



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
TUESDAY, AUGUST 14, 2012, 6:00 PM**

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

If you wish to speak, please sign in prior to coming up to the podium. Sign in sheets are located at the back of the auditorium. In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

None available at this time.

[Attach 1](#)

2. Text Amendment to Section 21.04.040(f)(5), ADU – Zoning Code Amendment

[Attach 2](#)

Request a recommendation of approval to City Council for a text amendment to Section 21.04.040(f)(5), Accessory Dwelling Unit, Concerning Occupancy of Accessory Dwelling Units in the R-8, R-12, R-O and B-2 zone districts.

FILE #: ZCA-2012-356
APPLICANT: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

3. Text Amendment to Section 21.04.030(a) – Zoning Code Amendment

[Attach 3](#)

Request a recommendation of approval to City Council for a text amendment to Section 21.04.030(a), Other Animals, to include provisions concerning Racing Pigeons.

FILE #: ZCA-2012-357
APPLICANT: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

4. Text Amendment to Section 21.07.010(c)(2) – Zoning Code Amendment

[Attach 4](#)

Request a recommendation of approval to City Council for a text amendment to Section 21.07.010(c)(2), adopting the October 16, 2012 Flood Insurance Study and Flood Insurance Rate Map.

FILE #: ZCA-2012-393
APPLICANT: City of Grand Junction
LOCATION: Citywide
STAFF: Lisa Cox

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

Public Hearing Items

On the following items the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

Attach 1
Minutes of Previous Meetings

None available at this time.

Attach 2

Text Amendment to Section 21.04.040(f)(5) – ADU

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: August 14, 2012
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: ZCA-2012-356, An amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to eliminate the owner occupancy requirement for accessory dwelling units in zones R-8, R-12, R-O and B-2.

ACTION REQUESTED: Request a recommendation of approval to City Council of an amendment to the Zoning and Development Code (Title 21, GJMC) to eliminate the owner occupancy requirement for accessory dwelling units in zones R-8, R-12, R-O and B-2.

RECOMMENDATION: Forward a recommendation of approval of the proposed amendment.

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will enhance the responsiveness of the Zoning Code to the concerns of citizens and the growth of certain sectors of the local economy, as well as enhance its effectiveness.

The proposed amendment to Section 21.04.040(f)(5) eliminates a requirement that the property owner occupy either or both the principal structure and the accessory dwelling unit. The requirement would be eliminated only in zones R-8, R-12, R-O and B-2, in keeping with the character of those zone districts, which allow multifamily dwellings. Zones of lower density do not allow multifamily dwelling, so the owner-occupancy rule will continue to preserve the character of neighborhoods and neighborhood expectations in those zones.

This change will help accommodate the increasing demand for temporary, seasonal or rental housing generated by the oil and gas industry, the expansion of Colorado Mesa University, foreclosures and other general shifts in housing preferences.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

Policy 6A: In making land use and development decisions, the City and County will balance the needs of the community.

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

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by providing to property owners the flexibility and the opportunity to rent property and meet the increased demand for rental housing.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing ZCA-2012-356, an amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to eliminate the owner occupancy requirement for accessory dwelling units in zones R-8, R-12, R-O and B-2, the following findings of fact and conclusions have been determined:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on file ZCA-2012-356, An amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to eliminate the owner occupancy requirement for accessory dwelling units in zones R-8, R-12, R-O and B-2, I move that the Planning Commission forward a recommendation of approval of the proposed amendment with the findings, facts and conclusions listed in the staff report.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.04.040(f)(5)
OF THE GRAND JUNCTION MUNICIPAL CODE ELIMINATING THE
OWNER OCCUPANCY REQUIREMENT FOR ACCESSORY DWELLING UNITS IN
ZONES R-8, R-12, R-O AND B-2**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.04.040(f) allows accessory dwelling units in conjunction with single family uses. Subsection (5) requires that either the accessory dwelling unit or the principle structure must be occupied by the property owner.

