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**CITY COUNCIL AGENDA
WEDNESDAY, AUGUST 1, 2018
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, Moment of Silence

Proclamations

Proclaiming August 12 - 18, 2018 as National Health Center Week in the City of Grand Junction

Proclaiming August 7, 2018 as National Night Out in the City of Grand Junction

Appointments

Ratify Appointment to the Mesa County Building Code Board of Appeals

To the Downtown Development Authority/Downtown Business Improvement District

Presentations

Recognition of New Neighborhood Association

2017 Auditor's Report - Ty Holman, Haynie & Company

Citizen Comments

Individuals may comment regarding items scheduled on the Consent Agenda and items not specifically scheduled on the agenda. This time may be used to address City Council about items that were discussed at a previous City Council Workshop.

City Manager Report

REVISED

Council Reports**CONSENT AGENDA**

The Consent Agenda includes items that are considered routine and will be approved by a single motion. Items on the Consent Agenda will not be discussed by City Council, unless an item is removed for individual consideration.

1. Approval of Minutes

- a. Minutes of the July 16, 2018 Executive Session
- b. Summary of the July 16, 2018 Workshop
- c. Minutes of the July 18, 2018 Executive Session
- d. Minutes of the July 18, 2018 Regular Meeting

2. Set Public Hearings

All ordinances require two readings. The first reading is the introduction of an ordinance and generally not discussed by City Council. Those are listed in Section 2 of the agenda. The second reading of the ordinance is a Public Hearing where public comment is taken. Those are listed in Section 5 of the agenda.

- a. Legislative
 - i. Introduction of an Ordinance Amending Section 21.04.030(h), 21.10.020, 21.04.010 and 21.06.050 (Title 21 of the Grand Junction Municipal Code) Allowing and Regulating Short Term Rentals and Incorporating Bed and Breakfasts as Short Term Rentals and Set a Public Hearing for August 15, 2018
 - ii. Introduction of an Ordinance Amending Section 24.12.140, 24.12.160, 24.12.170, and 24.12.180 of the Greater Downtown Overlay (Title 24 of the Grand Junction Municipal Code) Regarding Design Guidelines and Standards in the Greater Downtown Transitional and Residential Area and Set a Public Hearing for August 15, 2018

- iii. Introduction of an Ordinance Amending the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Establishing Voting Procedures of the Planning Commission and to Simply, Clarify and Better Organize the Text Describing the Authority of the Zoning and Development Decision-Making Bodies and Set a Public Hearing for August 15, 2018
 - b. Quasi-judicial
 - i. Introduction of an Ordinance Rezoning the River Walk Subdivision from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac), Located at 3125 D Road, and Set a Hearing for August 15, 2018
- 3. Contracts**
- a. Contract for Persigo Wastewater Treatment Plant (WWTP) Diffuser Outfall Improvements Project
- 4. Resolutions**
- a. Resolution Adopting General Fund Minimum Reserve Fund Balance Policy
 - b. A Resolution Rescinding Resolution No. 43-16

REGULAR AGENDA

If any item is removed from the Consent Agenda by City Council, it will be considered here.

- 5. Public Hearings**
- a. Legislative
 - i. An Ordinance Making Supplemental Appropriations for the 2018 Budget of the City of Grand Junction, Colorado
 - b. Quasi-judicial
 - i. An Ordinance Vacating a Walkway Tract Within the Darla Jean Subdivision

- ii. An Ordinance Rezoning the Fossil Trace Holdings, LLC Property from R-R (Residential – Rural) to R-1 (Residential - 1 du/ac), Located at 465 Meadows Way

6. Other Action Items

- a. Consider a Request by Mesa County to Accept the Dedication of 2.61 Acres of Land Adjacent to Both Redlands Parkway and to Property Already Owned by the City of Grand Junction

7. Non-Scheduled Citizens & Visitors

This is the opportunity for individuals to speak to City Council about items on tonight's agenda and time may be used to address City Council about items that were discussed at a previous City Council Workshop.

8. Other Business

9. Adjournment

Grand Junction

State of Colorado

PROCLAMATION

- WHEREAS, for over 50 years, Community Health Centers have provided high-quality, affordable, comprehensive primary and preventive health care in our nation's underserved communities, delivering value to, and having a significant impact on America's health care system; and*
- WHEREAS, MarillacHealth serves as our local Health Center and has provided care in Mesa County for 30 years; and*
- WHEREAS, as the country's largest primary care network, Health Centers are the health care home for 27 million Americans. In 2017, 11,485 patients walked through the doors of MarillacHealth, a 23% increase over 2016; and*
- WHEREAS, Health Centers are a critical element of the health system, serving both rural and urban populations, and often providing the only accessible and dependable source of primary care in their communities; and*
- WHEREAS, every day, Health Centers develop new approaches to integrating a wide range of services beyond primary care, including oral health, vision, behavioral health, and pharmacy services, to meet the needs and challenges of their communities; and*
- WHEREAS, Health Centers are governed by patient-majority boards and are locally owned and operated small businesses that help to power local economies; and*
- WHEREAS: Health Centers reduce overall costs of care by helping manage patients' chronic conditions, which keeps them out of costlier health care settings like hospital emergency rooms; and*
- WHEREAS: National Health Center Week offers the opportunity to recognize America's Health Centers, including MarillacHealth in Mesa County. We celebrate Marillac's 85 staff at our 5 delivery sites, 14 Board Members, numerous partnerships, 11,500 patients and all those responsible for their continued success and growth since they first opened their doors 30 years ago; and*
- WHEREAS: during National Health Center Week, we celebrate the legacy of America's Health Centers, and their vital role in shaping the past, present, and future of America's health care system.*

NOW, THEREFORE, I, Barbara Traylor Smith, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim August 12 – 18, 2018 as

"NATIONAL HEALTH CENTER WEEK"

in the City of Grand Junction and encourage members of our community to celebrate our local Community Health Center, MarillacHealth, and the important role it plays in providing affordable, quality medical, dental, optical and behavioral health care to those who need it in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 1st day of August, 2018.

Mayor



Grand Junction

State of Colorado

PROCLAMATION

WHEREAS, the National Association of Town Watch is sponsoring a unique, nationwide crime, drug and violence prevention program on August 7, 2018 entitled "National Night Out"; and

WHEREAS, the "35th Annual National Night Out" provides a unique opportunity for the City of Grand Junction to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of Grand Junction plays a vital role in assisting the Grand Junction Police Department through joint crime, drug and violence prevention efforts in the City of Grand Junction and is supporting "National Night Out 2018" locally; and

WHEREAS, it is essential that all citizens of the City of Grand Junction be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Grand Junction; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE, I, Barbara Traylor Smith, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the Tuesday, August 7, 2018 as

"NATIONAL NIGHT OUT"

in the City of Grand Junction and call upon all citizens of Grand Junction to join the Grand Junction Police Department, and the National Association of Town Watch in supporting this program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 1st day of August 2018.

Mayor





Grand Junction City Council

Regular Session

Item #

Meeting Date: August 1, 2018
Presented By: Wanda Winkelmann, City Clerk
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

Ratify Appointment to the Mesa County Building Code Board of Appeals

RECOMMENDATION:

Ratify the appointment of the applicant recommended by Mesa County Board of County Commissioners.

EXECUTIVE SUMMARY:

Mesa County Board of County Commissioners recommended the reappointment of Steve Peterson to the Mesa County Building Code Board of Appeals at their meeting on July 16, 2018 for a term of three years ending July 16, 2018.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (ratify/deny) the Mesa County Board of County Commissioners recommended reappointment of Steve Peterson to the Mesa County Building Code Board of Appeals for a three year term ending July 16, 2018.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: August 1, 2018
Presented By: Wanda Winkelmann, City Clerk
Department: City Clerk
Submitted By: Wanda Winkelmann, City Clerk

Information

SUBJECT:

To the Downtown Development Authority/Downtown Business Improvement District

RECOMMENDATION:

Appoint applicants recommended by the Downtown Development Authority/Downtown Business Improvement District Interview Committee.

EXECUTIVE SUMMARY:

There are two vacancies on the Downtown Development Authority/Downtown Business Improvement District.

BACKGROUND OR DETAILED INFORMATION:

N/A

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the Downtown Development Authority/Downtown Business Improvement District Interview Committee's recommendations to the Downtown Development Authority/Downtown Business Improvement District for terms ending June 2022.

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: August 1, 2018
Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin
Department: Community Development
Submitted By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Information

SUBJECT:

Recognition of New Neighborhood Association

RECOMMENDATION:

Present recognition certificate to neighborhood representatives.

EXECUTIVE SUMMARY:

The Wellington Neighborhood has submitted an application for registration as a Neighborhood Association. The application has been reviewed and approved by the Community Development Department Director for the formation of this new association. The City has a long-standing neighborhood program that helps neighborhoods organize for a variety of purposes and form non-binding associations. This Association has stated its purposes are to improve communications among the members and with the City to generate a sense of pride and improve the quality of life in the neighborhood. It has been practice for the City Council to recognize the formation of these neighborhood associations with recognition at a council meeting and a formal certificate.

BACKGROUND OR DETAILED INFORMATION:

There has been recent and renewed interest from residents in various parts of the City to create new neighborhood associations. The interest in forming this association has largely stemmed from on-going development in the area and the desire to improve communications between neighbors and with the City through events and activities.

In order to form a Neighborhood Association, the group first establishes boundaries for

their neighborhood and then is guided to meet with others to discuss formation of the Association. The representative(s) then complete a City Neighborhood Association form that includes information about the number of homes, the purposes for forming the Association, a list of primary contact persons, an estimate of how many homes/properties are in the Association and a map showing the proposed boundaries.

The form is then submitted to the Community Development Department for review and then brought to the City Council for formation and recognition. Staff provides support for neighborhoods at all stages of this formation process which currently includes paying for informational mailings up to \$100.

When identified as a neighborhood association, neighborhood representatives receive direct notification of development within 1,000 feet and are generally formed to promote neighborliness and to address neighborhood issues. In the past, the City has budgeted monies as high as \$100,000 for support of neighborhood associations through a grant process for neighborhood projects and events such as irrigation improvements, block parties, landscaping and signage, improvement of neighborhood open space, and recycle centers.

The new Neighborhood Association is in the vicinity of North 15th Street and Wellington Avenue on the east side of 15th Street. The association formation is currently being organized by several home owners associations and individual property owners in the vicinity of 15th Street and Wellington Avenue. The purposes of the Association are to improve communications amongst the members and with the City, to generate a sense of pride and improve the quality of life in the neighborhood. A map of the boundaries for this new neighborhood is included in the attachments. There are 34 existing registered Neighborhood Associations in the City as listed in the attachments.

FISCAL IMPACT:

The Community Development Department currently offers financial assistance for a one-time mailer for the purpose of distributing information about the potential formation of an association in an amount to \$100 for each proposed neighborhood association. In addition, the City currently offers small grants (up to \$150) to neighborhood associations to cover some of the costs of a neighborhood event such as a block party.

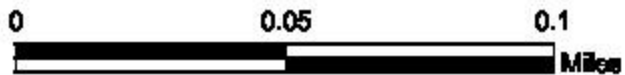
SUGGESTED MOTION:

N/A

Attachments

1. Wellington Neighborhood Map
2. Wellington Neighborhood Recognition
3. Neighborhood Association List

Wellington Neighborhood



Printed: 5/7/2018

1 inch = 188 feet



Recognition of Neighborhood Association
Wellington Neighborhood

Barbara Traylor Smith, Mayor

Greg Caton, City Manager

August 1, 2018

REGISTERED NEIGHBORHOOD ASSOCIATIONS

APPLE BLOSSOM HEIGHTS

BLUFFS WEST

CANYON VISTA

CHIPETA WEST

COLONY PARK HOA, INC

DAWN

DIAMOND RIDGE

DURANGO ACRES

EL POSO

EMERSON PARK

FOUR PINES

GRAND MANOR MUTUAL HOUSING

GRAND VIEW

GRAND VISTA

HAWTHORNE PARK

INDEPENDENCE RANCH

LA ROCHE CONDOMINIUMS / RIDGES

LINCOLN PARK

LINDEN APARTMENTS

NIAGARA VILLAGE

PARADISE VALLEY PARK LLC

PATTERSON GARDENS THA

PHOENIX APARTMENTS

RIVERSIDE NEIGHBORHOOD

SKYLER

SPRING VALLEY

THE FALLS

THE VILLAS AT COUNTRY CLUB

TIFFANY APARTMENTS

TRAILS WEST VILLAGE

VALLEY MEADOWS NORTH

WASHINGTON PARK

WESTWOOD RANCH

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

July 16, 2018

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, July 16, 2018 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Rick Taggart, Duke Wortmann, and Mayor Barbara Traylor Smith.

Also present were City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Parks and Recreation Director Rob Schoeber, and Assistant to the City Manager Greg LeBlanc.

Councilmember Norris moved to go into Executive Session to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to section 24-6-402(4)(e) of Colorado's Open Meetings Law relative to a possible transfer or sale of real property located at or near 2844-2856 Patterson Road and 2980-2982 Patterson Road and pursuant to section 24-6-402(4)(a) of Colorado's Open Meetings Law, and we will not be returning to open session. Councilmember Wortmann seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 4:58 p.m.

Councilmember Wortmann moved to adjourn. Councilmember Taggart seconded. Motion carried unanimously.

The meeting adjourned at 5:28 p.m.

Wanda Winkelmann
City Clerk

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
July 16, 2018 – Noticed Agenda Attached

Meeting Convened: 5:40 p.m. in the City Hall Auditorium

Meeting Adjourned: 7:50 p.m.

City Councilmembers present: Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Rick Taggart, Duke Wortmann, and Mayor Barbara Traylor Smith.

Staff present: City Manager Greg Caton, City Attorney John Shaver, Assistant to the City Manager Greg LeBlanc, Parks and Recreation Director Rob Schoeber, Recreation Superintendent Traci Wieland, Finance Director Jodi Romero, Deputy Finance Director Jay Valentine, and City Clerk Wanda Winkelmann.

Mayor Traylor Smith called the meeting to order.

Agenda Topic 1. Discussion Topics

a. Community Center Feasibility Study Final Update

Mr. Schoeber introduced the topic and reviewed the funding sources for the feasibility study.

Consultant Andy Barnard with architects Perkins + Will reviewed the results of the statistically valid survey, including the targeted questions asked, program requests, site preferences, and support for building a community center in the City of Grand Junction. Mr. Barnard stated that 88% of respondents support a center and 85% of registered voters support a sales tax increase to fund the community center.

Mr. Schoeber reviewed the economic impact of building a community center. For example, a \$40 million construction cost yields a \$61 million benefit to the community. Construction estimates for the base facility are \$38.6 million.

Mr. Barnard outlined desired programs in a community center: fitness, aquatics, community space, support space (locker rooms, storage, etc.), bouldering wall, child watch. He also reviewed the revenue and expense potential and a projected 76% cost recovery.

Perkins + Will analyzed the potential sites, to include proximity to residential areas, adequacy of site size, parking, and property ownership. Sites tested include property at 24 and G Road, Downtown Grand Junction, Lincoln Park, and Matchett Park. Matchett Park scored the highest.

Kimberly Langston with PLACE (People for Local Activities & Community Enrichment) thanked

everyone for their support. PLACE volunteer Andrey Krieves reviewed PLACE's recommendation for enhanced aquatics, moderate fitness, intentional community spaces, courts/gymnasium space, and Orchard Mesa renovation. The second level amenity priorities include: collaborative funding, City budget, and accessibility. PLACE is requesting that City Council refer the community center for a vote in April 2019 to increase taxes by 1/3 cent to raise \$50 million (\$40 household/year).

Discussion ensued about constructing the park in its entirety, possible funding partnership with Mesa County, partnering with the library district (similar to Fruita's model), impacts on private recreation/private fitness centers, high number of audience attendance (150+ attendees), private recreation centers in Montrose, Montrose recreation center revenues, infrastructure needs in Grand Junction and the area, possible location of recreation center, and operational costs.

City Manager Caton reviewed the debt financing scenarios for 20-year and 30-year terms.

Ms. Langston noted PLACE is requesting a formal commitment by City Council via an adopted resolution at the August 15 meeting, outlining its intent to defer a question for the April 2019 election. Absent a commitment, PLACE will begin an initiative effort. Support was expressed by City Council to place this item on the April ballot.

Staff was given direction to compile a report listing all the infrastructure needs and possible tax questions that may be coming in the next year or two. The report should include the costs to citizens per year.

Agenda Topic 2. Next Workshop Topics

This item was not discussed.

3. Other Business

This item was not discussed.

Adjournment

The Workshop adjourned at 7:50 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

July 18, 2018

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, July 18, 2018 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Chris Kennedy, Phyllis Norris, Rick Taggart, Duke Wortmann, and Mayor Barbara Traylor Smith.

Also present were City Manager Greg Caton, City Attorney John Shaver, Community Development Director Tamra Allen, Parks and Recreation Director Rob Schoeber, and Assistant to the City Manager Greg LeBlanc.

Councilmember Wortmann moved to go into Executive Session to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Sections 24-6-402 (4)(e) and 24-6-402 (4)(a) of Colorado's Open Meetings Law relative to a possible purchase of real property, the location of which will remain confidential as disclosure would compromise the purpose for which the Executive Session is authorized as allowed by and pursuant to Section 24-6-402(4) of Colorado's Open Meetings Law, and not return to open session. Councilmember Kennedy seconded the motion. Motion carried unanimously.

The City Council convened into Executive Session at 5:08 p.m.

Councilmember Kennedy moved to adjourn. Councilmember Norris seconded. Motion carried unanimously.

The meeting adjourned at 5:31 p.m.

Wanda Winkelmann
City Clerk

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
JULY 18, 2018**

The City Council of the City of Grand Junction convened into regular session on the 18th day of July 2018 at 6:08 p.m. Those present were Councilmembers Phyllis Norris, Duke Wortmann, Chris Kennedy, Rick Taggart, and Council President Barbara Traylor Smith. Councilmember Bennett Boeschstein arrived at 6:55 p.m. Councilmember McArthur was absent. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

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

Presentations - June Yard of the Month Winner

Shirley Nilsen presented the June **Yard of the Month** winner Bill Reed, who's property address is 1115 Grand Avenue.

Citizens Comments

Bruce Lohmiller spoke about the Veterans Art Center and copayments for those in financial need who use Mind Springs.

C.K. Howard, Andrea Christensen, and Richard Curfman spoke against the Darla Jean walkway vacation.

Sarah Shrader, Abby Birk, Liliana Flanigan, Bruce Gregg, Scott McBrayer, and Dennis Simpson spoke in support of the Community Center.

Council Reports

Councilmember Wortmann attended the Department of Local Affairs (DOLA) presentation in Cortez.

Councilmember Taggart, in the interest of time, made no comments.

Councilmember Kennedy attended the Club 20 summer meetings in Lake City, submitted the Grand Junction Economic Partnership's Executive Director's update for the record, and will be attending the Outdoor Recreation Show.

Councilmember Norris attended several meetings and highlighted Visit Grand Junction and the Downtown Development Authority meetings.

Council President Traylor Smith attended a Colorado Mesa University Tennis Center event for the Parks Improvement Advisory Board and the Tiara Rado Open House.

Consent Agenda

1. Approval of Minutes

- a. Minutes of the June 18, 2018 Executive Session
- b. Minutes of the June 18, 2018 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Making Supplemental Appropriations for 2018 and Set Public Hearing for August 1, 2018
- b. Quasi-judicial
 - i. Introduction of an Ordinance Vacating a Walkway Tract Within the Darla Jean Subdivision and Set a Hearing for August 1, 2018
 - ii. Introduction of an Ordinance Rezoning the Fossil Trace Holdings, LLC Property from RR (Residential - Rural) to R1 (Residential 1 du/ac), located at 465 Meadows Way, and Set a Hearing for August 1, 2018

3. Resolutions

- a. A Resolution Adopting Procedures Governing the Conduct of City Council Meetings and Work Sessions
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to Colorado Parks and Wildlife for the Colorado the Beautiful Grant Program for the Lunch Loop Trail Project
- c. A Resolution Supporting the Grant Application for a United States Bureau of Reclamation Grant for Water Marketing, Development and Utilization Studies
- d. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the Comprehensive Plan Update

e. A Resolution Authorizing the City to Execute a Grant Agreement with the Grand Junction Regional Airport Authority for the Construction of a New Runway

Councilmember Kennedy moved to adopt items #1 - #3 of the Consent Agenda. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

Items Relating to the November 2018 Coordinated Election - Lodging Tax Resolution and Ballot Question

City Manager Greg Caton said the purpose of the proposed resolution is to authorize the submission of a ballot question to enact, levy, and impose an increase in the Lodgers Tax at a rate of 3% on the price paid for the leasing or rental of any occupied hotel room, motel room, lodging house, bed and breakfast, and other accommodations.

The current lodging tax rate of 3% was set nearly 30 years ago; at the City Council workshop on April 30, City Council provided direction for a resolution to increase the lodging tax by 3%, for a total of 6%. It is proposed that the increase would be distributed as follows:

- 1.0% to Grand Junction Regional Air Service Alliance
- 0.75% to Greater Grand Junction Sports Commission
- 1.25% to Visit Grand Junction

Dianne Schwenke, Grand Junction Regional Air Service Alliance, spoke in support of the resolution and explained how expanding direct flight availability would benefit the community.

Julie Schafer, Board Chair of Visit Grand Junction, spoke in favor of the proposed lodging tax and outlined the benefits to Grand Junction through increased tourism driven by name branded marketing.

Jamie Lummis, Chair of the Greater Grand Junction Sports Commission, spoke in support of the resolution and told of the part they play in bringing tourism to the Valley.

Conversation ensued about the potential requirement of a budget from the three benefiting organizations, upfront revenue needs (liquidity) and how the City will handle those situations, lodging capacity in the City, long term vs. short term stays, gauged interest in airlines coming and offering direct flights (minimum revenue guarantees), and bottom line dollar comparisons that tourists would pay when compared to higher average nightly rates in other cities.

Councilmember Wortmann moved to adopt Resolution No. 45-18, a Resolution setting a title and submitting to the electorate on November 6, 2018 a measure to increase and retain and spend all lodging tax revenues as defined by Article X, Section 20 of the Colorado Constitution. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Items Relating to the November 2018 Coordinated Election - a Resolution Calling a Special Election for November 6, 2018

The purpose of this item is to call a Special Municipal Election to be held in conjunction with the November 6, 2018 Mesa County Coordinated Election. City Manager Caton outlined the process and costs of the election.

Conversation ensued about cost per ballot issue.

Councilmember Kennedy moved to adopt Resolution No. 46-18, a Resolution calling a special election in the City of Grand Junction, Colorado concerning the possible increase in the lodger's tax and providing other details relating thereto. Councilmember Taggart seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Amending the Comprehensive Plan by Adopting the Grand Junction Circulation Plan, Including the Network Map, Street Plan Functional Classification Map, and Active Transportation Corridor Map and Repealing and Replacing the Grand Valley Circulation Plan and Urban Trails Plan and a Resolution Adopting a Complete Streets Policy for the City of Grand Junction

Dave Thornton, Principal Planner, outlined that the proposed Grand Junction Circulation Plan (Circulation Plan) establishes a comprehensive approach to transportation planning within the Urban Development Boundary and supports and builds on the transportation principles and goals of the Grand Valley 2040 Regional Transportation Plan as well as the City's adopted Comprehensive Plan. In general, the Plan supports a balanced, multimodal approach to transportation planning, accommodating the safe and efficient movement of people and goods and providing transportation options for all users. It proposes using canals and drainages for approximately 40 miles of trail connections, where it is a better and safer alternative for non-motorized transportation using the transportation network. It reduces the number of miles of canal trails from the 2001 Urban Trails Master Plan by approximately 20 miles to 24 miles total. The Plan document includes a Network Map, the Street Functional Classification Map, the Active Transportation Corridor Map, and Strategies and Policies.

A Complete Streets Policy, as an implementation element of the Circulation Plan, is also

proposed for adoption. The overall vision of the Policy is to develop a safe, efficient, and reliable travel network of streets, sidewalks, and trails throughout the City to equitably serve all users and all modes of transportation. The proposed Policy includes seven principles and design standards to ensure that streets are designed and maintained to be safe, attractive, accessible, convenient and comfortable for users of all ages and abilities, and all transportation modes. The Policy would be applicable to all development and redevelopment and outlines an exception process to be used in cases where strict adherence to the Policy is impractical or unnecessary.

Conversation ensued about the overall circulation plan in regard to the County, standards for trail design and construction, reduction of the channel trails, the immense work that different organizations have put into this project, the importance of implementing such a plan, and a court decision impacting this use.

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

Kirsten Kurath, Attorney, representing the Grand Valley Water Users Association and Orchard Mesa Irrigation District, spoke in opposition of the Circulation Plan. Quentin Sheer, C.J. Ryan, Gene Greer, Kevin Conrad, and Thad Hutchins also spoke in opposition of the Circulation Plan.

Vara Kusal, representative of the Horizon Drive Association Business Improvement District, David Aimen, Gary Steubler, and Kristen Heumann spoke in support of the Circulation Plan.

The public hearing was closed at 8:25 p.m.

Conversation ensued about the growing population and increased transportation needs, irrigation companies' concerns, existing trails vs. trails in the Circulation Plan, impacts on private property owners, commuter safety, development costs, and indemnification ramifications.

Councilmember Boeschstein moved to adopt Ordinance No. 4808, an Ordinance amending the Comprehensive Plan by adopting the Grand Junction Circulation Plan, including the Network Map, Street Plan Functional Classification Map, and Active Transportation Corridor Map and repealing and replacing the Grand Valley Circulation Plan and Urban Trails Plan on final passage and ordered final publication in pamphlet form, and to adopt Resolution 48-18, a Resolution adopting a Complete Streets Policy for the City of Grand Junction. Councilmember Wortmann seconded the motion. Motion carried by unanimous roll call vote.

A break was called for at 8:42 p.m. The meeting resumed at 8:53 p.m.

Public Hearing - Public Hearing to Consider a Request by Club Deal 113/114 Park Plaza and Grand Junction Limited Partnership, a Delaware Limited Partnership for Approval of a Service Plan for the Proposed Mosaic Metropolitan Districts Nos 1-6

The Applicant, Club Deal 113/114 Park Plaza and Grand Junction Limited Partnership, a Delaware limited partnership, ("Applicant") is planning for the proposed Mosaic Planned Development project to be constructed on 68.2 acres of land with a boundary of 23 Road to the East, 22 ¾ Road to the West, H Road to the North and I-70 to the South ("Service Plan Boundaries"). The total combined area within the Consolidated Service Plan Boundaries is expected to be developed in eight (8) phases, with six (6) proposed Title 32 Metropolitan Districts overlaying the eight phases. The proposed development is planned to consist of 580 residential dwelling units, commercial development, parks, open spaces, clubhouse, and amenities.

The actual composition and distribution of future development shall be reflected in site development approvals to be issued by the City and nothing in the proposed Metro District Service Plan shall be construed as the City granting prior approval for any site development. The primary purpose of forming the Metropolitan Districts is to finance construction of public improvements within the Mosaic Planned Development. Per Title 32 of the Colorado Revised Statutes (C.R.S.), the first step is to develop a Service Plan for the District, which is to be considered and, if found acceptable, approved by the City.

John Justice, Attorney with Hoskin, Farina, and Kampf, presented on the requirements of the Service Plan and Metropolitan Districts, and Steven Sauls, Financial Planner, presented the financial aspect of the Service Plan.

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

Steve Grant, President of the Title 32 District (Grand Junction Rural Fire Protection District), spoke in opposition of the Service Plan.

The public hearing was closed at 9:28 p.m.

Conversation ensued about the debt issuance and the ability to fund the district, impact on property owners, and the responsibility of the Council in regard to the resolution being presented.

Councilmember Kennedy moved to adopt Resolution 49-18, a Resolution approving the Service Plan for the Mosaic Metropolitan Districts No. 1-6, metropolitan districts

intended to serve the proposed Mosaic development, with the following condition of approval: 1. Prior to the Consolidated Service Plan for Mosaic Metropolitan Districts No. 1-6 becoming effective, a Development Plan will be reviewed and approved by the City. The Development Plan shall constitute approved zoning to Planned Development (PD) with an approved Outline Development Plan consistent with the Grand Junction Municipal Code. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Resolution - A Resolution Rescinding Resolution No. 13-16 Appointment of the Municipal Court Judge

On April 20, 2016 the City Council adopted Resolution No. 13-16 appointing Care' McInnis as Municipal Court Judge in and for the Grand Junction Municipal Court for a term of four years. The City of Grand Junction and Municipal Court Judge McInnis have jointly agreed to part ways and pursuant to Resolution No. 13-16, her appointment will end on August 15, 2018.

Councilmember Norris moved to adopt Resolution No. 47-18, a Resolution rescinding Resolution No. 13-16 regarding the appointment of Care' McInnis as Municipal Court Judge and authorizing the Mayor to sign a release agreement. Councilmember Boeschstein seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 9:48 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: August 1, 2018

Presented By: Tamra Allen, Community Development Director

Department: Community Development

Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

Introduction of an Ordinance Amending Section 21.04.030(h), 21.10.020, 21.04.010 and 21.06.050 (Title 21 of the Grand Junction Municipal Code) Allowing and Regulating Short Term Rentals and Incorporating Bed and Breakfasts as Short Term Rentals and Set a Public Hearing for August 15, 2018

RECOMMENDATION:

The Planning Commission reviewed this request at their July 24, 2018 meeting and recommended approval (7-0).

EXECUTIVE SUMMARY:

Initiated by the Community Development Director, this request is to amend sections of the of the Zoning and Development Code allowing and regulating Short Term Rentals and incorporating Bed and Breakfast as a Short Term Rental.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Despite the presence and growing supply of short-term rentals, the Grand Junction Municipal Code (GJMC) only allows these uses in commercially zoned areas and it does not allow for these uses in residentially zoned areas. Most short-term rentals are currently operating in zone districts that do not allow this use, however, the City has not actively pursued enforcement of code violations of these units. Because of the uniqueness of this use, most communities have found short-term rentals fall outside of the traditional definitions of Lodging and thus warrant their own unique definition and in many cases their own standards.

The City Council and Planning Commission met in a March 8, 2018 workshop to discuss Short Term Rentals, revenue collection and potential regulations. Direction received therein was to convene a group of stakeholders that could discuss and make recommendations to the Planning Commission and Council regarding potential regulations.

Staff convened a Short Term Rental Working Group (Working Group) comprised of 14 diverse individuals representing current short term rental property owners/managers, traditional lodging facilities, real estate professionals, and neighborhood associations as well as City staff from legal, planning, and Visit Grand Junction and the contract Building Official from Mesa County. The Working Group met on April 13, 2018 and May 14, 2018 to discuss short term rentals in the City of Grand Junction. The group was asked to provide recommendations regarding the use and any regulations the City should consider adopting.

The group considered and discussed five major regulatory areas relating to potential impacts of short term rentals in a community:

1. Protection of Neighborhood Environment. Noise, late night parties, trespassing, increased traffic, and visitors generally not being neighborly.
2. Protection of Physical Characteristics. Absentee property owners can be less attentive to routine maintenance such as painting, lawn maintenance, tree and shrub pruning and trash removal.
3. Revenue. If the property owner does not obtain a State sales tax license, this can mean loss of both sales tax and lodging tax revenue for the City.
4. Fairer Competition with Licensed Lodging. Lack of regulation for short-term rentals may result in unfair competition for hotels, motels and bed and breakfasts that must pay higher taxes and abide by more stringent site development and building codes.
5. Protection of Renter Safety. Health and safety concerns may be present in residential units which are rented like a commercial establishment but are not required to meet commercial building codes.

Drawing from regulations established by other communities and from their respective areas of expertise, the members of the Working Group recommended that the City focus on three areas of regulation, in order of importance: 1) Guest Safety, 2) Revenue Collection, and 3) Protection of Neighborhoods.

Guest Safety. The safety of the public and the guests using the short term rental

facilities was of paramount concern to the Working Group. The group recommended that there be mandatory life safety requirements for short term rental properties to protect the life, health and welfare of guests, including:

- Installation of preventative equipment, including smoke detectors, fire extinguishers, and carbon monoxide monitors;

- Required posting within the unit of emergency information including building exits, emergency contact information, and local property manager/representative contact;

- Maximum occupancy limit for each unit based on two people per bedroom, plus two additional people unless otherwise approved by the Director;

- Allowing only rooms with adequate egress to be rented as sleeping space.

To ensure basic life safety equipment is installed and appropriate information made available to guests, the Working Group recommended each property be required to complete a one-time initial inspection by the Mesa County Building Department for these life safety issues. The Mesa County Building Official was involved in this discussion and noted that this is something his staff could manage and that the Mesa County Building Department currently charges \$35 for this type of inspection. The Building Official would also report back to the City and rental unit operator what the maximum occupancy would be based on bedroom count, egress and additional safe sleeping space.

Revenue Collection. The Working Group's second concern was that short term rental facilities were seen as legitimate businesses and as such they needed to pay the required sales and lodging tax. To help ensure they collect and remit taxes, the group recommended that owners of short term rentals be required to demonstrate they had obtained a sales tax license from the City.

Protection of Neighborhood. Protection of the neighborhood environment was the third area of impact the Working Group considered important. The focus from the Working Group in this area was to not create any new or specialized restriction, but to ensure that the property owner/manager and renters are made aware of the City's regulations regarding excessive noise, parking, and trash removal, and that posting on the property included such information.

Noise. Currently noise is regulated by Sections 8.16.010 and 9.04.030 of the Grand Junction Municipal Code. Section 8.16.010 declares it unlawful to make, continue or cause any unusually loud noise between the hours of 8 p.m. and 6 a.m., and Section 9.04.030 prohibits unreasonably loud or unusual noises which seriously inconvenience other persons in the area. The Group recommended that each permit issued provide

this information to the owner/operator of the rental unit and that posting of the unit include information about the noise ordinances.

Parking. The City's Zoning and Development Code prescribes that each new single family home have two parking spaces per unit while each multi-family home is required to have 1.25 parking spaces per unit for one bedroom units, 1.5 parking spaces per unit per two bedroom units and 2 parking spaces per unit for 3+ bedroom units. However, many homes in existing historic areas may not meet these requirements due to existing site conditions. The Working Group did not want to impose any additional requirements on short term rentals that operate within single-family and multi-family home units, but wanted to ensure that guests of units were made aware of appropriate places to park versus areas that may be a nuisance to surrounding residential homes.

Required Posting. The Working Group recognized that not all information that is delivered to the operator is conveyed to the guests. Though most online rental platforms have a "house rules" agreement that guests are required to sign, few likely read them. To address this, the Working Group recommended there be a required posting (internal to the property) that indicates the following information:

- o City Permit Number
- o Maximum Occupancy
- o Emergency Contact Information
- o Local Representative's 24-hour Contact Information
- o City "Quiet Hours" 8 p.m. to 6 a.m.
- o Trash pickup and trash instructions

To implement these regulations, the Working Group recommended the following:

Permitting. The Working Group recommended creating a mandatory permitting requirement, with the primary purpose of ensuring these regulations were followed and to ensure the collection of sales and lodging tax. The Working Group recommended that all owners of short term rentals, new and existing, be required to submit an application and site plan sketch for review, provide its tax license, completion of an on-site inspection for life safety issues, and obtain a permit. The permit would run with the land, but would require a no-cost annual update affirming that the property continues to be used for the short term rental purpose, that the permit requirements are still being met, and updating contact information that may have changed since the prior registration. The annual update would likely be distributed by a brief survey form online or by mail.

Being Neighborly. Of utmost importance to the Working Group was the community's expectation and culture regarding the operations and maintenance of short term rental

properties. The Working Group wanted to help promote and encourage each unit operator to be neighborly and attentive to potential issues and complaints that might occur. To help deliver this information to current and future operators, the Working Group recommended that an informational brochure be created and distributed during the permitting process that provides “best practices” and community expectations for those operating the rental units that would serve to foster a culture of respect and neighborliness between those operating rental units and the surrounding neighborhood. This brochure would include information about contacting adjacent property owners, managing trash, yard maintenance, licensing and permitting requirements, and other pertinent information.

Parity for other Lodging Facilities. During the discussion regarding short term rental facilities, it was noted that the City should consider equitable regulations for other types of lodging facilities, specifically Bed and Breakfasts. For example, Bed and Breakfast facilities with 4 to 5 rooms are required to seek a Conditional Use Permit requiring a Planning Commission hearing if they are located within a residential zone district ranging from R□R to R□8. Other standards (regardless of the number or rooms) require Bed and Breakfast facilities to limit length of stay to 30 days, require guestrooms to be located only within a principle structure (not an Accessory dwelling unit), and approval by the building department based on building code prior to permitting. The Working Group recommended the City review the standards for Bed and Breakfasts along with other lodging facilities to ensure that there was parity, as appropriate between the different uses and their required standards.

Based on this direction, Staff reviewed the definition, standards and other regulations pertaining to Bed and Breakfast uses. It was found this use is substantially similar to short term rentals and as such, staff recommends including bed and breakfasts within the definition of short term rentals, thereby subjecting them to the same set of standards, permitting and regulations as required for short term rentals.

Zoning and Development Code Revisions. Four sections of the Zoning and Development Code need to be modified to implement the Group’s recommendations: (1) inclusion of use-specific standards for short term rental use, (2) modification of the Use Table allowing Short Term Rentals in all zone districts allowing residential uses, (3) deletion of special requirements for bed and breakfasts, and (4) including a definition of short term rental and modifying the definition of bed and breakfast in the Definitions section (21.10) of the Code.

The City Council and Planning Commission met in a workshop held on June 14, 2018 to review the working group’s recommendations. The direction from that workshop was to move forward with the proposed modifications to the Zoning and Development Code reflecting the Working Group’s recommendations. Proposed revisions are attached for review.

ANALYSIS

In accordance with Section 21.02.140(c), an Application for a text amendment must address in writing the reasons for the proposed amendment. No further criteria for review are provided. Reasons for the proposed amendments are given in Section III. Background of this staff report.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendments to Sections 21.04.030(h), 21.10.020, 21.04.010, and 21.06.050 allowing and regulating Short Term Rentals and incorporating Bed and Breakfast as a Short Term Rental, ZCA-2018-335, the following findings of fact have been made:

1. The amendments adequately define short term rentals and provide appropriate standards, regulation and administration processes governing that land use within the City.

Therefore, the Planning Commission recommended approval of the request to amend the Zoning and Development Code.

FISCAL IMPACT:

The proposed fee for the permitting of a short term rental within the City is \$150, of which approximately \$35 will be paid to Mesa County for the required inspection of the rental unit. Indirect fiscal impact may come as the result of better tracking and enforcement regarding the collection and remittance of sales and lodging tax for short term rentals.

SUGGESTED MOTION:

I move to introduce a proposed ordinance amending Section 21.04.030(h), 21.10.020, 21.04.010 and 21.06.050 allowing and regulating Short Term Rentals and incorporating Bed and Breakfast as a Short Term Rental and set a public hearing for August 15, 2018.

Attachments

1. Short Term Rentals Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 21.04.030(H), 21.10.020, 21.04.010, AND 21.06.050 OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) ALLOWING AND REGULATING SHORT TERM RENTALS AND INCORPORATING BED AND BREAKFAST AS A SHORT TERM RENTALS.

