

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**CITY COUNCIL AGENDA
WEDNESDAY, FEBRUARY 6, 2019
250 NORTH 5TH STREET
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

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

Call to Order, Pledge of Allegiance, Invocation

Tom Barlament, Landmark Baptist Church Pastor

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

1. Resolutions

- a. Resolution Authorizing a City Council Acting President Pro Tem

Appointments

Appointment of Members to the 2020 Comprehensive Plan Advisory Committee (CPAC)

Certificates of Appointment

To the Urban Trails Committee

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.

2. Approval of Minutes

- a. Summary of the January 14, 2019 Workshop
- b. Minutes of the January 16, 2019 Regular Meeting
- c. Minutes of the January 28, 2019 Special Meeting

3. 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 below.

- a. Quasi-judicial
 - i. Introduction of an Ordinance Zoning the South Twenty Annexation R-4 (Residential - 4 du/ac) and R-8 (Residential - 8 du/ac), Located at 2335 H Road, and Setting a Hearing for February 20, 2019

4. Contracts

- a. Purchase of a Medium-Duty Ambulance
- b. Purchase of Type 3 Wildland Fire Engine
- c. Purchase of Two (2) Fire Pumper Trucks
- d. Authorize a Contract with Houseal Lavigne Associates for Development of the Comprehensive Plan

5. Resolutions

- a. Resolution Approving the Notice of Election for the Regular Municipal Election April 2, 2019

REGULAR AGENDA

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

6. Public Hearings

- a. Legislative
 - i. An Ordinance Amending Parts of the Zoning and Development Code Regarding Performance Standards of Zoning Districts, Accessory Dwelling Units, Flag Lots, Architectural Standards Relating to Garage Doors so as to Eliminate Unnecessary Regulation and Resolve Inconsistencies

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 City Council

Regular Session

Item #1.a.

Meeting Date: February 6, 2019
Presented By: John Shaver, City Attorney
Department: City Attorney
Submitted By: John Shaver, City Attorney

Information

SUBJECT:

Resolution Authorizing a City Council Acting President Pro Tem

RECOMMENDATION:

Staff recommends approval of the resolution.

EXECUTIVE SUMMARY:

The Mayor and the Mayor pro tem will both be absent from the City at the same time and the City Council determined the appointment of an acting Mayor pro tem is necessary.

BACKGROUND OR DETAILED INFORMATION:

The Charter provides that the Mayor pro tempore shall perform the duties of Mayor when the Mayor is absent.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 10-19, a resolution appointing an acting President pro tempore of the City Council.

Attachments

1. Resolution - Acting President Pro Tem

RESOLUTION NO. __-19

A RESOLUTION APPOINTING AN ACTING PRESIDENT *PRO TEMPORE* OF THE CITY COUNCIL

Recitals:

At its meeting on May 2, 2018 the City Council, pursuant to the City Charter, appointed Barbara Traylor Smith as President of the City Council. At the same meeting the City Council appointed Bennett Boeschenstein as President *pro tempore* of the City Council. The President and President *pro tempore* of the Council are commonly referred to as Mayor and Mayor *pro tem*. The Charter provides that the Mayor *pro tempore* shall perform the duties of Mayor when the Mayor is absent.

Because the Mayor and the Mayor *pro tem* will both be absent from the City at the same time, the City Council has determined that the appointment of an acting Mayor *pro tem* is necessary. The acting Mayor *pro tem* shall perform all duties defined and described by the Charter and other applicable law during the period of the absence of both the Mayor and Mayor *pro tem*; upon the return of either to the City the authority conferred on the acting Mayor *pro tem* shall cease.

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

The City Council appoints and assigns _____ as Acting President *pro tempore* (Mayor *pro tem*) of the Council until such time as Mayor Traylor Smith or Mayor *pro tem* Boeschenstein are no longer absent.

PASSED AND ADOPTED THIS 6th day of February, 2019.

Barbara Traylor Smith
President of the City Council

ATTEST:

Wanda Winkelmann
City Clerk



Grand Junction City Council

Regular Session

Item #

Meeting Date: February 6, 2019

Presented By: Tamra Allen, Community Development Director

Department: Community Development

Submitted By: Tamra Allen, Community Development Director
David Thornton, Principal Planner

Information

SUBJECT:

Appointment of Members to the 2020 Comprehensive Plan Advisory Committee (CPAC)

RECOMMENDATION:

The City Council discussed the committee appointments at the February 4, 2019 workshop.

EXECUTIVE SUMMARY:

The City will be conducting the 2020 Comprehensive Plan update over the next 18 months. As a part of this effort, a Comprehensive Plan Advisory Committee (CPAC) will be established to provide input on the Plan. City Council will appoint 12 to 15 people from a list of applicants to serve on this committee. The proposed list of committee members was discussed and selected by Council at the Monday, February 4th Council Workshop.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction is beginning the process of updating the City's 2010 Comprehensive Plan. The Comprehensive Plan is a long-range plan that looks at where and how the city will grow over the next 20 years. The update will include planning for residential and commercial growth and needed services and infrastructure (parks, utilities, roads, police, fire, etc.), changes to the City's growth boundary, identifying risks and vulnerabilities of natural and human-caused hazards and identifying goals, strategies and actions that reflect the community's values and vision.

The City will be conducting the 2020 Comprehensive Plan update over the next 18 months. As a part of this effort, a Comprehensive Plan Advisory Committee (CPAC) will be established to provide input on the Plan. City Council will appoint 12 to 15 people from a list of applicants to serve on this committee.

The Comprehensive Plan Advisory Committee will serve as a sounding board, meeting at key points during the project to discuss overall planning direction, review project deliverables, vet ideas and help promote community involvement. This advisory committee may include elected/appointed officials, representatives of community organizations, business owners, residents and other stakeholders. Committee members are asked to attend 5 to 7 meetings during the planning process as well as attendance at public outreach events. The Committee will be appointed by City Council at their February 6th Council Meeting.

The committee will consist of 12 to 15 members and the City will seek a diverse group of representatives with knowledge and experience in a variety of areas. These areas may include:

1. Economic/Financial/Business
2. Residential or Commercial Development
3. Real Estate – Commercial and/or Residential
4. Planning/Landscape Architecture/Urban Design
5. Parks/Open Space/Trails
6. Neighborhood Organizations
7. General Interest/Citizen/Neighborhood
8. Housing
9. Senior-Aged Residents
10. Millennial-Aged Residents
11. Transportation
12. Member of Planning Commission

The list of applicants discussed and selected at the City Council workshop on Monday, February 4, 2019 will be distributed to City Council for appointment.

FISCAL IMPACT:

NA

SUGGESTED MOTION:

I move to (appoint/not appoint) the Council's list of committee members to the Comprehensive Plan Advisory Committee (CPAC).

Attachments

None



Grand Junction City Council

Regular Session

Item #

Meeting Date: February 6, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Urban Trails Committee

RECOMMENDATION:

Present Certificate of Appointment.

EXECUTIVE SUMMARY:

Appointed member Stephen Meyer will accept his Certificate of Appointment.

BACKGROUND OR DETAILED INFORMATION:

Stephen Meyer was appointed to the Urban Trails Committee for a partial term ending June 2020 at the January 18, 2019 City Council meeting.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

N/A

Attachments

None

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 2/6/2019
Citizen's Name	Chris Riley	
Subject	Grand Mesa Little League	
Phone Number (optional)	,	<i>Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!</i>

CITY COUNCIL MEETING CITIZEN PRESENTATION		Date 2/6/19
Citizen's Name	Judi DeRusha	
Subject	GVT/Transdev Wages	
Phone Number (optional)	,	<i>Including your phone number is helpful if we would like to contact you in response to your questions, comments, or concerns. Thank you!</i>



ATU Local 1776 seeks to share the following in an effort to ensure that Grand Valley Regional Transportation Committee members and GVT-funding jurisdictions are better informed of the consequences that their decision to contract local transit services with Transdev has on GVT employees and taxpayers alike.

You Can't Contract Out the Public Interest

In its recent analysis of transit contracting, the Transit Center, a foundation focused on improving public transit, noted that, while governments may choose to contract out services and operations to the private sector, they cannot in the process contract out the public interest. That responsibility remains with the public governing body, in this case GVRTC. At the very least, GVRTC Board Members should feel compelled to collect information from GVT employees as part of their basic due diligence and oversight responsibilities. Since Board Members have been chastened for attempting to do so, we are taking it on ourselves to make sure you have at least some of the information we believe is pertinent to those duties.

One compelling reason often cited for contracting out is to “protect the taxpayer.” Unfortunately, that argument is rarely supported by reality. First, it must be stated that the people who ride buses or operate our systems are taxpayers themselves. To suggest we are somehow aliens in our own city, who do not live, work, spend our limited paychecks, and pay our taxes here is offensive and plain wrong.

Transdev Shifts Costs; It Does Not Reduce Them

Second, it must be acknowledged that private contractors who pay people bottom-of-the-barrel wages and benefits are not saving taxpayers money. Instead, they are shifting costs to taxpayers from one budget line to another.

A recent UC-Berkeley study found that at both the state and federal levels, 61% of spending on assistance programs in the State of Colorado goes to working families, householders in which at least one person is working close to full time. That means that Colorado taxpayers are double-subsidizing public contractors who refuse to pay liveable wages or provide adequate benefits. We don't know how many employees at GVT fall into this category, because that data is not available to us, but given the virtually minimum wage pay scale and the high number of new operators, we fear many likely qualify for government assistance.

Low Wages Have High Costs

Third, little money is saved for taxpayers when a contractor's compensation strategy relies on high turnover. In public transit, high turnover creates two major unnecessary costs related to 1) the inability of a contractor to meet on-time performance standards, and 2) excessive costs to recruit and train replacement employees.

While we do not yet have the relevant documents for GVT, we know that Transdev has acknowledged to other transit systems, like the Washington Metropolitan Transit Authority in Washington, D.C., that it builds low wages and a 40% turnover assumption into its business model. As low wages drive high

turnover, it was no surprise that in 2016-2017, Transdev was unable to meet on-time performance standards. Rather than pay the penalties associated with that failure, Transdev was bailed out by WMATA, and thus taxpayers, to the tune of \$2 million.

The Center for American Progress found that the cost of replacing an employee can range from 16-20% of the annual salary of a regular employee. For example, replacing an \$11 per hour full-time bus operator will cost an employer an additional \$3,660 - \$4,600, not including benefit enrollment or CDL onboarding costs! Consider this at GVT: Turnover is so high that we have had employees advance thirteen positions in seniority in just 12 months. That means, at the most conservative estimate, GVT shelled out more than \$60,000 in 2018 alone in unnecessary costs to recruit and train new employees to replace those that have left in large part because of low wages and benefits.

Transdev Breaks the Law and Earns a Profit for the French Government

Fourth, even if Transdev had some magical ability to save taxpayers money without destroying the local labor market, it is hardly a reputable company. We find at least 35 unfair labor charges filed with a federal agency against Transdev in calendar year 2018. These included worker coercion, unilateral contract modifications, refusal to furnish information to bargaining parties, violation of Weingarten Rights, and more. It also had at least 14 OSHA complaints filed against it between 2014 and 2018.

Transdev is not some mom-and-pop local business trying its best to provide service. Across its global operations, the company earned \$7.5 billion in total revenue and \$77.1 million in net income in fiscal year 2017. It nets a huge profit from its provision of services like GVT, yet regularly engages in violations of labor and health and safety standards that American voters have approved over the decades.

Even worse, Transdev isn't even an American enterprise. Transdev was created by a French company called Veolia and French state bank Caisse des Depots et Consignations, which each owned 50% of the new entity. CDC, the French government-owned bank, now holds 70% of Transdev's capital and has taken exclusive control of Transdev, while Veolia retains, on a transitional basis, 30% of Transdev's capital. That means that taxpayer money supporting GVT goes to create a profit for the French government, which in turn invests those profits in its own publicly-owned transit and pension systems.

Is GVT a Transit System or a Discount CDL Trainer?

Meanwhile, the Massachusetts Institute of Technology estimates that a single adult with one child living in Grand Junction would need to earn \$24.75 per hour to cover their annual expenses at an adequate standard of living without falling into unmanageable debt. GVT bus operators at their top rate of pay don't come close. In fact, GVT operators earn less than 60% of households in the metropolitan area.

East of here, at the Roaring Forks Transit Authority, bus operators start at \$20.04 per hour. While that is quite a commute, it actually makes more sense for a CDL driver in Mesa County to pay the cost of fuel and travel time to work there, where they'd earn nearly \$11,000 more per year. If an operator is willing to move, other transit systems in Colorado are paying \$8-10 more per hour than we do.

Is it the position of the GVRTC and the funding jurisdictions that it is better for the taxpayers of the region to hand over their hard-earned dollars to a law-breaking, French government-owned contractor than it is to pay the operators who live, work, and pay taxes here in Mesa County a living wage?

Is it the position of the GVRTC and the funding jurisdictions that GVT should serve merely as a CDL training ground for bus operators who ultimately will decide to travel or move elsewhere to earn a living wage?

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY
January 14, 2019

Meeting Convened: 5:33 p.m. in the City Hall Auditorium

Meeting Adjourned: 6:14 p.m.

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

Staff present: City Manager Greg Caton, City Attorney John Shaver, Public Works Director Trent Prall, Assistant to the City Manager Greg LeBlanc, and City Clerk Wanda Winkelmann.

Mayor Traylor Smith called the meeting to order.

Agenda Topic 1. Discussion Topics: I-70 / 29 Road Interchange Program Environmental Linkages (PEL) Study

Public Works Director Trent Prall introduced consultant Stacy Tschuor with David Evans and Associates, Inc., who provided an overview of the PEL study.

The study focuses on a new interchange at 29 Road and I-70 and the key elements of the study include:

- Identify the long-term vision
- Identify location and general concept for interchange configuration
- Complete stakeholder involvement
- Conduct public outreach
- Complete documentation

Ms. Tschuor also reviewed the PEL process, which considers the environmental, community, and economic goals early in the planning stage. This is done to bring the Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA) into the project decision-making process, minimize duplication of efforts, promote efficient and cost-effective solutions, and reduce delay in project implementation when funding is identified.

The organizations included on the Technical Team are the City of Grand Junction, Mesa County, CDOT, FHWA, Grand Valley Metropolitan Planning Organization (GVMPO), Regional Airport, and Grand Valley Transit.

Public meetings will be held in an open house format and a website is being developed.

Ms. Tschuor described the interchange goals and needs: improve connectivity, upgrades, support planning efforts, and reduce regional traffic on local streets.

The next steps include an evaluation of the existing conditions, stakeholder involvement, detailed purpose and need, and development of alternatives.

Discussion ensued regarding the distance between interchanges on I-70, alternative access to the airport, trail connections, agency coordination letters, driveway cuts on 29 Road, and traffic volume at interchange.

Agenda Topic 2. Next Workshop Topics

The agenda for the February 4 workshop has not been set.

3. Other Business

Discussion ensued about the resolutions being considered at Wednesday's Council meeting regarding ballot issues, specifically the two sales tax questions. It was noted this is the community's opportunity to weigh in on the types of services they want in Grand Junction as it relates to first responder needs, transportation, and a community center. A study was conducted after the 2008 ballot question failed – what can be learned from that study?

City Manager Caton requested that Council send to him their feedback and suggested options or alternatives in advance of Wednesday's meeting.

Adjournment

The Workshop adjourned at 7:24 p.m.

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

January 16, 2019

Call to Order, Pledge of Allegiance, Invocation

The City Council of the City of Grand Junction convened into regular session on the 16th day of January, 2019 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Phyllis Norris, Rick Taggart, Duke Wortmann, and Council President Barbara Traylor Smith. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Traylor Smith called the meeting to order. Councilmember Wortmann led the Pledge of Allegiance which was followed by an invocation by Church of Christ Preaching Minister Doug Clayton.

Presentations

2018 Champion of the Arts Award

Commission on Arts and Culture Chair Sarah Dishong described the origin of the Champion of the Arts Award and named the 2018 recipients along with the art piece awarded them: Lancer Livermont received "Warm Glow" by Joan Anderson and John Hopkins received "Holiday Night" by Tim Hutton.

Proclamations

Proclaiming January 21, 2019 Martin Luther King, Jr. Day in the City of Grand Junction

Councilmember Boeschstein read the proclamation. Martin Luther King, Jr. Celebration Chairman David Combs accepted the proclamation.

Proclaiming January 2019 National Crime Stoppers Month in the City of Grand Junction

Councilmember Wortmann read the proclamation. Crime Stoppers of Mesa County member Kathy Daniels accepted the proclamation.

Appointments

To the Urban Trails Committee

Councilmember Taggart moved to appoint Stephen Meyer to the Urban Trails Committee for a partial term ending June 2020. Councilmember Kennedy seconded the motion. Motion carried unanimously by voice vote.

Certificates of Appointment

To the Historic Preservation Board

Troy Reynolds, Mikhail Blosser and Priscilla Mangnall accepted their Certificates of Appointment.

To Visit Grand Junction

Josh Niernberg, Julie Shafer, Ken Mabery and Zebulon Miracle accepted their Certificates of Appointment.

Citizen Comments

Kit Haddow spoke about an incident with his dog at a local park.

Bruce Lohmiller spoke about 241-STOP and the Veteran's Art Show at the Whitmann Building by the Museum of Western Colorado.

City Manager Report

City Manager Caton did not give a report.

Council Reports

Councilmember McArthur said much of his upcoming schedule will be spent attending legislative committees.

Councilmember Boeschenstein supports having an Inclusive Proclamation.

Councilmember Kennedy said he and his wife will be celebrating their birthdays by helping raise funds for HomewardBound of the Grand Valley.

Councilmember Norris said she attended regular meetings.

Council President Traylor Smith announced she would be out of town the next week.

CONSENT AGENDA

Councilmember Norris moved to adopt Consent Agenda items #1 through #5. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by voice vote.

1. Approval of Minutes

- a. Summary of the December 17, 2018 Workshop
- b. Minutes of the December 19, 2018 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending Parts of the Zoning and Development Code Regarding Performance Standards of Zoning Districts, Accessory Dwelling Units, Flag Lots, Architectural Standards Relating to Garage Doors so as to Eliminate Unnecessary Regulation and Resolve Inconsistencies, and Set a Public Hearing for February 6, 2019
- b. Quasi-judicial
 - i. A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the South Twenty Annexation of 20.18 Acres, Located at 2335 H Road, and Set a Public Hearing for February 20, 2019

3. Continue Public Hearings

- a. Legislative
 - i. An Ordinance Amending the Municipal Code Regarding Possession or Consumption of Alcohol in Parks and Riverfront Trails, Changing the Hours of Prohibited Park Use, and Including Vaping and the Use of Vape Devices as Prohibited in Workplaces, Public Places, and for Use by Minors and Set a Public Hearing for February 20, 2019
 - ii. An Ordinance to Amend Chapters 12.04 and 12.08 of the Grand Junction Municipal Code and Section 21.06.010 of the Zoning and Development Code Regarding Camping on Public Property/Public Places and Set a Public Hearing for February 20, 2019

4. Contracts

- a. 2018 CDBG Subrecipient Agreement between the Center for Independence and the City of Grand Junction

5. Resolutions

- a. A Resolution Designating the Location for the Posting of the Notice of Meetings, Establishing the 2019 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

REGULAR AGENDA

6. Public Hearings - Quasi-judicial

- a. A Resolution to Designate the Original Mile (1882) and Keith's Addition (1890) Historic District in the City Register of Historic Sites, Structures, and Districts

Property owners between 9th and 13th Streets and on the north and south sides of Rood Avenue and Main Street requested this area be designated in the City Register of Historic Structures, Sites and Districts (City Register) and be named the Original Mile (1882) Keith's Addition (1890) Historic District. The Historic Preservation Board recommended approval at its December 4, 2018 meeting.

