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**CITY COUNCIL AGENDA
WEDNESDAY, MARCH 20, 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, Moment of Silence

Proclamations

Proclaiming April 14 - April 20 as National Telecommunicators Week in the City of Grand Junction

Proclaiming March 31, 2019 as Cesar Chavez Day in the City of Grand Junction

Proclaiming April 2019 as Water Conservation Month in the City of Grand Junction

Appointments

To the Commission on Arts and Culture

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

Council Reports

CONSENT AGENDA

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

1. Approval of Minutes

- a. Summary of the March 4, 2019 Workshop
- b. Minutes of the March 6, 2019 Regular Meeting

2. Set Public Hearings

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

- a. Legislative
 - i. Introduction of an Ordinance Amending Ordinance No. 3641 and an Ordinance Amending the Zoning and Development Code concerning Infrastructure Standards, Transportation Capacity Payments Including Calculations Thereof, Credit and Approving Consumption-Based Calculation Methodologies and Setting a Public Hearing for April 3, 2019
- b. Quasi-judicial
 - i. Introduction of an Ordinance Zoning the Hosanna Annexation R-8 (Residential - 8 du/ac), Located at 743 24 3/4 Road, and Setting a Public Hearing for April 3, 2019
 - ii. Introduction of an Ordinance Zoning the Arlington Annexation R-4 (Residential - 4 du/ac), Located at 265 Arlington Drive, and Set a Public Hearing for April 3, 2019

- iii. 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 Maverick Estates Annexation of 22.38 Acres, Located at 2428 H Road
- iv. Introduction of an Ordinance Amending Ordinance No. 3981, Planned Development for Corner Square, Located at 2525 Meander Court, and Setting a Public Hearing for April 3, 2019

3. Contracts

- a. Construction Contract for the 2019 Sewer Interceptor Rehabilitation Project

4. Resolutions

- a. A Resolution Concerning the Issuance of a Revocable Permit to Downtown Grand Junction REgeneration, LLC to Allow for Eaves of New Homes to Overhang the White Avenue and North 8th Street Rights-of-Way adjacent to Lot 2 R5 Block Subdivision Amended
- b. A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the 2019 Gray and Black Market Marijuana Enforcement Program
- c. A Resolution Authorizing the Application of the 2019-2020 Peace Officers Mental Health Grant
- d. A Resolution Authorizing an Addendum to the 2018 Gray and Black Market Marijuana Enforcement Grant

5. Other Action Items

- a. Chip Spreader Purchase
- b. Purchase Vactor Sewer Jet Truck
- c. Purchase Side Load Refuse Truck

REGULAR AGENDA

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

6. Public Hearings

a. Quasi-judicial

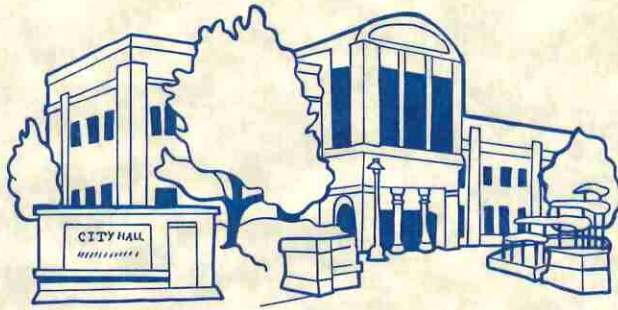
- i. Public Hearing of an Ordinance Amending Ordinance No. 4508 for the Planned Residential Development - North 7th Street to Disallow the Use of Vinyl Fencing on Properties Within the District

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



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** the Grand Junction Regional Communication Center is the regional Public Safety Answering Point for all of Mesa County, serving over 150,000 residents and two million visitors annually and providing dispatch services to 23 public safety agencies within Mesa County; and
- Whereas,** 9-1-1 public safety telecommunicators handle more than 330,000 calls annually and are critically important public safety personnel who quickly identify the location and problem of the 9-1-1 caller, and provide direction to keep callers safe or medical instruction prior to the ambulance's arrival; and
- Whereas,** the telecommunicators dispatch more than 150,000 calls for service annually to law enforcement, fire and EMS while providing critical information to responding units, helping them prepare for their arrival; and
- Whereas,** the Communication Center provides tactical dispatchers who respond to the scene supporting the incident commander for out-of-control fires or SWAT incidents for barricaded subject or school lockdowns; and
- Whereas,** our telecommunicators notify the public when critical law enforcement or fire events occur in their areas and provide instructions for evacuation or shelter in place; and
- Whereas,** the telecommunicators of the Grand Junction Regional Communication Center are the initial responders who provide a voice in the darkness and calm in the chaos.

NOW, THEREFORE, I, Barbara Traylor Smith, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of April 14 through April 20, 2019 as

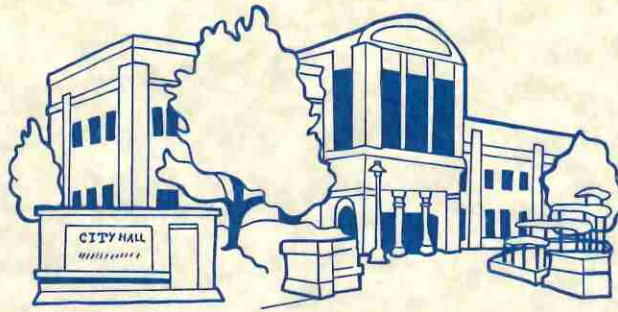
"National Public Safety Telecommunicators Week"

in the City of Grand Junction and call upon all citizens to help recognize and support the goals and ideals of National Public Safety Telecommunicators Week; honor and recognize the importance and contributions of the Nation's public safety communications professionals; and encourage the people of the United States and our community to remember the value of the work performed by public safety communications professionals.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of March, 2019.

Mayor



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** César Chávez has become an enduring symbol of our nation's commitment to encourage progress, create opportunity, and expand development at the grass roots level in the developing world; and
- Whereas,** on his birthday we celebrate a man who reminded us, that we all share a common humanity, each of us having our own value and contributing to the same destiny, and we carry forward his legacy by echoing his peaceful and eloquent calls for a more just and equal society; and
- Whereas,** César Chávez demonstrated that true courage is revealed when the outlook is darkest and the resistance is strongest, and we will find it within ourselves to stand up for what we believe in; and
- Whereas,** in the face of extraordinary adversity and opposition, he stood up for the inherent dignity of every person, no matter their race, color, creed, or sexual orientation, and for the idea that when workers are treated fairly they give meaning to our founding ideals; and
- Whereas,** we will also keep up our efforts to reform our nation's broken immigration system so more people can contribute to our country's success; and
- Whereas,** today, we honor César Chávez by continuing to fight for what he believed in, including a living wage for workers and their right to unionize and provide for their family. Workers should have a safe workplace and the comfort of knowing that if they work hard, they can feed their families, earn decent benefits, and gain the skills they need to move up and get ahead.

NOW, THEREFORE, I, Barbara Traylor Smith, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim March 31, 2019 as

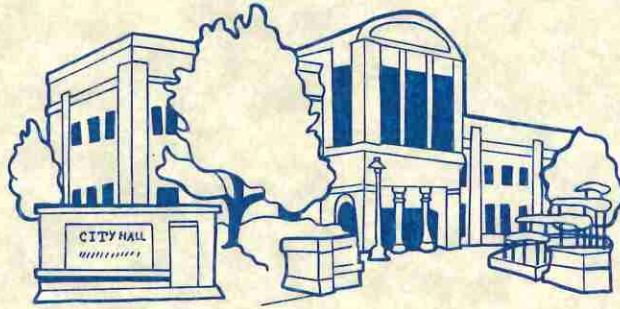
"Cesar Chavez Day"

in the City of Grand Junction and invite our community to reach for the America he knew as possible - one in which hard work is rewarded, prosperity is shared, and equal opportunity is the right of all our people.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of March, 2019.

Mayor



City of Grand Junction, State of Colorado

Proclamation

- Whereas,** the City of Grand Junction and its partner water providers - Ute Water Conservancy District and Clifton Water - continue to explore ways to manage consumption of water, and to inspire community members to care for our natural resources; and
- Whereas,** Grand Junction is located in an arid climate where drought is a critical and ever-present factor in water use; and
- Whereas,** municipal and other water providers can engage in efforts to inspire our community, as well as our neighboring communities, to become better environmental stewards; and
- Whereas,** the eighth annual National Mayor's Challenge for Water Conservation presented by the Wyland Foundation and Toyota, is a healthy, non-profit competition between cities across the US for water use reduction; and
- Whereas,** with the encouragement of City Council, residents may register their participation in the Challenge, by making an online pledge to decrease their water use for a period of one year; and
- Whereas,** as part of the competition with other cities across the US, our community and participants stand to benefit from winning prizes and garnering recognition as a result of our participation; and
- Whereas,** as a result of the competition, Grand Junction hopes to be among the winning cities, but more importantly, hopes to spread more understanding about the importance of water conservation; and
- Whereas,** from April 1- 30, 2019, the City of Grand Junction wishes to inspire its residents and its neighboring communities to take the "Wyland Mayor's Challenge for Water Conservation" by making a series of online pledges at mywaterpledge.com to reduce their impact on the environment and to see savings in their water bills;

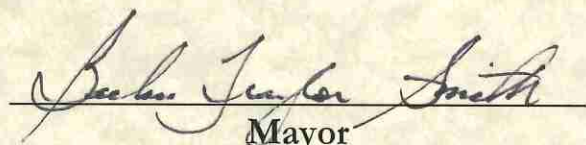
NOW, THEREFORE, I, Barbara Traylor Smith, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 2019 as

"Water Conservation Month"

in the City of Grand Junction, in support of the Wyland Mayor's Challenge for water conservation and encourages all residents to take an active role in water conservation, both during April as well as all year, by signing an online pledge to reduce water consumption.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 20th day of March, 2019.


Mayor



Grand Junction City Council

Regular Session

Item #

Meeting Date: March 20, 2019

Presented By: Wanda Winkelmann, City Clerk

Department: City Clerk

Submitted By: Wanda Winkelmann

Information

SUBJECT:

To the Commission on Arts and Culture

RECOMMENDATION:

Appoint members to the Commission on Arts and Culture

EXECUTIVE SUMMARY:

There are four vacancies on the Commission on Arts and Culture.

BACKGROUND OR DETAILED INFORMATION:

Vacancies are due to terms expiring and resignations.

FISCAL IMPACT:

N/A

SUGGESTED MOTION:

I move to (appoint/not appoint) the interview committee's recommendations to the Commission on Arts and Culture.

Attachments

None

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY

March 4, 2019

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

Meeting Adjourned: 8:15 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, Community Development Director Tamra Allen, Principal Planner Dave Thornton, Public Works Director Trent Prall, Community Services Manager Kathy Portner, Assistant to the City Manager Greg LeBlanc, and City Clerk Wanda Winkelmann.

Agenda Topic 1. Discussion Topics

a. Off Highway Vehicle Usage on City Streets

Mr. Caton welcomed members of the Planning Commission to tonight's workshop and introduced the topic.

Mr. Lewis Baker reviewed the request by Adrenaline Driven Adventure Company (ADAC) to allow their fleet of vehicles to be driven directly from their facility on Horizon Drive to Off Highway Vehicle (OHV) recreation areas. Mr. Baker described the proposed route from ADAC to the roundabout at H Road and reviewed their safety rules. This request would require a change to the City Code.

Discussion followed about transporting customers to the recreation areas, the Bureau of Land Management's (BLM's) trail management plan, past requests from dealers and others for a similar Code amendment, utility vehicle recreation zones, and impacts on traffic.

Mr. Baker stated this proposal is for a pilot and alternatives would be considered if necessary.

Support was expressed to have staff explore possible regulations that would allow OHV on certain City streets.

b. Interstate 70 Business Loop Update

Public Works Director Trent Prall introduced the Colorado Department of Transportation (CDOT) representative Rob Beck, Grand Junction Resident Engineer. CDOT has been working on expansion of the Interstate 70 Business Loop (I-70 B) corridor from 24 Road to 15th Street. The first four phases of improvements have been completed from 24 Road to American Way. Phase 5 is proposed to improve the intersection of 1st and Grand, west to Mulberry Street, east to 2nd Street, and south to White Avenue. Funding for this phase appears to be in place for 2021 construction start. CDOT will be scheduling public meetings to discuss the project later this year. Phase 6 would reconstruct the corridor from White Avenue to 5th Street.

Discussion ensued about the past study regarding multi-modal transportation and the amount of time spent by Council to provide input, CDOT's access plan, the input from the Downtown Development Authority (DDA) about the design and plan, and future public meetings.

Support was expressed for a future presentation from CDOT to City Council to provide additional project details.

c. Transportation Impact Fees / Growth and Development Policy

Mr. Caton introduced the topic. Mr. Prall reviewed roadway expansion and how population increases and housing demand impact the transportation system. There are about \$184 million in projects needed for transportation infrastructure. To generate revenue for the projects, there are three approaches: new revenue, existing sales tax, and update the transportation impact fee.

Two transportation infrastructure policies were reviewed: Growth Management and Street Policy and Transportation Capacity Fee. On-site and off-site improvements were discussed. Mr. Prall outlined the outreach conducted and the comments received to date.

Recommendations for the Street Policy:

1. Revise minimum access to include on-site safety only
2. Implement January 2020

Recommendations for the Impact Fees:

1. Current redevelopment area - 50% reduced TCP

The schedule provides for first reading at City Council on March 20, public hearing at Planning Commission on March 26, and second reading / public hearing at City Council on April 3.

Discussion followed about the schedule to implement the fees, housing affordability, housing supply and demand, comprehensive fee assessment, phase-in schedule, business cycles, and incentivizing redevelopment areas.

Mr. Caton noted this has been a collaborative process and appreciates the cooperation and feedback from all partners and stakeholders.

A break was called for at 7:50 p.m. The Workshop resumed at 8:00 p.m.

Agenda Topic 2. Next Workshop Topics

Currently the agenda for the March 20 Workshop has not been set.

3. Other Business

Mr. Caton noted that testimony is being taken tomorrow at Colorado Mesa University (CMU) regarding Senate Bill 19-181, a bill concerning public welfare protections regarding the conduct of oil and gas operations.

Support was expressed for the City to oppose the bill.

Adjournment

The Workshop adjourned at 8:15 p.m.

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

March 6, 2019

Call to Order, Pledge of Allegiance, Invocation

The City Council of the City of Grand Junction convened into regular session on the 6th day of March, 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 Selestina Sandoval.

Council President Traylor Smith called the meeting to order. Councilmember McArthur led the Pledge of Allegiance which was followed by the invocation given by Thomas Gibson, Life Tabernacle Pastor.

Certificate of Appointments

To the Planning Commission/Zoning Board of Appeals

Phyllis Norris presented Steven Tolle with his certificate of reappointment to the Planning Commission and Sam Susuras and Ken Scissors with their certificates of appointment as 1st and 2nd Alternates to the Planning Commission and the Zoning Board of Appeals.

Citizen Comments

Ricki Howie spoke about her concern with a recent Colorado Open Records Act (CORA) request.

City Manager Report

City Manager Caton reported that the City of Grand Junction received an award as a Pace Setter for the United Way Campaign for innovative workplace campaign techniques.

Council Reports

Councilmember Taggart reported that he attended several Grand Junction Regional Airport meetings, participated in the search committee for the Executive Director of the Sports Commission, attended the Homeless Coalition meeting, and Building Better Colorado.

Councilmember Kennedy addressed the CORA citizen comment.

Councilmember Norris attended numerous meetings for boards that she is assigned to and presentations on ballot Items 2A and 2B.

Councilmember McArthur attended the Homeless Coalition meeting, Lincoln Park open house for the golf course, Planning and Environmental Linkages Study open house for the 29 Road Interchange, and the Alzheimer's' Association open house.

Councilmember Wortmann spoke of the Lincoln Park club house renovation and the work involved, he attended the Building Better Colorado meeting, One Riverfront meeting, and lauded Steve Phillips for his letter in support of the ballot measures.

Councilmember Boeschenstein went to the Business Incubator meeting and spoke of their log cabin visitor center, attended presentations on the tax proposals to Horizon Drive Association Business Improvement District and the Business Incubator Board, and attended the Colorado House Hearing on Drilling and Energy.

Council President Traylor Smith spoke of her trip to Austin, Texas and compared it to the City's infrastructure needs going forward and the importance of planning ahead to stay abreast of the needs of the community in relation to the ballot measures.

City Manager Caton spoke about CORA requests and how the City has improved the system to process email requests.

City Attorney Shaver clarified the CORA law and penalties and spoke directly to the CORA request addressed by the citizen comment.

CONSENT AGENDA

Councilmember Kennedy moved to adopt Consent Agenda items #1 through #2. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by voice vote.

1. Approval of Minutes

- a. Minutes of the February 20, 2019 Executive Session
- b. Minutes of the February 20, 2019 Regular Meeting

2. Contracts

- a. Authorize the City Manager to Execute a Contract with Mesa County for Building Permitting, Inspection, and Contractor Licensing Services
- b. Acquire VMWare NSX Platform Virtual Networking and Security Software through Re-seller Venture Technologies

REGULAR AGENDA**Resolution Supporting Ballot Measure 2A Regarding Transportation Needs**

In the upcoming election, City voters will decide whether to approve an additional sales and use tax of 0.25% to fund transportation network improvements. If ballot measure 2A is approved, the city-wide sales and use tax will increase from two and three quarter percent (2.75%) to three percent (3.00%).

Councilmembers Kennedy, Norris, Boeschenstein, and McArthur spoke of the importance to keep ahead of the projected growth by developing the infrastructure and roads to support future needs.

Councilmember Kennedy moved to adopt Resolution No. 15-19, a resolution in support of ballot question 2A, a measure submitted to the Electorate on April 2, 2019 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 Boeschenstein seconded the motion. Motion passed by unanimous roll call vote.

Resolution Supporting Ballot Measure 2B Regarding First Responder Needs

In the upcoming election, City voters will decide whether to approve an additional sales and use tax of 0.50% to fund police, fire and emergency medical services (EMS). If ballot measure 2B is approved, the city-wide sales and use tax will increase from two and three quarter percent (2.75%) to three and one quarter percent (3.25%).

Councilmember Norris spoke of her support of this measure and the importance to our community to support our first responders. Councilmember Kennedy also voiced his support on this measure and said it was very much overdue. Councilmember McArthur reiterated the importance of first responders and the impact to communities that are under-served. Council President Traylor Smith spoke of the flat tax revenue and response times for emergency services.

Councilmember Kennedy moved to adopt Resolution No. 16-19, a resolution in

support of ballot question 2B, a measure submitted to the Electorate on April 2, 2019 to authorize an additional City Sales and Use Tax of .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. Councilmember Wortmann seconded the motion. Motion passed by unanimous roll call vote.

Public Hearing - An Ordinance Establishing an Institutional and Civic Master Plan for the Grand Junction Regional Airport, Amending Ordinance No. 3679 for Planned Development and Outline Development Plan and an Ordinance Vacating a Portion of the 27 1/4 Road Right-of-Way Adjacent to Airport Property

The proposed Institutional and Civic Master Plan for the Grand Junction Regional Airport includes two components: the 2009 Airport Master Plan Update and the 2011 Terminal Area Plan and 2017 Amendment. The update addresses forecasting of future aviation activity, which serves as the basis for the facility improvements necessary to meet the needs. The Terminal Plan includes both the long term needs for the replacement of the terminal building, as well as the near-term improvements needed to maintain safe and efficient operation of the existing building until funding is available for its replacement.

Community Services Manager Kathy Portner presented this item.

Angela Padalecki, Executive Director of Grand Junction Regional Airport, was present to answer questions.

Discussion ensued about the unfinished building, optional funding, and the requirement of aviation easements.

The public hearing was opened at 6:46 p.m.

Ed Kowalski asked about the unfinished administration building.

The public hearing was closed at 6:50 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4834, an ordinance approving the Grand Junction Regional Airport Institutional and Civic Master Plan and amending Ordinance No. 3679, Planned Development for the airport property and Ordinance 4835, an ordinance vacating a portion of the 27 1/2 Road right-of-way adjacent to airport property on final passage and ordered final publication in pamphlet form. Councilmember Taggart seconded the motion. Motion carried unanimously by roll call vote.

Public Hearing - A Resolution Accepting the Petition for Annexation of 19.76 Acres of Land and Ordinances Annexing and Zoning the South Twenty Annexation to R-4 (Residential - 4 du/ac) and R-8 (Residential - 8 du/ac) Located at 2335 H Road

The Applicant, South Twenty, LLC, is requesting to annex and zone 19.76 acres located at 2335 H Road. The proposed annexation will be conducted as a two-part "Serial Annexation" in order to gain one-sixth contiguity per State statute. The proposed annexation also includes an additional 0.441 acres of the adjacent H Road. Of this 0.441 acres of H Road, 0.09 acres would be considered as right-of-way by use and not fully dedicated. The subject property is currently vacant and located on the south side of H Road. The owners are requesting annexation in anticipation of future residential subdivision development for the property, which is anticipated to constitute "annexable development" and as such is required to annex in accordance with the Persigo Agreement.

