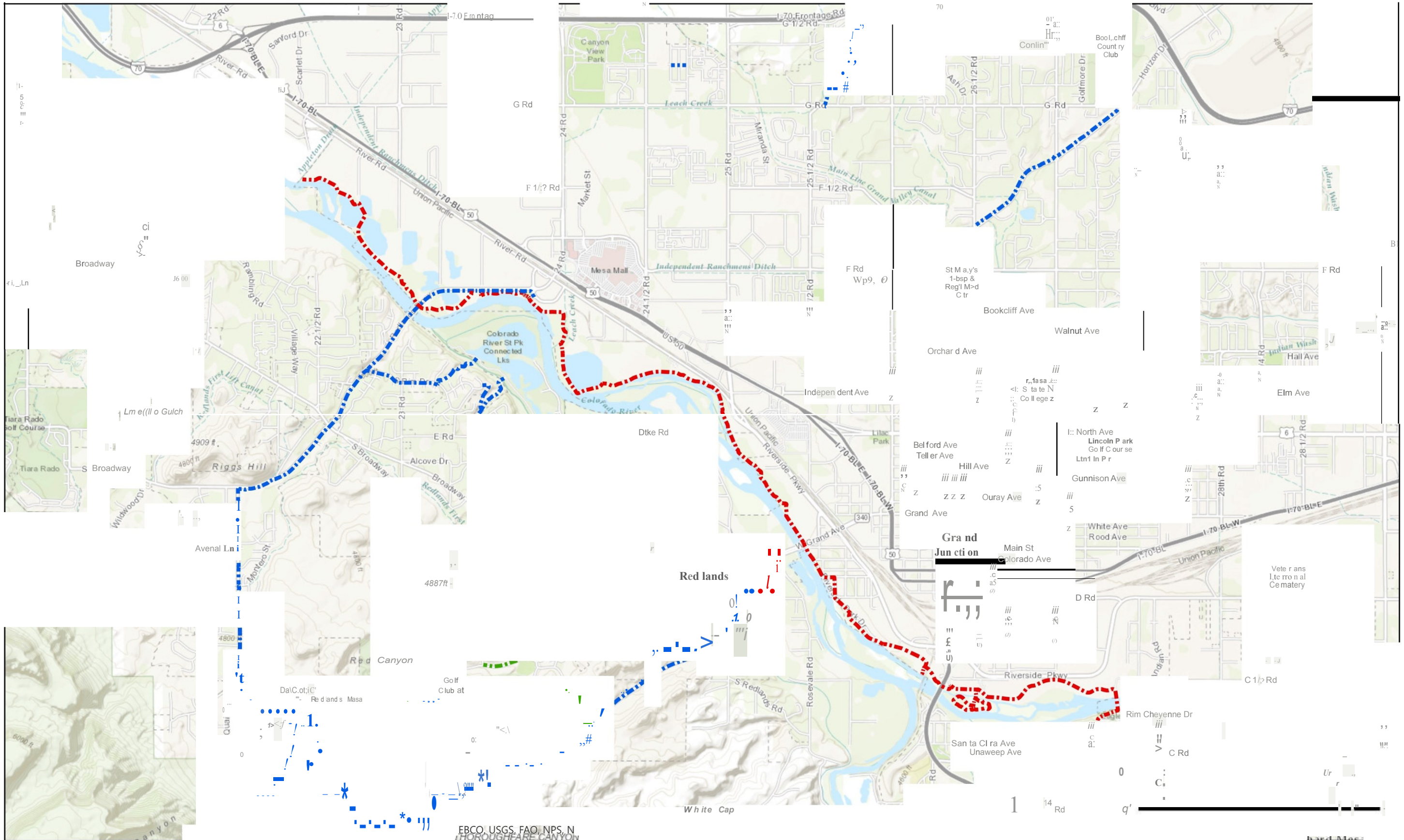
SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4778 - An ordinance amending Chapter 12 of the Grand Junction Municipal Code concerning Riverfront and other trail regulations concerning the operation of electrical assisted bicycles on final passage and order publication in pamphlet form.

Attachments

1. Trails Map
2. House Bill 17 - 1151
3. Riverfront Commission Letter 9-20-16
4. City Manager Letter 4-20-17
5. Ordinance E Bikes
6. Trail Mileage
7. Urban Trails Map
8. Riverfront Trails Map
9. Ridges Map

All Trails Map



Sources: Esri, HERE, Delorme, Intermap, increment P, Cor i)G RCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), s sstopo, 1f\$1ap dia, © OpenStreetMap contributor and the IS User Community

An Act

HOUSE BILL 17-1151

BY REPRESENTATIVE {S) Hansen and Willett, Becker K., Buckner, Ginal, Hooton, Kennedy, Lontine, Mitsch Bush, Valdez, Winter, Young, Singer;
also SENATOR(S) Kerr and Hill, Gardner, Kagan.

CONCERNING THE REGULATION OF ELECTRICAL ASSISTED BICYCLES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-1-102, **amend** (28.5) and (58) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title, unless the context otherwise requires:

(28.5) "Electrical assisted bicycle" means a vehicle having two tandem wheels or mo pru:allel THREE wheels, and one for wru:d wheel, fully operable pedals, AND an electric motor not exceeding seven hundred fifty watts of power. and a top motor-powered speed of ofmenty miles per hoor. ELECTRICAL ASSISTED BICYCLES ARE FURTHER REQUIRED TO CONFORM TO ONE OF THREE CLASSES AS FOLLOWS:

(a) "CLASS 1 ELECTRICALASSISTEDBICYCLE"MEANSANELECTRICAL

ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(b) "CLASS 2 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE REGARDLESS OF WHETHER THE RIDER IS PEDALING BUT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY MILES PER HOUR.

(c) "CLASS 3 ELECTRICAL ASSISTED BICYCLE" MEANS AN ELECTRICAL ASSISTED BICYCLE EQUIPPED WITH A MOTOR THAT PROVIDES ASSISTANCE **ONLY WHEN THE RIDER IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN THE BICYCLE REACHES A SPEED OF TWENTY-EIGHT MILES PER HOUR.**

(58) "Motor vehicle" means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include ELECTRICAL ASSISTED BICYCLES, low-power scooters, wheelchairs, or vehicles moved solely by human power. For the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and off-highway vehicles, as defined in section 33-14.5-101 (3), C.R.S. operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle. For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter.

SECTION 2. In Colorado Revised Statutes, 42-3-103, **amend** (1)(b) introductory portion and (1)(b)(I) as follows:

42-3-103. Registration required - exemptions. (1) (b) This subsection (1) shall DOES not apply to the following:

{I} A bicycle, **electJ:ic** ELECTRICAL assisted bicycle, or other human-powered vehicle;

SECTION 3. In Colorado Revised Statutes, 42-4-111, **amend** (1) introductory portion and (1)(dd) as follows:

42-4-111. Powers of local authorities. (1) Except as otherwise provided in subsection (2) of this section, this article ARTICLE 4 does not prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(dd) Authorizing OR PROHIBITING the use of the electrical motor on an electrical assisted bicycle on a bike or pedestrian path IN ACCORDANCE WITH SECTION 42-4-1412;

SECTION 4. In Colorado Revised Statutes, 42-4-221, **amend** (9); and add (10) and (11) as follows:

42-4-221. Bicycle and personal mobility device equipment.