Community Development Director Tamra Allen reviewed the request.

Discussion included the availability of resources to update older homes, this designation only provides specific boundaries for the area and National Historic Register designations are separate designations.

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

Katherine Hursh and Patty Vernon, property owners within the proposed district, spoke in favor of this designation.

The public hearing closed at 6:53 p.m.

Councilmember Wortmann moved to adopt Resolution No. 03-19, a resolution to designate the Original Mile (1882) Keith's Addition (1890) Historic District in the City Register of Historic Sites, Structures, and Districts. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by roll call vote.

b. A Resolution to Designate the City Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Sites, Structures, and Districts

The City of Grand Junction Utilities Department requested to designate the City's Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Structures, Sites and Districts. The Historic Preservation Board recommended approval at its December 4, 2018.

Community Development Director Tamra Allen reviewed the request.

Discussion included the appearance of the water holding tanks, how the area is secured, possible partnerships (Colorado Mesa University, Drought Response Information Project and the Water Center) and uses (museum, tours and location for events), anticipated project costs, grant opportunities and next steps.

The public hearing opened at 7:04 p.m.

Pooka Campbell spoke in favor of reusing older buildings.

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

Councilmember Boeschenstein moved to adopt Resolution No. 04-19, a resolution to designate the Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Sites, Structures and Districts. Councilmember Wortmann seconded the motion. Motion carried unanimously by roll call vote.

c. An Ordinance Amending the Comprehensive Plan Future Land Use Map Designation to Residential Medium Low and Rezoning to R-4 (Residential, 4 du/ac), Located at 2064 South Broadway

The City owns 80 acres at 2064 South Broadway across from the Tiara Rado Golf Course. Approximately half of the property is being used for the existing driving range and irrigation ponds. The City intends to sell 4.27 acres of the unused property for purposes of future development and is requesting to change the Future Land Use Map designation from Park to Residential Medium Low and rezone the property from CSR (Community Services and Recreation) to R-4 (Residential, 4 du/ac).

Community Services Manager Kathy Portner reviewed the request.

Discussion ensued regarding planned City and County safety improvements along the route, challenges of the corridor, future developments must adhere to Zoning and Development Codes, the Planning Commission only considers specifics of a request, which utilities are available for development, surrounding densities, event routes and overflow parking, that the

City is the owner and applicant, which City fund would receive sale proceeds and that Council could remand a portion or the whole item back to the Planning Commission.

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

Calvin Propnell, Eric Cooper, Darlene Holmes, Dana Cooper and Steve Boutella spoke against the amendments and Mary-Jo Coleman asked what Council was being asked to decide.

Ms. Portner explained the approval process.

The public hearing closed at 7:26 p.m.

Councilmember McArthur moved to adopt Ordinance No. 4827, an ordinance amending the Comprehensive Plan Future Land Use Map Designation to Residential Medium Low and Rezoning to R-4 (Residential, 4 du/ac), 4.27 acres, located at 2064 South Broadway on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion failed by roll call vote with Councilmembers Taggart, Wortmann, Boeschstein and Norris voting NO.

Council took a break at 7:43 p.m.

Council returned at 7:49 p.m.

7. Items Relating to the April 2, 2019 Regular Municipal Election

a. Public Hearing - Legislative

- i. An Ordinance Placing a Charter Amendment Concerning Cable Television Franchises and the Authorized Length of Leases on the Election Ballot for the Regular Municipal Election**

The City Council is considering Charter amendments governing cable television franchise renewals and increasing the length of lease agreements.

City Attorney John Shaver reviewed the history of the Charter provisions and explained the purpose of the proposed amendments.

The public hearing opened at 7:59 p.m.

Dennis Simpson opposed extending lease agreements.

The public hearing closed at 8:02 p.m.

Councilmember Boeschenstein moved to adopt Ordinance No. 4828, an ordinance placing Charter Amendments to comply with Federal Law governing renewal of cable television franchises and to change the authorized length of leases of public property from twenty-five to ninety-nine years on the election ballot for the regular Municipal Election to be held the 2nd day of April, 2019 on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried unanimously by roll call vote.

b. Resolutions

i. A Resolution Authorizing a Ballot Question Regarding a Community Recreation Center

The City Council is considering placing a question on the April ballot asking the City electors to approve a .39% sales and use tax rate increase for the construction and operation of a community center, development of a portion of the property known as Matchett Park and for making improvements and continued operation of Orchard Mesa pool and authorizing the City Council to borrow money to finance and operate the project.

City Attorney John Shaver reviewed the resolution and history of the request.

The public hearing opened at 8:10 p.m.

There were no public comments.

The public hearing closed at 8:10 p.m.

Councilmember Wortmann moved to adopt Resolution No. 06-19, a resolution setting the title for and submitting to the electorate on April 2, 2019 a measure to increase the sales and use tax by .39% from 2.75% and to retain and spend revenues as a voter approved revenue change as defined by Article X, Section 20 of the Colorado Constitution and to incur bonded indebtedness to build and operate a Community Center and develop a portion of the property known as Matchett Park and improve the Orchard Mesa Pool and Gymnasium. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by roll call vote.

ii. A Resolution Authorizing a Ballot Question Regarding the Sale of Burkey Park

In 1967, the Burkey family donated approximately 17 acres of land to the City of Grand Junction for a park and in 2001 the City acquired 2980 Patterson Road (the DuCray property) to "square up" the boundary of Burkey property. To date these properties located at 2982 and 2980 Patterson Road, known as Burkey Park, remain undeveloped. Development of Long's Family Park to the East and the planned development of Matchett Park to the West make development of Burkey Park unlikely.

City Attorney John Shaver reviewed the resolution, history of the property and noted the City had reached out to the Burkey family who are in support of the request and will be recognized with a pavilion at Matchett Park.

The public hearing opened at 8:16 p.m.

Patricia Grimes opposed the request.

The public hearing closed at 8:18 p.m.

Councilmember Kennedy moved to adopt Resolution No. 07-19, a resolution setting a title and submitting to the electorate on April 2, 2019 a measure to authorize the sale of Burkey Park. Councilmember Taggart seconded the motion. Motion carried unanimously by roll call vote.

c. Discussion and Possible Direction Regarding First Responder and Transportation Needs

Detailed in previous memorandums, presentations, discussions, and most recently at the December 17, 2018 City Council Workshop, the needs of the first responders far exceed existing resources. The Fire Department needs include building, staffing, and operating three additional fire stations to provide emergency medical and fire protection services. Additional support positions are required as well. The Police Department needs include adding 18 sworn positions to allow for proactive policing efforts which has a direct impact on reducing criminal activity. Additional civilian positions are also needed in the Communication Center to support police operations. In total, including sworn and civilian, 91 positions are needed in the two departments.

Fire Chief Ken Watkins and Police Chief Doug Shoemaker reviewed the City's first responder needs and Public Works Director Trent Prall reviewed the transportation needs,

City Manager Greg Caton reviewed current sales tax revenues and the sales tax increase options needed to support the addressed needs.

Discussion included population growth associated safety and service needs, costs versus benefits, increased first responder response times, comparison of the City's sales tax rate, breakdown of the proposed sales tax increase, if a sunset clause should be included on transportation increase or only regarding bonding, if this item should be two separate ballot questions and if the property tax piece should be removed.

Council directed staff to remove the property tax piece and draft two ballot questions, for first

responders and transportation with no sunset clause to be considered at the January 28, 2019 Special meeting.

8. Public Hearings – Legislative

- a. Ordinance to Adopt the 2018 International Building Codes including the Building, Plumbing, Mechanical, Fuel Gas, Existing Building, Residential, the 2009 Energy Conservation, and the National Electrical Code and Amendments Thereto, Repealing All Other Ordinances and Parts of Ordinances in Conflict Therewith

The proposed Ordinance will adopt the 2018 International Code editions for the Building, Residential, Plumbing, Mechanical, Fuel Gas, and Existing Building, plus the 2009 edition of the International Energy Conservation Code, and the National Electric Code as adopted by the State of Colorado. These codes regulate building construction. Mesa County has adopted the same code set.

City Attorney John Shaver reviewed the proposed ordinance.

Mesa County Building Department Chief Building Official Darrell Bay said these changes are requested every six years, there are no major changes and it allows for a common application throughout the area.

The public hearing opened at 9:24 p.m.

Rich Keller is in favor of the amendments.

The public hearing closed at 9:25 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4829, an ordinance adopting and amending the latest edition of the International Building Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Residential Code, the National Electric Code, and the 2009 International Energy Conservation Code to be applied throughout the City of Grand Junction with certain amendments regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures in the City of Grand Junction; and repealing all other ordinances and parts of ordinances in conflict herewith, with notice and copies of the Codes to be provided by the City Clerk according to law on final passage and ordered final publication in pamphlet form. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by roll call vote.

9. Non-Scheduled Citizens & Visitors

Wayne Warner thanked City Manager Caton and Fire Chief Watkins for understanding the first responder needs and suggested user fees be increased.

10. Other Business

There was none.

11. Adjournment

The meeting adjourned at 9:32 p.m.

Wanda Winkelmann, MMC
City Clerk

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

January 28, 2019

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into special session on the 28th day of January 2019 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Rick Taggart, Duke Wortmann and Council President Barbara Traylor Smith. Councilmember Duncan McArthur was absent. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

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

REGULAR AGENDA

1. Resolutions

- a. A Resolution Authorizing a Ballot Question Regarding a Sales Tax Increase for First Responders

The City Council is considering placing a question on the April ballot asking the City electors to approve a 0.50% sales and use tax rate increase for police, fire, and emergency medical services. Passage of the ballot measure will benefit the community by improving staffing and facilities to meet national standards and to address current and future growth.

City Manager Caton reviewed the history and some details regarding the proposed ballot question and City Attorney Shaver reviewed the proposed resolution.

Discussion included the City's current sales and use tax rate compared to other communities noting the City is a full service municipality and does not have a special district for fire services, if it is equitable for non-residents to pay sales tax, locations of future fire stations and that locations are based on response times, what percentage of Mesa County tax local municipalities collect, uses of the 1989 .75% sales tax referred question, ballot question wording and why the resolution is not project specific or limits station numbers, challenges of working within the Gallagher and TABOR (Tax Payer Bill of Rights) measures, City needs and the importance of staying ahead of demand.

Public comment opened at 6:12 p.m.

Tom (undecipherable last name) and Dennis Simpson spoke against the item and Mary-Jo Coleman commented on the fact the resolution is not project specific.

Public comment closed at 6:20 p.m.

Councilmember Wortmann moved to adopt Resolution No. 07-19, a resolution setting the title for and submitting to the electorate on April 2, 2019 a measure to authorize an additional City sales and use tax of 0.50% and to retain and spend revenues as a voter approved revenue change as defined by Article X, Section 20 of the Colorado Constitution and expend the revenue for Police, Fire, and Emergency Medical Services, Employees, Stations, and First Responder Services with the amendment to change "including" to "and" in the first paragraph of the ballot question.

Councilmember Boeschstein seconded the motion. Motion carried unanimously by roll call vote.

- b. A Resolution Authorizing a Ballot Question Regarding a Sales Tax Increase for Transportation

The City Council is considering placing a question on the April ballot asking the City electors to approve a 0.25% sales and use tax rate increase for improvements to the transportation network. Passage of the ballot measure will benefit the community by having an improved transportation network to address current and future growth, provide for efficient movement of people, goods and services, and improve safety for all users.

City Manager Caton reviewed the background and details of the proposed ballot question.

Discussion included the importance of "complete streets" and staying ahead of demand with needed transportation expansion projects and how well staff was able to propose multiple solutions.

Public comment opened at 6:54 p.m.

Dennis Simpson spoke against the item.

Public comment closed at 6:57 p.m.

Councilmember Kennedy moved to adopt Resolution No. 08-19, a resolution setting

the title for and submitting to the electorate on April 2, 2019 a measure to authorize an additional City sales and use tax of .25% and to retain and spend revenues as a voter approved revenue change as defined by Article X, Section 20 of the Colorado Constitution and expend the revenue for transportation network improvements. Councilmember Boeschstein seconded the motion. Motion carried unanimously by roll call vote.

2. Adjournment

The meeting adjourned at 7:05 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Regular Session

Item #3.a.i.

Meeting Date: February 6, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

Introduction of an Ordinance Zoning the South Twenty Annexation R-4 (Residential - 4 du/ac) and R-8 (Residential - 8 du/ac), Located at 2335 H Road, and Setting a Hearing for February 20, 2019

RECOMMENDATION:

The Planning Commission at their January 22, 2019 meeting voted in favor of the request by a 3 to 2 vote. However in order for a motion to pass, at least four members of the Planning Commission must vote in the affirmative which resulted in a failure of this motion to approve the Zone of Annexation request.

An affirmative vote of five members of the City Council is required to approve zoning recommended for denial by the Planning Commission. As such, it is the recommendation of the agenda committee that this item be remanded back to the Planning Commission to rehear the item and to provide a recommendation to City Council in the form of a successful motion, which requires a supportive vote by at least four of the Planning Commission members.

EXECUTIVE SUMMARY:

The Applicant, South Twenty LLC, is requesting a split zone of annexation to R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) for the South Twenty Annexation. The approximately 20.18-acre parcel is located on the south side of H Road and has split Comprehensive Plan Future Land Use Map designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The property is currently vacant.

The proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between the two land use categories. Section 21.02.130 (d) of the Zoning and Development Code allows for the consideration of zoning without a plan amendment when the property is adjacent to the land use designation that would support the requested zone district. In this case, the applicant is proposing zone districts at the low and high end of the Residential Medium land use designation. The Applicant is requesting annexation into the City limits per the Persigo Agreement between Mesa County and the City of Grand Junction in order to develop a residential subdivision in the near future, in conformance with the requested R-4 and R-8 zone districts. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

The Applicant, South Twenty LLC, has requested annexation of land into the City limits, located at 2335 H Road, in anticipation of future residential development. The property is approximately 20.18-acres in size, which includes 0.441-acres of the adjacent H Road right-of-way. The Applicant is requesting a zone of annexation to R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac).

The property is currently in the County and retains a County zoning of RSF-R (Residential Single Family - Rural) and surrounding properties are also zoned RSF-R in the County, ranging in size from 4.66 acres to 26.9 acres. The subject property has split Future Land Use designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The Applicant's proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between these two land use categories in order for a portion of the property to be developed at the high end of the Residential Medium category.

As reference, the existing Future Land Use Map categories that divide the property are not legal descriptions, but rather serve as guidance in determining the proper zone district. When a Future Land Use designation splits a property, either or both land use categories can be used to determine the appropriate zoning district. Section 21.02.130(d) (v) of the Zoning and Development Code allows for consideration of zoning without a Plan amendment when the property is adjacent to the land use designation that would support the requested zone district.

The surrounding area is largely undeveloped, rural in nature and zoned RSF-R in Mesa County. Properties that have been annexed into the City include Apple Glen Subdivision (2366 H Road) which is zoned R-4 (Residential – 4 du/ac) and the Mosaic property located at the intersection of H Road and 23 Road which is zoned Planned Development with an overall average residential density between 7 to 9 dwelling units an acre.

The Applicant is requesting the R-4 zone district for the south 14.3 acres and the R-8 zone district for the north 5.46 acres adjacent to H Road. See attached map exhibits for additional information.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on June 28, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with nine (9) citizens. Comments and concerns expressed by the attendees centered on the proposed higher density and the desire to see larger acreage lots of at least a-half acre or more. Concerns were also expressed about the increase in traffic in the area. The application for annexation and zoning was submitted on October 11, 2018.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on October 29, 2018. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 11, 2019. The notice of this public hearing was published January 15, 2019 in the Grand Junction Daily Sentinel.

ANALYSIS

The criteria for review is set forth in Section 21.02.140 (a) and includes that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

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

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-4 and R-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac), in accordance with Section 21.02.130 (d) (1) (iii) & (v) of the Zoning & Development Code. Since the property is currently in the County, the annexation of the property is a subsequent event that has invalidated the original premise. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which states that all new development shall be annexed into the City limits. Therefore, Staff has found this criterion has 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 adoption of the Comprehensive Plan in 2010, designated this property as split Future Land Use designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed with the exception of the new Apple Glen development. Nearby, the Mosaic development has received project entitlements but has not yet begun construction. The subject property is underutilized in terms of the residential development potential anticipated by the Comprehensive Plan designation of Residential Medium (4 -8 du/ac) that would allow for densities up to 8 units per acre. The Applicant is requesting a split zone of R-4 and R-8 which furthers the goals and policies of the Comprehensive Plan by providing for density in the mid-range of the Residential Medium (4 – 8 du/ac) land use classification. Because there has been no apparent change of character and/or condition and the area has not significantly changed, Staff finds that this criterion has not 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 land uses associated with the R-4 and R-8 zone districts. Ute Water is presently available within the H Road right-of-way and the applicant has represented they have an easement across adjacent properties to the south to connect into City sanitary sewer that is available in the I-70 Frontage Road. Property can also be served by Xcel Energy natural gas and both Xcel Energy and Grand Valley Power electric. A short distance away is Appleton Elementary School and further to the southeast along 24 Road is Canyon View Park. Further to the south along Patterson Road are commercial retail centers that includes Mesa Mall, offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store. Community Hospital is also nearby on G Road.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. Primary response is from Fire Station 3 located at 582 25 ½ Road and response time are longer than other areas due to the distance from existing fire stations. Evaluating the last two years of fire and EMS incident data, shows an average response time to this area of H Road as being 12 minutes and 33 seconds, which is significantly longer than National Fire Protection Association response time standards. This response time is also approximately 8 minutes and 5 seconds longer than for the core area of the City. However, the City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station immediately adjacent to this property on the west side

of 23 and H Road with the Mosaic development.

The public and community facilities are adequate to serve the type and scope of the residential land use proposed, 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 property and surrounding area has split Comprehensive Plan Future Land Use Map designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The property is currently vacant. The proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between the two categories in order for a portion of the property to be developed at the high end of the Residential Medium category. This area of the community currently has no R-8 zoning. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Staff finds that there is an inadequate supply of the requested zoning designations in the area and, therefore, has found this criterion to have been met.

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

The community and area will benefit from this proposed request. Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zones will also provide an opportunity for a variety of housing within a range of densities that are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types; a key principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. Though other zone districts could also be considered, these zone districts comport with the recommendations of the Plan's Future Land Use Map.

Further, the zoning request is consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

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

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.

FISCAL IMPACT:

The provision of municipal services will be consistent with adjacent properties already in the City. Property tax levies and municipal sales/use tax will be collected, as applicable, upon annexation. Based on the current assessed values of the annexation area, the City property tax revenue is estimated to be \$55.76 annually. If the property develops at an estimated 96 units for \$250,000 each, the estimated annual property tax revenue (at the current residential assessment rate) would be \$13,824 per year. Sales and use tax revenues will be dependent on construction activity and consumer spending on City taxable items for residential and commercial uses.