Senior Planner Scott Peterson presented the request for annexation.

Conversation ensued about right-of-way inclusion for services, sewer development, improvements to intersections of 23 and G Road and 23 and H Road to make them safer in connection with the streets and growth policy, the Persigo Agreement, and affordable housing.

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

There were no comments.

The public hearing was closed at 7:15 p.m.

Councilmember Kennedy moved to adopt Resolution No. 17-19, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the South Twenty Annexation, located at 2335 H Road, is eligible for annexation, Ordinance No. 4836, an ordinance annexing territory to the City of Grand Junction, Colorado, South Twenty Annexation approximately 20.18 acres, located at 2335 H Road, on final passage and ordered final publication in pamphlet form and Ordinance No. 4837, an ordinance zoning the South Twenty Annexation to R-4 (Residential - 4 du/ac) and R-8 (Residential - 8 du/ac), located at 2335 H Road, on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Rezoning Two Properties from M-U (Mixed Use) to C-2 (General Commercial) Located at 746 23 ½ Road

The applicant, Western Slope Properties, LLC, is requesting the rezone of two properties totaling 20.2 acres. The properties include an 18.673 acre property at 746 23 ½ Road and a contiguous unaddressed parcel to the north at 1.533 acres. The applicant is proposing to rezone the properties from M-U (Mixed Use) to C-2 (General Commercial) in anticipation of future development of an RV resort. The requested C-2 zone district is consistent with the Comprehensive Plan Future Land Use designation of Commercial/Industrial.

Associate Planner Andrew Gingerich presented the item.

Lisa Cox with Vortex Engineering presented on behalf of the applicant.

Discussion encompassed the potential for an RV Park and accessibility to the property.

The public hearing opened at 7:32 p.m.

There were no public comments.

The public hearing closed at 7:32 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4838, an ordinance rezoning the Western Slope Properties, LLC properties from M-U (Mixed Use) to C-2 (General Commercial), located at 746 23 ½ Road on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Vacating a Portion of the Kimball Avenue Right-of-Way and a Portion of a Multi-Purpose Easement, along Properties Located at 1015 and 1101 Kimball Avenue

The applicant, Southside Leasing, LLC is requesting the vacation of a four-foot portion of Kimball Avenue and the vacation of the existing multi-purpose easement. The right-of-way (ROW) of Kimball Avenue consists of a 55-foot ROW dedication. The property line that would be re-located is on the north side of the two lots that compose this site of which the westerly lot is currently undeveloped and addressed as 1015 Kimball Avenue and the easterly parcel being addressed as 1101 Kimball Avenue and contains the historic Sugar Beet Factory. The resulting vacation, as proposed, would create a 51-foot wide ROW and an 8-foot-wide multi-purpose easement (MPE) for approximately 1,177 feet of the length of the properties. Kimball Avenue is designated a local street.

Planner Tom Dixon presented the item.

Lisa Cox with Vortex Engineering represented the applicant.

The public hearing was opened at 7:46 p.m.

There were no public comments.

The public hearing was closed at 7:46 p.m.

Councilmembers Norris and Boeschstein commented that they are excited to see this area developed.

Councilmember Kennedy moved to adopt Ordinance No. 4839, an ordinance vacating a four-foot portion of the Kimball Avenue public right-of-way and reduce the 14-foot-wide MPE to eight (8) feet on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried unanimously by roll call vote.

Public Hearing - An Ordinance Rezoning Two Properties from R-16 (Residential 12-16 du/ac) to R-24 (Residential 24+ du/ac) Located at 1213 North 15th Street and 1420 Glenwood Avenue

The Applicant, W&C Stocker Family Trust, is requesting the rezone of the combined 0.62-acre properties (total) located at 1213 North 15th Street and 1420 Glenwood Avenue from the R-16 (Residential, 12-16 du/ac) to the R-24 (Residential, 24+ du/ac) zone district in anticipation of future multi-family residential development. The requested R-24 zone district is consistent with the Comprehensive Plan Future Land Use designation of Village Center.

Planner Tom Dixon presented this item.

Lisa Cox with Vortex Engineering represented the applicant and reiterated the information in Staff's report.

The public hearing opened at 8:04 p.m.

Nick Allen inquired about the existing barn on this property as it may be a historical building.

The public hearing closed at 8:06 p.m.

Comments were made about cleaning up this area of town and the possibility of preserving the wood and doors of the barn.

Councilmember Kennedy moved to adopt Ordinance No. 4840, an ordinance zoning properties at 1312 North 15th Street and 1420 Glenwood Avenue from R-16 (Residential 12-16 du/ac) to R-24 (Residential 24+ du/ac) on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried unanimously by roll call vote.

Public Hearing - An Ordinance Vacating a Portion of the Dos Rios Drive and C³/₄ Road Right-of-Way Within the Jarvis Subdivision Plat Located at 2595 Riverside Parkway

The City-owned 60-acre site, located between Highway 50 and the Riverside neighborhood along the Colorado River, was recently platted to accommodate future redevelopment. Dos Rios Drive was dedicated on the original plat to provide access from Riverside Parkway to the pre-existing C ³/₄ Road right-of-way. Refinements to the Dos Rios development plan necessitate the slight realignment of Dos Rios Drive and C ³/₄ Road to accommodate the redevelopment.

Community Services Manager Kathy Portner presented this item.

The public hearing was opened at 8:11 p.m.

There were no comments.

The public hearing was closed at 8:11 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4841, an ordinance vacating a portion of the Dos Rios Drive and C ³/₄ Road right-of-way within the Jarvis Subdivision Plat, located at 2595 Riverside Parkway on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried unanimously by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:12 p.m.

Wanda Winkelmann, MMC
City Clerk



Grand Junction City Council

Workshop Session

Item #2.a.i.

Meeting Date: March 20, 2019

Presented By: Trent Prall, Public Works Director

Department: Public Works - Engineering

Submitted By: Trent Prall, Public Works Director
Tamra Allen, Community Development Department Director

Information

SUBJECT:

Introduction of an Ordinance Amending Ordinance No. 3641 and an Ordinance Amending the Zoning and Development Code concerning Infrastructure Standards, Transportation Capacity Payments Including Calculations Thereof, Credit and Approving Consumption-Based Calculation Methodologies and Setting a Public Hearing for April 3, 2019

EXECUTIVE SUMMARY:

The TCP and the associated Growth and Development Related Street Policy have been in place since 2004. TCP fees, also known as Transportation Impact Fees, have been reviewed and updated based on a process that was led by the Grand Valley Metropolitan Planning Organization (GVMPO). The updated study was presented to City Council and Planning Commission at the December 3, 2018 workshop and a second workshop again with both City Council and Planning Commission held on March 4, 2019. Based on discussion and direction, Staff has prepared an ordinance updating the TCP fees with a three year implementation schedule and an implementation of 2021 for development constructing safety improvements as part of their required infrastructure.

BACKGROUND OR DETAILED INFORMATION:

In 2004, the City adopted Ordinance No. 3641 that provided the approach for calculation and collection of the City's Transportation Capacity Payment (TCP) fee. The City also adopted a Growth and Development Related Streets Policy that, at that time, significantly revised the City's approach to both the City's and developer's obligation for the construction of public access and street safety improvements. At the time of

adoption, and as stated in the recitals of the adopted Ordinance, the premise for adopting a new approach was due to concerns raised that the method of addressing traffic impacts was "not always fair" and the previous methodology required the first development in an area to complete infrastructure improvements while others who followed later were not burdened with similar costs.

The 2004 policy tried to address the instance where a "developer of land immediately adjacent to one or more unimproved or under-improved streets may be required to pay for the improvement of all adjacent street improvements due to location, or the configuration of parcels such that it does not abut an unimproved street, may not be required to make the same improvements to the street system even though each development may add the same amount of traffic."

To address concerns at that time, the City updated the TCP fee and adopted the Growth Management and Streets policy.

TRANSPORTATION CAPACITY PROGRAM

The TCP was modeled so that the City would pay for improvements to the street system that either provided capacity to the system or added safety improvements. The streets identified for the use of the TCP funds were only those streets shown on the adopted Grand Valley Circulation Plan functional classification map and that were considered part of the City's Major Street System. Though the Streets Policy required the City to pay for safety improvements (such as turn lanes or traffic signals) those costs were not included in the calculation of the TCP fee.

The TCP fees and methodology were based on a fee study conducted by Duncan and Associates in 2002. The fees were adopted at a rate of 52% of what was recommended by the study. The fee was to be adopted annually by resolution of the Council and be adjusted annually for inflation in the Consumer Price Index. This has not happened regularly.

Since adoption in 2004, the City adjusted the fee for residential development (based on the CPI) from \$1,500 to \$1,589 between 2004 and 2007 then to its current fee of \$2,554 in 2008 which has not been adjusted since. The TCP fee for Commercial development was originally adopted at a rate of \$2,461 per 1,000 square feet (e.g. Shopping Center) and was adjusted upwards in 2008 to \$2,607 and then in 2013, 2014 and 2015 to a rate of \$4,189 per 1,000 square feet (e.g. Shopping Center) that is being collected today.

In 2013 the City Council adopted Resolution 15-13, which provided for infill and redevelopment incentives. Within the defined redevelopment area TCP fees were reduced. The boundary included Downtown, the river district area as well as the North Avenue corridor between State Highway 6 & 50 and I-70 Business Loop, was intended

to encourage development of infill parcels and redevelopment of underutilized land within certain areas of the City.

The TCP fees have been reviewed and updated in 2018/2019 by a process that was led by the Grand Valley Metropolitan Planning Organization (GVMPO). The study update, again by Duncan and Associates, was completed in early January and revised on February 27, 2019 to reflect feedback from the development and business community regarding further refinements to fees related to residential land uses.

GROWTH AND DEVELOPMENT RELATED STREETS POLICY

At the same time the City adopted updated TCP fees in 2004, the City adopted a Growth and Development Related Streets Policy. At that time the City determined that there were three key components to a meaningful growth and development related street/traffic policy. These included:

1. Collection of a realistic TCP fees for all new development projects,
2. A clear articulation of what minimum requirements (in addition to TCP fees) each development must construct; and,
3. City funding and/or other means of participation in construction of street improvements.

The 2004 policy replaced the previous policy that required developers to pay for the improvement of the half of the street(s) that was directly abutting their project ("half street improvements") and eliminated the need for the developer to build any safety improvements (e.g., turn lanes into their development) as well as eliminated any need for the developer to pay for any off-site improvements (e.g., intersection improvements and traffic signals).

As the Policy and Fees are today, there are significant implications for how the City funds street capacity and safety improvements. Those include:

1. The City pays for all safety improvements, even those related to a specific development and benefitting only a specific development(s).
2. The obligation to improve that street (Collector designation or higher) is carried in full by the City – even if the improvements are necessary for access to a specific development. Only if the street is considered a "local or unclassified" street is the developer required to construct it.

The net effect has been two-fold, whereas 1) the City carries the full cost of improving/constructing all streets (classified higher than local) and 2), the City finds

itself moving money toward certain street projects to serve specific development, but that may not be of the greatest overall community benefit or need.

In a survey of other jurisdictions, staff found that cities regularly require the developer to pay for the adjacent street to be developed to a local street standard (or that adequate to serve the development) including curb, gutter and sidewalk and then the city pays the portion of the cost required to "upscale" the street to a higher classification (e.g., minor collector, arterial, etc.). In addition, other cities require all safety improvements such as acceleration and deceleration lanes to be constructed as part of a development. Both off-site and on-site safety improvements are generally required.

ACTIONS TO CONSIDER

Staff recommends the following actions are considered:

1. Amend Ordinance 3641 the Growth and Development Related Street Policy. The policy included in this ordinance is largely redundant or contradictory to the Zoning and Development Code regarding same; and

2. Amend §21.06.010 of the Zoning and Development Code to include the requirement for development to pay for street safety improvements related to the direct impacts of a development (effective January 1, 2021).

3. Amend §21.06.010 to reference the updated TCP Fee Study, thus adopting the updated fee schedule. Based on input from various community and industry groups, the following provides a recommended schedule for implementation:

- a. For Single-Family Detached (SFD) dwelling units, implement the new and full fee using the following implementation schedule to be collected at time of Planning Clearance:

- § January 1st, 2020 - \$3,256 (17% between current and proposed)
- § July 1st, 2020 - \$3,957 (33% between current and proposed)
- § January 1st, 2021 - \$4,659 (50% between current and proposed)
- § July 1st, 2021 - \$5,361 (67% between current and proposed)
- § January 1st, 2022 - \$6,062 (83% between current and proposed)
- § July 1st, 2022 - \$6,763 (100% of proposed)
- § January 1, 2023 - (100% of study rate inflated by CDOT's construction cost index)

- b. For Multi-Family dwelling units, excluding those intended to be separate fee simple ownership (eg. Duplex, Townhomes, Condominiums) and all other non-residential uses, implement the fee according to the same prorated schedule as SFD (above) and the fee would be established at time of complete application submittal and would be valid so long as a Building Permit was issued within two years from the date of

submittal.

4. Implement the requirement for development to construct required street safety improvements beginning January 1, 2021.

5. Consider revising the boundary of the Redevelopment Area to ensure key infill areas are included as informed by the completion of the 2020 Comprehensive Plan.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on March 19, 2019, 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.

STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code and Ordinance No. 3641 are necessary to provide mechanisms which will allow for the construction of safe streets while updating the payment of costs attributable to development.

FISCAL IMPACT:

Currently the City receives on average \$1.5 million per year in Transportation Impact Fees (aka Transportation Capacity Payments). At full implementation, the anticipated revenue is estimated at \$4.5 million per year.

SUGGESTED ACTION:

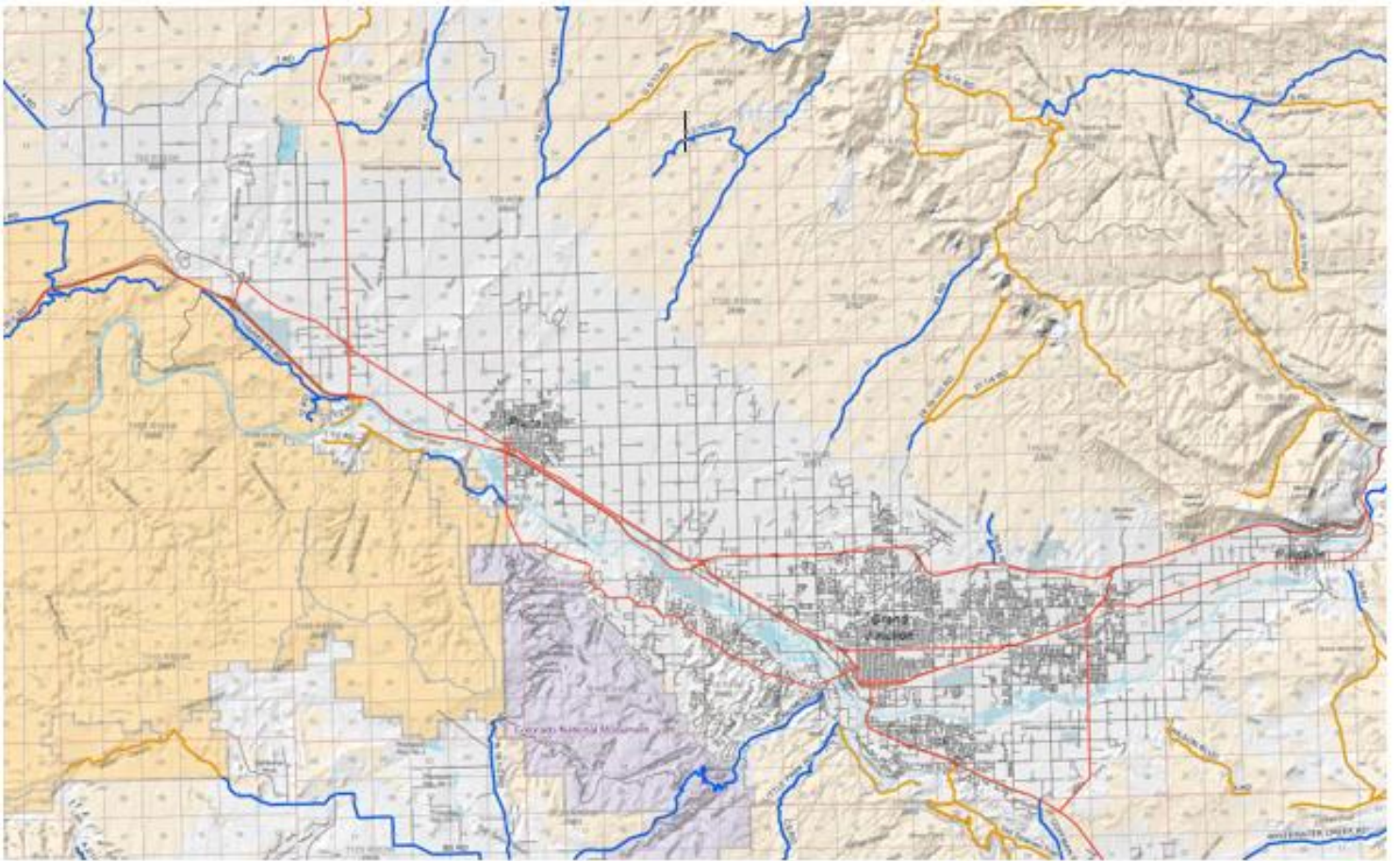
I move to introduce an ordinance amending the Zoning and Development Code concerning Infrastructure Standards, Transportation Capacity Payments Including Calculations Thereof, Credit and Approving Consumption-Based Calculation Methodologies and Setting a Public Hearing for April 3, 2019; and

I move to introduce an ordinance amending Ordinance No. 3641 concerning Growth and Development Related Streets Policy and set a public hearing for April 3, 2019.

Attachments

1. Grand Junction CO TIF Study 2019

2. Resolution TCP Fee and Implementation Schedule
3. Ordinance Amending TCP and Streets Policy
4. Ordinance Amending Ord. No 3641



Transportation Impact Fee Study for Mesa County, Colorado

prepared by

Duncan Associates

November 2018

with minor revisions February 2019

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EXECUTIVE SUMMARY

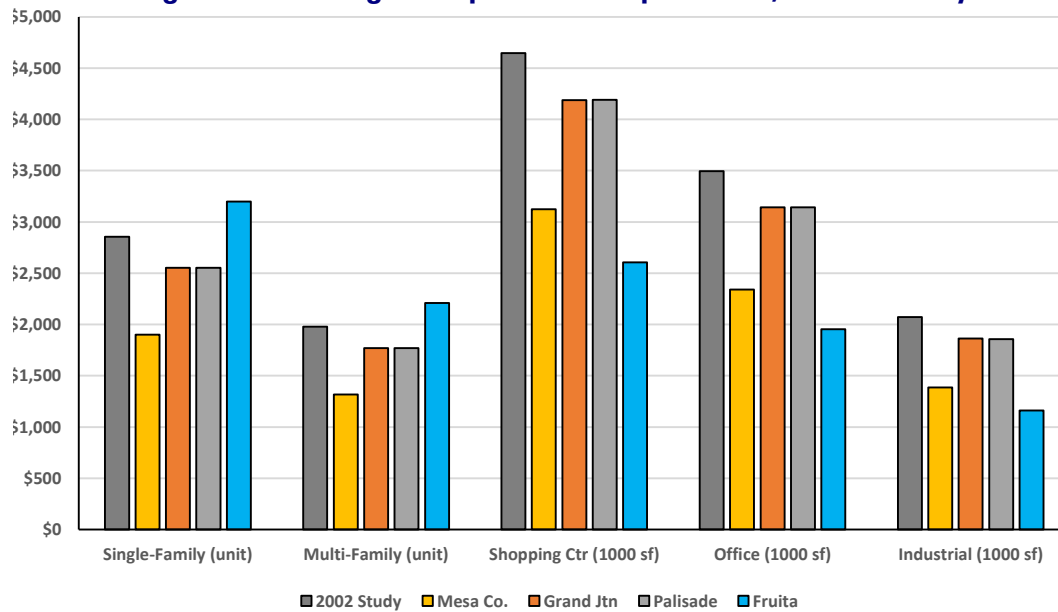
This is a slightly revised version of the November 28, 2018 study, which adds some alternative residential land use categories. Specifically, it (1) adds the option of single-family detached fees for four unit size categories, (2) breaks down the multi-family category into three potential subcategories (multi-family low-rise, multi-family mid-rise, and townhome), and (3) adds two senior adult housing categories (detached and attached). The changes modify Tables 7 and 17, and add a new Appendix E. In all other respects, the study is unchanged.

The purpose of this project is to assist Mesa County and participating municipalities (Grand Junction, Palisade and Fruita) by updating the county-wide transportation impact fees study. The previous study was prepared in 2002. The fees calculated in that study and the fees currently being charged by the participating jurisdictions are summarized in Table 1, and are illustrated in Figure 1 on the following page for five major land use categories. All jurisdictions originally adopted the fees at a lower rate than calculated in the 2002 study, and some have adjusted the fees periodically for inflation. Except for Fruita's residential fees, the current fees being charged are lower than the fees calculated 16 years ago.