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)

21.04.030 (h) ~~Bed and Breakfast.~~ All bed and breakfast uses shall be subject to the following standards:

- (1) ~~Structures shall not be altered in a way that changes the general residential appearance;~~
- (2) ~~A minimum of one parking space shall be provided for each guest bedroom and two spaces for the owner. Additional parking shall be required if reception or party space is available. If four or more uncovered off-street parking spaces are provided, visual screening from adjacent residential uses shall be required;~~
- (3) ~~One sign shall be allowed, with a size limit of two square feet on roads with a speed limit of 30 miles per hour or less and six square feet on roads with a speed limit greater than 30 miles per hour. Internally illuminated signs are not allowed. Externally illuminated signs must meet the standards of GJMC 21.06.070;~~

- ~~(4) No receptions, private parties or similar activities for which the owner receives a fee shall be permitted unless expressly approved through the review and approval of a conditional use permit;~~
- ~~(5) The maximum length of stay shall be 30 days;~~
- ~~(6) All guestrooms shall be located within the principal structure;~~
- ~~(7) Other than registered guests, no meals shall be served to the general public unless expressly approved. No cooking facilities shall be allowed in the guest rooms;~~
- ~~(8) All bed and breakfast establishments must comply with Mesa County Health Department regulations. Written approval by the Mesa County Health Department is required prior to approval by the City; and~~
- ~~(9) All bed and breakfast establishments shall comply with fire code and building code requirements. Written approval by the governing fire district and building department is required prior to approval by the City.~~

Short-Term Rentals

(1) Purpose

The purpose of this regulation is to allow short-term rentals in certain zone districts in the City with a permit and with regulation to assist in protecting the health, safety, and welfare of property owners, neighbors, and occupants.

(2) Applicability

These regulations apply to all uses meeting the definition of short-term rental. Private covenants running with land may restrict or prohibit short-term rentals; it is the responsibility of the property owner, not the City or any employee or agent thereof, to ensure compliance with restrictive covenants.

(3) Definitions

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than thirty (30) consecutive days. A bed and breakfast is, for purposes of this Title 21, a type of *short-term rental*. Likewise, a home used similar to a Rooming/Boarding House but where stays are fewer than 30 consecutive days is also a *short-term rental*. *Short-term rental* does not include shelters or other transient lodging as defined as a Community Service use.

(4) Permit Required.

No person or entity shall sell lodging to a temporary occupant(s) a dwelling unit for fewer than 30 consecutive days without first having obtained a short-term rental permit issued by the City and complying with any conditions or restrictions thereof. A short-term rental permit is valid for the life of the short-term rental use, subject to annual re-registration in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit. A short-term rental permit may be issued only to the owner of the property used for short-term rental. A short-term rental permit may be issued by the Director upon finding that the requirements of this section 21.04.030.h. are met. A permit may contain conditions and restrictions.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two (2) persons per bedroom plus two (2) additional renters, including the operator, except where the Director determines that the size, configuration and/or structural features of the unit allow greater or lesser occupancy.

(ii) The permit shall specify the maximum occupancy of the unit.

(6) Designated local responsible party.

(i) The property owner shall designate one or more local person(s) who will be permanently available and responsible for immediately responding to complaints about or violations of law or of permit terms. "Local" as used herein means having a permanent address within a twenty (20) mile radius from the short-term rental property and a 24-hour contact phone number.

(ii) The designated local responsible party may be the owner of the property if he or she meets the "local" criteria.

(iii) The designated local responsible party must be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to ensure compliance with applicable fire and building codes and with the requirements for and/or of the short-term rental permit.

(7) General Requirements. The owner of a dwelling used or to be used as a short-term rental shall:

(i) obtain a tax license from the City of Grand Junction and collect and remit all applicable local, state, and federal taxes;

(ii) demonstrate and certify that the unit contains the following on the premises at all times:

(A) a smoke detector in good working order;

- (B) a carbon monoxide detector in good working order;
- (C) a fire extinguisher in good working order;
- (D) adequate and functional building egress from each sleeping room in the unit;
- (E) posted notice providing in detail the following information in a highly visible location and readily accessible form:
 - a. location of building exits and fire extinguishers
 - b. 24-hour emergency contact information
 - c. parking areas and parking restrictions, including a notice that parking on lawns is not allowed
 - d. noise restrictions and quiet hours
 - e. trash disposal instructions including trash pickup location and schedule
 - f. maximum occupancy restrictions
 - g. City permit number

(iii) permit inspection of the premises by the City or its agent or employee during the pendency of the permit application, and thereafter upon reasonable notice;

(iv) provide with its application a sketch or drawing of the unit that depicts all rooms, doors and windows, including dimensions, and shows on-site areas available for guest parking;

(v) if the short-term rental unit is accessed by a shared driveway, provide the City with a copy of a written instrument authorizing use of the driveway for short-term rental purposes;

(vi) provide the name, address and phone number of the designated local responsible party to the City, and update such information with the City whenever it changes;

(vii) register annually with the City, certifying that the permit terms and requirements are still being met and updating any material changes to the unit or property;

(viii) where food is prepared and served to guests/lodgers on the premises, demonstrate compliance with Mesa County Health Department regulations.

(8) Revocation, suspension, and appeal.

(i) A short-term rental permit may be suspended or revoked for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this Section 21.04.030(v).

(B) The owner or designated responsible party has failed to comply with a condition of or restriction set forth in the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes as required by this Code.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) The City has received excessive and substantial complaints by neighbors or affected persons that were not adequately and timely addressed by the owner or designated responsible party.

(ii) Notice of revocation shall be provided to the owner, who shall then be given an opportunity to respond within 10 days. The Director will issue any decision to revoke or suspend a permit within 10 days of the response date.

(iii) Any aggrieved person may appeal the issuance, denial, suspension, or revocation of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

The definition of *bed and breakfast* in Section 21.10.020 is amended as follows (additions underlined; deletions struck through):

Bed and breakfast means a house, or portion thereof, where short-term lodging rooms and meals are provided and where the.~~The operator of the house inn shall live~~ lives on the premises or in adjacent premises. A bed and breakfast is a type of short-term rental.

A definition of *short-term rental* is added to Section 21.10.020 as follows (additions underlined; deletions struck through):

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than thirty (30) consecutive days.

All other definitions in Section 21.10.020 shall remain unchanged and in full force and effect.

The table in Section 21.04.010 (Use Table) is amended to add a row for the principle use of “Short-Term Rentals” allowed in all zone districts where residential uses are allowed, and referencing the use-specific standards of Section 21.04.030(v), and deleting the principal use of “Bed and Breakfast,” which shall be a use type that is included in the principal use “Short-Term Rentals,” all

as shown in the table excerpt below (additions underlined, deletions struck through):

| Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------------------------|-----|-----|-----|-----|-----|-----|-----|------|------|------|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|-----|-----|------|--|------------------------------------|
| USE CATEGORY | PRINCIPAL USE | R-R | R-E | R-1 | R-2 | R-4 | R-5 | R-8 | R-12 | R-16 | R-24 | R-O | B-1 | B-2 | C-1 | C-2 | CSR | M-U | BP | I-O | I-1 | I-2 | MX- | Std. | | |
| COMMERCIAL | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lodging – hotels, motels, short-term rentals and similar establishments | Hotels and Motels | | | | | | | | | | | | | A | A | A | | | | | A | A | A | | | |
| | Bed and Breakfast (1–3 Guest Rooms) | A | A | A | A | A | A | A | A | A | A | A | A | A | | | | | | | | A | A | | | 21.04.030(h) |
| | Bed and Breakfast (4–5 Guest Rooms) | C | C | C | C | C | C | C | A | A | A | A | A | A | | | | | | | | A | A | | | See GJMC 21.03.090 21.04.030(h) |
| | <u>Short-Term Rentals</u> | A | A | A | A | A | A | A | A | A | A | A | A | A | | | | | | | | A | A | | | <u>21.04.030(h)</u> |

The other sections of the Use Table shall remain unchanged hereby and in full force and effect.

The table in Section 21.06.050 (Parking Table) is amended to delete the reference to the parking required for a bed and breakfast, which shall now be considered a *short-term rental* and regulated as such, as follows (deletions struck through):

(c) **Off-Street Required Parking.** The table below shows the number of parking spaces required for the uses indicated. The number of spaces required may be modified through the alternative parking plan described.

| USE CATEGORIES | SPECIFIC USES | MINIMUM NUMBER OF VEHICLE SPACES |
|--------------------|--|--|
| RESIDENTIAL | | |
| Group Living | Nursing Homes; Assisted Living Facility; Treatment Facility; Group Living Facilities | 1 per 4 beds + 1 per each 3 employees |
| | Fraternities/Sororities | 1.5 spaces for each sleeping room plus 1.5 spaces for every 4 active nonresident members of the fraternity/sorority plus 1 space for every 3 staff employed at the facility. |
| | Boarding and Rooming House | 1 space for each room available for rent plus 2 spaces |
| | Other Group Living (e.g., dormitory style living) | 0.8 parking spaces per bed |
| Household Living | Business Residence | 1 per residence + business parking |
| | Bed and Breakfast | 1 per guest room + 2 spaces for owner's portion |

| USE CATEGORIES | SPECIFIC USES | MINIMUM NUMBER OF VEHICLE SPACES |
|----------------|---------------------------|----------------------------------|
| | Accessory Dwelling Unit | 1 per unit |
| | Single-Family, Two-Family | 2 per unit |
| | Multifamily – 1 bedroom | 1.25 per unit |
| | Multifamily – 2 bedroom | 1.5 per unit |
| | Multifamily – 3+ bedroom | 2 per unit |

The other sections of the Parking Table shall remain unchanged hereby and in full force and effect.

Introduced on first reading this _____ day of _____, 2018 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.a.ii.

Meeting Date: August 1, 2018

Presented By: Tamra Allen, Community Development Director

Department: Community Development

Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

Introduction of an Ordinance Amending Section 24.12.140, 24.12.160, 24.12.170, and 24.12.180 of the Greater Downtown Overlay (Title 24 of the Grand Junction Municipal Code) Regarding Design Guidelines and Standards in the Greater Downtown Transitional and Residential Area and Set a Public Hearing for August 15, 2018

RECOMMENDATION:

The Planning Commission reviewed this request at their July 24, 2018 meeting and recommended approval (7-0).

EXECUTIVE SUMMARY:

Initiated by the Community Development Director, this request is to amend sections of the Greater Downtown Overlay to revise design standards and guidelines for the Residential and Transitional areas. In general, these revisions include creating more consistent language for defining terms, to remove specific requirements for pitched roofs, and to remove the term "residential" from architectural references in the Transitional Area.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Planning Commission has been actively reviewing issues related to potential redevelopment in the downtown neighborhoods. At its April 5, 2018 workshop, the Planning Commission discussed the design standards and guidelines for the Residential and Transitional areas. After discussing projects that had been constructed implementing the existing design standards and guidelines, the Commission felt that

the standards and guidelines struck a good balance between being too prescriptive and not prescriptive enough. The Commission emphasized that it was important to recognize the historic character of the area but that new projects should also be recognizable as new and be encouraged to incorporate new or more contemporary designs while utilizing designs that are sensitive to their surroundings.

Based on the application of the design standards and guidelines in several recent projects, staff and the Commission, at their April 19, 2018 meeting, found that some of the text would be improved by more consistent language; that the highly prescriptive requirement for pitched roofs should be removed; and that removing the term “residential” from the architectural references for projects in the transitional area would be helpful given that a significant number of structures are not currently being used for residential purposes. The recommended revisions to the standards and guidelines are attached in the proposed ordinance.

The Planning Commission met with the City Council on June 14, 2018 to review the findings and recommendations from these workshop discussions. The boards jointly directed staff to bring forward a text amendment capturing the recommendations of the Planning Commission regarding the modifications to the design standards and guidelines of the Residential and Transitional area overlays.

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 are provided. Reasons for the proposed amendments are described in Section III. Background of this staff report. Proposed revisions are attached.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendments to sections 24.12.130, 24.12.140, 24.12.160, 24.12.170 and 24.12.180 regarding Greater Downtown Overlay Residential and Transitional Area standards, guidelines and policies the following findings of fact have been made:

1. The amendments assist in meeting the intent and goals of the City regarding the purpose, intent and policies related to the Residential and Transitional Areas of the Greater Downtown Overlay.

Therefore, the Planning Commission recommended approval of the request to amend the Greater Downtown Overlay.

FISCAL IMPACT:

There is no fiscal impact related to this code text amendment.

SUGGESTED MOTION:

I move to introduce a proposed ordinance amending Section 24.12.130, 24.12.140, 24.12.160, 24.12.170 and 24.12.180 of the Greater Downtown Overlay (Title 24 of the Grand Junction Municipal Code) regarding design standards and guidelines in the Residential and Transitional Areas and set a public hearing for August 15, 2018.

Attachments

1. Draft Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING PARTS OF THE DOWNTOWN OVERLAY (TITLE 24 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING POLICIES, STANDARDS AND GUIDELINES OF THE RESIDENTIAL AND TRANSITIONAL AREAS

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan and Greater Downtown Master 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.

The proposed amendments to sections of the Greater Downtown Overlay address revisions to the design standards and guidelines for the Residential and Transitional areas. In general, these revisions include creating more consistent language for specific terms, removing specific requirements for pitched roofs, and removing the term "residential" from architectural references in the Transitional Area.

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 Greater Downtown Overlay amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Greater Downtown Overlay amendments are necessary to maintain effective regulations to implement the Greater Downtown Master Plan.

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

Subsections 24.12.130(a) and (c) of the Grand Junction Municipal Code (Development Regulations - Downtown District Guidelines and Standards) is amended as follows (additions underlined, deletions struck through):

24.12.130 Standards.

(a) Architectural Considerations.

(1) Building Style and Character. Maintain the existing character of the house styles within the residential neighborhoods in the Downtown District. New construction and alterations shall be compatible with key architectural characteristics and site elements of the neighborhood area.

(2) Accessory Structure Setbacks. The setback for accessory structures is a zero-foot setback from the alley and three feet from neighboring property line(s).

(3) Building Mass/Scale and Proportion. New buildings or additions to existing buildings shall be visually compatible with the area. Visually compatible means compatible with adjacent and neighboring buildings including mass and scale, shape, windows, doors, openings, roof shape, roof pitch and orientation.

(4) Roof Shape. The roofs of new buildings shall be visually compatible with adjacent buildings. ~~dwelling~~. ~~If pitched, the roof pitch shall be at least 4:12.~~

(5) Fenestration. The pattern of windows and doors on structures shall be visually compatible with surrounding residential buildings in the area structures. Visually compatible includes the relationship of width to height, and the spacing of windows and doors. For example, tall evenly-spaced rectangular windows are typical of many of the residential styles in the downtown area.

(6) Materials. The exterior materials of all new buildings, additions and alterations shall be similar in size and appearance to adjacent area buildings ~~dwelling~~.

(7) Setbacks. On a corner lot, the front yard setback for that part of the yard that extends to and along the side property line on the street side may be reduced to 10 feet on properties within the Downtown District residential subareas. On corner lots where an existing parkway strip exceeds 10 feet in width between a sidewalk and the curb, the front yard setback on a side street may be reduced to 5 feet.

(c) Multifamily Development.

(2) Break up the mass of larger buildings into forms that are similar in scale to the ~~single-family residential~~ character.

(3) Facades must be composed of smaller sections, similar in scale and material finish to ~~single-family residential~~ structures.

The remaining subsections of Section 21.12.130 shall remain in full force and effect.

Subsections 24.12.140(c) and (e) are amended as follows (additions underlines, deletions struck through):

24.12.140 Guidelines.

(c) Each new building and addition should be located so that it aligns with existing neighborhood-buildings in the area. “Aligns” means elevation (e.g., horizontal lines of peaks of roofs, cornices and window sills) and plan (e.g., setbacks from the street and rear property lines and spacing between structures/setbacks from side property lines).

(e) New buildings and additions should have the same number of stories and a height which is compatible with buildings ~~within the same block~~ in the area.

The remaining subsections of Section 21.12.130 shall remain in full force and effect.

Sections 24.12.160 is amended as follows (additions underlines, deletions struck through):

24.12.160 Policy.

The peripheral areas of the CBD provide a mix of established residential uses and low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential uses and neighborhoods. New development or reuse of existing structures will maintain compatibility with residential building scale and appearance in the area.

Section 24.12.170 is amended as follows (additions underlines, deletions struck through):

24.12.170 Standards.

(a) Land Use and Development Intensity.

(1) ~~Any mix of residential and nonresidential uses on the same lot shall be located in the same structure.~~

(2) ~~No-Non-residential~~ uses within the transitional subareas shall not open earlier than 7:30 a.m. and shall close no later than 8:00 p.m.

(b) Architectural Considerations. New ~~residential or nonresidential~~ construction, including additions and rehabilitations, in the transitional subareas shall be designed to have a single-family residential character consistent with existing buildings in the area. "Consistent" means the operational, site design and layout, and architectural considerations described below.

(1) ~~Every n~~ New principal buildings shall be located so that it aligns with existing buildings ~~within the same block in the area.~~ "Aligns" means elevation (e.g., horizontal lines of peaks of roofs, cornices, window sills) and plan (e.g., setbacks from the street and rear property lines and spacing between structures/setbacks from side property lines).

(2) Main Building entrances shall open onto face a street or architectural features shall be provided that visually suggest an entrance. ~~and shall vertically align with those of adjacent residential buildings in the same block. For example, in areas adjacent to the transitional subareas, raised foundations and steps that define the main entrance are prevailing residential characteristics.~~ Door styles shall be similar to those found on residential buildings.

(3) Each new principal building, its mass in relation to open spaces and its windows, doors, and openings shall be visually compatible. Visually compatible means compatible with ~~adjacent and neighboring buildings in the area,~~ including mass, shape, window, doors, openings, roof shape, roof pitch and orientation. For example, a large building shall be compatible with surrounding smaller dwellings by dividing its mass into smaller components to create a building elevation that is more like the size and proportion of the ~~nearby single-family homes~~ buildings in the area.

(4) The roofs of new principal buildings or additions to principal buildings shall be visually compatible with buildings within the same block in the area. ~~When pitched, the roof pitch shall be at least 4:12.~~

(5) Window and door spacing on structures shall be visually compatible with surrounding residential structures in the area. Visually compatible includes the relationship of width to height, and the spacing of windows and doors. For example, tall evenly-spaced rectangular windows are typical of certain residential styles near the transitional subareas.

(c) Signs.

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

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

(d) Parking and Site Development.

(1) Non-single-family uses in the transitional subareas shall be designed and utilized not to increase on-street parking in front of single-family dwellings in the neighborhood.

- ~~On-site parking shall be provided pursuant to the Zoning and Development Code; and~~

(2) Service entrances, loading areas and dumpster areas shall be located only in the rear or side yard. If the property has more than one street frontage, the rear or side shall mean on the opposite side of the building from the front door or the main public door entrance to the building; and each loading area shall be screened from each abutting residential use. ~~or zone.~~

Section 24.12.180 is amended as follows (additions underlines, deletions struck through):

24.12.180 Guidelines.

(a) New buildings should have the same number of stories and a height which is compatible with those of ~~nearby single-family residential~~ buildings in the area.

(b) The exterior of all new buildings, additions and alterations should be similar in size and appearance to ~~nearby dwelling~~ buildings in the area.

(c) Sign materials should be visually compatible with materials used on the building facade.

The remainder of Title 24, Chapter 12 (Downtown District Guidelines and Standards) shall remain in full force and effect and not modified by this Ordinance.

Introduced on first reading this _____ day of _____, 2018 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.a.iii.

Meeting Date: August 1, 2018

Presented By: Tamra Allen, Community Development Director

Department: Community Development

Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

Introduction of an Ordinance Amending the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Establishing Voting Procedures of the Planning Commission and to Simply, Clarify and Better Organize the Text Describing the Authority of the Zoning and Development Decision-Making Bodies and Set a Public Hearing for August 15, 2018

RECOMMENDATION:

The Planning Commission review of this request at their July 24, 2018 meeting and recommended approval (7-0) .

EXECUTIVE SUMMARY:

Initiated by the Community Development Director, this request is to amend sections of the Zoning and Development Code to establish the voting procedures of the Planning Commission and to simplify, clarify and better organize the text describing the authority of the zoning and development code decision-making bodies.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Planning Commission has been advised by the City Attorney to require a majority of the membership (four of seven members) to pass a motion rather than deferring to the quorum requirement and passing a vote by a majority of those present. This method of voting may impact the result of a vote taken when five or fewer members of the Commission are present at a meeting. For example, with five members present, at least a 4:1 vote would be required for a motion to pass (3:2 would not pass). Similarly,

with four members present, a unanimous vote would be required to pass a motion.

It is important to note that with a recommendation of denial from the Planning Commission on rezoning and Comprehensive Plan amendments, Section 21.02.210 requires a super-majority of the City Council to approve or enact. Though relatively rare, this situation bears consideration when establishing requirements for making and passing motions.

This method of voting has not been codified nor made a part of the Commission's bylaws, making it unclear to the Commission, applicants, staff and the public how a motion gets passed when fewer than seven members of the Planning Commission are present at a meeting.

The Planning Commission discussed this topic at its June 7th and June 21st workshops and looked to the voting practices of the City Council for guidance. The City Attorney provided the City Council's voting practice was to require a majority of membership vote (at least four votes for passage of a motion) for all actions of the Council. The Planning Commission consensus was that it is preferable to be consistent with the City Council as to how motions are passed.

Other proposed changes include:

- Moving the sections on the general authority of decision-makers, boards and commissions to administer the Code from Chapter 2 to Chapter 1;
- Moving text establishing the decision-making authority of the Historic Preservation Board from Chapter 7 (Special Regulations) to Chapter 1 with the general authority of other boards and decision-making bodies;
- Clarifying and making more complete what applications are heard and decided by the various boards;
- Re-formatting the subsections on boards and commissions for greater simplicity, consistency, clarity;
- Deleting unnecessary text;
- Renaming "Director of Public Works and Planning" to simply "Director."

The proposed revisions are attached for review in ordinance form with changes shown in underlined and struck through text.

ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no criteria for review because a code amendment is a legislative act within the discretion of the City Council. Reasons for the proposed amendments are provided in the Background section of this report.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendments to Chapters 1, 2 and 7 of the Zoning and Development Code (Title 21), the following findings of fact have been made:

1. The amendments are useful in that they define voting procedures that have been heretofore unclear and provide better organization and clarity of the authority, responsibilities and processes of the various governmental bodies responsible for acting on development and zoning applications.

Therefore, the Planning Commission recommended approval of the request to amendment portions of Chapter 1, 2 and 7 of the Zoning and Development Code.

FISCAL IMPACT:

There is no fiscal impact related to this code text amendment.

SUGGESTED MOTION:

I move to introduce a proposed ordinance amending the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) establishing voting procedures of the Planning Commission and simplifying, clarifying and better organizing the text describing the authority of zoning and development decision-making bodies and set a public hearing for August 15, 2018.

Attachments

1. Redlined changes to text
2. Draft Ordinance

ATTACHMENT TO STAFF REPORT

In this illustration of changes in code text that was moved from one chapter to another, new text is in red, deleted text is struckthrough, and *changes to section numbers are not shown*.

I. Section 21.02.010 **City Council**, moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS, and modified as follows.

21.02.010 City Council.

In addition to the powers and duties in City Charter Article VI, the City Council shall:

- (a) Appoint members to the:
 - (1) Planning Commission;
 - (2) Zoning Board of Appeals; and
 - (3) Historic Preservation Board.

- (b) As it deems appropriate, decide, adopt and/or amend **a**:
 - (1) ~~The Comprehensive Plan;~~
 - (2) ~~Special area plans, corridor, plans and neighborhood, plans;~~
 - (3) ~~The circulation, street or plans and components of it;~~
 - (4) ~~A~~annexation plans;
 - (5) ~~Vacations of rights-of-way and lesser interests in land such as an easements;~~
 - (6) Designation of **a** local historic sites, structures and/or districts; and **revocation of such designation**
 - (7) Fees to pay for, at least in part, the ~~negative impacts of development.~~

- (c) Hear and decide all requests for:
 - (1) Annexation and changes to the City's limits;
 - (2) ~~Making changes to zones zoning and/or change to zone or a~~ the zoning maps, including rezonings and **a** planned developments **zone**;
 - (3) ~~Approval of a special permit;~~

- (4) Approval and/or amendment to planned development outline development plans; **or change thereto**
 - (5) Approval and/or amendment to planned development preliminary plans for those developments for which the City does not recognize **a planned development without** a valid outline development plan;
 - (6) Revocable permit for use or occupancy of a City right-of-way or public place **(except that the City Council may delegate such authority to the Director for minor or temporary uses or occupancies such as landscaping or irrigation facilities)**;
 - (7) Approval of a vested right as provided in this code for a site-specific development plan;
 - (8) Appeals of Planning Commission **and Director** decisions and recommendations (See GJMC 21.02.060); **as provided in this code**
 - (9) Street name changes;
 - (10) Fee in lieu of land dedication waiver; and
 - (11) Sewer variances.
- (new list item) Appeal of decisions of Historic Preservation Board.**

II. Section 21.02.020 **Planning Commission** was moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS and modified as follows:

21.02.020 Planning Commission.

(a) **Membership and Meetings. Composition.** The Planning Commission for the City shall consist of seven regular members and two alternate members. ~~The a~~Alternate members shall otherwise have the qualification of regular members of the Commission. At the time of appointment, the City Council shall designate one alternate member as the first alternate and the other as second alternate. Each alternate member shall attend all **Planning Commission** meetings and shall serve **and vote as may be required** during the temporary unavailability, including recusal, of any regular Commission member as may be required. Alternate members, in addition to other duties prescribed by this code, shall be allowed to vote in the absence of regular members according to their priority: the first alternate shall fill the first vacancy and both alternates shall vote in the absence of two regular members. When a regular member resigns, is removed or is no longer eligible to hold a seat on the Commission, the first alternate shall fill the vacancy and the second alternate shall be designated as the first alternate. The City Council shall then name a replacement second alternate. The Planning Commission alternates, the Chairman and two other persons to serve at large, shall serve as the Zoning Board of Appeals and shall discharge the duties of the Board as described and provided for in this code. ~~The Director of the Grand Junction Public Works~~

and Planning Department and/or appointed representative shall serve as staff to the Commission. The City Council shall, at the time of appointment, designate a first alternate and a second alternate; each shall fill in during the temporary absence of a regular member according to the priority.

(b) **Identity of Members qualifications.** The Regular and alternate members shall be residents of the City of Grand Junction and shall represent the interests of the City as a whole. No member shall be employed by the City, hold any other City office nor be a contractor with the City. The Commission members shall be selected from the fields of engineering, planning, architecture, construction trades, and/or law and from citizens at large.

(c) **Term.** Members of the Commission shall serve terms of four years. Members are limited to two consecutive terms.

(d) **Vacancies.** When there is a vacancy among the regular members of the Commission, the first alternate shall be appointed to fill it, the second alternate shall become the first alternate, and a new second alternate shall be appointed. All vacancies shall be filled by appointment of by the City Council. If a Commission member ceases to reside in the City, his/her membership on the Commission shall immediately terminate and an appointment made to fill the unexpired term.

(e) **Removal.** Members of the Commission may be removed after public hearing by the City Council. Removal may be for on grounds of inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for removal prior to any public hearing seeking removal of a member.

(f) **Meetings/Voting.** Planning Commission meetings shall be regularly scheduled not less fewer than once a month, provided there are pending items or matters to be brought before the Commission, at a time and place designated annually by resolution of the Council. Special meetings may be held as provided by rules of procedure adopted by the Commission and/or this code or law.

(new section) Voting. The presence of four voting members is necessary to shall constitute a quorum. All recommendations to the City Council and all final decisions of the Planning Commission shall require an affirmative vote of no fewer than four members (a majority of the seven members of the Commission, which may be comprised of regular, or regular plus alternate, members).

(g) **Compensation.** All mMembers of the Commission shall be compensated, as at a rate established by the City Council deems appropriate by resolution.

(h) **Powers and Duties.** Except as otherwise provided by the code, ordinance, rule, policy or regulation of the City Council, the Commission shall be governed by § 31-23-201 C.R.S., et seq. The Commission and other City officials mentioned in § 31-23-201 C.R.S., et seq. and shall have all the powers provided for therein. and The Commission's actions shall be governed by the procedures set forth by in this code and/or law, ordinance, rule, regulation or policy of the City Council. The Planning Commission's powers and duties include, but are not limited to:

(1) Recommend **Provide a recommendation** to the City Council **on** all requests for adoption **of** or amendments to **any of the following**:

- (i) ~~The C~~omprehensive Pplan;
- (ii) Special-area plans, corridor, plans and neighborhood, **circulation or traffic** plans;
- (iii) ~~The Grand Valley Circulation Plan~~;
- (iv) The text of this **code provision**
and the Zoning Map, including zoning for newly annexed territory;
- (v) ~~R~~review fees and
impact fees;

(2) Hear and recommend **make a recommendation** to the City Council **upon** all **any** requests for a:

- (i) ~~V~~acating **vacation of** public right-of-way and **or** easements pursuant to § 43-2-301 C.R.S., et seq.;
- (ii) ~~Z~~oning **or change to a zones or zoning map**, including planned developments; **zoning**
- (iii) ~~S~~pecial permits;
- (iv) ~~P~~lanned development outline development plan **or major** approvals and major amendments; **thereto**
- (v) A vested right as a part of any **as provided in this code for a** site-specific development plan; and
- (vi) ~~S~~ewer variances.

(3) Decide all requests for:

- (i) ~~an A~~ppeals from **an administrative decisions as provided in this Code** (See GJMC 21.02.060);
- (ii) ~~V~~acating any plat **vacation**;
- (iii) ~~C~~onditional use permits;
- (iv) ~~V~~ariances **as provided by this code** to the landscape, buffering, and screening requirements;

(v) ~~Variances to the 24 Road Corridor Design Standards and Guidelines (GJMC Title 25);~~
and

(vi) ~~Other~~ tasks as assigned by the City Council.

III. Section 21.02.030 **Zoning Board of Appeals** was moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS and modified as follows:

21.02.030 Zoning Board of Appeals (ZBOA).

(a) **Composition.** ~~The Zoning Board of Appeals for the City shall consist of three members, each of whom shall be a City resident and who shall represent the interests of the City as a whole. Members shall be appointed by the City Council. The City Council shall consider citizens with experience in the fields of engineering, law, surveying, development, planning, architecture and construction, as well as citizens at large.~~

(b) **Identity of Members-qualifications.** ~~The membership of the Board shall be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates. Each member shall be a resident of the City, and shall be drawn from fields of engineering, law, surveying, development, planning, architecture, construction, and from citizens at large.~~

(c) **Term.** ~~Members of the Board shall serve terms of four years coincident to their terms on the Planning Commission. Members are limited to two consecutive terms.~~

(d) **Vacancies.** ~~All vacancies shall be filled by appointment of by the City Council. If A a member's seat on the Board shall be vacant when the member ceases to reside in the City, that seat shall be deemed vacant.~~

(e) **Removal.** ~~The City Council may, after a public hearing, remove any member of the Board after public hearing for good cause including inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for the removal prior to said the public hearing.~~

(f) **Meetings.** ~~The Board shall meet at least once a month, provided there is business to be brought before the Board. Special meetings may be held as provided by rules of procedure adopted by the Board. Two members constitute a quorum.~~

(g) **Voting.** ~~The presence of two members shall constitute A majority of a quorum of the Board shall be sufficient to conduct the business of the Board. A lesser number than a quorum may act to adjourn or continue a meeting.~~

(h) **Compensation.** Members shall be compensated as **at a rate established by** the City Council deems appropriate by resolution.

(i) **Powers and Duties.** Except as otherwise provided by this code, ordinance, rule, policy or regulation of the City Council, the Zoning Board of Appeals shall be governed by § 31-23-307 C.R.S. The Board shall have the power and duty to decide:

- (1) Appeals (~~See GJMC 21.02.060~~); **appeals as provided in this code**
- (2) ~~Requests to vary~~ **from** the bulk, performance, accessory use, use-specific, **or sign** standards or sign regulations of this code;
- (3) Requests for relief from the nonconforming provisions established in Title 21, Chapter **8 of this code** 21.08 GJMC; and
- (4) ~~Variances to any provision of this~~ **other variances as provided in this code including those** not otherwise assigned to another **a** review body.

IV. Section 21.02.040 **Building Board of Appeals** was moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS, and modified as follows:

21.02.040 Building Code Board of Appeals.

For appeals relating to building codes, see ~~Section 112 of the International Building Code (IBC)~~ **in effect at the time of the appeal.**

V. Section 21.02.050 **Director of Public Works and Planning** was moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS, and subsection (b) thereof was moved to the §21.07.010 **Flood damage prevention**, and the moved text was modified as follows:

21.02.050 Director of Public Works and Planning. **For purposes of this code, the Director shall be designated by and shall serve at the direction of the City Manager. The Director shall serve as staff to the Planning Commission, the Zoning Board of Appeals and the Historic Preservation Board, and shall have such other duties and responsibilities as specifically prescribed in this code.**

(a) **Powers and Duties.** ~~The Director of the Public Works and Planning Department (“Director”) serves at the direction of the City Manager. The Director shall decide requests~~ **render a decision on every request** for a:

- (1) Planning clearance;

- (2) Home occupation permit;
- (3) Temporary use permit;
- (4) Change of use permit;
- (5) Major site plan review;
- (6) ~~Minor site plan review~~ (major or minor);
- (7) ~~F~~fence permit;
- (8) ~~S~~sign permit and sign package;
- (9) ~~B~~oundary adjustments;
- (10) ~~F~~floodplain development permit;
- (11) ~~S~~imple subdivision plat;
- (12) ~~Major subdivision final plat~~;
- (13) Major subdivision construction plan;
- (14) Major subdivision preliminary plan approval;
- (15) Minor exception subdivisions;
- (16) Planned development final plan; and minor amendment thereto
- (17) ~~Planned development final plan minor amendment~~;
- (18) Minor deviations to ~~from~~ any zoning district bulk standard as authorized by this code;
- (19) Development improvement agreement;
- (20) Administrative adjustment; as authorized by this code
- (21) ~~Sign packages~~;
- (22) ~~R~~evocable permits for landscaping and irrigation; in the public right-of-way and other such minor or temporary use of the public right-of-way as specifically delegated by the City Council
- (23) TEDS (GJMC Title ~~29~~) exceptions; and as authorized in Title 29, GJMC
- (24) ~~Comprehensive Plan administrative changes~~; change to the Comprehensive Plan

(b) **Director's Responsibilities Data, information and interpretation.**

(1) ~~Record Keeping—Flood Damage Prevention.~~ The Director of Public Works and Planning shall obtain and maintain the following information:

(i) ~~The actual elevation, (relative to mean sea level,) of the lowest floor, (including basement,) of each structure;~~

(ii) ~~For each new or substantially improved floodproofed structure, the actual elevation, (relative to mean sea level,) to which the structure has been floodproofed and the floodproofing certifications; required in GJMC 21.07.010; and~~

(iii) ~~Records pursuant to GJMC 21.07.010.~~

(2) ~~Alteration of Watercourses.~~ The Director of Public Works and Planning shall require proof that the **an applicant has:, prior to altering or relocating any watercourse or part thereof,**

(i) ~~Notified notified adjacent communities and the Colorado Water Conservation Board prior to any alteration or relocation of a watercourse. The Director of Public Works and Planning shall submit evidence of such notification to the Federal Emergency Management Agency; and~~

(ii) ~~Demonstrated demonstrated that there is adequate maintenance is provided for within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished. The Director shall also submit evidence of such notification to the Federal Emergency Management Agency.~~

(3) ~~FIRM Boundaries.~~ The Director of Public Works and Planning shall interpret the Flood Insurance Rate Maps (FIRM) to decide location of the boundaries of the areas of special flood hazard.

V. Section 21.02.060 Summary of authority was moved from Chapter 2 ADMINISTRATION AND PROCEDURES to Chapter 1 GENERAL PROVISIONS. In addition, the text was modified to add the decision-making authority of the Historic Preservation Board.

VI. Parts of Section 21.07.040(b) governing the functions of the Historic Preservation Board were moved to Chapter 1 GENERAL PROVISIONS and modified as follows:

The Historic Board shall have principal responsibility for matters of historic preservation.

(1) **Composition.** The Historic Board shall consist of not less than five members and not more than seven members **appointed by the City Council. The City Council shall determine the**

number of members when it makes an appointment. ~~Historic Board members~~ **Members** shall be appointed to provide a balanced, community-wide representation.

- (2) **Member qualifications.** ~~When there are more than five members of the Historic Board, at least four members shall be professionals in or have expertise with in a preservation-related discipline including, but not limited to, such as history, architecture, planning or archaeology;~~ ~~When~~ **when** there are five members of the Historic Board, there shall be at least three **shall have** such professionals **qualifications**. One member shall be a member of the Downtown Development Authority (DDA) Board or an employee of the DDA. ~~The Director shall serve as staff to the Historic Board. The Council shall determine, by resolution, the number of members of the Historic Board at such time as the Council makes appointments to the Historic Board.~~
 - (3) **Term.** ~~Members of the Historic Board shall be appointed by the City Council to serve four-year staggered terms from the date of appointment.~~ **City Council shall stagger the terms from the date of appointment.** ~~A~~ **Members member** may continue to serve until their **his or her** successors have ~~has~~ been appointed.
 - (4) **Vacancies.** ~~Appointments to fill vacancies on the Historic Board shall be made~~ **Vacancies shall be filled by appointment** by the City Council. ~~All members of the Historic Board shall serve without compensation except for such amounts determined appropriate, in advance, by the City Council to offset expenses incurred in the performance of their duties.~~
 - (5) **Removal.** ~~Members of the Historic Board may be removed by the City Council without cause being stated.~~
- (3) ~~Voting. Three members if a five-member board; four members if a six- or seven-member board constitutes a quorum. A quorum is necessary for the Historic Board to conduct business including holding a public hearing. A roll call vote shall be taken upon the request of any member. A tie vote shall be deemed a denial of any motion or action.~~
- (4) ~~Chairperson/Vice-Chairperson. The Historic Board shall, by majority vote, elect one of its members to serve as chairperson to preside over meetings and one member to serve as vice-chairperson. The vice-chairperson shall act in the absence of the chairperson. The chairperson and vice-chairperson shall serve in these capacities for terms of one year.~~
- (5) **Meetings.** ~~The Historic Board shall establish a regular meeting schedule. Minutes shall be kept of all proceedings.~~ **The Board shall conduct its business in accordance with the Open Meetings and Public Records Acts and other laws applicable to public bodies.**

Voting. ~~A quorum shall require three members if the Historic Board consists of five members; four if it consists of more than five members. A quorum shall be required for the Board to conduct any business, and an affirmative vote of the majority of those present shall be required to pass any motion.~~

Compensation. Members serve without compensation, except that the City Council may authorize, in advance, payment of such amounts it determines appropriate to offset expenses incurred in the performance of board duties.