(9) (a) Any person who violates any provision of this section commits a class D traffic infraction ON OR AFTER JANUARY 1, 2018, EVERY MANUFACTURER OR DISTRIBUTOR OF NEW ELECTRICAL ASSISTED BICYCLES INTENDED FOR SALE OR DISTRIBUTION IN THIS STATE SHALL PERMANENTLY AFFIX TO EACH ELECTRICAL ASSISTED BICYCLE, IN A PROMINENT LOCATION, A LABEL THAT CONTAINS THE CLASSIFICATION NUMBER, TOP ASSISTED SPEED, AND MOTOR WATTAGE OF THE ELECTRICAL ASSISTED BICYCLE. **THE LABEL MUST BE PRINTED IN THE ARIAL FONT IN AT LEAST NINE-POINT TYPE.**

(b) A PERSON SHALL NOT KNOWINGLY MODIFY AN ELECTRICAL ASSISTED BICYCLE SO AS TO CHANGE THE SPEED CAPABILITY OR MOTOR ENGAGEMENT OF THE ELECTRICAL ASSISTED BICYCLE WITHOUT ALSO APPROPRIATELY REPLACING, OR CAUSING TO BE REPLACED, THE LABEL INDICATING THE CLASSIFICATION REQUIRED BY SUBSECTION (9)(a) OF THIS SECTION.

(10)(a) AN ELECTRICAL ASSISTED BICYCLE MUST COMPLY WITH THE EQUIPMENT AND MANUFACTURING REQUIREMENTS FOR BICYCLES ADOPTED BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION AND CODIFIED AT 16 CFR 1512 OR ITS SUCCESSOR REGULATION.

(b) A CLASS 2 ELECTRICAL ASSISTED BICYCLE MUST OPERATE IN A MANNER SO THAT THE ELECTRIC MOTOR IS DISENGAGED OR CEASES TO FUNCTION WHEN THE BRAKES ARE APPLIED. CLASS 1 AND CLASS 3

ELECTRICAL ASSISTED BICYCLES MUST BE EQUIPPED WITH A MECHANISM OR CIRCUIT THAT CANNOT BE BYPASSED AND THAT CAUSES THE ELECTRIC MOTOR TO DISENGAGE OR CEASE TO FUNCTION WHEN THE RIDER STOPS PEDALING.

(c)) A CLASS 3 ELECTRICAL ASSISTED BICYCLE MUST BE EQUIPPED WITH A SPEEDOMETER THAT DISPLAYS, IN MILES PER HOUR, THE SPEED THE ELECTRICAL ASSISTED BICYCLE IS TRAVELING.

(11) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B TRAFFIC INFRACTION.

SECTION 5. In Colorado Revised Statutes, 42-4-1412, amend (14); and add (15) as follows:

42-4-1412. Operation of bicycles and other human-powered vehicles. (14) (a) (I) Except as authorized by section 42-4-111, the use of an electrical assisted bicycle shall not use the electrical motor on a bike on a pedestrian path A PERSON MAY RIDE A CLASS I OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH WHERE BICYCLES ARE AUTHORIZED TO TRAVEL.

(II) A LOCAL AUTHORITY MAY PROHIBIT THE OPERATION OF A CLASS 1 OR CLASS 2 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNDER ITS JURISDICTION.

(b) A PERSON SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A BIKE OR PEDESTRIAN PATH UNLESS:

(I) THE PATH IS WITHIN A STREET OR HIGHWAY; OR

(II) THE LOCAL AUTHORITY PERMITS THE OPERATION OF A CLASS 3 ELECTRICAL ASSISTED BICYCLE ON A PATH UNDER ITS JURISDICTION.

(15) (a) A PERSON UNDER SIXTEEN YEARS OF AGE SHALL NOT RIDE A CLASS 3 ELECTRICAL ASSISTED BICYCLE UPON ANY STREET, HIGHWAY, OR BIKE OR PEDESTRIAN PATH; EXCEPT THAT A PERSON UNDER SIXTEEN YEARS OF AGE MAY RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE THAT IS DESIGNED TO ACCOMMODATE PASSENGERS.

(b) A PERSON SHALL NOT OPERATE OR RIDE AS A PASSENGER ON A CLASS 3 ELECTRICAL ASSISTED BICYCLE UNLESS:

(I) EACH PERSON UNDER EIGHTEEN YEARS OF AGE IS WEARING A PROTECTIVE HELMET OF A TYPE AND DESIGN MANUFACTURED FOR USE BY OPERATORS OF BICYCLES;

(II) THE PROTECTIVE HELMET CONFORMS TO THE DESIGN AND SPECIFICATIONS SET FORTH BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR THE AMERICAN SOCIETY FOR TESTING AND MATERIALS; AND

(III) THE PROTECTIVE HELMET IS SECURED PROPERLY ON THE PERSON'S HEAD WITH A CHIN STRAP WHILE THE CLASS 3 ELECTRICAL ASSISTED BICYCLE IS IN MOTION.

(c) A VIOLATION OF SUBSECTION (1S)(b) OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE OR NEGLIGENCE PER SE IN THE CONTEXT OF ANY CIVIL PERSONAL INJURY CLAIM OR LAWSUIT SEEKING DAMAGES.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Kevin J. Grantham
PRESIDENT OF
THE SENATE

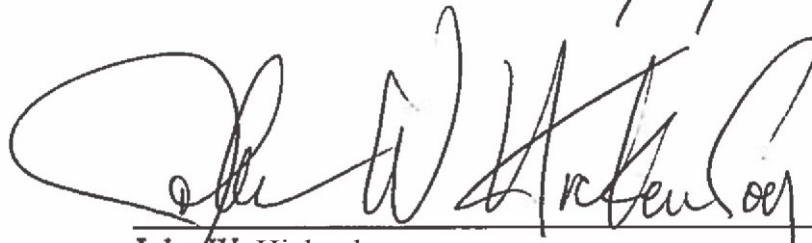
~~Mariyl Edef~~  a ↓
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES


Effie Ameen
SECRETARY OF
THE SENATE

APPROVED

1:45 Pm

4/4/17



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
Palisade

September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Members of the City of Grand Junction City Council:

The Colorado Riverfront Commission is an advisory board to the Riverfront Trail partners; the *City* of Grand Junction, the City of Fruita, Mesa County, Colorado Parks and Wildlife and the Town of Palisade. As such, we feel very strongly that we must advocate for the continuing ban of motorized vehicles on the Riverfront Trail. This ban does not include ADA compliant devices such as motorized wheelchairs, but refers to recreational vehicles such as electric bicycles (e-bikes), motorized scooters, Segways and all-terrain vehicles. Of particular concern are e-bikes since retailers have become increasingly vocal in their advocacy of trail use by their customers.

Recently the City of Durango dealt with this issue and cited the following concerns:

- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for **years** on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten -\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles - golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric **bikes** from the Trail.