Table 1. Current Transportation Impact Fees

Land Use	Unit	2002 Study	Mesa County	Grand Junction	Palisade	Fruita
Single-Family Detached	Dwelling	\$2,854	\$1,902	\$2,554	\$2,554	\$3,200
Multi-Family	Dwelling	\$1,979	\$1,317	\$1,769	\$1,769	\$2,208
Mobile Home/RV Park	Pad	\$1,435	\$958	\$1,284	\$1,284	\$795
Hotel/Motel	Room	\$2,687	\$1,795	\$2,407	\$2,407	\$1,494
Shopping Center (0 to <100k sf)	1,000 sf	\$4,646	\$3,124	\$4,189	\$4,190	\$2,606
Shopping Center (100k to <249k sf)	1,000 sf	\$4,393	\$2,935	\$3,933	\$3,935	\$2,447
Shopping Center (250k to <500k sf)	1,000 sf	\$4,267	\$2,843	\$3,805	\$3,815	\$2,368
Shopping Center (500k sf or more)	1,000 sf	\$3,942	\$2,627	\$3,525	\$3,521	\$2,193
Auto Sales/Service	1,000 sf	\$4,232	\$2,824	\$3,780	\$3,785	\$2,352
Bank	1,000 sf	\$7,117	\$4,744	\$6,359	\$6,365	\$3,957
Convenience Store w/Gas Sales	1,000 sf	\$10,191	\$6,818	\$9,143	\$9,149	\$5,689
Golf Course	Hole	\$6,578	\$4,439	\$5,951	\$5,954	\$3,702
Health Club	1,000 sf	\$3,813	\$2,542	\$3,422	\$3,410	\$2,129
Movie Theater	1,000 sf	\$11,834	\$7,889	\$10,574	\$10,584	\$6,578
Restaurant, Sit Down	1,000 sf	\$5,757	\$3,838	\$5,159	\$5,150	\$3,210
Restaurant, Fast Food	1,000 sf	\$12,846	\$8,596	\$11,544	\$11,532	\$7,182
Office, General (0 to <99k sf)	1,000 sf	\$3,494	\$2,342	\$3,141	\$3,142	\$1,954
Office, General (100 sf or more)	1,000 sf	\$2,973	\$1,997	\$2,682	\$2,675	\$1,668
Office, Medical	1,000 sf	\$9,807	\$6,607	\$8,862	\$8,865	\$5,514
Hospital	1,000 sf	\$4,554	\$3,069	\$4,112	\$4,117	\$2,558
Nursing Home	1,000 sf	\$1,276	\$860	\$1,149	\$1,153	\$715
Church	1,000 sf	\$2,184	\$1,462	\$1,967	\$1,961	\$1,224
Day Care Center	1,000 sf	\$4,553	\$3,052	\$4,086	\$4,094	\$2,542
Elementary/Secondary School	1,000 sf	\$713	\$478	\$639	\$641	\$397
Industrial Park	1,000 sf	\$2,073	\$1,385	\$1,864	\$1,857	\$1,160
Warehouse	1,000 sf	\$1,477	\$987	\$1,328	\$1,324	\$826
Mini-Warehouse	1,000 sf	\$512	\$344	\$460	\$463	\$286

Source: 2002 study fees from Duncan Associates, *Transportation Impact Fee Study for Mesa County, Colorado*, September 2002; Mesa County fees from resolution adjusting the fees for inflation adopted January 8, 2018; Palisade fees from Town of Palisade, February 5, 2018; Fruita fees from 2018 fee schedule from City of Fruita, February 5, 2018.

Figure 1. Existing Transportation Impact Fees, Mesa County

Note: Shopping center and office fees based on 100,000 sq. ft. building

Update Overview

This study retains the general methodology used in the 2002 study (see discussion of methodology in Appendix D). The original study calculated regional and non-regional fees, under the expectation that the participating jurisdictions would pool the regional fees and use them to improve regional roadways. Instead, the jurisdictions are spending the fees they collect to improve roads within their jurisdiction, regardless of the regional/non-regional road distinction. This update does not calculate separate fees for the two categories.

Participating jurisdictions can adopt the updated fees at any level up to 100% of the amounts calculated in this study. The adoption percentage should be the same for all land uses to retain the proportionality of the fees to the impact on the major roadway system. If disproportionate reductions are made in fees assessed on selected types of development, the shortfall should be made up with general fund revenue, and a revenue credit should be calculated to avoid non-favored development paying more than its fair share (see Proportionality section in Appendix C).

This study calculates fees that exclude right-of-way (ROW) costs, both to keep the fees from increasing so much and to give jurisdictions the option not to provide developer credits for ROW exactions. However, if a jurisdiction opts to not give developers credit against the fees for required ROW dedications, that jurisdiction should consider restricting the funds collected from being spent on ROW (see Developer Credit section of Appendix C).

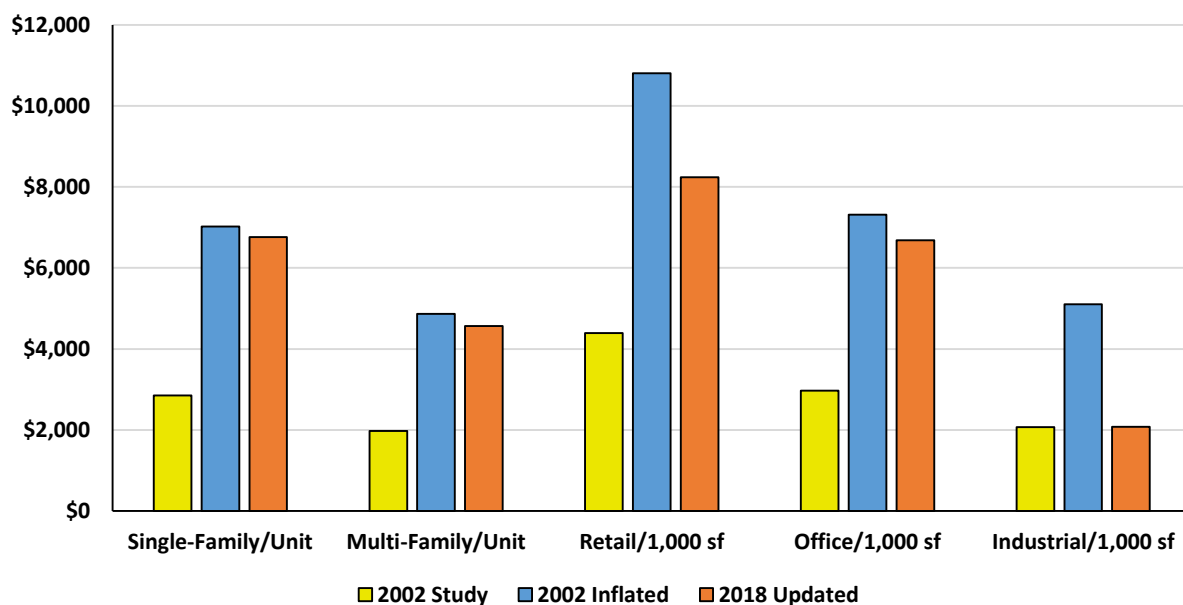
The inputs into the fee calculations are updated in this study based on the most current available data. Trip rates have been updated based on the September 2017 edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. Updated average trip lengths are from the U.S. Department of Transportation's 2017 *National Household Travel Survey*. An updated inventory of the county-wide major roadway system is used to calibrate the travel demand factors and ensure that they are consistent with existing travel on the major roadway system in Mesa County.

Several modifications to the fee schedule land use categories are made in this update to better reflect current available data and/or simplify the process of fee determination and collection. A discussion of the reasons for individual changes can be found in the summary section of the Travel Demand chapter. Recommended definitions for the land use categories are provided in Appendix B.

Updated Fees

The updated fees are compared with the fees calculated in the 2002 study in Table 2 on the following page. Not surprisingly, the fees are considerably higher than those calculated 16 years ago for most land uses. Construction costs have increased considerably over this time. The Colorado Department of Transportation's Construction Cost Index is 2.46 times what it was in 2002. Compared to inflation-adjusted 2002 study fees, the updated fees are lower for the majority of land uses, including the major categories of single-family, multi-family, retail/commercial, general office, and industrial/warehouse uses, as illustrated in Figure 2.

Figure 2. Comparison of Current and Updated Transportation Impact Fees



The wide variation in percentage changes between land use categories reflects changes in travel demand factors, including trip generation rates (1997 versus 2017 ITE manual), percent new trips (also from ITE manual), and average trip lengths (1995 versus 2017 national travel survey).

Table 2. Comparison of Current and Updated Transportation Impact Fees

Land Use Type	Unit	2002 Study		Updated Fees	% Change from	
		Original	Inflated		Original	Inflated
Single-Family Detached	Dwelling	\$2,854	\$7,021	\$6,763	137%	-4%
Multi-Family	Dwelling	\$1,979	\$4,868	\$4,570	131%	-6%
Mobile Home/RV Park	Pad	\$1,435	\$3,530	\$3,583	150%	1%
Hotel/Motel	Room	\$2,687	\$6,610	\$4,183	56%	-37%
Shopping Center/Commercial	1,000 sf	\$4,393	\$10,807	\$8,240	88%	-24%
Auto Sales/Service	1,000 sf	\$4,267	\$10,497	\$9,258	117%	-12%
Bank, Drive-In	1,000 sf	\$7,117	\$17,508	\$18,365	158%	5%
Convenience Store w/Gas Sales	1,000 sf	\$10,191	\$25,070	\$26,395	159%	5%
Golf Course	Hole	\$6,578	\$16,182	\$12,850	95%	-21%
Movie Theater	1,000 sf	\$11,834	\$29,112	\$33,028	179%	13%
Restaurant, Standard	1,000 sf	\$5,757	\$14,162	\$14,975	160%	6%
Restaurant, Drive-Through	1,000 sf	\$12,846	\$31,601	\$33,203	158%	5%
Office, General	1,000 sf	\$2,973	\$7,314	\$6,685	125%	-9%
Office, Medical	1,000 sf	\$9,807	\$24,125	\$25,665	162%	6%
Animal Hospital/Vet Clinic	1,000 sf	n/a	n/a	\$15,858	n/a	n/a
Hospital	1,000 sf	\$4,554	\$11,203	\$7,905	74%	-29%
Nursing Home	1,000 sf	\$1,276	\$3,139	\$3,120	145%	-1%
Place of Worship	1,000 sf	\$2,184	\$5,373	\$2,725	25%	-49%
Day Care Center	1,000 sf	\$4,553	\$11,200	\$4,485	-1%	-60%
Elementary/Secondary School	1,000 sf	\$713	\$1,754	\$1,688	137%	-4%
Public/Institutional	1,000 sf	n/a	n/a	\$3,813	n/a	n/a
Industrial	1,000 sf	\$2,073	\$5,100	\$2,078	0%	-59%
Warehouse	1,000 sf	\$1,477	\$3,633	\$1,248	-16%	-66%
Mini-Warehouse	1,000 sf	\$512	\$1,260	\$1,075	110%	-15%

Source: Original 2002 study fees from Duncan Associates, *Transportation Impact Fee Study for Mesa County, Colorado*, September 2002 (sum of regional road fees without major structure costs and nonregional road fees); inflated 2002 fees are 2.46 times the original fee, based on the increase in the Colorado Department of Transportation *Construction Cost Index* from 2nd quarter 2012 to 2nd quarter 2018; updated fees from Table 17.

Comparative Jurisdictions

Communities in the process of updating impact fees are naturally interested in knowing what other nearby or comparable jurisdictions are charging. However, concerns about “competitiveness” with other jurisdictions are not necessarily well-founded. Studies have found that reducing or eliminating fees did not have any perceptible effect on the rate of development that subsequently occurred. This is not surprising, given the myriad other market and regulatory factors that differ between jurisdictions besides transportation impact fees.

The fees from the 2002 study and this update are compared to transportation impact fees currently charged by 12 other Colorado jurisdictions in Table 3. Note that while only transportation fees are compared, two-thirds of the comparison jurisdictions also charge other types of impact fees.

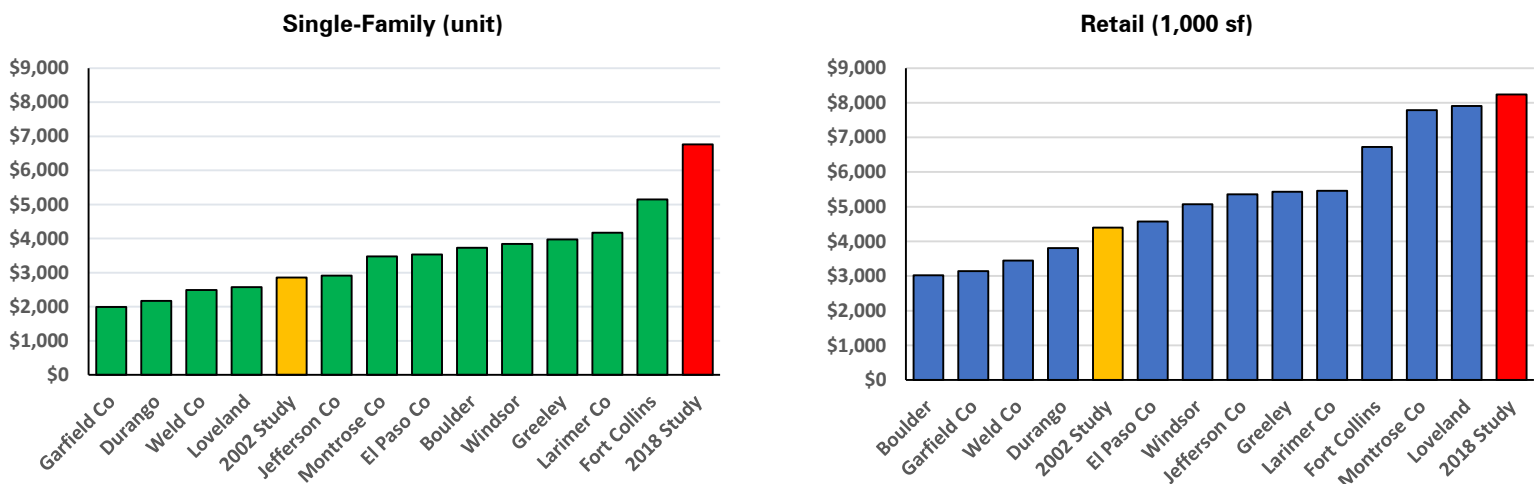
Table 3. Transportation Impact Fees in Colorado

Jurisdiction	Study/ Adoption Year	Single- Family (per unit)	Multi- Family (per unit)	Retail (per 1,000 sq. ft.)	Office (per 1,000 sq. ft.)	Industrial (per 1,000 sq. ft.)
Boulder (1)	2017	\$3,734	\$2,702	\$3,020	\$2,700	\$2,620
Durango	n/a	\$2,169	\$1,298	\$3,810	\$2,823	\$1,963
El Paso County	2017	\$3,532	\$2,220	\$4,572	\$2,933	\$3,366
Fort Collins	2017	\$5,150	\$3,392	\$6,721	\$4,951	\$1,598
Garfield County (2)	2017	\$1,992	\$1,230	\$3,145	\$1,361	\$472
Greeley	2015	\$3,973	\$2,565	\$5,428	\$4,650	\$1,609
Jefferson County (3)	n/a	\$2,911	\$2,051	\$5,360	\$3,590	\$1,550
Larimer County	2018	\$4,168	\$2,955	\$5,461	\$3,213	\$1,296
Loveland	n/a	\$2,578	\$1,801	\$7,910	\$3,550	\$1,890
Mesa Co (2002)	2002	\$2,854	\$1,979	\$4,393	\$2,973	\$2,073
Mesa Co (updated)	2018	\$6,763	\$4,570	\$8,240	\$6,685	\$2,078
Montrose County	2007	\$3,480	\$2,440	\$7,790	\$4,000	\$2,530
Weld County	2011	\$2,488	\$1,630	\$3,450	\$2,275	\$2,251
Windsor	2017	\$3,838	\$2,436	\$5,076	\$4,674	\$2,016

Notes: (1) includes transportation excise tax; (2) average of two areas; (3) single-family fee is average of fees for up-to-two-car garages and three-or-more-car garages

Source: Duncan Associates internet survey, October 5, 2018 (where fees vary by size, assumes 2,000 sq. ft. single-family unit, 1,000 sq. ft. multi-family unit, and 1 million square foot retail center or office building).

Single-family and retail transportation fees charged by Mesa County and the other 12 Colorado jurisdictions are illustrated in the two charts below. The 2002 study fees for Mesa County are well below the median of the other jurisdictions for both single-family and retail. The updated fees are at the high end of what the other 12 jurisdictions currently charge. Multi-family and office fee comparisons are not shown, but are similar. Industrial fees are not going up much in this update.

Figure 3. Comparative Transportation Fees, Colorado Jurisdictions

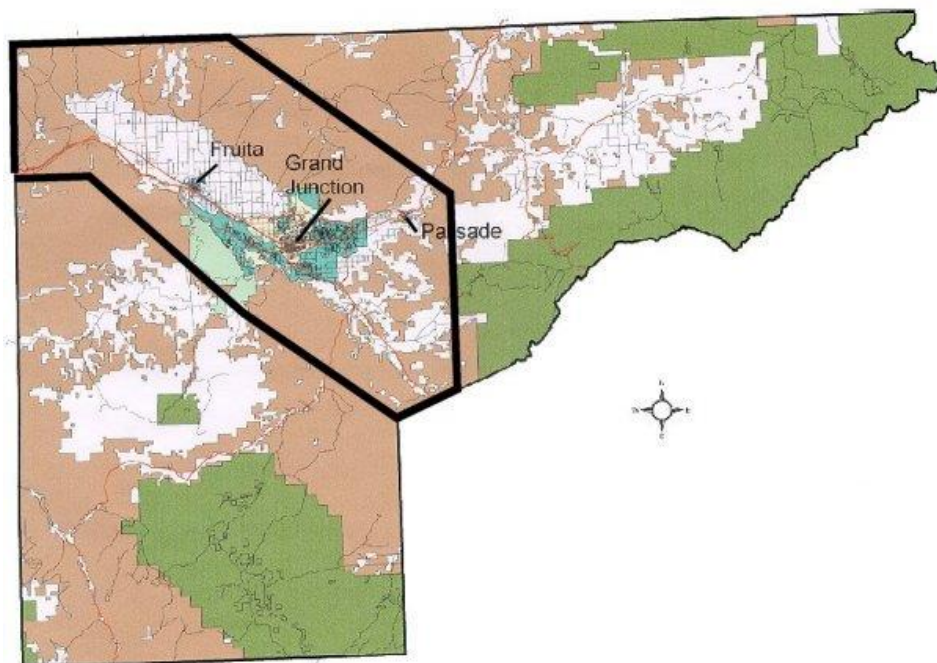
SERVICE AREAS

There are two kinds of geographic areas in impact fee systems: service areas and benefit districts. A service area is an assessment area that is served by a defined group of capital facilities and subject to a uniform impact fee schedule. A benefit district is an area within which fees collected are earmarked to be spent.

Generally, transportation impact fees tend to have a single service area and a uniform fee schedule, whether at the municipal level or the regional, county-wide level. That is because the arterial road system is designed to move traffic from one part of a community to another, and improvements to this system are generally of community-wide benefit. In some communities, major collectors may function as part of the arterial system as well.

The transportation impact fees apply only in the most rapidly developing area of the County. The boundaries of the Grand Valley Airshed as defined by the Colorado Department of Health for the purposes of monitoring air pollution is used as the transportation impact fee service area. Based on the 6,000-foot elevation line on the valley walls, the Airshed defines the developing area in and around the municipalities of Grand Junction, Palisade and Fruita. This transportation impact fee service area is about one-quarter of the area of the entire county, including roughly twice as much privately-owned land area as the area used in regional transportation planning. This area continues to be appropriate as the boundary of the service area for the transportation impact fees (see Figure 4).