(6) **Powers and Duties.** The Historic Board shall, after **public notice and** solicitation of public comment, ~~at a properly noticed public meeting:~~

- (i) Recommend eligibility criteria for the designation of historic resources and for review of proposals to alter designated resources;
- (ii) Review and determine qualifications of properties nominated for designation as either an historic structure, site or district and recommend to City Council approval or denial of a designation;
- (iii) Upon property owner's request, review and make recommendations to the owner on proposed alterations to a designated historic structure, site or district;
- (iv) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the City Register, the State Register and the National Register of Historic Places;
- (v) Develop and assist in public education programs including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures, exhibits and conferences;
- (vi) Conduct surveys of historic sites, properties and areas for the purpose of defining those of historic significance and prioritizing the importance of identified historic areas. The Historic Board may create a list of structures of historical or archeological merit which have not been designated;
- (vii) Advise the City Council on matters related to preserving the historic character and substance of the City and recommend easements, covenants, licenses and other methods which would implement the completion of the purposes of this section;
- (viii) Actively pursue financial assistance for preservation-related programs; and
- (ix) Review and conduct hearings to decide applications for a Certificate of Appropriateness for alteration to a site and/or structure in the North Seventh Street Historic Residential District.;
- (x) Review and decide applications for changes to other historic sites and structures as specifically prescribed by this code for a duly designated historic site, district or area.**

~~(7) Public Records. The Board shall conduct its business in accordance with the open meetings and Public Records Acts and other laws applicable to local public bodies.~~

~~(8) — Bylaws. The Historic Board shall propose bylaws to the City Council as it deems necessary.~~

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING THE DECISION-MAKING AUTHORITY OF BOARDS, COMMISSIONS AND THE DIRECTOR

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):

A new section 21.01.130 is added to Title 21, Chapter 1, as follows:

21.01.130 Decision-making authority.

(a) City Council. In addition to the powers and duties in City Charter Article VI, the City Council shall:

(1) Appoint members to the Planning Commission, the Zoning Board of Appeals, and the Historic Preservation Board.

(2) As it deems appropriate, decide, adopt and/or amend a:

(i) comprehensive plan

(ii) area, corridor, neighborhood, circulation, street or annexation plan

(iii) vacation of right-of-way and of lesser interest in land such as an easement

(iv) designation of a local historic site, structure and/or district, and revocation of such designation

(v) fee to pay for, at least in part, the impacts of development

(3) Hear and decide requests for:

- (i) annexation and change to the City's limits
- (ii) zoning and/or change to zone or a zoning map, including a planned development zone
- (iii) special permit
- (iv) planned development outline development plan or change thereto
- (v) preliminary plan for a planned development without a valid outline development plan
- (vi) revocable permit for use or occupancy of a City right-of-way or public place (except that the City Council may delegate such authority to the Director for minor or temporary uses or occupancies such as landscaping or irrigation facilities)
- (vii) vested right as provided in this code for a site-specific development plan
- (viii) appeal of Planning Commission and Director decisions as provided in this Code
- (ix) street name change
- (x) fee in lieu of land dedication waiver
- (xi) sewer variance
- (xii) appeal of decisions of Historic Preservation Board

(b) Planning Commission.

(1) **Composition.** The Planning Commission shall consist of seven regular members and two alternate members. Alternate members shall attend Planning Commission meetings, and shall serve and vote as may be required during the temporary unavailability of any regular member. The City Council shall, at the time of appointment, designate a first alternate and a second alternate; each shall fill in during the temporary absence of a regular member according to the priority.

(2) **Member qualifications.** Regular and alternate members shall be residents of the City of Grand Junction and shall represent the interests of the City as a whole. No member shall be employed by the City, hold any other City office, or be a contractor with the city. The members shall be selected from the fields of engineering, planning, architecture, construction trades, and/or law, and from citizens at large.

(3) **Term.** Members shall serve terms of four years. Members are limited to two consecutive terms.

(4) **Vacancies.** When there is a vacancy among the regular members of the Commission, the first alternate shall be appointed to fill it, the second alternate shall become the first alternate, and a new second alternate shall be appointed. All vacancies shall be filled by appointment by the City Council. If a member ceases to reside in the

City, his/her membership on the Commission shall immediately terminate and an appointment made to fill the unexpired term.

(5) **Removal.** Members may be removed after public hearing by the City Council on grounds of inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for removal prior to any public hearing seeking removal of a member.

(6) **Meetings.** Planning Commission meetings shall be regularly scheduled not fewer than one time per month, provided there are pending items or matters to be brought before the Commission, at a time and place designated annually by resolution of the City Council. Special meetings may be held as provided by rules of procedure adopted by the Commission and/or this code or law.

(7) **Voting.** The presence of four voting members shall constitute a quorum. All recommendations to the City Council and all final decisions of the Planning Commission shall require an affirmative vote of no fewer than four members (a majority of the seven members of the Commission, which may be comprised of regular, or regular plus alternate, members).

(8) **Compensation.** Members shall be compensated at a rate established by the City Council by resolution.

(9) **Powers and duties.** Except as otherwise provided by this code, or by ordinance, rule, policy or regulation of the City Council, the Commission shall be governed by §31-23-201 C.R.S. *et seq.* and shall have the powers provided therein. The Commission's actions shall be governed by the procedures set forth in this Code, and/or law, ordinance, rule, regulation or policy of the City Council. The powers and duties of the Planning Commission include, but are not limited to:

(i) Provide a recommendation to the City Council on adoption of or amendment to any of the following:

- (A) comprehensive plan
- (B) area, corridor, neighborhood, circulation or traffic plan
- (C) code provision
- (D) zoning
- (E) review fee
- (F) impact fee

(ii) Hear and make a recommendation to the City Council upon any request for a:

- (A) vacation of public right-of-way or easement
- (B) zoning or change to a zone or zoning map, including planned development zoning
- (C) special permit

- (D) planned development outline development plan or major amendment thereto
- (E) vested right as provided in this code for a site-specific development plan
- (F) sewer variance.

(iii) **Decide:**

- (A) an appeal from an administrative decision as provided in this code
- (B) plat vacation
- (C) conditional use permit
- (D) variance as provided by this code
- (E) Other tasks as assigned by the City Council.

(c) Zoning Board of Appeals.

(1) **Composition.** The Zoning Board of Appeals shall consist of three members who shall represent the interests of the City as a whole. Members shall be appointed by the City Council.

(2) **Member qualifications.** Each member shall be a resident of the City, and shall be drawn from the fields of engineering, law, surveying, development, planning, architecture, construction, and from citizens at large.

(3) **Term.** Members shall serve terms of four years and shall be limited to two consecutive terms.

(4) **Vacancies.** All vacancies shall be filled by appointment by the City Council. If a member ceases to reside in the City, that seat shall be deemed vacant.

(5) **Removal.** The City Council may, after a public hearing, remove any member of the Board for good cause including inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of the reasons for the removal prior to the public hearing.

(6) **Meetings.** The Board shall meet at least once a month, provided there is business to be brought before the Board. Special meetings may be held as provided by rules of procedure adopted by the Board.

(7) **Voting.** The presence of two members shall constitute a quorum of the Board. A majority of a quorum of the Board shall be sufficient to conduct the business of the Board. A lesser number than a quorum may act to adjourn or continue a meeting.

(8) **Compensation.** Members shall be compensated at a rate established by the City Council by resolution.

(9) **Powers and duties.** Except as otherwise provided by this code, ordinance, rule, policy, or regulation of the City Council, the Zoning Board of Appeals shall be governed by §31-23-307 C.R.S. The Board shall have the power and duty to decide:

- (i) appeals as provided in this code
- (ii) requests to vary from the bulk, performance, accessory use, use-specific or sign standards or regulations of this code
- (iii) requests for relief from the nonconforming provisions established in Title 21, Chapter 8 of this code;
- (iv) other variances as provided in this code, including those not assigned to a review body.

(d) **Building Code Board of Appeals.** For appeals relating to building codes, see the International Building Code (IBC) in effect at the time of the appeal.

(e) **Director.** For purposes of administration of this code, the Director shall be designated by and shall serve at the direction of the City Manager. The Director shall serve as staff to the Planning Commission, the Zoning Board of Appeals and the Historic Preservation Board, and shall have such other duties and responsibilities as specifically prescribed in this code.

(1) **Powers and duties.** The Director shall render the decision on every request for a:

- (i) planning clearance
- (ii) home occupation permit
- (iii) temporary use permit
- (iv) change of use permit
- (v) site plan review (major or minor)
- (vi) fence permit
- (vii) sign permit and sign package
- (viii) boundary adjustment
- (ix) floodplain development permit
- (x) subdivision plat
- (xi) major subdivision construction plan
- (xii) major subdivision preliminary plan

(xiii) minor exception subdivision

(xiv) planned development final plan and minor amendment thereto

(xv) minor deviation from any zoning district bulk standard

(xvi) development improvement agreement

(xvii) administrative adjustment as authorized by this code

(xviii) revocable permit for landscaping and irrigation in the public right-of-way and other such use of the right-of-way as delegated by the City Council

(xix) TEDS exception as authorized in Title 29 GJMC

(xx) administrative change to the Comprehensive Plan

(f) Historic Preservation Board.

(1) **Composition.** The Historic Board shall consist of not fewer than five nor more than seven members appointed by the City Council. The City Council shall determine the number of members when it makes an appointment. Members shall be appointed to provide a balanced, community-wide representation.

(2) **Member qualifications.** When there are more than five members, at least four shall be professionals or have expertise in a preservation-related discipline such as history, architecture, planning or archaeology; when there are five members, at least three shall have such qualifications. One member shall be a member of the Downtown Development Authority (DDA) board or an employee of the DDA.

(3) **Term.** Members shall serve four-year terms. City Council shall stagger the terms from the date of appointment. A member may continue to serve until his or her successor has been appointed.

(4) **Vacancies.** Vacancies shall be filled by appointment by the City Council.

(5) **Removal.** Members may be removed by the City Council without cause.

(6) **Meetings.** The Historic Board shall establish a regular meeting schedule. Minutes shall be kept of all proceedings. The Board shall conduct its business in accordance with the Open Meetings and Public Records Acts and other laws applicable to public bodies.

(7) **Voting.** A quorum shall require three members if the Historic Board consists of five members; four if it consists of more than five members. A quorum shall be required for the Board to conduct any business, and an affirmative vote of the majority of those present shall be required to pass any motion.

(8) Compensation. Members serve without compensation, except that the City Council may authorize, in advance, payment of such amounts it determines appropriate to offset expenses incurred in the performance of board duties.

(9) Powers and duties. The Historic Board shall, after public notice and solicitation of public comment:

- (i) Recommend eligibility criteria for the designation of historic resources and for review of proposals to alter designated resources;
- (ii) Review and determine qualifications of properties nominated for designation as either an historic structure, site or district and recommend to City Council approval or denial of a designation;
- (iii) Upon property owner's request, review and make recommendations to the owner on proposed alterations to a designated historic structure, site or district;
- (iv) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the City Register, the State Register and the National Register of Historic Places;
- (v) Develop and assist in public education programs including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures, exhibits and conferences;
- (vi) Conduct surveys of historic sites, properties and areas for the purpose of defining those of historic significance and prioritizing the importance of identified historic areas. The Historic Board may create a list of structures of historical or archeological merit which have not been designated;
- (vii) Advise the City Council on matters related to preserving the historic character and substance of the City and recommend easements, covenants, licenses and other methods which would implement the completion of the purposes of this section;
- (viii) Actively pursue financial assistance for preservation-related programs;
- (ix) Review and decide applications for a Certificate of Appropriateness for alteration to a site and/or structure in the North Seventh Street Historic Residential District;
- (x) Review and decide applications for changes to other historic sites and structures as specifically prescribed by this code for a duly designated historic site, district or area.

(g) **Summary of authority.** The following table summarizes the review and approval authority provided in this code. If there is a discrepancy between this table and the text where the authority is specifically prescribed, the text shall control.

| Sec. | Procedure | Planning HPB City | | | | |
|---|---|-------------------|------------|---|---------|------|
| | | Director | Commission | | Council | ZBOA |
| R = Review D = Decision A = Appeal | | | | | | |
| 21.02.070 | Administrative development permit, all administrative permits not listed herein | D | A | | | |
| 21.02.070 | Subdivision | D | | | A | |
| 21.02.090 | Vacation of plat without public right-of-way or easement | R | D | | A | |
| 21.02.090 | Vacation of plat with public right-of-way or easement | R | R | | D | |
| 21.02.100 | Vacation of public right-of-way or easement | R | R | | D | |
| 21.02.110 | Conditional use permit | R | D | | A | |
| 21.02.120 | Special permit | R | R | | D | |
| 21.02.120 130(d) | Administrative changes to Comprehensive Plan | D | | | A | |
| 21.02.130(e) | Comprehensive Plan amendment, Plan Amendments | R | R | | D | |
| 21.02.140 | Code amendment and rezoning | R | R | | D | |
| 21.02.150 | Planned development | R | R | | D | |
| 21.02.160 | Annexation | R | | | D | |
| 21.02.170 | Vested property rights | R | R | | D | |
| 21.02.180 | Revocable permit, Landscaping and irrigation | D | | | A | |
| 21.02.180 | Revocable permit, <u>other</u> | R | | | D | |
| 21.02.190 | Institutional and civic facility master plans | R | R | | D | |
| 21.02.200 | Variance | R | | | | D |
| 21.04.030(p)(1) | Fraternity or sorority | D | | | | A |
| 21.04.030(p)(2) | Group living facility (*except where a conditional use permit is required, see "Conditional use permit") | D* | | | | A* |
| 21.04.030(p)(2)(vii)(C)(II) | Group living facility – sex offenders | | D | | | |
| 21.070.040(d) | Designation of Historic Structures, Sites and Districts and Revocation of Designation | R | | R | D | |
| 21.07.040(g)(2) | Certificate of Appropriateness, N. Seventh Street Historic District | R | | D | | |

The remaining sections of Title 21, Chapter 1 shall remain in full force and effect and unchanged.

Sections of Title 21, Chapter 2 shall be deleted, as follows (deletions struckthrough):

**Chapter 21.02
ADMINISTRATION AND PROCEDURES**

Sections:

- ~~21.02.010~~ City Council. [Reserved]
- ~~21.02.020~~ Planning Commission. [Reserved]
- ~~21.02.030~~ Zoning Board of Appeals (ZBOA). [Reserved]
- ~~21.02.040~~ Building Code Board of Appeals. [Reserved]
- ~~21.02.050~~ Director of Public Works and Planning. [Reserved]
- ~~21.02.060~~ Summary of authority. [Reserved]
- 21.02.070 Administrative development permits.
- 21.02.080 Permits requiring a public hearing.
- 21.02.090 Vacation of plat.
- 21.02.100 Vacation of public right-of-way or easement.
- 21.02.110 Conditional use permit (CUP).
- 21.02.120 Special permit.
- 21.02.130 Comprehensive Plan amendment (CPA).
- 21.02.140 Code amendment and rezoning.
- 21.02.150 Planned development (PD).
- 21.02.160 Annexation.
- 21.02.170 Vested property rights.
- 21.02.180 Revocable permit.
- 21.02.190 Institutional and civic facility master plans.
- 21.02.200 Variance.
- 21.02.210 Rehearing and appeal.

~~21.02.010~~ City Council.

In addition to the powers and duties in City Charter Article VI, the City Council shall:

(a) ~~Appoint members to the:~~

- ~~(1) Planning Commission;~~
- ~~(2) Zoning Board of Appeals; and~~
- ~~(3) Historic Preservation Board.~~

(b) ~~As it deems appropriate, decide, adopt and/or amend:~~

- ~~(1) The Comprehensive Plan;~~
- ~~(2) Special area plans, corridor plans and neighborhood plans;~~
- ~~(3) The street plans and components of it;~~
- ~~(4) Annexation plans;~~
- ~~(5) Vacations of rights-of-way and lesser interests in land such as easements;~~
- ~~(6) Designation of local historic sites, structures and districts; and~~
- ~~(7) Fees to pay for, at least in part, the negative impacts of development.~~

~~(c) Hear and decide all requests for:~~

- ~~(1) Annexation and changes to the City's limits;~~
- ~~(2) Making changes to zones and the zoning maps, including rezonings and planned developments;~~
- ~~(3) Approval of a special permit;~~
- ~~(4) Approval and/or amendment to planned development outline development plans;~~
- ~~(5) Approval and/or amendment to planned development preliminary plans for those developments for which the City does not recognize a valid outline development plan;~~
- ~~(6) Revocable permit for use or occupancy of a City right-of-way or public place;~~
- ~~(7) Approval of a vested right as provided in this code for a site-specific development plan;~~
- ~~(8) Appeals of Planning Commission decisions and recommendations (See GJMC [21.02.060](#));~~
- ~~(9) Street name changes;~~
- ~~(10) Fee in lieu of land dedication waiver; and~~
- ~~(11) Sewer variances.~~

21.02.020 Planning Commission.

~~(a) **Membership and Meetings.** The Planning Commission for the City shall consist of seven regular members and two alternate members. The alternate members shall otherwise have the~~

qualification of regular members of the Commission. At the time of appointment, the City Council shall designate one alternate member as the first alternate and the other as second alternate. Each alternate member shall attend all meetings and shall serve during the temporary unavailability, including recusal, of any regular Commission member as may be required. Alternate members, in addition to other duties prescribed by this code, shall be allowed to vote in the absence of regular members according to their priority: the first alternate shall fill the first vacancy and both alternates shall vote in the absence of two regular members. When a regular member resigns, is removed or is no longer eligible to hold a seat on the Commission, the first alternate shall fill the vacancy and the second alternate shall be designated as the first alternate. The City Council shall then name a replacement second alternate. The Planning Commission alternates, the Chairman and two other persons to serve at large, shall serve as the Zoning Board of Appeals and shall discharge the duties of the Board as described and provided for in this code. The Director of the Grand Junction Public Works and Planning Department and/or appointed representative shall serve as staff to the Commission.

(b) Identity of Members. The members shall be residents of the City of Grand Junction and shall represent the interests of the City as a whole. No member shall be employed by the City, hold any other City office nor be a contractor with the City. The Commission members shall be selected from the fields of engineering, planning, architecture, construction trades, and law and citizens at large.

(c) Term. Members of the Commission shall serve terms of four years. Members are limited to two consecutive terms.

(d) Vacancies. All vacancies shall be filled by appointment of the City Council. If a Commission member ceases to reside in the City, his/her membership on the Commission shall immediately terminate and an appointment made to fill the unexpired term.

(e) Removal. Members of the Commission may be removed after public hearing by the City Council. Removal may be for inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for removal prior to any public hearing seeking removal of a member.

(f) Meetings/Voting. Planning Commission meetings shall be regularly scheduled not less than once a month, provided there are pending items or matters to be brought before the Commission, at a time and place designated annually by resolution of the Council. Special meetings may be held as provided by rules of procedure adopted by the Commission and/or this code or law. The presence of four voting members is necessary to constitute a quorum.

(g) Compensation. All members of the Commission shall be compensated, as the City Council deems appropriate by resolution.

~~(h) — **Powers and Duties.** Except as otherwise provided by the code, ordinance, rule, policy or regulation of the City Council, the Commission shall be governed by § 31-23-201 C.R.S., et seq. The Commission and other City officials mentioned in § 31-23-201 C.R.S., et seq. shall have all the powers provided for therein and shall be governed by the procedures set forth by this code and/or law, ordinance, rule, regulation or policy of the City Council. The Planning Commission's powers and duties include, but are not limited to:~~

~~(1) — Recommend to the City Council all requests for adoption or amendments to:~~

~~(i) — The Comprehensive Plan;~~

~~(ii) — Special area plans, corridor plans and neighborhood plans;~~

~~(iii) — The Grand Valley Circulation Plan;~~

~~(iv) — The text of this code and the Zoning Map, including zoning for newly annexed territory;~~

~~(v) — Review fees and impact fees;~~

~~(2) — Hear and recommend to the City Council all requests for:~~

~~(i) — Vacating public right-of-way and easements pursuant to § 43-2-301 C.R.S., et seq.;~~

~~(ii) — Zoning changes, including rezonings and zoning of planned developments;~~

~~(iii) — Special permits;~~

~~(iv) — Planned development outline development plan approvals and major amendments;~~

~~(v) — A vested right as a part of any site-specific development plan; and~~

~~(vi) — Sewer variances.~~

~~(3) — Decide all requests for:~~

~~(i) — Appeals (See GJMC 21.02.060);~~

~~(ii) — Vacating any plat;~~

~~(iii) — Conditional use permits;~~

~~(iv) — Variances to the landscape, buffering, and screening requirements;~~

(v) ~~Variances to the 24 Road Corridor Design Standards and Guidelines (GJMC Title [25](#)); and~~

(vi) ~~Other tasks as assigned by the City Council.~~

21.02.030 Zoning Board of Appeals (ZBOA).

(a) ~~**Composition.** The Zoning Board of Appeals for the City shall consist of three members, each of whom shall be a City resident and shall represent the interests of the City as a whole. The City Council shall consider citizens with experience in the fields of engineering, law, surveying, development, planning, architecture and construction, as well as citizens at large.~~

(b) ~~**Identity of Members.** The membership of the Board shall be comprised of the Chairman of the Planning Commission and the two designated Planning Commission alternates.~~

(c) ~~**Term.** Members of the Board shall serve terms of four years coincident to their terms on the Planning Commission. Members are limited to two consecutive terms.~~

(d) ~~**Vacancies.** All vacancies shall be filled by appointment of the City Council. A member's seat on the Board shall be vacant when the member ceases to reside in the City.~~

(e) ~~**Removal.** The City Council may remove any member of the Board after public hearing for good cause including inefficiency, neglect of duty, malfeasance or misfeasance in office. The City Council shall make public a written statement of reasons for the removal prior to said public hearing.~~

(f) ~~**Meetings.** The Board shall meet at least once a month, provided there is business to be brought before the Board. Special meetings may be held as provided by rules of procedure adopted by the Board. Two members constitute a quorum.~~

(g) ~~**Voting.** A majority of a quorum of the Board shall be sufficient to conduct the business of the Board. A lesser number than a quorum may act to adjourn or continue a meeting.~~

(h) ~~**Compensation.** Members shall be compensated as the City Council deems appropriate by resolution.~~

(i) ~~**Powers and Duties.** Except as otherwise provided by this code, ordinance, rule, policy or regulation of the City Council, the Zoning Board of Appeals shall be governed by § [31-23-307](#) C.R.S. The Board shall have the power and duty to decide:~~

(1) ~~Appeals (See GJMC [21.02.060](#));~~

(2) ~~Requests to vary the bulk, performance, accessory use, use-specific standards or sign regulations of this code;~~

(3) ~~Requests for relief from the nonconforming provisions established in Chapter [21.08](#) GJMC; and~~

(4) ~~Variances to any provision of this code not otherwise assigned to another review body.~~

~~21.02.040 Building Code Board of Appeals.~~

~~For appeals relating to building codes, see Section 112 of the International Building Code (IBC).~~

~~21.02.050 Director of Public Works and Planning.~~

(a) ~~**Powers and Duties.** The Director of the Public Works and Planning Department (“Director”) serves at the direction of the City Manager. The Director shall decide requests for a:~~

~~(1) Planning clearance;~~

~~(2) Home occupation permit;~~

~~(3) Temporary use permit;~~

~~(4) Change of use permit;~~

~~(5) Major site plan review;~~

~~(6) Minor site plan review;~~

~~(7) Fence permit;~~

~~(8) Sign permit;~~

~~(9) Boundary adjustments;~~

~~(10) Floodplain development permit;~~

~~(11) Simple subdivision;~~

~~(12) Major subdivision final plat;~~

~~(13) Major subdivision construction plan;~~

~~(14) Major subdivision preliminary plan approval;~~

~~(15) Minor exception subdivisions;~~

~~(16) Planned development final plan;~~

~~(17) Planned development final plan minor amendment;~~

~~(18) Minor deviations to any zoning district bulk standard;~~

~~(19) Development improvement agreement;~~

~~(20) Administrative adjustment;~~

~~(21) Sign packages;~~

~~(22) Revocable permits for landscaping and irrigation;~~

~~(23) TEDS (GJMC Title [29](#)) exceptions; and~~

~~(24) Comprehensive Plan administrative changes.~~

~~(b) Director's Responsibilities.~~

~~(1) Record Keeping – Flood Damage Prevention. The Director of Public Works and Planning shall obtain and maintain the following information:~~

~~(i) The actual elevation (relative to mean sea level) of the lowest floor (including basement) of each structure;~~

~~(ii) For each new or substantially improved floodproofed structure, the actual elevation (relative to mean sea level) to which the structure has been floodproofed and the floodproofing certifications required in GJMC [21.07.010](#); and~~

~~(iii) Records pursuant to GJMC [21.07.010](#).~~

~~(2) Alteration of Watercourses. The Director of Public Works and Planning shall require proof that the applicant has:~~

~~(i) Notified adjacent communities and the Colorado Water Conservation Board prior to any alteration or relocation of a watercourse. The Director of Public Works and Planning shall submit evidence of such notification to the Federal Emergency Management Agency; and~~

~~(ii) Demonstrated that maintenance is provided for within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.~~

~~(3) FIRM Boundaries. The Director of Public Works and Planning shall interpret the Flood Insurance Rate Maps (FIRM) to decide location of the boundaries of the areas of special flood hazard.~~

21.02.060 Summary of authority.

The following table summarizes the required review and approval authority provided under this zoning and development code.

| Sec. | Procedure | Planning City | | | |
|---|--|---------------|------------|---------|------|
| | | Director | Commission | Council | ZBOA |
| R = Review D = Decision A = Appeal | | | | | |
| 21.02.070 | Administrative development permit, all administrative permits not listed herein | D | A | - | - |
| 21.02.070 | Subdivision | D | - | A | - |
| 21.02.090 | Vacation of plat without public right-of-way or easement | R | D | A | - |
| 21.02.090 | Vacation of plat with public right-of-way or easement | R | R | D | - |
| 21.02.100 | Vacation of public right-of-way or easement | R | R | D | - |
| 21.02.110 | Conditional use permit | R | D | A | - |
| 21.02.120 | Special permit | R | R | D | - |
| 21.02.120 | Administrative changes to Comprehensive Plan | D | - | A | - |
| 21.02.130 | Comprehensive Plan amendment | R | R | D | - |
| 21.02.140 | Code amendment and rezoning | R | R | D | - |
| 21.02.150 | Planned development | R | R | D | - |
| 21.02.160 | Annexation | R | - | D | - |
| 21.02.170 | Vested property rights | R | R | D | - |
| 21.02.180 | Revocable permit – Landscaping and irrigation | D | - | A | - |
| 21.02.180 | Revocable permit | R | - | D | - |
| 21.02.190 | Institutional and civic facility master plans | R | R | D | - |
| 21.02.200 | Variance | R | - | - | D |
| 21.04.030(p)(1) | Fraternity or sorority | D | - | - | A |
| 21.04.030(p)(2) | Group living facility (*except where a conditional use permit is required, see “Conditional | D* | - | - | A* |

| Sec. | Procedure | Planning City | | | |
|---|-------------------------------------|---------------|------------|---------|------|
| | | Director | Commission | Council | ZBOA |
| R = Review D = Decision A = Appeal | | | | | |
| | use permit ²) | | | | |
| <u>21.04.030(p)(2)(vii)(C)(II)</u> | Group living facility—sex offenders | - | D | - | - |

The remaining parts of Title 21, Chapter 2 shall remain in full force and effect and unchanged hereby.

A new subsection of Section 21.07.010 shall be added, as follows:

(e) **Data, information and interpretation.** The Director shall obtain and maintain the following information:

- (i) The actual elevation, relative to mean sea level, of the lowest floor, including basement, of each structure;
- (ii) For each new or substantially improved floodproofed structure, the actual elevation, relative to mean sea level, to which the structure has been floodproofed and the required floodproofing certifications;
- (iii) Proof that an applicant has, prior to altering or relocating any watercourse or part thereof, notified adjacent communities and the Colorado Water Conservation Board of such alteration and demonstrated that there is adequate maintenance within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished. The Director shall also submit evidence of such notification to the Federal Emergency Management Agency.

The Director shall interpret the Flood Insurance Rate Maps (FIRM) to decide location of the boundaries of the areas of special flood hazard.

The remaining parts of Section 21.07.010 shall remain in full force and effect.

Section 21.07.040(b) regarding the Historic Preservation Board is amended as follows (deletions struck through, additions underlined):

(b) **Board Established.** The City Council hereby creates a Historic Preservation Board, which may be hereinafter referred to as the Historic Board or Preservation Board. The Historic Board shall have principal responsibility for matters of historic preservation, and shall have such membership, authority, duties, and responsibilities as further provided in Title 21, Chapter 1 of this code.

- (1) ~~Composition.~~ The Historic Board shall consist of not less than five members and not more than seven members. Historic Board members shall be appointed to provide a balanced, community-wide representation. When there are more than five members of the Historic Board, at least four members shall be professionals in or have expertise with a

~~preservation-related discipline including, but not limited to, history, architecture, planning or archaeology. When there are five members of the Historic Board, there shall be at least three such professionals. One member shall be a member of the Downtown Development Authority (DDA) Board or an employee of the DDA. The Director shall serve as staff to the Historic Board. The Council shall determine, by resolution, the number of members of the Historic Board at such time as the Council makes appointments to the Historic Board.~~

~~(2) Term. Members of the Historic Board shall be appointed by the City Council to serve four-year staggered terms from the date of appointment. Members may continue to serve until their successors have been appointed. Appointments to fill vacancies on the Historic Board shall be made by the City Council. All members of the Historic Board shall serve without compensation except for such amounts determined appropriate, in advance, by the City Council to offset expenses incurred in the performance of their duties. Members of the Historic Board may be removed by the City Council without cause being stated.~~

~~(3) Voting. Three members if a five-member board; four members if a six- or seven-member board constitutes a quorum. A quorum is necessary for the Historic Board to conduct business including holding a public hearing. A roll call vote shall be taken upon the request of any member. A tie vote shall be deemed a denial of any motion or action.~~

~~(4) Chairperson/Vice-Chairperson. The Historic Board shall, by majority vote, elect one of its members to serve as chairperson to preside over meetings and one member to serve as vice-chairperson. The vice-chairperson shall act in the absence of the chairperson. The chairperson and vice-chairperson shall serve in these capacities for terms of one year.~~

~~(5) Meetings. The Historic Board shall establish a regular meeting schedule. Minutes shall be kept of all proceedings.~~

~~(6) Powers and Duties. The Historic Board shall, after solicitation of public comment, at a properly noticed public meeting:~~

~~(i) Recommend eligibility criteria for the designation of historic resources and for review of proposals to alter designated resources;~~

~~(ii) Review and determine qualifications of properties nominated for designation as either an historic structure, site or district and recommend to City Council approval or denial of a designation;~~

~~(iii) Upon property owner's request, review and make recommendations to the owner on proposed alterations to a designated historic structure, site or district;~~

~~(iv) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the City Register, the State Register and the National Register of Historic Places;~~

~~(v) Develop and assist in public education programs including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures, exhibits and conferences;~~

~~(vi) Conduct surveys of historic sites, properties and areas for the purpose of defining those of historic significance and prioritizing the importance of identified historic areas. The Historic Board may create a list of structures of historical or archeological merit which have not been designated;~~

~~(vii) Advise the City Council on matters related to preserving the historic character and substance of the City and recommend easements, covenants, licenses and other methods which would implement the completion of the purposes of this section;~~

~~(viii) Actively pursue financial assistance for preservation-related programs; and~~

~~(ix) Review and conduct hearings to decide applications for a Certificate of Appropriateness for alteration to a site and/or structure in the North Seventh Street Historic Residential District.~~

~~(7) Public Records. The Board shall conduct its business in accordance with the open meetings and Public Records Acts and other laws applicable to local public bodies.~~

~~(8) Bylaws. The Historic Board shall propose bylaws to the City Council as it deems necessary.~~

The remaining parts of Section 21.07.040 shall remain in full force and effect.

Introduced on first reading this _____ day of _____, 2018 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: August 1, 2018

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance Rezoning the River Walk Subdivision from R-4 (Residential - 4 du/ac) to R-8 (Residential - 8 du/ac), Located at 3125 D Road, and Set a Hearing for August 15, 2018

RECOMMENDATION:

Planning Commission heard this item at their July 24, 2018 meeting and recommended approval (7-0) of the R-8 (Residential - 8 du/ac) zone district.

EXECUTIVE SUMMARY:

The Applicant, 3125 D Road LLC, is requesting a rezone of a 9.37-acre parcel of land located at 3125 D Road from R-4 (Residential – 4 du/ac) to the R-8 (Residential - 8 du/ac) zone district for the purpose of future residential subdivision development. The requested R-8 zone district is consistent with the Comprehensive Plan Future Land Use designation for the property of Residential Medium (4 – 8 du/ac).

BACKGROUND OR DETAILED INFORMATION:

The subject property is located at 3125 D Road in the Pear Park area. The property is currently vacant, undeveloped land. The Applicant is requesting to rezone the property to R-8 (8 dwelling units/acre) from its current zoning of R-4 (Residential – 4 dwelling units an acre). The Applicant is interested in developing a residential subdivision to meet the R-8 zone district densities.

The property was annexed into the City in 2007 as part of the Heron's Nest Annexation #2. During the annexation process, the property was zoned R-4 (Residential – 4

du/ac). The R-4 zone district was in conformance with the Residential Medium (4 – 8 du/ac) designation of the City's Growth Plan at the time. Also in 2007, a Preliminary/Final Subdivision Plan application was filed with the City to develop 29 single-family detached lots on the property (Heron's Nest Subdivision), which received approval from the City Planning Commission in 2008, however due to the beginning of the local downturn in the economy at the time, the Final Subdivision Plan proposal never materialized and eventually the application expired in 2011.

Properties adjacent to the subject property to the east is vacant land (19 acres in size) and a residential subdivision (River Trail Subdivision – 5.71 dwelling units to the acre), both of which are currently zoned R-8 in the City. To the west is the River Bend Subdivision that contains areas that are located in both the City and County jurisdictions and provides a mixture of single-family detached and attached dwelling units. The area of River Bend that is located within the City is zoned R-8 with the County portions zoned PD (Planned Development) with an overall subdivision residential density of 4.82 dwelling units to the acre. Directly to the south is a portion of the Riverfront Trail system located on property owned by the Colorado Division of Wildlife and to the north are single-family detached homes located on larger acreage with a mixture of City and County jurisdiction including R-5 zoning (Residential – 5 du/ac) in the City and RSF-R zoning (Residential Single Family – Rural) in the County. Also to the northeast is the Grove Creek Subdivision located within Mesa County and zoned RMF-5 (Residential Multi-Family – 5 du/ac) with an estimated density of 4.32 dwelling units to the acre.

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 criteria:

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

The existing property was annexed and zoned R-4 in 2007. In 2010 the City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan, replacing the Growth Plan and establishing new land use designations. The Comprehensive Plan includes a Future Land Use Map which identifies this property to be designated as Residential Medium (4 – 8 du/ac), which is the same designation that was identified on the property when the property was annexed and zoned in 2007. Both the Applicant's proposed zoning of R-8 as well as the existing zoning of R-4 implements the Future Land Use Map designation of Residential Medium (4 – 8 du/ac). The existing zoning of R-4 continues to be a valid zoning under the Comprehensive Plan, nor has staff found other subsequent events to have invalidated the original premise of the existing zoning, therefore finds this criterion has not been met.

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

The residential character within the immediate vicinity of the proposed rezone has changed in that it has continued to be developed with new residential structures/subdivisions with densities allowed within the R-8 zoning district. This includes the addition of the adjacent River Trail Subdivision that first developed in 2012 and has an existing zoning designation of R-8.

The general character of the area is residential with a mix of attached and detached single-family product. The number of dwelling units in the area continues to increase and the broader area of the Pear Park area has seen a variety of development pressures including single-family and multi-family residential product since the property was annexed and zoned in 2007. Staff has found the area has changed overtime with additional R-8 zoning being added to the area including the River Trail and River Bend Subdivisions and therefor the zoning request is consistent with both the Comprehensive Plan and the surrounding uses and densities. Therefore, staff finds this criterion has been met.

(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 property and are sufficient to serve the residential land uses allowed in the R-8 zone district. Clifton Water and City sanitary sewer are presently located within the D Road right-of-way. The property can also be served by Xcel Energy electric and natural gas. Access to commercial facilities, retail, offices and restaurants, etc., can be accessed from either 30 or 32 Roads via D Road. Grand Valley Transit (GVT) also provides bus service stops along D Road. In addition, the property is located nearby to Chatfield Elementary School. Staff has found there to be adequate public and community facilities available to serve the R-8 zone district and its potential uses therefore, staff finds this criterion has been met.

(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 R-8 zone district comprises the largest amount of residential acreage within the City limits at over 1,868 acres. Much of the recent and current development activity that has taken place within the city in the R-8 zone districts has been developed at the lowest end of the allowable density range at a density of 5.5 dwelling units per acre. Because development continues to put downward pressure on the overall developed densities of properties within the City there is a growing need to be able to

accommodate the longer-term future growth of the City's population. It is therefore Staff's opinion that there is an inadequate supply of suitably designated lands (R-8 or higher) to accommodate for the densities necessary to accommodate for future residential growth and the proposed land use herein. Staff therefore, finds this criterion has been met.

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

The community will derive benefits from the proposed rezone by creating an opportunity to develop from 5.5 dwelling units per acre up to 8 dwelling units per acre on the property. This zone district provides additional residential housing opportunities near existing neighborhoods that have compatible densities and are also within easy access of both necessary infrastructure and community amenities for future residents. The proposed R-8 zone district implements the Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac) as well as have the potential to provide for a diversity of housing types. The property is located within Pear Park and near neighborhood commercial centers, an elementary school, which could contribute positively to employers' ability to attract and retain employees. Therefore, staff finds this criterion has been met.

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

Goal 3: The Comprehensive Plan will 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 increasing air quality.

Goal 5: To 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 A: In making land use and development decisions, the City will balance the needs of the community.

Policy C: Increasing the capacity of housing developers to meet housing demand.

FINDINGS OF FACT

After reviewing the River Walk Subdivision Rezone, RZN-2018-273, a request to rezone 9.37 acres from R-4 (Residential – 4 du/ac) to R-8 (Residential – 8 du/ac) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

FISCAL IMPACT:

This land use action for a Rezone only does not have any direct fiscal impact. Subsequent actions such as future subdivision development and related construction will have a direct fiscal impact regarding associated road and utility infrastructure installation, future maintenance and indirect fiscal impacts related to the construction of the project and associated homes.

SUGGESTED MOTION:

I move to introduce an ordinance rezoning the River Walk Subdivision from R-4 (Residential – 4 du/ac) to the R-8 (Residential – 8 du/ac) zone district, located at 3125 D Road, and set a public hearing for August 15, 2018.