#

Frank Watt
Co-Chair
Riverfront Commission

d11. _

Brad Taylor
Co-Chair
Riverfront Commission

April 20, 2017

Riverfront Commission
P.O. Box 2477
Grand Junction, CO 81502

RE: E-bikes on Riverfront Trail

The City of Grand Junction offers diverse recreational amenities that allow both citizens and visitors to enjoy the type that best suits his or her abilities. Previously, the Riverfront Commission sent a letter to the members of Grand Junction's City Council, expressing its support for banning electric bikes (e-bikes) from the Riverfront Trail. The letter is attached below. In October of 2016, Great Outdoors Colorado (GOCO) Board members discussed and agreed to grant deference to local governments, allowing municipalities to make their own determination of use on trails based on research and demand of their community. The new position on e-bikes is in reference to trails funded with local government purpose funds. As a result, I encourage the Riverfront Commission to study and evaluate the use of e-bikes on the Riverfront Trail.

Grand Junction's peer cities, particularly those on the Western Slope, are addressing the use of e-bikes on public multi-use trails. All municipalities require e-bike users to follow standard trail and bicycle etiquette. Some municipalities are entering into a trial period, while other have established rules regulating e-bikes. The following are some examples of peer city regulations:

- Earlier this year, the City of Durango issued [e-bike policy recommendations](#) for the City's trail system. The recommendations restrict e-bikes to only pedal assist Class I models and limit use to certain multi-use hard and soft surface trails.
- The City of Boulder [permits e-bikes](#) on certain multi-use paths in the City. E-bikes must comply with existing use multi-use path rules, including a 15 mph speed limit, travel and passing lanes, audible alerts, and use of lights and reflective materials.
- The Town of Vail's [Ordinance No. 9](#) set a trial period that allows e-bikes on paved recreation trails. The ordinance limits motors to 500 watts, limits the speed of the e-bike, and requires riders to be 16 years of age or older.
- Steamboat Springs wants its Parks and Recreation Commission to consider allowing some types of e-bikes on both hard and soft surface trails. A [pilot program](#) for the City's Yampa River Core Trail is set to begin this summer.

[Research](#) by Portland State University found that 60% of electric bicycle riders surveyed bought an electric bicycle to enable trips in hilly areas and 73% rode to different destinations than with a standard bicycle. 65% of respondents in that survey said replacing car trips was a main reason to get an electric bicycle. PSU has also created an interactive [map](#) detailing e-bike laws by state and province in North America.

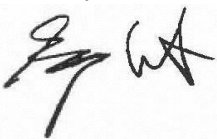
A [study](#) by Navigent Research describes a global e-bike market that is well-positioned for continued growth. The group predicts global sales of e-bikes will grow from over \$15.7 billion in 2016 to \$24 billion by 2025. The report also examines key drivers of growth, including government influence on the market. Further, the League of American Bicyclists examined [e-bikes and public policy](#) and highlighted how national sales exceeded 200,000 in 2015.

While I understand the Commission's concern that allowing e-bikes might set a precedent for allowing other types of motorized vehicles on trails, e-bikes can be viewed differently. Benefits of e-bikes include cost-savings, improved public health, and ease of convenience.

- **E-bikes are not necessarily quicker than traditional bikes.** The average e-bike speed is 15 mph, within most urban and multi-use trails' speed limits. Compared to traditional bikes, where a professional cyclist can reach speeds of 30 mph, e-bikes are designed to provide motorized assistance up to speeds of 20 mph.
- **E-bikes still count as exercise.** Although e-bikes deliver pedal-assisted power, a [study by the University of Colorado, Boulder](#) suggests that e-bikes can still improve cardiovascular health. The CU study measured the improvements in various aspects of health of twenty sedentary commuters through the use of e-bikes. It is important to note that the riders in the study rode at an average speed of 12.5 mph and reported no crashes.
- **E-bikes provide ease of convenience.** E-bikes allow individuals to move farther and easier. Pedal assisted motors provide riders with increased mechanical advantage which aids the rider in moving heavier loads. The pedal assist also helps commuters reduce exertion, generating less sweat, and helps individuals with physical or medical challenges to pedal the bicycle easier.
- **E-bikes reduce cars on the road.** Through the use of e-bikes, the burden on our roadways is lessened. This improves air-quality, eases traffic, reduces road maintenance costs, reduces vehicle accidents, and lowers our community's carbon footprint. By offsetting vehicles on the road with e-bikes, the overall health of the community is improved.

GOCO's stance regarding e-bikes has driven local policy for years. With GOCO's change in position with deference to local governments, communities across the state have evaluated the allowance of e-bikes. We owe it to our businesses and community members to assess their potential use on the Riverfront Trail.

Sincerely,



Greg Caton
City Manager

C: City Council
Rob Schoeber, Parks and Recreation Director



RIVERFRONT COMMISSION

P.O. Box 2477
Grand Junction, Colorado 81502
(970) 683-4333

Sponsors:

Fruita
Grand Junction
Mesa County
Palisade

September 20, 2016

Grand Junction City Council
250 North 5th Street
Grand Junction, CO 81501

Dear Members of the City of Grand Junction City Council:

The Colorado Riverfront Commission is an advisory board to the Riverfront Trail partners; the City of Grand Junction, the City of Fruita, Mesa County, Colorado Parks and Wildlife and the Town of Palisade. As such, we feel very strongly that we must advocate for the continuing ban of motorized vehicles on the Riverfront Trail. This ban does not include ADA compliant devices such as motorized wheelchairs, but refers to recreational vehicles such as electric bicycles (e-bikes), motorized scooters, Segways and all-terrain vehicles. Of particular concern are e-bikes since retailers have become increasingly vocal in their advocacy of trail use by their customers.

Recently the City of Durango dealt with this issue and cited the following concerns:


- Electric-motor assisted bicycles have a set top speed of 20 mph and require the cyclist to pedal to engage the motor. Others have a throttle and go much faster. Although they can give some cyclists a needed boost, the Durango City Council has decided to ban electric bikes on Durango trails. Motorized vehicles have been banned for years on Durango trails and the council has now banned electric bikes whether the motor is engaged or not.

Other relevant concerns are:

- Jeopardizes future GOCO funding since they only fund non-motorized trails.
- Could threaten -\$20 Million in past funding, i.e. give the money back if you don't ban all motorized use.
- Sets a precedent that opens the door for other motorized vehicles - golf carts, dirt bikes, go-carts, etc.
- Motorized vehicles create a safety hazard for pedestrians and cyclists due to their speed and mass.

We would be happy to come before the Council to further discuss the issue if that would be of help, but as advocates for the ongoing maintenance, improvement and development of the Riverfront Trail we must state our absolute and unanimous support of banning electric bikes from the Trail.

Frank Watt
Co-Chair
Riverfront Commission


Brad Taylor
Co-Chair
Riverfront Commission

51 TRAILS mapS. The substitution of maps and incorporation thereof by reference shall
52 not necessitate re-adoption of this chapter.

53

54 12.08.140 Regulations relating to TRAILS ~~riverfront trails~~, lands and waters.