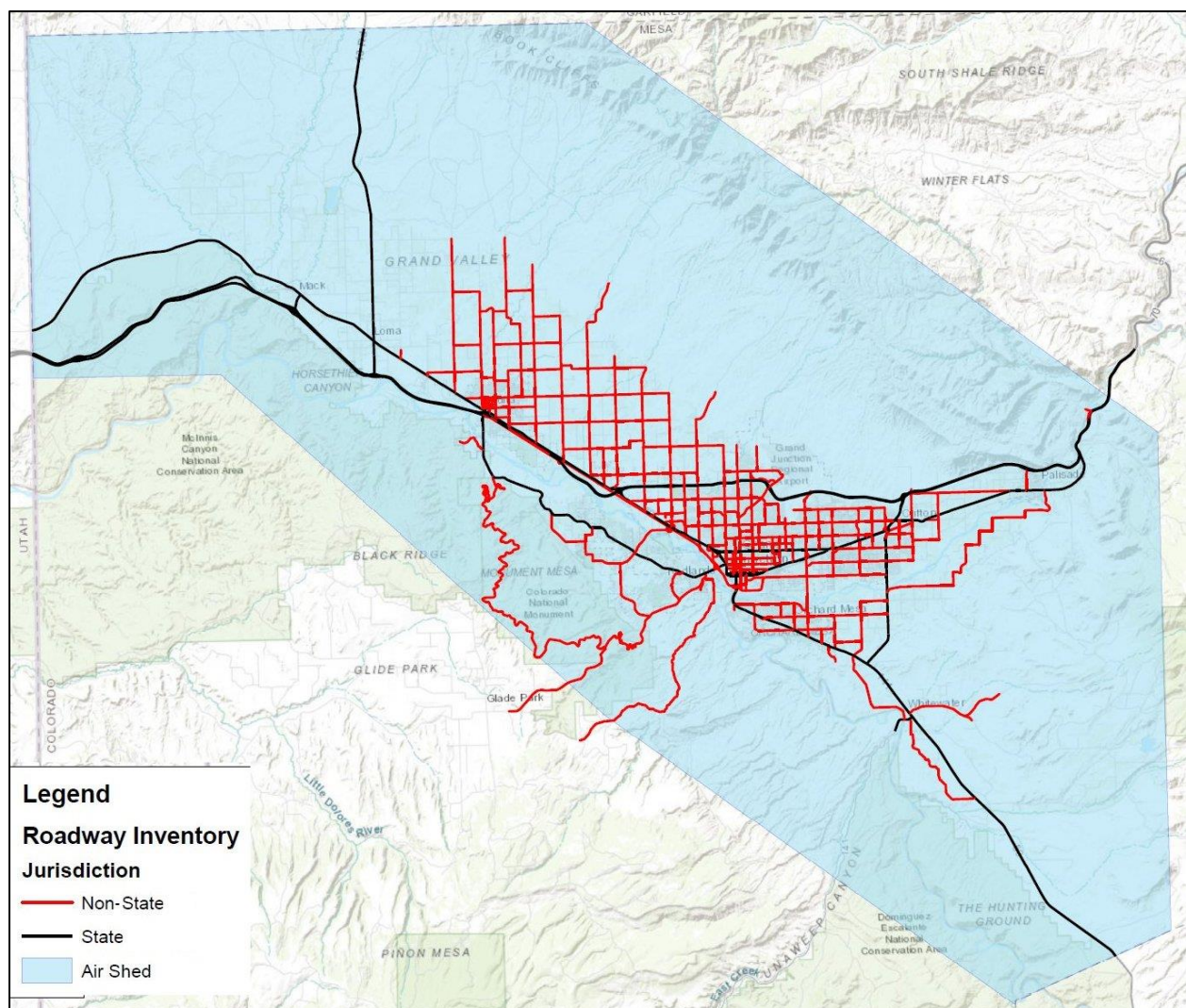
Figure 4. Transportation Impact Fee Service Area



MAJOR ROADWAY SYSTEM

A transportation impact fee system should include a clear definition of the major roadway system that is to be funded with the impact fees. The major roadway system consists of all state and federal highways (excluding I-70), principal arterials (e.g., 24 Road, Patterson Road), minor arterials, and major collector roads within the transportation impact fee service area (illustrated in Figure 5). Other roads will not be funded with transportation impact fees, nor will developer improvements to roads not included in the major roadway system be eligible for credits against the transportation impact fees. A detailed listing of the current road segments included in the major roadway system is provided in Table 18 in Appendix A.

Figure 5. Major Roadway System



TRAVEL DEMAND

The travel demand generated by specific land use types in Mesa County is a product of three factors: 1) trip generation, 2) percent new trips, and 3) average trip length. The first two factors are well documented in the professional literature – the average trip generation characteristics identified in studies of communities around the nation should be reasonably representative of trip generation characteristics in Mesa County. In contrast, trip lengths are much more likely to vary between communities, depending on the geographic size and shape of the community and its major roadway system.

Trip Generation

Trip generation rates are based on information published in the most recent edition of the Institute of Transportation Engineers' (ITE) Trip Generation manual. Trip generation rates represent trip ends, or driveway crossings at the site of a land use. Thus, a single trip from home to work counts as one trip end for the residence and one trip end for the work place, for a total of two trip ends. To avoid over counting, all trip rates are divided by two. This allocates travel equally between the origin and destination of the trip and avoids double charging. This update utilizes the most current edition of the ITE manual (the 10th edition published in 2017).

New Trip Factor

Trip rates must also be adjusted by a “new trip factor” to exclude pass by and diverted-linked trips. This adjustment is intended to reduce the possibility of over-counting by only including primary trips generated by the development. Pass by trips are those trips that are already on a particular route for a different purpose and simply stop at a development on that route. For example, a stop at a convenience store on the way home from the office is a pass by trip for the convenience store. A pass by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees. A diverted-linked trip is similar to a pass by trip, but a diversion is made from the regular route to make an interim stop. The reduction for pass by and diverted-linked trips is drawn from ITE manual and other published information.

Average Trip Length

In the context of a transportation impact fee based on a consumption-based methodology, it is important to determine the average length of a trip on the major roadway system within Mesa County. The average trip length can be determined by dividing the total vehicle-miles of travel (VMT) on the major roadway system by the total number of trips generated by existing development in the service area. Total VMT on the major roadway system is estimated by multiplying the length of each road segment by the current traffic volume on that segment and summing for the entire system. Total trips can be estimated by multiplying existing land uses by the appropriate trip generation rates (adjusted for new trip factors and divided by two) and summing for all existing development in the service area.

Existing land use information was compiled for all jurisdictions within the transportation impact fee service area to determine an average trip length. Existing land uses in each of the general categories are multiplied by average daily trip generation rates and summed to determine a reasonable estimate of total daily trips within the service area. As shown in Table 4, existing land uses within the transportation impact fee service area generate approximately 428,000 average daily trips.

Table 4. Existing Average Daily Trips

Land Use Type	ITE Code	Unit	Existing Units	Trips/Unit	Daily Trips
Single-Family Detached	210	Dwelling	44,535	4.72	210,205
Multi-Family	220/221	Dwelling	11,383	3.19	36,312
Subtotal, Residential			55,918		246,517
Hotel/Motel	310/320	Rooms	3,806	2.92	11,114
Commercial	820	1,000 Sq. Ft.	13,754	8.30	114,158
Office	710	1,000 Sq. Ft.	3,028	4.87	14,746
Industrial	130	1,000 Sq. Ft.	3,655	1.68	6,140
Warehousing	150	1,000 Sq. Ft.	6,130	0.87	5,333
Public/Institutional	620	1,000 Sq. Ft.	8,999	3.32	29,877
Subtotal, Nonresidential			35,566		181,368
Total					427,885

Source: Existing development in service area from Mesa County GIS, March 12, 2018; trips per unit from Table 7.

A reasonable estimate of Mesa County's average trip length can be derived by dividing total daily VMT on the major roadway system by the total number of daily trips generated by existing development within the service area. This calculation, presented in Table 5, indicates that the average trip length on the major roadway system is about 5.5 miles.

Table 5. Average Trip Length

Daily VMT on Major Roads	2,347,636
÷ Daily Trips in Service Area	427,885
Average Trip Length (miles)	5.49

Source: VMT from Table 18; trips from Table 4.

Average trip lengths by trip purpose for the western region are available from the U.S. Department of Transportation's 2017 *National Household Travel Survey*. In addition, a residential trip length is determined, using a weighting of 20 percent work trips and 80 percent average trips. The average trip length on the major roadway system is 62.6% of the regional average trip length. Using this ratio, reasonable trip lengths were derived for specific trip purposes, including home-to-work trips, shopping, school/church and other personal trips, as shown in Table 6.

Table 6. Average Trip Lengths by Trip Purpose

Trip Purpose	Regional Trip Length (miles)	Local Ratio	Local Trip Length (miles)
To or from work	10.77	0.626	6.74
Residential	9.16	0.626	5.73
Doctor/Dentist	9.42	0.626	5.90
School/Church	5.01	0.626	3.14
Family/Personal	6.00	0.626	3.76
Shopping	6.34	0.626	3.97
Average of All Trip Purposes*	8.76	0.626	5.49

* weighted (not simple average of trip purposes shown)

Source: Regional average trip lengths for the western Census region from US Department of Transportation, *National Household Travel Survey*, 2017; regional residential trip length estimated based on weighting of 20% work trips and 80% average trips (20% work trip factor based on 2016 5-year U.S. Census sample data for Mesa County showing the average dwelling unit has 0.91 workers, and 0.91 work trips per unit is 20% of average trips per unit, derived from Table 4); average local trip length from Table 5; ratio is average local to regional trip length; local trip length by purpose is product of regional trip length and local ratio.

Travel Demand Summary

The result of combining trip generation rates, new trip factors, average trip lengths and the local adjustment factor is the travel demand schedule. The travel demand schedule establishes the average daily vehicle-miles of travel (VMT) generated by various land use types per unit of development in the service area. The updated demand schedule reflects updated trip generation rates from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th edition, 2017. Average trip lengths are updated with the 2017 *National Household Travel Survey*. The adjustment factor ensures that the VMT generated by existing land uses does not exceed current observed VMT on the major roadway system. The updated travel demand schedule is presented in Table 7. For each land use, daily VMT is a factor of trip rate, trip length, new trip factor, and the local adjustment factor.

Some modifications to the land use categories are made in this update to better reflect available data and to simplify the process of fee determination and collection. Recommended definitions of all the categories are provided in Appendix B.

- The current four shopping center size categories are combined into a single retail/commercial category. It is based on average trip characteristics for shopping centers, which tend to include a relatively broad mix of commercial uses. While trip generation rates are available for shopping centers by size, data on new trip factors and average trip lengths by size are harder to come by. Trip generation rates tend to go down by shopping center size, but this is counterbalanced by fewer pass by trips and longer trip lengths. The average shopping center rate is the appropriate default for a wide range of retail and commercial uses not specifically identified in the fee schedule. Health club is merged into the new “Shopping Center/Commercial” category because the ITE manual does not have a daily trip generation rate, and the PM peak hour rate is similar to shopping center.

- The current two office categories by building size are combined into a single general office category, for the same reasons of data availability and counterbalancing applicable to shopping centers.
- Two new categories have been added: animal hospital/vet clinic and public/institutional. The new ITE manual now has an average daily trip rate for animal hospital. The public/institutional category, based on trip data for junior/community college, is intended to provide a default category for other public/institutional uses not specifically listed in the fee schedule.
- The sit-down and fast food restaurant categories have been renamed “standard” and “drive-through,” and are defined by whether they have drive-through/drive-in facilities. This provides an administratively simple way to distinguish between them and is consistent with the ITE category from which the fast food trip rate is derived.
- Church has been renamed “Place of Worship” to better reflect its nondenominational character. Industrial park has been renamed “Industrial” to reflect its broader applicability.
- Finally, several additional residential subcategories are provided as alternatives to adopting the broader single-family detached and multi-family categories. In addition, two categories are added for senior adult housing.

The updated travel demand schedule is presented in Table 7 on the following page.

Table 7. Travel Demand Schedule

Land Use Type	ITE Code	Unit	Trips	% New	Miles	VTM
Single-Family Detached	210	Dwelling	4.72	100%	5.73	27.05
<1,250 sq. ft. of living area	210	Dwelling	2.27	100%	5.73	13.01
1,250 - 1,649 sq. ft. of living area	210	Dwelling	3.79	100%	5.73	21.72
1,650 - 2,299 sq. ft. of living area	210	Dwelling	4.41	100%	5.73	25.27
2,300 or more sq. ft. of living area	210	Dwelling	5.96	100%	5.73	34.15
Multi-Family (including townhome)	220/221	Dwelling	3.19	100%	5.73	18.28
Multi-Family, Low-Rise (1-2 stories)	220	Dwelling	3.66	100%	5.73	20.97
Multi-Family, Mid-Rise (3-10 stories)	221	Dwelling	2.72	100%	5.73	15.59
Townhouse	230	Dwelling	2.90	100%	5.73	16.62
Senior Adult Housing - Detached	251	Dwelling	2.13	100%	5.73	12.20
Senior Adult Housing - Attached	252	Dwelling	1.85	100%	5.73	10.60
Mobile Home/RV Park	240	Pad	2.50	100%	5.73	14.33
Hotel/Motel	310/320	Room	2.92	100%	5.73	16.73
Shopping Center/Commercial	820	1,000 sf	18.87	44%	3.97	32.96
Auto Sales/Service	840	1,000 sf	13.92	67%	3.97	37.03
Bank, Drive-In	912	1,000 sf	50.01	37%	3.97	73.46
Convenience Store w/Gas Sales	853	1,000 sf	312.10	17%	1.99	105.58
Golf Course	430	Hole	15.19	90%	3.76	51.40
Movie Theater	444	1,000 sf	39.04	90%	3.76	132.11
Restaurant, Standard	931	1,000 sf	41.92	38%	3.76	59.90
Restaurant, Drive-Through	934	1,000 sf	235.47	30%	1.88	132.81
Office, General	710	1,000 sf	4.87	100%	5.49	26.74
Office, Medical	720	1,000 sf	17.40	100%	5.90	102.66
Animal Hospital/Vet Clinic	650	1,000 sf	10.75	100%	5.90	63.43
Hospital	610	1,000 sf	5.36	100%	5.90	31.62
Nursing Home	620	1,000 sf	3.32	100%	3.76	12.48
Place of Worship	560	1,000 sf	3.47	100%	3.14	10.90
Day Care Center	565	1,000 sf	23.81	24%	3.14	17.94
Elementary/Secondary School	520/522/530	1,000 sf	8.96	24%	3.14	6.75
Public/Institutional	540	1,000 sf	10.12	48%	3.14	15.25
Industrial	130	1,000 sf	1.45	100%	5.73	8.31
Warehouse	150	1,000 sf	0.87	100%	5.73	4.99
Mini-Warehouse	151	1,000 sf	0.75	100%	5.73	4.30

Source: 1-way trips are ½ of trip ends from Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017 (single-family by unit size from Table 23 in Appendix E); new trip percentages for retail/commercial uses from ITE, *Trip Generation Handbook*, 3rd Edition, 2017; new trip percentage for day care and schools based on Preston Hitchens, "Trip Generation of Day Care Centers," 1990 ITE Compendium; average trip lengths from Table 6 (convenience store is one half retail, drive-through restaurant is one-half standard restaurant); VMT is product of trip rate, percent new trips, and trip length.

Comparisons of existing and updated travel demand factors are shown in Table 8. Travel demand per unit of development by land use type is lower for most land uses in this update. The change in travel demand per unit by land use exhibits considerable variation, ranging from a decline of 68% for warehouse to an increase of 7% for movie theater.

Table 8. Travel Demand Comparison

Land Use Type	Unit	VMT per Unit		Percent Change
		2002	Updated	
Single-Family Detached	Dwelling	29.70	27.05	-9%
Multi-Family	Dwelling	20.59	18.28	-11%
Mobile Home/RV Park	Pad	14.94	14.33	-4%
Hotel/Motel	Room	27.96	16.73	-40%
Shopping Center/Commercial	1,000 sf	44.91	32.96	-27%
Auto Sales/Service	1,000 sf	43.97	37.03	-16%
Bank, Drive-In	1,000 sf	73.94	73.46	-1%
Convenience Store w/Gas Sales	1,000 sf	106.28	105.58	-1%
Golf Course	Hole	69.15	51.40	-26%
Movie Theater	1,000 sf	122.94	132.11	7%
Restaurant, Standard	1,000 sf	59.82	59.90	0%
Restaurant, Drive-Through	1,000 sf	133.96	132.81	-1%
Office, General	1,000 sf	33.80	26.74	-21%
Office, Medical	1,000 sf	103.00	102.66	0%
Hospital	1,000 sf	47.83	31.62	-34%
Nursing Home	1,000 sf	13.40	12.48	-7%
Place of Worship	1,000 sf	22.80	10.90	-52%
Day Care Center	1,000 sf	47.55	17.94	-62%
Elementary/Secondary School	1,000 sf	7.45	6.75	-9%
Industrial	1,000 sf	21.57	8.31	-61%
Warehouse	1,000 sf	15.37	4.99	-68%
Mini-Warehouse	1,000 sf	5.38	4.30	-20%

Source: 2002 VMT from Duncan Associates, *Transportation Impact Fee Study*, September 2002; updated VMT from Table 7.

COST PER SERVICE UNIT

There are two components to determining the average cost to add a unit of capacity to the major roadway system: the cost of a set of improvements, and the capacity added by those improvements. This section describes both components used to calculate the average cost per service unit.

This update excludes right-of-way (ROW) costs from the fee calculation. The exclusion of ROW eliminates the most variable component of project costs, keeps the fees lower, and allows jurisdictions the option of not providing developer credit for ROW dedication.

Average Cost per Lane-Mile

The first step is to determine the cost to add an additional lane-mile of roadway. While transportation impact fees can be used to pay for a variety of types of improvements that expand the capacity of the major roadway system without adding lanes, such as intersection improvements and signalization, it is difficult to quantify the vehicle-miles of capacity (VMC) added by these types of improvements. The cost per lane-mile can be calculated based on a representative list of historical or planned improvements. The average cost per lane-mile developed for this study uses a weighted average of urban and rural road improvements. Right-of-way costs have been excluded in this update.

Costs for improving urban road sections are drawn from cost data provided by the City of Grand Junction. The estimated costs of the City's planned improvements over the next ten years are summarized in Table 9. Mesa County engineers confirm these costs are reasonably representative of urban road capacity expansion in other parts of the county. None of the projects include major structures, such as overpasses, elevated ramps or bridges. As shown, the weighted average cost of urban road expansions is about \$3.3 million per lane-mile.

Table 9. Urban Average Cost per Lane-Mile

Road	From	To	Miles	Lanes		New Ln-Mi.	Project Cost	Cost per Lane-Mile
				Ex.	Fut.			
24 Road	Patterson	I-70	1.20	3	5	2.40	\$8,100,000	\$3,375,000
25 Road	I-70B	F 1/4	0.75	3	5	1.50	\$7,290,000	\$4,860,000
25 Road	F 1/4 Road	G Road	0.75	2	3	0.75	\$3,060,000	\$4,080,000
26 Road	Patterson	H Road	2.00	2	3	2.00	\$6,480,000	\$3,240,000
26 1/2 Road	Horizon	Summerhill	2.20	2	3	2.20	\$8,019,000	\$3,645,000
28 1/4 Road	Patterson	Hawthorne	0.38	0	2	0.76	\$390,000	\$513,158
28 3/4 Road	North Ave	Orchard Ave	0.50	2	3	0.50	\$4,500,000	\$9,000,000
29 Rd Pkwy	F Road	I-70	1.00	2	5	3.00	\$9,000,000	\$3,000,000
Crosby Ave	25 1/2 Rd	Main St	0.63	2	3	0.63	\$4,025,700	\$6,390,000
D 1/2 Road	29 Road	30 Road	1.00	2	3	1.00	\$4,500,000	\$4,500,000
F 1/2 Pkwy	I-70B	F 1/4 Rd	1.70	0	3	5.10	\$9,720,000	\$1,905,882
G Road	24 Road	27 Road	3.00	2	3	3.00	\$10,700,000	\$3,566,667
Total			15.11			22.84	\$75,784,700	\$3,318,069

Source: Planned projects descriptions and costs in 2018 dollars from Trent Prall, Public Works Director, City of Grand Junction, September 19, 2018; cost per lane-mile is project cost divided by new lane-miles.

The cost of recent County rural road projects constructed or estimated in engineering studies are summarized in Table 10. All these projects or studies are from about three years ago and have been adjusted to current dollars. The costs do not include any bridge work, which the County often does as part of such projects. The list does not include any urban projects, or projects in the high country, which tend to cost quite a bit more. Many of these projects do not actually add new travel lanes, but rather the equivalent amount of pavement provided by new shoulders. The resulting average rural road cost is about \$1.68 million per lane-mile in current dollars.

Table 10. Rural Average Cost per Lane-Mile

Road	From	To	Project Description	Miles	Lanes		New Ln-Mi.	Project Cost	Cost/ Lane-Mile
					Ex.	Fut.			
22 Road	Ranchman's Ditch	H Road	Added 3rd lane w/shldrs	0.27	2	3	0.27	\$948,300	\$3,512,222
22 Road	H Road	H 1/2 Road	Added 3rd lane w/shldrs	0.41	2	3	0.41	\$1,046,400	\$2,552,195
22 Road	H 1/2 Road	I Road	Added 6' shoulders	0.59	2	3	0.59	\$997,350	\$1,690,424
22 Road	I Road	GVIC Canal	Added 6' shoulders	0.66	2	3	0.66	\$1,008,250	\$1,527,652
22 Road	GVIC Canal	J 1/2 Road	Added 6' shoulders	0.70	2	3	0.70	\$1,057,300	\$1,510,429
22 Road	J 1/2 Road	K Road	Added 6' shoulders	0.58	2	3	0.58	\$784,800	\$1,353,103
K Road	19 Road	19 1/2 Road	Added 6' shoulders	0.61	2	3	0.61	\$833,850	\$1,366,967
K Road	19 1/2 Road	20.2 Road	Added 6' shoulders	0.70	2	3	0.70	\$1,286,200	\$1,837,429
K Road	Adobe	20.8 Road	Added 6' shoulders	0.63	2	3	0.63	\$693,240	\$1,100,381
Total				5.15			5.15	\$8,655,690	\$1,680,717

Source: Mesa County Engineering, October 5, 2018; original costs inflated by the change in the CDOT Construction Cost Index over the last three years; cost per lane-mile is project cost divided by new lane-miles.