Attachments

1. Site Location, Aerial, & Zoning Maps
2. Ordinance





Aerial Photo Map

Grove Creek Subd

River Bend Subd

River Trail Subd

Site

Colorado River

H RD

D RD

Comprehensive Plan Future Land Use Map





CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE RIVER WALK SUBDIVISION FROM
R-4 (RESIDENTIAL – 4 DU/AC) TO R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 3125 D ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the River Walk Subdivision R-8 (Residential – 8 du/ac) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Residential Medium (4 – 8 du/ac) of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-8 (Residential – 8 du/ac) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned R-8 (Residential – 8 du/ac):

THE E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN; EXCEPT BEGINNING AT A MESA COUNTY SURVEY MARKER AT THE NORTHWEST CORNER OF LOT TWO OF SAID SECTION 22, FROM WHENCE MESA COUNTY SURVEY MARKER NO. 1382 AT THE NORTHEAST CORNER OF SAID LOT TWO BEARS N89°59'40"E 1307.47 FEET; THENCE S89°59'40"W ON THE SOUTH LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 22, 326.89 FEET TO THE EAST LINE OF RIVER BEND SUBDIVISION; THENCE N00°04'13"E ON SAID EAST SUBDIVISION LINE 35.00 FEET; THENCE N89°59'40"E 326.92 FEET TO THE EAST LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 22; THENCE S00°07'30"W 35.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR THE DRAINAGE OF AGRICULTURAL WASTE WATER AS RESERVED IN INSTRUMENT RECORDED DECEMBER 29, 1993 IN BOOK 2037 AT PAGE 223, COUNTY OF MESA, STATE OF COLORADO.

Said parcel contains 9.37 acres more or less.

Introduced on first reading this _____ day of _____, 2018 and ordered published in pamphlet form.

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

ATTEST:

President of City Council

City Clerk



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: August 1, 2018

Presented By: Randi Kim, Utilities Director

Department: Public Works - Utilities

Submitted By: Lee Cooper, Project Engineer

Information

SUBJECT:

Contract for Persigo Wastewater Treatment Plant (WWTP) Diffuser Outfall Improvements Project

RECOMMENDATION:

Authorize the City Purchasing Division to Execute a Construction Contract with Oldcastle SW Group dba United Companies for the Construction of the Persigo Wastewater Treatment Plant (WWTP) Diffuser Outfall Improvements Project in the Amount of \$5,123,502.

EXECUTIVE SUMMARY:

The City hired the services of Stantec Consulting Engineers in 2014 to study the options needed to improve and/or expand the WWTP to meet the nutrient limits required by the updated Colorado Dept. of Public Health and Environment (CDPHE) Regulation No. 31. The options available were to either expand the plant with specific process modifications and continue discharging to Persigo Wash or discharge into the Colorado River through a river diffuser system. Stantec studied each option and determined a probable cost for each option. In the end, Stantec and the City determined that a diffuser installed in the Colorado River was the best option for satisfying Regulation No. 31 and the best option for operations at the WWTP. In addition, the U.S. Fish and Wildlife Service is supportive of the City pursuing a diffuser outfall in the Colorado River for protecting the endangered fish.

BACKGROUND OR DETAILED INFORMATION:

The Persigo WWTP will be required to meet new nutrient limitations set forth in

Regulation No. 31, specifically for total phosphorus and total inorganic nitrogen. The Stantec study evaluated the process modifications required to upgrade the plant to meet the new nutrient limitations for discharging into Persigo Wash versus the construction of a diffuser outfall directly into the Colorado River.

The effluent quality (limits) required by Regulation No. 31 are very stringent and differ depending upon the receiving stream. The water quality limits for total phosphorus (TP) and total nitrogen (TN) discharging to Persigo Wash are 0.17 mg/L and 2.01 mg/L, respectively. Whereas, the maximum effluent limits required by Regulation No. 31 for discharging to the Colorado River with a diffuser are 7.4 mg/L and 144 mg/L, respectively. The primary reason for the higher limits for the Colorado River is that the diffuser provides instantaneous mixing and dilution with the river water.

In order for the Persigo WWTP to continue discharging into Persigo Wash and meet the new TP and TN limits set forth in Regulation No. 31, the plant would have to invest considerably in plant upgrades and processes in order to remove the required nutrients (phosphorus and nitrogen) to the required effluent levels. The Stantec study estimated the cost for process upgrades at about \$38.1 million, whereas the estimated cost for diffuser construction was at about \$1.3 million. Based upon the results of these evaluations and the cost comparison analysis, the diffuser outfall option was selected.

Currently, Persigo is built to treat 12.5 million gallons per day (MGD) of wastewater flow. The future expansion of Persigo will be capable of handling 25 MGD of wastewater flow. The proposed new diffuser has been designed and sized to handle 25 MGD of wastewater flow to accommodate full build-out of the plant.

Installation of the diffuser and discharge to the Colorado River must be completed by March 2019 to comply with the Discharge Permit.

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

| <u>Bidder</u> | <u>City/Town</u> | <u>Bid Amount</u> |
|---|-------------------------|--------------------------|
| Oldcastle SW Group dba United Companies | Grand Junction, CO | \$5,123,502.00 |
| Claude H. Nix Construction | South Ogden, Utah | \$5,339,005.70 |
| ESCO Construction Co. | Evergreen, CO | \$5,986,045.80 |

FISCAL IMPACT:

During the 2018 budget process, the Persigo Board approved the diffuser construction project at \$4 million. However, because of price escalations due to market increases in materials and construction costs, approved funding for other sewer capital projects will be reallocated to make up the difference between the budgeted and bid amounts. The total project costs are detailed below.

Diffuser Outfall Project Costs

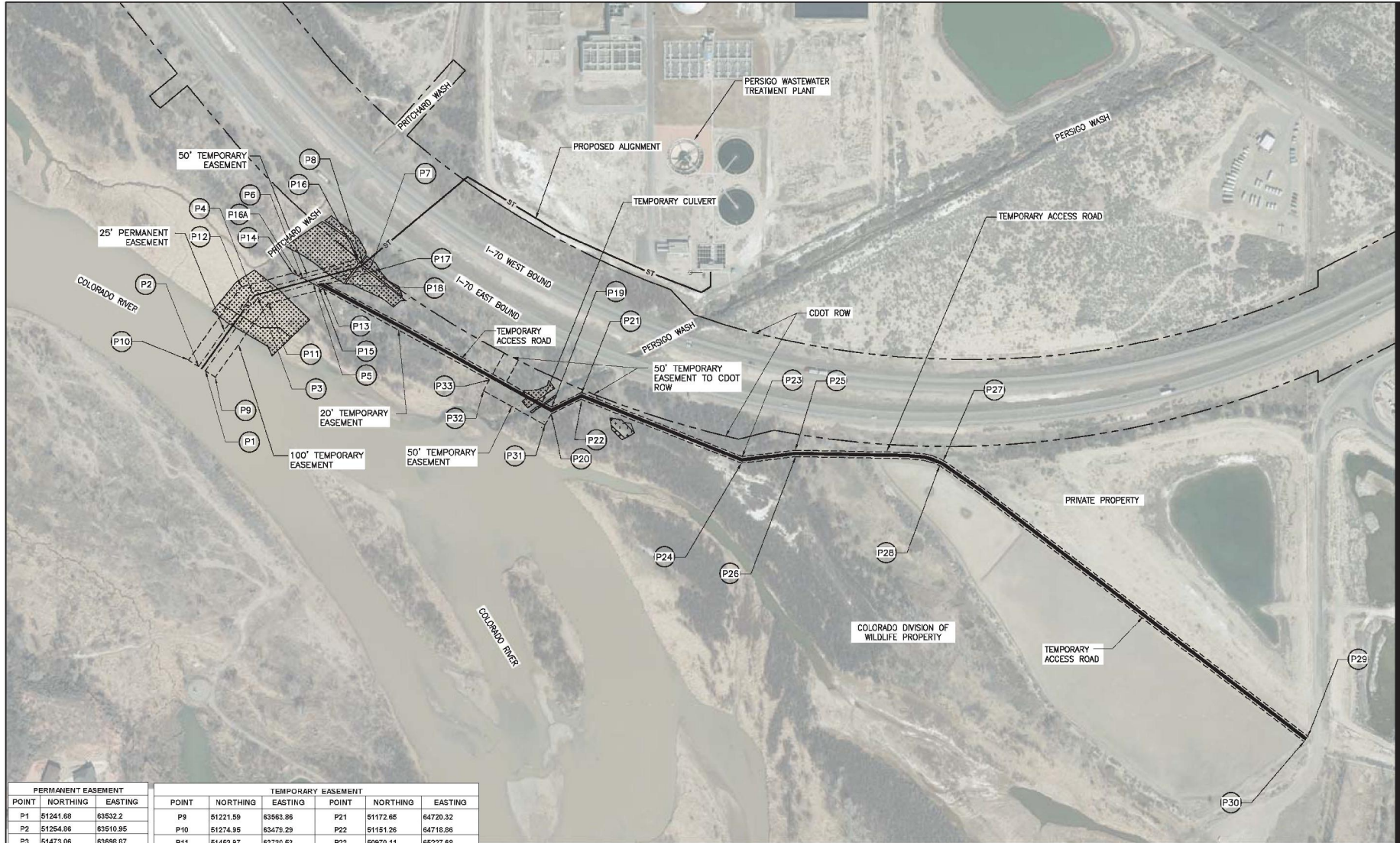
| | |
|--|--------------------|
| United Companies Construction Contract: | \$5,123,502 |
| 3rd Party Quality Assurance Testing (Estimate): | \$10,000 |
| Stantec Engineering (Bidding & Construction Services): | \$60,000 |
| City Project & Contract Admin.: | \$25,000 |
| TOTAL Project Costs: | \$5,218,502 |

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to enter into a Contract with Oldcastle SW Group dba United Companies for the Persigo WWTP Diffuser Outfall Improvements Project in the amount of \$5,123,502.00.

Attachments

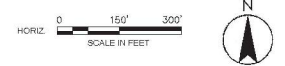
1. Site Map
2. Persigo Diffuser Memo 072618



| PERMANENT EASEMENT | | | TEMPORARY EASEMENT | | | | | |
|--------------------|----------|----------|--------------------|----------|----------|-------|----------|----------|
| POINT | NORTHING | EASTING | POINT | NORTHING | EASTING | POINT | NORTHING | EASTING |
| P1 | 51241.68 | 63532.2 | P9 | 51221.59 | 63563.86 | P21 | 51172.65 | 64720.32 |
| P2 | 51254.06 | 63510.95 | P10 | 51274.85 | 63479.29 | P22 | 51151.26 | 64718.96 |
| P3 | 51473.06 | 63696.87 | P11 | 51462.97 | 63730.53 | P23 | 50970.11 | 65227.68 |
| P4 | 51490.61 | 63680.77 | P12 | 51506.33 | 63645.95 | P24 | 50949.69 | 65226.88 |
| P5 | 51516.89 | 63873.17 | P13 | 51499.98 | 63906.90 | P25 | 50990.43 | 65395.96 |
| P6 | 51533.67 | 63840.29 | P14 | 51650.2 | 63806.67 | P26 | 50970.08 | 65396.76 |
| P7 | 51565.78 | 64053.32 | P15 | 51508.39 | 63885.67 | P27 | 66863.94 | 50998.15 |
| P8 | 51964.92 | 64026.39 | P16 | 51594.52 | 64016.06 | P28 | 50941.77 | 65892.01 |
| | | | P16A | 51542.36 | 63823.85 | P29 | 50896.32 | 67014.74 |
| | | | P17 | 51656.26 | 64055.95 | P30 | 50069.93 | 67002.81 |
| | | | P18 | 51519.34 | 63906.96 | P31 | 51070.14 | 64604.91 |
| | | | P19 | 51126.72 | 64625.98 | P32 | 51178.38 | 64410.51 |
| | | | P20 | 51105.33 | 64624.51 | P33 | 51212.71 | 64429.34 |

LEGEND

- WETLANDS
- CDOT ROW
- PERMANENT EASEMENT
- TEMPORARY EASEMENT
- OUTFALL
- TEMPORARY ACCESS



| Revision | By | App'd | Y/M/D |
|----------|----|-------|----------|
| 1 | | | 11/14/20 |

| Rev. | CDR | CHK | APP |
|------|-----|-----|-----|
| 1 | | | |

Client/Project
 CITY OF GRAND JUNCTION / MESA COUNTY
 PERSIGO WASTEWATER TREATMENT PLANT
 DIFFUSER OUTFALL IMPROVEMENTS

Title
 PROJECT EASEMENT PLAN

Permit/Scale

Project Number: 2020050555
 File Name: 03055-GJ0505-g

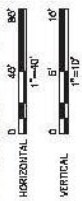
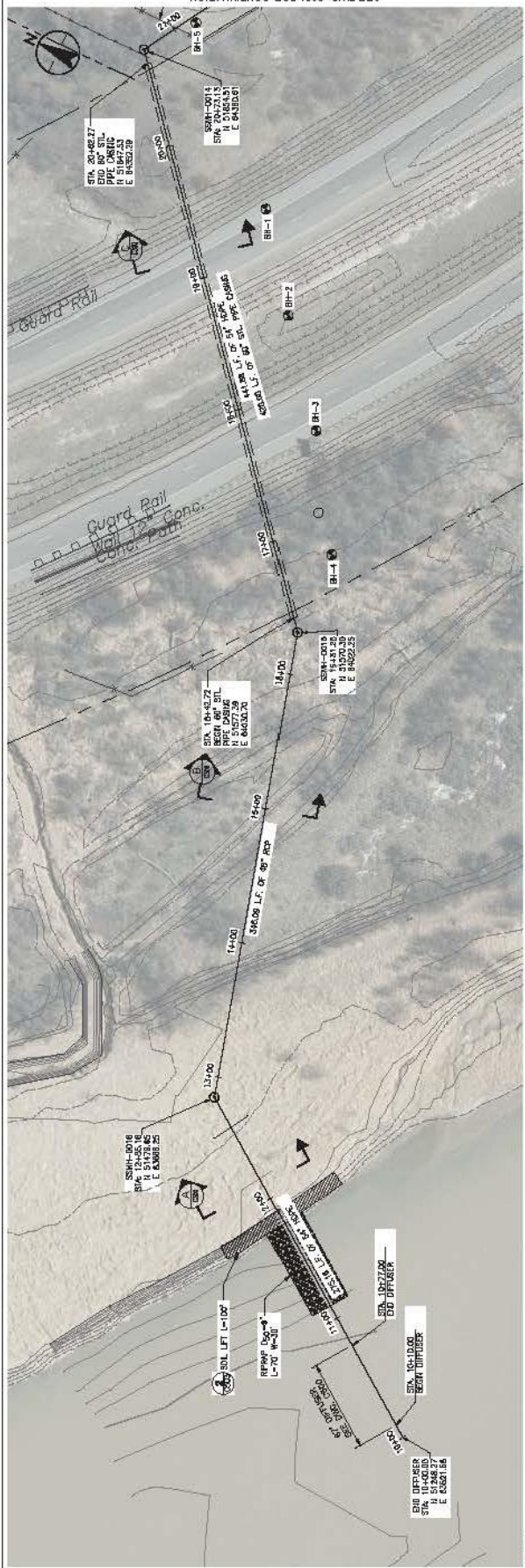
| Rev. | CDR | CHK | APP |
|------|-----|-----|-----|
| 1 | | | |

Drawing No. G100
 Revision Sheet
 B

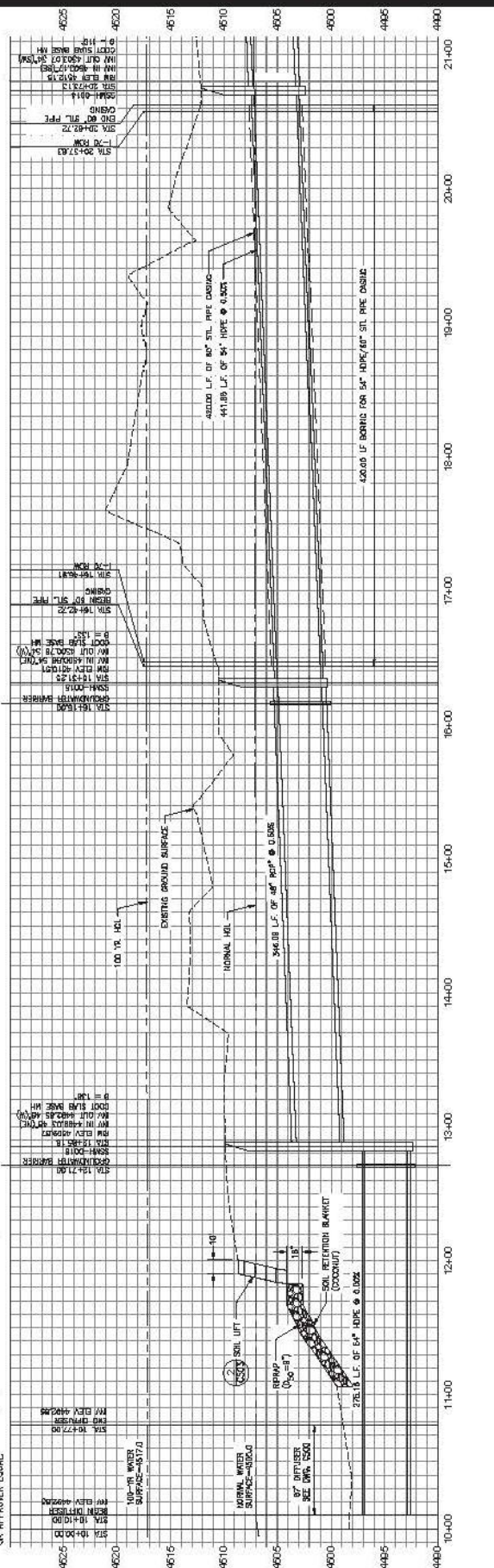
2023 South Colorado Boulevard Suite 200
 Denver, CO 80202
 (303) 733-4600
 www.stantec.com

| NO. | DATE | BY | CHKD | DESCRIPTION |
|-----|----------|----|------|-----------------------|
| 1 | 04/11/23 | MM | MM | FINAL DESIGN APPROVAL |
| 2 | 04/11/23 | MM | MM | DESIGN |
| 3 | 04/11/23 | MM | MM | PRELIMINARY |

SEE DWG. C201 FOR CONTINUATION



- NOTES:**
1. HGL BASED ON 100 YR TAILWATER OF 487 IN THE COLORADO RIVER. ELEVATION OF HGL DOES NOT REFLECT ELEVATION OF RIVER DURING CONSTRUCTION.
 2. HGL SHOWN DAILY REFLECTS ELEVATION USED FOR DESIGN OF OUTFALL.
 3. ALL WORK MUST REMAIN OUTSIDE FOOT ROW AT ALL TIMES WITH THE EXCEPTION OF INDICATED CONSTRUCTION.
 4. ALL MANHOLES SHALL HAVE LOCKING LIDS. LIDS SHALL BE BEERAN R-1074 OR APPROVER EQUAL.

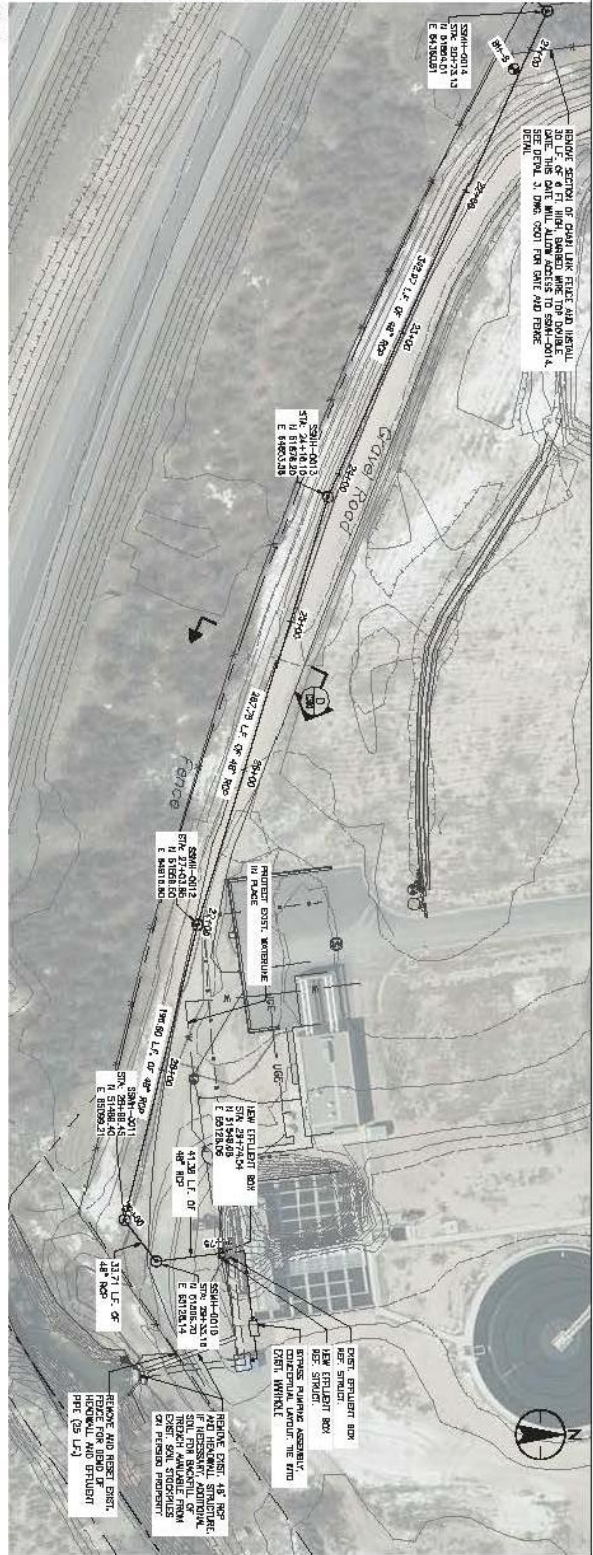


CITY OF GRAND JUNCTION / MESA COUNTY
PUBLIC WORKS DEPARTMENT
OUTFALL IMPROVEMENTS
OUTFALL PROFILE PLAN AND PROFILE
 STA. 10+00.00 TO 21+00.00

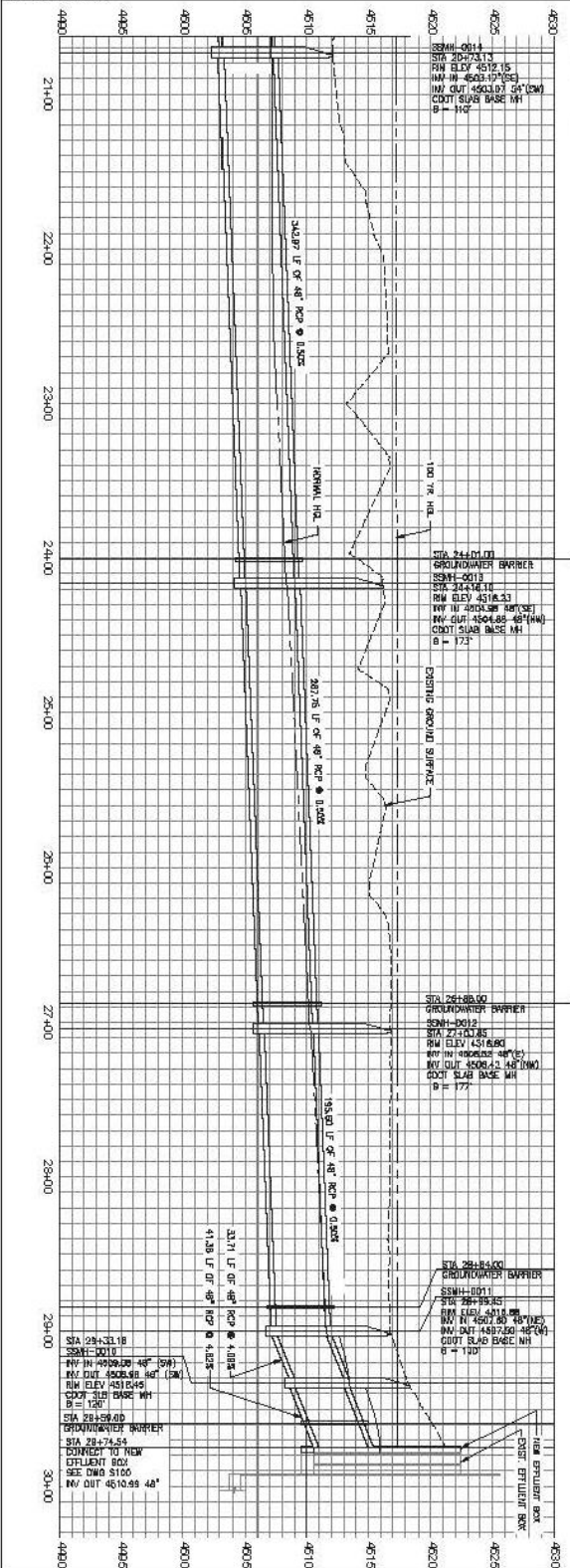


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|----------------|------------|
| PROJECT NUMBER | 2023000005 |
| DATE | 04/11/23 |
| DRAWING NO. | C200 |
| SHEET NO. | 10 OF 17 |

SEE DWG. C200 FOR CONTINUATION



- NOTES:**
1. HGL BASED ON 100 YR. TAILWATER OF 4517 IN THE COLORADO RIVER. ELEVATION OF HGL DOES NOT REFLECT ELEVATION OF RIVER DURING CONSTRUCTION.
 2. HGL SHOWN ONLY REFLECTS ELEVATION USED FOR DESIGN OF OUTFALL.
 3. ALL WORK MUST REMAIN OUTSIDE COOT ROW AT ALL TIMES WITH THE EXCEPTION OF TRENCHLESS CONSTRUCTION.
 4. ALL MARKERS SHALL HAVE LOOKING UNLS. UNLS SHALL BE HEIGHT 8-1574 OR APPROX. EQUAL.



Client/Project
CITY OF GRAND JUNCTION / MESA COUNTY

PERISCO WASTEWATER TREATMENT PLANT
 DIFFUSER OUTFALL IMPROVEMENTS

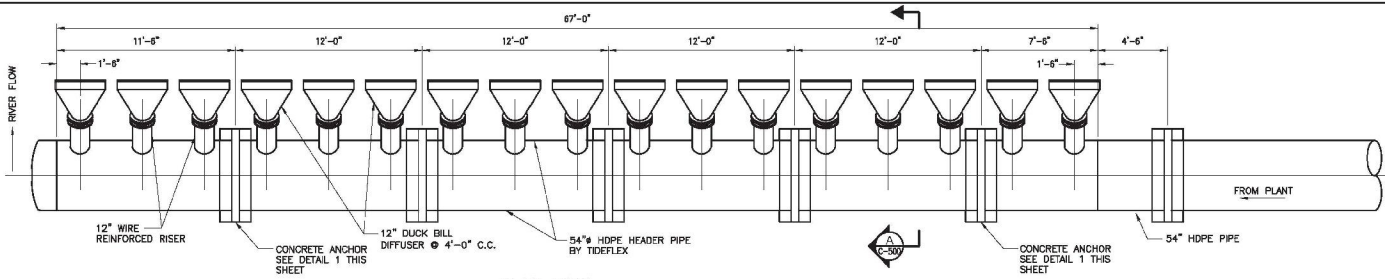
Title
**OUTFALL PIPELINE PLAN AND PROFILE
 STA. 20+83.96 TO 30+00.00**

DATE: 2023/08/08
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

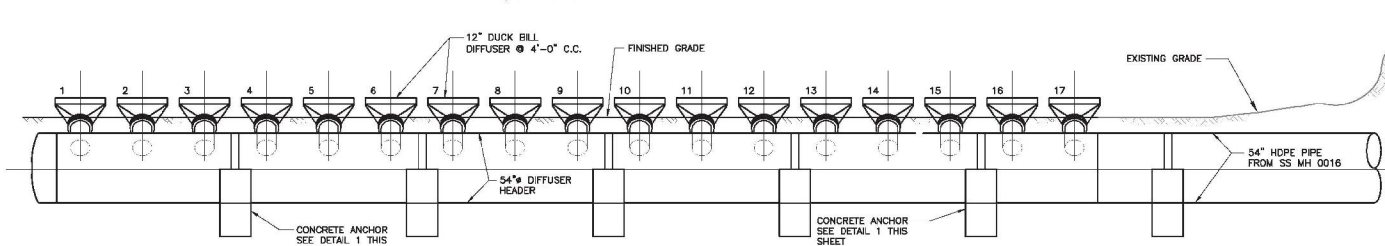
| Revision | By | Date | Description |
|----------|----------|------|---------------------------|
| 1 | FEARLESS | | FINAL CONTRACT DOCUMENT |
| 2 | FEARLESS | | DESIGN REVIEW APPLICATION |

2800 South Colorado Boulevard Suite 2000
 Denver, CO 80202
 www.stantec.com

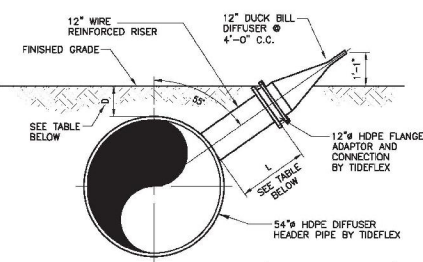
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PLAN VIEW
1/4" = 1'-0"

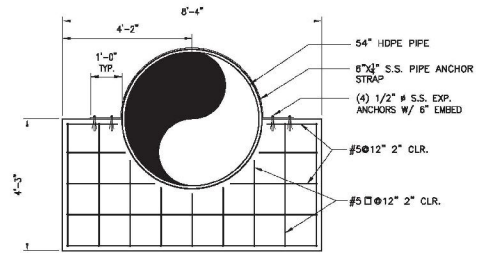


ELEVATION VIEW
1/4" = 1'-0"

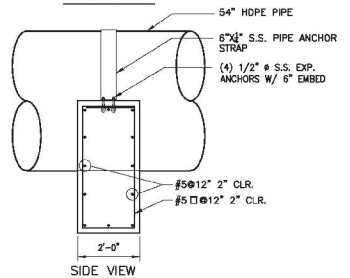


A SECTION
DIFFUSER LAYOUT
1/2" = 1'-0"

| Diffuser ID | Diffuser Depth "0" (ft) | Diffuser Extension "1" (ft) |
|-------------|-------------------------|-----------------------------|
| 1 | 0.5 | 1.54 |
| 2 | 0.5 | 1.54 |
| 3 | 0.5 | 1.54 |
| 4 | 0.5 | 1.54 |
| 5 | 0.5 | 1.54 |
| 6 | 0.5 | 1.54 |
| 7 | 0.5 | 1.54 |
| 8 | 0.5 | 1.54 |
| 9 | 0.5 | 1.54 |
| 10 | 0.5 | 1.54 |
| 11 | 0.5 | 1.54 |
| 12 | 0.5 | 1.54 |
| 13 | 0.6 | 1.72 |
| 14 | 0.7 | 1.92 |
| 15 | 0.8 | 2.06 |
| 16 | 0.9 | 2.20 |
| 17 | 1 | 2.35 |

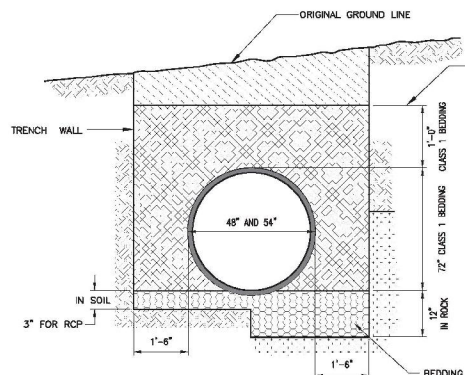


FRONT VIEW



SIDE VIEW

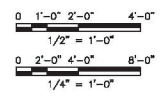
1 DETAIL
CONCRETE ANCHOR BLOCK
N.T.S.



2 DETAIL
PIPE IN TRENCH
N.T.S.

THE BEDDING MATERIAL FOR RIGID PIPE IN SOIL SHALL BE 3 IN. OF LOOSE STRUCTURE BACKFILL (CLASS 1). BEDDING IS NOT REQUIRED FOR FLEXIBLE PIPE IN SOIL. BEDDING MATERIAL FOR RIGID OR FLEXIBLE PIPE IN ROCK SHALL BE 12 IN. OF LOOSE STRUCTURE BACKFILL, CLASS 1.

ALL EXCAVATION AND BACKFILL INCLUDING BEDDING MATERIAL SHALL BE INCLUDED IN THE BID PRICE FOR THE PIPE.



| Revision | By | App'd | Y/M/D |
|----------|----|-------|-------|
| 1 | | | |
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Client/Project
CITY OF GRAND JUNCTION / MESA COUNTY
PERISCO WASTEWATER TREATMENT PLANT
DIFFUSER OUTFALL IMPROVEMENTS
Title
DIFFUSER DETAILS
Permit/Spec



| | |
|----------------|---------------|
| Project Number | 205305055 |
| File Name | 0505 C000.dwg |
| Scale | AS SHOWN |
| Sheet | 0505 |
| Drawing No. | C500 |
| Revision | Sheet |

Memorandum

TO: Joint Persigo Board
FROM: Greg Caton, City Manager
 Randi Kim, Utilities Director
DATE: July 26, 2018
SUBJECT: Update of Persigo Effluent Diffuser Project Status and Costs

The Persigo wastewater treatment facility was designed in 1980 and constructed in 1984. At the time, the facility employed the latest treatment technologies available to meet permitted effluent limitations to discharge treated water to the Persigo Wash. Over time, both the Environmental Protection Agency (EPA) and the Colorado Department of Health & Environment (CDPH&E) have imposed additional discharge limitations, some of which the treatment facility was not designed to achieve. Colorado Regulation 31 established stringent water quality-based standards for nitrogen (2.01 mg/L) and phosphorus (0.17 mg/L). Later in 2012, CDPH&E issued Regulation 85, also known as the “Nutrients Management Control Regulation” to establish technology-based limits for nitrogen (15 mg/L) and phosphorus (1.0 mg/L). These new nutrient limits would be implemented through renewal of the facility discharge permit, requiring the facility to make changes to meet these requirements. The purpose of this memorandum is to provide an update of the Persigo Effluent Diffuser Project.

During 2014, the City applied for and received an \$80,000 grant from CDPH&E that was used to hire a consultant to evaluate opportunities to meet the impending nutrient limitations. Through this process, two courses of action were identified:

| Option | Description | Capital Cost |
|---|---|--------------|
| 1 – Upgrade Persigo Wastewater Treatment Facility and Discharge to Persigo Wash | Upgrade the Persigo wastewater treatment facility with biological nutrient removal capabilities to meet discharge limits for Persigo Wash. | \$38,100,000 |
| 2 – Install Diffuser and Discharge to Colorado River | Move the Persigo discharge point to the main stem of the Colorado River, which would be subject to less stringent limitations as a result of the additional dilution capabilities of the river. This option would require installation of a diffuser. | \$1,300,000 |

The Persigo facility then received a new 5-year Discharge Permit in November 2017, which requires installation of the diffuser and discharge to the Colorado River by March 2019. The installation of the effluent diffuser is needed to comply with current and impending nutrient regulations, but the project will also benefit the Persigo operations in other ways. Persigo will no longer be required to conduct expensive Chronic Whole Effluent Toxicity (WET) testing of various of aquatic species and will not be subject to stringent effluent temperature limitations. As a result, the Persigo will be able to accommodate additional industrial and commercial customers. Based on the study findings and issuance of the permit, the Persigo Board approved the 2017 budget which included \$1.5 million for construction of the diffuser.

Project Design – As the design of the diffuser was developed to meet the effluent limits provided by CDPH&E, it was determined that the header pipe for the diffuser would need to be increased to 54 inches in diameter to achieve the desired dilution as compared to 36 inches envisioned during the study phase. The final design of the Persigo Diffuser includes 1,250 feet of 48-inch diameter Reinforced Concrete Pipe (RCP), 720 feet of 54-inch diameter High Density Polyethylene Pipe (HDP) and 420 feet of 60-inch diameter steel casing pipe. The engineer's estimate based on final design requirements was \$2.2 million.

Construction Bidding – In response to the City's solicitation for bids, four bids were received on August 1, 2017, ranging from \$4,321,662 to \$5,671,711. As a result of the bids coming in much higher than anticipated, it was decided to postpone the project until design clarifications could be made that were believed to mitigate some of the risks associated with the project, and thereby reduce the construction cost. Project risks include boring under I-70 and monitoring to ensure that settling does not occur, building a coffer dam in the Colorado River and dewatering the diffuser installation site during construction, and the unknowns associated with the size of rock that could be encountered during the boring process. Additional geotechnical investigations were performed to assess the soil conditions and the design engineer updated project specifications.

During the 2018 budget process, the Persigo Board approved the diffuser construction project at an adjusted cost of \$4,000,000. The project was resolicited during May and bids were opened on July 18, 2018. The bids range from \$5,123,502 to \$5,986,045.

A comparison of the 2017 and 2018 bids indicates a price escalation of about 18% when comparing the low bids and 11% when comparing the mid-range of the bids. Based upon a review of the bid tabulation, Staff have concluded that the price escalation is in part due to market increases in materials and construction costs. Price indices indicate a 7% increase in the cost of High Density Polyethylene pipe (HDPE), a 10% increase in the cost of steel pipe, and a 6% increase in the cost of non-residential construction. Considering the length and diameter of HDPE and steel pipe associated with this project, these price increases are sizable for this project. In addition to market conditions, the risks associated with this project have not been fully mitigated by the additional design considerations and must be managed by the contractor to prevent settlement under I-70 and prevent environmental impacts to the Colorado River.

Next Steps – The Persigo diffuser project is required to be installed by March 2019 to comply with CDPH&E permit requirements. The construction duration for the project is about six months and therefore construction must start no later than September 2018.

Staff recommends that the Persigo diffuser project be awarded to the current low bidder at a cost of \$5,123,502. Although the approved budget for this project is \$4,000,000, funds can be reallocated from authorized funding for other sewer capital projects to fund the total costs of the diffuser project. Authorized funding for sewer interceptor and sewer replacement projects have not been fully encumbered. Projects that have not yet been initiated could be postponed to 2019 to allow for completion of the diffuser project with existing authorized funding authority. The following projects are being recommended for postponement to 2019 in order to supplement funding for the diffuser project in 2018:

1. **South Side Interceptor Lining Project, Budget \$900,000:** The South Side Interceptor is a 4.3 mile, 30" RCP pipe that parallels the Colorado River south of the Riverside Parkway. This interceptor runs from D & 29 Roads to the current City Shop campus on Hwy 340. A

5,700 linear foot portion of the interceptor running from the 5th Street Bridge to West Main Street was slated to be lined this year. While inspection of this pipe indicates some signs of corrosion, lining of the pipe can be completed in 2019.

2. **2018 Sewer Replacements, Budget, \$2.5 Million:** During 2015 the Persigo Board approved a sewer pipe replacement program designed to remove all pipe in the system that has exceeded its design life expectancy by the year 2045. Currently there is \$2.5 million budgeted for this effort during 2018. Staff is proposing to reduce this effort by \$223,502 and divert these funds to the effluent diffuser project.

Staff recommends award of the Persigo Diffuser Outfall Improvement Project in the amount of \$5,123,502 at the City Council Regular Meeting on August 1, 2018.



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: August 1, 2018

Presented By: Greg Caton, City Manager

Department: City Manager

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

Resolution Adopting General Fund Minimum Reserve Fund Balance Policy

RECOMMENDATION:

Adoption of Resolution No. 50-18 establishing a General Fund Minimum Reserve Fund Balance Policy

EXECUTIVE SUMMARY:

The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreations, and public works. The General Fund is supported primarily by sales taxes.