With the community's oil and gas industry, the expansion of Colorado Mesa University, and recent foreclosures, demands for seasonal, short-term or temporary housing have been increasing and are expected to continue to increase. Property owners are rising to meet this demand by adding units to their properties and by renting out accessory dwelling units.

The Grand Junction City Council desires to encourage this by allowing either or both the principal structure and the accessory dwelling unit to be occupied by non-owners in zones R-8, R-12, R-O and B-2. Because these zones already allow multifamily dwelling, this change will be consistent with neighborhood character and reasonable neighborhood expectations.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment eliminating the owner occupancy requirement for accessory dwelling units in zones R-8, R-12, R-O and B-2 will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Section 21.04.040(f)(5) and Section 21.04.040(f)(8) are amended as follows (deletions shown by strikethrough, additions are underlined):

(5) Either the principal structure or the unit shall be owner-occupied, except in the R-8, R-12, R-O and B-2 zone districts.

(8) The unit shall share utility meters with the principal structure, except where the utility provider requires separate meters for an accessory dwelling unit.

All other provisions of Section 21.04.040(f) shall remain in full force and effect.

INTRODUCED on first reading the 5th day of September, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

21.04.040(f)(5) [clean text]

(5) Either the principal structure or the unit shall be owner-occupied, except in the R-8, R-12, R-O and B-2 zone districts.

21.04.040(f)(8) [clean text]

(8) The unit shall share utility meters with the principal structure, except where the utility provider requires separate meters for an accessory dwelling unit.

Attach 3
Text Amendment to Section 21.04.030(a) – Racing Pigeons

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: August 14, 2012
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: ZCA-2012-357, Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to add Use-Specific Standards for Racing Pigeons.

ACTION REQUESTED: Request a recommendation of approval to City Council of an amendment to the Zoning and Development Code (Title 21, GJMC) to add Use-Specific Standards for Racing Pigeons.

RECOMMENDATION: Forward a recommendation of approval of the proposed amendment.

BACKGROUND:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code. City Council has requested that staff propose amendments to Title 21 as needed to maintain a dynamic, responsive Zoning Code. This proposed amendment will add use-specific standards related to racing pigeons that were eliminated when the Code was updated in 2010.

The proposed amendment to Section 21.04.030(a)(5) will add use-specific standards related to racing pigeons that were thought to be obsolete and unnecessary when the Zoning and Development Code was updated in 2010 and therefore eliminated. The removal of those standards effectively disallowed the keeping of racing pigeons in the City. After meeting with representatives of the racing pigeon community, Staff is convinced that the keeping of racing pigeons can be compatible with contemporary urban standards.

The proposed amendment provides specific standards intended to ensure that racing pigeons are maintained in a manner that protects the rights of property owners in the neighborhood and provide clear standards for maintaining racing pigeons.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

Policy 6A: In making land use and development decisions, the City and County will balance the needs of the community.

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

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by providing individuals who wish to own or maintain racing pigeons with use-specific standards and will provide assurances for the neighborhood and nearby property owners that racing pigeons will not become a nuisance to their properties.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing ZCA-2012-357, amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to add use-specific standards for Racing Pigeons, the following findings of fact and conclusions have been determined:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on file ZCA-2012-357, An amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to add use-specific standards for Racing Pigeons, I move that the Planning Commission forward a recommendation of approval of the proposed amendment with the findings, facts and conclusions listed in the staff report.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.04.030(a)
OF THE GRAND JUNCTION MUNICIPAL CODE TO ADD USE-SPECIFIC
STANDARDS FOR RACING PIGEONS**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

Section 21.04.030(a) provides rules and regulations for the keeping of agricultural animals, household pets and other animals. Use-specific standards are required when appropriate to ensure that the keeping of animals shall not become a nuisance, hazard and/or create a public health problem. The amendment adds use-specific standards for racing pigeons to allow the keeping of such birds in the City in a way that will ensure that they do not become a nuisance, hazard and/or create a public health problem for the community.