Average urban and rural costs per lane-mile identified above are converted to a weighted average cost per lane-mile in Table 11 based on the distribution of existing lane-miles. The weighted average is about \$2.8 million per lane-mile.

Table 11. Weighted Average Cost per Lane-Mile

	Urban	Rural	Total
Average Cost per Lane-Mile	\$3,318,069	\$1,680,717	n/a
x Percent of Lane-Miles	66.2%	33.8%	100.0%
Weighted Average Cost per Lane-Mile	\$2,196,562	\$568,082	\$2,764,644

Source: Average cost per lane-mile from Table 9 (urban) and Table 10; distribution of urban and rural major roadway lane-miles within the service area from Mesa County GIS, September 28, 2018.

Cost per Service Unit Summary

Dividing the weighted average cost per lane-mile by the average daily capacity per lane yields an average cost of per vehicle-mile of capacity or VMC. Under the modified consumption-based methodology, the cost per VMC needs to be multiplied by the VMC/VMT ratio (see discussion in Appendix D: Methodology) to determine the cost per vehicle-mile of travel or VMT. As shown in Table 12, the cost per service unit to accommodate the traffic generated by new development is \$353 per VMT. Note that this updated cost per service unit excludes ROW costs.

Table 12. Transportation Cost per Service Unit

Weighted Average Cost per Lane-Mile	\$2,764,644
÷ Average Daily Capacity per Lane	7,827
Average Cost per Vehicle-Mile of Capacity (VMC)	\$353
x VMC/VMT Ratio	1.00
Cost per Vehicle-Mile of Travel (VMT)	\$353

Source: Weighted average cost per lane-mile from Table 11; average capacity per lane derived from Table 18 (total VMC ÷ total lane-miles); VMC/VMT ratio is recommended ratio from Table 19.

NET COST PER SERVICE UNIT

As discussed in Appendix C: Legal Framework, revenue credits may be warranted for existing deficiencies, outstanding debt, the availability of State/Federal funding, and the historical use of local funding for major roadway expansion. There are no existing deficiencies from the perspective of the transportation impact fees because the fees are based on a level of service that is lower than what is currently provided to existing development.

The City of Grand Junction is the only one of the four jurisdictions that has any outstanding debt on existing major roadways. The City has about \$25 million in outstanding debt for the Riverside Parkway widening. However, Riverside Parkway accounts for only about 4% of the total excess capacity in the major roadway system that is available for new development. The fees that Grand Junction collects could be used to retire this debt, although that is not the City's current practice. Consequently, no revenue credit is required for the outstanding debt.

While not necessarily required, as discussed in the Revenue Credits section of Appendix C, revenue credits will be calculated for direct state and federal funding for road improvements, and for local government's historical use of funding for capacity-expanding improvements.

Direct funding of road improvements with State and Federal funds is programmed through the *Transportation Improvement Program (TIP)* prepared by the Grand Valley Metropolitan Planning Organization. The current TIP includes \$2.7 million in annual funding over next four years for improvements that are capacity-expanding. These improvements are summarized in Table 13.

Table 13. Average Annual State/Federal Road Capacity Funding, FY 2019-2022

Facility	Location	Description	Amount
I-70B	24 Rd-15th St	Widening	\$2,000,000
US 6	Clifton-Palisade	Preliminary Engineering	\$7,200,000
US 6	Fruita-I-70B	Highway & Intersection Improvements	\$1,650,000
Total State/Federal Funding			\$10,850,000
÷ Number of Years			4
Average Annual Funding			\$2,712,500

Source: Grand Valley Metropolitan Planning Organization, *Transportation Improvement Program, State FY 2019 to 2022*, amended October 22, 2018.

In addition to direct state and federal funding for road improvements, other state highway revenues, primarily highway user taxes and motor vehicle registration fees, are allocated to local jurisdictions and earmarked for transportation-related expenditures. Other major local sources of revenue for road expenditures include Mesa County's sales tax and Grand Junction's general fund. The consultant analyzed the four jurisdictions' annual reports for the last five years to determine how much is spent on right-of-way, new roads, and roadway capacity improvements. As can be seen from Table 14, local governments in Mesa County are spending about \$10 million annually on capacity improvements.

Table 14. Average Annual Local Road Capacity Expenditures

Jurisdiction	5-Yr. Avg.
Mesa County	\$7,184,091
City of Grand Junction	\$2,431,028
City of Fruita	\$441,301
Town of Palisade	\$0
Total	\$10,056,420

Source: Local Highway Finance Reports, 2012-2016 for Mesa County and Grand Junction, 2013-2017 for Fruita and Palisade.

The amount of the revenue credit is determined by first dividing the total annual funding available for road capacity improvements by total VMT on the major roadway system, then multiplying by a present value factor. This results in a credit per service unit that is the current equivalent of the future 30-year stream of funding that will be available to help defray the growth-related costs of improving the major roadway system.

Table 15. Transportation Funding Credit

Annual State/Federal Capital Funding	\$2,712,500
Annual Local Capital Expenditures	\$10,056,420
Total Annual Capital Funding	\$12,768,920
÷ Daily VMT on Major Road System	2,347,636
Annual Funding per Daily VMT	\$5.44
x Present Value Factor (30 Years)	18.86
Funding Credit per Daily VMT	\$103

Source: State/Federal funding from Table 13; local expenditures from Table 14; existing VMT from Table 18; present value factor is based on a discount rate of 3.30%, which is the national average yield on AAA 30-year municipal bonds from fmsbonds.com on November 27, 2018.

The net cost per service unit is the cost per VMT less the revenue credit for non-impact fee funding. As shown in Table 16, the net cost per service unit is \$250 per VMT.

Table 16. Transportation Net Cost per Service Unit

Cost per Vehicle-Mile of Travel	\$353
– Credit per Vehicle-Mile of Travel	-\$103
Net Cost per Vehicle-Mile of Travel	\$250

Source: Cost per VMT from Table 12; credit from Table 15.

NET COST SCHEDULE

The updated transportation impact fees for the various land use categories are shown in Table 17. Fees shown exclude ROW costs. The impact fee calculation for each land use category is the product of daily VMT per development unit on the major roadway system and the net cost per VMT, which takes into account the average cost to add roadway capacity as well as future revenue that will be generated by new development to help offset those costs. The comparison of the updated fees with current fees is presented in the Executive Summary.

Table 17. Updated Transportation Impact Fees

Land Use Type	Unit	VMT/ Unit	Net Cost/ VMT	Net Cost/ Unit
Single-Family Detached	Dwelling	27.05	\$250	\$6,763
<1,250 sq. ft. of living area	Dwelling	13.01	\$250	\$3,253
1,250 - 1,649 sq. ft. of living area	Dwelling	21.72	\$250	\$5,430
1,650 - 2,299 sq. ft. of living area	Dwelling	25.27	\$250	\$6,318
2,300 or more sq. ft. of living area	Dwelling	34.15	\$250	\$8,538
Multi-Family (including townhome)	Dwelling	18.28	\$250	\$4,570
Multi-Family, Low-Rise (1-2 stories)	Dwelling	20.97	\$250	\$5,243
Multi-Family, Mid-Rise (3-10 stories)	Dwelling	15.59	\$250	\$3,898
Townhouse	Dwelling	16.62	\$250	\$4,155
Senior Adult Housing - Detached	Dwelling	12.20	\$250	\$3,050
Senior Adult Housing - Attached	Dwelling	10.60	\$250	\$2,650
Mobile Home/RV Park	Pad	14.33	\$250	\$3,583
Hotel/Motel	Room	16.73	\$250	\$4,183
Shopping Center/Commercial	1,000 sf	32.96	\$250	\$8,240
Auto Sales/Service	1,000 sf	37.03	\$250	\$9,258
Bank, Drive-In	1,000 sf	73.46	\$250	\$18,365
Convenience Store w/Gas Sales	1,000 sf	105.58	\$250	\$26,395
Golf Course	Hole	51.40	\$250	\$12,850
Movie Theater	1,000 sf	132.11	\$250	\$33,028
Restaurant, Standard	1,000 sf	59.90	\$250	\$14,975
Restaurant, Drive-Through	1,000 sf	132.81	\$250	\$33,203
Office, General	1,000 sf	26.74	\$250	\$6,685
Office, Medical	1,000 sf	102.66	\$250	\$25,665
Animal Hospital/Vet Clinic	1,000 sf	63.43	\$250	\$15,858
Hospital	1,000 sf	31.62	\$250	\$7,905
Nursing Home	1,000 sf	12.48	\$250	\$3,120
Place of Worship	1,000 sf	10.90	\$250	\$2,725
Day Care Center	1,000 sf	17.94	\$250	\$4,485
Elementary/Secondary School	1,000 sf	6.75	\$250	\$1,688
Public/Institutional	1,000 sf	15.25	\$250	\$3,813
Industrial	1,000 sf	8.31	\$250	\$2,078
Warehouse	1,000 sf	4.99	\$250	\$1,248
Mini-Warehouse	1,000 sf	4.30	\$250	\$1,075

Source: VMT per unit from Table 17; net cost per VMT from Table 16.

APPENDIX A: MAJOR ROAD INVENTORY

Table 18. Existing Major Roadway Inventory

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
1 9/10 Rd	Highline Canal Rd	I-70	COL	0.588	2	12,000	97	7,056	57
4th Ave	S of S 7th St	S 9th 9th St	COL	0.558	2	12,000	228	6,696	127
14 Rd	Hwy 6 & 50	Node	COL	0.340	2	12,000	193	4,080	66
15 Rd	Hwy 6 & 50	L Rd	COL	0.114	2	12,000	151	1,368	17
15th St	North Ave	Patterson Rd	COL	0.998	2	12,000	838	11,976	836
16 Rd	Hwy 6 nd 50	Q Rd	COL	5.770	2	12,000	638	69,240	3,681
17 1/2 Rd	Applewood Dr	N 3/10 Rd	COL	2.827	2	12,000	1,502	33,924	4,246
17 Rd	K Rd	O Rd	COL	3.996	2	12,000	562	47,952	2,246
18 1/2 Rd	K Rd	N 3/10 Rd	COL	3.669	2	12,000	2,382	44,028	8,740
18 Rd	K 6/10 Rd	Node	COL	3.142	2	12,000	75	37,704	236
19 Rd	Hwy 6 and 50	Node	COL	6.690	2	12,000	3,349	80,280	22,405
20 1/2 Rd	Spoon Ct	E 3/4 Rd	COL	0.849	2	12,000	286	10,188	243
20 Rd	E 3/4 Rd	N Rd	COL	5.663	2	12,000	1,612	67,956	9,129
21 1/2 Rd	Hwy 6 & 50	I Rd	COL	0.979	2	12,000	536	11,748	525
21 Rd	Node	Node	COL	8.129	2	12,000	1,423	97,548	11,568
22 Rd	Hwy 6 & 50	Node	COL	5.128	2	12,000	146	61,536	749
23 Rd	Hwy 6 & 50	Orchard Ave	COL	5.600	2	12,000	2,928	67,200	16,397
24 1/2 Rd	Hwy 6 & 50	Patterson Rd	MA	0.301	4	40,000	11,141	12,040	3,353
24 1/2 Rd	Patterson Rd	F 3/8 Rd	COL	0.368	2	18,000	9,238	6,624	3,400
24 1/2 Rd	F 3/8 Rd	H Rd	COL	1.629	2	12,000	4,691	19,548	7,642
24 Rd	Node	Node	PA	0.466	2	18,000	5,041	8,388	2,349
24 Rd	Patterson Rd	I-70 Ramp	PA	1.290	2	26,000	14,869	33,540	19,181
24 Rd	I-70 Ramp	I-70 Ramp	COL	0.079	4	24,000	8,730	1,896	690
24 Rd	I-70 Ramp	K Rd	COL	3.438	2	12,000	6,335	41,256	21,780
25 1/2 Rd	Independent Ave	Patterson Rd	COL	0.753	2	18,000	4,696	13,554	3,536
25 1/2 Rd	Patterson Rd	Fall Valley Ave	COL	0.267	2	12,000	2,672	3,204	713
25 1/2 Rd	Fall Valley Ave	Moonridge Dr	COL	0.544	2	18,000	1,795	9,792	976
25 1/2 Rd	Moonridge Dr	G Rd	COL	0.201	2	12,000	1,309	2,412	263
25 Rd	Hwy 6 And 50	Riverside Pkwy	PA	0.332	4	44,000	17,671	14,608	5,867
25 Rd	Hwy 6 & 50	Patterson Rd	MA	0.610	2	24,000	18,733	14,640	11,427
25 Rd	Patterson Rd	Foresight Cir	MA	0.169	2	16,000	9,182	2,704	1,552
25 Rd	Foresight Cir	F 1/2 Rd	PA	0.326	2	18,000	9,066	5,868	2,956
25 Rd	F 1/2 Rd	Hayes Dr	MA	0.248	2	16,000	8,493	3,968	2,106
25 Rd	Hayes Dr	G Rd	MA	0.254	2	24,000	7,228	6,096	1,836
25 Rd	G Rd	Node	COL	4.344	2	12,000	2,728	52,128	11,850
26 1/2 Rd	Horizon Dr	H Rd	MA	1.740	2	16,000	254	27,840	442
26 1/2 Rd	H Rd	I Rd	COL	0.998	2	12,000	254	11,976	253
26 Rd	Patterson Rd	G 1/2 Rd	MA	1.453	2	16,000	6,526	23,248	9,482
26 Rd	G 1/2 Rd	Node	MA	0.110	2	24,000	4,332	2,640	477
26 Rd	Node	H Rd	MA	0.435	2	16,000	4,332	6,960	1,884
26 Rd	H Rd	I Rd	COL	0.999	2	12,000	1,113	11,988	1,112
27 1/2 Rd	Patterson Rd	Horizon Dr	COL	1.020	2	18,000	9,077	18,360	9,259
27 1/4 Rd	H Rd	Node	COL	0.926	2	12,000	52	11,112	48
27 Rd	B Rd	C Rd	COL	0.902	2	12,000	2,829	10,824	2,552
27 Rd	G Rd	H Rd	MA	0.999	2	16,000	3,138	15,984	3,135
28 1/2 Rd	Hwy 50	Orchard Ave	COL	1.944	2	12,000	6,159	23,328	11,973
28 1/4 Rd	North Ave	Orchard Ave	COL	0.504	2	18,000	2,666	9,072	1,344

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
28 1/4 Rd	Orchard Ave	Patterson Rd	MA	0.498	4	32,000	7,803	15,936	3,886
28 1/4 Rd	Patterson Rd	Park Dr	COL	0.210	2	18,000	2,666	3,780	560
28 Rd	B 1/2 Rd	UnawEEP Ave	COL	0.504	2	12,000	382	6,048	193
28 Rd	I-70 B	Node	MA	0.282	2	16,000	5,494	4,512	1,549
28 Rd	Node	Orchard Ave	MA	0.788	2	24,000	5,494	18,912	4,329
28 Rd	Patterson Rd	Ridge Dr	COL	0.498	2	18,000	3,302	8,964	1,644
28 Rd	Ridge Dr	Cortland Ave	COL	0.252	2	12,000	1,912	3,024	482
29 1/2 Rd	Hwy 50	F 1/2 Rd	COL	2.006	2	12,000	481	24,072	965
29 3/4 Rd	Old WW Rd	Hwy 50	COL	0.724	2	12,000	21	8,688	15
29 Rd	Hwy 50	UnawEEP Ave	COL	0.987	2	18,000	3,125	17,766	3,084
29 Rd	UnawEEP Ave	D Rd	PA	1.276	2	26,000	14,078	33,176	17,964
29 Rd	D Rd	D 1/2 Rd	PA	0.413	4	44,000	15,766	18,172	6,511
29 Rd	D 1/2 Rd	North Ave	PA	0.590	4	36,000	22,096	21,240	13,037
29 Rd	North Ave	Patterson Rd	MA	0.998	2	24,000	10,566	23,952	10,545
29 Rd	Patterson Rd	29 Rd	PA	0.876	2	18,000	5,850	15,768	5,125
29 Rd	G Rd	N I-70 Frontg Rd	COL	0.424	2	12,000	5	5,088	2
2nd St	Front St	F Rd	COL	0.276	2	12,000	1,410	3,312	389
30 Rd	Hwy 50	B 1/2 Rd	COL	1.231	2	12,000	766	14,772	943
30 Rd	D Rd	E Rd	MA	0.878	2	24,000	7,489	21,072	6,575
30 Rd	E Rd	Patterson Rd	MA	1.120	4	40,000	17,250	44,800	19,320
30 Rd	Patterson Rd	F 1/2 Rd	COL	0.497	2	12,000	6,188	5,964	3,075
31 1/2 Rd	E Rd	F 1/2 Rd	COL	1.456	2	12,000	3,895	17,472	5,671
31 Rd	Hwy 50	F 1/2 Rd	COL	4.399	2	12,000	1,440	52,788	6,335
32 Rd	I-70 B	Frontage Rd	MA	0.023	4	32,000	3,440	736	79
32 Rd	E 1/2 Rd	32 Rd	MA	0.217	4	40,000	5,896	8,680	1,279
32 Rd	32 Rd	F Rd	MA	0.246	2	16,000	6,713	3,936	1,651
32 Rd	F Rd	E 1/2 Rd	COL	0.500	2	12,000	2,518	6,000	1,259
32 1/2 Rd	E Rd	F Rd	COL	0.836	2	12,000	2,209	10,032	1,847
33 Rd	D 1/2 Rd	D 3/4 Rd	COL	0.249	2	12,000	1,877	2,988	467
33 Rd	D 3/4 Rd	E Rd	COL	0.751	2	18,000	369	13,518	277
33 Rd	E 1/2 Rd	Node	COL	1.672	2	12,000	91	20,064	152
34 1/2 Rd	C 1/2 Rd	D Rd	COL	0.504	2	12,000	1,319	6,048	665
34 Rd	E 1/4 Rd	G Rd	COL	1.757	2	12,000	48	21,084	84
35 1/2 Rd	E Rd	E 1/2 Rd	COL	0.497	2	12,000	454	5,964	226
35 Rd	34 1/2 Rd	E Rd	COL	1.435	2	12,000	1,319	17,220	1,893
36 Rd	E 1/2 Rd	F Rd	COL	0.496	2	12,000	454	5,952	225
37 1/4 Rd	F Rd	F 1/4 Rd	COL	0.243	2	12,000	1,079	2,916	262
37 3/10 Rd	G Rd	I-70	COL	0.777	2	12,000	2,168	9,324	1,685
38 Rd	Horse Mntn Rd	G Rd	COL	0.921	2	12,000	1,947	11,052	1,793
A 1/2 Rd	30 Rd	31 Rd	COL	0.999	2	12,000	182	11,988	182
American Way	Base Rock St	Maldonado St	COL	0.236	2	12,000	3867	2,832	913
B 1/2 Rd	Hwy 50	27 1/2 Rd	MA	0.208	2	24,000	4,382	4,992	911
B 1/2 Rd	27 1/2 Rd	32 Rd	MA	4.520	2	16,000	4382	72,320	19,807
B Rd	27 Rd	30 Rd	COL	3.055	2	12,000	2269	36,660	6,932
Base Rock	Node	Node	COL	0.556	2	18,000	4,509	10,008	2,507
Belford Ave	N 4th St	N 5th St	MA	0.092	4	16,000	1,447	1,472	133
Belford Ave	N 24th St	28 Rd	COL	0.199	2	12,000	3,642	2,388	725
Bookcliff Ave	26 1/2 Rd	N 12th St	COL	0.467	2	12,000	2,623	5,604	1,225
C 1/2 Rd	32 Rd	34 1/2 Rd	COL	2.549	2	12,000	1,656	30,588	4,221
C Rd	31 Rd	32 Rd	COL	0.998	2	12,000	128	11,976	128