It is important to establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital and economic development spending.

This resolution will adopt City Council Policy of establishing and maintaining a minimum reserve fund balance in the General Fund.

BACKGROUND OR DETAILED INFORMATION:

The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreations, and public works. The General Fund is supported primarily by sales taxes.

It is important to establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital and economic development spending.

It is advised under best practices of the Government Finance Officers Association (GFOA), when considering what is an appropriate unrestricted fund balance or a minimum reserve for the General Fund, an entity should take into account any unique circumstances for the respective government. GFOA also recommends as a general rule that unrestricted fund balance in the General Fund should be no less than 2 months of operating expenditures which equates to 16.7%.

Staff recommends establishing the General Fund Minimum Reserve ("Minimum Reserve") at 25% of the current year's Adopted Expense Budget which is equivalent to 3 months of operating expenses. A portion of the Minimum Reserve may be authorized by City Council to be used to continue the delivery of services during a short-term economic downturn and/or to use for strategic investment in the community through one-time capital and economic development spending. When the minimum reserve is used for these purposes, the General Fund Balance shall not fall below 20% of the current year's Adopted Expense Budget and is replenished by the following year's Adopted Budget. A portion of the General Fund Minimum Reserve includes the reserve required by Article X, Section 20 of the State Constitution. This is also known as the TABOR emergency reserve.

FISCAL IMPACT:

Per the policy, the General Fund Minimum Reserve shall not fall below 25% of the current year's Adopted Expense Budget except as authorized to either continue the delivery of services during a short-term economic downturn or to use for strategic investment in the community through one-time capital and economic development spending, and it shall be replenished by the following year's Adopted Budget. In any case it shall not fall below 20% of the current year's Adopted Expense Budget.

Through balancing the structure of the City's budget, conservative budgeting, and frugal spending for the past two years, the General Fund Balance has increased significantly. At this time it is projected that the ending General Fund Balance at 12/31/18 will be \$24.8 million. Of that \$5.2 million is in interfund loans and \$3,900 is reserved for the 1% for the Arts program.

Based on this policy, the current year's General Fund Minimum Reserve is calculated as \$17.53 million.

SUGGESTED MOTION:

I move to adopt Resolution No. 50-18, A Resolution Establishing the General Fund Minimum Reserve Policy.

Attachments

1. Resoution General Fund Minimum Reserve Policy Final
2. General Fund Minimum Reserve Balance Policy Final

RESOLUTION NO. __-18

A RESOLUTION ESTABLISHING THE GENERAL FUND MINIMUM RESERVE POLICY

RECITALS.

The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreation and public works. The General Fund is supported primarily by sales taxes.

The City Charter provides that that investment policies and policies for accounts and deposits shall be established by Resolution of the City Council. For many reasons it is important to establish a minimum reserve fund balance in the General Fund: a reserve policy ensures the continued delivery of City services by providing stability during economic cycles, it helps to maintain good standing with rating agencies and guarantees some cash will be available to invest in one-time capital, economic development or other necessary spending.

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

1. The General Fund is the largest operating fund of the City of Grand Junction and supports all major government functions such as public safety, parks, recreation and public works. The General Fund is supported primarily by sales taxes.
2. It is important to establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital, economic development or other necessary spending.
3. The purpose of this Resolution is to establish City Council policy setting the General Fund Minimum Reserve ("Minimum Reserve") at 25% of the current year's adopted budget; however,
 - a) the Minimum Reserve may be reduced to no less than 20% if
 - b) the funds are used for strategic investment in the community through one-time capital, economic development or other necessary spending as determined by City Council; and,
 - c) the General Fund balance of the current year's Adopted Expense Budget and the Minimum Reserve is replenished by the following year's Adopted Budget.
4. The Minimum Reserve shall not be used for any purpose other than as allowed by this Resolution or as required by Article X, Section 20, §5 of the Colorado Constitution (also known as the TABOR reserve.) The TABOR reserve is not in

addition to but instead shall be included in the calculation of the Minimum Reserve.

5. The General Fund Minimum Reserve Fund Balance Policy is attached and incorporated by this reference as if fully set forth and shall be applied until subsequent resolution of the City Council.

Adopted this 1st day of August 2018.

Barbara Traylor-Smith
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk



General Fund Minimum Reserve Fund Balance Policy

Purpose

To establish a minimum reserve fund balance in the General Fund to ensure the continued delivery of City services, to provide stability during economic cycles, to maintain good standing with rating agencies, and to have cash available to invest in one-time capital and economic development spending.

Minimum Reserve

The General Fund Minimum Reserve shall not fall below 25% of the current year's Adopted Expense Budget except as authorized in the following section. This percentage is equivalent to 3 months of operating expenses. A portion of the General Fund Minimum Reserve includes the reserve required by Article X, Section 20 of the State Constitution. This is also known as the TABOR emergency reserve.

Authorized Use

Upon City Council authorization, a portion of the minimum reserve may be used for the following provided the General Fund balance does not fall below 20% of the current year's Adopted Expense Budget and is replenished by the following year's Adopted Budget:

- To continue the delivery of services during a short-term economic downturn
- To use for strategic investment in the community through one-time capital, economic development or other necessary spending as authorized by City Council.

Policy Adoption

In accordance with the City Charter this policy is adopted by resolution of City Council and can be changed by resolution as deemed appropriate.



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: August 1, 2018

Presented By: John Shaver, City Attorney

Department: City Attorney

Submitted By: City Attorney John Shaver

Information

SUBJECT:

A Resolution Rescinding Resolution No. 43-16

RECOMMENDATION:

Adopt Resolution 51-18 rescinding Resolution 43-16.

EXECUTIVE SUMMARY:

In 2016 the City Council adopted Resolution 43-16 regarding Municipal Court operations. Prior to Resolution 43-16 the Court Administrator/Clerks were managed by the City Manager or his designee. Adoption of the proposed resolution will restore that structure/reporting relationships.

BACKGROUND OR DETAILED INFORMATION:

On October 19, 2016 the City Council adopted Resolution 43-16 regarding Municipal Court operations. Prior to Resolution 43-16 the Court Administrator/Clerks were managed by the City Manager or his designee. Similarly, the facilities, scheduling, accounting and other non-courtroom/case specific functions of the Court were accomplished by the same staff under the same reporting relationship. With the adoption of 43-16 those interactions became the responsibility of the Municipal Judge.

An ordinance defining the structure and operations of the Court has been proposed in lieu of the current default to State law (C.R.S. 13-10-101 et. seq.). With the adoption of an ordinance the structure and reporting relationships will be clearly defined by the City Council. Because an ordinance is not yet adopted and because the Court and its users will benefit from a clear articulation of the reporting relationships in the interim, City staff

recommends adoption of the proposed resolution.

With the adoption of this Resolution the management of the business functions of the court will no longer be the responsibility of the Municipal Judge.

FISCAL IMPACT:

Adoption of the proposed resolution will not result in any new direct fiscal change(s) or impact.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 51-18, a resolution rescinding Resolution 43-16.

Attachments

1. Resolution Rescinding 43-16

RESOLUTION NO. __-18

A RESOLUTION RESCINDING RESOLUTION 43-16 REGARDING THE MUNICIPAL COURT

RECITALS:

On October 19, 2016 the City Council adopted Resolution 43-16 regarding Municipal Court operations. Prior to Resolution 43-16 the Court Administrator/Clerks were managed by the City Manager or his designee. Similarly, the facilities, scheduling, accounting and other non-courtroom/case specific functions of the Court were accomplished by the same staff under the same reporting relationship. With the adoption of 43-16 those interactions became the responsibility of the Municipal Judge.

The City Council has determined that it is more efficient and effective for the management responsibilities of the Court function to be restored to the City Manager or his designee and by and with this Resolution the same is directed to occur.

An ordinance defining the structure and operations of the Court has been proposed in lieu of the current default to State law (C.R.S. 13-10-101 *et. seq.*) With the adoption of an ordinance the structure and reporting relationships will be clearly defined by the City Council. Because an ordinance is not yet adopted and because the Court and the users of it will benefit from a clear articulation of the reporting relationships in the interim, the City Council adopts this Resolution.

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

Resolution 43-16 is rescinded and of no further effect and that: a) the Court Administrator/Clerks shall be managed by the City Manager or his designee and b) the facilities, scheduling, accounting and other non-courtroom/case specific functions of the Court will be accomplished by the same staff under the same reporting relationship.

With the adoption of this Resolution the management of the business functions of the court will no longer be the responsibility of the Municipal Judge.

PASSED and ADOPTED this 15th day of August 2018.

Barbara Traylor Smith
President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #5.a.i.

Meeting Date: August 1, 2018

Presented By: Jodi Romero, Finance Director, Greg Caton, City Manager

Department: Finance

Submitted By: Jodi Romero, Finance Director

Information

SUBJECT:

An Ordinance Making Supplemental Appropriations for the 2018 Budget of the City of Grand Junction, Colorado

RECOMMENDATION:

Staff recommends approval of ordinance making supplemental appropriations for 2018.

EXECUTIVE SUMMARY:

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2018 budget amendments. Supplemental appropriations are required to ensure adequate appropriations by fund and often are needed to carry forward capital projects that regularly span more than one year. This action re-appropriates the funds for projects approved and started in the prior budget year but not completed in that year. Because these capital projects have already been planned for and the expenditure approved by Council in the 2017 budget, they do not decrease the budgeted fund balances. Other items requiring a supplemental appropriation include the authorization to add three Call Taker positions in the Communications Center.

BACKGROUND OR DETAILED INFORMATION:

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2018 budget amendments.

City Council authorizes spending at a fund level based on the line item budget as

reviewed and approved. The authorization occurs through the adoption of the Appropriations Ordinance.

Supplemental appropriations are also adopted by ordinance and are required when the adopted budget is increased to carryforward capital projects and approve new projects or expenditures. Capital projects may span over more than one year and the carryforward of the project re-appropriates funds for the projects approved and started in the prior year's budget but not completed in the same year.

Often supplemental appropriations are required to authorize spending of unexpected and unbudgeted revenues which are a result of successful grant applications. Required amounts for supplemental appropriations can be offset by budget savings as well.

The 2018 Supplemental Appropriation includes spending authorization in the General Fund, Visit Grand Junction Fund, Sales Tax Capital Improvements Fund, Storm Drainage Fund, Water Fund, Golf Fund, Fleet & Equipment Fund, Self-Insurance Fund, and the Communication Center Fund all as described below.

The General Fund requires supplemental appropriations of \$910,000 for the carryforward of the 2017 economic development allocations to the Grand Junction Housing Authority and Homeward Bound, for the authorization to spend grant proceeds for the Crisis Intervention Co-Responder joint project team with Mind Springs and the Mesa County Sheriff's Office.

The supplemental appropriation for the General Fund includes authorization of executive salary adjustments moving salaries to market as a result of performance evaluations of the City Manager and City Attorney by the City Council and for the appropriation necessary for the payment of \$165,200 pursuant to Resolution 47-18. Approval of the supplemental appropriation ordinance will set the City Manager's annual salary as called for by the Charter.

The City's financial condition has improved as a result of balancing the structure of the City's budget, continued conservative budgeting and careful spending combined with a strengthening economy. At this time, the ending General Fund balance for 2018 including these adjustments is projected to be \$25.3 million (including \$5.2 million in internal loans) which is nearly \$7 million above the previously set minimum of \$18.5 million.

Following the vision of becoming a destination marketing organization under the direction and leadership of our new Director, the Visit Grand Junction Fund requires supplemental appropriations of \$85,673. The Visit Grand Junction currently has a healthy fund balance over \$200,000. The appropriation of \$85,673 represents anticipated surplus revenue for 2018 (revenue over expenditures) that was previously

unallocated. These funds will be used to begin implementing innovative technologies and data based analysis to guide Grand Junction's marketing initiatives.

The Capital Fund requires supplemental appropriations of \$6.47 million. Funds are needed for the carryforward of four projects approved in 2017 but not completed including a bridge replacement that is partially funded by Federal monies, the Las Colonias Riparian project, the Community Center Feasibility Study, and the transfer for the Buthorn Drainage project.

Additional spending authority is required for a new project that City Council has asked to be moved to 2018 to complete the sidewalk project at Bookcliff Middle School. Also included is \$120,000 for the preliminary design, environmental testing, and geotechnical work for the Riverfront at Dos Rios.

A portion of the supplemental is also to authorize capital spending of unexpected grant and tax revenues for the Horizon Drive Pedestrian Improvements, the North Area Ambulance Station, Suplizio Field Infield Replacement, and for moving mill tailings from the interim storage site to the permanent facility which is fully funded by a \$100,000 DOLA grant. The majority of the capital supplemental is required for the Las Colonias Business Park in the amount of \$5.46 million for the following:

Consolidating the project by moving the planned portion of the project out of 2019 in the 10 Year Capital plan to 2018. This will allow for flexibility in scheduling and contracting for the work in order to accomplish as much of the project as possible in 2018, take advantage of economies of scale for the larger scope, and limit exposure to construction inflation. This moves \$3.76 million from the planned and funded 2019 project expense.

As City Council is aware, we were successful in receiving additional grant funding from DOLA and combined with additional capital fund dollars above what was originally budgeted, and other project savings due to unanticipated grant funding, we are recommending an increase in scope to fund additional amenities and a higher fit and finish to the project. Additional amenities include; significant improvements to the Butterfly Lake and Plazas that will enhance the look, feel, and use of the park especially with the anticipated use of the restaurant sites on the South side of the park; improvements to the "Google-like campus" ponds that will provide walls for sitting and enjoyment of the ponds; additional parking in the restaurant area, additional pedestrian lighting; and power and water connections for the festival area to broaden the appeal and use. The improvements to the Butterfly Lake and ponds will also reduce maintenance costs and maintain a higher water quality. The additional amenities are estimated to cost \$1.13 million.

Another addition to the project cost that is funded by grants and dedicated revenues

including open space and conservation trust is the River Recreation amenity. The cost of this amenity was never included in the original project estimate. The cost is estimated at \$1.25 million. The spending authority needed for 2018 for the start of the project is \$250,000.

Finally, because of the robust construction industry we have experienced construction cost inflation and the project cost has been revised based on the Phase I contract prices and anticipated increases in pricing based on more recent bids. Phase II of the project is currently advertised for bids and we will receive bids on July 31st expecting to bring to Council on August 15th. The estimated cost inflation is \$320,000 which represents 3% over the last year.

2018 Supplemental Appropriation for Las Colonias Business Park

| | |
|--|---------------|
| Moved 2019 planned expenditures to 2018 | \$3.76 |
| Additional amenities, improved fit and finish | 1.13 |
| River Recreation (total cost \$1.25 million 2018/2019) | 0.25 |
| Inflation | 0.32 |
| Total | \$5.46 |

The Storm Drainage Fund requires supplemental appropriations of \$127,000 for the 2017 carryforward of the Buthorn Drainage project.

The Water Fund requires supplemental appropriations of \$418,000 for the 2017 carryforward of four projects including the Kannah Creek intake, Grand Mesa Reservoir, Water Treatment Plant Modifications, and improvements to the Summerville/Anderson Ranch. There is also a new project for the Water Fund's share of the Nexus/Impact Fee study as discussed at workshop with City Council.

The Golf Fund requires supplemental appropriations of \$55,000 for improvements to Tiara Rado Golf Course including carpeting, maintenance and kitchen equipment.

The Fleet & Equipment Fund requires supplemental appropriations of \$1 million for the 2017 carry forward of vehicles planned for and ordered for replacement in 2017, but not received until 2018. The majority of this amount is for the replacement of Ladder Truck #1 that was just recently received by the Fire Department.

The Insurance Fund requires supplemental appropriations for adjustments to workers' compensation costs which are trending higher than expected for claims under the previous self-insured model (2017 or later) at \$415,000. As is the nature of the insurance business, it is difficult to predict experience when developing the upcoming year's budget. We continue to improve stability of our insurance costs including health, workers' compensation, and property and liability by making changes to our programs including this year going to a fully-insured model for worker's compensation. We are

also evaluating and finalizing plans to start an employees' health clinic to provide basic services and labs at no cost to the employees. The concept is to provide options to help our employees manage and improve their health with lower cost healthcare and therefore drive down the overall cost of health insurance and claims. In addition to the additional costs in workers' compensation, we recommend appropriating the entire fund balance of the insurance fund through a contingency so that we are able to pay claims as they occur without requiring additional appropriations mid-year. We will continue to budget as conservatively as possible and maintain an appropriate fund balance in this fund. In order to appropriate the fund as recommended, a supplemental of \$3.5 million is required, with budgeting before contingency amounts to maintain the target fund balance of approximately \$2 million.

The Communication Center Fund requires supplemental appropriations of \$137,000 to fund the 2017 carryforward of the CopLogic project as well as fund on-half of a year of three additional call-taker positions as approved by the Communication Center Board after the passing of the Mesa County Public Safety Tax. Even though the public safety tax is available for this use the positions were able to be funded out of fund balance in the Communication Center above and beyond the target fund balance.

See attached chart for each supplemental by fund.

FISCAL IMPACT:

The supplemental appropriation ordinance is presented in order to ensure sufficient appropriation by fund to defray the necessary expenses of the City. The appropriation ordinance is consistent with, and as proposed for adoption, reflective of lawful and proper governmental accounting practices and are supported by the supplementary documents incorporated by reference above.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4811, An Ordinance Making Supplemental Appropriations to the 2018 budget of the City of Grand Junction, Colorado for the year beginning January 1, 2018 and ending December 31, 2018 on final passage and order final publication in pamphlet form.

Attachments

1. Supplemental Chart
2. First Supplemental Appropriation Ordinance

2018 Supplemental Appropriations

| Fund 100 General Fund | |
|---|-------------------|
| Grand Junction Housing Authority * | \$252,622 |
| Homeward Bound * | 100,000 |
| Crisis Intervention Team/Co-Responder Grant | 490,000 |
| Executive Salary Market Adjustments | 17,000 |
| Resolution 47-18 | 165,200 |
| Budget Savings Offset | (114,221) |
| Total Supplemental | \$ 910,601 |

| Fund 402 Fleet & Equipment | |
|---------------------------------------|-------------|
| Vehicle Purchases * | \$1,040,667 |

| Fund 404 Self-Insurance | |
|--------------------------------|---------------------|
| Workers' Compensation | \$ 415,032 |
| Insurance Claims Contingency | 3,113,262 |
| Total Supplemental | \$ 3,528,294 |

| Fund 102 Visit Grand Junction | |
|--------------------------------------|-----------|
| New Technology Purchases | \$ 85,673 |

| Fund 405 Communication Center | |
|--|-------------------|
| Coplogic * | \$ 91,890 |
| Three Call Taker Positions (half-year) | 45,500 |
| Total Supplemental | \$ 137,390 |

| Fund 201 Sales Tax Capital Improvement | |
|---|---------------------|
| Bridge Replacement F.5 & 30.8 Roads * | \$860,500 |
| Community Center Study * | 50,000 |
| Las Colonias Riparian * | 99,703 |
| Buthorn Drainage * | 65,000 |
| Bookcliff Middle School Sidewalk Project | 80,000 |
| Las Colonias Business Park | 5,462,482 |
| Mill Tailings Project (grant funded) | 100,000 |
| Suplizio Field Infield Replacement | 50,000 |
| Budget Savings Offset | (295,004) |
| Total Supplemental | \$ 6,472,681 |

* Denotes carryforward

| Fund 202 Storm Drainage | |
|--------------------------------|------------|
| Buthorn Drainage * | \$ 127,010 |

| Fund 301 Water | |
|------------------------------|-------------------|
| Grand Mesa Reservoir * | \$ 59,000 |
| Water Treatment Plant * | 23,000 |
| Sommerville/Anderson Ranch * | 21,000 |
| Purdy Mesa * | 50,000 |
| Nexus Study | 15,000 |
| Kannah Creek Intake* | 250,000 |
| Total Supplemental | \$ 418,000 |

| Fund 305 Golf | |
|---------------------------|------------------|
| Facility Improvements | \$ 48,961 |
| Equipment | 6,500 |
| Total Supplemental | \$ 55,461 |

ORDINANCE NO. ____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2018 BUDGET OF THE CITY OF GRAND JUNCTION, COLORADO FOR THE YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the following sums of money be appropriated from unappropriated fund balance and additional revenues to the funds indicated for the year ending December 31, 2018 to be expended from such funds as follows:

| Fund Name | Fund # | Appropriation |
|---------------------------|---------------|----------------------|
| General Fund* | 100 | \$ 910,601 |
| Visit Grand Junction Fund | 102 | \$ 85,673 |
| Sales Tax CIP Fund | 201 | \$ 6,472,681 |
| Storm Drainage Fund | 202 | \$ 127,010 |
| Water Fund | 301 | \$ 418,165 |
| Golf Fund | 305 | \$ 55,461 |
| Fleet and Equipment Fund | 402 | \$ 1,040,667 |
| Insurance Fund | 404 | \$ 3,528,294 |
| Communication Center Fund | 405 | \$ 137,390 |

*PURSUANT TO ARTICLE VII, PARAGRAPH 57, THE CITY MANAGERS 2018 SALARY IS SET AT \$209,000.00

INTRODUCED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2018.

TO BE PASSED AND ADOPTED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of _____, 2018.

President of the Council

Attest:

City Clerk



Grand Junction City Council

Regular Session

Item #5.b.i.

Meeting Date: August 1, 2018

Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Senior Planner

Information

SUBJECT:

An Ordinance Vacating a Walkway Tract Within the Darla Jean Subdivision

RECOMMENDATION:

At its June 26, 2018 meeting, the Planning Commission made a motion to approve the vacation of the walkway tract that did not pass as it received a 3-3 vote. The tied vote results in a recommendation of denial for the vacation request.

EXECUTIVE SUMMARY:

The Darla Jean subdivision was platted in Mesa County in 1975 and annexed to the City in 1994. The subdivision plat includes a 20-foot wide tract of land indicated as Walkway that runs from Jean Lane to Darla Drive between Lots 9 and 10 and Lots 15 and 16 of Block 5 of the subdivision. There is no dedication language on the subdivision plat for the walkway; it is just depicted on the map. Also, there is no recorded deed granting the tract to any person or entity, public or private. A reasonable presumption, given Colorado case law on missing dedication language, is that the intent was for the pedestrian right-of-way to be granted to the public for public use. The four neighbors abutting the tract have requested that the public interest in the walkway be vacated. Staff provided a recommendation to vacate the public's interest in the tract due to this walkway not connecting to a larger pedestrian network not providing a discernable public benefit to the greater community.

BACKGROUND OR DETAILED INFORMATION:

The 33.32-acre Darla Jean subdivision includes 101 single family lots, a 2.798 public park site and a walkway that runs from Jean Lane to Darla Drive between four of the

lots of the subdivision. There is no dedication language on the subdivision plat, no recorded deed conveying the tract, nor any record of the City accepting this tract of land. However, according to the City Attorney's Office, a reasonable presumption, given Colorado case law on missing dedication language, is that the intent was for the pedestrian right-of-way to be granted to the public for public use. Therefore, the City manages the request the same as other vacate requests of public right-of-way. The 20-foot wide by approximately 240 feet long walkway has never been improved with a sidewalk or path; it has remained vacant, with no maintenance activity by the City.

The Darla Jean neighborhood has a water users' association (the Association) with an irrigation line serving the neighborhood running under the walkway tract that has been in use for many years. The applicant has provided additional information that illustrates the location of the irrigation lines within the subdivision and the locations of access valves throughout the subdivision, most of which are located on private property (refer to Exhibit 5). Should vacation of the walkway be approved, Staff recommends retaining and granting, without any warranties of title, an irrigation easement for/to the Association, in order to help protect the Association's interest in and ability to maintain the line in this area and to help perfect the Association's implied irrigation easement.

Written public comments have been received and are attached for review. In general, these written comments do not support the vacation, primarily due to potential maintenance of the irrigation line (in which the City has no interest or responsibility), not because of its use as a neighborhood walkway. It is intended that the reservation/grant of easement for the irrigation line will help address these neighbor concerns.

Written comment by the County Assessor was received by the City prior to the previously scheduled hearing on April 24, 2018. The Assessor opined that the tract of land was owned by the original developer of the subdivision. The County Assessor has since reversed this assertion and concurs with both the City and the County Surveyor that this tract of land was intended for public ownership.

In addition, the area contains a power line administered by Grand Valley Power as well as other public utilities. Therefore, Staff recommends that the City retain a utility easement over the area for Grand Valley Power and other dry utilities within the tract.

Notification Requirements

A Neighborhood Meeting was held on October 12, 2017 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Eleven citizens attended the meeting along with the Applicant. Comments were both supportive and against the proposal, with concerns raised about an existing irrigation line that is within the walkway tract and future access to it if needed.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's

Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property and the subject property was posted with an application sign on January 23, 2018. The notice of this public hearing was published June 19, 2018 in the Grand Junction Daily Sentinel.

Analysis

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of public right-of-way or easement shall conform to the following:

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

The following Comprehensive Plan goal and policy are relevant to this request:

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

Policy A. Design streets and walkways as attractive public spaces.

This walkway is not an improved walkway nor does the walkway receive any regular maintenance. As such, the walkway can be detrimental to the visual quality of this neighborhood. Vacation of the walkway may allow for this tract of land to become integrated into adjacent properties and have greater potential (though with no assurance) for the property to be incorporated into the yards of the adjacent homeowners and more attractively maintained.

This particular pedestrian walkway is not shown or required by the Grand Valley Circulation Plan or any neighborhood plan. It is presently an undeveloped tract. Adjacent streets and walkways will not be negatively impacted by the vacation of this pedestrian right-of-way, and may well be improved thereby if maintained with lawn or other landscaping by homeowners.

Staff finds that vacation of the public walkway conforms with the Comprehensive Plan, the Grand Valley Circulation Plan and other adopted plans of the City and is a better option for creating attractive spaces and enhancing visual appeal of the community.

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

The request to vacate the walkway tract in Block 5, Darla Jean Subdivision, of approximately 0.1 acres, will not render any parcel landlocked. Moreover, the tract does not provide contiguous access to any adjacent parcel(s). Therefore, this criterion is met.

c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

No access to any parcel will be restricted. The adjacent properties will continue to have access from the public streets along the front of the parcels. Staff has found this criterion has been met.

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

The walkway tract is not needed to provide emergency or sanitation services to adjacent parcels. Such services are provided from the public streets adjacent to the residential lots. The vacation request was referred to all of the potentially affected utility providers including Charter, Century Link, Grand Valley Power and Xcel Energy. Of these, Grand Valley Power indicated that there is underground high voltage single-phase power in the walkway area and that it should be retained as a utility easement and a no-structure zone. Fencing may be allowed. The other utilities had no comment or concern but the applicants requested a utility locate and there appear to be other public utilities in portions of the tract. The City Development Engineer commented that an easement be retained for this tract to allow for the continued maintenance of the irrigation line and utilities.

Those requesting the vacation state that there are public safety concerns with the tract, specifically related to loitering and crime. City staff has not independently verified these claims and has not determined whether vacation of the tract would result in a measurable improvement to public safety in the neighborhood. However, since the tract does not currently provide a tangible public benefit or purpose and its public nature is bothersome to abutting property owners, Staff recommends vacation of the public interest in the tract.

It is not anticipated that there will be any adverse impacts on the health, safety, and/or welfare of the general community, nor will the quality of public facilities and services provided to any parcel of land be reduced as a result of this vacation request. Staff therefore has found this request conforms with this criterion.

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.

Adequate public facilities exist for all affected parcels and will not be negatively impacted by the vacation, so long as easements for utilities and irrigation are created.

No additional services will be impacted or inhibited by this request. Staff has therefore found this request to conform with this criterion, so long as the vacation ordinance includes a reservation of easement in favor of the public utilities and is not recorded until the adjacent property owners (into whose property the walkway area will be absorbed) execute a grant of irrigation easement to the Darla Jean Water Users Association, which easement will be recorded immediately following recordation of the vacation ordinance.

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

Should the vacation of this walkway be approved, the area can be included in the front and side yards of the adjacent parcels and may be improved by the owners to enhance the overall visual quality of the neighborhood, however no improvements are specifically guaranteed.

The City does not currently provide maintenance to this tract and it is not within close proximity to other improvements maintained by the City Parks and Recreation Department. In addition, this tract is not a part of a greater walkway or path connection system and does not provide benefit to the overall community. Returning this tract to private ownership may have some additional benefits regarding policing and public safety that can not otherwise be provided when the property is publicly held.

It is typical practice of the City for this type of tract, when platted as part of a subdivision, to be held and maintained by an HOA and not an tract dedicated to the City.

Staff finds this request conforms with this criterion.

Recommendation and Findings of Fact

After reviewing VAC-2018-44, a request to vacate a walkway tract within the Darla Jean Subdivision, the following findings of fact have been made with the specific conditions:

1. The proposal conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code with the following conditions;

Conditions of Approval

1. An irrigation easement shall be reserved for the Darla Jean Water Users Association for maintenance of the irrigation line existing in the tract, without any warranties of title;

2. A utilities easement shall be reserved for public utilities in the tract; and

3. The four abutting property owners shall execute an easement in favor of the Darla Jean Water Users Association for maintenance of the irrigation line to be recorded immediately following recordation of the vacation ordinance.

Therefore, Staff recommended approval of the request to vacate the walkway tract within the Darla Jean Subdivision subject to the conditions that an easement for irrigation facilities be reserved for and granted to the Darla Jean Water Users Association and an easement be reserved for public utilities.

The Planning Commission's vote of 3 to 3 on a motion of approval for the request to vacate resulted in a recommendation of denial.

FISCAL IMPACT:

If the walkway tract is vacated there will not be a fiscal impact to the City.

If the walkway is not vacated there may be an expectation that the City maintain the property which will have costs associated with it. The scope and degree of desired/provided maintenance of this walkway will inform this cost. Estimated costs for maintenance of the walkway are as follows:

Initial Expenses

- 1) 60 feet of split rail fence = \$300.00
 - 2) Two trash containers, general gray park cans = \$90.00
 - 3) Two pet pick up stations = \$120.00
- Total = \$510.00

Annual Expenses

This area would be absorbed into the City's current Weed Abatement/ Riverfront and Urban trail maintenance program which would include:

- 1) Weekly inspections and trash removal
 - 2) Weed control through out the growing season
 - 3) Vandalism repair
 - 4) Supplies such as trash bags and pet-pick-up-bags
- Total = \$1,300.00

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance 4809, an Ordinance vacating a walkway tract within the Darla Jean Subdivision with the conditions set forth in the staff report on final passage and order final publication in pamphlet form.

Attachments

1. Attachment 1 - Maps
2. Attachment 2 - Information Provided by Applicant
3. Attachment 3 - Citizen Input
4. Attachment 4 - Proposed Ordinance

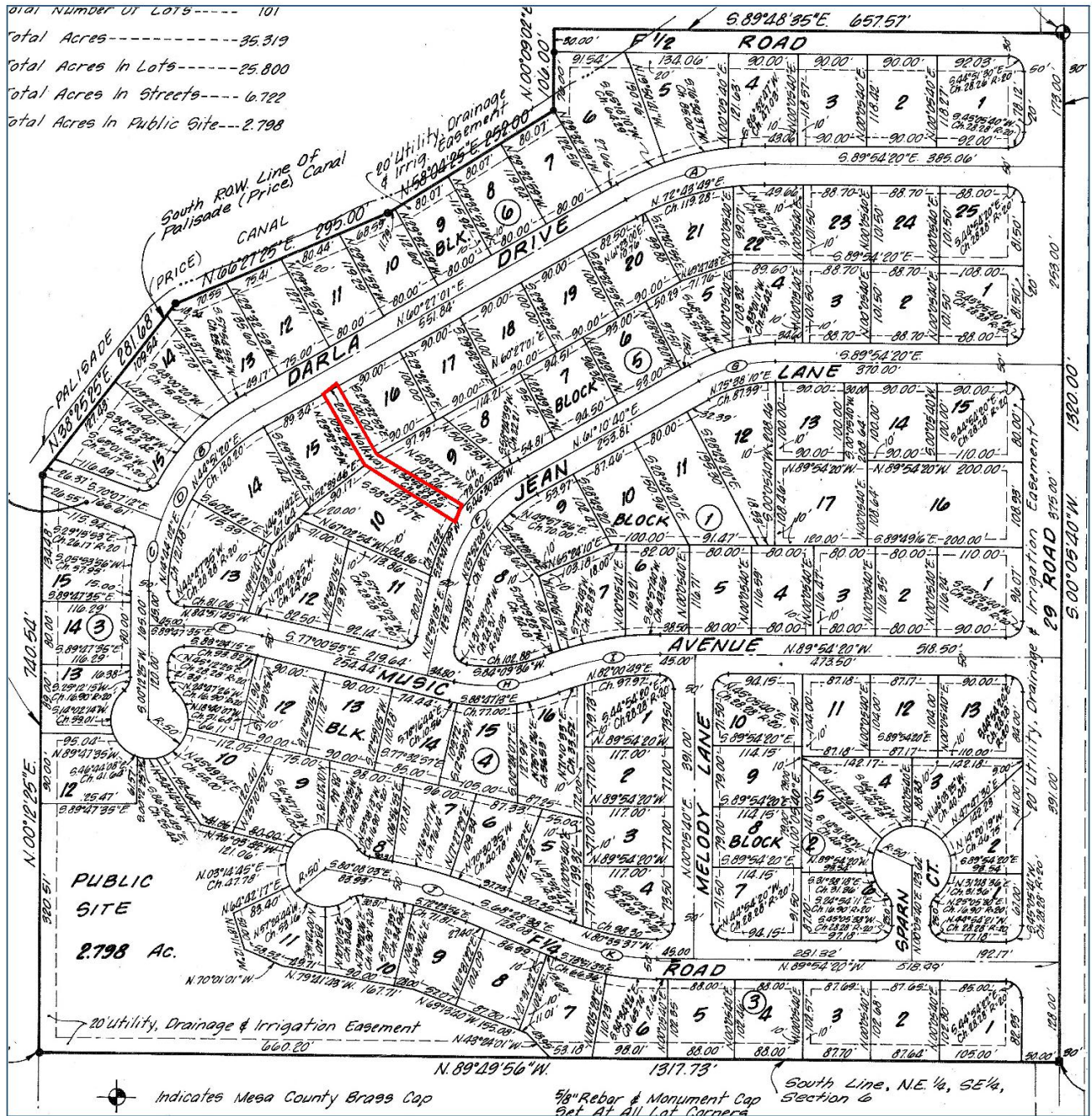
Darla Jean Subdivision Vicinity Map



Darla Jean Walkway Vacation Map



Darla Jean Subdivision Plat



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Vacation of Right-of-Way

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

| | |
|--|---|
| Existing Land Use Designation Residential Medium | Existing Zoning R-5 |
| Proposed Land Use Designation NA | Proposed Zoning NA |

Property Information

Site Location: Dorla Jean Subdivision Site Acreage: .15

Site Tax No(s): Site Zoning: R-5

Project Description: Vacation of public Walkway

Property Owner Information

Name: none

Street Address:

City/State/Zip:

Business Phone #:

E-Mail:

Fax #:

Contact Person:

Contact Phone #:

Applicant Information

Name: Raquel Mollenkamp

Street Address: 2881 Dorla Drive

City/State/Zip: Grand Jct CO 81506

Business Phone #: 970-712-4663

E-Mail: rmollenkamp@yahoo.com

Fax #:

Contact Person: Raquel

Contact Phone #: 970-712-4663

Representative Information

Name: Raquel Mollenkamp

Street Address: 2881 Dorla Drive

City/State/Zip: Grand Jct CO 81506

Business Phone #: 970-712-4663

E-Mail: rmollenkamp@yahoo.com

Fax #:

Contact Person: Raquel

Contact Phone #: 970-712-4663

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

| | |
|--|--|
| Signature of Person Completing the Application Raquel Mollenkamp | Date 1-18-2018 |
| Signature of Legal Property Owner | Date |

VACATION OF WALKWAY BETWEEN DARLA DRIVE AND JEAN LANE

January 10, 2018

OVERVIEW

1. Project Background and Description

The property owners that live on both sides of the walkway 2881 Darla drive (Donald Mollenkamp), 2883 Darla drive (Brian Porter), also 2882 Jean Lane (George Freeman), 2884 Jean Lane (Curt Wilson). Have decided that vacating the walkway would be the best solution due to the crime and loitering that takes place in this area. The property owners have been maintaining this area at their own expense. The walkway is not part of the neighborhood property. Therefore, there is no financial support from the neighborhood. The walkway is very rarely used as a walkway, due to there being an alternative route.

2. Project Scope

Our plan for the property would be a Resident medium. Each resident would close the walkway off with fences. The walkway would be equally divided.

3. Meeting notes

A neighborhood meeting was held on October 12th, 2017. 10 Neighbors attended this meeting. Out of the 10 that attended, 5 agreed, 2 disagreed, and 3 were undecided. There were others that didn't attend due to prior obligations. After speaking to 3 of them, they are aware and agree with it. The concerns that were stated was mainly about the irrigation pipe that runs along the walkway. The concern was the easement and it being more difficult to fix a break if the walkway was closed off. Another concern was the change of a neighbor's view. She likes the openness of the walkway and doesn't want that to change.

4. Review Criteria

The proposed vacation leaves no parcel land locked. There is a reasonable alternative route through the neighborhood. The vacation does not devalue properties affected. There are no adverse impacts on the health, safety, and/or welfare of the general community. The quality of public facilities and services are in no way affected. The proposal will benefit the neighborhood, as it will minimize unwanted loitering and crime. It will improve the look of the street as it will no longer be vacant. Due to the land being part of the 4 property owners land. Increase in property taxes will benefit the City.