55

56 (b) No person shall:

57 (1) Operate any motor vehicle OR OTHER POWER DRIVEN MOBILITY DEVICE(S)
58 (OPDMD) on any ~~of the riverfront~~ CITY trail(s) or land(s) ~~of the riverfront~~ AS THOSE
59 ARE DEPICTED AND DESCRIBED ON THE "TRAILS MAP(S)" except MAINTENANCE
60 OR EMERGENCY VEHICLE(S) OR as may be authorized by the City or by signs AND
61 ~~or~~ except for A "COMMON WHEELCHAIR" WHICH IS DEFINED AS A MANUALLY
62 OPERATED OR POWER DRIVEN DEVICE DESIGNED PRIMARILY FOR USE BY A
63 PERSON WITH A MOBILITY DISABILITY FOR THE PURPOSE OF INDOOR, OR OF
64 BOTH INDOOR AND OUTDOOR LOCOMOTION. AN ELECTRIC MOTORIZED
65 SCOOTER/POWER CHAIR MEETS THIS DEFINITION, PROVIDED IT MEETS
66 SECTION 37.3 OF THE U.S. DEPARTMENT OF TRANSPORTATION'S
67 REGULATIONS IMPLEMENTING THE ADA (49 CFR PARTS 27, 37, AND 38).

68

69 AN OPDMD IS DEFINED AS ANY MOBILITY DEVICE POWERED BY BATTERIES,
70 FUEL, OR OTHER ENGINE(S), WHETHER OR NOT DESIGNED PRIMARILY FOR
71 USE BY PERSONS WITH MOBILITY DISABILITIES THAT IS USED BY PERSONS
72 WITH MOBILITY DISABILITIES FOR THE PURPOSE OF LOCOMOTION, INCLUDING
73 GOLF CARS, ELECTRIC PERSONAL ASSISTANCE MOBILITY DEVICES (EPAMDS),
74 SUCH AS THE SEGWAY PT® OR ANY MOBILITY DEVICE DESIGNED TO OPERATE
75 IN AREAS WITHOUT DEFINED PEDESTRIAN ROUTES, BUT THAT IS NOT A
76 COMMON WHEELCHAIR WITHIN THE MEANING OF THIS SECTION.

77

78 ~~motorized wheelchairs, maintenance or emergency vehicles.~~ Motor vehicle shall be as
79 defined in § ~~42-1-101~~, 42-1-102(58) C.R.S. et seq. EPAMDS SHALL BE AS DEFINED
80 IN §42-1-102(28.7).

81

82 (C) WITH THE EXCEPTION OF A COMMON WHEELCHAIR, AN ELECTRIC
83 MOTORIZED SCOOTER AND CLASS I AND CLASS II E-BIKES, NO MOTOR
84 VEHICLE OR OPDMD IS ALLOWED ON THE TRAILS, AS THE SAME ARE
85 DEPICTED AND DESCRIBED BY ORDINANCE 2606 AND THESE ADOPTED
86 REGULATIONS.

87

88 (1) A CLASS I ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED PEDAL-
89 ASSIST ELECTRIC BICYCLE IS A TWO-WHEELED BICYCLE EQUIPPED
90 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
91 IS PEDALING, AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
92 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR. A
93 CLASS I ELECTRICAL ASSISTED BICYCLE MOTOR SHALL NOT EXCEED
94 750 WATTS OF POWER;

95

96 (2) A CLASS II ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED
97 THROTTLE-ASSISTED ELECTRIC BICYCLE IS A BICYCLE EQUIPPED

98 WITH A MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE
99 BICYCLE AND IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN
100 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR;

101
102 (3) A CLASS III ELECTRICAL ASSISTED BICYCLE IS A BICYCLE EQUIPPED
103 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER
104 IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN
105 THE BICYCLE REACHES A SPEED OF 28 MILES PER HOUR.

106
107 (A) CLASS III ELECTRICAL ASSISTED BICYCLES ARE ALLOWED
108 ONLY ON STREETS/BIKE LANES ADJACENT TO STREETS (NOT
109 TRAILS, PATHS OR SIDEWALKS.)

110
111 (B) CLASS III ELECTRICAL ASSISTED BICYCLES MAY NOT BE
112 OPERATED BY A PERSON UNDER 16 YEARS OF AGE; A PERSON
113 UNDER 16 YEARS OF AGE MAY RIDE AS A PASSENGER ON A
114 CLASS III ELECTRICAL ASSISTED BICYCLE THAT IS
115 MANUFACTURED TO ACCOMMODATE A PASSENGER(S).

116
117 (4) ANY PERSON UNDER 18 YEARS OF AGE RIDING OR A PASSENGER ON
118 A CLASS III ELECTRICAL ASSISTED BICYCLE SHALL WEAR AN
119 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) OR
120 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION
121 (USCPS) APPROVED HELMET OF A TYPE AND DESIGN MANUFACTURED
122 FOR USE BY RIDERS OF BICYCLES. THE PROTECTIVE HELMET SHALL
123 BE PROPERLY SECURED ON THE PERSON'S HEAD WITH THE STRAP
124 FASTENED WHILE THE CLASS III ELECTRICAL ASSISTED BICYCLE IS IN
125 MOTION.

126
127 (5) NO PERSON SHALL OPERATE AN ELECTRICAL ASSISTED BICYCLE IN
128 ANY PLACE WHERE THERE ARE ONE OR MORE SIGNS POSTED
129 PROHIBITING SUCH ACTIVITY. NO PERSON SHALL OPERATE AN
130 ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC PLACE IN A MANNER
131 WHICH CAUSES INJURY TO ANY PERSON OR DAMAGE TO PUBLIC OR
132 PRIVATE PROPERTY.

133
134 (6) A PERSON USING AN ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC
135 PLACE WITHIN THE CITY SHALL USE THE SAME IN A CAREFUL AND
136 PRUDENT MANNER AND AT A RATE OF SPEED NO GREATER THAN IS
137 REASONABLE AND PRUDENT UNDER THE CONDITIONS EXISTING AT
138 THE PLACE AND TIME OF OPERATION, TAKING INTO ACCOUNT THE
139 AMOUNT AND CHARACTER OF PEDESTRIAN TRAFFIC, GRADE AND
140 WIDTH OF THE PATH, TRAIL OR RIGHT-OF-WAY AND CONDITION OF

141 THE SURFACE THEREOF AND SHALL OBEY ALL TRAFFIC CONTROL
142 DEVICES.

143
144 (7) EVERY PERSON RIDING AN ELECTRICAL ASSISTED BICYCLE UPON A
145 PUBLIC PATH, TRAIL OR OTHER RIGHT-OF-WAY SHALL YIELD THE
146 RIGHT-OF-WAY TO ANY PEDESTRIAN THEREON.

147
148 (8) TO THE EXTENT NOT INCONSISTENT HERewith, HOUSE BILL 17-1151
149 AMENDING VARIOUS SECTIONS OF THE COLORADO REVISED
150 STATUTES IS INCORPORATED BY THIS REFERENCE.

151
152 (9) WITHIN SIXTY DAYS OF THE THIRD ANNIVERSARY OF THE ADOPTION
153 OF THIS ORDINANCE THE CITY COUNCIL SHALL CONSIDER THE
154 EFFECTIVENESS OF THE ORDINANCE AT ACHIEVING ITS STATED
155 PURPOSES. WITHOUT FURTHER ACTION BY THE CITY COUNCIL, THE
156 TERMS AND PROVISIONS OF THIS ORDINANCE SHALL EXPIRE ON THE
157 THIRD ANNIVERSARY OF THE EFFECTIVE DATE HEREOF. THE CITY
158 COUNCIL MAY DETERMINE THAT THE ORDINANCE IS EFFECTIVE AS
159 WRITTEN AND REINSTATE IT OR MAY AMEND IT AS IT DETERMINES IN
160 ITS SOUND DISCRETION.