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
Canon St	Node	Hwy 50	COL	0.221	2	12,000	2,839	2,652	627
Coffman Rd	Hwy 141	Broadway	COL	3.662	2	12,000	10	43,944	37
Colorado Ave	S 3rd St	S 7th St	COL	0.365	2	12,000	7,799	4,380	2,847
Cortland Ave	27 1/2 Rd	28 Rd	COL	0.500	2	12,000	2,735	6,000	1,368
Crosby Ave	American Way	Broadway	COL	0.465	2	12,000	2,367	5,580	1,101
Crossroads Blvd	27 Rd	Horizon Dr	MA	1.088	2	16,000	6,177	17,408	6,721
D 1/2 Rd	29 Rd	D 1/2 Ct	COL	0.245	2	18,000	7,050	4,410	1,727
D 1/2 Rd	D 1/2 Ct	30 1/4 Rd	COL	1.044	2	12,000	7,050	12,528	7,360
D 1/2 Rd	30 1/4 Rd	Node	COL	0.077	2	18,000	9,619	1,386	741
D 1/2 Rd	Node	33 Rd	COL	2.669	2	12,000	7,669	32,028	20,469
D Rd	Monument Rd	Rosevale Rd	COL	0.306	2	12,000	2,191	3,672	670
D Rd	Node	Node	MA	0.373	4	32,000	4,849	11,936	1,809
D Rd	Node	Node	MA	0.300	2	16,000	4,983	4,800	1,495
D Rd	Node	Riverside Pkwy	MA	0.044	4	32,000	4,983	1,408	219
D Rd	D Rd	Node	PA	0.054	2	26,000	12,164	1,404	657
D Rd	29 Rd	32nd Rd	MA	2.993	2	16,000	15,986	47,888	47,846
Desert Rd	Hwy 50	Hwy 141	COL	4.787	2	12,000	11	57,444	53
DS Rd	17 3/10 Rd	Rim Rock Dr	COL	4.883	2	12,000	979	58,596	4,780
E 1/2 Rd	30 Rd	36 Rd	MA	1.497	2	16,000	5,706	23,952	8,542
E 1/2 Rd	32 Rd	Aaron Ct	COL	1.606	2	12,000	3,642	19,272	5,849
E 1/4 Rd	33 Rd	34 Rd	COL	1.009	2	12,000	833	12,108	840
E 3/4 Rd	20 1/2 Rd	20 3/4 Rd	COL	0.247	2	12,000	996	2,964	246
E Aspen Ave	N Mesa St	N Peach St	COL	1.212	2	12,000	4,328	14,544	5,246
E Grand Ave	Hwy 6 And 50	S PINE St	COL	0.485	2	12,000	612	5,820	297
E Ottley Ave	N Mesa St	Node	COL	0.447	2	12,000	4,369	5,364	1,953
E Pabor Ave	N Mesa St	N Maple St	COL	0.249	2	12,000	846	2,988	211
E Rd	30 Rd	35 1/2 Rd	COL	3.539	2	12,000	10,048	42,468	35,560
Elm Ave	N 7th St	Houston Ave	COL	1.848	2	12,000	2,868	22,176	5,300
F Rd	I-70 B	33 Rd	PA	0.675	2	26,000	17,935	17,550	12,106
F Rd	33 Rd	33 1/2 Rd	PA	0.512	2	18,000	8,076	9,216	4,135
F Rd	31 Rd	33 1/2 Rd	PA	1.320	4	44,000	19,165	58,080	25,298
F Rd	33 1/2 Rd	37 1/4 Rd	COL	1.721	2	12,000	1,323	20,652	2,277
F 1/4 Rd	37 1/4 Rd	Horse Mntain Rd	COL	0.809	2	12,000	1,485	9,708	1,201
F 1/2 Rd	25 Rd	32 Rd	COL	4.041	2	12,000	2,078	48,492	8,397
Frontage Rd	Timber Falls Dr	Hwy 6 and 50	COL	0.777	2	12,000	2,992	9,324	2,325
Frontage Rd	31 1/2 Rd	32 Rd	MA	0.487	2	16,000	3,860	7,792	1,880
G Rd	Power Rd	Hwy 6 & 50	COL	0.048	2	12,000	3,338	576	160
G Rd	Hwy 6 & 50	Horizon Dr	MA	4.944	2	16,000	1,727	79,104	8,538
G Rd	33 Rd	Front St	COL	3.710	2	12,000	1,398	44,520	5,187
Grand Ave	N 1ST St	N 7th St	MA	0.532	4	40,000	19,966	21,280	10,622
Grand Ave	N 7th St	N 12th St	MA	0.466	2	24,000	8,449	11,184	3,937
Grand Ave	N 12th St	28 Rd	COL	1.009	2	12,000	6,344	12,108	6,401
Gunnison Ave	N 1st St	N 9th St	COL	0.706	2	12,000	6,335	8,472	4,473
Gunnison Ave	N 9th St	N 12th St	COL	0.290	2	18,000	7,753	5,220	2,248
Gunnison Ave	N 12th St	Mantlo Cir	COL	0.809	2	12,000	3,912	9,708	3,165
H Rd	21 Rd	26 1/2 Rd	COL	4.495	2	12,000	1,074	53,940	4,828
H Rd	26 1/2 Rd	Jamaica Dr	COL	0.204	2	18,000	4,329	3,672	883
H Rd	Jamaica Dr	North Crest Dr	COL	1.131	2	12,000	3,117	13,572	3,525
H Rd	North Crest Dr	Horizon Dr	COL	0.455	2	18,000	1,659	8,190	755
Horizon Dr	26 1/2 Rd	N 2th St	MA	0.670	2	16,000	7,489	10,720	5,018

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
O Rd	16 Rd	19 Rd	COL	1.999	2	12,000	185	23,988	370
Old 6 and 50	Node	2 8/10 Rd	MA	11.956	2	16,000	64	191,296	765
Orchard Ave	1st St	26 Rd	COL	2.016	2	12,000	4,826	24,192	9,729
Orchard Ave	28 Rd	30 Rd	MA	0.591	2	24,000	9,842	14,184	5,817
Orchard Ave	Normandy Dr	29 Rd	MA	0.397	2	16,000	8,059	6,352	3,199
Orchard Ave	29 Rd	29 1/2 Rd	MA	0.503	2	24,000	7,877	12,072	3,962
Orchard Ave	29 1/2 Rd	30 Rd	MA	0.500	2	16,000	5,282	8,000	2,641
Ottley Ave	Node	N Pine St	COL	0.300	2	12,000	2,779	3,600	834
Patterson Rd	Hwy 6 & 50	26 Rd	PA	2.417	4	44,000	8,723	106,348	21,083
Patterson Rd	26 Rd	Mira Vista Rd	PA	0.297	4	36,000	30,773	10,692	9,140
Patterson Rd	Mira Vista Rd	View Point Dr	PA	0.385	4	44,000	30,640	16,940	11,796
Patterson Rd	View Point Dr	Node	PA	0.209	4	36,000	28,741	7,524	6,007
Patterson Rd	Node	31 Rd	PA	4.108	4	44,000	26,667	180,752	109,548
Pkwy Ramp	Node	Riverside Pkwy	RMP	0.380	2	12,000	1,651	4,560	627
Pkwy Ramp	Node	Node	PA	0.027	1	9,000	186	243	5
Pkwy Ramp	Node	Node	RMP	0.542	2	6,000	2,915	3,252	1,580
Pitkin Ave	Ute Ave	2nd St	PA	0.114	4	18,000	13,144	2,052	1,498
Pitkin Ave	S 2nd St	S 12th St	PA	0.921	6	27,000	13,144	24,867	12,106
Pitkin Ave	S 12th St	Node	PA	0.440	4	18,000	12,263	7,920	5,396
Rabbit Valley Rd	Node	Node	RMP	0.170	2	12,000	9	2,040	2
Redlands Pkwy	S Broadway	Broadway	COL	0.440	2	12,000	7,715	5,280	3,395
Redlands Pkwy	Colorado River	Pkwy Ramp	PA	0.809	4	36,000	17,688	29,124	14,310
Redlands Pkwy	S Camp Rd	S Broadway	COL	0.262	2	12,000	7,715	3,144	2,021
Redlands Pkwy	Broadway	Colorado River	PA	0.827	2	18,000	12,843	14,886	10,621
Redlands Pkwy	Node	Node	PA	0.022	4	36,000	17,435	792	384
Redlands Pkwy	Node	Node	PA	0.336	2	18,000	8,540	6,048	2,869
Redlands-Riverside	Node	Node	RMP	0.095	2	6,000	608	570	58
Reeder Mesa Rd	Hwy 50	Goodfellow Ct	COL	2.567	2	12,000	381	30,804	978
Ridges Blvd	Ridgeway Ct	Broadway	COL	0.753	2	12,000	7,717	9,036	5,811
Rimrock Dr	N 16 1/2 Rd	S Camp Rd	COL	23.005	2	12,000	288	276,060	6,625
River Rd	Frontage Rd	Pkwy Ramp	COL	4.607	2	12,000	3,886	55,284	17,903
Riverside Pkwy	Pkwy Ramp	Overpass	COL	1.389	2	18,000	2,722	25,002	3,781
Riverside Pkwy	Node	Node	COL	0.161	2	12,000	1,980	1,932	319
Riverside Pkwy	Node	Node	COL	0.039	4	24,000	444	936	17
Riverside Pkwy	Node	29 Rd	MA	1.556	2	24,000	12,885	37,344	20,049
Riverside Pkwy	Node	Node	PA	0.306	2	9,000	1,215	2,754	372
Riverside Pkwy	Node	Node	PA	0.115	4	44,000	17,227	5,060	1,981
Riverside Pkwy	Node	Node	PA	0.132	2	9,000	1,536	1,188	203
Riverside Pkwy	Node	Node	PA	1.713	4	44,000	17,670	75,372	30,269
Riverside Pkwy	Hwy 50 Exit	Hwy 50 on-ramp	PA	0.230	4	44,000	12,420	10,120	2,857
Riverside Pkwy	Node	S 9th St	PA	0.330	4	44,000	12,276	14,520	4,051
Riverside Pkwy	S 9th St	D Rd	PA	1.011	2	26,000	10,253	26,286	10,366
Riverside Pkwy	Node	Node	RMP	0.252	2	6,000	10,313	1,512	2,599
Riverside Pkwy	Node	Node	RMP	0.255	1	6,000	177	1,530	45
Riverside Pkwy	Node	Node	RMP	0.264	2	6,000	9,264	1,584	2,446
Rood Ave	N 1st St	N 7th St	COL	0.529	2	12,000	3,134	6,348	1,658
Rosevale Rd	S Redlands Rd	D Rd	COL	0.820	2	12,000	1,570	9,840	1,287
S 1st St	Ute Ave	Main St	PA	0.116	4	36,000	25,971	4,176	3,013
S 5th St	Hwy 50	Pitkin Ave	EXP	1.143	4	24,000	14,590	27,432	16,676
S 5th St	Pitkin Ave	Ute Ave	MA	0.068	4	32,000	15,318	2,176	1,042

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
S 4th St	Pitkin Ave	Main St	MA	0.205	4	16,000	4,410	3,280	904
S 5th St	Ute Ave	Main St	MA	0.131	6	24,000	7,584	3,144	994
S 7th St	Riverside Pkwy	Pitkin Ave	COL	0.539	2	18,000	1,203	9,702	648
S 7th St	Pitkin Ave	Main St	MA	0.202	4	40,000	8,117	8,080	1,640
S 9th St	Riverside Pkwy	4th Ave	COL	0.230	2	12,000	848	2,760	195
S 9th St	4th Ave	Ute Ave	MA	0.416	2	16,000	1,526	6,656	635
S 12th St	Pitkin Ave	Colorado Ave	PA	0.133	2	18,000	3,127	2,394	416
S 12th St	Colorado Ave	Main St	PA	0.070	2	26,000	3,127	1,820	219
S Broadway	Mnmnt Canyon Dr	S Camp Rd	COL	3.462	2	12,000	5,224	41,544	18,085
SB Pkwy on-ramp	Broadway	Riverside Pkwy	RMP	0.224	2	6,000	3,872	1,344	867
S Camp Rd	Monument Rd	Rimrock Rd	COL	0.626	2	12,000	3,335	7,512	2,088
S Camp Rd	Rimrock Rd	Buffalo Dr	COL	0.873	2	12,000	3,166	10,476	2,764
S Camp Rd	Buffalo Dr	Mckinley Dr	COL	0.858	2	18,000	2,419	15,444	2,076
S Camp Rd	Mckinley Dr	S Broadway	COL	0.295	2	12,000	3,605	3,540	1,063
S Coulson St	Hwy 6 & 50	W Aspen Ave	COL	0.051	2	12,000	3,664	612	187
S Maple St	Hwy 6 & 50	E Aspen Ave	COL	0.358	2	12,000	1,864	4,296	667
S Mesa St	Hwy 6 & 50	W Aspen Ave	COL	0.184	2	12,000	2,109	2,208	388
S Pine St	Hwy 6 & 50	J 2/10 Rd	COL	0.339	2	18,000	8,893	6,102	3,015
S Pine St	J 2/10 Rd	E Aspen Ave	COL	0.371	2	12,000	7,461	4,452	2,768
S Redlands Rd	Mount Sopris Dr	Monument Rd	COL	0.402	2	12,000	3,057	4,824	1,229
Teller Ave	I-70 B	29 Rd	RMP	0.189	4	24,000	3,973	4,536	751
Unaweep Ave	Hwy 50	29 Rd	COL	2.847	2	18,000	9,028	51,246	25,703
Ute Ave	S 1st St	N 5th St	PA	0.355	4	18,000	10,652	6,390	3,781
Ute Ave	S 5th St	S 12th St	PA	0.646	6	27,000	11,357	17,442	7,337
Ute Ave	S 12th St	I-70 B	PA	0.424	4	18,000	10,777	7,632	4,569
Warrior Way	I-70 B	E 1/2 Rd	COL	0.112	2	18,000	7,513	2,016	841
West Ave	Broadway	Riverside Pkwy	COL	0.170	2	12,000	8,172	2,040	1,389
W Aspen Ave	N Coulson St	N Mesa St	COL	0.250	2	12,000	4,037	3,000	1,009
W Grand Ave	Mulberry St	N 1st St	PA	0.154	4	44,000	20,840	6,776	3,209
W Ottley Ave	Hwy 6 And 50	N Mesa St	COL	0.885	2	12,000	1,256	10,620	1,112
W Pabor Ave	N Cherry St	N Mesa St	COL	0.251	2	12,000	2,587	3,012	649
Whitewtr Crk Rd	Reeder Mesa Rd	Node	COL	1.633	2	12,000	111	19,596	181
Subtotal, Non-State Roads				350.168				5,325,416	1,326,921
EB Off-Ramp	Node	Node	RMP	0.224	2	6,000	9,260	1,344	2,074
EB Off-Ramp	Node	Node	RMP	0.047	2	6,000	49	282	2
EB On-Ramp	Node	Node	RMP	0.031	2	6,000	2,984	186	93
EB On-Ramp	Node	Node	RMP	0.055	2	6,000	313	330	17
EB On-Ramp	Node	Node	RMP	0.321	2	6,000	3,110	1,926	998
EB to EB Off-ramp	Node	Node	RMP	0.201	2	6,000	9,211	1,206	1,851
EB to WB Off-ramp	Node	Node	RMP	0.035	2	6,000	29	210	1
EB to WB On-ramp	Node	Node	RMP	0.061	2	6,000	80	366	5
Hwy 6	N 1st St	I-70 B	PA	3.819	4	44,000	25,380	168,036	96,926
Hwy 6	Node	Node	RMP	0.316	4	12,000	11,903	3,792	3,761
Hwy 6	Node	Node	RMP	0.477	2	6,000	10,907	2,862	5,203
Hwy 6	Node	Node	RMP	0.101	4	12,000	11,903	1,212	1,202
Hwy 6	Node	N 1st St	PA	0.101	4	44,000	22,848	4,444	2,308
Hwy 6	F Rd	G Rd	PA	3.320	2	18,000	7,854	59,760	26,075
Hwy 6	G Rd	Shiraz Dr	PA	0.284	2	26,000	8,038	7,384	2,283
Hwy 6	Shiraz Dr	37 3/10 Rd	PA	0.388	2	18,000	6,705	6,984	2,602

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
Hwy 6	37 3/10 Rd	Peach Ave	PA	0.382	2	26,000	5,940	9,932	2,269
Hwy 6	Peach Ave	Rapid Creek Rd	PA	2.482	2	18,000	3,985	44,676	9,891
Hwy 6	Node	Node	RMP	0.418	2	6,000	673	2,508	281
Hwy 6	Rapid Creek Rd	I-70	RMP	0.372	2	6,000	475	2,232	177
Hwy 6/50 offramp	Hwy 6 and 50	Redlands Pkwy	RMP	0.244	2	6,000	659	1,464	161
Hwy 6/50 onramp	Redlands Pkwy	Hwy 6 & 50	RMP	0.265	2	6,000	5,266	1,590	1,395
Hwy 6 and 50	Node	Old Hwy 6 & 50	EXP	0.763	2	24,000	446	18,312	340
Hwy 6 and 50	Hwy 6 & 50	past 22 Rd	EXP	13.894	2	24,000	1,082	333,456	15,033
Hwy 6 and 50	Node	Node	EXP	0.081	4	48,000	25,077	3,888	2,031
Hwy 6 and 50	Node	Node	EXP	0.430	4	24,000	11,656	10,320	5,012
Hwy 6 and 50	Node	Patterson Rd	EXP	2.003	4	48,000	29,287	96,144	58,662
Hwy 6 and 50	Node	Node	EXP	0.984	4	24,000	13,115	23,616	12,905
Hwy 6 and 50	Node	Node	EXP	0.155	6	36,000	15,170	5,580	2,351
Hwy 6 and 50	Node	Rimrock Ave	EXP	1.259	6	72,000	32,103	90,648	40,418
Hwy 6 and 50	Rimrock Ave	Node	EXP	0.794	6	24,000	19,314	19,056	15,335
Hwy 6 and 50	Node	Node	EXP	0.256	6	12,000	8,406	3,072	2,152
Hwy 6 and 50	Node	Node	EXP	0.514	6	24,000	10,339	12,336	5,314
Hwy 6 and 50	Node	Node	EXP	0.216	6	48,000	20,001	10,368	4,320
Hwy 50	Unaweeep Ave	Palisade St	EXP	0.428	4	48,000	40,563	20,544	17,361
Hwy 50	Unaweeep Ave	Unaweeep Ave	EXP	1.116	4	24,000	19,139	26,784	21,359
Hwy 50	Palisade St	27 Rd	EXP	0.409	4	48,000	27,092	19,632	11,081
Hwy 50	27 Rd	B 1/2 Rd	EXP	0.294	4	24,000	13,212	7,056	3,884
Hwy 50	27 Rd	Hwy 50 Ramp	EXP	0.358	2	24,000	13,219	8,592	4,732
Hwy 50	B 1/2 Rd	27 1/2 Rd	EXP	0.375	4	24,000	9,085	9,000	3,407
Hwy 50	27 1/2 Rd	County Line	EXP	18.666	4	48,000	18,631	895,968	347,766
Hwy 50 Ramp	Hwy 50	Node	MA	0.135	2	8,000	4,114	1,080	555
Hwy 50 Ramp	Node	B 1/2 Rd	MA	0.221	2	24,000	4,148	5,304	917
Hwy 139	Node	Co Rd 258	MA	13.643	2	16,000	1,569	218,288	21,406
Hwy 141	Node	Hwy 50	MA	0.964	2	16,000	1,914	15,424	1,845
Hwy 141	Hwy 50	D Rd	PA	3.650	2	18,000	6,192	65,700	22,601
Hwy 141	D Rd	I-70 B	PA	1.792	4	44,000	17,659	78,848	31,645
Hwy 340	Raptor Rd	Red Cliffs Dr	MA	0.603	4	40,000	5,926	24,120	3,573
Hwy 340	Red Cliffs Dr	Kings View Rd	MA	0.655	4	32,000	3,553	20,960	2,327
Hwy 340	Kings View Rd	S Broadway	MA	4.026	2	16,000	2,884	64,416	11,611
Hwy 340	S Broadway	W Scenic Dr	PA	5.073	2	18,000	3,324	91,314	16,863
Hwy 340	W Scenic Dr	Pleasant Ridge Ln	PA	0.209	2	26,000	13,630	5,434	2,849
Hwy 340	Pleasant Ridge Ln	Ridges Blvd	PA	0.351	2	18,000	14,473	6,318	5,080
Hwy 340	Ridges Blvd	Country Club Park	PA	0.472	4	36,000	19,465	16,992	9,187
Hwy 340	Country Club Park	West Ave	PA	0.840	4	44,000	19,524	36,960	16,400
Hwy 340	West Ave	Pkwy On Ramp	PA	0.024	4	36,000	23,980	864	576
Hwy 340	Pkwy On Ramp	past Crosby Ave	PA	0.297	4	44,000	20,635	13,068	6,129
Hwy 340	W Aspen Ave	I-70	MA	0.209	4	40,000	15,948	8,360	3,333
Hwy 340	Ramp	Ramp	MA	0.095	4	40,000	14,906	3,800	1,416
I-70 B Ramp	I-70 B	29 Rd	RMP	0.277	2	6,000	5,356	1,662	1,484
I-70 Access Rd	Node	Node	RMP	0.179	2	6,000	6,429	1,074	1,151
I-70 Access Rd	Node	Node	RMP	0.529	2	6,000	5,558	3,174	2,940
I-70 Access Rd	Node	Node	RMP	0.562	2	6,000	5,733	3,372	3,222
I-70 B	Node	Node	EXP	0.147	4	24,000	17,021	3,528	2,502
I-70 B	Node	I-70 Off Ramp	EXP	5.886	4	48,000	18,112	282,528	106,607
I-70 B	Node	Node	EXP	0.377	4	24,000	12,901	9,048	4,864

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Table 18. Existing Major Roadway Inventory (continued)

Street	From	To	Type	Miles	Lns	Capacity	ADT	VMC	VMT
I-70 B	Node	Node	RMP	0.353	2	6,000	7,341	2,118	2,591
Ramp	Node	Node	RMP	0.049	2	6,000	2,799	294	137
WB Off-Ramp	Node	Node	RMP	0.015	2	6,000	3,068	90	46
WB Off-Ramp	Node	Node	RMP	0.287	2	6,000	3,224	1,722	925
WB On-Ramp	Node	Node	RMP	0.245	2	6,000	8,387	1,470	2,055
WB On-Ramp	Node	Node	RMP	0.010	2	6,000	8,331	60	83
WB-EB off-ramp	Node	Node	RMP	0.065	2	6,000	222	390	14
WB-WB off-ramp	Node	Node	RMP	0.084	2	6,000	3,280	504	276
WB-WB on-ramp	Node	Node	RMP	0.054	2	6,000	8,645	324	467
Subtotal, State Roads				99.317			2,925,706		1,020,715
Total				449.485			8,251,122		2,347,636

Notes: ADT is average daily traffic volume; VMC is vehicle-miles of capacity, VMT is vehicle-miles of travel

Source: Mesa County GIS, March 19, 2018.