5. Affected parties

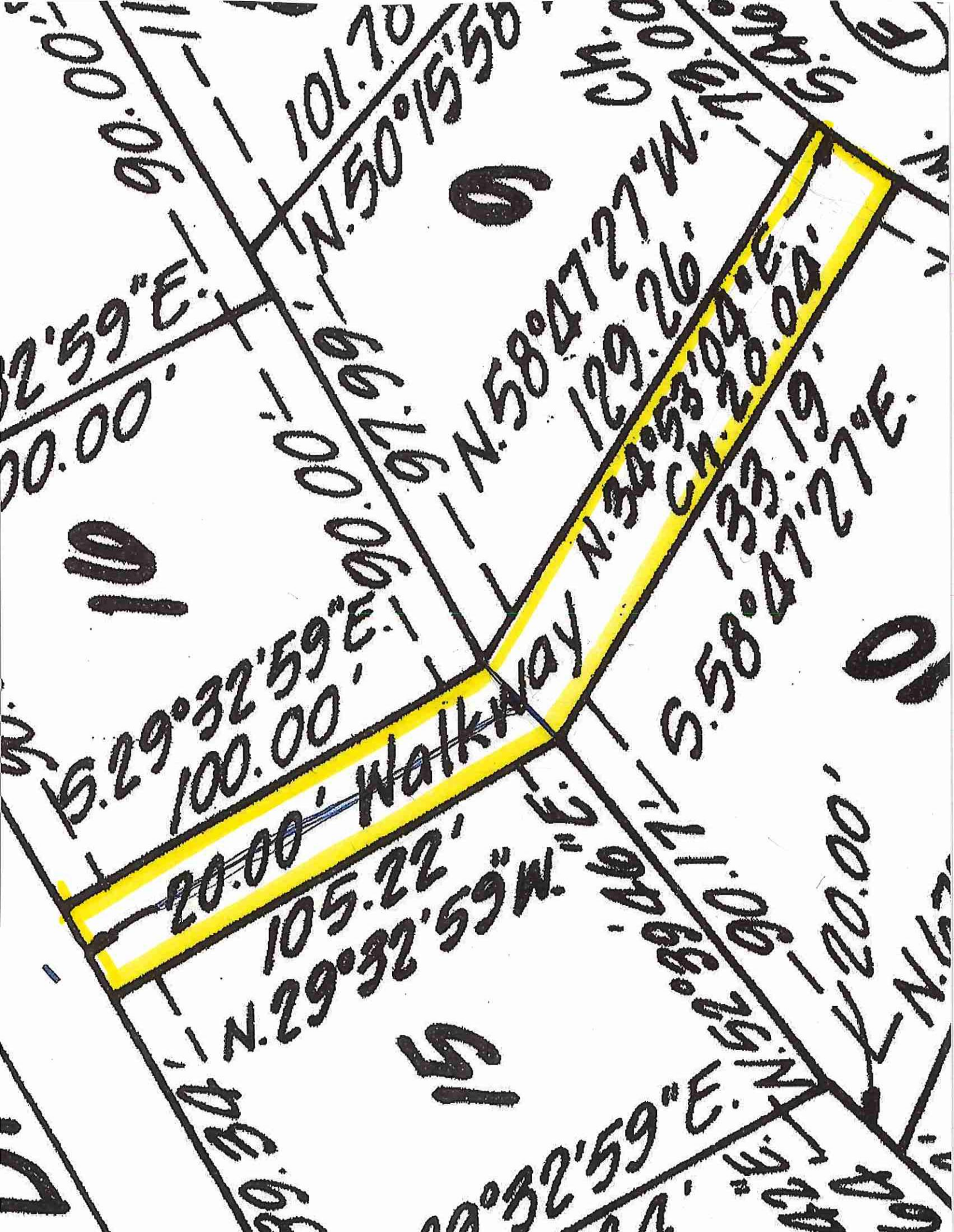
A utility locate request was submitted for Charter, Grand Valley Rural Power, Palisade Irrigation Dist, Ute Water Conservancy Dist, City of Grand Junction, Xcel Energy, and Century Link, with a positive response. There is a neighborhood irrigation line in the walkway. The irrigation line will not move. An easement will be provided.

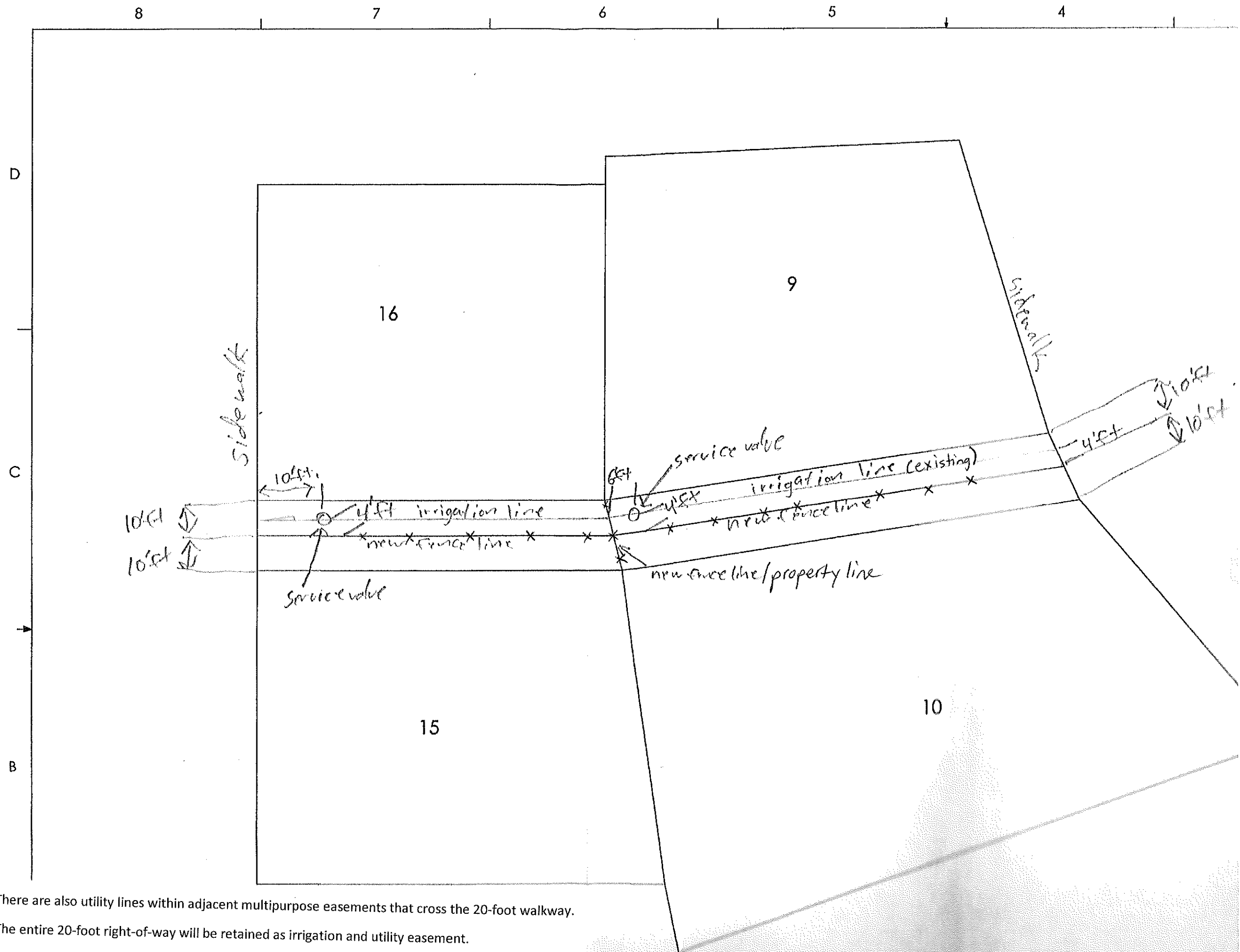
LEGAL DESCRIPTION

The entire 20-foot side right-of-way depicted on the Darla Jean Subdivision Plat as a Walkway, lying between Jean Lane and Darla Drive between Lots 9 and 10 and 15 and 16, Block 5.

There is an existing underground irrigation line within the walkway and there are utilities within the multipurpose easements along the street frontages of the lots that cross the walkway.

The entire 20-foot width will be retained as irrigation and utility easement.

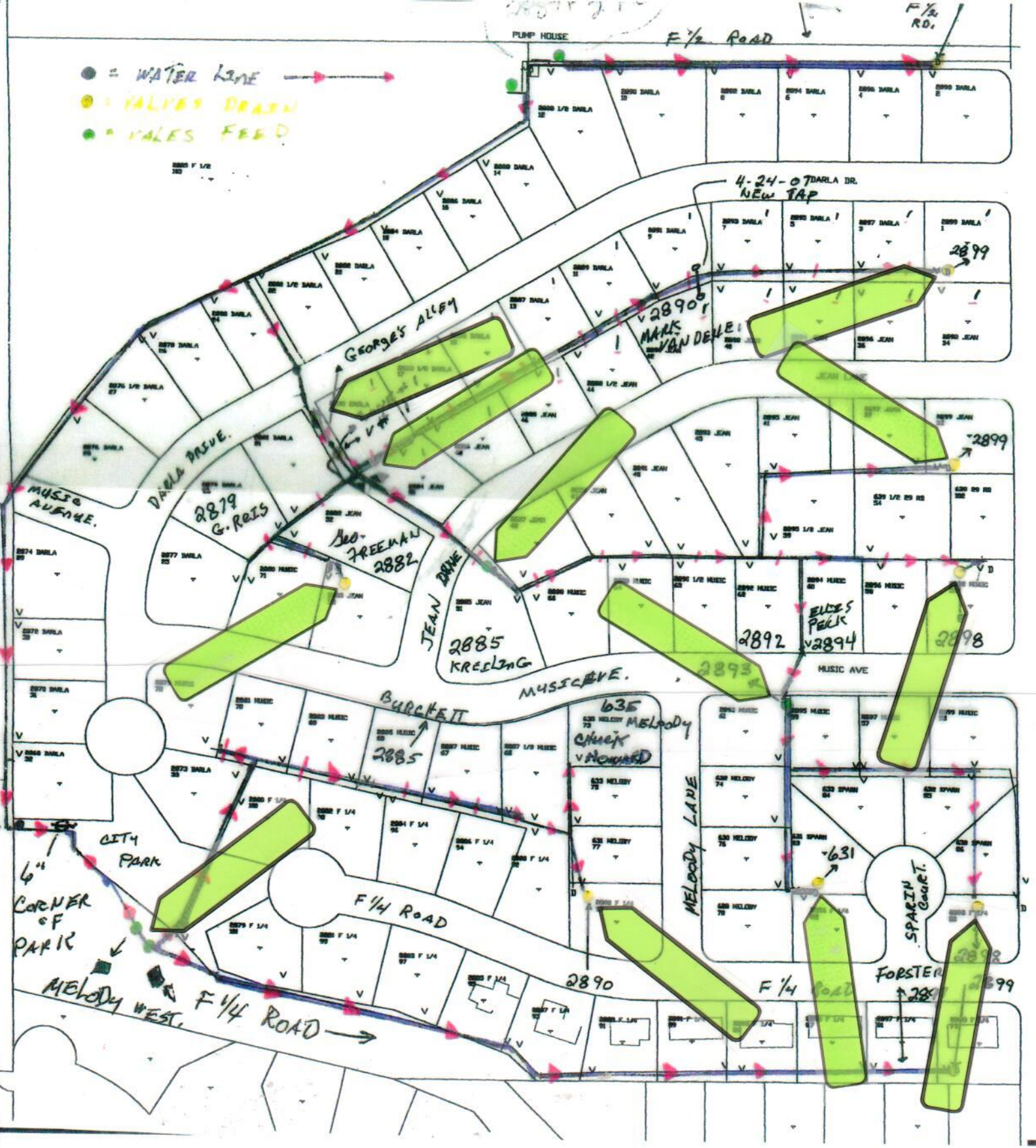




SITE PLAN

There are also utility lines within adjacent multipurpose easements that cross the 20-foot walkway.
 The entire 20-foot right-of-way will be retained as irrigation and utility easement.
 The 20-foot right-of-way will be divided equally in half amongst the 4 adjacent properties.

- = WATER LINE
- = VALVES DRAIN
- = VALVES FEED



Kristen Ashbeck

From: Jim.S.Parman@wellsfargo.com
Sent: Wednesday, February 28, 2018 8:36 AM
To: Kristen Ashbeck
Cc: Jim.S.Parman@wellsfargo.com
Subject: FW: darla jean subdivision alley vacation, revised.

I have resided at 2868 Darla Drive within Darla Jean Subdivision since 1986. I have also been a volunteer board member of the DJWUA (Darla Jean Water Users Association) multiple terms. I still am a member of that board although not currently an officer. The subdivision's irrigation system is maintained by and or under the direction the board. Board members must be an owner of one of the 105 or so households in the subdivision. It is funded by an annual assessment based on the estimated operating costs including scheduled and unscheduled maintenance.

The unscheduled maintenance can and usually does include leaks in an aging system that was installed more than 40 years ago. There is a high pressure irrigation line that pretty much travels right down the middle of the tract that is the subject of VAC2018-44. Whether this tract is called an alley, undivided easement, etc., it is the purpose VAC2018-44 to partition the aforementioned tract between the four adjoining property owners that abut this parcel. I understand that as it currently stands, this is a tract's ownership is unrecorded nor is it a dedicated right of way.

The subject tract has one of the main irrigation lines that does not currently require DJWUA to obtain permission, move fences, etc., or to enter any property owner's back yards for this line's maintenance. It also has a couple of block isolation valves that are used on a more frequent basis. In the past, we have had difficulty with some property owners in granting access despite a dedicated easement.

Please do not vacate this cleared right of way, alley, what other term one would like to use despite there not being a formal recording that was obviously an oversight by the original developer. Clearly, the intent was to leave this open for access to the utility lines and perhaps other reasons. I can attest that after this many years in the subdivision, there are times an urgent need arises to get unabated access to the high pressure irrigation lines. Delays can result in property damage, frustrated homeowners, and multiple other difficulties for subdivision.

It has been voiced this small tract has been burdensome for adjoining property owners. Their concerns include but not limited to upkeep, disturbances of their quiet property enjoyment, annoyances, etc. While I am very familiar with such issues as my property adjoins the Darla Jean Park on two sides and the old Matchet property to the west, I purchased my property knowing full well its issues. This undedicated alley with its easements is necessary for subdivision's utility maintenance. Its closure and restricted access will be a burden for all who are served by DJWUA whether they currently know it or not. The developer's intent dating back to 1974 was very clear.

This is in reference to the vacation of the WALKWAY and IRRIGATION PIPE EASEMENT -VAC-2018-44

I am opposed to this land grab by the 4 petitioners as The Darla Jean water users Assoc. has a significant amount of irrigation pipe and 3 isolation valves within the easement. This pipe and valves are unfettered at this time for easy repair and or replacement. If this easement is to be awarded to these people they will put fences, concrete, lean-to structures, unused cars, boats and campers on their newly acquired land grab. The ultimate cost for repair and replacement of these structures in case there is a maintenance problem on this easement will fall to the other 101 water users. Our dues will go up to compensate the water users assoc. for damage done to fences and structures for the repair.

We also have come up with a neighborhood volunteer group which will be responsible for the maintenance of the walk-way. Apparently in the last 25 years 3 beer bottles and 2 condoms have surfaced. We would keep this walkway clean. The 4 people who stand to gain will tell you there are problems in the walk-way but there has never been any reports to the police or sheriff's office.

In closing, I as a water user along with many of my neighbors implore you to leave this easement as is. It is not broken so why would you want to fix it? THIS IS NOTHING MORE THAN A LAND GRAB AT THE EXPENSE OF OTHERS. If we have a small strip of open land why do we have to fence it off? This strip also belongs to the other 101 residents of the Darla Jean subdivision and a vast majority are opposed to this petition

Richard Curfman, 24 year resident at
2882 Darla Drive



April 9, 2018

I, Andrea Christensen, and Chuck Howard, a fellow Darla Jean neighbor, are representing the undersigned neighbors on this petition.

Out of 76 Darla Jean Water User households surveyed 75 signed this petition opposing the vacation of the Darla Jean Walkway. Some spouses and renters signed to lend their support. The opposition is overwhelming.

As I walked around the neighborhood many neighbors told me how they liked to walk the walkway and how it connected our neighborhood. I also heard of their concern for the irrigation pipe, etc. Many did not know of and/or understand this proposed vacation.

In conclusion, we believe it is in the best interest of the Darla Jean Neighborhood and Water Users that the application for the vacation of the Darla Jean Walkway to be denied.

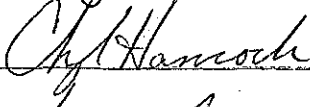
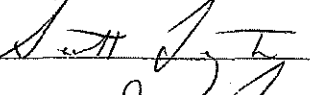

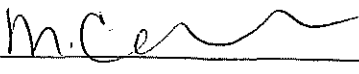

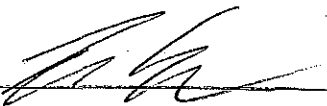
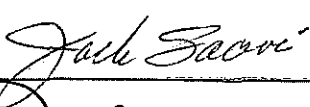

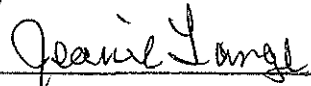


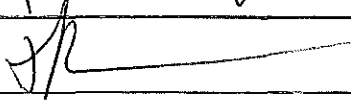
Thank you for your consideration.

Andrea Christensen

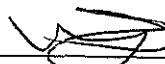
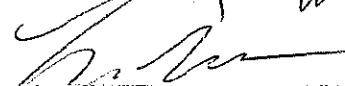

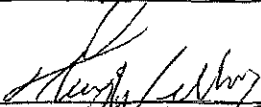
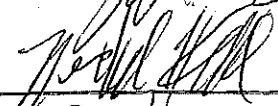

Chuck Howard

This submission includes this cover letter and 9 pages of the petition.


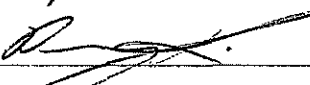
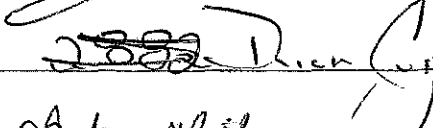


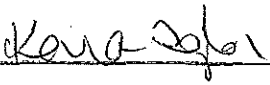
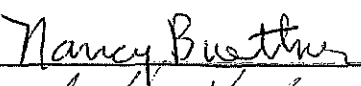

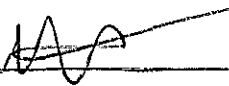
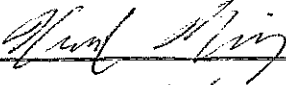

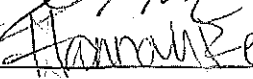
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| Date | Printed Name | Signature | Address |
|---------|------------------|--|------------------|
| 3-24-18 | Cheryl Hancock |  | 2886 F 1/4 Rd. |
| 3/24/18 | Scott Layton |  | 631 SPARN CT |
| 3/24/18 | Yura Layton |  | 631 SPARN CT |
| 3/24/18 | Melissa Calkin |  | 633 Sparn Ct. |
| 3/24/18 | Roberta Carrsels |  | 633 Sparn Ct |
| 3/24/18 | Leslie Estava |  | 2899 F 1/4 Rd. |
| 3/24/18 | JACK SAARI |  | 2895 F 1/4 Rd. |
| 3/24/18 | Tom Sheldon |  | 630 melody lane |
| 3-24-18 | Jeanie Lange |  | 2870 Darla Drive |
| 3/24/18 | Jennifer Watson |  | 630 Sparn Ct |
| 3/24/18 | Richard Watson |  | 630 Sparn Ct. |
| 3/24/18 | Jim Parnas |  | 2868 Durke |

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| Date | Printed Name | Signature | Address |
|-----------|-------------------|--|--------------------|
| 3-24-18 | Brandi Gerberich | Brandi Gerberich | 2892 Darla Dr. |
| 3-24-18 | Nathan Gray | Nathan Gray | 2899 Jean Lane |
| 3-24-18 | Sheena Starnes | Sheena Starnes | 2894 Jean Lane |
| 3-25-18 | Wendy Jones |  | 2896 Jean Lane |
| 3/24/18 | Machelle Williams | Machelle Williams | 2890 Jean Ln. |
| 3/24/18 | Ashley Suttford | Ashley Suttford | 2893 Jean Ln |
| 3/24/18 | Elizabeth Zeek |  | 2888 1/2 Jean Ln |
| 3/24/18 | Mike Zeek |  | 2888 1/2 Jean Lane |
| 2-24-18 | Terry Williams |  | 2890 Jean Ln |
| 3/24/18 | Mike Kohl |  | 639 29 Road |
| 3/25/2018 | DeLore Kohl |  | 639 29 Rd |
| 3/24/2018 | Cheryl Cooper | Cheryl Cooper | 2877 Darla Dr. |

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| Date | Printed Name | Signature | Address |
|---------|--------------------|--|-------------------|
| 3/24/18 | John Burdett |  | 2885 Music Ave |
| 3/24/18 | Danny Rice |  | 2899 Darla Dr |
| 3-29-18 | Rich Gorman |  | 2882 Darla Dr |
| 3/24/18 | Andrea Christensen |  | 2880 Darla Dr |
| 3/24/18 | Zachary Beckstead |  | 2898 Darla Dr |
| 3/24/18 | Kara Taylor |  | 2896 Darla Drive |
| 3/24/18 | Nancy Buettner |  | 2894 Darla Dr |
| 3.24.18 | Matt Martinez |  | 2890 Darla Dr. |
| 3/24/18 | Michelle Casteel |  | 2866 1/2 Darla Dr |
| 3/24/18 | Nathaniel Ruiz |  | 2887 Darla Dr |
| 3/24/18 | Joy Thompson |  | 2886 Darla Dr. |
| 3/24/18 | Hannah Leahy |  | 2813 Darla Dr |

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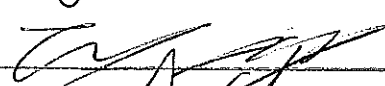
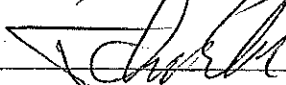
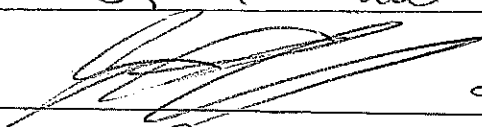

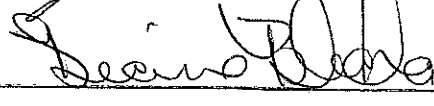
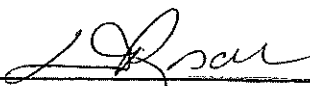
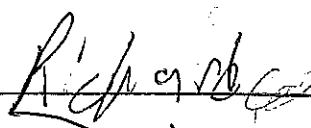

| Date | Printed Name | Signature | Address |
|-----------|---|-------------------------|--------------------------------------|
| 3-24-2018 | Jose Juan Martinez | <i>Jose J. Martinez</i> | 2889 Darla Dr |
| 3/24/18 | John & Joanne Martin | <i>Joanne Martin</i> | 2885 Darla Dr. |
| 3/24/18 | Amy Henrie | <i>Amy Henrie</i> | 2884 Darla Dr. |
| 3-24-18 | Crystal Martell | <i>Crystal Martell</i> | 2876 1/2 Darla Dr |
| 3-25-18 | Greg The only Reason I'm Against | <i>Greg</i> | 2889 Darla Dr the closure |

of the walkway as a past water board member I'd advise access to those two main irrigation valves to be able to close them in case of a pipe break without having to deal with lock gates and dogs unless the owners agree and sign paperwork that stays with the property if they should sell later. They need to put a gate in to accommodate a backhoe. Greg Reis 2879 Darla Dr

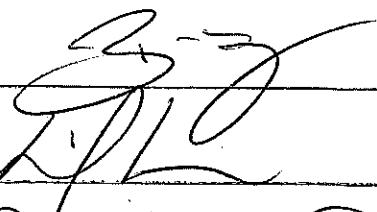
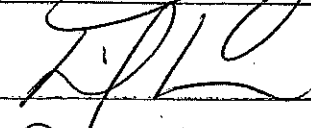
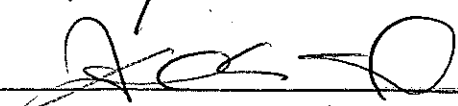
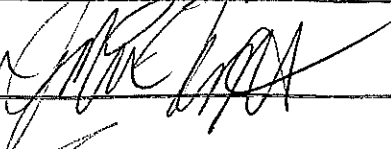
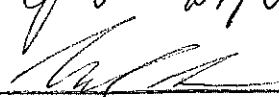
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| Date | Printed Name | Signature | Address |
|---------|------------------------|--------------------|---|
| 3/24/18 | Margaret Myers | Margaret Myers | 2891 Darla Dr. |
| 3/25/18 | Judy Ann Tailleux | Judy Ann Tailleux | 2891 Darla Dr. |
| 3/25/18 | John & Rhonda Anderson | Rhonda Anderson | 2897 Jean Lane |
| 3/25/18 | Crystal B. Cook | Crystal B. Cook | 2891 Jean Lane |
| 3/25/18 | Kerth Pulliam | Kerth Pulliam | 2889 Jean Lane |
| 3/25/18 | Connie M. Jiron | Connie M. Jiron | 2887 Jean Ln. GJ |
| 3/25/18 | Charles M. Elliott | Charles M. Elliott | 2880 Jean Ln. GJ |
| 3/25/18 | Jeff Muto | Goffrey Muto | 2880 Muto |
| 3-25-18 | Olivia | Olivia | 2894 Darla Dr. we would like to see it as a walkway, cleaned up and also accessible to the pub division in case of irrigation problems. |

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| Date | Printed Name | Signature | Address |
|---------|------------------|--|-------------------|
| 3/25/18 | Thomas Murphy |  | 2879 Music Ave |
| 3-25-18 | Johnathan Lebeck |  | 2881 Music Ave |
| 3-27-18 | Linda Crandell | Linda Crandell | 2895 1/2 Jean Ln |
| 3-27-18 | Cody Crandell |  | 2895 1/2 Jean Ln. |
| 4-3-18 | Jordan Keogh |  | 2893 Darla Dr |
| 4-9-18 | Diane Blecha |  | 2895 Darla Dr |
| 4-7-18 | Denick Rosales |  | 2887 Music Ave |
| 4-7-18 | David Jones | DAVID JONES | 639 1/2 29rd |
| 4-7-18 | Robert Cori |  | 2898 Jean Ln |
| 4/7/18 | DAMON JONES |  | 2883 MUSIC AVE. |

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| Date | Printed Name | Signature | Address |
|---------|-------------------|--|-----------------|
| 3/25/18 | Robert B. Labig | Robert B. Labig | 628 Melody Ln |
| 3/25/18 | Sharon Olson | Sharon Olson | 633 Melody Ln |
| 3/25/18 | Jonna Crutchfield | Jonna Crutchfield | 2880 F 1/4 Rd. |
| 3/25/18 | Maureen O'Connell | Maureen O'Connell | 2879 F 1/4 Rd |
| 3/25/18 | Ben Vioic |  | 2896 Music Ave |
| 3-25-18 | David Koons |  | 2888 F 1/4 Rd. |
| 3/25/18 | Dave Lord |  | 2887 F 1/4 Rd. |
| 3/25/18 | Sally Kroerzel | Sally Kroerzel | 2889 F 1/4 Rd |
| 3/25/18 | Mary Scholl | Mary Scholl | 2893 F 1/4 Rd |
| 3/25/18 | Joshua Hampton |  | 2888 music ave. |
| 3/26/18 | Marki Locke |  | 2883 F 1/4 rd |

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| Date | Printed Name | Signature | Address |
|-----------|-------------------|-------------------|---------------------------|
| 3-24-2018 | Lillian E. Mercer | Lillian E. Mercer | 2890 1/2 Music Ave |
| 3-24-2018 | Dawn FARRIS | Dawn Farris | 2899 Music Ave |
| 3-24-18 | Lisa Trotter | Lisa Trotter | 2895 Music Ave |
| 3-24-18 | Colleen Woods | Colleen Woods | 2893 Music Ave |
| 3-24-18 | Timothy MARTINEZ | Timothy Mart | 632 Melody Lane |
| 3-24-18 | Trisha Reid | Trisha Reid | 631 Melody Ln |
| 3-24-18 | Jenny Aker | Jenny Aker | 2892 Music Ave |
| 3-24-18 | Dave Benjamin | Dave Benjamin | 2891 F 1/4 Rd |
| 3-24-18 | Laurie Gomez | Laurie Gomez | 2890 Music ^{Ave} |
| 3-24-18 | RANDAL J. BAKER | Randal J. Baker | 2887 1/2 Music Ave |
| 3-25-18 | Ellie R Beck | Ellie R Beck | 2894 Music Ave |

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| Date | Printed Name | Signature | Address |
|------------------------|----------------|-----------------------|-------------------|
| 3/26/18 | Nick Velasquez | <i>Nick Velazquez</i> | 2882 F 1/4 G) CO. |
| 3/27 4/4/18 | Fern Chase | <i>Fern Chase</i> | 2885 F 1/2 RD 1/2 |
| 4.8.18 | Lacey Barba | <i>Lacey Barba</i> | 2898 F 1/2 RD 8 |



June 13, 2018

Dear Planning Commission,

Back in 1979 the Darla Jean Water Users Association was organized. A few good men and women, all volunteers, got together, organized, and proceeded to build a irrigation system for all of the people of the Darla Jean Subdivision.

A walkway was created in order to install main water valves and a pipeline. This access was needed so that when a pipe broke somewhere along this particular part of the irrigation system the water could be turned off so that the problem could be resolved quickly.

Imagine our surprise when we discovered quite by accident that 4 homeowners, whose property borders this walkway had petitioned the city to deed this property to them. They claim that it had not been maintained to their standards. They claim that they are tired of taking care of property that doesn't belong to them. That it needs to have ownership.

A few days ago I went over to the walkway and took some pictures. I have included in this letter 3 prints of the north side of the walkway. It appears that the owner who lives on the northeast side of the walkway has not bothered to take care of the property that he currently owns. Those Elm Trees have grown from his side of the fence out into the walkway. That is the only so called trashy part of the whole walkway. I can't imagine what it will look like in just a few short years. The whole walkway will be overrun with Elm Trees. If he can't take care of what he currently owns how will he maintain what he desires to own.

As you review all the information that you have received regarding this walkway you will see that out of 103 households 75 of us signed a petition requesting that this walkway stay the way it is. Many of the surrounding property owners enjoy walking along this path. The Darla Jean Water Association needs access to this area so that when the lines break, they can quickly turn off the water so that homes are not flooded.

May common sense prevail is my desire.

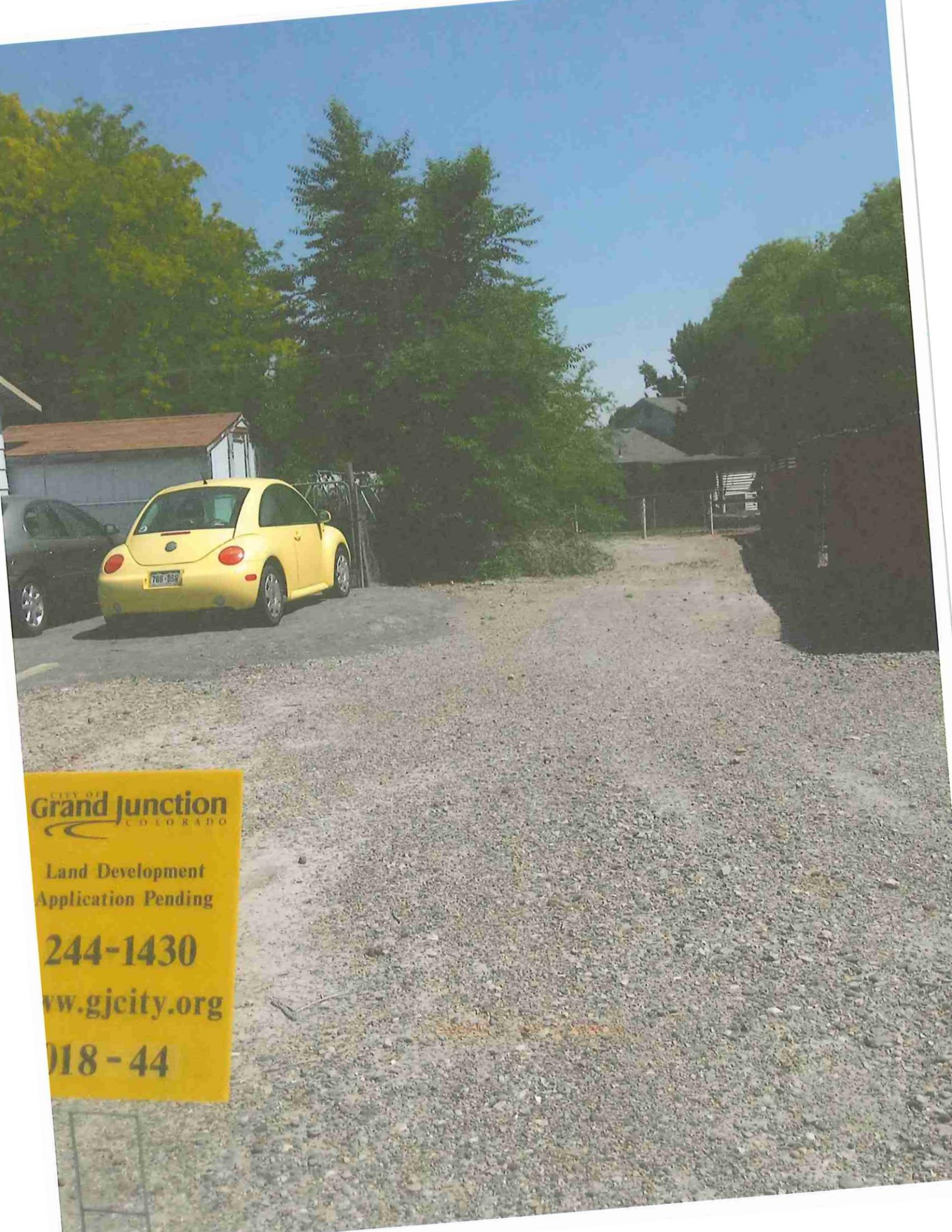
Sincerely,

Diann Saari
2895 F 1/4 Road
Grd. Jct. Co 81506

Taken
Monday
June 11,
2018







CITY OF
Grand Junction
COLORADO

Land Development
Application Pending

244-1430

www.gjcity.org

018 - 44

CALLS FOR SERVICE
2884 JEAN LANE

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|-----------------|---------------|------------------------------|--------------|-------------------|
| 2018-00021037 | 4/14/2018 15:43 | FOLLOW | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011081 SMITH |
| 2018-00016496 | 3/23/2018 18:01 | PARK | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011841 PIATT |
| 2018-00006371 | 2/1/2018 13:23 | CK | 2884 JEAN LN, Grand Junction | WARN - 1 | GJ012072 FERGUSON |
| 2018-00002723 | 1/14/2018 12:41 | ASSIST | 2884 JEAN LN, Grand Junction | MSGL - 1 | GJ010120 STENDER |
| 2015-00040638 | 7/7/2015 14:33 | SUSP | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ010884 GENOVA |
| 2013-00027631 | 6/20/2013 15:24 | FAUTO | 2884 JEAN LN, Grand Junction | REP - 1 | GJ009816 CARLSON |
| 2013-00021397 | 5/17/2013 15:29 | HARAS | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011271 HOVLAND |
| 2012-00027926 | 6/11/2012 22:25 | THREAT | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ002590 FOY |

CALLS FOR SERVICE
2882 JEAN LANE

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|------------------|---------------|------------------------------|--------------|---------------------------------|
| 2018-00020992 | 4/13/2018 14:00 | HARAS | 2882 JEAN LN, Grand Junction | TAG - 1 | GJ011081 SMITH |
| 2018-00018819 | 4/3/2018 15:58 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2018-00016588 | 3/24/2018 7:18 | HARAS | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ008869 SMITH, GJ011564 BOVEE |
| 2018-00007807 | 2/8/2018 11:31 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2018-00007203 | 2/5/2018 16:07 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2017-00078966 | 12/20/2017 16:06 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2016-00004427 | 1/22/2016 17:10 | HARAS | 2882 JEAN LN, Grand Junction | REP - 1 | GJ011555 MARTIN |
| 2015-00070783 | 11/23/2015 15:46 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2015-00040076 | 7/4/2015 18:55 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 2 | GJ011701 GODWIN, GJ011459 WINCH |
| 2015-00039686 | 7/2/2015 20:40 | MISS | 2882 JEAN LN, Grand Junction | REP - 1 | GJ011808 EVANS |
| 2015-00016473 | 3/18/2015 18:52 | SUSP | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ011772 HORST |
| 2012-00054774 | 11/9/2012 14:55 | JUVIE | 2882 JEAN LN, Grand Junction | WARN - 1 | GJ009816 CARLSON |

CALLS FOR SERVICE

2883 DARLA DR

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|-----------------|---------------|-------------------------------|--------------|--------------------------------------|
| 2014-00021604 | 4/24/2014 17:38 | FOLLOW | 2883 DARLA DR, Grand Junction | ASST - 1 | GJ011698 HAWKINS, GJ011801 DONALDSON |

CALLS FOR SERVICE

2881 DARLA DR

| Incident Number | Officers | Call Date/Time | Incident Type | Location | Dispositions |
|-----------------|---------------------|-----------------|---------------|-------------------------------|--------------|
| 2014-00021509 | GJ008869 SMITH | 4/24/2014 8:18 | FOLLOW | 2881 DARLA DR, Grand Junction | ASST - 1 |
| 2014-00020814 | GJ011698 HAWKINS, G | 4/21/2014 11:01 | PARK | 2881 DARLA DR, Grand Junction | ASST - 1 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE VACATING A WALKWAY TRACT WITHIN
THE DARLA JEAN SUBDIVISION**

Recitals:

The Darla Jean subdivision was platted in Mesa County in 1975 and annexed to the City in 1994. The subdivision plat depicts a 20-foot wide tract of land indicated as a walkway that runs from Jean Lane to Darla Drive between Lots 9 and 10 and Lots 15 and 16 of Block 5 of the subdivision. There is no dedication language for the walkway on the subdivision plat; it is just depicted on the map; also, there is no recorded deed granting the tract to any person or entity, public or private. A reasonable presumption, given Colorado case law on missing dedication language, is that the intent was for the walkway to be a public pedestrian right-of-way. The four neighbors abutting the tract have requested that the public interest in the walkway be vacated.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, notwithstanding a recommendation of denial by the Planning Commission, the Grand Junction City Council finds that the request to vacate the walkway tract 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 WALKWAY TRACT IS VACATED SUBJECT TO THE FOLLOWING CONDITIONS:

1. An easement over the entire tract is reserved for and granted to the Darla Jean Water Users Association for operation, maintenance and repair of the irrigation line existing in the tract, without any warranties of title or covenants of good title;
2. A utilities easement over the entire tract is reserved for the installation, operation, maintenance and repair of public utilities in the tract; and
3. The four abutting property owners must execute an easement, in a form deemed acceptable by the City Attorney, in favor of the Darla Jean Water Users Association for operation, maintenance, and repair of the irrigation line which shall be recorded concurrently with this vacation ordinance.
4. Vacation of the public interest in the pedestrian right-of-way tract shall be effective upon recording of this ordinance.

Walkway Tract to be Vacated – Depicted in Exhibit A:

The entire 20-foot wide right-of-way depicted on the Darla Jean Subdivision Plat as a Walkway, lying between Jean Lane and Darla Drive between Lots 9 and 10 and 15 and 16, Block 5.

Introduced on first reading this 18th day of July, 2018 and ordered published in pamphlet form.

