

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. 3385

**AMENDING THE ZONING AND DEVELOPMENT CODE
STANDARDS FOR TRANSIT SHELTERS AND BENCHES**

Recitals.

These changes to the Zoning and Development Code establish rules for advertising on transit benches and shelters, and rules for the siting of transit shelters and benches and the allowance of advertising on transit shelters and benches. Mesa County is operating a transit system in the central Grand Valley, including routes within the city. These rules change the existing City Zoning and Development Code to allow some advertising on transit benches and shelters.

The Planning Commission, at their September 18, 2001 hearing, recommended approval of the amendments.

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

The Zoning and Development Code is hereby amended by:

1. Adding the underlined words to Section 4.2.C.1.I:

4.2.C.1.I Transit Shelter and Bench Signs. A sign on or incorporated within a City-approved transit shelters or transit bench. The requirements and specifications that apply to each transit shelter and bench are found in Section 4.3.S., Transit Shelters and Benches for use specific standards.

2. By adding the following definitions to Section 9.32:

Transit Operator: The person or entity authorized to operate a transit system pursuant to either a revocable permit or a license; such person or entity may also be termed "permittee."

3. By adding a new section 4.3.S:

4.3.S Transit Shelters and Benches

1. A permittee shall only locate a transit shelter or bench at designated bus stops on designated bus routes.
2. The permittee shall remove each shelter and bench within 30 days after the transit stop or route is no longer designated.

3. The permittee shall only place a transit shelter or bench if it anchored to a concrete pad or equivalent that is approved by the City Engineer.
4. The permittee shall only place or locate shelters and benches within the public right-of-way unless the City Engineer approves placement on private property. The permittee shall deliver the owner's written consent to such placement.
5. The permittee shall not place or locate or use any shelter or bench until the City has issued its planning clearance. The planning clearance shall not be valid unless any necessary license or revocable permit has also been issued and is valid. The planning clearance shall identify the boundaries of the shelter site.
6. The permittee shall comply with the American's With Disabilities Act and the applicable regulations.
7. The permittee shall provide regular maintenance and cleaning of all shelters and benches in accordance with the permittee's proposed maintenance schedule, as approved by the City Engineer. At a minimum, the permittee shall clean and maintain each shelter and bench and shelter and bench site twice each calendar week. The permittee shall continuously maintain each shelter and bench site to a good and workmanlike state, including but not limited to general repair, painting, removal of graffiti, removal of trash and debris and maintenance of lawn or landscaping around the shelter and bench area. The permittee shall clean and maintain shelters and benches within twenty-four (24) hours when requested by the City Engineer, Director or other City official.
8. The permittee shall diligently and continuously inspect, repair and replace as needed each shelter and bench so that no safety hazard exists at or on any shelter or shelter site or bench. In any event, the permittee shall remedy any such problem immediately when notified by a citizen, transit user or the City.
9. Before placement or construction, the permittee shall have obtained the City Engineer's approval of the permittee's proposed site plan of each transit shelter and bench site.
10. The permittee shall not place, locate or construct a shelter or bench within state or CDOT right-of-way without first having obtained a permit therefor from CDOT and having delivered a copy thereof to the City Engineer.

11. Unless the City Engineer approves otherwise in writing, the permittee shall not place any shelter or bench within five feet of any curb and/or gutter or in an area where the speed limit is 35 miles per hour or less. The City Engineer is not authorized to reduce said setback to be less than 3 ½ feet from the curb and/or gutter.
12. Unless the City Engineer approves otherwise in writing, when there is no curb and/or gutter or the posted speed limit is greater than 35 miles per hour, the permittee shall not place a shelter or bench within 10 feet of the edge of pavement or the traveled portion, whichever is closer. The City Engineer is not authorized to reduce said setback to less 5 feet from the edge of pavement or traveled portion.
13. The permittee shall not place any shelter or bench in a way which impedes pedestrian, bicycle, wheelchair, or motor vehicle travel. Site distance limitations also apply. No vertical or other supports for a shelter or bench shall be located closer than 1 foot from any portion of any sidewalk or other pedestrian way.
14. The permittee shall not place a bench or shelter on City property other than right-of-way without first obtaining the approval of the Director.
15. The permittee shall abide by and enforce the following rules: the amount or size of the sign (i.e. advertising) on each transit shelter shall be limited to two side panels (two sign faces) on the transit shelter, each of which shall not exceed 48" wide and 72" high; the advertising panels shall only be illuminated by "back lighting" using fluorescent bulbs; the Director may limit the lumens of any bulbs. Shelter lighting shall be operated and maintained so it does not shine at, create glare for or constitute a hazard to pedestrians, bicyclists or motorists. A third advertising panel may be provided along the rear of the transit shelter but only for public service messages or other public purposes as exempted in Section 4.2.C.
16. The permittee shall not place a bench or shelter with a sign or advertising on or incorporated into it except on a principal arterial, minor arterial, major collector or designated Dial-A-Ride stop; provided the adjacent property is not zoned for residential use.
17. For purposes of this Section 4.3.S, these road classifications are as approved by the City in the Grand Valley Circulation Plan.

18. The permittee shall not place or use a transit shelter or bench with a sign or incorporated advertising within the Main Street Shopping Park bounded by 2nd Street and 7th Street or within the North 7th Street Residential Historic District.
19. Transit Benches
 - a. Normally, one bench may be allowed by the City Engineer at each designated transit stop, however, s/he may authorize a second bench if the Permittee demonstrates a need based on rider-ship data.
 - b. The permittee shall ensure that each bench is located on a concrete pad sufficient in size to accommodate the bench supports and that there is 2 feet of foot space along the front of the bench.
 - c. The permittee may orient benches towards approaching traffic at an angle not to exceed 30 degrees from parallel to the traveled portion of the right-of-way.
 - d. The permittee shall ensure that no transit bench is located further than 20 feet from a stop.
 - e. The permittee shall not replace nor install any bench after the date hereof unless permittee has first obtained the written approval of the City Engineer.
 - f. The permittee shall ensure that each bench is constructed and maintained using a "break-away" anchor design. The City Engineer may specify the specifications of such design for all benches.
 - o. The permittee shall ensure that the only sign or advertising on any bench is limited to a single face oriented to and parallel with the traveled portion of the right-of-way. The single sign face shall not exceed 12 square feet in size with a maximum height of 2 feet. Each bench sign shall not be illuminated nor reflective.

Introduced on first reading this 3rd day of October, 2001.

PASSED and ADOPTED on second reading this 17th day of October, 2001.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s Cindy Enos-Martinez
President of the Council