APPENDIX B: LAND USE DEFINITIONS

Recommended definitions for the land uses in the updated impact fee schedule are provided below. If these are adopted by ordinance or resolution, those that differ from or overlap with zoning or general definitions should have a disclaimer that they only apply to the impact fee section.

Single-Family Detached means the use of a lot for only one dwelling unit, including a mobile home not located in a mobile home park, provided that a single-family detached use may also include an accessory dwelling unit, if allowed by zoning, which shall be assessed the rate for a multi-family unit.

Multi-Family means a building containing two or more dwelling units. It includes duplexes, apartments, residential condominiums, townhouses, and timeshares.

Mobile Home/RV Park means a parcel (or portion thereof) or abutting parcels of land designed, used or intended to be used to accommodate two or more occupied mobile homes or recreational vehicles, with necessary utilities, vehicular pathways, and concrete pads or vehicle stands.

Hotel/Motel means a building or group of buildings on the same premises and under single control, consisting of sleeping rooms kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient guests or tenants. This land use category includes rooming houses, boardinghouses, and bed and breakfast establishments.

Shopping Center/Commercial means an integrated group of commercial establishments planned, developed, owned or managed as a unit, or a free-standing retail or commercial use not otherwise listed in the impact fee schedule. Uses located on a shopping center outparcel are considered free-standing for the purposes of this definition. A retail or commercial use shall mean the use of a building or structure primarily for the sale to the public of nonprofessional services, or goods or foods that have not been made, assembled or otherwise changed in ways generally associated with manufacturing or basic food processing in the same building or structure. This category includes but is not limited to all uses located in shopping centers and the following free-standing uses:

- Amusement park
- Auto parts store
- Auto wrecking yard
- Automobile repair
- Bank without drive-through facilities
- Bar and cocktail lounge
- Camera shop
- Car wash
- Convenience food and beverage store without gas pumps
- Department store
- Florist shop
- Food store
- Grocery
- Hardware store

Health or fitness club
Hobby, toy and game shop
Junkyard
Laundromat
Laundry or dry cleaning
Lawn and garden supply store
Massage establishment
Music store
Newsstand
Nightclub
Racetrack
Recreation facility, commercial
Rental establishment
Repair shop, other than auto repair
School, commercial
Specialty retail shop
Supermarket
Theater, indoor (excluding movie theaters)
Used merchandise store
Variety store
Vehicle and equipment dealer

Auto Sales/Service means an establishment primarily engaged in selling new or used motor vehicles, and which may also provide repair and maintenance services.

Bank, Drive-In means an establishment providing banking services to the public that includes drive-in or drive-through facilities.

Convenience Store w/Gas Sales means an establishment offering the sale of motor fuels and convenience items to motorists.

Golf Course means a golf course that is not restricted primarily for use by residents of a residential development of which it is a part, including commercial uses such as pro shop or bar that are designed primarily to serve patrons.

Movie Theater means a stand-alone establishment, not located in a shopping center, offering the viewing of motion pictures for sale to the public.

Restaurant, Standard means a stand-alone establishment, not located in a shopping center but may be located on an out-parcel, that sells meals prepared on site, and does not provide drive-through or drive-in service.

Restaurant, Drive-Through means a stand-alone establishment, not located in a shopping center but may be located on an out-parcel, that sells meals prepared on site, and provides drive-through or drive-in service.

Office, General means a building exclusively containing establishments providing executive, management, administrative, financial, or non-medical professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or child care facilities. It may be the upper floors of a multi-story office building with ground floor retail uses. Typical uses include banks without drive-in facilities, real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations. This category does not include an administrative office that is ancillary to a principal commercial or industrial use.

Office, Medical means a building primarily used for the examination and/or treatment of patients on an outpatient basis (with no overnight stays by patients) by health professionals, and which may include ancillary services for medical office workers or a medical laboratory to the extent necessary to carry out diagnostic services for the medical office's patients.

Animal Hospital/Vet Clinic means the use of a site primarily for the provision of medical care and treatment of animals, and which may include ancillary boarding facilities.

Hospital means an establishment primarily engaged in providing medical, surgical, or skilled nursing care to persons, including overnight or longer stays by patients.

Nursing Home means an establishment primarily engaged in providing limited health care, nursing and health-related personal care but not continuous nursing services.

Place of Worship means a structure designed primarily for accommodating an assembly of people for the purpose of religious worship, including related religious instruction for 100 or fewer children during the week and other related functions.

Day Care Center means a facility or establishment that provides care, protection and supervision for six or more children unrelated to the operator and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit. The term does not include public or nonpublic schools.

Elementary/Secondary School means a school offering an elementary through high school curriculum.

Public/Institutional means a governmental, quasi-public or institutional use, or a non-profit recreational use, not located in a shopping center or separately listed in the impact fee schedule. Typical uses include higher education institutions, city halls, courthouses, post offices, jails, libraries, museums, military bases, airports, bus stations, fraternal lodges, parks and playgrounds. It also includes bus terminals, fraternal clubs, adult day care centers, dormitories, and prisons.

Industrial means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, industrial parks, research and development laboratories, welding shops, wholesale bakeries, dry cleaning plants, and bottling works.

Warehouse means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Typical uses include wholesale distributors, storage warehouses, trucking terminals, moving and storage firms, recycling facilities, trucking and shipping operations and major mail processing centers.

Mini-Warehouse means an enclosed storage facility containing independent, fully enclosed bays that are leased to persons for storage of their household goods or personal property.

APPENDIX C: LEGAL FRAMEWORK

Impact fees are a way for local governments to require new developments to pay a proportionate share of the infrastructure costs they impose on the community. In contrast to “negotiated” developer exactions, impact fees are charges assessed on new development using a standard formula based on objective characteristics, such as the number and type of dwelling units constructed. The fees are a one-time, up-front charge, with the payment made at the time of building permit issuance. Impact fees require that each new development project pay a pro-rata share of the cost of new capital facilities required to serve that development.

Dual Rational Nexus Test

Impact fees were pioneered in states that lacked specific enabling legislation, and they have generally been legally defended as an exercise of local government’s broad “police power” to regulate land development in order to protect the health, safety and welfare of the community. To distinguish regulatory impact fees from unauthorized taxes, state courts have developed guidelines for constitutionally-valid impact fees, based on the “rational nexus” standard. The standard essentially requires that fees must be proportional to the need for additional infrastructure created by the new development, and the fees must be spent to provide that same type of infrastructure to benefit new development. A Florida district court of appeals described the dual rational nexus test in 1983 as follows, and this language was subsequently quoted and followed by the Florida Supreme Court in its 1991 St. Johns County decision:¹

In order to satisfy these requirements, the local government must demonstrate a reasonable connection, or rational nexus, between the need for additional capital facilities and the growth in population generated by the subdivision. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision. In order to satisfy this latter requirement, the ordinance must specifically earmark the funds collected for use in acquiring capital facilities to benefit the new residents.

The Need Test

To meet the first prong of the dual rational nexus test, it is necessary to demonstrate that new development creates the need for additional roadway facilities. The demand on roadways created by new developments of different types is quantified in the form of trip generation rates per housing unit and per various measures of nonresidential development. Transportation impact fees are designed to be proportional to the capacity needed to accommodate each new development.

The Benefit Test

To meet the second prong of the dual rational nexus test, it is necessary to demonstrate that new development subject to the fee will benefit from the expenditure of the impact fee funds. One requirement is that the fees actually be used to fill the need that serves as the justification for the fees under the first part of the test.

¹ St. Johns County v. Northeast Florida Builders Association, Inc., 583 So.2d 635, April 18, 1991

Colorado Statutes

Impact fees were pioneered by local governments in the absence of explicit state enabling legislation. Consequently, such fees were originally defended as an exercise of local government's broad "police power" to protect the health, safety and welfare of the community. The courts gradually developed guidelines for constitutionally valid impact fees, based on a "rational nexus" that must exist between the regulatory fee or exaction and the activity that is being regulated.

Prior to 2001, the authority of counties in Colorado to impose transportation impact fees was not entirely clear. Several counties had adopted impact fees, which they felt were authorized under counties' implied powers. This changed with the passage of SB 15 by the Legislature and its signature by the governor on November 16, 2001. Among other things, this bill created a new section 104.5: Impact Fees, in Article 20 of Title 29, Colorado Revised Statutes, which includes the following authorization and major requirements:

(1) Pursuant to the authority granted in section 29-20-104 (1) (g) and as a condition of issuance of a development permit, a local government may impose an impact fee or other similar development charge to fund expenditures by such local government ... needed to serve new development. No impact fee or other similar development charge shall be imposed except pursuant to a schedule that is:

- (a) Legislatively adopted;*
- (b) Generally applicable to a broad class of property; and*
- (c) Intended to defray the projected impacts on capital facilities caused by proposed development.*

(2) (a) A local government shall quantify the reasonable impacts of proposed development on existing capital facilities and establish the impact fee or development charge at a level no greater than necessary to defray such impacts directly related to proposed development. No impact fee or other similar development charge shall be imposed to remedy any deficiency in capital facilities that exists without regard to the proposed development.

...

(3) Any schedule of impact fees or other similar development charges adopted by a local government pursuant to this section shall include provisions to ensure that no individual landowner is required to provide any site specific dedication or improvement to meet the same need for capital facilities for which the impact fee or other similar development charge is imposed. ...

SB 15 clearly authorized counties in Colorado to assess impact fees. It also imposed requirements relating to level of service, proportionality, and developer credits. Another important legal requirement not addressed in Colorado statutes but firmly rooted in impact fee case law is the need to provide revenue credits to avoid double-charging by charging both impact fees and other taxes (rather than improvements required as a condition of development). These topics are discussed below. Other statutory provisions require accounting for fee revenues in special funds and authorize waivers of fees for affordable housing.

Level of Service

Subsection 104.5(2)(a) of the Impact Fees statute requires that the fees not exceed the cost directly related to the proposed development, and that they not be used to remedy any existing deficiency. The statute does not use the term “level of service,” but the concept is implicit in establishing the relationship of the cost of improvements to the new development, as well as in determining existing deficiencies. These provisions get to the heart of the one of the most fundamental principles established in impact fee case law, which is that impact fees should not charge new development for a higher level of service than is provided to existing development. Basing the fees on a higher level of service (LOS) than is being provided to existing development means there is a deficiency in existing facilities to provide the same LOS new development is paying for through the impact fee. Such a deficiency needs to be paid for in such a way that it does not burden new development. The methodology used in this study results in a fee that does not exceed the cost to maintain the existing LOS.

Proportionality

One of the fundamental legal principles of impact fee case law is that the fees for each individual land use type should be proportional to the impact of that use. This is reflected in subsection (2)(a), which requires that the fees be “directly related” to the impacts of new development. The language could also be read as allowing lower fees for some uses compared to others, as long as the fee for each use does not exceed the cost attributable to the development. However, if the fees are not based on the actual impact of the development, there is a risk that the courts may deem it to be an unauthorized tax rather than a fee. There may be a temptation to simply adopt fees at a lower rate for certain types of development that are seen as more desirable. A better approach would be to appropriate general fund monies to pay a portion of the fees for desired types of development. It would also be advisable to calculate a revenue credit to account for future general fund taxes that non-subsidized development will generate that will be used to subsidize fees for other classes of development.

Developer Credits

Another fundamental requirement articulated in impact fee case law is the need to avoid double-charging new development through impact fees and other requirements or taxes. Subsection 104.5(3) reflects this principle in the context of improvements required as a condition of development approval. It states that developers should not be required to make “site-specific dedications or improvements” that “meet the same need” being addressed by the impact fees while also being required to pay the fee. In general, impact fees should be reduced by the value of dedications or improvements required of developers for the same type of improvements that would be eligible to be funded with the impact fees. These reductions are referred to as developer credits.

It is reasonable to have some restrictions on the types of improvements that are eligible for credit. Granting credits is essentially spending future impact fees, and the fees should be spent for priority improvements that benefit the community at large. Developers should not be allowed to monopolize the fees for localized improvements if they choose to develop in areas that lack adequate infrastructure. For example, credit eligibility could be restricted to contributions related to projects identified in a

local or regional transportation master plan or capital improvements plan. However, developers should be eligible for credits for required improvements related to projects that are consistent with the jurisdiction's land use and capital plans.

The updated fees do not include the cost of rights-of-way (ROW). This does not mean that the fees cannot be spent to acquire ROW needed to accommodate future capacity-expanding improvements. However, if a jurisdiction decides not to give developers credit for required ROW dedications on the major roadway system related to a future capacity-expanding project, it might be appropriate to restrict the fees collected to be spent only on improvements. This issue has not been litigated, but the expenditure restriction would establish a bright line between what the fees are and are not designed to pay for, and avoid any argument that developments paying the fee are not getting the full benefit of the improvements they are paying for through the fees.

Revenue Credits

A revenue credit is a reduction from the cost per service unit designed to equalize the burden between existing and new development arising from the expenditure of future revenues that can be attributed in part to new development. While developer credits are provided on a case-by-case basis, revenue credits must be addressed in the fee calculation study.

As noted above, if there are existing deficiencies with respect to the level of service used in the fee calculation, the fees should be reduced by a credit that accounts for the contribution of new development toward remedying the existing deficiencies. A similar situation arises when the existing level of service has not been fully paid for. Outstanding debt on existing facilities that are counted in the existing level of service will be retired, in part, by revenues generated from new development. Given that new development will pay impact fees to provide the existing level of service for itself, the fact that new development may also be paying for the facilities that provide that level of service for existing development could amount to paying for more than its proportionate share. Consequently, impact fees should be reduced to account for future payments that will retire outstanding debt on existing facilities that provide the level of service on which the fees are based for existing development.

The issue is less clear-cut when it comes to other types of revenue that may be used to make capacity-expanding capital improvements of the same type being funded by impact fees. The clearest case occurs when non-impact fee general fund tax revenues are programmed for capacity-expanding improvements on an "as available" basis because impact fees are insufficient to fund all needed growth-related improvements. These capacity-adding projects that may be funded in the future with non-impact fee dollars will be paid for by both existing and new development and will increase the overall level of service, benefitting both existing development and future growth.

Similar considerations apply to dedicated funding sources, such as special taxes that can only be used for the same type of facilities as the impact fees. Like discretionary revenue, these types of dedicated revenue sources are typically not specifically dedicated only for capacity-expanding improvements, and even if they are, their use to fund capacity-related improvements improves the level of service for both existing and new development.

Outside funding or grants for capacity-expanding improvements to major roads that can reasonably be anticipated in the future could warrant a credit, but this is not clear-cut. In addition to the argument made above (i.e., the additional funding raises the level of service and benefits both new development and existing development), two additional arguments can be made against providing credits for such funding. First, new development in a community does not directly pay for State and Federal grants in the same way they pay local gasoline and property taxes. Second, future grant funding is far more uncertain than dedicated revenue streams.

While these arguments are compelling, they have not been litigated, and the law on whether revenue credits may be warranted in situations other than existing deficiencies or outstanding debt on existing facilities is currently unclear. In addition, such credits were provided in the original 2002 impact fee study. This update continues to incorporate revenue credits for both local and Federal/State non-impact fee funding anticipated to be available to help fund growth-related transportation improvements.

If fees are disproportionately reduced or waived for selected land use categories or types of development, a revenue credit should probably be provided for other land uses not subject to the reduction. Even if the targeted reductions are replaced with general funds, new development that is not eligible for the reduction will generate future general fund revenues that will be used to pay for the reduced fees for eligible development. This could arguably amount to new development that is not eligible paying more than its proportionate share of transportation improvement costs. While this issue has not been litigated, the prudent course would be either not to apply targeted fee reductions or else calculate an appropriate revenue credit for non-eligible development types.

APPENDIX D: METHODOLOGY

This appendix describes the methodology used to develop the transportation impact fees. A key concept in any transportation impact fee methodology is the definition of the “service unit,” which is described first. This description is followed by an explanation of the “consumption-based” model used in this study. Finally, the appendix concludes with a description of the formula used to calculate the transportation impact fees.

Service Unit

A service unit creates the link between supply (roadway capacity) and demand (traffic generated by new development). An appropriate service unit basis for transportation impact fees is vehicle-miles of travel (VMT). Vehicle-miles is a combination of the number of vehicles traveling during a given time period and the distance (in miles) those vehicles travel.

The two time periods most often used in traffic analysis are the 24-hour day (average daily trips or ADT) and the single hour of the day with the highest traffic volume (peak hour trips or PHT). The current transportation impact fee system is based on ADT. The regional transportation model is also based on ADT. Daily trips will continue to be used in this update.

Consumption-Based Model

The two traditional alternative methodologies for calculating transportation impact fees are the “improvements-driven” and “consumption-based” approaches. The consumption-based methodology continues to be recommended for Mesa County’s transportation impact fees.

The “improvements-driven” approach essentially divides the cost of growth-related improvements required over a fixed planning horizon by the number new service units (e.g., vehicle-mile of travel or VMT) projected to be generated by growth over the same planning horizon in order to determine a cost per service unit. The improvements-driven approach depends on accurate planning and forecasting. For example, the fees will be accurate only if the forecasted increase in traffic actually necessitates all of the improvements identified in the transportation master plan. If many of the planned improvements will provide excess capacity that will be available to serve additional development beyond the planning horizon on which the fees are based, the fees may be too high.

The “consumption-based” approach does not depend on knowing in advance what improvements will be made or what type or density of development will occur. The consumption-based model simply charges a new development the cost of replacing the capacity that it will consume on the major roadway system. That is, for every service unit of traffic generated by the development, the transportation impact fee charges the net cost to construct an additional service unit of capacity. Compiling a list of planned improvements needed to accommodate projected growth is not necessary for the development of consumption-based transportation impact fees, which can be calculated based on any representative list of road improvements, including an historical list or a list of projects needed at build-out.

In a consumption-based system, the list of road improvements is used to determine the cost per unit of capacity. Thus, doubling the total cost of the list of road improvements will not double the fee and in fact may very well not increase the fee at all. Only if the improvements added to the list were more expensive, per unit of capacity created, would their addition have the effect of increasing the impact fee.

In most rapidly growing communities, some roadways will be experiencing an unacceptable level of congestion at any given point in time. One of the principles of impact fees is that new development should not be charged, through impact fees, for a higher level of service than is provided to existing development. A consumption-based fee, unlike an improvements-driven one, is not designed to recover the full costs to maintain the desired LOS on all roadway segments. Instead, it is only designed to maintain a minimum system-wide ratio between demand and capacity. Virtually all major roadway systems have more capacity (VMC) than demand (VMT) on a system-wide basis. Consequently, under a consumption-based system, the level of service standard is the system-wide VMC/VMT ratio. If the major roadway system currently has a VMC/VMT ratio higher than the one on which the fees are based, there are no existing deficiencies.

Since travel is never evenly distributed throughout a roadway system, actual roadway systems require more than one unit of capacity for every unit of demand in order for the system to function at an acceptable level of service. Suppose, for example, that the community completes a major arterial widening project. The completed arterial is likely to have a significant amount of excess capacity for some time. If the entire system has just enough capacity to accommodate all the vehicle-miles of travel, then the excess capacity on this segment must be balanced by another segment being over-capacity. Clearly, roadway systems in the real world need more total aggregate capacity than the total aggregate demand, because the traffic does not always precisely match the available capacity. Consequently, the standard consumption-based model generally underestimates the full cost of growth.

A modified consumption-based transportation impact fee model that more accurately identifies the full growth-related cost of maintaining desired service levels uses the system-wide ratio of capacity to demand. Essentially, this approach requires that new development pay for the cost to construct more capacity than it directly consumes in order to maintain the system-wide ratio of capacity to demand. In this system, the cost per vehicle-mile of capacity (VMC) is multiplied by the system-wide ratio of VMC/VMT to determine the cost per VMT. The existing major roadway system has an overall ratio of 3.51 vehicle-miles of capacity for every vehicle-mile of travel, as shown in Table 19. However, that ratio may not be sustainable over the long term. As communities grow and become more urban, the ratio tends to fall. The 2002 study used a 1.50 VMC/VMT ratio. The 1.00 ratio implicit in the standard consumption-based methodology is recommended for this update.