Currently the property is in the Grand Junction Rural Fire Protection District (Rural District) which is served by the Grand Junction Fire Department through a contract with the Rural District. The Rural District collects a 5.938 mill levy that generates \$41.39 per year in property taxes that are passed on to the City of Grand Junction per the contract. If annexed, the Rural District mill levy will be removed and the City's 8 mills that will generate \$55.76 per year will need to pay for not only fire and emergency medical services but also other City services provided to the area. City services as discussed below are supported by a combination of property taxes and sales/use taxes.

The fire department has only responded to this location twice in the last 11 years and with an estimated build of 96 units would predict a slight annual increase of 10-15 fire or EMS incidents as a result of this development. The area is served by Fire Station #3 located at 582 25 ½ Road and response times are longer than other areas due to the distance from existing fire stations. Evaluating the last two years of fire and EMS incident data, shows an average response time to this area of 12 minutes and 33 seconds, which is significantly longer than National Fire Protection Association response time standards. This response time is also approximately 8 minutes and 5 seconds longer than for the core area of the City. The City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station immediately adjacent to this property on the west side of 23 and H Road.

Annual Maintenance costs for the 443 linear feet of pavement on H Road Rd is estimated at approximately \$45/year to sweep, remove snow, stripe and sign. Future

chipseal costs for this road is estimated at \$1,490 and is planned as part of this area's normal chip seal cycle in the next five years. Estimated cost of the maintenance of borrow ditches is approximately \$75/year on average.

The cost to improve the road frontage to accommodate the left turn into the development is estimated at \$140,000. Under current Transportation Capacity Payment policies, this work is the responsibility of the City.

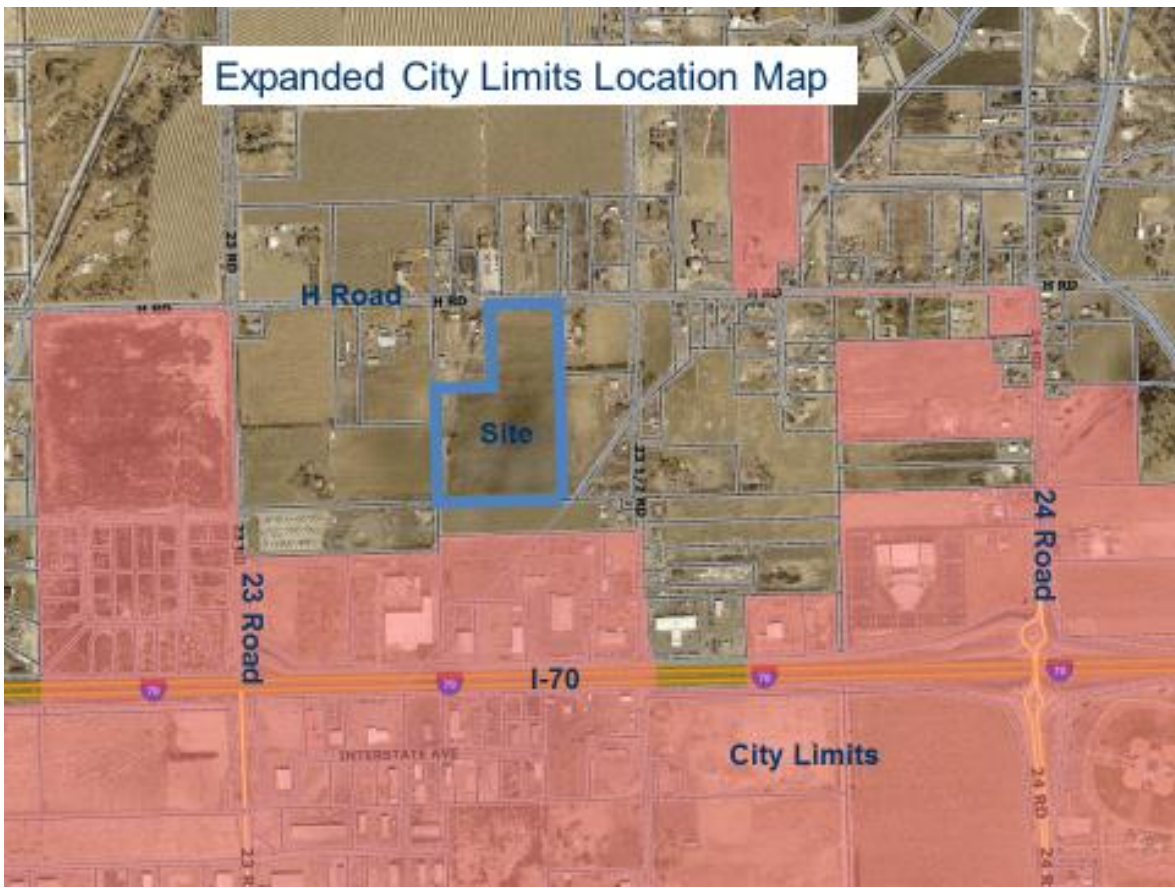
SUGGESTED MOTION:

I move to remand back to the Planning Commission for a rehearing the request to zone the South Twenty Annexation to R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac), located at 2335 H Road.

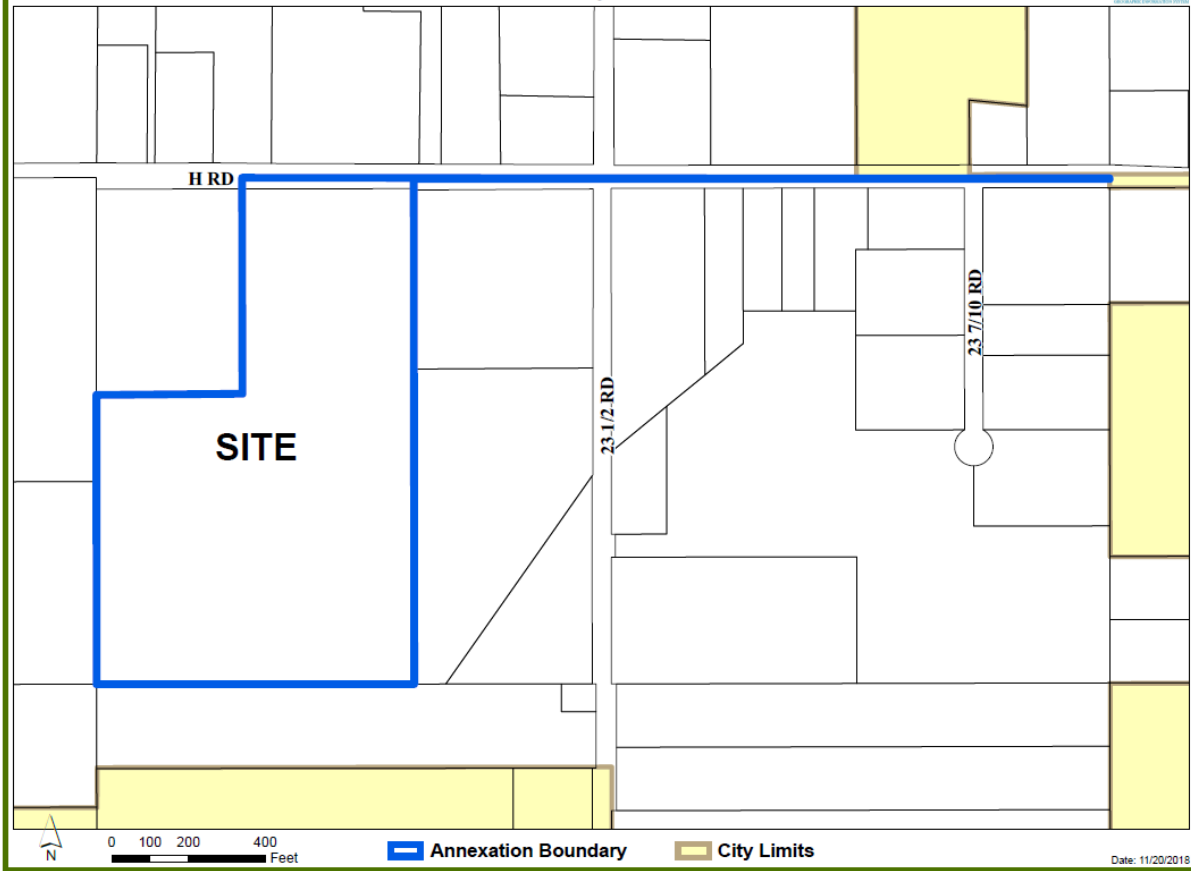
Attachments

1. Maps
2. Zoning Ordinance

Expanded City Limits Location Map



South Twenty Annexation




South Twenty Annexation



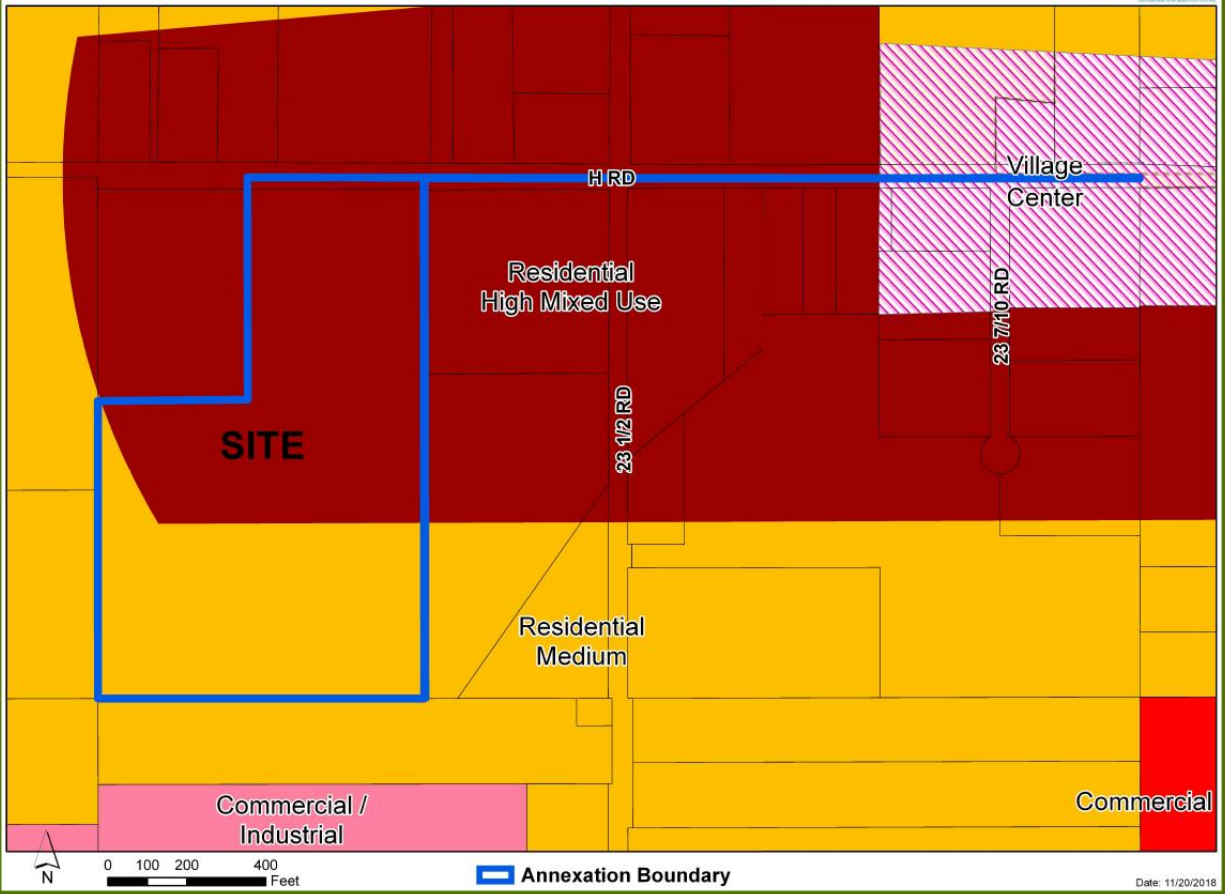
0 100 200 400 Feet

 Annexation Boundary

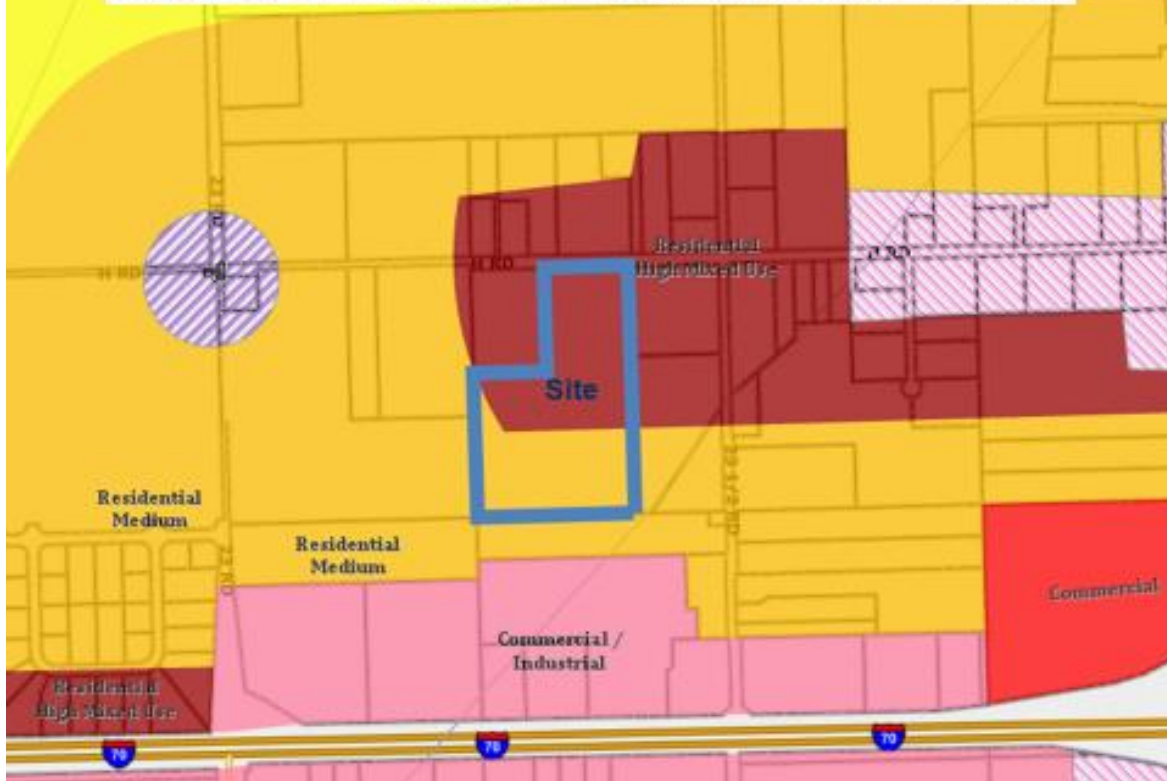
 City Limits

Date: 11/20/2018

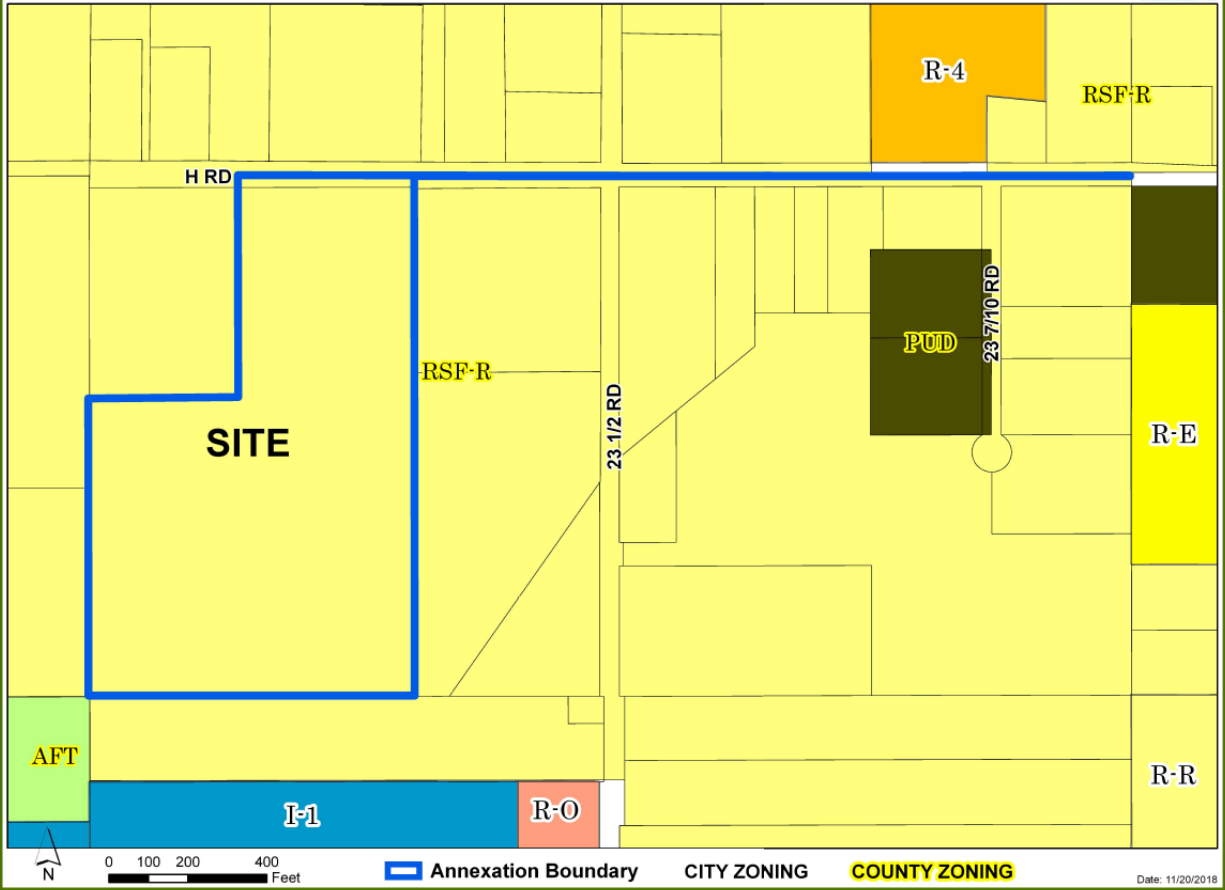
South Twenty Annexation - Future Land Use