161
162
163
164 Introduced on first reading this ___ day of December 2017.

165
166
167 PASSED and ADOPTED this ___ day of December 2017.

168
169
170 _____
171 J. Merrick Taggart
172 Mayor and President of the City Council

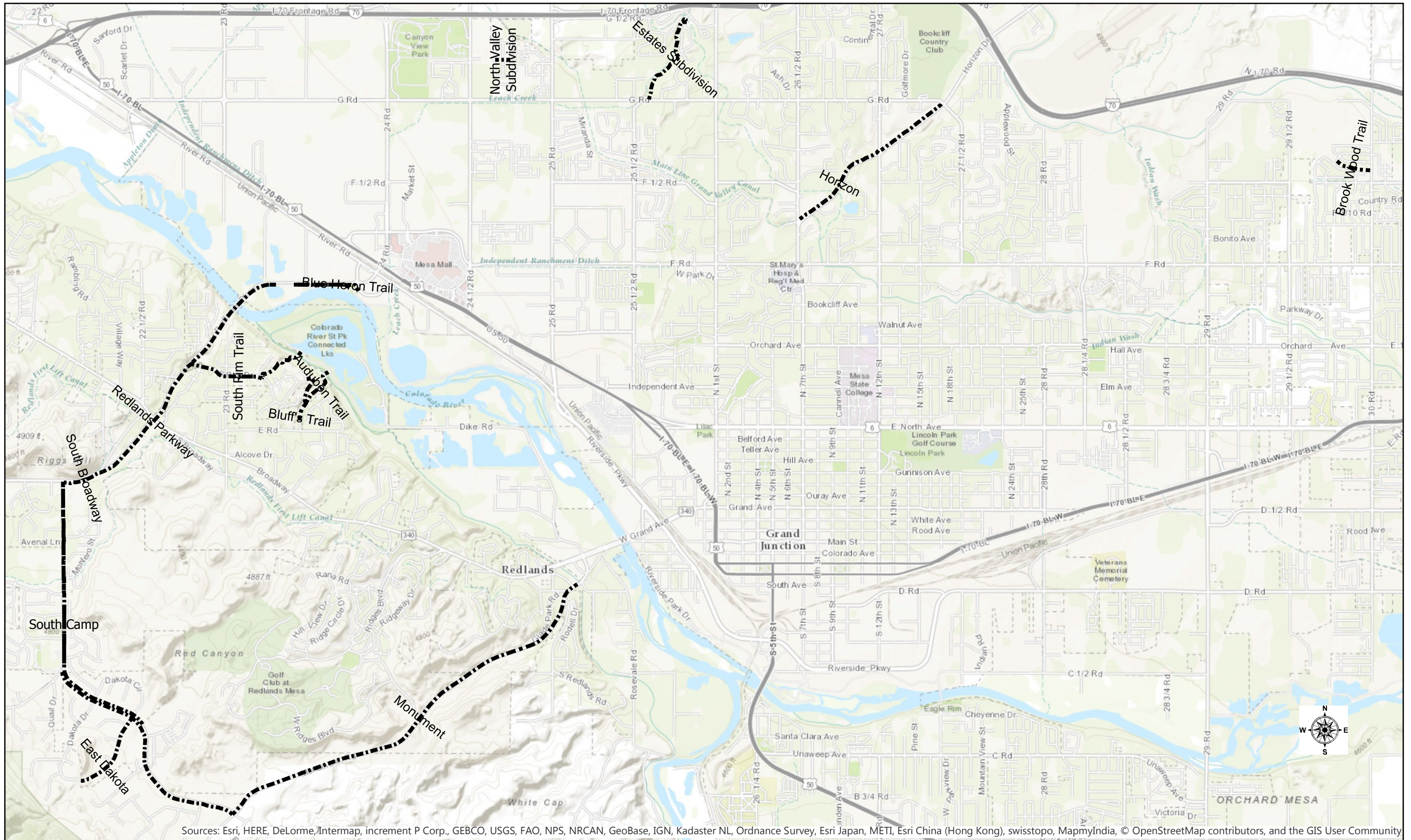
173
174 ATTEST:

175
176
177 _____
178 Wanda Winkelmann
179 City Clerk

TRAIL MILEAGE AS OF 2017

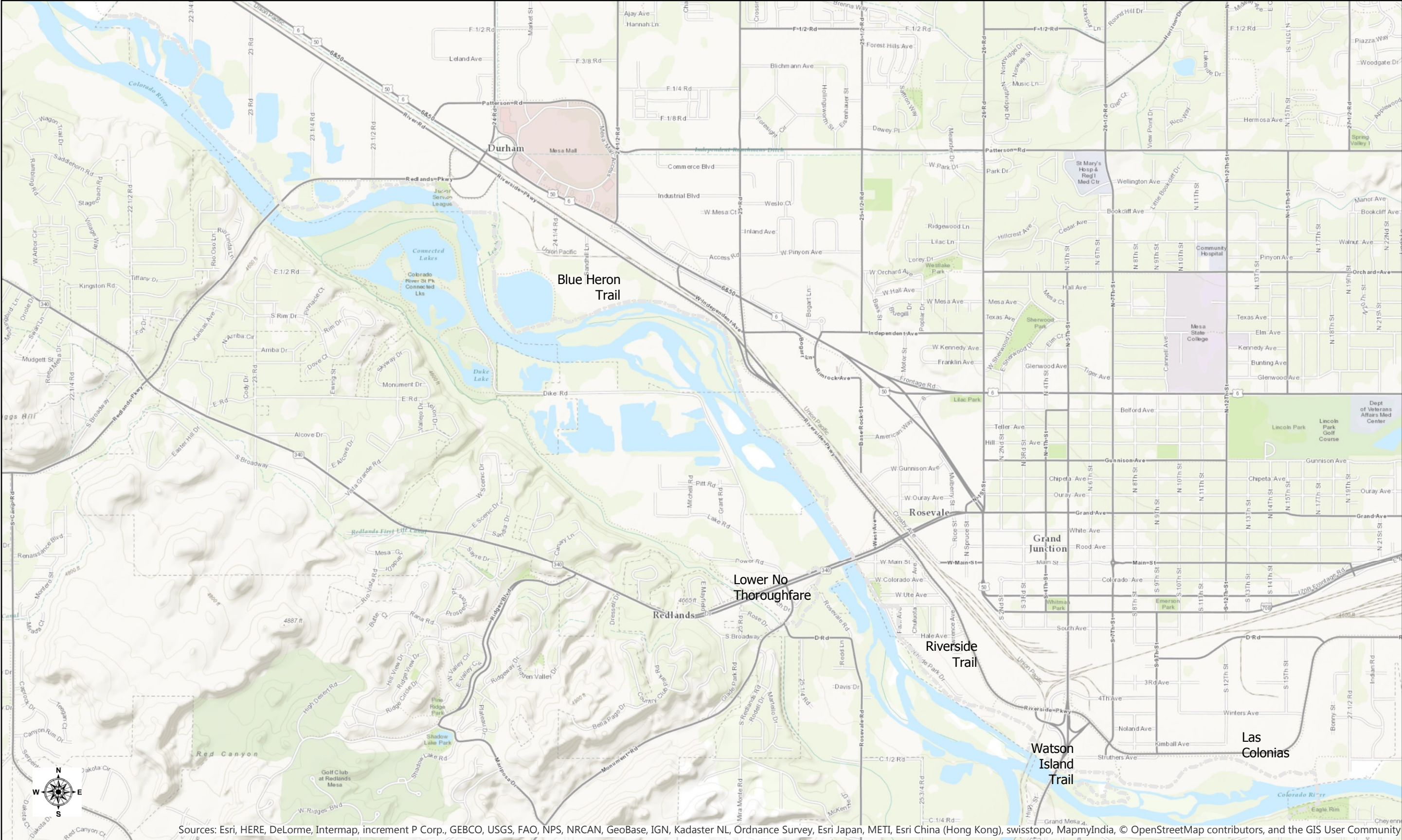
Eagle Rim to Botanical Gardens Las Colonias Section 7924'	1.50 miles
Watson Island Loop 3540'	.67
Botanical Garden to Riverside Park Jarvis Property 8295'	1.75
Riverside Park to Jr. Service League Park Blue Heron Section 16015'	3.03
Jr. Service League to Boat Ramp Along the River 2200'	.41
Jr. Service League to Colorado River Bridge Along Redlands Parkway 3973'	.75
Monument View Boat Ramp to Appleton Drain	1.5
Colorado River Bridge to South Rim Drive Along Redlands Parkway 2810'	.53
Lower no Thoroughfare 2087'	.39
RIVERFRONT TOTAL	10.53
South Rim Trail Head to Power Canal 1460'	.28
Promontory Point Trail Head to Power Canal 2292'	.43
Bluffs Trail Head to Power Canal 1865'	.35
South Rim to Broadway (340) Along Redlands Parkway	.40
Broadway to South Camp Along South Broadway	.71
South Broadway to Wingate Elementary Along South Camp	1.10
Wingate Elementary to Monument Road Along South Camp	1.52
East Dakota Dr. 2774'	.52
East Side of South Camp	1.10
Horizon Drive 7 th to 12 th	.61
Horizon Drive 12 th to G Road	.51
Brook Wood Subdivision	.48
North Valley Subdivision	.10
Estates Subdivision	.36
URBAN TRAIL TOTAL	8.47
Ridges Trails	
Ridges Blvd. to Rana Rd. 1712'	.32
Rana to Hill View 601'	.11
Duck Pond to 340 Underpass 1327'	.25
Ridge Blvd. School Ridge to bus stop 4559'	.86
Ridge Circle to Desert Trail Dr. 1507'	.29
Mariposa Dr. to Monument Rd. 1578'	.29
RIDGES TRAIL TOTAL	2.12
TOTALS	21.12 MILES

Urban Trails Map



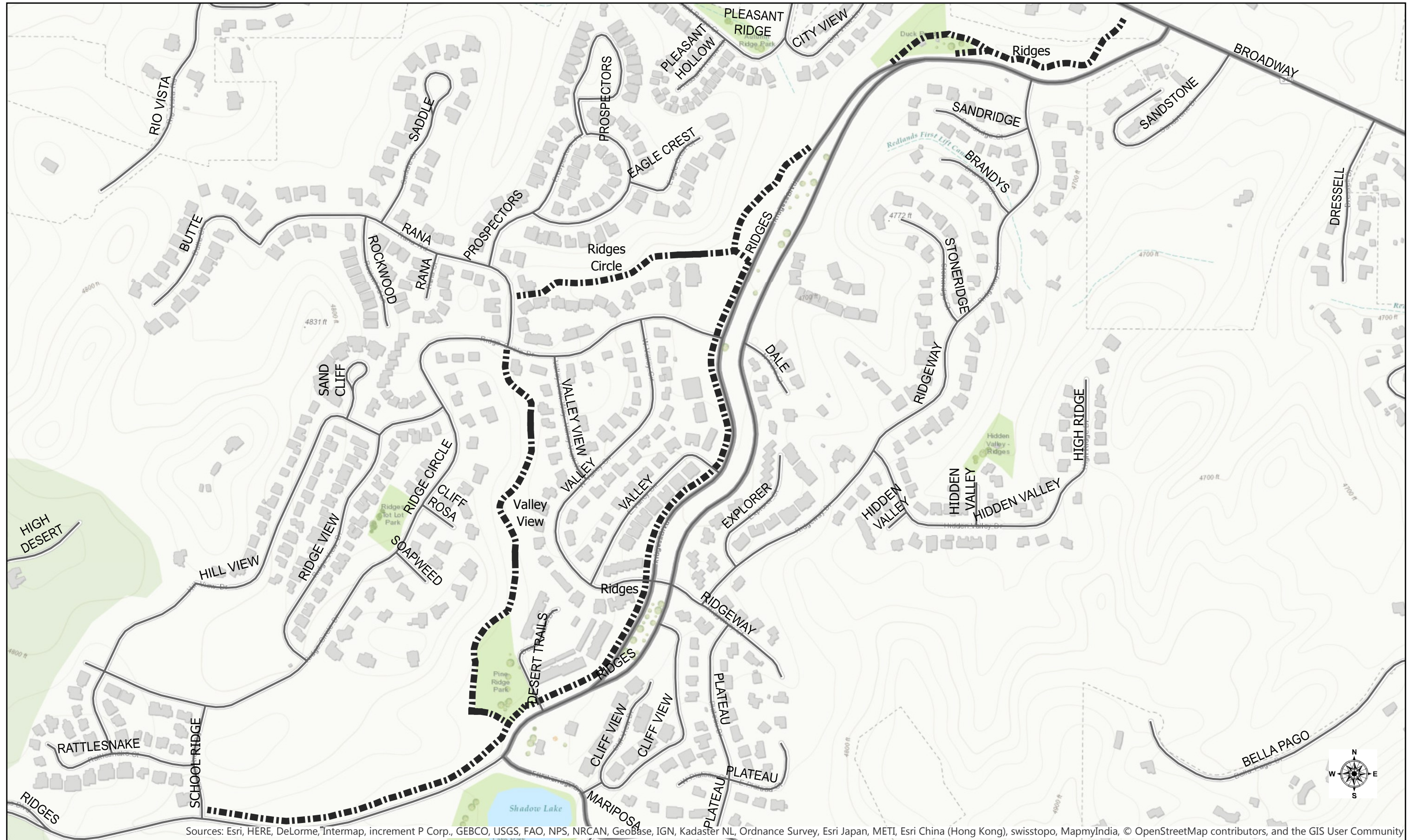
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Riverfront Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Ridges Trails Map



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Grand Junction City Council

Regular Session

Item #5.a.ii.

Meeting Date: December 20, 2017

Presented By: John Shaver, City Attorney

Department: City Attorney_

Submitted By: John Shaver

Information

SUBJECT:

A Resolution Regarding the Las Colonias Park Plan of Development Amendment

RECOMMENDATION:

Staff recommends adoption of Resolution 77-17.