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

ATTEST:

City Clerk

Mayor

EXHIBIT A

Darla Jean Subdivision Plat

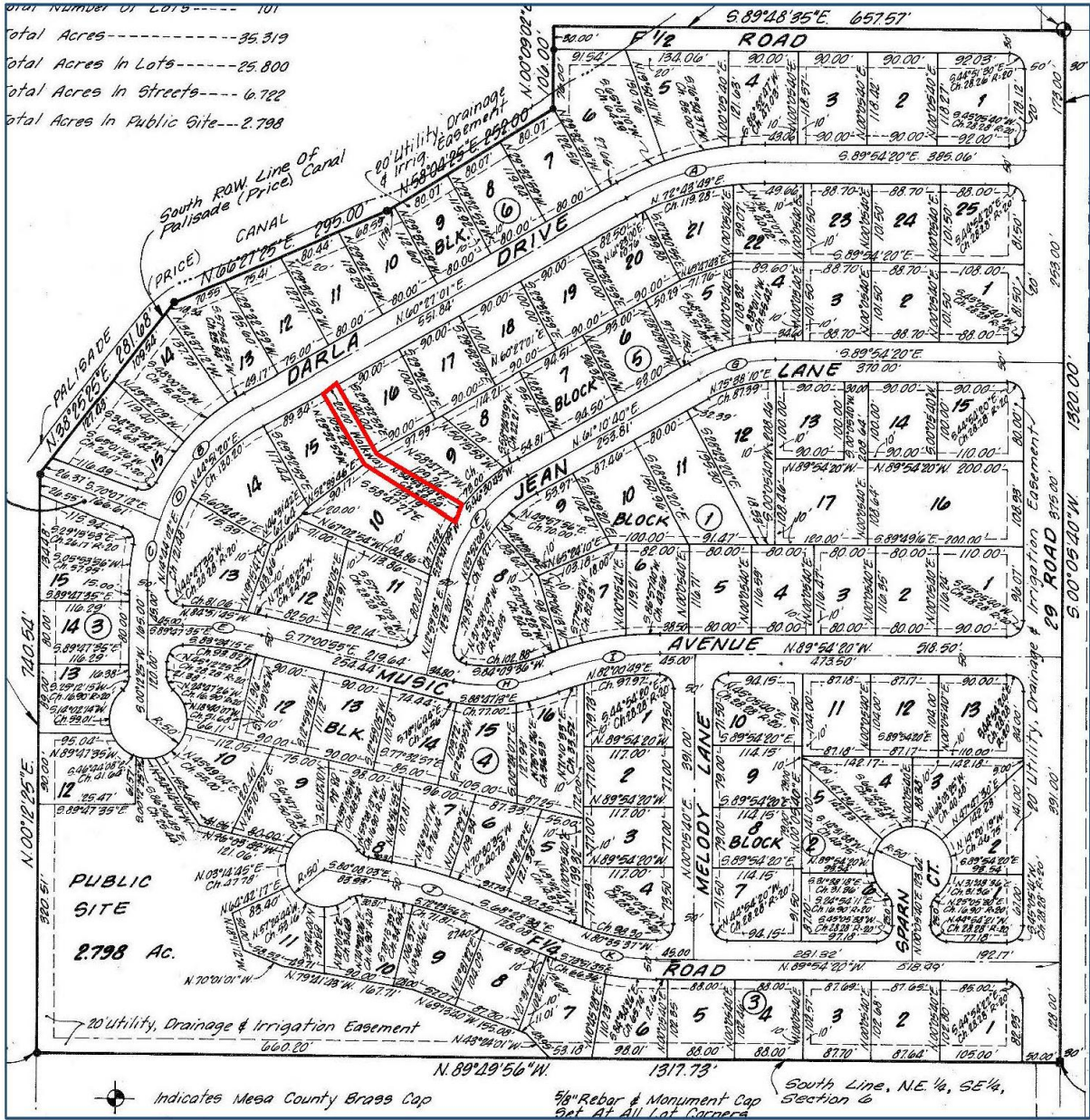
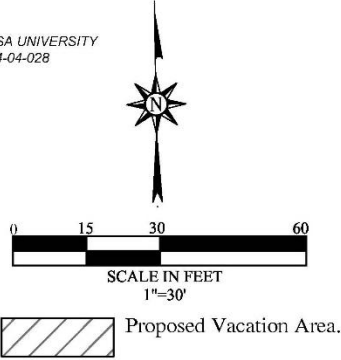
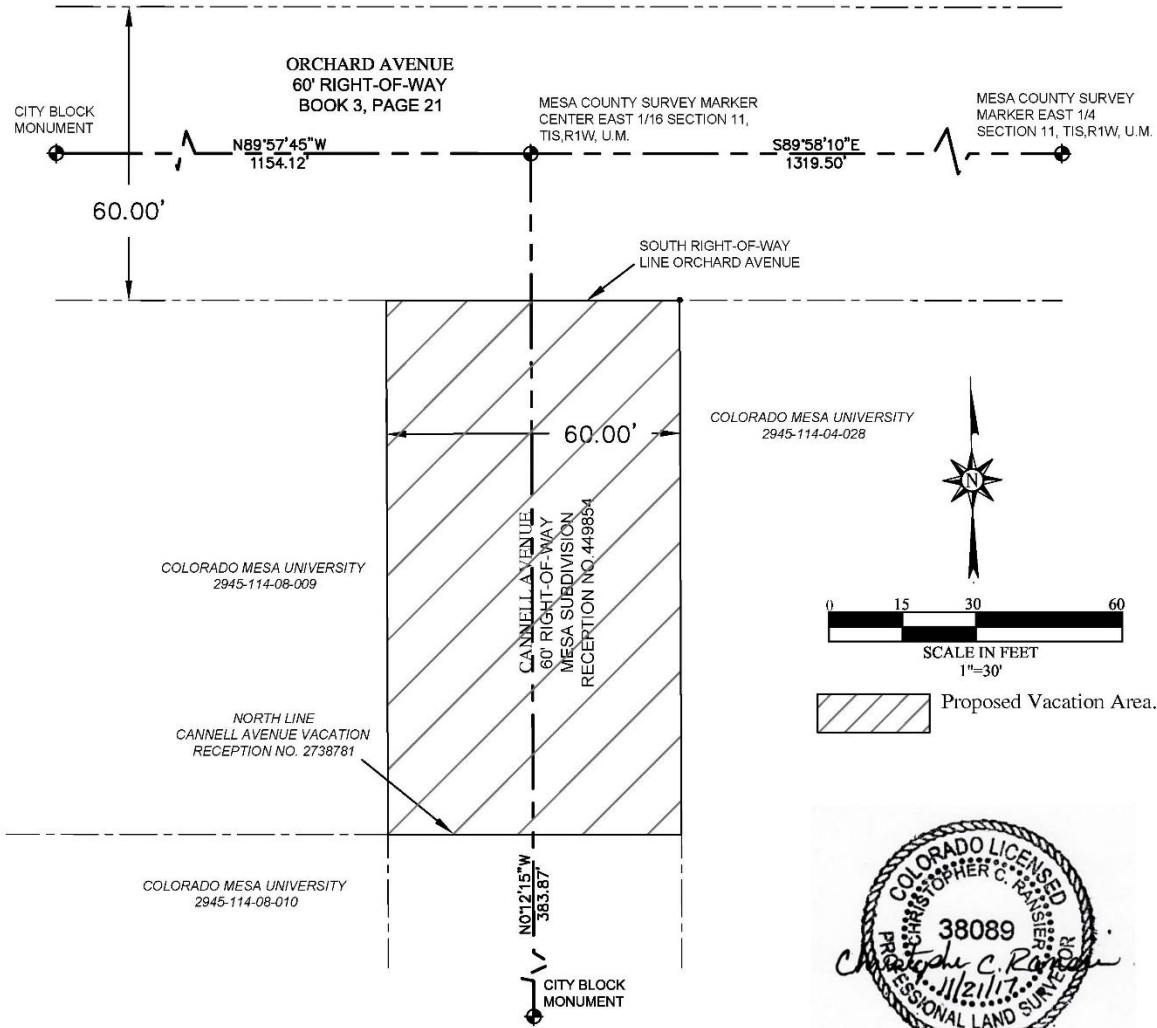



EXHIBIT "A"
SOUTHEAST 1/4 OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
IN THE CITY OF GRAND JUNCTION,
COUNTY OF MESA, STATE OF COLORADO




CHRISTOPHER C. RANSIER
 CO PLS 38089

*This Exhibit is not intended to be used for establishing or verifying property boundary lines.
 *Title information shown is from Mesa County Clerk and Recorders Office.
 *Linear units are in U.S. Survey Feet.



Grand Junction City Council

Regular Session

Item #5.b.ii.

Meeting Date: August 1, 2018

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

An Ordinance Rezoning the Fossil Trace Holdings, LLC Property from R-R (Residential – Rural) to R-1 (Residential - 1 du/ac), Located at 465 Meadows Way

RECOMMENDATION:

Planning Commission heard this item at their June 26, 2018 meeting and recommended approval (6-0) of the R-1 (Residential - 1 du/ac) zone district.

EXECUTIVE SUMMARY:

The Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 acres), located at 465 Meadows Way from the R-R (Residential - Rural) to the R-1 (Residential - 1 du/ac) zone district for the purpose of future subdivision development.

BACKGROUND OR DETAILED INFORMATION:

The subject property (Lot 3, Rump Subdivision) is located at 465 Meadows Way in the Redlands across the road from Riggs Hill. The property is currently vacant with portions of the property identified as wetlands and a portion within the floodplain. The Applicant is requesting to rezone the property to R-1 (1 dwelling unit/acre) from its current zoning of R-R (Residential-Rural: 1 dwelling unit/5 acres). The Applicant is interested in developing a residential single-family detached subdivision to meet the R-1 zone district densities and may utilize the cluster provisions of the Zoning and Development Code to preserve the environmentally sensitive and open space areas of the property.

The property was annexed into the City in 2000 as part of the Desert Hills Estates

Annexation No. 2. During the annexation process, the property was zoned R-R (Residential – Rural). In 2001, the subject property was platted as part of the Rump Subdivision (Lot 3) with a building envelope of 0.741 acres identified on the property due to the development constraints of the existing floodplain, etc. The R-R zone district was in conformance with the Estate (1 – 3 acres) designation of the City's Growth Plan at the time.

In 2010, the City and County adopted the Comprehensive Plan's Future Land Use Map as well as the Blended Residential Land Use Categories Map ("Blended Map"). The current Future Land Use Map continues to designate the area where the property is located as Estate. The Estate land use designation provides that density should range from 1 dwelling per one acre to 1 dwelling per three acres. In addition, the adopted Blended Map, shows the blended Residential Land Use Map category as Residential Low. The Residential Low designation allows for the application of any one of the following zone districts: R-R, R-E, R-1, R-2, R-4 and R-5. When implemented, these zone districts allow a range of future development from 1 dwelling unit per five acres up to five dwelling units per acre.

Properties adjacent to the subject property to the north is Riggs Hill, which is owned by the Museum of Western Colorado. To the south and east are single-family detached residential subdivisions of Peregrine Estates (1.40 du/ac) and Monument Meadows (1.53 du/ac). To the west are single-family detached homes located on larger acreage.

A Neighborhood Meeting regarding the proposed zone change application was held on March 13, 2018. Approximately 15 citizens along with the Applicant's representative and City planning staff were in attendance. Area residents in attendance voiced concerns regarding existing drainage conditions in the area, expansive bentonite soils, two-story homes and increased traffic on Meadows Way and South Broadway.

Although not the subject of the rezone hearing, area residents are concerned about the future subdivision and development of this property related to the above mentioned issues expressed at the Neighborhood Meeting. These items would be addressed further at time of official subdivision application and review, should this application move forward.

An application was previously submitted for this property to be rezoned to R-2 (City file # RZN-2017-296). It was heard by the Planning Commission at a meeting held on August 22, 2017 and received a 6 – 0 vote on a recommendation of approval. The City Council heard the request at their October 4, 2017 meeting, but that request was denied by the City Council on a 4 – 2 vote due to development concerns of the site.

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 criteria:

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

The existing property was annexed and zoned Residential-Rural in 2000. In 2010 the City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan, replacing the Growth Plan and establishing new land use designations. The Comprehensive Plan includes a Future Land Use Map and a Blended Residential Land Use Categories Map ("Blended Map"). The current zoning of R-R (Rural- Residential) falls within both the Future Land Use Map designation and the Blended Map designation of Estate. The Applicant's proposed zoning of R-1 also implements the adopted Future Land Use Map as well as the Blended Map. However, because the existing zoning continues to be a valid zoning under these long-range planning documents and staff has not found other subsequent events to invalidate the existing R-R zoning, staff finds this criterion has not been met.

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

The residential character within the immediate vicinity of the proposed rezone has not changed significantly since the area first developed in the 1970's with the exception of the adjacent Peregrine Estates and the Desert Hills Subdivision which developed in 2005 and 2000 respectfully. Peregrine Estates was annexed and zoned R-2 and developed as a 25 lot residential subdivision located on 17.84 acres.

Though the character and/or condition of the immediate vicinity of the property has not changed significantly within the last 40 years, the broader area of the Redlands area has seen a variety of development pressures including single-family and multi-family residential product since the property was annexed and zoned in 2000. Staff has found the area has changed overtime such that this rezoning request is consistent with both the Plan and the surrounding uses and densities. Therefore, staff finds this criterion has been met.

(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 property and are sufficient to serve the residential land uses allowed in the R-1 zone district. Ute Water and City sanitary sewer are presently located within Meadows Way. The property can also be served by Xcel Energy electric and natural gas. Located within

the vicinity and along Broadway (Highway 340), is a neighborhood commercial center that includes an office complex, bank, medical clinic, veterinary clinic, convenience store and car wash. In addition, Grand Junction Redlands Fire Station No. 5 is located within 2 miles of the property and the property is located nearby to Broadway Elementary School, Redlands Middle School and Wingate Elementary School. Therefore, staff finds this criterion has been met.

(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

One of the City's stated goals is to provide for a diversity of housing types. The R-1 zone district currently comprises only 2% of the overall total acreage zoned within the City limits (residential, commercial and industrial) for an approximate 451 acres of land area. By providing additional opportunities for a range of lot sizes, as allowed by the R-1 zone district, this project could provide for a greater range of housing types. In addition, the property is adjacent to all necessary infrastructure and could readily be developed. Staff therefore, finds this criterion has been met.

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

The community will derive benefits from the proposed amendment by creating an opportunity to develop up to 8 homes on the property. This zone district provides additional residential housing opportunities near existing neighborhoods and within easy access of both necessary infrastructure and community amenities for future residents. The property is located within the highly desirable Redlands area and near neighborhood commercial centers, elementary and junior high schools, which could contribute positively to employers' ability to attract and retain employees.

Therefore, staff finds this criterion has been met.

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

Goal 3: The Comprehensive Plan will 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 increasing air quality.

Goal 5: To 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 A: In making land use and development decisions, the City will balance the needs of the community.

Policy C: Increasing the capacity of housing developers to meet housing demand.

FINDINGS OF FACT

After reviewing the Fossil Trace Rezone, RZN-2018-219, a request to rezone 8.41 +/- acres from R-R (Residential – Rural) to R-1 (Residential – 1 du/ac) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

FISCAL IMPACT:

This land use action for a Rezone only does not have any direct fiscal impact. Subsequent actions such as future subdivision development and related construction will have a direct fiscal impact regarding associated road and utility infrastructure installation, future maintenance and indirect fiscal impacts related to the construction of the project and associated homes.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4810, an Ordinance rezoning the Fossil Trace Holdings, LLC property from R-R (Residential – Rural) to the R-1 (Residential – 1 du/ac), located at 465 Meadows Way on final passage and order final publication in pamphlet form.

Attachments

1. Site Location, Aerial, & Zoning Maps
2. Public Correspondence Received
3. DRAFT Planning Commission Minutes - June 26, 2018
4. Ordinance

Aerial Photo Map



Comprehensive Plan Future Land Use Map





Scott Peterson

From: Valerie Douglas <yjvalerie@gmail.com>
Sent: Sunday, June 24, 2018 1:32 PM
To: Scott Peterson
Subject: Fossil Trace Rezone Issues

Dear Mr. Peterson,

I am writing in regards to the proposed rezone of the 8.41 acres located at 465 Meadows Way, aka Fossil Trace Rezone. I am a neighbor of this property for the last 41 years and this particular parcel of land has multiple issues for reasons why it should not be rezoned.

Rezone from R-R to R-1 in anticipation to subdivide the property into a housing development on this parcel of property is not feasible as the soil content and quality plus watershed and riparian area leave little to no land viable to build a structure on, moreless a single house or houses.

The east approximate 1/2 acreage is a defunked bentonite mine consisting of bentonite, clay, and soils that move when wet. The same soils were in the Ridges with houses that have massive foundation issues, and across the road from this proposed site on Escondido Way where multimillion-dollar homes are now experiencing foundation issues and movement beyond reasonable shifts. Homeowners are facing thousands of dollars in repair to bandaid-fix the issues that will never be fully resolved. The city has once condemned half this piece of property to build on as a result of its soil content.

There is a significant watershed that runs through the property that comes off the Colorado National Monument and farmland south of the property. This watershed area and its adjacent wildlife refuge is home to multiple deer, a bobcat, raccoon, and other animals within that will be losing their habitat. The wildlife refuge has been in place for at least 20 years and is between Meadows Way subdivision and farmland to its west.

To rezone this parcel to R-1 will be poor planning from the City of Grand Junction and the county. This parcel has never been developed as a result of its soil content. A road is not even sustainable to put across from Meadows Way west, and there will never be access from Wildwood Drive as the property does not touch Wildwood Drive. An access point off of South Broadway would be ludicrous as it is an uphill blind turn when driving east that TWO people have crashed into the Riggs Hill fencing in the last 365 days taking out rungs of the split fence protecting the hiking trail on Riggs Hill.

Please take all of these concerns into consideration and do not rezone this property to R-1.

Thank you,

Valerie Douglas
Wildwood Drive Resident
m: 303-842-0825

GRAND JUNCTION PLANNING COMMISSION
June 26, 2018 MINUTES
6:02 p.m. to 9:40 p.m.

The meeting of the Planning Commission was called to order at 6:02 p.m. by Chairman Reece.

Those present were Planning Commissioners Christian Reece, Kathy Deppe, Keith Ehlers, George Gatseos, Brian Rusche, and Steve Toole.

Also present were Community Development Department–Tamra Allen, (Community Development Director), Kristen Ashbeck (Senior Planner) and Scott Peterson (Senior Planner) and David Thornton, (Principal Planner).

City Attorney John Shaver and Secretary Lydia Reynolds.

There were approximately 42 citizens in attendance during the hearing.

Chairman Reece thanked Jon Buschhorn for his years of service as he has resigned from the Planning Commission.

Fossil Trace Rezone

#RZN-2018-219

Consider a request to rezone 8.41 acres from R-R (Residential - Rural) to R-1 (Residential - 1 du/ac).

The applicant Fossil Trace Holdings LLC was present.

Chairman Reece began by asking if the required public notice was given pursuant to the City's noticing requirements. Mr. Peterson replied in the affirmative.

Staff Presentation

Mr. Peterson stated that the request is consider a request to rezone 8.41 acres from R-R (Residential - Rural) to R-1 (Residential - 1 du/ac). The applicant for this request is Fossil Trace Holdings.

Applicants Presentation

The Applicant, Kevin Bray (Fossil Trace Holdings LLC) stated that Tracy States, (River City Consulting) and Nick Gower (Hoskins, Farina and Kampf) were also present. The Applicant gave a PowerPoint presentation of the proposed project.

Public Comment

Chairman Reese opened the hearing for public comment. The following citizens provided comments: Janey Wilding, Kim Gage, Steve Kendrick, Alice Smith, Tim Donovan, Sam Stirlen and Andy Smith,

Applicants Rebuttal

The Applicant addressed the public's comments and noted that they are asking for a rezone and they do not have a development plan at this time.

Commissioner Discussion

Commissioner discussion included review criteria and density.

Motion and Vote

Commissioner Rusche moved to recommend approval to City Council.

Commissioner Gatseos seconded the motion. The motion passed unanimously by a vote of 6-0.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE FOSSIL TRACE HOLDINGS LLC PROPERTY
FROM R-R (RESIDENTIAL RURAL)
TO R-1 (RESIDENTIAL – 1 DU/AC)
LOCATED AT 465 MEADOWS WAY**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the proposed Fossil Trace Rezone to the R-1 (Residential – 1 du/ac) zone district, finding that it conforms to and is consistent with the Future Land Use Map designation of Estate and the Blended Residential Land Use Map category of Residential Low of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-1 (Residential – 1 du/ac) zone district is in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned R-1 (Residential – 1 du/ac):

Lot 3, Rump Subdivision as identified in Reception # 1992762 in the Office of the Mesa County Clerk and Recorder.

Introduced on first reading this _____ day of _____, 2018 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 #6.a.

Meeting Date: August 1, 2018

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Consider a Request by Mesa County to Accept the Dedication of 2.61 Acres of Land Adjacent to Both Redlands Parkway and to Property Already Owned by the City of Grand Junction

RECOMMENDATION:

At its June 7, 2018 meeting, the Parks and Recreation Advisory Board recommended that the City accept the dedication of 2.61 acres of land encompassing portions of land area adjacent to the Colorado River and Riverfront Trail System, located south of Redlands Parkway.

EXECUTIVE SUMMARY:

Mesa County is requesting the City accept 2.61 acres of land that is located adjacent to the Colorado River and Riverfront Trail System, located south of Redlands Parkway. This parcel of land is located within the City limits and zoned CSR (Community Services & Recreation) and is adjacent to land already owned by the City of Grand Junction. A small portion of the Riverfront Trail crosses this property.

BACKGROUND OR DETAILED INFORMATION:

Mesa County is requesting that the City accept the 2.61 Acres of land (Parcel No. 2 as identified on the attached Boundary Line Adjustment – Survey Plat) adjacent to the Colorado River with a small portion of the land encompassing the Riverfront Trail, since the property has no benefit to the County and would be in the best interest of all parties for the City to own. The parcel of land is located adjacent to property already owned by the City of Grand Junction and would provide continuity of ownership within this area.

Portions of the property were annexed in 1992 and 1996 by two separate annexations, Blue Heron and River Road Annexations. Current zoning is CSR (Community Services & Recreation).

The Community Development Director requested input from the Parks Department, which is typically responsible for maintaining City-owned open space, regarding the potential acceptance of land to be owned and maintained by the City. The Parks and Recreation Advisory Board was asked to provide a recommendation as to whether the City should accept the dedication of land and it recommended to do so at their June 7, 2018 meeting. The Public Works Director has also expressed support for the proposed acceptance of land.

FISCAL IMPACT:

This action does not have any direct fiscal impact. The City of Grand Junction currently maintains this section of the Riverfront Trail. As all other City owned properties, this will be covered under our CIRSA insurance once ownership transfers providing property and liability coverage.

SUGGESTED MOTION:

I move to (approve/deny) the request to accept the dedication of 2.61 acres of land adjacent to Redlands Parkway encompassing portions of land area adjacent to the Colorado River and property owned by the City of Grand Junction as well as containing a portion of the Riverfront Trail System.

Attachments

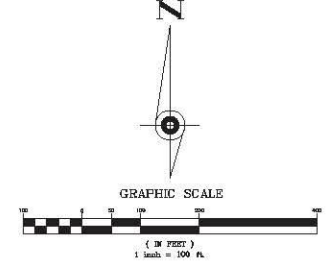
1. Site Location Map
2. Boundary Line Adjustment - Survey Plat



23 1/4 ROAD GRAVEL PIT

BOUNDARY LINE ADJUSTMENT

AN EXEMPTION PLAT PURSUANT TO CRS 30-28-100 (10)(d)



LEGAL DESCRIPTION

PARCEL NO. 1
 A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. BEING LOT 23, AND PART OF LOTS 24 AND 29 OF THE ORCHARD GROVE SUBDIVISION AND THE LAND DESCRIBED IN BOOK 134, PAGE 995 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. BEARS S89°02'11" W A DISTANCE OF 129.29 FEET AND ALL BEARINGS CONTAINED HEREIN TO BE RELATIVE THERETO. THENCE S89°02'11" W ALONG THE NORTHERLY BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION AND THE POINT OF BEGINNING; THENCE S00°00'00" W ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION A DISTANCE OF 64.25 FEET TO A POINT ON THE CENTERLINE OF A CITY OF GRAND JUNCTION ROAD RIGHT-OF-WAY RECORDED IN BOOK 349, PAGE 221 AND A POINT OF NON-TANGENT CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 694.4 FEET, WHEREIN THE RADIAL POINT BEARS S14°51'17" E, A LONG CHORD WHICH BEARS S00°40'22" W A DISTANCE OF 490.76 FEET, AN ARC DISTANCE OF 496.21 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY LINE OF SAID LOT 29 OF THE ORCHARD GROVE SUBDIVISION AND THE LAND DESCRIBED IN BOOK 134, PAGE 995; THENCE N41°02'50" W ALONG SAID SOUTHWESTERLY BOUNDARY LINE OF LOT 29 OF THE ORCHARD GROVE SUBDIVISION A DISTANCE OF 33.79 FEET TO A COMMON CORNER BETWEEN SAID LOTS 23, 24 AND 29 OF THE ORCHARD GROVE SUBDIVISION; THENCE N8°49'44" W ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SAID LOT 23 OF THE ORCHARD GROVE SUBDIVISION A DISTANCE OF 94.3 FEET TO THE NORTHEAST CORNER OF SAID LOT 23 OF THE ORCHARD GROVE SUBDIVISION; THENCE SAID NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. BEARS S89°02'11" W A DISTANCE OF 30.00 FEET; THENCE N41°02'50" W ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 23 OF THE ORCHARD GROVE SUBDIVISION AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. A DISTANCE OF 63.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 23 OF THE ORCHARD GROVE SUBDIVISION COMMON WITH THE NORTHERLY BOUNDARY LINE OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION; THENCE N89°02'11" E ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. A DISTANCE OF 64.25 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF LAND DESCRIBED AS SAID CITY OF GRAND JUNCTION ROAD RIGHT-OF-WAY RECORDED IN BOOK 349, PAGE 221 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO BEING THE SOUTHEASTERLY 90 FEET OF SAID PARCEL OF LAND.
 SUBJECT TO A SEWER EASEMENT DESCRIBED IN BOOK 1397, PAGE 949 AND BOOK 1418, PAGE 476 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO.

SAID PARCEL OF LAND CONTAINS 14.93 ACRES MORE OR LESS.

PARCEL NO. 2
 A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. BEING PART OF LOTS 24 AND 29 OF THE ORCHARD GROVE SUBDIVISION AND THE LAND DESCRIBED IN BOOK 134, PAGE 995 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. WHENCE THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. BEARS S89°02'11" W A DISTANCE OF 129.29 FEET AND ALL BEARINGS CONTAINED HEREIN TO BE RELATIVE THERETO. THENCE S89°02'11" W ALONG THE NORTHERLY BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH RANGE 1 WEST, UTE P.M. A DISTANCE OF 20.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION; THENCE S00°00'00" W ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 24 OF THE ORCHARD GROVE SUBDIVISION A DISTANCE OF 64.25 FEET TO A POINT ON THE CENTERLINE OF A CITY OF GRAND JUNCTION ROAD RIGHT-OF-WAY RECORDED IN BOOK 349, PAGE 221 AND A POINT OF NON-TANGENT CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 694.4 FEET, WHEREIN THE RADIAL POINT BEARS S14°51'17" E, A LONG CHORD WHICH BEARS S00°40'22" W A DISTANCE OF 490.76 FEET, AN ARC DISTANCE OF 496.21 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF LAND DESCRIBED AS SAID CITY OF GRAND JUNCTION ROAD RIGHT-OF-WAY RECORDED IN BOOK 349, PAGE 221 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO BEING THE NORTHWESTERLY 90 FEET OF SAID PARCEL OF LAND.
 SUBJECT TO A SEWER EASEMENT DESCRIBED IN BOOK 1397, PAGE 949 AND BOOK 1418, PAGE 476 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF MESA COUNTY, COLORADO.

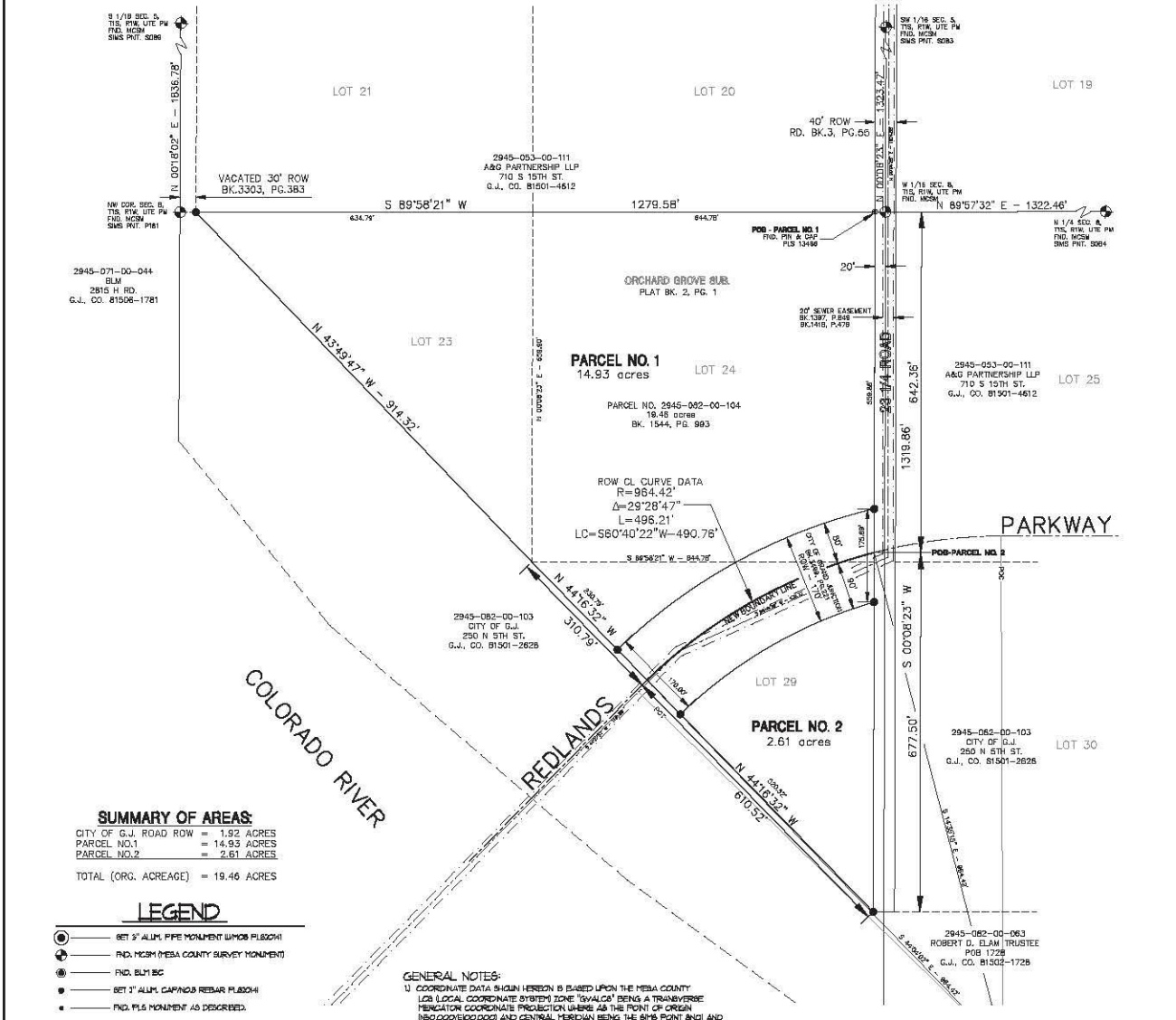
SAID PARCEL OF LAND CONTAINS 2.61 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE



I, Bernard F. Kochevar, Jr., a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the field survey was conducted by me and/or under my supervision of the property as shown herein, that the information as shown is an accurate representation of said survey to the best of my knowledge and belief.
 BERNARD F. KOCHAVAR JR., PLS. 20141
 COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR

LAND SURVEY DEPOSIT:
 MESA COUNTY SUB2018-09203
 DATE: _____
 BOOK: _____ PAGE: _____
 DEPOSIT NO: _____



RIGHT TO FARM ACT NOTICE: This development is located in an agricultural area. It is hereby recognized that agricultural operations may continue pursuant to C.R.S. 35-3.5-101 et seq.

- GENERAL NOTES:**
- COORDINATE DATA SHOWN HEREON IS BASED UPON THE MESA COUNTY LOCAL COORDINATE SYSTEM (ZONE 13N) BEING A TRANSVERSE MERCATOR COORDINATE PROJECTION WHEREAS THE POINT OF ORIGIN (NSC0000000000) AND CENTRAL MERIDIAN BEING THE 8195 POINT (NAD 83) AND GLOW (INITIAL POINT - UTM MERIDIAN), THE GEODETIC COORDINATES OF SAID 8195 POINT (NAD 83) BEING LAT. 39°06'22.7056" N, LONG. 108°22'02.45462" W, THE SCALE FACTOR BEING 1.0000000789 FOR SAID COORDINATE PROJECTION.
 - ELEVATIONS SHOWN HEREON ARE BASED UPON THE NAVD83 DATUM.
 - LINEAR UNITS ARE U.S. SURVEY FEET.

SUMMARY OF AREAS:

CITY OF G.J. ROAD ROW = 1.92 ACRES
 PARCEL NO. 1 = 14.93 ACRES
 PARCEL NO. 2 = 2.61 ACRES
 TOTAL (ORG. ACREAGE) = 19.46 ACRES

LEGEND

- SET 5" ALUM. PIPE MONUMENT (W/ROB. PLASH)
- FID. MESA COUNTY SURVEY MONUMENT
- FID. BLM B.C.
- SET 2" ALUM. CAPTAIN'S REBAR PLASH
- FID. PLS. MONUMENT AS DESCRIBED.

NOTICE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

| | | | |
|---------|------------------------|------|------------|
| DRAWN | F. KOCHAVAR | DATE | 04.03.2018 |
| REVISED | DATE | | |
| DESIGN | DATE | | |
| CHECKED | DATE | | |
| FILE | MGRSOP-PWY-CR01218.dwg | | |

MESA COUNTY DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION / SURVEY SECTION

BOUNDARY LINE ADJUSTMENT - 23 1/4 ROAD GRAVEL PIT -
 MESA COUNTY PROPERTY - PARCEL NO. 2945-082-00-104 -
 LOTS 23, 24, AND 29 OF THE ORCHARD GROVE SUB, SITUATED IN SEC. 8,
 TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE P.M., MESA COUNTY, COLORADO

SHEET 1
OF
1
 PROJECT NO. 2018-5

| | | |
|--|---|------|
| CITY COUNCIL MEETING CITIZEN PRESENTATION | | Date |
| Citizen's Name | Bruce Lohmiller | |
| Subject | School District Survey Parks Pass | |
| 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! | |

BFYM Productions and the Town of Silt Co.
Presents

Silt Stoney Ridge Pavilion Rockin Blues Festival
With proceeds going to "OI"
"Operation Interdependence"

Aug. 11th 2018 Silt, COOL-o-rado
Veterans with ID's will get \$10 Tickets at the Gate
Tickets \$15 Pre Festival or \$20 at the Gate
Children under 10 are FREE

Kenny Brent 12:15 - 1:30 *Pair of Jokers" featuring Josie Gendill*
1:45 - 2:30 **Wild Mountain Honey** 2:45 - 4:00
((((((((National Anthem 4pm))))))))

Eef and the Blues Express 4:15 - 5:45 **Michael Hornbuckle Band**
w/ Sarah Snead Hornbuckle 6:00 - 7:45 **Band Of Brothers** 8:00 -
8:30 with **Sundanze** joining in at 8:30 - 10:00

Write-in candidate for Colorado's 3rd Congressional District
Fill in the oval on your ballot and write in:

Bruce Lohmiller



"Honesty and Truth in Government"
brucelohmiller@gmail.com

Facebook presentation
Bruce Lohmiller 2018

Dan Sharp

254-5186

Outreach
Services
Children's Food
Assistance

OWL—Our Whole Lives

Wouldn't it be great to bring Comprehensive Sexuality Education to the Mesa County Schools? Mesa County does not offer comprehensive sexuality education, despite the evidence that shows that outcomes around teen pregnancy, sexually transmitted diseases, and especially suicide are greatly improved. We believe that all students need comprehensive sexuality education to be able to best negotiate their adult relationships and lead a healthy life. Recently, UUCGV has joined a coalition of parents, teachers, and community members in order to work towards implementing sexuality education programs in the middle and high schools of the Grand Valley.



UUCGV provides classes for sexuality education called "Our Whole Lives" aka "OWL." We believe that sexuality is a healthy, natural part of life at every age and stage. We have been holding OWL classes for kindergarteners through adults for over ten years. Our classes are facilitated by trained (and amazing) volunteers. Our entire church values OWL, fully 13% are trained OWL facilitators.

Graduates of our OWL classes, and their parents are enthusiastic about the program. Our sample is relatively small in comparison to the wider Valley, but so far the outcomes are great. The young people who have come up through our OWL classes tell us that they were often asked to advise their peers in matters of sexuality. Many of the adults in our groups express regret that they did not get this information in school.

Human bodies do not come with an instruction manual, so we advocate for all young people to have access to science based information about their bodies in a safe inclusive environment. We want to share the OWL curriculum with the wider community, especially the Mesa County youth who have endured 6 suicides this school year.

all violence reports
M-1 holds

OWL Outreach Team Forming Now!

Are you passionate about bringing OWL to the wider community? We're forming an OWL Outreach Team. Contact Dave Miller if you're interested at davidrudolphmiller@gmail.com or at 970-361-2737.

fox News Report 1999 (sex)
and Sundance film "Season"

3
Duffin ...

JOIN THE TEAM

RE Team

Meetings

Join the team. We meet the first

Tuesday of the month at 10:00 am.

Upcoming meetings:

May 2

June 6

Childcare

Provider

Needed

We are seeking a childcare provider, someone 16 or older. Please inquire with Shan at 257-0772 or dre@grandvalleyuu.org

P.S. Exception (Soup Kitchen) Note
And Neg. Dis. Reference (Post-Drugs License)

SUNDANCE INSTITUTE IS A NONPROFIT ORGANIZATION DEDICATED TO THE DISCOVERY
AND DEVELOPMENT OF INDEPENDENT ARTISTS AND AUDIENCES IN FILM AND THEATRE.

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Sundance Institute, P.O. Box 684429, Park City, UT 84068

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Bruce Lohmiller

To: Sundance Institute <noreply@sundance.org>

Fri, Nov 17, 2017 at 5:13 PM

A Feature Film Idea "Artist Of The Exodus" George Lucas ?? Letter Of Intent ??