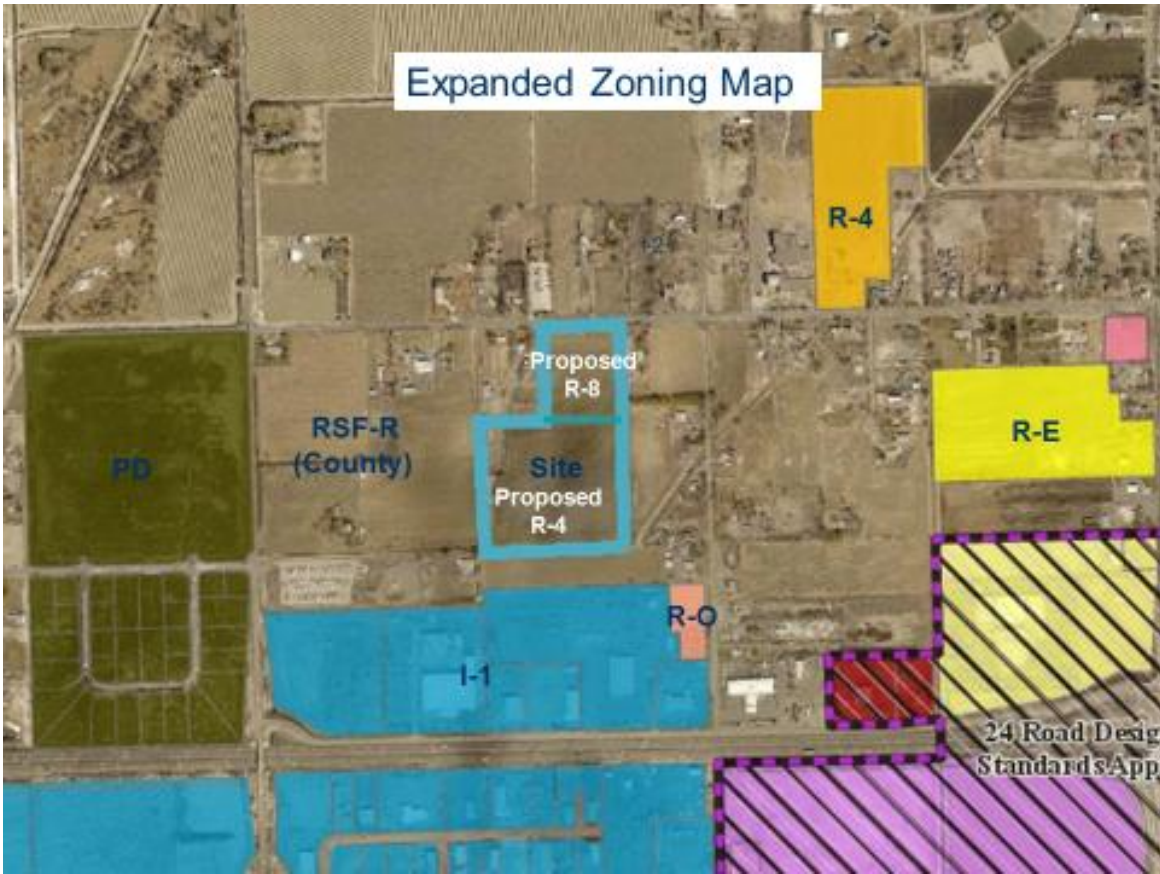
Expanded Comprehensive Plan Future Land Use Map



South Twenty Annexation - Zoning



Expanded Zoning Map



24 Road Design Standards/App



View of property from H Road

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE SOUTH TWENTY ANNEXATION
TO R-4 (RESIDENTIAL – 4 DU/AC) & R-8 (RESIDENTIAL – 8 DU/AC)**

LOCATED AT 2335 H ROAD

Recitals

The property owners have requested annexation of the 19.76-acre property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the South Twenty Annexation to the R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the split designation of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 - 24 du/ac) as shown on the Future Land Use Map 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-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone districts are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning & Development Code.

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

SOUTH TWENTY ANNEXATION

The following portion of the property be zoned R-4 (Residential – 4 du/ac). See Exhibit A.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1a distance of 535.79 feet to the Point of Beginning; thence S0°02'51"E along the East line of said Parcel 1a distance of 754.98 feet to the Southeast corner of said Parcel 1; thence N89°58'25"W along the South line of said

Parcel 1 a distance of 826.14 feet to the Southwest corner of said parcel 1 and the Northwest Sixteenth Corner of said Section 32; thence N0°04'55"E along the West line of said Parcel 1 a distance of 755.07 to an angle point on the West line of said Parcel 1; thence S89°58'03"E a distance of 379.71 feet to an angle point on the West line of said Parcel 1; thence S89°58'01"E a distance of 444.72 feet to the Point of Beginning.

Said tract of land contains 14.30 acres as described.

The following portion of the property be zoned R-8 (Residential – 8 du/ac). See Exhibit B.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1 a distance of 535.79 feet; thence N89°58'01"W a distance of 444.72 feet to an angle point on the West line of said Parcel 1; thence N0°05'02"E along the West line of said Parcel 1 a distance of 535.79 feet to the Northwest corner of said Parcel 1; thence S89°58'01"E along the North line of said Parcel 1 a distance of 443.49 feet to the Point of Beginning.

Said tract of land contains 5.46 acres as described.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

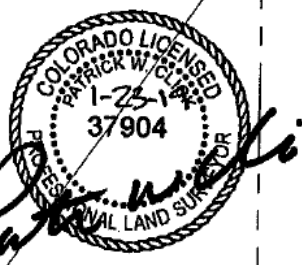
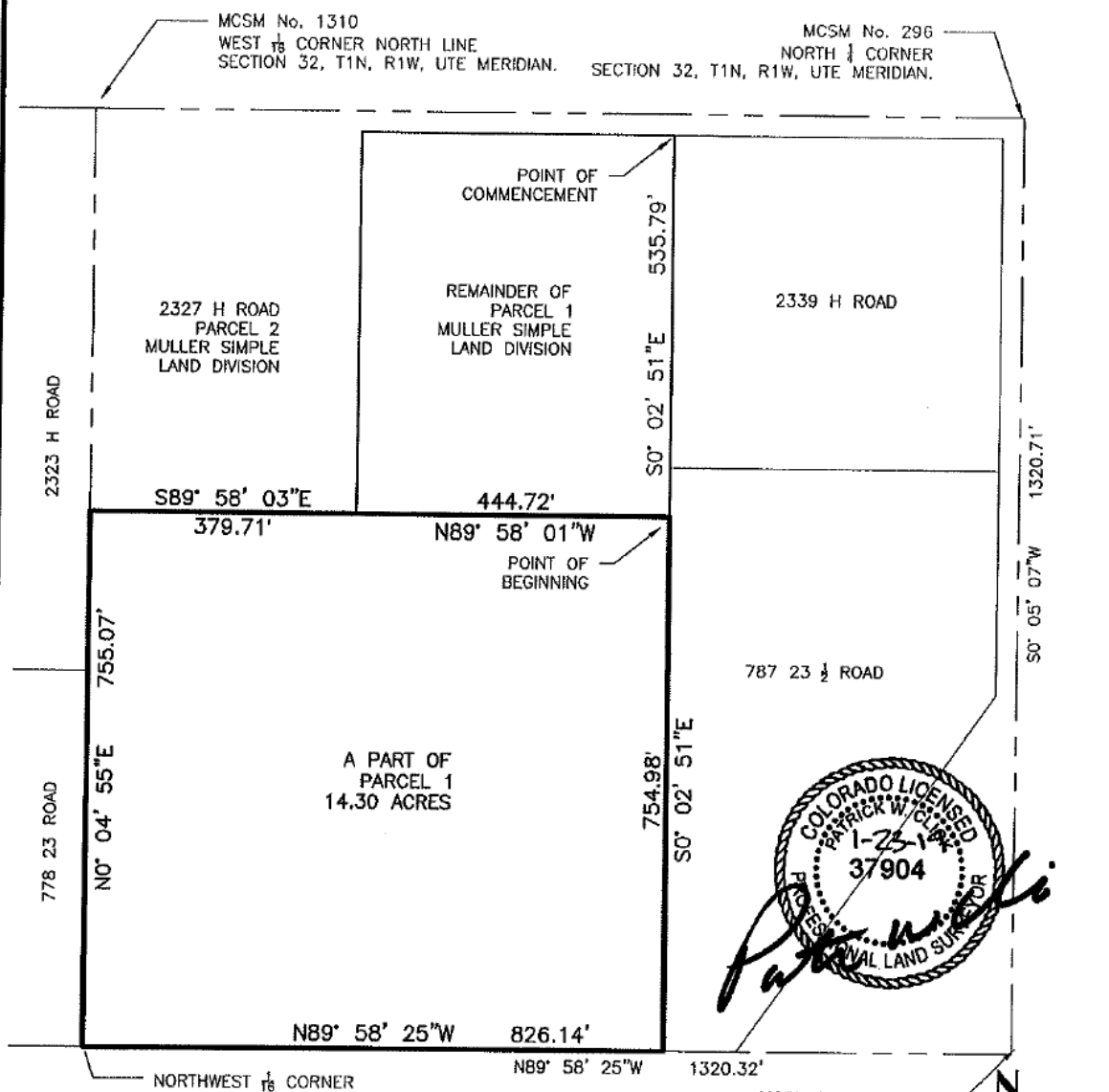
ADOPTED on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

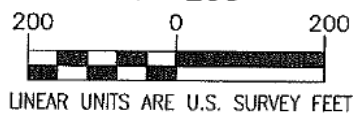
EXHIBIT A



NORTHWEST $\frac{1}{16}$ CORNER SECTION 32, T1N, R1W, UTE MERIDIAN. MCSM No. 1570 NORTH $\frac{1}{16}$ CORNER SECTION 32, T1N, R1W, UTE MERIDIAN.

LEGAL DESCRIPTION SKETCH
 PARCEL I
 MULLER SIMPLE LAND DIVISION
 SOUTH PORTION
 SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
 TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
 COUNTY OF MESA, STATE OF COLORADO

GRAPHIC SCALE:
 1" = 200'



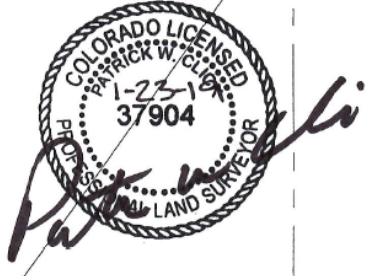
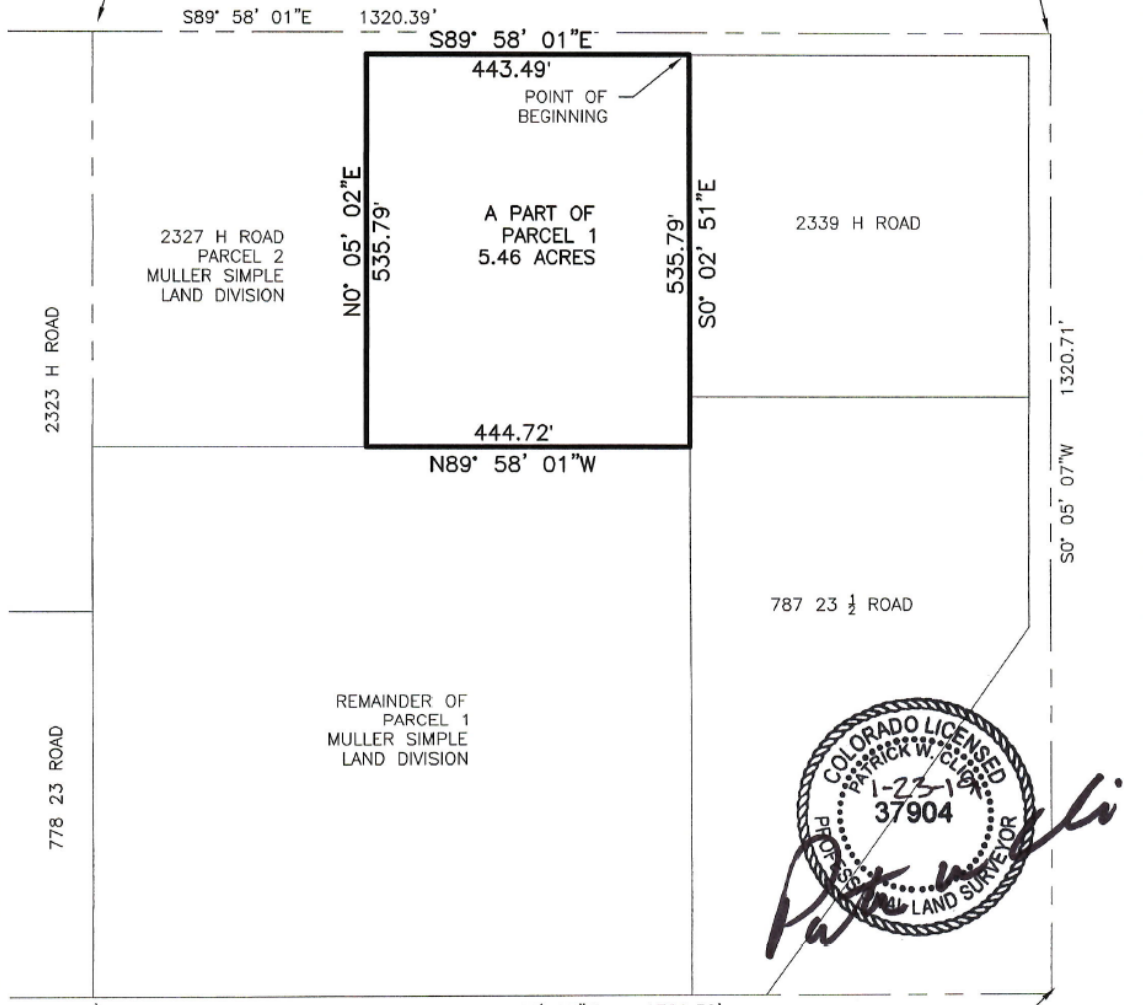
POLARIS SURVEYING
 PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B
 GRAND JUNCTION, CO 81504
 PHONE (970)434-7038

EXHIBIT B

MCSM No. 1310
WEST 1/8 CORNER NORTH LINE
SECTION 32, T1N, R1W, UTE MERIDIAN.

MCSM No. 296
NORTH 1/4 CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

H ROAD



NORTHWEST 1/8 CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

MCSM No. 1570
NORTH 1/8 CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

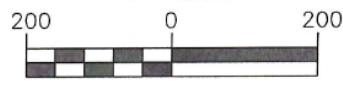
LEGAL DESCRIPTION SKETCH

PARCEL 1
MULLER SIMPLE LAND DIVISION
NORTH PORTION
SITUATED IN THE NE 1/4 NW 1/4 SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

GRAPHIC SCALE:
1"=200'



LINEAR UNITS ARE U.S. SURVEY FEET





Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: February 6, 2019

Presented By: Ken Watkins, Fire Chief, Jay Valentine, General Services Director

Department: Fire

Submitted By: Sheldon Kier, Medical Services Chief

Information

SUBJECT:

Purchase of a Medium-Duty Ambulance

RECOMMENDATION:

Authorize the Purchasing Division to purchase a medium-duty ambulance from Braun Northwest in the amount of \$209,937. This ambulance and equipment is being purchased with the assistance of a Colorado EMTS Grant.

EXECUTIVE SUMMARY:

The Fire Department continues to see an increase in call volume and has been authorized in the 2019 budget to add an additional ambulance to assist with calls for service. This purchase is for a medium-duty ambulance for \$209,937 that is an addition to the current fleet of eight ambulances. The Fire Department has accepted a State of Colorado Emergency Medical and Trauma Services (EMTS) Grant of \$120,050 for assistance in purchasing this ambulance and equipment.

BACKGROUND OR DETAILED INFORMATION:

The Fire Department has identified a need to increase the current ambulance fleet of eight units to nine in order to address the increasing emergency medical call volume, event coverage, and long distance transports. To address this need, the Fire Department applied for and was awarded a Colorado EMTS Grant to assist with the purchase of a medium-duty ambulance and equipment.

The majority of the existing ambulance fleet are on a lighter-duty chassis and are diesel fueled. Weight limitations and changes to diesel emission systems has caused

corresponding safety and maintenance issues, prompting the decision to purchase medium-duty gasoline fueled ambulances. Research is showing maintenance savings with the larger chassis and reduction in operating costs by using the gasoline engines. In 2018 the City replaced three lighter duty diesel ambulances with medium duty gasoline units and has had good luck with these units.

A solicitation was issued in late September 2017 for three Type 1AD (medium duty) ambulances to be delivered in 2018 and a fourth type 1AD (medium Duty) ambulance to be delivered in 2019. Four responses were received at the Oct 4, 2017 bid opening.

An evaluation committee made up of representatives from the Fire, Fleet and Purchasing departments met several times to discuss the award. Braun Northwest was chosen because they offer a reliable gas engine, they covered all the necessary specifications and they were determined to be the best value for the City. This purchase is for the fourth unit that was part of this bid process.

The prices in 2017 ranged from \$196,954 to \$200,154 depending on options and accessories chosen. The difference in cost between 2017 and 2019 is due to market increases in brass and aluminum and the need to purchase a different chassis because of manufacture shortages.

The fire department will also be purchasing all needed equipment through a different vendor and under the purchasing authority of the City Manager.

FISCAL IMPACT:

The full cost of the ambulance purchase is \$209,937 and funding is budgeted in the City's general fund for this purchase. A Colorado EMTS grant award of \$76,500 will be applied to the purchase of the ambulance.

The cost of equipment for this ambulance is \$111,715 and is budgeted in the City's general fund. A Colorado EMTS grant award of \$43,550 will be applied to the purchase of the ambulance equipment. The fire department will be purchasing this equipment through a different vendor and under the purchasing authority of the City Manager.

SUGGESTED MOTION:

I move to authorize the Purchasing Division to purchase a medium-duty ambulance vehicle and award a contract to Braun Northwest in the amount of \$209,937 for this purchase.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: February 6, 2019

Presented By: Ken Watkins, Fire Chief, Jay Valentine, General Services Director

Department: Fire

Submitted By: Gus Hendricks, Deputy Fire Chief

Information

SUBJECT:

Purchase of Type 3 Wildland Fire Engine

RECOMMENDATION:

Authorize the City Purchasing Division to award a contract for the purchase of a Type 3 Wildland Fire Engine to HME, Incorporated of Wyoming, Michigan, in the amount of \$307,850.

EXECUTIVE SUMMARY:

This request is to authorize the City Purchasing Division to Sole Source purchase an HME Type 3 Wildland Fire Engine for \$307,850. This purchase is an addition to the Fire Department's current wildland apparatus fleet. This engine is identical to the current Type 3 Wildland Fire Engine that is capable of fighting wildland fires in remote areas of our district.

BACKGROUND OR DETAILED INFORMATION:

Within the City and fire district boundary, the department responds to a number of brush and vegetation fires. These can be in agriculture areas, along the Colorado River or within the Redlands wildland urban interface area. In addition, these types of fires can cover a number of acres and frequently cross fire district boundaries, requiring mutual aid from a number of departments. These fires can be challenging to fight, difficult to extinguish, and unsafe using structural firefighting apparatus. Units specifically designed to respond off-road and operate in difficult terrain are critical for the quick extinguishment of these fires while they are small.

Currently the Fire Department has one smaller Type 6 Wildland Fire Engine and

one larger Type 3 Wildland Fire Engine, similar to this apparatus. These units are used frequently during the spring and fall burn seasons and deployed on larger state or federal wildland fire incidents. The department has recommended (through the capital budget process) the purchase of an additional Type 3 Wildland Fire Engine with this request. The larger engine is designed specifically for this type of use, can carry more equipment and personnel and is safer than the smaller units. The unit would be used locally and provide the opportunity to deploy two teams on regional and national wildland fire deployments if needed.