The City Council finds that it promotes the health, safety and welfare of the community to allow the keeping of racing pigeons in the City in a manner that protects the rights of property owners in the neighborhood and community and to provide clear standards for maintaining racing pigeons to prevent them from becoming a nuisance, hazard and/or public health problem.

The City Council also finds that the amendment is consistent with reasonable neighborhood expectations.

After public notice and a public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed amendment for the following reasons:

1. The request is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

After public notice and a public hearing before the Grand Junction City Council, the City Council hereby finds and determines that an amendment to add use-specific standards for Racing Pigeons will implement the vision, goals and policies of the Comprehensive Plan and should be adopted.

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

Section 21.04.030(a) is amended as follows (additions are underlined):

(5)Other Animals.

(i) Other animals may be kept only after obtaining approval from the Director.

(ii) Racing Pigeons. "Racing Pigeons", by definition, is a pigeon which, through selective past breeding, has developed the distinctive physical and mental characteristics as to enable it to return to its home after having been released a considerable distance therefrom, and which is accepted as such by the American Racing Pigeon Union, Inc. or the International Federation of Racing Pigeons Fanciers. Also commonly known as Racing Homer, Homing Pigeon or Carrier Pigeon. The structure for the keeping of housing of pigeons permitted by this regulation is defined as a "loft". The keeping of pigeons as defined above shall be permitted on the following conditions which are, in part, recommended by the Avian Assistance Council and the American Racing Pigeon Union, Inc.:

(A) The loft shall be of such sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition and shall contain at least one (1) square foot of floor space for each mature pigeon kept therein.

(B) The construction and location of the loft shall not conflict with the requirements of this Code or building code. The loft shall be enclosed except for the aviary portion which cannot exceed twenty percent (20%) of the floor area of the loft.

(C) The loft shall be maintained in a sanitary condition and in compliance with all applicable health regulations of the City.

(D) All feed for said pigeons shall be stored in such containers as to protect against intrusion by rodents and other vermin.

(E) A maximum of fifty (50) performing birds shall be allowed on parcels of one-half (1/2) acre or less. On parcels greater than one-half (1/2) acre, a maximum of 100 performing birds shall be allowed. Performing birds are birds that leave the loft in training and for racing.

(F) All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training and competition; and at no time shall pigeons be allowed to perch or linger on the buildings or property of others. Pigeons shall be fed only in the confines of the loft.

(G) No one shall release pigeons to fly for exercise, training or competition except in compliance with the following rules:

(a) The owner of the pigeons must be a member in good standing of an organized pigeon club, such as the Grand Junction Racing Pigeon Club, The American Racing Pigeon Union, Inc. or other club

that has rules that will help preserve the peace and tranquility of the neighborhood.

(b) Pigeons will not be released for flying which have been fed within the previous four (4) hours.

(c) Pigeons shall be banded and registered with one (1) of the national pigeon associations/registries.

(H) A structure housing racing pigeons shall be no closer than 100 feet to any adjacent residential or commercial structure on another property.

All other provisions of Section 21.04.030(a) shall remain in full force and effect.

INTRODUCED on first reading the 5th day of September, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

21.04.030(a)(5) [clean text]

(5) Other Animals.

(i) Other animals may be kept only after obtaining approval from the Director.

(ii) Racing Pigeons. "Racing Pigeons", by definition, is a pigeon which, through selective past breeding, has developed the distinctive physical and mental characteristics as to enable it to return to its home after having been released a considerable distance therefrom, and which is accepted as such by the American Racing Pigeon Union, Inc. or the International Federation of Racing Pigeons Fanciers. Also commonly known as Racing Homer, Homing Pigeon or Carrier Pigeon. The structure for the keeping of housing of pigeons permitted by this regulation is defined as a "loft". The keeping of pigeons as defined above shall be permitted on the following conditions which are, in part, recommended by the Avian Assistance Council and the American Racing Pigeon Union, Inc.:

(A) The loft shall be of such sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition and shall contain at least one (1) square foot of floor space for each mature pigeon kept therein.