EXECUTIVE SUMMARY:

In order to confirm the direction of the POD amendment, and to ensure that the public and the City Council has had every opportunity to understand the POD amendment and the general scope of the project under consideration for development, prior to the closing of the financing for the project, the City Council is considering this resolution. If adopted, the resolution will affirm, confirm and ratify the POD amendment and all actions taken in support of and conformance therewith, including but not limited to the direction to the City staff to execute the financing agreements related thereto.

BACKGROUND OR DETAILED INFORMATION:

In furtherance of the importance of this matter the consideration of this resolution by the City Council has: a) duly and lawfully noticed its agenda for the December 20, 2017 meeting, which agenda includes this matter; b) by publishing a notice in the Grand Junction Daily Sentinel, a newspaper having general circulation in the City during the week immediately preceding the hearing of this resolution; c) included in that notice the time, date, place and purpose of the hearing; d) generally described the area contemplated for development by the POD amendment and e) outlined the general scope of the development project under consideration, all of which is in addition to the prior hearing by the Planning Commission on September 26, 2017 and the two

published notices of action by the City Council (September 22 and October 6, 2017) relating to Ordinance 4765.

Additional information is provided in the proposed resolution.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to adopt Resolution No. 77– 17, a resolution confirming the amendment of the Downtown Development Authority Plan of Development to include the Las Colonias Business Park as the area covered by the Plan amendment and describing the general scope of the development project under consideration all as more particularly described in Ordinance 4765 and this Resolution.

Attachments

1. RES-LCPODRatification2

RESOLUTION NO.____-17

A RESOLUTION CONFIRMING THE AMENDMENT OF THE DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT TO INCLUDE THE LAS COLONIAS BUSINESS PARK AS THE AREA COVERED BY THE PLAN AMENDMENT AND DESCRIBING THE GENERAL SCOPE OF THE DEVELOPMENT PROJECT UNDER CONSIDERATION ALL AS MORE PARTICULARLY DESCRIBED IN ORDINANCE 4765

Recitals:

During the past 9 or so months the City Council has carefully and diligently considered the proposed plan for the Downtown Development Authority (DDA) to amend the Plan of Development (POD or Plan) to include and afford the area known as Las Colonias Park the opportunity to continue to grow and prosper in accordance with the POD as it has been amended; that Plan, which includes the development of business and recreational park amenities has been recommended by the DDA Board, the Grand Junction Planning Commission and the City Council.

In order to confirm the direction of the POD amendment, and to ensure that the public and the City Council has had every opportunity to understand the POD amendment and the general scope of the project under consideration for development, prior to the closing of the financing for the project, the City Council is considering this resolution. If adopted, the resolution will affirm, confirm and ratify the POD amendment and all actions taken in support of and conformance therewith, including but not limited to the direction to the City staff to execute the financing agreements related thereto.

In furtherance of the importance of this matter the consideration of this resolution by the City Council has: a) duly and lawfully noticed its agenda for the December 20, 2017 meeting, which agenda includes this matter; b) by published a notice in the *Grand Junction Daily Sentinel*, a newspaper having general circulation in the City during the week immediately preceding the hearing of this resolution; c) included in that notice the time, date, place and purpose of the hearing; d) generally described the area contemplated for development by the POD amendment and e) outlined the general scope of the development project under consideration, all of which is in addition to the prior hearing by the Planning Commission on September 26, 2017 and the two published notices of action by the City Council (September 22 and October 6, 2017) relating to Ordinance 4765.

The POD for the DDA was originally adopted in 1981 and with an update addresses the recent development opportunities along the Riverfront corridor. The POD identifies public improvements to the Las Colonias area including providing parks and other public improvements such as streetscape improvements and parking, but does not explicitly identify the proposed business-related improvements; the amendment to the POD to include the Las Colonias Business Park provides public facilities and other improvements to public and private property of all kinds which will aid and improve the downtown development area.

In cooperation with the Planning Commission, the City Council and City staff confirm that the DDA POD amendment is consistent with developing long-range plans, specifically for the area(s) identified as the Las Colonias Business and Recreational Park and that the Plan will promote the economic growth of the area(s).

As identified in Section V of the Plan of Development, the purpose of the Plan is to establish a mechanism whereby the Authority and City can implement projects and programs that aid in halting the economic and physical decline of the Plan of Development area and Commercial Renovation Districts, and assist in the revitalization of and reinvestment in the downtown generally. Specifically, the Plan of Development, Section V outlines the following specific objectives:

1. Prevent the decline of property values.
2. Prevent the deterioration of existing structures.
3. Promote the efficient and economical use of costly land.
4. Maintain an intensity of activity at a pedestrian scale.
5. Conserve the historical character of the City of Grand Junction.
6. Promote appropriate development.
7. Maximize the return on public investments made in the downtown over the years.
8. Prevent the social problems associated with declining commercial areas.

Section VII of the Plan of Development identifies public facilities and improvements that can be used to support and encourage private redevelopment activities. This includes a list of 18 projects of varying specificity. The amendment adds the Las Colonias Business and Recreation Park as a project under of the Plan of Development.

The Las Colonias Business and Recreation Park will provide public improvements to the Riverfront Corridor and help spur private investment in the area which aligns with the goals and objectives of the Plan of Development. Improvements will be made to the Las Colonias property located in the City's River District Corridor. Improvements include the development of public park amenities, including lakes and green spaces for public and private use. Additional public improvements include utilities, parking, streets passive and active recreation, and streetscape improvements. These public improvements will be utilized to attract outdoor recreation businesses and manufacturers as well as riverfront retail and restaurants in order to spur development in the currently blighted area.

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

The amendments to the Downtown Development Authority Plan of Development are hereby approved, adopted, confirmed and ratified as generally and specifically provided herein, in the Plan as amended, in Ordinance 4765 and in accordance with this Resolution.

PASSED AND APPROVED this 20th day of December 2017.

Bennett Boeschenstein
President of the Council *pro tem*

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.b.i.

Meeting Date: December 20, 2017

Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a Request to Vacate Alley Right-of-way in Block 84, Original City Plat, also known as the R-5 High School Block

RECOMMENDATION:

Planning Commission recommended approval of the alley vacation request.

EXECUTIVE SUMMARY:

The Applicant, the Grand Junction Downtown Development Authority (DDA), is requesting to vacate a portion of the east-west alley of Block 84, Original City Plat, on the southeast corner of 7th Street and Grand Avenue. The DDA currently owns the entire Block 84 of the Original City Plat known as the R-5 High School Block and is in the process of working with a developer to redevelop this site. The existing historic high school building sits on top of a portion of the platted east-west alley right-of-way. The proposed vacation will vacate an approximately 143.49 feet long by 20 feet wide (2,870 square feet) portion of the right-of-way that currently runs through the middle of the building. The alley rights-of-way on the remainder of the block are not being vacated at this time as it is the desire of the developer to retain them for circulation within the proposed development.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

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 Plat, City of Grand Junction) is in the process of

working with a developer to redevelop the site. Currently, the east-west and north-south alley rights-of-way bisect the block and the westerly end of the east-west alley has been viewed as an encumbrance on the historic high school site and building. Therefore, the DDA requests approval from the City to vacate this portion of the east-west right-of-way in Block 84, Original City Plat (approximately 2,870 square feet or 0.065 acres – see attached vacation exhibit). This portion of the east-west alley right-of-way is not improved and the R-5 High School building was constructed upon it. There are no existing utilities within this segment of the alley.