The department researched a number of manufacturers that produce this type of unit and because of the time required to develop a design specification and manufacture the unit, decided to utilize the California Department of Forestry and Fire Protection (CAL-FIRE) specification. CAL-FIRE has developed their specification from experience on numerous fires and has hundreds of these types of units in service.

HME Incorporated has delivered over 200 Type 3 Wildland Fire Engines to CAL-FIRE. HME currently has one Type 3 wildland fire engine available for delivery. None of the other manufacturers have a unit available at this time. The vehicle is identical to the department's current Type 3 Wildland Fire Engine and is built to the same specifications by the same manufacturer. Approval of this request would allow the department to purchase and utilize this unit for the 2019 wildland fire season.

FISCAL IMPACT:

The cost of this purchase is \$307,850 and funding is budgeted in the City's General Fund. This unit will be eligible for reimbursement when deployed on regional and national wildland fire incidents, helping to offset the cost of the unit.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to award a contract with HME, Incorporated for a Type 3 Wildland Fire Engine in the amount of \$307,850.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: February 6, 2019

Presented By: Ken Watkins, Fire Chief, Jay Valentine, General Services Director

Department: Fire

Submitted By: Gus Hendricks, Deputy Fire Chief

Information

SUBJECT:

Purchase of Two (2) Fire Pumper Trucks

RECOMMENDATION:

Authorize the City Purchasing Division to award a contract for the purchase of two (2) 2019 Pierce Enforcer Fire Pumper Trucks to Front Range Fire Apparatus of Frederick, Colorado in the amount of \$561,352 per pumper truck. Total cost of this purchase is \$1,122,704.

EXECUTIVE SUMMARY:

This request is to authorize the purchase of two (2) new fire pumper trucks (fire engines). The first unit will replace an existing unit that is currently in reserve status in the City's fleet and at the end of its service life.

The second unit is to add an additional fire engine to the fleet for the proposed temporary or permanent Fire Station 6. Proceeds from the Mesa County Public Safety Tax will be budgeted through a supplemental appropriation for the purchase of this additional Fire Pumper Truck and related equipment. The supplemental appropriation will be coming to City Council in the first part of the year under separate action.

Equipment (breathing air packs, hose, extrication tools, medical equipment, radios, computer, hand tools, etc.) for the additional fire engine is estimated at \$153,000 and will be purchased through a separate vendor.

BACKGROUND OR DETAILED INFORMATION:

A formal solicitation was advertised and sent to a source list of manufacturers and dealers

capable of providing a complete pumper truck per City specifications.

As an option, sources were asked to quote a Compressed Air Foam System (CAFS) and a "Clean Cab" option. CAFS is a method by which a foam-producing agent and air are added to water, creating a far more effective tool to fight fires. All of the City's current pumper trucks have this option and is used extensively in fire operations. The Clean Cab option removes all small equipment (breathing air packs, personnel bunker gear, etc.) used on a fire incident from the cab of the truck into an exterior cabinet. Research has shown that after use in a fire, this equipment off-gasses toxic fumes until cleaned and decontaminated. The clean cab option reduces a firefighters exposure to carcinogens produced during a fire and is an additional step in keeping our firefighters healthy and safe.

The following firms and manufacturers responded to the solicitation and are listed in order of price, although price was not the only evaluation criteria.

Company	Year/Make/Model	Price for One	Delivery
Mile-Hi Fire Apparatus Inc/Smeal	2020 Spartan ER/Spartan Metrostar	\$538,915.00	395 days
Front Range Fire Apparatus	2019 Pierce Enforcer	\$561,352.00	245 days
Mile-Hi Fire Apparatus Inc/Spartan	2020 Smeal/Spartan Metrostar	\$568,600.00	390 days
HME Ahrends-Fox	2019 HME Model 1871W-MFD	\$580,419.00	270 days

After review, Front Range Fire Apparatus offering a 2019 Pierce Enforcer custom pumper with CAFS and Clean Cab options, was chosen as the best apparatus for this purchase. The Pierce pumper has the most reliable CAFS system, the most robust Clean Cab essentials and the shortest manufacture and delivery time. In addition, there is a cost savings of \$7,238 compared to the Smeal apparatus, the City's current manufacturer.

For a number of years the City has purchased Smeal fire apparatus. If approved, this purchase will change the department's current vendor and manufacturer. This recommendation is being made due to cost, delivery time, and customer service concerns of the current vendor. The department has experienced increased out of service time due to the waiting period on parts for repairs or technician availability. For fire pumper trucks this downtime totaled 13% of apparatus usable time. The down time for Fire Aerial Trucks was even longer due to an extended down time for a manufacturer's wiring issue and the extensive delivery time for the replacement ladder truck after the January 2017 Ice Storm.

FISCAL IMPACT:

Total cost of this purchase is \$1,122,704. The Cost for each unit is \$561,352 and includes a savings of \$17,402 for each unit if pre-payment is made. In addition, the manufacturer has stated a 3% cost increase or \$16,841 if purchased after March 1, 2019.

Funds for the replacement Fire Pumper Truck are budgeted in the Fleet Replacement Fund. Proceeds from the Mesa County Public Safety Tax will be budgeted through supplemental appropriation for the purchase of the additional Fire Pumper Truck and related equipment.

The estimated cost of equipment for the additional fire engine is \$153,000 and will be purchased through another vendor under the City Manager's purchasing authority.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to award a contract for the purchase of two (2) 2019 Pierce Enforcer Fire Pumper Trucks to Front Range Fire Apparatus of Frederick, Colorado in the amount of \$1,122,704.

Attachments

None



Grand Junction City Council

Regular Session

Item #4.d.

Meeting Date: February 6, 2019

Presented By: Tamra Allen, Community Development Director

Department: Community Development

Submitted By: Tamra Allen, Community Development Director

Information

SUBJECT:

Authorize a Contract with Houseal Lavigne Associates for Development of the Comprehensive Plan

RECOMMENDATION:

Staff recommends the City Purchasing Division execute a contract with Houseal Lavigne Associates of Chicago, Illinois for the development of the Grand Junction Comprehensive Plan 2020 update in the amount of \$237,403.

EXECUTIVE SUMMARY:

This request is to authorize the City to contract with Houseal Lavigne Associates of Chicago, Illinois for consulting services in updating the City's Comprehensive Plan.

BACKGROUND OR DETAILED INFORMATION:

The City of Grand Junction is beginning the process of updating the City's Comprehensive Plan that was last adopted in 2010. The Comprehensive Plan is a long-range plan that looks at where and how the city will grow over the next 20 years. The update will include planning for residential and commercial growth and needed services and infrastructure, potential changes to the City's growth boundaries, identifying risks and vulnerabilities of natural and human caused hazards and identifying goals, strategies, and actions that reflect the community's values and vision. To help the City complete this planning effort, hiring a consultant is desired and budgeted.

A formal solicitation was issued through a national electronic bidding site, posted on

the City's website, and advertised in the Daily Sentinel. A total of seven (7) firms responded. Those firms are listed in order of Proposal Price from highest to lowest.

	Company	Location	Proposal Price
1	Logan Simpson Design Inc	Ft Collins, CO	\$250,000.00
2	Clarion Associates	Denver CO	\$249,684.00
3	TPUDC	Franklin, TN	\$247,800.00
4	Houseal Lavigne Associates	Chicago, IL	\$237,403.00
5	Rick Engineering Co	Centennial, CO	\$232,253.00
6	Newmark Grubb Zimmer	Kansas City, MO (?)	\$220,000.00
7	Gallinar Planning & Devel	El Paso, TX	\$213,500.00

Of those seven, three (3) were chosen as finalists and invited to provide on-site presentations. Finalists were selected based on community involvement, proposed strategy and methodology, suitability to fulfill the requirements, as well as their experience, resources and skills. The three finalists were Clarion Associates, Houseal Lavigne and Logan Simpson. Each of their on-site presentations were evaluated by a committee of four (4) members from Community Development and Public Works. The committee chose Houseal Lavigne Associates as the firm who can provide the both the best product and best value to the City. Their experience, creativity, commitment and unique approach for obtaining public input will work to provide a complete update of the Comprehensive Plan.

FISCAL IMPACT:

\$237,403. Funds for this project have been budgeted. A Department of Local Affairs grant (required 50% match) for \$150,000 with a local match of \$150,000 has been awarded and executed for purposes of completing this Comprehensive Plan update.

SUGGESTED MOTION:

I move to authorize the City Purchasing Division to execute a contract with Houseal Lavigne Associates of Chicago, Illinois for the development of the Grand Junction Comprehensive Plan 2020 Update in the amount of 237,403.

Attachments

None



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: February 6, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

Resolution Approving the Notice of Election for the Regular Municipal Election April 2, 2019

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to approve the election notice for the April 2, 2019 Regular Municipal Election.

BACKGROUND OR DETAILED INFORMATION:

Both the Charter and Municipal Election Code (MEC) have specific content and publication requirements for a *Notice of Election*:

- Charter Section 17: publish three consecutive days within the ten days prior to the election
- MEC: publish twenty days prior to Election Day

To meet these requirements, the *Notice* will be published in *The Daily Sentinel* on February 8, March 8, and March 23 - 29.

FISCAL IMPACT:

Publication costs for this *Notice* are estimated at \$2,500. Staff included this estimate when budgeting for the April 2019 election.

SUGGESTED MOTION:

I move to (adopy/deny) Resolution No. 09-19, a resolution setting forth the Notice of Election for the regular municipal election to be held on April 2, 2019 in the City of Grand Junction.

Attachments

1. Resolution Approving Notice of Election April 2019
2. Attachment A Notice of Election

RESOLUTION NO. xx-19

**A RESOLUTION SETTING FORTH THE NOTICE OF ELECTION
FOR THE REGULAR MUNICIPAL ELECTION TO BE HELD
ON APRIL 2, 2019 IN THE CITY OF GRAND JUNCTION**

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

The Election Notice hereinafter (Attachment A) be the Notice of the Regular
Municipal Election to be held in the City on April 2, 2019 and further that the same be
published in accordance with election procedures.

PASSED and ADOPTED this 6th day of February, 2019.

President of the Council

ATTEST:

City Clerk

ELECTION NOTICE

**CITY OF GRAND JUNCTION, COLORADO
NOTICE OF REGULAR MUNICIPAL ELECTION
TO BE HELD ON TUESDAY, THE 2ND DAY OF APRIL, 2019**

PUBLIC NOTICE IS HEREBY GIVEN THAT A REGULAR MUNICIPAL ELECTION WILL BE HELD BY MAIL-IN BALLOT ON TUESDAY, THE 2ND DAY OF APRIL, 2019, IN THE CITY OF GRAND JUNCTION, COLORADO.

Ballot packages will be mailed no later than March 18th, 2019 and must be returned to the Mesa County Clerk via mail or at a location listed below no later than 7:00 p.m. on Election Day, Tuesday, April 2nd, 2019. NO voting devices will be provided at any location.

Grand Junction City Hall – 250 North 5th Street, Grand Junction, CO 81501

- Outside Drop Box (by Front Entrance)

Mesa County – 200 South Spruce Street, Grand Junction, CO 81501

- Elections Department (West Entrance)
- Clerk & Recorder (Main Entrance)
- Outside Drop Box (by West Entrance)

The Mesa County Elections Department at 200 South Spruce Street will be open for issue of ballots to “inactive voters”, or the reissue of ballots to those who have spoiled, lost, moved, or for some reason did not receive a ballot, for the period 25 days prior to the election, Monday through Friday, from 8:00 a.m. to 5:00 p.m. and on Tuesday, April 2nd, 2019 from 7:00 a.m. to 7:00 p.m. (Election Day).

Persons desiring to vote in said Election must meet the following qualifications: be at least eighteen (18) years of age, a citizen of the United States, a resident of the State of Colorado for at least twenty-two (22) days before the Election, and duly registered to vote within the Grand Junction city limits.

Candidates are:

CITY COUNCIL DISTRICT B

Four-Year Term

(Vote for One)

Aaron Michelson

Phillip Pe’a

CITY COUNCIL DISTRICT C

Four-Year Term

(Vote for One)

Anna Stout

CITY COUNCIL AT-LARGE
Four-Year Term
(Vote for One)

Jim Doody

Chuck McDaniel

Dennis J. Simpson

At such election, six (6) ballot questions will be submitted to the voters as follows:

CITY OF GRAND JUNCTION REFERRED MEASURE 2A

SHALL CITY OF GRAND JUNCTION TAXES BE INCREASED \$5,300,000 ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE STARTING IN 2020), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, WHICH REVENUES SHALL BE GENERAL FUNDS OF THE CITY AND EXPENDED FOR TRANSPORTATION NETWORK IMPROVEMENTS INCLUDING WITHOUT LIMITATION BUILDING ROAD PROJECTS SUCH AS 29 ROAD AND I-70 INTERCHANGE, 24 ROAD WIDENING, CONSTRUCTION OF THE F1/2 ROAD PARKWAY, IMPROVING RURAL "FARM" ROADS IN THE NORTH AREA, REDLANDS, ORCHARD MESA AND PEAR PARK BY CONSTRUCTING TURN LANES, SIDEWALKS, BIKE LANES, CURB, GUTTER AND COMPARABLE IMPROVEMENTS THROUGH AN ADDITIONAL CITY-WIDE SALES AND USE TAX OF ONE QUARTER PERCENT (.25%) WHICH IS AN INCREASE OF ONE QUARTER CENT ON EACH TEN DOLLAR PURCHASE WITH THE INCREASED SALES AND USE TAX AND ANY EARNINGS FROM THE INVESTMENT OF SUCH REVENUES CONSTITUTING A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

_____ Yes

_____ No

CITY OF GRAND JUNCTION REFERRED MEASURE 2B

SHALL CITY OF GRAND JUNCTION TAXES BE INCREASED \$10,600,000 ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE STARTING IN 2020), AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, WHICH REVENUES SHALL BE GENERAL FUNDS OF THE CITY AND EXPENDED FOR POLICE, FIRE AND EMERGENCY MEDICAL SERVICES AND STATIONS INCLUDING WITHOUT LIMITATION:

- BUILDING, EQUIPPING AND STAFFING NEW FIRE STATIONS AND
- HIRING, EMPLOYING, TRAINING AND EQUIPPING POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE (EMS) PERSONNEL (FIRST RESPONDERS) AND

9-1-1 EMERGENCY DISPATCH, CODE ENFORCEMENT AND FIRST RESPONDER SUPPORT EMPLOYEES

THROUGH AN ADDITIONAL CITY-WIDE SALES AND USE TAX OF ONE HALF PERCENT (.50%) WHICH IS AN INCREASE OF ONE HALF CENT ON EACH TEN DOLLAR PURCHASE WITH THE INCREASED SALES AND USE TAX AND ANY EARNINGS FROM THE INVESTMENT OF SUCH REVENUES CONSTITUTING A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

_____ Yes

_____ No

CITY OF GRAND JUNCTION REFERRED MEASURE 2C

SHALL CITY OF GRAND JUNCTION TAXES BE INCREASED \$8,250,000 ANNUALLY (FIRST FULL FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER BY A THIRTY-NINE HUNDREDTHS OF ONE PERCENT (0.39%) INCREASE IN THE CITY SALES AND USE TAX RATE, COMMENCING JANUARY 1, 2020, AND IN CONNECTION THEREWITH SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$79,000,000 MILLION, WITH A MAXIMUM REPAYMENT COST OF \$150,000,000 MILLION, PAYABLE FROM THE REVENUE GENERATED FROM SUCH SALES AND USE TAX RATE INCREASE AND ANY OTHER LEGALLY AVAILABLE REVENUE OF THE CITY, WITH THE PROCEEDS OF SUCH DEBT AND SUCH SALES AND USE TAX RATE INCREASE BEING USED AND SPENT FOR THE CONSTRUCTION AND/OR DEVELOPMENT OF A NEW COMMUNITY CENTER, A PORTION OF MATCHETT PARK, AND IMPROVEMENTS TO THE ORCHARD MESA POOL, GYMNASIUM, LOCKER ROOMS AND RELATED COMMUNITY SPACE AND THE OPERATION OF ALL OF THE FOREGOING; AND SHALL SUCH DEBT BE EVIDENCED BY REVENUE BONDS TO BE SOLD IN ONE OR MORE SERIES FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES AND ON TERMS AND CONDITIONS AND WITH SUCH MATURITIES AS ARE PERMITTED BY LAW, INCLUDING PROVISIONS FOR REDEMPTION OR EARLY PAYMENT OF SUCH REVENUE BONDS WITH OR WITHOUT A PREMIUM; AND SHALL THE CITY BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED BY THIS QUESTION AT A HIGHER OR LOWER INTEREST RATE, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED PURSUANT TO THIS QUESTION DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE, AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE CITY PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE MAXIMUM REPAYMENT COST AUTHORIZED IN THIS QUESTION; AND SHALL SUCH SALES AND USE TAX RATE INCREASE REMAIN IN EFFECT FOLLOWING THE REPAYMENT OF THE FOREGOING DEBT AT THE SALES AND USE TAX RATE NECESSARY, NOT TO EXCEED THIRTY-NINE HUNDREDTHS OF ONE PERCENT (0.39%), TO OPERATE THE FOREGOING IMPROVEMENTS; AND SHALL THE REVENUE FROM SUCH SALES AND USE TAX RATE INCREASE AND THE PROCEEDS OF SUCH DEBT, TOGETHER WITH THE INVESTMENT EARNINGS DERIVED FROM THE SAME, BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE

CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

_____ Yes

_____ No

CITY OF GRAND JUNCTION REFERRED MEASURE 2D

SHALL THE CITY COUNCIL BE AUTHORIZED TO SELL THE REAL PROPERTY, CONSISTING OF APPROXIMATELY 18 ACRES KNOWN AS THE BURKEY PARK PROPERTY LOCATED AT 2980-2982 PATTERSON ROAD FOR NOT LESS THAN FAIR MARKET VALUE, PURSUANT TO 1) APPRAISAL OR 2) A BID PROCESS OR 3) BEST OFFER, THE SALE PROCEEDS OF WHICH SHALL BE USED FOR THE DEVELOPMENT OF AND CONSTRUCTION OF IMPROVEMENT(S) IN MATCHETT PARK WITH THE MAIN PAVILION TO COMMEMORATE L.W. AND MILDRED L. BURKEY, WITH ALL OR ANY PORTION OF THE NET PROCEEDS OF THE SALE BEING HELD, RETAINED AND SPENT WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

_____ YES/FOR THE SALE

_____ NO/AGAINST THE SALE

CITY OF GRAND JUNCTION REFERRED MEASURE 2E

Shall there be amendment to the Grand Junction City Charter Section 119 concerning the process for renewal of cable television franchises in the City to bring the Charter provision into compliance with federal law by eliminating the requirement that such renewal be subject to a vote of the electorate?

_____ FOR THE AMENDMENT

_____ AGAINST THE AMENDMENT

CITY OF GRAND JUNCTION REFERRED MEASURE 2F

Shall there be an amendment to the Grand Junction City Charter Section 124 increasing the authorized term for lease of public property from twenty-five to ninety-nine years?

_____ FOR THE AMENDMENT

_____ AGAINST THE AMENDMENT

BY ORDER OF THE CITY COUNCIL

Dated at Grand Junction, Colorado, this 6th day of February, 2019.