(B) The construction and location of the loft shall not conflict with the requirements of this Code or building code. The loft shall be enclosed except for the aviary portion which cannot exceed twenty percent (20%) of the floor area of the loft.

(C) The loft shall be maintained in a sanitary condition and in compliance with all applicable health regulations of the City.

(D) All feed for said pigeons shall be stored in such containers as to protect against intrusion by rodents and other vermin.

(E) A maximum of fifty (50) performing birds shall be allowed on parcels of one-half (1/2) acre or less. On parcels greater than one-half (1/2) acre, a maximum of 100 performing birds shall be allowed. Performing birds are birds that leave the loft in training and for racing.

(F) All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training and competition; and at no time shall pigeons be allowed to perch or linger on the buildings or property of others. Pigeons shall be fed only in the confines of the loft.

(G) No one shall release pigeons to fly for exercise, training or competition except in compliance with the following rules:

(a) The owner of the pigeons must be a member in good standing of an organized pigeon club, such as the Grand Junction Racing Pigeon Club, The American Racing Pigeon Union, Inc. or other club that has rules that will help preserve the peace and tranquility of the neighborhood.

(b) Pigeons will not be released for flying which have been fed within the previous four (4) hours.

(c) Pigeons shall be banded and registered with one (1) of the national pigeon associations/registries.

(H) A structure housing racing pigeons shall be no closer than 100 feet to any adjacent residential or commercial structure on another property.

Attach 4

Text Amendment to Section 21.07.010(c)(2) – Flood Insurance Study

CITY OF GRAND JUNCTION
PLANNING COMMISSION

MEETING DATE: August 14, 2012
PRESENTER: Lisa Cox, AICP

AGENDA TOPIC: ZCA-2012-393, Amendment to the Zoning and Development Code (Title 21, Grand Junction Municipal Code) to amend the language to be in compliance with the requirements of the Federal Emergency Management Agency (“FEMA”) by adoption of new Flood Insurance Rate Maps based on the most recent Flood Insurance Study.

ACTION REQUESTED: Request a recommendation of approval to City Council of an amendment to the Zoning and Development Code (Title 21, GJMC) to amend Section 21.07.010(c)(2) to adopt the October 16, 2012 Flood Insurance Study and Flood Insurance Rate Maps.

RECOMMENDATION: Forward a recommendation of approval of the proposed amendment.

BACKGROUND:

The City of Grand Junction (“City”), in coordination with FEMA, completed a new hydrologic and hydraulic (H&H) study for the Ranchmen’s Ditch and Leach Creek drainages in 2005. This H&H study was completed in preparation for the Ranchmen’s Ditch Flood Mitigation Project (“Big Pipe”) that was completed in 2010. Upon completion of the Big Pipe project, the City submitted new floodplain mapping information for FEMA’s review that more accurately reflects flood hazard areas within the Ranchmen’s Ditch and Leach Creek basins as a result of the study and the Ranchmen’s Ditch project improvements.

This study area was large enough that FEMA required a Physical Map Revision to reflect the changes to the Flood Insurance Rate Maps (“FIRMs”). The City did receive approval of the new mapping from FEMA in November 2010. FEMA was not able to produce the new mapping until this year due to budget cuts. Public notifications regarding this new mapping effort were made by the City in 2010 and by FEMA in 2012.

Adoption of the new FIRMs by the City is required by FEMA prior to October 16, 2012.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed amendment is consistent with the following goals and policies of the Comprehensive Plan:

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

Policy:

1C. The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

Mesa County is affected by the same study and will be expected to adopt the same FIRMs. The information provided by the FIS and the FIRMs is relevant information to consider when making decisions regarding infrastructure.

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

The FIRMs provide necessary information for consideration of the appropriate type of development in different areas dependent upon the likelihood or not of flooding for that particular area.

Goal 10: Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

Policy:

10B. Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system.

10C. The City and County support the efforts to expand the riverfront trail system along the Colorado River from Palisade to Fruita.

Areas that are not appropriate for development or more intense development due to the greater risk of damage due to flooding can be better utilized in manners such as open space.