A Neighborhood Meeting was held on April 13, 2017. Approximately 25 persons were in attendance. Most comments were regarding the proposed development concepts rather than the details of vacating alleyways but there were comments both supporting and against the concepts.

ANALYSIS

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public 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 proposed alley vacation is supported by the following Goals and Policies of the Comprehensive Plan.

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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.

Policy A: The City and County will support the vision and implement the goals and actions of the Downtown Strategic Plan.

The Grand Valley Circulation Plan does not address alley rights-of-way, but none of the adjacent streets will be impacted by the alley vacation.

The vacation of this segment of the alley right-of-way will remove encumbrances from the historic school site, thereby making the property more attractive for redevelopment. This request conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City. Staff therefore finds this request conforms with this

criterion. The Planning Commission concurred with this finding.

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

No parcels will be landlocked as a result of this alley vacation. The Planning Commission concurred with this finding.

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.

No access to any parcel will be restricted as all properties will continue to have access from Grand Avenue, 8th Street and White Avenue. Vacation of this segment of the alley will not change the access or restrict access to any properties, particularly since the alley is not currently developed. Staff has found this request conforms with this criterion. The Planning Commission concurred with this finding.

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).

This request is to vacate a portion of an undeveloped alley right-of-way. As such, it does not currently have any use for purposes of providing for the health, safety and/or welfare of the general public. Vacation of this portion will have no impact on the ability of the Fire Department and/or Police Department to access the property. Therefore, it has been found that there shall be no adverse impacts on the health, safety, and/or welfare of the general community. The quality of public facilities and services provided to any parcel of land will not be reduced as a result of this vacation request; therefore, this request conforms with this criterion. The Planning Commission concurred with this finding.

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.

There are no existing public facilities or services within the segment of alley requested to be vacated. Therefore, staff finds that the provision of adequate public facilities and services will not be inhibited and this request conforms with this criterion. The Planning Commission concurred with this finding.

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

The existing alley has remained undeveloped since the platting of the original town site.

Because there are no current City obligations for maintenance and no current traffic circulation using this alley, staff looks to other public benefits the vacation may provide. The primary benefit to the public is the old high school building will no longer have a public alley running through it. In addition, removing barriers to the future redevelopment of this lot is viewed by staff as a benefit to the public and to the City. The Planning Commission concurred with this finding.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact. Subsequent actions such as further development and related construction may have direct fiscal impact.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4779 - An ordinance vacating right-of-way within Block 84 City of Grand Junction located at 310 North 7th Street on final passage and order final publication in pamphlet form.

Attachments

1. Site Location Map
2. Alley Location Map
3. Photographs of Site
4. Proposed Ordinance

Block 84 (R-5) Alley Vacation Location Map



Alley Segment to be Vacated

143.49 ft

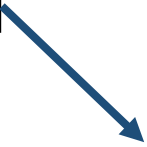


Printed: 11/7/2017

1 inch = 287 feet



Alley Segment to be Vacated





**R-5 High School Site Looking East
Platted Alley to be Vacated is Approximately Under Sidewalk Leading to Building and
Under the Building**



**R-5 High School Site Looking West
Platted Alley to be Vacated is Undeveloped but Building
was Constructed Upon Right-of-Way**

CITY OF GRAND JUNCTION

ORDINANCE NO. _____

AN ORDINANCE VACATING RIGHT-OF-WAY WITHIN BLOCK 84 CITY OF GRAND JUNCTION LOCATED AT 310 NORTH 7th STREET

Recitals:

The DDA currently owns the entire Block 84 known as the R-5 High School Block and is in the process of subdividing the block in order to transfer ownership of the easterly two-thirds of the block to a developer. The DDA will retain the historic high school building but there is a platted right-of-way that runs through the middle of the building. The DDA is requesting vacation of the westerly end of the east-west alley right-of-way in order to clear the encumbrance on the school site.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate certain right-of-way within Block 84 known as the R-5 Block 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 RIGHT-OF-WAY IS HEREBY VACATED:

A Tract of land situate in the SE1/4 of Section 14, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

All of a west to east 20.00-foot-wide alley in Block 84 as shown on Plat of Resurvey of Second Division of City of Grand Junction found at Reception Number 54332 in the Office of the Mesa County Clerk and Recorder, adjoining the east right of way line of North 7th Street and continuing east a distance of 143.49 feet to the terminus.

Said description contains an area of 2,870 Square Feet (0.065 Acres) more or less, as described herein and depicted on Exhibit A attached hereto.

Introduced on first reading this 6th day of December, 2017 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2017 and ordered published in pamphlet form.

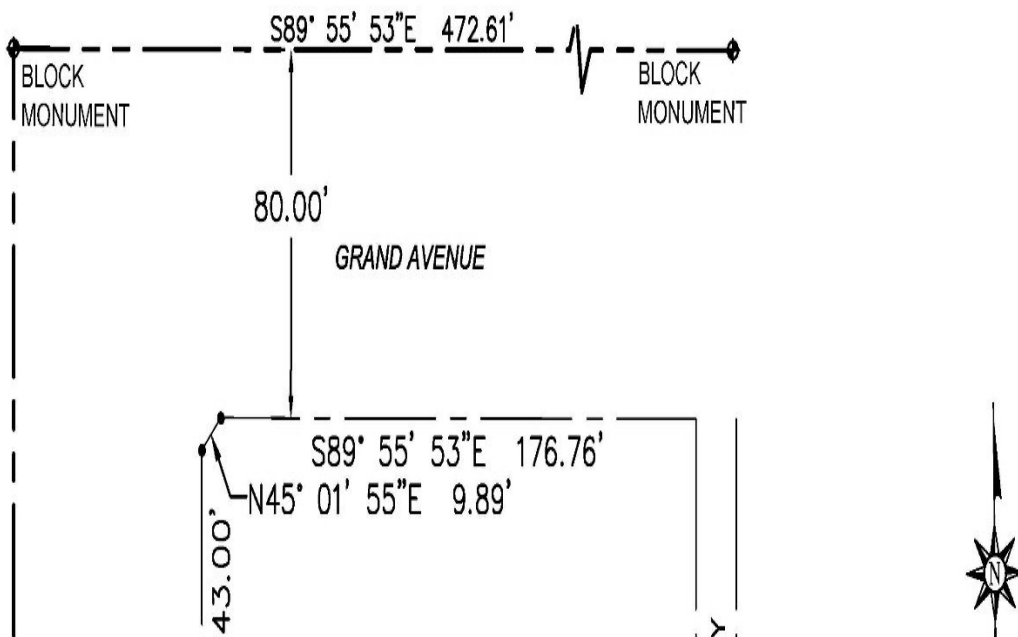
ATTEST:

City Clerk

Mayor

EXHIBIT A

Located within the SE 1/4 of Section 14, Township 1 South, Range 1 West, Ute Meridian,
City of Grand Junction, County of Mesa, State of Colorado



CITY COUNCIL MEETING		Date
CITIZEN PRESENTATION		12-20-17
Citizen's Name	Debra Schmelzer	
Subject	all violence reports M-1 Holds	
Phone Number (optional)		Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!