/s/ Wanda Winkelmann

Wanda Winkelmann

City Clerk

Published in *The Daily Sentinel* on

- February 8, 2019
- March 8, 2019
- March 23 – 29, 2019



Grand Junction City Council

Regular Session

Item #6.a.i.

Meeting Date: February 6, 2019

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

An Ordinance Amending Parts of the Zoning and Development Code Regarding Performance Standards of Zoning Districts, Accessory Dwelling Units, Flag Lots, Architectural Standards Relating to Garage Doors so as to Eliminate Unnecessary Regulation and Resolve Inconsistencies

RECOMMENDATION:

The Planning Commission reviewed this request at their December 11, 2018 hearing and recommended approval (4-0).

EXECUTIVE SUMMARY:

Initiated by the Community Development Director, this request is to amend various sections of the Zoning and Development Code to eliminate requirements that have been proven, over time, to be impractical, difficult or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions, inconsistencies within the Code, unnecessary regulations or duplicative information.

BACKGROUND OR DETAILED INFORMATION:

Chapter 21.03 Zoning Districts

Chapter 3 of the Code outlines the standards and requirements for all the zone districts. The proposed changes eliminate redundancies, clarify uses and setbacks, and deletes maximum number of stories allowed since all zone districts also have a maximum height.

21.03.040(d) R-2 Zone District—clarifies that two-family residential uses are allowed, consistent with the Use/Zone Matrix, and adds the architectural standards for a second dwelling.

21.03.040(e) R-4 Zone District—deletes the requirement that two-family residential uses can only be on corner lots.

21.03.040(g)(2) R-8 Zone District—clarifies that principal structures can have a front yard setback of 15' and garages must be setback 20'; and deletes the provision that garage doors cannot exceed 45 percent of the width of the street facing façade.

21.03.040(h)(2), (i)(2), (j)(2) R-12, R-16 and R-24-- clarifies that principal structures can have a front yard setback of 15' and garages must be setback 20'

21.03.040—the residential district summary table at the end of Section 21.03.040 is amended to delete maximum number of stories restrictions and to increase maximum density in the R-5 zone district from 5.0 to 5.5, increase the minimum density in R-8 from 4 to 5.5 correct the minimum and maximum density for R-4 to 2 and 4.

21.03.040(a) through (j), 21.03.070(a) through (h), and 21.03.080(a) and (c)—the tables listing the bulk standards are deleted in their entirety since it is provided in the summary table.

21.03.080 Mixed Use and Industrial Bulk Standards Summary Table at the end of the section—deletes max. number of stories requirements and corrects side and rear yard setbacks listed to be consistent.

Chapter 21.04 Uses

Proposed changes in Chapter 4 include clarification of the fence regulations and better defining uses allowed in I-O and I-1. Also proposed is to increase the maximum size of an accessory dwelling unit to 900 s.f., which is more consistent with requirements in other communities.

21.04.040(f) Accessory Dwelling Unit—deletes the requirement that one of the units be owner occupied and increases the maximum allowable size from 700 s.f. to 900 s.f.

21.04.040(i) Fences—general clarification and deletion of inconsistencies.

21.04.010 Zone/Use Table—delete retail as an allowed use in I-O and I-1 zone districts since the performance standards in those district only allow for up to 10% to be used as retail.

Chapter 21.06 Development Standards

Minor modifications are proposed to the standards for flag lot size and the required setbacks on loop lanes, as well as an allowance for non-residential uses along arterial streets that are in a residential zone to utilize the sign standards for commercial zone districts.

21.06.060(f)(2) Flag Lots—deletes the requirement that the “flag” portion of the lot be 20 percent larger than the lot area of the other lots.

21.06.070(h) Sign Standards by Zone—adds a provision allowing non-residential uses along an arterial street to have one monument style sign that meets the requirements of a non-residential zone district.

21.06.100(d) Loop Lane Standards—reduce the setback for front loading garages from 30’ to 20’.

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

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on December 4, 2018, in the Grand Junction Daily Sentinel.

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

Planning Commission finds that the proposed amendments to the Zoning and Development Code are useful in that they eliminate requirements that have been proven, over time, impractical, difficult or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions, inconsistencies within the Code, unnecessary regulations or duplicative information.

FISCAL IMPACT:

There is no fiscal impact related to these code amendments.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance No. 4831, an ordinance amending parts of the

Zoning and Development Code regarding performance standards of Zoning Districts, accessory dwelling units, flag lots, architectural standards relating to garage doors so as to eliminate unnecessary regulation and resolve inconsistencies on final passage and order final publication in pamphlet form.

Attachments

1. OrdinanceMisc 2018
2. Clean Copy Ord Misc 2018

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING PARTS OF THE ZONING AND DEVELOPMENT CODE REGARDING PERFORMANCE STANDARDS OF ZONING DISTRICTS, ACCESSORY DWELLING UNITS, FLAG LOTS, ARCHITECTURAL STANDARDS RELATING TO GARAGE DOORS SO AS TO ELIMINATE UNNECESSARY REGULATION AND RESOLVE INCONSISTENCIES.

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.

The amendments to the Zoning and Development Code eliminate (1) requirements that have been proven, over time, impractical, difficult or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions; (2) inconsistencies within the Code; (3) unnecessary regulations; or (4) duplicative information.

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 Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed 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:

Subsection 21.03.040(d) is amended as follows (deletions struck through, additions underlined):

(d) R-2: Residential – 2.

Primary Uses	
Detached Single-Family, Two-Family Dwelling, Civic	
See GJMC <u>21.04.010</u> , Use Table	
-	
Lot	
-	
Area (min. sq. ft.)	15,000
Width (min. ft.)	100
Frontage (min. ft.)	50
Frontage on cul-de-sac (min. ft.)	30

-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	15	-	3
Rear (min. ft.)	30	-	5
-			
Bulk	-	-	-
Lot Coverage (max.)	30%		
Height (max. ft.)	35		
Height (max. stories)	2.5		
Density (max.)	2-units/acre		
Cluster Allowed	Yes		

- (1) Purpose. To provide areas for medium-low density, single-family and two-family residential uses where adequate public facilities and services exist.
- (2) Performance Standards. Development shall conform to the standards established in this code. The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.

Subsection 21.03.040(e) is amended as follows (deletions struck through, additions underlined):

(e) R-4: Residential – 4.

Primary Uses	
Detached Single-Family, Two-Family Dwelling, Civic	
See GJMC 21.04.010 , Use Table	
-	
Lot	
-	
Area (min. sq. ft.)	7,000
Width (min. ft.)	70
Frontage (min. ft.)	20
-	
Setback	Principal
	-
	Accessory

Front (min. ft.)	20	-	25
Side (min. ft.)	7	-	3
Rear (min. ft.)	25	-	5
-			
Bulk	-	-	-
Lot Coverage (max.)	50%		
Height (max. ft.)	40		
Height (max. stories)	3		
Density (min.)	2 units/acre		
Density (max.)	-	4 units/acre	
Cluster Allowed	Yes		

- (1) Purpose. To provide for medium-low density single-family and two-family residential uses where adequate public facilities and services are available. ~~Two-family dwellings may be allowed under special conditions.~~
- (2) Performance Standards. Development shall conform to the standards established in this code.
- (i) ~~In an R-4 district, a two-family dwelling is allowed may be built only on a corner lot and then only if:~~
- ~~(A) The minimum lot size is 14,000 square feet;~~
 - ~~(B) The garage of each unit fronts on a different street;~~
 - ~~(C) The main entry of each unit fronts on a different street;~~
 - ~~(D) The gross density of the subdivision shall not exceed four dwellings per acre;~~
 - ~~(E) The streets are classified as local streets or a local street and a residential collector; and~~
 - ~~(F) Driveway locations must be in accordance with TEDS (GJMC Title 29).~~
- (ii) (i) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two manufactured homes shall not constitute a two-family dwelling.

(iii) (ii) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

Subsection 21.03.040(g), Performance Standards for the R-8 zone district, is amended as follows (deletions struck through):

(g) R-8: Residential – 8.

Primary Uses			
Detached Single-Family, Two-Family Dwelling, Multifamily, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area – Detached Single-Family (min. sq. ft.)	3,000		
Area – Two-Family, Attached (min. sq. ft.)	6,000		
Area – Multifamily (min. sq. ft.)	20,000		
Area – Civic (min. sq. ft.)	20,000		
Width (min. ft.)	40		
Width – Two-Family (min. ft.)	60		
Frontage (min. ft.)	20		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3
Rear (min. ft.)	10	-	5
-			
Bulk			
-			
Lot Coverage (max.)		70%	
Height (max. ft.)		40	
Height (max. stories)		3	
Density (min.)		5.5 units/acre	
Density (max.)	-	8 units/acre	
Cluster Allowed		No	

(1) Purpose. To provide for medium-high density attached and detached dwellings, two-family dwelling and multifamily. R-8 is a transitional district between lower density single-family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district.

(2) Performance Standards.

(i) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

(ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. ~~The attaching of two manufactured homes shall not constitute a two-family dwelling.~~

(iii) Minimum lot size, minimum lot width and minimum lot frontage does not apply to multifamily.

(iv) ~~The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structures and 15 feet for the remainder of the principal structure. with street-facing garages and 15 feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage. For corner lots, a 20-foot front yard setback is allowed on the street frontage that the garage faces and a 15-foot setback on the other street frontage that the principal structure faces.~~

(v) ~~For all lots created after October 22, 2006, garage doors cannot exceed 45 percent of the width of the street-facing facade on single-family detached dwellings or two-family dwellings. The garage door can be up to a maximum of 60 percent of the street-facing facade if the garage door is recessed at least four feet behind the front facade of the house.~~

Subsection 21.03.040(h), Performance Standards for the R-12 zone district, is amended as follows (deletions struck through):

(h) R-12: Residential – 12.

Primary Uses
Two-Family Dwelling, Multifamily, Civic
See GJMC 21.04.010, Use Table

-			
Lot			
Area (min. sq. ft.)	n/a		
Width (min. ft.)	30		
Width – Two-Family (min. ft.)	45		
Frontage (min. ft.)	20		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3
Rear (min. ft.)	10	-	5
-			
Bulk			
Lot Coverage (max.)	75%		
Height (max. ft.)	60		
Height (max. stories)	5		
Density (min.)	8 units/acre		
Density (max.)	-	12 units/acre	
Cluster Allowed	No		

(1) Purpose. To provide for high density development allowing several types of residential units within specified densities. R-12 may serve as a transitional district between single-family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. This zone may be appropriate as a part of a mixed use center.

(2) Performance Standards.

(i) For purpose of calculating density on parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. ~~The attaching of two manufactured homes shall not constitute a two-family dwelling.~~

(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.

(iv) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure. ~~structures with street-facing garages and 15 feet for principal structures with alley-loaded garages or with garages located in the rear yard or principal structures with no garage.~~

(v) ~~For all lots created after October 22, 2006, garage doors cannot exceed 45 percent of the width of the street-facing facade on two-family dwellings. The garage door can be up to a maximum of 60 percent of the street-facing facade if the garage door is recessed at least four feet behind the front facade of the house.~~

Subsection 21.03.040(i), Performance Standards for the R-16 zone district, is amended as follows (deletions struck through):

(i) R-16: Residential – 16.

Primary Uses			
Multifamily, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. sq. ft.)	n/a		
Width (min. ft.)	30		
Frontage (min. ft.)	20		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3
Rear (min. ft.)	10	-	5
-			
Bulk			
-			
Lot Coverage (max.)	75%		
Height (max. ft.)	60		
Height (max. stories)	5		

Density (min.)		12 units/acre
Density (max.)	-	16 units/acre
Cluster Allowed		No

(1) Purpose. To provide for high density development. R-16 may serve as a transitional district between single-family and trade zones. This district is intended to allow multifamily residential unit types to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

(2) Performance Standards.

(i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure with 15 feet for the remainder of the principal structure. ~~structures with street-facing garages and 15 feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage.~~

Subsection 21.03.040(j), Performance Standards for the R-24 zone district, is amended as follows (deletions struck through):

(j) **R-24: Residential – 24.**

Primary Uses			
Multifamily, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. sq. ft.)		n/a	
Width (min. ft.)		30	
Frontage (min. ft.)		20	
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3

Rear (min. ft.)	10	-	5
-			
Bulk	-	-	-
Lot Coverage (max.)	80%		
Height (max. ft.)	72		
Height (max. stories)	6		
Density (min.)	16 units/acre		
Density (max.)	-	No maximum	
Cluster Allowed	No		

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

(2) Performance Standards.

(i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure. ~~structures with street-facing garages and 15 feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage.~~

The Residential District Summary Table at the end of Section 21.03.040 is amended to delete maximum height restrictions and to increase maximum density in the R-5 zone district from 5.0 to 5.5, as follows (deletions struck through, additions underlined):

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	<u>1 acre</u>	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot Coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Height (max. stories)	2.5	2.5	2.5	2.5	3	3	3	5	5	6
Density (min. units per acre)	n/a	n/a	n/a	n/a	n/a 2	3	45.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	2 4	55.5	8	12	16	n/a
Cluster Allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes No	No	No	No
Notes										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure										
R-5: Min. lot area varies by building type; detached single-family – 4,000 sf, two-family attached – 3,000 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft.										
R-8: Min. lot area varies by building type; detached single-family—3,000 sf and two-family attached – 3,000 6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft.										
R-12: Min. lot width varies by building type; two-family – 45 ft., all other types – 30 ft.										

The tables in Subsections 21.03.040(a), (b), (c), and (f) are deleted in their entirety, as follows (deletions struck through):

(a) **R-R: Residential – Rural.**

Primary Uses			
Detached Single-Family, Agricultural, Institutional and Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. acres)	5		
Width (min. ft.)	150		
Frontage (min. ft.)	50		
Frontage on cul-de-sac (min. ft.)	30		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	50	-	50
Rear (min. ft.)	50	-	50
-			
Bulk	-	-	-
Lot Coverage (max.)	5%		
Height (max. ft.)	35		
Height (max. stories)	2.5		
Density (max.)	1 unit/5 acres		
Cluster Allowed	Yes		

(b) **R-E: Residential – Estate.**

Primary Uses	
Detached Single-Family, Civic	
See GJMC 21.04.010 , Use Table	
-	

Lot			
Area (min. acres)	4		
Width (min. ft.)	100		
Frontage (min. ft.)	50		
Frontage on cul-de-sac (min. ft.)	30		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	15	-	5
Rear (min. ft.)	30	-	10
-			
Bulk			
Lot Coverage (max.)	15%		
Height (max. ft.)	35		
Height (max. stories)	2.5		
Density (max.)	1 unit/1 acre		
Cluster Allowed	Yes		

(c) **R-1: Residential – 1.**

Primary Uses			
Detached Single-Family, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
Area (min. sq. ft.)	30,000		
Width (min. ft.)	100		
Frontage (min. ft.)	50		
Frontage on cul-de-sac (min. ft.)	30		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25

Side (min. ft.)	15	-	3
Rear (min. ft.)	30	-	10
-			
Bulk	-	-	-
Lot Coverage (max.)	20%		
Height (max. ft.)	35		
Height (max. stories)	2.5		
Density (max.)	1 unit/acre		
Cluster Allowed	Yes		

(f) **R-5: Residential – 5.**

Primary Uses			
Detached Single-Family, Two-Family Dwelling, Multifamily, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area – Detached Single-Family (min. sq. ft.)	4,000		
Area – Two-Family, Attached (min. sq. ft.)	6,000		
Area – Multifamily (min. sq. ft.)	20,000		
Area – Civic (min. sq. ft.)	20,000		
Width (min. ft.)	40		
Width – Two-Family (min. ft.)	60		
Frontage (min. ft.)	20		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3
Rear (min. ft.)	25	-	5
-			
Bulk			
-			
Lot Coverage (max.)	60%		

Height (max. ft.)		40
Height (max. stories)		3
Density (min.)		3 units/acre
Density (max.)	-	5 units/acre
Cluster Allowed		Yes

The other parts of Subsections 21.03.040(a), (b), (c), and (f) shall remain in effect and unchanged hereby.

The tables in Subsections 21.03.070(a) through (h) are deleted in their entirety, as follows (deletions struck through):

21.03.070 Mixed use districts.

(a) R-O: Residential Office.

Primary Uses			
Professional Offices, Detached Single-Family, Two-Family Dwelling, Multifamily, Civic			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. sq. ft.)		5,000	
Width (min. ft.)		50	
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	5	-	3
Rear (min. ft.)	10	-	5
-			
Bulk			
-			
Lot Coverage (max.)		70%	
Height (max. ft.)		40	
Height (max. stories)		3	

Density (min.)		4 units/acre
Density (max.)	-	No max. residential density
Building Size (max. sf)		10,000

(b) **B-1: Neighborhood Business.**

Primary Uses			
Offices, Retail, Services			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. sq. ft.)			10,000
Width (min. ft.)			50
Frontage (min. ft.)			n/a
-			
Setback	Principal	-	Accessory
Front (min. ft.)	20	-	25
Side (min. ft.)	0	-	0
Side abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	15	-	15
-			
Bulk			
-			
Lot Coverage (max.)			n/a
Height (max. ft.)			40
Height (max. stories)			3
Density (min.)			8 units/acre
Density (max.)	-		16 units/acre
Building Size (max. sf)			15,000 for retail unless a CUP is approved 30,000 for office

(c) **B-2: Downtown Business.**

Primary Uses

Offices, Retail, Civic, Government, Services, Residential			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. sq. ft.)	n/a		
Width (min. ft.)	n/a		
Frontage (min. ft.)	n/a		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	0	-	25
Side (min. ft.)	0	-	0
Rear (min. ft.)	0	-	0
Parking Setback	30	-	6
-			
Bulk			
-			
First Floor Min. Height	15		
Lot Coverage (max.)	n/a		
Height (max. ft.)	80		
Height (max. stories)	5		
Density (min.)	8 units/acre		
Density (max.)	-	No max. residential density	

(d) **C-1: Light Commercial.**

Primary Uses	
Offices, Retail, Services	
See GJMC 21.04.010 , Use Table	
-	
Lot	
-	
Area (min. sq. ft.)	20,000
Width (min. ft.)	50
Frontage (min. ft.)	n/a

-				
Setback		Principal	-	Accessory
Front (min. ft.)		15	-	25
Side (min. ft.)		0	-	0
Side abutting residential (min. ft.)		10	-	5
Rear (min. ft.)		10 (0 alley)	-	10 (0 alley)
-				
Bulk		-	-	-
Lot Coverage (max.)		n/a		
Height (max. ft.)		40*		
Height (max. stories)		3		
Density (min.)		12 units/acre		
Density (max.)		-	24 units/acre	
Building Size (max. sf)		n/a		

(e) **C-2: General Commercial.**

Primary Uses				
General Retail and Services				
See GJMC 21.04.010 , Use Table				
-				
Lot		-		
Area (min. sq. ft.)		20,000		
Width (min. ft.)		50		
Frontage (min. ft.)		n/a		
-				
Setback		Principal	-	Accessory
Front (min. ft.)		15	-	25
Side (min. ft.)		0	-	0
Side abutting residential (min. ft.)		10	-	5
Rear (min. ft.)		10	-	10
-				

Bulk		-	-	-
Lot Coverage (max.)				n/a
Height (max. ft.)				40
Height (max. stories)				3
Building Size (max. sf)				n/a

(f) **CSR: Community Services and Recreation.**

Primary Uses			
Parks, Open Space, Schools, Libraries, Recreational Facilities			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. acres)			4
Width (min. ft.)			100
Frontage (min. ft.)			n/a
-			
Setback	Principal	-	Accessory
Front (min. ft.)	15	-	25
Side (min. ft.)	0	-	5
Side abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	10	-	5
-			
Bulk			
-			
Lot Coverage (max.)			n/a
Height (max. ft.)			65
Height (max. stories)			5
Height abutting residential (max. ft.)			40
Building Size (max. sf)			n/a

(g) **M-U: Mixed Use.**

Primary Uses			
Employment, Residential, Limited Retail, Open Space			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. acres)	4		
Width (min. ft.)	100		
Frontage (min. ft.)	n/a		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	15	-	25
Side (min. ft.)	0	-	15
Side abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	10	-	25
-			
Bulk			
-			
Lot Coverage (max.)	n/a		
Height (max. ft.)	65		
Height (max. stories)	5		
Density (min.)	8 units/acre		
Density (max.)	24 units/acre		
Building Size (max. sf)	n/a		

(h) **BP: Business Park Mixed Use.**

Primary Uses	
Employment, Light Manufacturing, Multifamily, Commercial Services	
See GJMC 21.04.010 , Use Table	
-	
Lot	
-	
Area (min. acres)	4
Width (min. ft.)	100

Frontage (min. ft.)	n/a		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	15	-	25
Side (min. ft.)	0	-	15
Side abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	10	-	25
-			
Bulk	-	-	-
Lot Coverage (max.)	n/a		
Height (max. ft.)	65		
Height (max. stories)	5		
Density (min.)	8 units/acre		
Density (max.)	24 units/acre		
Building Size (max. sf)	n/a		

The remaining parts of subsections 21.03.070(a) through (h) shall remain in effect and unchanged hereby.