Goal 11: Public facilities and services for our citizens will be a priority in planning for growth.

Policy:

11A. The City and County will plan for the locations and construct new public facilities to serve the public health, safety and welfare, and to meet the needs of existing and future growth.

The FIS and FIRMs provide relevant information in determining where public facilities and services may be best located for efficiencies and effectiveness.

The proposed Code amendment supports the vision and goals of the Comprehensive Plan by providing additional relevant information to be considered as the City grows and develops.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing ZCA-2012-393, amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to amend Section 21.07.010(c)(2) to adopt the October 16, 2012 Flood Insurance Study and Flood Insurance Rate Maps, the following findings of fact and conclusions have been determined:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.
2. The proposed amendment will help implement the vision, goals and policies of the Comprehensive Plan.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the proposed amendment to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTIONS:

Mr. Chairman, on file ZCA-2012-393, an amendment to the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) to amend Section 21.07.010(c)(2) to adopt the October 16, 2012 Flood Insurance Study and Flood Insurance Rate Maps, I move that the Planning Commission forward a recommendation of approval of the proposed amendment with the findings, facts and conclusions listed in the staff report.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 21.07.010(c)(2)
OF THE GRAND JUNCTION MUNICIPAL CODE TO ADOPT THE OCTOBER 16,
2012 FLOOD INSURANCE REPORT AND THE FLOOD INSURANCE RATE MAPS**

Recitals:

On April 5, 2010 the Grand Junction City Council adopted the updated 2010 Zoning and Development Code, codified as Title 21 of the Grand Junction Municipal Code of Ordinances.

The Grand Junction City Council encourages updating of the Zoning and Development Code in order to maintain its effectiveness and responsiveness to the citizens' best interests.

As part of the Big Pipe Project and in coordination with the Federal Emergency Management Agency ("FEMA"), the City completed a floodplain study for Leach Creek and Ranchmen's Ditch, the Flood Insurance Study of October 16, 2012 ("FIS"). The information was submitted to FEMA for review and approval. Based on the information FEMA produced new Flood Insurance Rate Maps ("FIRMs"). Both the City and FEMA have published the new FIRMs. No objections or appeals were entered regarding the published FIRMs. For FEMA, the FIRMs become effective as of October 16, 2012. For Title 21 to be current the new FIS and FIRMs need to be approved and adopted by City Council.

The City Council finds that adoption of the FIS and FIRMS promotes the health, safety and welfare of the community. The language proposed to amend the language for adoption of the FIS and FIRMs is appropriate.

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

The Flood Insurance Study of October 16, 2012 and the accompanying Flood Insurance Rate Maps are adopted with the amendment to Section 21.07.010(c)(2) to read as follows (deletions shown by strikethrough, additions are underlined):

(2) Basis for Establishing the Areas of Special Flood Hazard. The Federal Emergency Management Agency has identified areas of special flood hazard in a scientific and engineering report entitled, "The Flood Insurance Study for Grand Junction," dated ~~July 6, 2010~~ October 16, 2012. The study together with the Flood Insurance Rate Maps (FIRMs) ~~are~~ is hereby adopted by reference and declared to be a part of this code. The FIRMs may be superseded by local engineering studies approved by the Director, provided such studies fully

describe and analyze, based on the FIRMs and generally accepted engineering practice, design floodwater build-out conditions.

All other provisions of Section 21.07.010(c) shall remain in full force and effect.

INTRODUCED on first reading the 5th day of September, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2012 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

21.07.010(c)(2) [clean text]

(2) Basis for Establishing the Areas of Special Flood Hazard. The Federal Emergency Management Agency has identified areas of special flood hazard in a scientific and engineering report entitled, "The Flood Insurance Study for Grand Junction," dated October 16, 2012. The study together with the Flood Insurance Rate Maps (FIRMs) are hereby adopted by reference and declared to be a part of this code. The FIRMs may be superseded by local engineering studies approved by the Director, provided such studies fully describe and analyze, based on the FIRMs and generally accepted engineering practice, design floodwater build-out conditions.