[Quoted text hidden]



Darla Drive side



Middle of walkway
Isolation valve - red cap



enter from Darla Drive



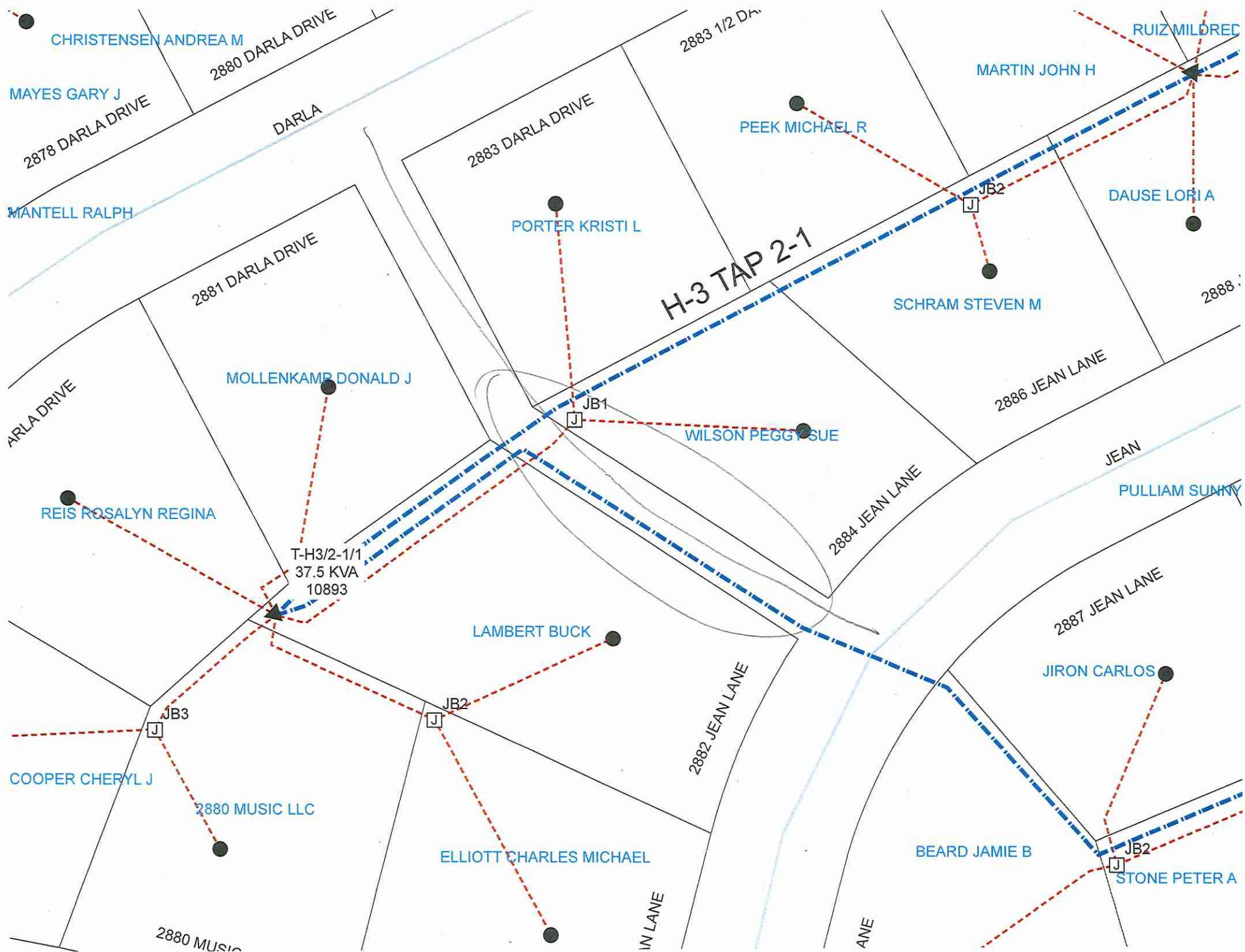
exiting to Jean



further in, Darla Drive



enter from Jean



CALLS FOR SERVICE
2882 JEAN LANE

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|------------------|---------------|------------------------------|--------------|---------------------------------|
| 2018-00020992 | 4/13/2018 14:00 | HARAS | 2882 JEAN LN, Grand Junction | TAG - 1 | GJ011081 SMITH |
| 2018-00018819 | 4/3/2018 15:58 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2018-00016588 | 3/24/2018 7:18 | HARAS | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ008869 SMITH, GJ011564 BOVEE |
| 2018-00007807 | 2/8/2018 11:31 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2018-00007203 | 2/5/2018 16:07 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2017-00078966 | 12/20/2017 16:06 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2016-00004427 | 1/22/2016 17:10 | HARAS | 2882 JEAN LN, Grand Junction | REP - 1 | GJ011555 MARTIN |
| 2015-00070783 | 11/23/2015 15:46 | CK | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ012072 FERGUSON |
| 2015-00040076 | 7/4/2015 18:55 | FOLLOW | 2882 JEAN LN, Grand Junction | ASST - 2 | GJ011701 GODWIN, GJ011459 WINCH |
| 2015-00039686 | 7/2/2015 20:40 | MISS | 2882 JEAN LN, Grand Junction | REP - 1 | GJ011808 EVANS |
| 2015-00016473 | 3/18/2015 18:52 | SUSP | 2882 JEAN LN, Grand Junction | ASST - 1 | GJ011772 HORST |
| 2012-00054774 | 11/9/2012 14:55 | JUVIE | 2882 JEAN LN, Grand Junction | WARN - 1 | GJ009816 CARLSON |

calls from the four property owners that
about the walkway. Through 2012.

No actual police report
just calls

No criminal report

CALLS FOR SERVICE
2884 JEAN LANE

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|-----------------|---------------|------------------------------|--------------|-------------------|
| ===== | ===== | ===== | ===== | ===== | ===== |
| 2018-00021037 | 4/14/2018 15:43 | FOLLOW | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011081 SMITH |
| 2018-00016496 | 3/23/2018 18:01 | PARK | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011841 PIATT |
| 2018-00006371 | 2/1/2018 13:23 | CK | 2884 JEAN LN, Grand Junction | WARN - 1 | GJ012072 FERGUSON |
| 2018-00002723 | 1/14/2018 12:41 | ASSIST | 2884 JEAN LN, Grand Junction | MSGL - 1 | GJ010120 STENDER |
| 2015-00040638 | 7/7/2015 14:33 | SUSP | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ010884 GENOVA |
| 2013-00027631 | 6/20/2013 15:24 | FAUTO | 2884 JEAN LN, Grand Junction | REP - 1 | GJ009816 CARLSON |
| 2013-00021397 | 5/17/2013 15:29 | HARAS | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ011271 HOVLAND |
| 2012-00027926 | 6/11/2012 22:25 | THREAT | 2884 JEAN LN, Grand Junction | ASST - 1 | GJ002590 FOY |

CALLS FOR SERVICE
2881 DARLA DR

| Incident Number | Officers | Call Date/Time | Incident Type | Location | Dispositions |
|-----------------|---------------------|-----------------|---------------|-------------------------------|--------------|
| 2014-00021509 | GJ008869 SMITH | 4/24/2014 8:18 | FOLLOW | 2881 DARLA DR, Grand Junction | ASST - 1 |
| 2014-00020814 | GJ011698 HAWKINS, G | 4/21/2014 11:01 | PARK | 2881 DARLA DR, Grand Junction | ASST - 1 |

CALLS FOR SERVICE
2883 DARLA DR

| Incident Number | Call Date/Time | Incident Type | Location | Dispositions | Officers |
|-----------------|-----------------|---------------|-------------------------------|--------------|--------------------------------------|
| 2014-00021604 | 4/24/2014 17:38 | FOLLOW | 2883 DARLA DR, Grand Junction | ASST - 1 | GJ011698 HAWKINS, GJ011801 DONALDSON |

April 9, 2018

I, Andrea Christensen, and Chuck Howard, a fellow Darla Jean neighbor, are representing the undersigned neighbors on this petition.

Out of 76 Darla Jean Water User households surveyed 75 signed this petition opposing the vacation of the Darla Jean Walkway. Some spouses and renters signed to lend their support. The opposition is overwhelming.

As I walked around the neighborhood many neighbors told me how they liked to walk the walkway and how it connected our neighborhood. I also heard of their concern for the irrigation pipe, etc. Many did not know of and/or understand this proposed vacation.

In conclusion, we believe it is in the best interest of the Darla Jean Neighborhood and Water Users that the application for the vacation of the Darla Jean Walkway to be denied.

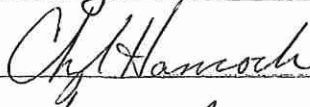
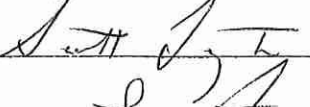

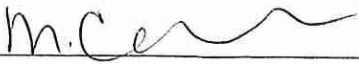
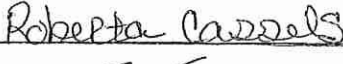
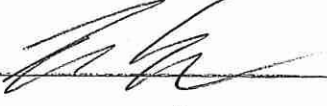

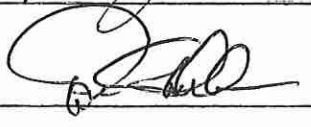
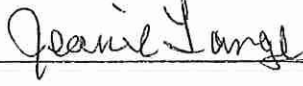
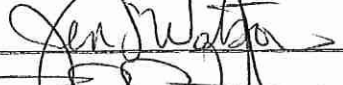

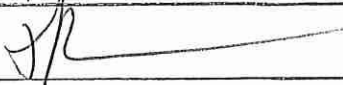
Thank you for your consideration.

Andrea Christensen






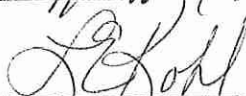
CK Howard

This submission includes this cover letter and 9 pages of the petition.




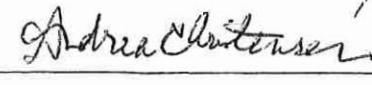

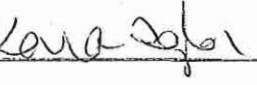
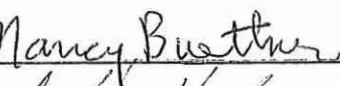

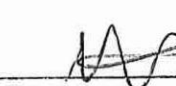


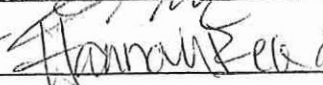
We the undersigned oppose the vacation of the Darla Jean Walkway for these reasons, We want to continue to enjoy using the walkway as a walkway. There would be added cost and hassle to the Water Users if we need to access the irrigation pipe. We are concerned about visual quality. We have little control over what the current and future property owners will choose to do with their aquired property. As of now the two Darla properties have many used and unused vehicles, boat, camper etc on their properties.

| Date | Printed Name | Signature | Address |
|---------|-----------------|--|------------------|
| 3-24-18 | Cheryl Hancock |  | 2886 F 1/4 Rd. |
| 3/24/18 | Scott Layton |  | 631 SPARN CT |
| 3/24/18 | YURA LAYTON |  | 631 SPARN CT |
| 3/24/18 | Melissa Calkin |  | 633 Spain Ct. |
| 3/24/18 | Roberta Caddels |  | 633 Spain Ct |
| 3/24/18 | Leslie Estava |  | 2899 F 1/4 Rd. |
| 3/24/18 | JACK SAARI |  | 2895 F 1/4 Rd. |
| 3/24/18 | Tom Sheldon |  | 630 melody lane |
| 3-24-18 | Jeanie Lange |  | 2870 Darla Drive |
| 3/24/18 | Jennifer Watson |  | 630 Sparn Ct |
| 3/24/18 | Richard Watson |  | 630 Sparn Ct. |
| 3/24/18 | Jim Panzer |  | 2868 Durke |

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| Date | Printed Name | Signature | Address |
|----------------------|-------------------|--|--------------------|
| 3-24-18 | Brandi Gerberich | Brandi Gerberich | 2892 Darla Dr. |
| 3-24-18 | Nathan Gray | Nathan Gray | 2899 Jean Lane |
| 3-24-18 | Sheena Starner | Sheena Starner | 2894 Jean Lane |
| 3- 25 -18 | Wendy Jones |  | 2896 Jean Lane |
| 3/24/18 | Machelle Williams | Machelle Williams | 2890 Jean Ln. |
| 3/24/18 | Ashley Swofford | Ashley Swofford | 2893 Jean Ln |
| 3/24/18 | Elizabeth Zeek |  | 2888 1/2 Jean Ln |
| 3/24/18 | Mike Zeek |  | 2888 1/2 Jean Lane |
| 3-24-18 | Terry Williams |  | 2890 Jean Ln |
| 3/24/18 | Mike Kohl |  | 639 2980 rd |
| 3/25/2018 | LeLone Kohl |  | 639 29 Rd |
| 3/24/2018 | Cheryl Cooper | Cheryl Cooper | 2877 Darla Dr. |

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| Date | Printed Name | Signature | Address |
|---------|--------------------|--|-------------------|
| 3/24/18 | Johna Burdett |  | 2885 Music Ave |
| 3/24/18 | Danny Rice |  | 2899 Darla Dr |
| 3-29-18 | Rich Guffman |  | 2882 Dar |
| 3/24/18 | Andrea Christensen |  | 2880 Darla Dr |
| 3/24/18 | Zachary Beckstead |  | 2898 Darla Dr |
| 3/24/18 | Kara Taylor |  | 2896 Darla Drive |
| 3/24/18 | Nancy Buettner |  | 2894 Darla Dr |
| 3.24.18 | Matt Martinez |  | 2890 Darla Dr |
| 3/24/18 | Michelle Casteel |  | 2866 1/2 Darla Dr |
| 3/24/18 | Nathaniel Ruiz |  | 2887 Darla Dr |
| 3/24/18 | Joy Thompson |  | 2886 Darla Dr |
| 3/24/18 | Hannah Leahy |  | 2813 Darla Dr |

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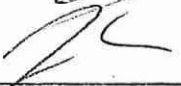
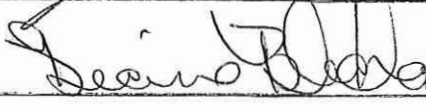

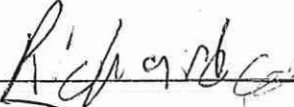
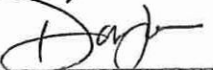
| Date | Printed Name | Signature | Address |
|-----------|---|-------------------------|--------------------------|
| 3-24-2018 | Jose Juan Martinez | <i>Jose J. Martinez</i> | 2889 Darla Dr. |
| 3/24/18 | John & Joanne Martin | <i>Joanne Martin</i> | 2885 Darla Dr. |
| 3/24/18 | Amy Henrie | <i>Amy Henrie</i> | 2884 Darla Dr. |
| 3-24-18 | Crystal Mantell | <i>Crystal Mantell</i> | 2876 1/2 Darla Dr |
| 3-25-18 | Greg The only Reason I'm Against | <i>Greg Reis</i> | 2879 Darla Dr |

of the walkway as a past water board member, I'm advising access to those two main irrigation valves to be able to close them in case of a pipe break, without having to deal with lock gates and dogs. Unless the owners agree and sign paperwork that stays with the property if they should sell later. They need to put gates in to accommodate a back hoe. Greg Reis 1/2 Reim 2879 DARLA DR

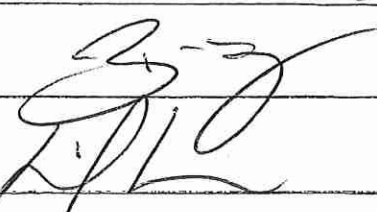
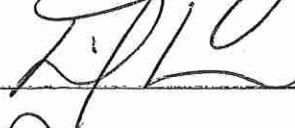
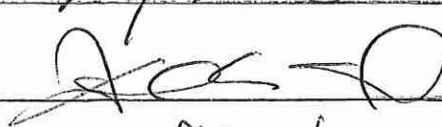
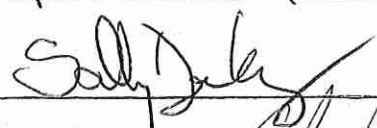
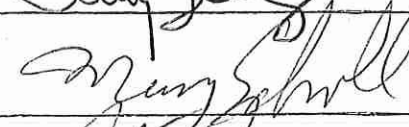
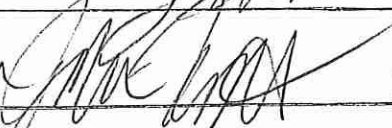
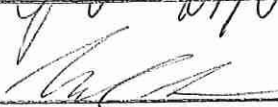
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| Date | Printed Name | Signature | Address |
|---------|------------------------|--------------------|--|
| 3/24/18 | Margaret Myers | Margaret Myers | 2888 Darla Dr. |
| 3/25/18 | Judy Ann Tailleux | Judy Ann Tailleux | 2891 Darla Dr. |
| 3/25/18 | John & Rhonda Anderson | Rhonda Anderson | 2897 Jean Lane |
| 3/25/18 | Crystal B. Cook | Crystal B. Cook | 2891 Jean Lane |
| 3/25/18 | Kerth Pulliam | Kerth Pulliam | 2889 Jean Lane |
| 3/25/18 | Connie M. Jiron | Connie M. Jiron | 2887 Jean Ln. GJ |
| 3/25/18 | Charles M. Elliott | Charles M. Elliott | 2880 Jean Ln. GT |
| 3-25-18 | Goffredo | Goffredo | 2880 M. Lane |
| 3-25-18 | Oliver | Oliver | 2874 Darla Dr. we would like to see it as a walkway, cleaned up and also accessible to the pub division in case of irrigation problems |

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| Date | Printed Name | Signature | Address |
|---------|-----------------|--|-------------------|
| 3/25/18 | Thomas Murphy |  | 2879 Music Ave. |
| 3-25-18 | Jonathan Leback |  | 2881 Music Ave |
| 3-27-18 | Linda Crandell | Linda Crandell | 2895 1/2 Jean Ln |
| 3-27-18 | Cody Crandell |  | 2895 1/2 Jean Ln. |
| 4-3-18 | Jordan Keogh |  | 2893 Darla Dr |
| 4-9-18 | Diane Blecha |  | 2895 Darla Dr |
| 4-7-18 | Denise Rosales |  | 2887 Music Ave |
| 4-7-18 | David Jones | DAVID JONES | 639 1/2 29rd. |
| 4-7-18 | Richard Jones |  | 2895 Jean Ln |
| 4/7/18 | DAMON JONES |  | 2883 MUSIC AVE. |

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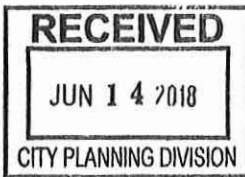
| Date | Printed Name | Signature | Address |
|---------|--------------------|--|-----------------|
| 3/25/18 | Robert B. Labig | Robert B. Labig | 628 Melody Ln |
| 3/25/18 | Sharon Olson | Sharon Olson | 633 Melody Ln |
| 3/25/18 | Jonna Crutchfield | Jonna Crutchfield | 2880 F 1/4 Rd. |
| 3/25/18 | Maureen F. Connell | Maureen F. Connell | 2879 F 1/4 Rd |
| 3/25/18 | BEN VIGIC |  | 2896 Music Ave |
| 3-25-18 | David Koons |  | 2888 F 1/4 Rd. |
| 3/25/18 | Dave Lord |  | 2887 F 1/4 Rd. |
| 3/25/18 | Sally Kroerzel |  | 2889 F 1/4 Rd |
| 3/25/18 | Mary Scholl |  | 2893 F 1/4 Rd |
| 3/25/18 | Joshua Hampton |  | 2888 music ave. |
| 3/26/18 | Marki Locke |  | 2883 F 1/4 rd |

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| Date | Printed Name | Signature | Address |
|-----------|-------------------|-------------------|--------------------|
| 3-24-2018 | Lillian E. Mercer | Lillian E. Mercer | 2890 1/2 Music Ave |
| 3-24-2018 | DAWN FARRIS | Dawn Farris | 2899 Music Ave |
| 3-24-18 | Lisa Trotter | Lisa Trotter | 2895 Music Ave |
| 3-24-18 | Colleen Woods | Colleen Woods | 2893 Music Ave |
| 3-24-18 | Timothy MARTINEZ | Timothy Mart | 632 Melody Lane |
| 3-24-18 | Trisha Reid | Trisha Reid | 631 Melody Ln. |
| 3-24-18 | Jenny Aker | Jenny Aker | 2892 Music Ave |
| 3-24-18 | Dave Benjamin | Dave Benjamin | 2891 F 1/4 Rd |
| 3-24-18 | Laura Gomez | Laurie Gomez | 2890 Music Ave |
| 3-24-18 | RANDAL J. BAKER | Randal J. Baker | 2887 1/2 Music Ave |
| 3-25-18 | Ellis R Beck | Ellis R Beck | 2894 Music Ave |

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| Date | Printed Name | Signature | Address |
|------------------------|----------------|-------------|---------------------|
| 3/26/18 | Nick Velasquez | Nick Velaz | 2882 F 1/4 G) CO. |
| 3/27 4/4/18 | Fern Chase | Fern Chase | 2885 F 1/2 Rd 1/2 G |
| 4.8.18 | Lacey Borba | Lacey Borba | 2898 F 1/2 Rd G |



June 13, 2018

Dear Planning Commission,

Back in 1979 the Darla Jean Water Users Association was organized. A few good men and women, all volunteers, got together, organized, and proceeded to build a irrigation system for all of the people of the Darla Jean Subdivision.

A walkway was created in order to install main water valves and a pipeline. This access was needed so that when a pipe broke somewhere along this particular part of the irrigation system the water could be turned off so that the problem could be resolved quickly.

Imagine our surprise when we discovered quite by accident that 4 homeowners, whose property borders this walkway had petitioned the city to deed this property to them. They claim that it had not been maintained to their standards. They claim that they are tired of taking care of property that doesn't belong to them. That it needs to have ownership.

A few days ago I went over to the walkway and took some pictures. I have included in this letter 3 prints of the north side of the walkway. It appears that the owner who lives on the northeast side of the walkway has not bothered to take care of the property that he currently owns. Those Elm Trees have grown from his side of the fence out into the walkway. That is the only so called trashy part of the whole walkway. I can't imagine what it will look like in just a few short years. The whole walkway will be overrun with Elm Trees. If he can't take care of what he currently owns how will he maintain what he desires to own.

As you review all the information that you have received regarding this walkway you will see that out of 103 households 75 of us signed a petition requesting that this walkway stay the way it is. Many of the surrounding property owners enjoy walking along this path. The Darla Jean Water Association needs access to this area so that when the lines break, they can quickly turn off the water so that homes are not flooded.

May common sense prevail is my desire.

Sincerely,

Diann Saari

Diann Saari
2895 F 1/4 Road
Grd. Jct. Co 81506

EXHIBIT 3

Kristen Ashbeck

From: Jim.S.Parman@wellsfargo.com
Sent: Wednesday, February 28, 2018 8:36 AM
To: Kristen Ashbeck
Cc: Jim.S.Parman@wellsfargo.com
Subject: FW: darla jean subdivision alley vacation, revised.

I have resided at 2868 Darla Drive within Darla Jean Subdivision since 1986. I have also been a volunteer board member of the DJWUA (Darla Jean Water Users Association) multiple terms. I still am a member of that board although not currently an officer. The subdivision's irrigation system is maintained by and or under the direction the board. Board members must be an owner of one of the 105 or so households in the subdivision. It is funded by an annual assessment based on the estimated operating costs including scheduled and unscheduled maintenance.

The unscheduled maintenance can and usually does include leaks in an aging system that was installed more than 40 years ago. There is a high pressure irrigation line that pretty much travels right down the middle of the tract that is the subject of VAC2018-44. Whether this tract is called an alley, undivided easement, etc., it is the purpose VAC2018-44 to partition the aforementioned tract between the four adjoining property owners that abut this parcel. I understand that as it currently stands, this is a tract's ownership is unrecorded nor is it a dedicated right of way.

The subject tract has one of the main irrigation lines that does not currently require DJWUA to obtain permission, move fences, etc., or to enter any property owner's back yards for this line's maintenance. It also has a couple of block isolation valves that are used on a more frequent basis. In the past, we have had difficulty with some property owners in granting access despite a dedicated easement.

Please do not vacate this cleared right of way, alley, what other term one would like to use despite there not being a formal recording that was obviously an oversight by the original developer. Clearly, the intent was to leave this open for access to the utility lines and perhaps other reasons. I can attest that after this many years in the subdivision, there are times an urgent need arises to get unabated access to the high pressure irrigation lines. Delays can result in property damage, frustrated homeowners, and multiple other difficulties for subdivision.

It has been voiced this small tract has been burdensome for adjoining property owners. Their concerns include but not limited to upkeep, disturbances of their quiet property enjoyment, annoyances, etc. While I am very familiar with such issues as my property adjoins the Darla Jean Park on two sides and the old Matchet property to the west, I purchased my property knowing full well its issues. This undedicated alley with its easements is necessary for subdivision's utility maintenance. Its closure and restricted access will be a burden for all who are served by DJWUA whether they currently know it or not. The developer's intent dating back to 1974 was very clear.

This is in reference to the vacation of the WALKWAY and IRRIGATION PIPE EASEMENT -VAC-2018-44

I am opposed to this land grab by the 4 petitioners as The Darla Jean Water Users Assoc. has a significant amount of irrigation pipe and 3 isolation valves within the easement. This pipe and valves are unfettered at this time for easy repair and or replacement. If this easement is to be awarded to these people they will put fences, concrete, lean-to structures, unused cars, boats and campers on their newly acquired land grab. The ultimate cost for repair and replacement of these structures in case there is a maintenance problem on this easement will fall to the other 101 water users. Our dues will go up to compensate the water users assoc. for damage done to fences and structures for the repair.

We also have come up with a neighborhood volunteer group which will be responsible for the maintenance of the walkway. Apparently in the last 25 years 3 beer bottles and 2 condoms have surfaced. We would keep this walkway clean. The 4 people who stand to gain will tell you there are problems in the walkway but there has never been any reports to the police or sheriff's office.

In closing, I as a water user along with many of my neighbors implore you to leave this easement as is. It is not broken so why would you want to fix it? THIS IS NOTHING MORE THAN A LAND GRAB AT THE EXPENSE OF OTHERS. If we have a small strip of open land why do we have to fence it off? This strip also belongs to the other 101 residents of the Darla Jean subdivision and a vast majority are opposed to this petition

Richard Curfman, 24 year resident at
2882 Darla Drive





**Haynie &
Company**
Certified Public Accountants

City of Grand Junction

Report to City Council – 2017 Audit

Report to City Council

- ▶ Audit Scope and Methodology
- ▶ Required communications based on Statement of Auditing Standards No. 114
- ▶ Financial Highlights
- ▶ New Accounting Pronouncements, General Observations, and Comments

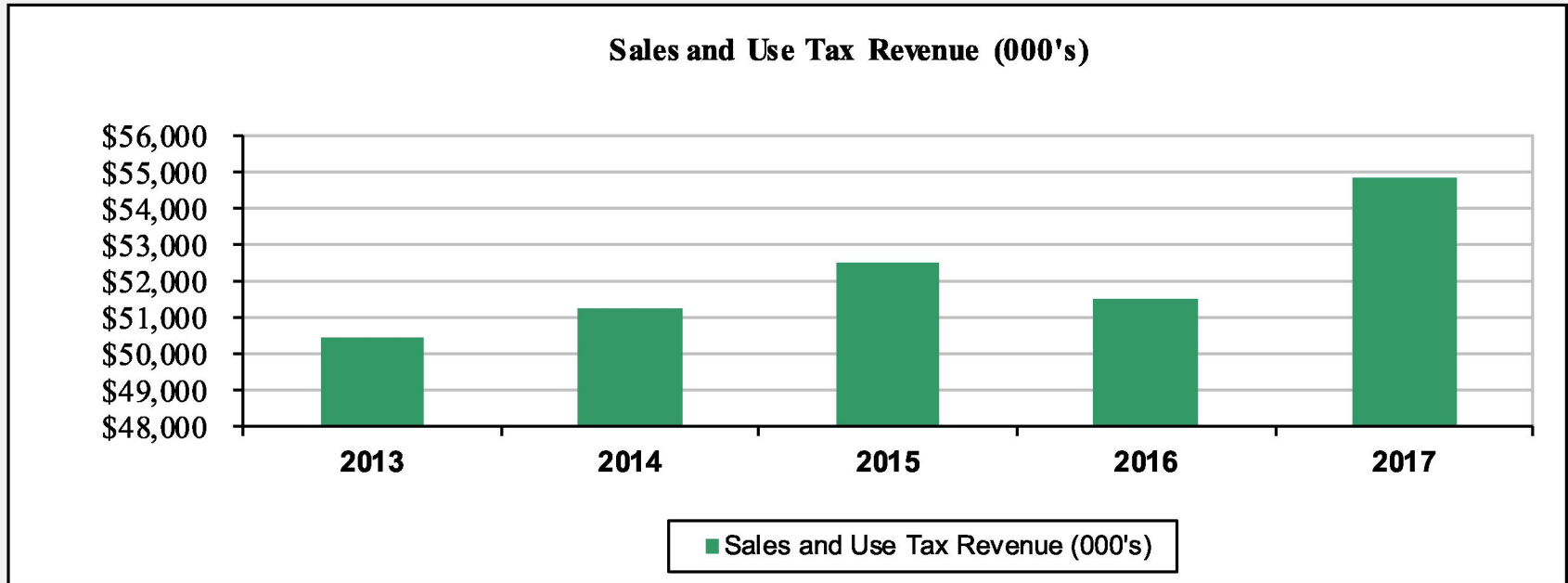
Audit Scope and Methodology

- ▶ Opinions on fair presentation of financial statements, internal controls over Federal Awards, and compliance with Federal Awards
- ▶ Risk-based approach
- ▶ Addressing fraud and significant risks
- ▶ Vary procedures from year to year
- ▶ Internal controls
- ▶ Compliance with Federal awards

Required Communications

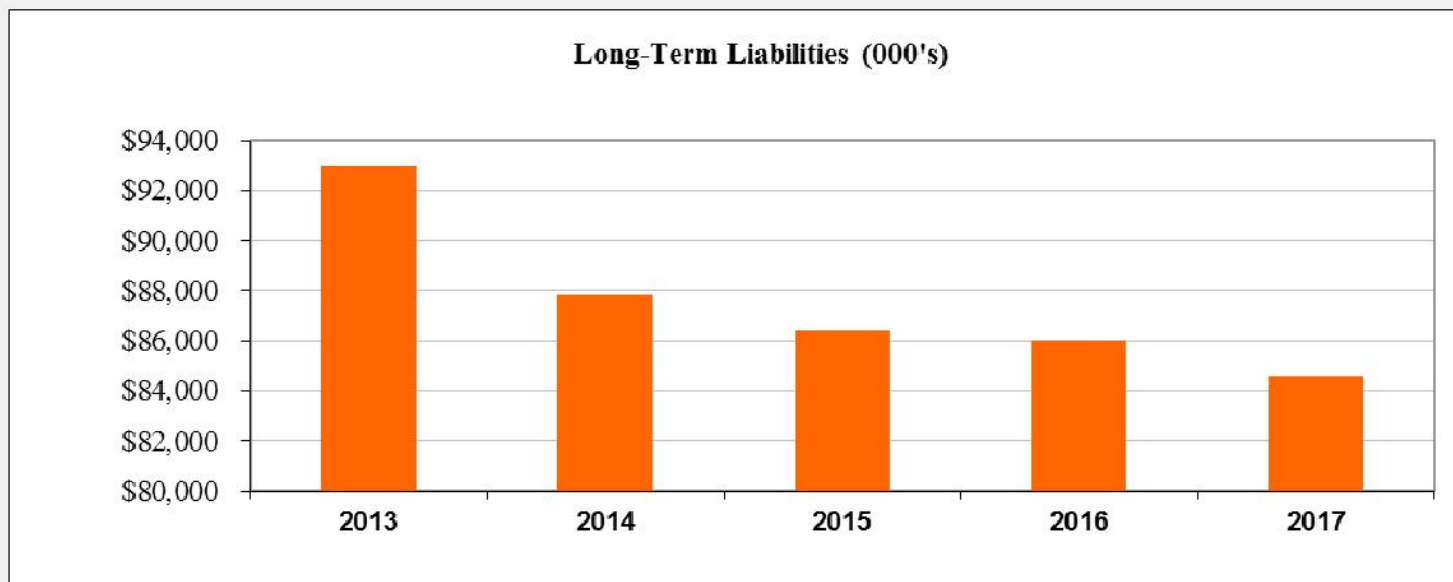
- ▶ Significant new accounting policies – none
- ▶ Significant estimates
 - Pension
 - Depreciable lives of capital assets
 - Self-insurance claims payable
- ▶ Audit adjustments – none
- ▶ Disagreements with management – none
- ▶ Other findings or issues – none

Financial Highlights



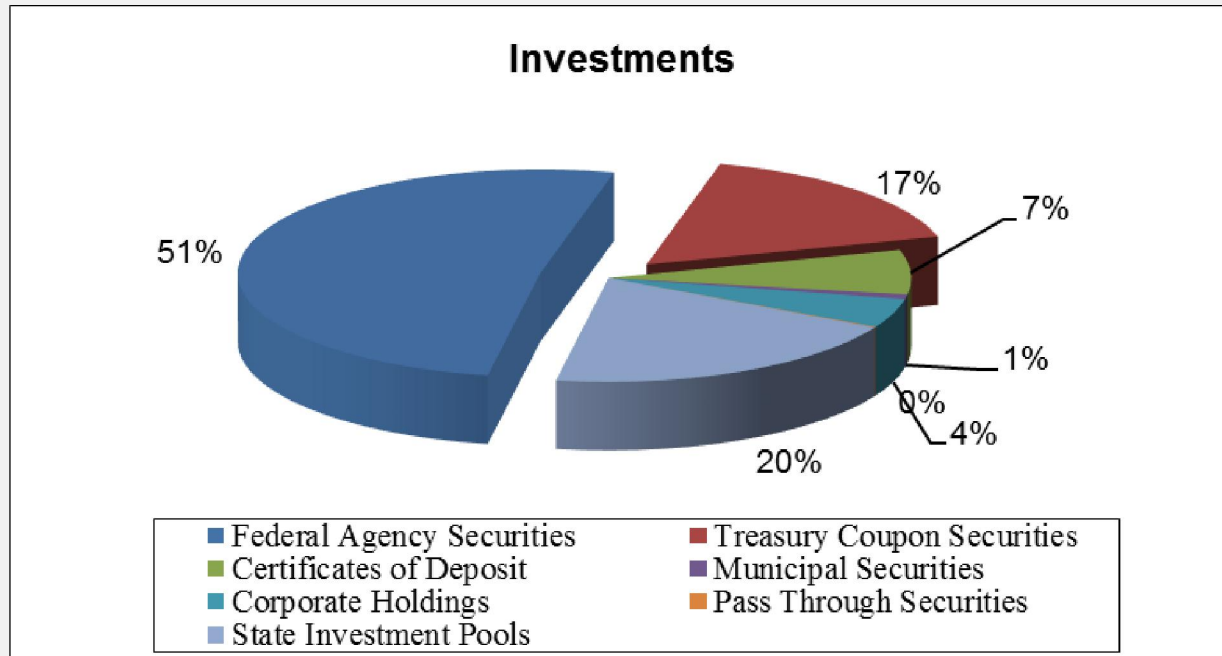
| | 2013 | 2014 | 2015 | 2016 | 2017 |
|-----------------------------------|------------------|------------------|------------------|------------------|------------------|
| Sales and Use Tax Revenue (000's) | <u>\$ 50,468</u> | <u>\$ 51,273</u> | <u>\$ 52,554</u> | <u>\$ 51,504</u> | <u>\$ 54,889</u> |

Financial Highlights



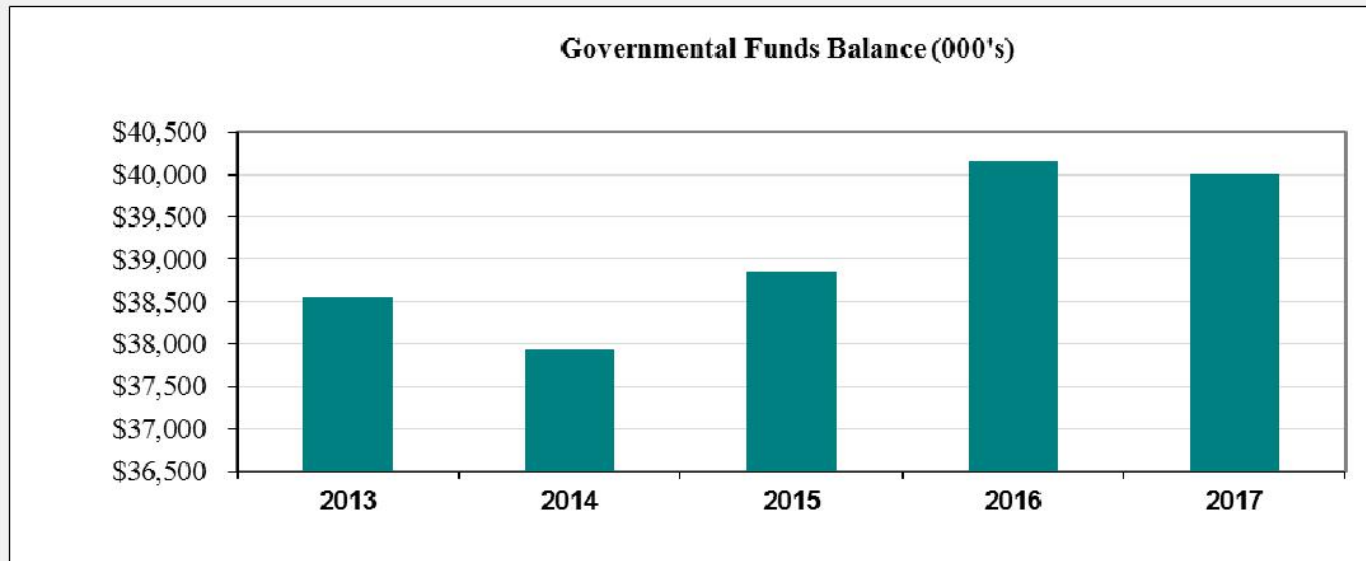
| | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------------------------------|------------------|------------------|------------------|------------------|------------------|
| Long-Term Liabilities (000's) | <u>\$ 93,001</u> | <u>\$ 87,814</u> | <u>\$ 86,398</u> | <u>\$ 86,013</u> | <u>\$ 84,579</u> |
| Principal due in 2018 (000's) | <u>\$ 7,541</u> | | | | |

Financial Highlights



| <u>Investments</u> | <u>Total Amount</u> | <u>%</u> |
|----------------------------|----------------------|-------------|
| Federal Agency Securities | \$ 34,761,330 | 51% |
| Treasury Coupon Securities | 11,380,450 | 17% |
| Certificates of Deposit | 4,688,592 | 7% |
| Municipal Securities | 499,575 | 1% |
| Corporate Holdings | 3,074,802 | 5% |
| Pass Through Securities | 74,158 | 0% |
| State Investment Pools | 13,502,894 | 20% |
| Total | \$ 67,981,801 | 100% |

Financial Highlights



| | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|------------------|------------------|------------------|------------------|------------------|
| Ending Governmental Funds Balance (000's) | <u>\$ 38,564</u> | <u>\$ 37,946</u> | <u>\$ 38,854</u> | <u>\$ 40,155</u> | <u>\$ 39,994</u> |

New Accounting Pronouncements, General Observations, and Comments

- ▶ Significant New Accounting Pronouncements
 - GASBS No. 75 Accounting and Financial Reporting for Other Postemployment Benefits: Requires recognition of related liabilities and significantly expanded note disclosures (effective for 2018)
 - GASBS 87 Leases: Requires recognition of assets and liabilities for certain leases that were previously expensed as incurred (effective for 2020)
 - GASBS 88 Certain Disclosures Related to Debt: Requires additional information related to debt to be disclosed in notes (effective for 2019)
- ▶ General observations and comments
- ▶ Contact Information:
 - Ty Holman
email: tyh@hayniecpas.com – phone: 303-734-4800