The tables in Subsections 21.03.080(a), (b) and (c) are deleted in their entirety, as follows (deletions struck through):

21.03.080 Industrial districts.

(a) I-O: Industrial/Office Park.

Primary Uses	
Light Manufacturing, Office, Commercial Services	
See GJMC 21.04.010 , Use Table	
-	
Lot	
Area (min. acres)	1
Width (min. ft.)	100
Frontage (min. ft.)	n/a

-			
Setback	Principal	-	Accessory
Front (min. ft.)	15	-	25
Side (min. ft.)	0	-	15
Side-abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	10	-	25
-			
Bulk	-	-	-
Lot Coverage (max.)	n/a		
Height (max. ft.)	65		
Height (max. stories)	5		
Building Size (max. sf)	n/a		

(b) I-1: Light Industrial.

Primary Uses			
Manufacturing, Office, Commercial Services			
See GJMC 21.04.010 , Use Table			
-			
Lot			
-			
Area (min. acres)	4		
Width (min. ft.)	100		
Frontage (min. ft.)	n/a		
-			
Setback	Principal	-	Accessory
Front (min. ft.)	15	-	25
Side (min. ft.)	0	-	5
Side-abutting residential (min. ft.)	10	-	5
Rear (min. ft.)	10	-	10
-			
Bulk	-	-	-
Lot Coverage (max.)	n/a		

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
otherwise specified)											
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	<u>50</u>	<u>150</u>	<u>150</u>	<u>150</u>	<u>50</u>	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	<u>510</u>	<u>2510</u>	<u>2510</u>	<u>2510</u>	10	10
Other Dimensional Requirements											
Lot Coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	40	40	65	65	65	65	50	50
Height (max. stories)	3	3	5	3	3	5	5	5	5	4	4
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Notes											
B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000											
B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.											
C-1: Min. rear setback – 0 if an alley is present											
CSR: Maximum building height abutting residential—40 ft.											

The other parts of subsections 21.03.080(a), (b) and (c) shall remain in effect and unchanged.

Subsection 21.04.040(f) providing performance standards for accessory dwelling units is amended as follows (deletions struck through, additions underlined):

(f) **Accessory Dwelling Unit.** ~~Accessory~~ An accessory dwelling unit (ADU) is allowed only in conjunction with a single-family use and only on a lot of 3,000 square feet or more. The ADU is not included in the density calculation. The ADU must ~~shall~~ comply with the following standards:

- (1) ~~One~~ No more than one ~~accessory dwelling unit (unit)~~ ADU ~~may be~~ is allowed in conjunction with a single-family use.
- (2) The design and location of the ~~unit~~ ADU shall be clearly subordinate to the principal structure.
- ~~(3) The unit can only be located on a lot or parcel of 3,000 square feet or more.~~
- ~~(4) The unit shall not be included in the zoning or land use density calculation.~~
- ~~(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.~~
- ~~(6)~~ (3) The ~~unit~~ ADU must meet all requirements of the building and fire codes.
- ~~(7)~~ (4) One additional off-street parking space shall be provided for the ADU ~~per unit is required, in addition to the spaces otherwise required.~~
- ~~(8)~~ (5) The ~~unit~~ ADU shall share utility meters with the principal structure, except where the utility provider requires separate meters for an accessory dwelling unit.
- ~~(9)~~ (6) The ~~unit~~ ADU shall not be more than ~~700~~ 900 square feet or ~~50 percent of the floor area of the primary residence.~~
- ~~(10)~~ (7) The ~~unit~~ ADU shall be integrated into the site by appropriate site grading, earthwork and landscaping and be harmonious with the character of the neighborhood.
- ~~(11)~~ (8) The outside appearance of the principal structure shall not be changed from that of a single-family residence.
- ~~(12)~~ (9) Private entrances to ~~the accessory dwelling units~~ ADU shall be located on the side or rear of the residence and shall not be located on the same side of as the primary residence's entrance.
- ~~(13)~~ (10) ~~The Accessory dwelling units~~ ADU shall not be located in front of the principal structure.

~~(14)~~ (11) The design and construction material used in an accessory dwelling unit of the ADU shall be complementary to those of the principal structure.

~~(15)~~—Minor site plan review shall be required.

A planning clearance is required to establish an accessory dwelling unit; to obtain a planning clearance, the applicant must demonstrate that the unit will meet all the foregoing standards, limitations and requirements.

Section 21.04.040(i) (Fences) is amended as follows (deletions struck through, additions underlined):

(i) **Fences.** A fence permit is required for installation of any fence, except that a fence or wall that exceeds six feet in height and a retaining wall of four feet or higher is considered a structure requiring a planning clearance and building permit rather than a fence permit, and setbacks for structures apply (except where otherwise specifically provided). All fences, including those considered structures, shall meet the standards, limitations and requirements of this section, and shall comply with the Transportation, Engineering and Design Standards (TEDS) of this Code.

~~(1)~~—General Standards.

~~(i)~~—The Director shall review fences proposed under this subsection in accordance with special permit criteria. See GJMC 21.02.120(c).

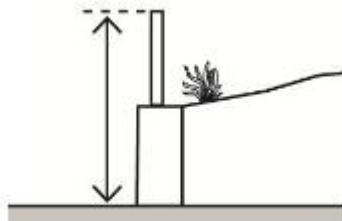
~~(ii)~~—All fences shall meet all TEDS (GJMC Title 29) requirements.

~~(iii)~~—A fence or wall that exceeds six feet in height and a retaining walls four feet or higher are considered a structure and require a planning clearance and building permit instead of a fence permit, and shall comply with the International Building Code and all required setbacks.

~~(iv)~~—Variation in required setbacks can be considered in accordance with GJMC 21.02.070, Administrative development permits.

~~(2)~~ (1) Fence Height Measurement.

(i) The height of fences shall be determined by measurement from the ground level upon which the fence is located. Grade shall not be altered for the sole purpose of increasing fence height. An increase of up to two inches in height shall be allowed when spacing for drainage under the fence is needed.



(ii) For fences erected on retaining walls, the height of the retaining wall shall be included in the height of the fence.

(iii) Pillars or other support structures for a fence shall be allowed to exceed the maximum fence height by up to one foot at intervals no closer than eight feet.

(iv) The height and location requirements of this subsection may be modified as part of subdivision, planned development or conditional use approval.

~~(3)~~ (2) Fence Materials.

(i) Fences and walls shall be constructed of materials approved by the Director.

(ii) Acceptable materials include wire, wrought iron, plastic, wood and other materials with a similar look.

(iii) Unacceptable materials that are visible include glass, tires, razor wire and concertina wire, or unconventional salvaged materials or similar materials. Electric fencing shall be allowed to contain large animals.

(iv) The Director may approve materials for security facilities.

~~(4)~~ (3) Residential Districts. Fences in all residential zones, including the residential office (R-O) district, shall meet the following standards:

(i) Fences in the required front yard setback shall not exceed 30 inches in height. Such fences may be increased to 48 inches maximum height if the fencing material is at a ratio of two-thirds open space to one-third closed space per square foot for that part of the fence extending above the 30-inch height.

(ii) Unless the approval of the development required a landscape strip, fences up to six feet in height are permitted within front yard setbacks along arterial or major collector roads, except those portions within a designated Neighborhood Center, Village Center, Downtown or Mixed Use Opportunity Corridor on the Future Land Use Map of the Comprehensive Plan, provided they are in accordance with adopted corridor overlay zone standards, TEDS (GJMC Title 29) and all other engineering standards and meet the following minimum standards:

(A) Fences or walls four feet or less in height consisting of an open design that has at least two-thirds open space to one-third closed space (e.g., picket and split rail fences), or a decorative wall, with no required landscape strip;

(B) Fences or walls over four feet in height with a minimum five-foot-wide planting strip between the fence or wall and right-of-way. The landscaped strip shall contain at least one tree per 40 feet and have adequate ground cover; or

(C) Perimeter fences and walls in new developments must meet the requirements of GJMC [21.06.040\(g\)](#), Residential Subdivision Perimeter Enclosures.

(iii) On that part of the lot other than the required front yard setback area, fences may be erected to six feet in height. Fences within a required principal structure setback exceeding six feet in height require a special permit (see GJMC [21.02.120](#)). Fences meeting principal structure setbacks shall not exceed eight feet in height without a special permit.

(iv) On corner lots, that part of a backyard fence that extends to and along the side property line on the street side may be six feet high, but are subject to the provisions of TEDS (GJMC Title [29](#)) and other engineering standards.

~~(5)~~ (4) Nonresidential Districts. Fences in all nonresidential districts shall meet the following standards.

(i) Location of these fences must be approved by the City Engineer to ensure that adequate sight distance is maintained.

(ii) On those sites located within a designated Neighborhood Center, Village Center, Downtown or Mixed Use Opportunity Corridor on the Future Land Use Map of the Comprehensive Plan, fences in the required front yard setback area shall not exceed 30 inches in height. Such fences may be increased to 48 inches maximum height if the fencing material is at a ratio of two-thirds open space to one-third closed space per square foot for that part of the fence extending above the 30-inch height.

(iii) In all other nonresidential district locations, fences to a height of six feet shall be located outside the front yard setback. Fences which are 30-inch solid height or four feet in height if two-thirds open may be located within the front yard setback. The addition of not more than three strands of barbed wire shall be allowed and shall not be considered in the height calculation.

~~(6)~~ (5) Maintenance.

(i) All fences or and walls and associated landscaping shall be adequately maintained in good repair. Provisions for adequate maintenance shall be proposed with the development. Fences in common areas of subdivisions shall be so maintained by the property owners' association.

Subsection 21.06.060(f)(2) (subdivision standards, lot layout and design, flag lots) shall be amended as follows:

(2) Flag Lots.

(i) Each flag lot shall have at least 25 feet of street frontage; provided, that the Director may require an access easement 50 feet wide where public right-of-way may be needed to access future development. Said easement and irrevocable offer of dedication of right-of-way 50 feet wide shall run the full depth of the lot or lots.

(ii) The use of flag lots is discouraged. If no reasonable design alternative exists, the Director may allow one flag lot in a subdivision of four or fewer lots. If no reasonable design alternative exists, not more than 15 percent (round any fraction down to the next whole number) of the lots within a subdivision containing five or more lots are to be flag lots. If allowed, flag lots must be paired with the “poles” abutting to require the use of a common driveway. No more than two flag lots shall be contiguous.

(iii) The “flag” portion of a flag lot shall ~~be at least 20 percent larger than the lot area of non-flag lots located in the same filing of the subdivision~~ meet the minimum lot size of the applicable zone district. For purposes of this area calculation, the area of the “pole” is not counted. The decision-maker may increase the setbacks for the “flag portion” of a flag lot, to be noted on the plat.

(iv) Driveways shall be designed to allow vehicles to exit driving forward.

(v) As an alternative to paired flag lots, the Director may require a shared driveway if it meets the shared driveway standards.

The remaining parts of Section 21.06.060(f) shall remain unchanged.

The introductory paragraph of Section 21.06.070(h) regarding sign standards by zone district shall be amended as follows (additions underlined, deletions struck through):

(h) **Sign Standards by Zone.** The following restrictions and requirements apply to permanent signs in the given zone districts: Regardless of the zone district, property containing a non-residential use that abuts an arterial street may be permitted to have one monument style sign on one such frontage that meets the requirements of Subsection (3) below (Business, Commercial and Industrial Zones).

All the subsections of Section 21.06.070(h) (specifically subsections 21.06.070(h)(1) through (3) with all their subparts) shall remain in effect and unchanged hereby.

Subsection 21.06.100(d)(12) regarding side-loading garages/carports on loop lanes shall be amended as follows (additions underlined, deletions struck through):

(12) Each residence shall provide and maintain four off-street parking spaces, two of which may be within a garage or carport. No front loading garage or carport may be closer than ~~30~~ 20 feet to the front lot line. ~~Side-loading garages or carports may be 25 feet from the front property line.~~ Individual driveways must have a five-foot radius fillet on driveway corners.

All other subsections of 21.06.100(d) shall remain in effect and unchanged hereby.

The row in the zone/use table in Section 21.04.010 for the Use Category "Retail Sales and Service," and Principal Use "General Retail Sales, Indoor Operations, Display and Storage" is amended as follows (deletions struck through, additions underlined):

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																									
Retail Sales and Service	General Retail Sales, Indoor Operations, Display and Storage												A	A	A	A		A	A	A	A				21.04.030(l) & 21.04.020(r)

All other parts of the zone/use table in Section 21.04.010 shall remain in effect, unamended hereby.

Introduced on first reading this _____ day of _____, 2019 and ordered published in pamphlet form.

Adopted on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

City Clerk

Mayor

CLEAN COPY OF
ORDINANCE NO. _____

**AN ORDINANCE AMENDING PARTS OF THE ZONING AND DEVELOPMENT CODE
REGARDING PERFORMANCE STANDARDS OF ZONING DISTRICTS, ACCESSORY
DWELLING UNITS, FLAG LOTS, ARCHITECTURAL STANDARDS RELATING TO GARAGE
DOORS SO AS TO ELIMINATE UNNECESSARY REGULATION AND RESOLVE
INCONSISTENCIES**

Section 21.03.040 (Residential districts):

21.03.040 Residential districts.

(a) **R-R: Residential – Rural.**

(1) Purpose. To provide areas for low intensity agricultural operations and very low density single-family uses in a rural setting. This district is appropriate where low-density development is desired or where terrain and/or lack of public facilities and services require low intensity development or a sense of openness is desired.

(2) Sewer and Roads. Only the City Council may waive the requirements that each structure be served by the Persigo sewer system. Rural road standards may apply.

(b) **R-E: Residential – Estate.**

(1) Purpose. To provide areas for low density, estate-type single-family residential development on lots of at least one acre in size.

(2) Sewer and Roads. Only the City Council may waive the requirements that each structure be sewerered by the Persigo sewer system. Rural road standards may apply.

(c) **R-1: Residential – 1.**

(1) Purpose. To provide areas for low density residential uses in less intensely developed areas. R-1 tracts should abut or be in close proximity to existing large lot single-family development, making R-1 an appropriate transition district between rural and higher density areas.

(d) **R-2: Residential – 2.**

(1) Purpose. To provide areas for medium-low density, single-family and two-family residential uses where adequate public facilities and services exist.

(2) Performance Standards. Development shall conform to the standards established in this code. The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof

pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.

(e) R-4: Residential – 4.

- (1) Purpose. To provide for medium-low density single-family and two-family residential uses where adequate public facilities and services are available.
- (2) Performance Standards. Development shall conform to the standards established in this code.
 - (i) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two manufactured homes shall not constitute a two-family dwelling.
 - (ii) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

(f) R-5: Residential – 5.

- (1) Purpose. To provide for medium density detached and attached dwellings and multifamily in areas where large-lot development is discouraged and adequate public facilities and services are available. R-5 supports the Comprehensive Plan's principles of concentrating urban growth and reinforcing community centers. A mix of dwelling types is allowed in this district.
- (2) Performance Standards.
 - (i) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling. The attaching of two manufactured homes shall not constitute a two-family dwelling.
 - (ii) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

(g) R-8: Residential – 8.

- (1) Purpose. To provide for medium-high density attached and detached dwellings, two-family dwelling and multifamily. R-8 is a transitional district between lower density single-family

districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district.

(2) Performance Standards.

(i) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

(ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.

(iii) Minimum lot size, minimum lot width and minimum lot frontage does not apply to multifamily.

(iv) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structures and 15 feet for the remainder of the principal structure.

(h) **R-12: Residential – 12.**

(1) Purpose. To provide for high density development allowing several types of residential units within specified densities. R-12 may serve as a transitional district between single-family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. This zone may be appropriate as a part of a mixed use center.

(2) Performance Standards.

(i) For purpose of calculating density on parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The creation of a two-family dwelling via the construction of a second dwelling unit attached to an existing single-family dwelling shall require that the construction materials and roof pitch of the addition match the construction materials and roof pitch of the existing dwelling and be architecturally compatible with the existing dwelling.

(iii) Minimum lot size, minimum lot width and minimum lot frontage do not apply to two-family dwellings or multifamily.

(iv) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structures.

(i) **R-16: Residential – 16.**

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

(2) Performance Standards.

(i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.

(j) **R-24: Residential – 24.**

(1) Purpose. To provide for high density residential use. This district allows multifamily development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

(2) Performance Standards.

(i) For purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(ii) The front yard setback shall be a minimum of 20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure.

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Lot										
Area (min. ft. unless otherwise specified)	5 acres	1 acre	30,000	15,000	7,000	4,000	3,000	n/a	n/a	n/a
Width (min. ft.)	150	100	100	100	70	40	40	30	30	30
Frontage (min. ft.)	50	50	50	50	20	20	20	20	20	20
Frontage on cul-de-sac (min. ft.)	30	30	30	30	n/a	n/a	n/a	n/a	n/a	n/a
Setback										

Residential District Summary Table

	RR	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24
Principal structure										
Front (min. ft.)	20	20	20	20	20	20	20*	20*	20*	20*
Side (min. ft.)	50	15	15	15	7	5	5	5	5	5
Rear (min. ft.)	50	30	30	30	25	25	10	10	10	10
Accessory structure										
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	50	5	3	3	3	3	3	3	3	3
Rear (min. ft.)	50	10	10	5	5	5	5	5	5	5
Bulk										
Lot Coverage (max.)	5%	15%	20%	30%	50%	60%	70%	75%	75%	80%
Height (max. ft.)	35	35	35	35	40	40	40	60	60	72
Density (min. units per acre)	n/a	n/a	n/a	n/a	2	3	5.5	8	12	16
Density (max. units per acre)	1 unit / 5 acres	1	1	2	4	<u>5.5</u>	8	12	16	n/a
Cluster Allowed	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Notes										
*20 feet for the garage portion of a principal structure and 15 feet for the remainder of the principal structure										
R-5: Min. lot area varies by building type; detached single-family – 4,000 sf, two-family attached –6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft.										
R-8: Min. lot area varies by building type; detached single-family—3,000 sf and two-family attached –6,000 sf, multifamily – 20,000 sf, civic – 20,000 sf. Min. lot width varies by building type; two-family – 60 ft., all other types – 40 ft.										
R-12: Min. lot width varies by building type; two-family – 45 ft., all other types – 30 ft.										

Section 21.03.070:

21.03.070 Mixed use districts.

(a) **R-O: Residential Office.**

(1) Purpose. To provide low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.

(2) Performance Standards. New construction, including additions and rehabilitations, in the R-O district shall be designed with residential architectural elements and shall be consistent with existing buildings along the street. "Consistent" means the operational, site design and layout, and architectural considerations described in the next subsections.

(3) Site Design, Layout and Operational Considerations.

(i) Parking. Business uses in the R-O district shall be designed and operated not to increase on-street parking in front of dwellings in the neighborhood. On-site parking shall be provided pursuant to the parking rules. On-site parking spaces shall only be located in the side and rear yards; and screened from adjacent dwellings by a solid wall, fence or vegetation having a height of not less than four feet or more than six feet (vegetation may exceed six feet in height). Fences must comply with GJMC [21.04.040\(i\)](#), any design guidelines and other conditions of approval.

(ii) Service Entrances. Service entrances, loading areas and dumpster areas shall be located only in the rear or side yard. Each loading area shall be screened from each adjacent residential use or zone.

(iii) Use of Front Yard. Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage.

(iv) Hours of Business. No uses in this district shall open earlier than 7:30 a.m. and shall close no later than 8:00 p.m.

(v) Outdoor Storage and Display. Outdoor storage and display areas associated with nonresidential uses are prohibited.

(4) Architectural Considerations.

(i) Building Alignment Along Streets. Every new building and addition shall be located so that it aligns with existing neighborhood buildings in both 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).

(ii) Building Orientation/Style. Main entrances shall open onto a street and shall align with those of adjacent residential buildings. For example, in many R-O areas, raised foundations

and steps that define the main entrance are prevailing residential characteristics. Door styles shall be similar to those found on residential dwellings.

(iii) Building Mass/Scale Proportion. Each new 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 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 dwellings.

(iv) Height. New buildings shall have the same number of stories and a height which is compatible with those of nearby dwellings. Three stories shall be the maximum subject to maximum height of 40 feet.

(v) Roof Shape. The roofs of new buildings shall be visually compatible with nearby dwellings. Roof pitch shall be at least 4:12.

(vi) Fenestration. Windows and doors shall be visually compatible with surrounding residential 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 certain residential styles in R-O district areas.

(vii) Materials. The exterior of all new buildings, additions and alterations shall be similar in size and appearance to nearby dwellings. Sign materials should be visually compatible with materials used on the building facade.

(viii) Signage. See GJMC [21.06.070\(g\)\(2\)](#) for sign standards in the R-O district.

(b) B-1: Neighborhood Business.

(1) Purpose. To provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses; a balance of residential and nonresidential uses.

(2) Performance Standards.

(i) Parking. Business uses shall be designed and operated so as not to increase on-street parking in front of neighborhood dwellings. On-site parking shall be provided.

(ii) Hours of Business. No use in this district shall open or accept deliveries earlier than 5:00 a.m. nor close later than 11:00 p.m. "Close" includes no customers on site and no deliveries.

(iii) Service Entrances. Business service entrances, service yards and loading areas shall be located only in the rear or side yard.

(iv) Outdoor Storage and Display. Outdoor storage is prohibited. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

(c) **B-2: Downtown Business.**

(1) Purpose. To provide concentrated downtown retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The B-2 district promotes the vitality of the downtown area as provided by the Comprehensive Plan. Pedestrian circulation is encouraged as are common parking areas.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Landscaping. Landscaping is required for surface parking and for the park strip in the right-of-way.

(ii) Service Entrances. Service entrances, service yards and loading areas shall be located only in the rear or side yard.

(iii) Outdoor Storage and Display. Outdoor storage and permanent displays are prohibited. Portable display of retail merchandise may be permitted subject to this code.

(4) Open Space.

(i) Public Parks and Open Space Fee. The owner of any residential or mixed use project in a B-2 zone district shall be subject to the required parks impact fee.

(ii) Open Space Requirement. Multifamily or mixed use developments in a B-2 zone district shall be required to pay 10 percent of the value of the raw land of the property as determined in GJMC [21.06.020\(b\)](#).

(d) **C-1: Light Commercial.**

(1) Purpose. To provide indoor retail, service and office uses requiring direct or indirect arterial street access, and business and commercial development along arterials. The C-1 district should accommodate well-designed development on sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Service Entrances. Building entrances to service yard and loading areas shall be located only in the rear and side yard.

(ii) Outdoor Storage and Display. Outdoor storage is not allowed within the front yard. Outdoor display of retail merchandise is permitted subject to GJMC [21.04.040\(h\)](#).

(4) Height*. Maximum height for structures in the C-1 and I-O zone districts which are north of G Road and east of 27 Road along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet, except by special permit for additional height.

(e) **C-2: General Commercial.**

(1) Purpose. To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards. Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.

(f) **CSR: Community Services and Recreation.**

(1) Purpose. To provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. The district would include open space areas, to prevent environmental damage to sensitive areas, and to limit development in areas where police or fire protection, protection against flooding by stormwater, or other services or utilities are not readily available. The CSR district would include outdoor recreational facilities, educational facilities, open space corridors, recreational, nonvehicular transportation, environmental areas and would be interconnected with other parks, trails and other recreational facilities. The district may also be used for public property, environmentally sensitive lands, and extractive uses (gravel pits) regardless of the land use designation.

(2) Performance Standards. Development shall conform to the standards established in this code. Outdoor storage areas shall comply with the standards in GJMC [21.04.040\(h\)](#), except those associated with extractive uses, in which case no screening shall be required for an extractive use unless required by Chapter [21.04](#) or [21.06](#) GJMC in order to buffer from neighborhood uses or zones.

(g) **M-U: Mixed Use.**

(1) Purpose. To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

(2) Performance Standards. Development shall conform to the standards established in this code.

(i) Refer to any applicable overlay zone district and/or corridor design standards and guidelines.

(ii) Loading/Service Areas. Loading docks and trash or other service areas shall be located only in the side or rear yards.

(iii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iv) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent

display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in Chapter [21.04](#) GJMC.

(h) **BP: Business Park Mixed Use.**

(1) Purpose. To provide for a mix of light manufacturing and employment centers, limited commercial services, and multifamily residential uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Loading Docks. Loading docks shall be located only in the side or rear yards.

(ii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in a BP district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iii) Outdoor Storage and Display. Outdoor storage shall only be located in the rear half of the lot. Permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC [21.04.040\(h\)](#).

Section 21.03.080

21.03.080 Industrial districts.

(a) I-O: Industrial/Office Park.

(1) Purpose. To provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Retail Sale Area. Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.

(ii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an I-O district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iii) Outdoor Storage and Display. Outdoor storage and permanent display areas may be located beside or behind the principal structure. For lots with double or triple frontage the side and rear yards that are to be used for permanent display areas shall be established with site plan approval. Portable display of retail merchandise may be permitted as provided in GJMC [21.04.040\(h\)](#).

(b) **I-1: Light Industrial.**

(1) Purpose. To provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Retail Sale Area. Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.

(ii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an I-1 district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iii) Outdoor Storage and Display. Portable display of retail merchandise may be permitted as provided in GJMC [21.04.040\(h\)](#).

(A) Outdoor storage and displays shall not be allowed in the front yard setback;

(B) Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;

(C) Unless required to buffer from an adjoining district, screening along all other property lines is not required; and

(D) Screening of dumpsters is not required.

(c) I-2: General Industrial.

(1) Purpose. To provide areas of heavy and concentrated fabrication, manufacturing and industrial uses which are compatible with adjacent uses, easy semi-tractor trailer access to the State highway system and/or railroads and the availability of public services and facilities. Conflicts between the I-2 district must be minimized with other uses by orderly transitions and buffers between uses.

(2) Street Design. Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

(3) Performance Standards.

(i) Retail Sale Area. Areas devoted to retail sales shall not exceed 10 percent of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.

(ii) Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an I-2 district without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare,

wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

(A) Vibration. Except during construction or as authorized by the City, an activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

(B) Noise. The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 decibels at any point on the property line.

(C) Glare. Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.

(D) Solid and Liquid Waste. All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor. Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

(E) Hazardous Materials. Information and materials to be used or located on the site, whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.

(iii) Outdoor Storage and Display. Portable display of retail merchandise may be permitted as provided in GJMC [21.04.040\(h\)](#).

(A) Outdoor storage and displays shall not be allowed in the front yard setback;

(B) Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;

(C) Unless required to buffer from an adjoining district, screening along all other property lines is not required; and

(D) Screening of dumpsters is not required.

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
--	------------	------------	------------	------------	------------	------------	------------	-----------	------------	------------	------------

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
Lot											
Area (min. ft. unless otherwise specified)	5,000	10,000	n/a	20,000	20,000	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
Width	50	50	n/a	50	50	100	100	100	100	100	100
Frontage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Setback											
Principal structure											
Front (min. ft.)	20	20	0	15	15	15	15	15	15	15	15
Side (min. ft.)	5	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	10	n/a	10	10	10	10	10	10	10	n/a
Rear (min. ft.)	10	15	0	10	10	10	10	10	10	10	10
Accessory structure											
Front (min. ft.)	25	25	25	25	25	25	25	25	25	25	25
Side (min. ft.)	3	0	0	0	0	0	0	0	0	0	0
Side – abutting residential (min. ft.)	n/a	5	n/a	5	5	5	5	5	5	5	n/a
Rear (min. ft.)	5	15	0	10	10	10	10	10	10	10	10
Other Dimensional Requirements											
Lot Coverage (max.)	70%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Height (max. ft.)	40	40	80	40	40	65	65	65	65	50	50
Density (min. units per acre)	4	8	8	12	n/a	n/a	8	8	n/a	n/a	n/a
Density (max. units per acre)	n/a	16	n/a	24	n/a	n/a	24	24	n/a	n/a	n/a
Building size (max. sf)	10,000	15,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Notes											
B-1: Max. building size varies by use; retail – 15,000 sf (unless a CUP is approved), office 30,000											
B-2: Parking setback for principal structure – 30 ft., for accessory 6 ft.; first floor min. height – 15 ft.											

Mixed Use and Industrial Bulk Standards Summary Table

	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2
C-1: Min. rear setback – 0 if an alley is present											
CSR: Maximum building height abutting residential—40 ft.											

Subsection 21.04.040(f)

(f) **Accessory Dwelling Unit.** An accessory dwelling unit (ADU) is allowed only in conjunction with a single-family use and only on a lot of 3,000 square feet or more. The ADU is not included in the density calculation. The ADU must comply with the following:

- (1) No more than one ADU is allowed in conjunction with a single-family use.
- (2) The design and location of the ADU shall be clearly subordinate to the principal structure.
- (3) The ADU must meet all requirements of the building and fire codes.
- (4) One additional off-street parking space shall be provided for the ADU.
- (5) The ADU shall share utility meters with the principal structure, except where the utility provider requires separate meters for an accessory dwelling unit.
- (6) The ADU shall not be more than 900 square feet.
- (7) The ADU shall be integrated into the site by appropriate site grading, earthwork and landscaping and be harmonious with the character of the neighborhood.
- (8) The outside appearance of the principal structure shall not be changed from that of a single-family residence.
- (9) Private entrances to the ADU shall be located on the side or rear of the residence and shall not be located on the same side of as the primary residence’s entrance.
- (10) The ADU shall not be located in front of the principal structure.
- (11) The design and construction material of the ADU shall be complementary to those of the principal structure.

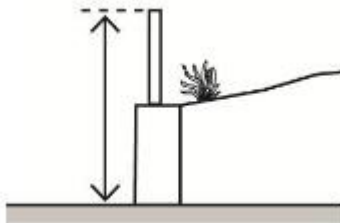
A planning clearance is required to establish an accessory dwelling unit; to obtain a planning clearance, the applicant must demonstrate that the unit will meet all the foregoing standards, limitations and requirements.

Section 21.04.040(i) (Fences) is amended as follows (deletions struck through, additions underlined):

(i) **Fences.** A fence permit is required for installation of any fence, except that a fence or wall that exceeds six feet in height and a retaining wall of four feet or higher is considered a structure requiring a planning clearance and building permit rather than a fence permit, and setbacks for structures apply (except where otherwise specifically provided). All fences, including those considered structures, shall meet the standards, limitations and requirements of this section, and shall comply with the Transportation, Engineering and Design Standards (TEDS) of this Code.

(1) Fence Height Measurement.

(i) The height of fences shall be determined by measurement from the ground level upon which the fence is located. Grade shall not be altered for the sole purpose of increasing fence height. An increase of up to two inches in height shall be allowed when spacing for drainage under the fence is needed.



(ii) For fences erected on retaining walls, the height of the retaining wall shall be included in the height of the fence.

(iii) Pillars or other support structures for a fence shall be allowed to exceed the maximum fence height by up to one foot at intervals no closer than eight feet.

(iv) The height and location requirements of this subsection may be modified as part of subdivision, planned development or conditional use approval.

(2) Fence Materials.

(i) Fences and walls shall be constructed of materials approved by the Director.

(ii) Acceptable materials include wire, wrought iron, plastic, wood and other materials with a similar look.

(iii) Unacceptable materials that are visible include glass, tires, razor wire and concertina wire, or unconventional salvaged materials or similar materials. Electric fencing shall be allowed to contain large animals.

(iv) The Director may approve materials for security facilities.

(3) Residential Districts. Fences in all residential zones, including the residential office (R-O) district, shall meet the following standards:

(i) Fences in the required front yard setback shall not exceed 30 inches in height. Such fences may be increased to 48 inches maximum height if the fencing material is at a ratio of two-thirds open space to one-third closed space per square foot for that part of the fence extending above the 30-inch height.

(ii) Unless the approval of the development required a landscape strip, fences up to six feet in height are permitted within front yard setbacks along arterial or major collector roads, except those portions within a designated Neighborhood Center, Village Center, Downtown or Mixed Use Opportunity Corridor on the Future Land Use Map of the Comprehensive Plan, provided they are in accordance with adopted corridor overlay zone standards, TEDS (GJMC Title [29](#)) and all other engineering standards and meet the following minimum standards:

(A) Fences or walls four feet or less in height consisting of an open design that has at least two-thirds open space to one-third closed space (e.g., picket and split rail fences), or a decorative wall, with no required landscape strip;

(B) Fences or walls over four feet in height with a minimum five-foot-wide planting strip between the fence or wall and right-of-way. The landscaped strip shall contain at least one tree per 40 feet and have adequate ground cover; or

(C) Perimeter fences and walls in new developments must meet the requirements of GJMC [21.06.040\(g\)](#), Residential Subdivision Perimeter Enclosures.

(iii) On that part of the lot other than the required front yard setback area, fences may be erected to six feet in height. Fences within a required principal structure setback exceeding six feet in height require a special permit (see GJMC [21.02.120](#)). Fences meeting principal structure setbacks shall not exceed eight feet in height without a special permit.

(iv) On corner lots, that part of a backyard fence that extends to and along the side property line on the street side may be six feet high, but are subject to the provisions of TEDS (GJMC Title [29](#)) and other engineering standards.

(4) Nonresidential Districts. Fences in all nonresidential districts shall meet the following standards.

(i) Location of these fences must be approved by the City Engineer to ensure that adequate sight distance is maintained.

(ii) On those sites located within a designated Neighborhood Center, Village Center, Downtown or Mixed Use Opportunity Corridor on the Future Land Use Map of the Comprehensive Plan, fences in the required front yard setback area shall not exceed 30 inches in height. Such fences may be increased to 48 inches maximum height if the fencing material is at a ratio of two-thirds open space to one-third closed space per square foot for that part of the fence extending above the 30-inch height.

(iii) In all other nonresidential district locations, fences to a height of six feet shall be located outside the front yard setback. Fences which are 30-inch solid height or four feet in height if two-thirds open may be located within the front yard setback. The addition of not more than three strands of barbed wire shall be allowed and shall not be considered in the height calculation.

(5) Maintenance. All fences and walls shall be maintained in good repair. Fences in common areas of subdivisions shall be so maintained by the property owners' association.

Section 21.06.060(f)(2):

(2) Flag Lots.

(i) Each flag lot shall have at least 25 feet of street frontage; provided, that the Director may require an access easement 50 feet wide where public right-of-way may be needed to access future development. Said easement and irrevocable offer of dedication of right-of-way 50 feet wide shall run the full depth of the lot or lots.

(ii) The use of flag lots is discouraged. If no reasonable design alternative exists, the Director may allow one flag lot in a subdivision of four or fewer lots. If no reasonable design alternative exists, not more than 15 percent (round any fraction down to the next whole number) of the lots within a subdivision containing five or more lots are to be flag lots. If allowed, flag lots must be paired with the "poles" abutting to require the use of a common driveway. No more than two flag lots shall be contiguous.

(iii) The "flag" portion of a flag lot shall meet the minimum lot size of the applicable zone district. For purposes of this area calculation, the area of the "pole" is not counted. The decision-maker may increase the setbacks for the "flag portion" of a flag lot, to be noted on the plat.

(iv) Driveways shall be designed to allow vehicles to exit driving forward.

- (v) As an alternative to paired flag lots, the Director may require a shared driveway if it meets the shared driveway standards.

Section 21.06.070(h):

(h) **Sign Standards by Zone.** The following restrictions and requirements apply to permanent signs in the given zone districts. Regardless of the zone district, property containing a non-residential use that abuts an arterial street may be permitted to have one monument style sign on one such frontage that meets the requirements of Subsection (3) below (Business, Commercial and Industrial Zones).

(1) Residential Zones.

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

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

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

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

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

(2) Residential Office Zone.

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

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

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

cannot be transferred to another street frontage. Monument signs shall not exceed eight feet in height.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 21.06.100(d)(12):

(12) Each residence shall provide and maintain four off-street parking spaces, two of which may be within a garage or carport. No front loading garage or carport may be closer than ~~30~~ 20 feet to the front lot line. Individual driveways must have a five-foot radius fillet on driveway corners.

Section 21.04.010, row for the Use Category “Retail Sales and Service,” and Principal Use “General Retail Sales, Indoor Operations, Display and Storage” ONLY [all other rows remain the same]:

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																									
Retail Sales and Service	General Retail Sales, Indoor Operations, Display and Storage												A	A	A	A		A	A						21.04.030(l) & 21.04.020(r)