Table 19. Existing Major Roadway Level of Service

	Non-State Roads	State Roads	Total System
Daily VMC on Major Roads	5,325,416	2,925,706	8,251,122
÷ Daily VMT on Major Roads	1,326,921	1,020,715	2,347,636
Existing VMC/VMT Ratio	4.01	2.87	3.51
Recommended VMC/VMT Ratio for Impact Fee Calculation			1.00

Source: VMC and VMT from Table 18 in the appendix.

The formula for the modified consumption-based methodology used in this study is summarized in Figure 6. The maximum fee calculated under this methodology is the number of service units (VMT) that will be generated by the development times the net cost per service unit. The inputs into the formula are described in more detail below.

Figure 6. Transportation Impact Fee Formula

$$\text{FEE} = \text{VMT} \times \text{NET COST/VMT}$$

Where:

$$\text{VMT} = \text{TRIPS} \times \% \text{ NEW} \times \text{LENGTH}$$

$$\text{TRIPS} = 1/2 \text{ average daily trip ends generated by the development during the work week}$$

$$\% \text{ NEW} = \text{Percent of trips that are primary trips, as opposed to passby or diverted-link trips}$$

$$\text{LENGTH} = \text{Average length of a trip on major roadway system}$$

$$\text{NET COST/VMT} = \text{COST/VMT} - \text{CREDIT/VMT}$$

$$\text{COST/VMT} = \text{COST/VMC} \times \text{VMC/VMT}$$

$$\text{COST/VMC} = \text{Average cost to create a new VMC based on historical or planned improvements}$$

$$\text{VMC/VMT} = \text{The system-wide ratio of capacity to demand in the major roadway system}$$

$$\text{CREDIT/VMT} = \text{Credit per VMT, based on revenues to be generated by new development}$$

APPENDIX E: TRIP RATES BY UNIT SIZE

The calculation of average daily trip generation rates for single-family detached units by dwelling unit size is addressed in this appendix. Information from U.S. Census for the Mesa County area, the national American Housing Survey, and the National Cooperative Highway Research Program are utilized in the calculations.

The 2017 American Housing Survey provides national data on the average size of single-family units by number of bedrooms in square feet of living area. This data is based on a national sample of over 34,000 single-family detached units containing one or more bedrooms (efficiency units have a very small sample size and are excluded from the analysis). The average sizes of single-family units by number of bedrooms are summarized in Table 20. These national average sizes should be reasonably representative of existing development in Mesa County.

Table 20. Unit Size by Number of Bedrooms, Single-Family

No. of Bedrooms	Sample Units	Weighted Square Feet	Weighted Units	Average Size
1	602	1,600,040,501	1,486,842	1,076
2	4,768	15,727,551,611	11,053,273	1,423
3	16,920	70,835,665,150	38,294,217	1,850
4 or more	12,483	70,293,266,037	25,784,587	2,726
Total	34,773	158,456,523,300	76,618,920	2,068

Source: U.S. Census Bureau, 2017 American Housing Survey, national microdata.

The Census Bureau conducts annual surveys of housing units, which include information on the number of bedrooms and the number of persons residing in the unit. These annual surveys are combined into 5-year data sets. The most recent is the 5% sample covering the years 2013-2017 and including over 3,700 units. To get a large enough sample in all bedroom categories (other than efficiencies, which were excluded) it was necessary to use data for the region that includes Mesa County and four adjoining Colorado counties. Mesa County accounts for 64% of the population of the five-county region, according to U.S. Census population estimates for 2017. These recent, localized data identify the following average number of persons per unit by number of bedrooms, which should be representative of the average occupancy in single-family detached units in Mesa County.

Table 21. Persons per Unit by Bedrooms, Single-Family

No. of Bedrooms	Sample Units	Weighted Persons	Weighted Units	Persons/Unit
1	132	2,328	2,326	1.00
2	663	20,215	12,503	1.62
3	2,050	90,447	42,253	2.14
4 or more	883	47,398	17,068	2.78
Total	3,728	160,388	74,150	2.16

Source: U.S. Census Bureau, *American Community Survey*, 2013-2017 5% sample microdata for Mesa, Montrose, Delta, San Miguel, and Ouray Counties.

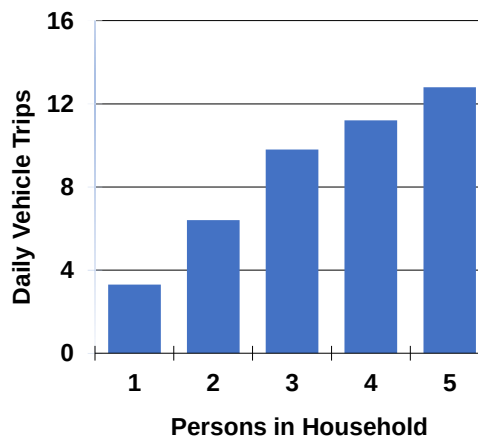
The National Cooperative Highway Research Program (NCHRP) of the National Research Council has developed estimates of average daily trip generation rates by the number of persons in a household. The NCHRP data indicate that trip generation is strongly related to the number of people residing in the unit, as shown in Table 22 and illustrated in Figure 7. While the trip rates themselves are somewhat dated due to the age of the study, the relative differences are still reasonable to rely on, if adjustments are made to account for the slight overall change in the average trip generation rates over the interval.²

Table 22. Trip Rates by Household Size

Household Size	Average Daily Trip Ends
One Person	3.3
Two Persons	6.4
Three Persons	9.8
Four Persons	11.2
Five or more Persons	12.8

Source: National Cooperative Highway Research Program, National Research Council, *NCHRP Report 365: Travel Estimation Techniques for Urban Planning*, Washington, D.C., 1998, Table 9: Trip estimation variables by urban size (for urban areas with population of 200,000-499,999)

Figure 7. Trip Rates by Household Size



² The average trip generation rate for a single-family detached unit declined 1.4% from the 6th edition (1997) to the 10th edition (2017) of the ITE *Trip Generation Manual* (9.57 in 1997 to 9.44 in 2017).

Data on unit size (in square feet) and the number of persons in the unit can be brought together because both sources also collect information on a related measure of unit size – the number of bedrooms. Then the number of persons in the unit can be related to trip generation, after adjusting for the overall decline in trip generation as well as the current average persons per unit for single-family units in Mesa County. The resulting trip generation rates for single-family detached units are presented in Table 23 for four unit size categories.

Table 23. Daily Trip Ends by Unit Size, Single-Family

No. of Bedrooms	Average Sq. Feet	Unit Size Range	Persons/ Unit	Daily Trips
1	1,076	<1,250 sf	1.00	4.54
2	1,423	1,250-1,649 sf	1.62	7.57
3	1,850	1,650-2,299 sf	2.14	8.81
4+	2,726	2,300 sf+	2.78	11.92
Total	2,068		2.16	9.44

Source: Average square feet from Table 20; unit size ranges based on approximate midpoints between the four average sizes; persons per unit from Table 21; daily trip ends based on linear interpolation between household size categories in Table 22, normalized for average persons per single-family unit from Table 21 and single-family average trip generation rate from Institute of Transportation Engineers, *Trip Generation Manual*, 2017.

RESOLUTION NO. ____-19

**AMENDING AND RESTATING TRANSPORTATION IMPACT FEES ARISING OUT
OF AND UNDER THE CITY OF GRAND JUNCTION'S ZONING AND DEVELOPMENT
CODE AND CODE OF ORDINANCES**

Recitals:

The Zoning and Development Code (GJMC 21.06.010) provides for imposition of fees and charges relating to traffic impacts from growth and development, and provides the amount of such fees and charges shall be established by the City Council.

City Council has determined that the existing fee schedule no longer reflects the share of costs that should be born by developers related to expanding capacity of the city's transportation system, and that Transportation Impact Fees shall be increased as set forth in this Resolution and all as more particularly shown in the *Transportation Impact Fees Implementation Schedule* attached hereto.

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

The Transportation Impact fees authorized by §21.06.010 of the Grand Junction Zoning and Development Code are as shown and described the attached Exhibit "A", entitled *Transportation Impact Fees Implementation Schedule*, which Exhibit is incorporated by this reference as if fully set forth. The fees established by this Resolution shall constitute the fees and charges applicable to development projects generating transportation impact in the City of Grand Junction under the adopted codes and ordinances, unless otherwise established by separate ordinance or resolution of the City Council.

The City shall collect the fees, in accordance with the dates and amounts shown on Exhibit A, and the fees shall escalate in the amounts and at the intervals shown.

Further, the fees for Single Family Residential, including residential uses intended for individual fee simple sale (eg. Townhomes, Duplexes, and Condominiums) shall be established at the time of submittal for a Planning Clearance. The fees for Multi-Family Residential uses shall be established at the time of complete application submittal and will be valid so long as a Building Permit is issued within two years from the date of submittal.

Any fees set by prior resolution in conflict with those adopted herein are hereby repealed and all other fees not in conflict or specifically modified herein shall remain in full force and effect.

The TCP reduction formula established by Resolution No. 15-13 for infill projects in the Redevelopment Area shall be applied to the Transportation Impact Fees established hereby.

PASSED AND ADOPTED this 3rd day of April 2019.

Barbara Traylor Smith
President of the Council

ATTEST:

Wanda Winkelmann
City Clerk

Exhibit A
Transportation Impact Fees
Implementation Schedule

			Jan 1 2020	July 1 2020	Jan 1 2021	Jul 1 2021	Jan 1 2022	July 1 2022
Land Use Type	Unit	Current Fees	16.7%	33%	50%	67%	83%	Proposed 100%
Single-Family Detached	Dwelling	\$ 2,554	\$ 3,256	\$ 3,957	\$ 4,659	\$ 5,361	\$ 6,062	\$ 6,763
Multi-Family, Low-Rise (1-2 stories)	Dwelling	N/A	\$ 2,565	\$ 3,101	\$ 3,637	\$ 4,172	\$ 4,708	\$ 5,243
Multi-Family, Mid-Rise (3-10 stories)	Dwelling	N/A	\$ 1,907	\$ 2,305	\$ 2,704	\$ 3,102	\$ 3,500	\$ 3,898
Townhouse	Dwelling	N/A	\$ 2,033	\$ 2,457	\$ 2,882	\$ 3,306	\$ 3,731	\$ 4,155
Senior Adult Housing - Detached	Dwelling	N/A	\$ 1,492	\$ 1,804	\$ 2,115	\$ 2,427	\$ 2,739	\$ 3,050
Senior Adult Housing - Attached	Dwelling	N/A	\$ 1,297	\$ 1,567	\$ 1,838	\$ 2,109	\$ 2,380	\$ 2,650
Multi-Family (other)	Dwelling	\$ 1,769	\$ 2,236	\$ 2,703	\$ 3,170	\$ 3,637	\$ 4,104	\$ 4,570
Mobile Home/RV Park	Pad	\$ 1,284	\$ 1,667	\$ 2,050	\$ 2,434	\$ 2,817	\$ 3,200	\$ 3,583
Hotel/Motel	Room	\$ 2,407	\$ 2,703	\$ 2,999	\$ 3,295	\$ 3,591	\$ 3,887	\$ 4,183
Shopping Center/Commercial	1,000 sf	\$ 4,189	\$ 4,864	\$ 5,540	\$ 6,215	\$ 6,890	\$ 7,566	\$ 8,240
Auto Sales/Service	1,000 sf	\$ 3,780	\$ 4,693	\$ 5,606	\$ 6,520	\$ 7,433	\$ 8,346	\$ 9,258
Bank, Drive-In	1,000 sf	\$ 6,359	\$ 8,360	\$ 10,362	\$ 12,363	\$ 14,365	\$ 16,366	\$ 18,365
Convenience Store w/Gas Sales	1,000 sf	\$ 9,143	\$ 12,019	\$ 14,895	\$ 17,771	\$ 20,647	\$ 23,523	\$ 26,395
Golf Course	Hole	\$ 5,951	\$ 7,101	\$ 8,251	\$ 9,401	\$ 10,551	\$ 11,701	\$ 12,850
Movie Theater	1,000 sf	\$ 10,574	\$ 14,317	\$ 18,060	\$ 21,803	\$ 25,546	\$ 29,289	\$ 33,028
Restaurant, Standard	1,000 sf	\$ 5,159	\$ 6,795	\$ 8,432	\$ 10,068	\$ 11,704	\$ 13,341	\$ 14,975
Restaurant, Drive-Through	1,000 sf	\$ 11,544	\$ 15,155	\$ 18,765	\$ 22,376	\$ 25,986	\$ 29,597	\$ 33,203
Office, General	1,000 sf	\$ 3,141	\$ 3,732	\$ 4,323	\$ 4,913	\$ 5,504	\$ 6,095	\$ 6,685
Office, Medical	1,000 sf	\$ 8,862	\$ 11,663	\$ 14,464	\$ 17,265	\$ 20,066	\$ 22,867	\$ 25,665
Animal Hospital/Vet Clinic	1,000 sf	N/A	\$ 7,759	\$ 9,379	\$ 10,999	\$ 12,619	\$ 14,240	\$ 15,858
Hospital	1,000 sf	\$ 4,112	\$ 4,744	\$ 5,377	\$ 6,009	\$ 6,641	\$ 7,273	\$ 7,905
Nursing Home	1,000 sf	\$ 1,149	\$ 1,478	\$ 1,806	\$ 2,135	\$ 2,463	\$ 2,792	\$ 3,120
Place of Worship	1,000 sf	\$ 1,967	\$ 2,093	\$ 2,220	\$ 2,346	\$ 2,472	\$ 2,599	\$ 2,725
Day Care Center	1,000 sf	\$ 4,086	\$ 4,153	\$ 4,219	\$ 4,286	\$ 4,352	\$ 4,419	\$ 4,485
Elementary/Secondary School	1,000 sf	\$ 639	\$ 814	\$ 989	\$ 1,164	\$ 1,338	\$ 1,513	\$ 1,688
Public/Institutional	1,000 sf	N/A	\$ 1,866	\$ 2,255	\$ 2,645	\$ 3,034	\$ 3,424	\$ 3,813
Industrial	1,000 sf	\$ 1,864	\$ 1,900	\$ 1,935	\$ 1,971	\$ 2,007	\$ 2,042	\$ 2,078
Warehouse	1,000 sf	\$ 1,328	\$ 1,315	\$ 1,301	\$ 1,288	\$ 1,275	\$ 1,261	\$ 1,248
Mini-Warehouse	1,000 sf	\$ 460	\$ 563	\$ 665	\$ 768	\$ 870	\$ 973	\$ 1,075

Beginning January 1, 2023, the fee collected at 100% of the study rate shall be increased annually by CDOT's inflation construction cost index

CITY OF GRAND JUNCTION

ORDINANCE NO. ____

AN ORDINANCE AMENDING SECTION 21.06.010 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE CONCERNING INFRASTRUCTURE STANDARDS, TRANSPORTATION CAPACITY PAYMENTS INCLUDING CALCULATIONS THEREOF, CREDITS AND APPROVING CONSUMPTION-BASED CALCULATION METHODOLOGIES

Recitals:

Safe and efficient streets are one of the most important services provided by the City, the City Council finds and determines that amendment of the Code is necessary and proper in order to provide a specific financing mechanism, which will continue to allow safe and functional streets.

The Council further determines that the resources of the City are properly allocated to maintaining and improving, including capital additions to, the existing streets and roads and those annexed over time, as resources permit, together with additional improvements to the system near and around developing areas of the City. The citizens and users of the street system pay for the upkeep and general improvement to the system by the payment of sales and use taxes. Sales and use taxes are not sufficient, however, to pay for all the road needs and there are limited resources available to the City, from other sources, to add to the system and/or to make improvements in the rapidly developing areas of the City.

Therefore, the Council finds and affirms that it is in the public interest to continue the practice of collecting Transportation Capacity Payments (TCP) and appropriately increase the amount of that fee to more accurately reflect the cost of improvements that are reasonably attributable to new development, new residents and new business activities (collectively "Growth").

The Council further finds that the TCP shall be set so that a substantial portion of the cost to build new transportation facilities resulting from growth is paid for by the Growth that has caused the need.

The Council is well aware that Growth and new development creates additional vehicular traffic that consumes a portion of the existing transportation infrastructure capacity. In support of the TCP methodology, the City has adopted the data, assumptions and conclusions of the Institute of Transportation Engineer's Trip Generation Manual ("ITE") for purposes of analyzing the number of trips created by development. The ITE is a valid, nationally recognized basis to estimate traffic and

shall continue to be used by the City. The most recent version of the ITE is incorporated herein by this reference as if fully set forth.

The Council has found and affirms that an equitable method of imposing a portion of the costs of paying for additional or improved capacity, necessitated because of Growth, is a fee based on a formula that considers among other things the number of trips generated by different types of development, the average trip length, and the percentage of new trips as variables all derived by reference to the ITE. The specific formula for the TCP provided for herein has been studied by and found to be valid by the Transportation Impact Fee Study for Mesa County, Colorado prepared by Duncan Associates and dated November 2018 with minor revisions February 2019. That study is incorporated herein by this reference as if fully set forth.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT SECTION 21.06.010 OF THE ZONING AND DEVELOPMENT CODE ARE AMENDED AS SHOWN: (Deletions ~~struckthrough~~; additions underlined.)

21.06.010 Infrastructure standards.

(a) General.

(1) Public Improvements. The improvements described in this section must be built by the applicant and constructed in accordance with adopted standards, unless otherwise indicated. The applicant/developer shall either complete construction of all such improvements (in this section “infrastructure”) prior to final City approval (such as a subdivision plat) or shall execute a development improvements agreement. No improvements shall be made until the following required plans, profiles and specifications have been submitted to, and approved by, the City:

- (i) Roads, streets and alleys;
- (ii) Street lights and street signs for all street intersections;
- (iii) Sanitary sewer pipes and facilities;
- (iv) Fire hydrants and water distribution system and storage;
- (v) Storm drainage system;
- (vi) Irrigation system;
- (vii) Right-of-way landscaping;
- (viii) Other improvements and/or facilities as may be required by changing technology and the approval process;

(ix) Permanent survey reference monuments and monument boxes (see § [38-51-101](#) C.R.S.).

(2) Guarantee of Public Improvements. No development shall be approved until the City has accepted constructed infrastructure or the developer has executed a development improvements agreement along with adequate security (see GJMC [21.02.070\(m\)](#)).

(3) City Participation. The City may elect to require the developer to coordinate construction with the City as required in this chapter. If the developer, in order to provide safe access and circulation, must build or improve an arterial or collector street, the City may choose to participate in paying for a portion of the costs of constructing to add capacity to these paving these streets, including engineering, site preparation, base and pavement mat.

(b) **Streets, Rights-of-Way, Alleys, Trails and Easements.**

(1) Minimum Requirements and Design Standards.

(i) Street and alley layouts shall conform to adopted street plans and other policies, as well as TEDS (GJMC Title [29](#)). No owner or developer shall propose a site design or plan which could result in the applicant controlling access to a street, alley or right-of-way.

(ii) Easements shall be provided as required for improvements and utilities. Alleys may be used for utilities and infrastructure ~~may be used~~.

(iii) A developer shall dedicate, at no cost to the City, to the City such rights-of-way (e.g., streets, sidewalks, trails, bicycle paths and easements) needed to serve the project and in accordance with the (A) — The adopted Functional Classification Map and Grand Valley Circulation Plan, as such Plan may be amended from time to time; and, and such dedications shall not be eligible for or require a TCP credit.

(iv) The developer shall construct right-of-way improvements as required by the Director including Streets, alleys, sidewalks, trails, and bike paths and other required infrastructure shall be constructed in accordance with applicable City standards.

(v) Commencing January 1, 2021, the developer shall pay for and construct improvements necessary for the safe ingress and egress of traffic to and from the development, as determined by the Director.

~~(v) If needed to provide safe and adequate access and circulation for residents, visitors, users and occupants, the applicant shall provide off-site infrastructure~~

(vi) Each project with one or more buildings (except a detached single family residence dwellings) shall provide paved pedestrian walkway/sidewalk connections to nearby rights-of-way. Said connections shall be separate from parking and driveway areas.

~~(vii) Dedications required by subsection (b)(1)(iii) of this section shall be at no cost to the City. Dedications shall not be eligible for or require a refund or TCP credit. Where infrastructure previously constructed by others provides service to a development, the developer may be required to reimburse a portion of construction costs based on the proportionate benefit at the time of development.~~

(viii) Quality of service for any new development and/or for traffic capacity improvements shall be determined by the Director. The Director shall determine the acceptable quality of service taking into consideration existing traffic, streets and proposed development.

(2) Transportation Capacity Payment (TCP) and Right-of-Way Improvements.

(i) The developer shall pay to the City a transportation capacity payment (TCP) and construct right-of-way improvements as required by the Director.

~~(ii) The Director may require that the developer pay for and/or construct improvements necessary for the safe ingress and/or egress of traffic to the development. Those improvements are defined as minimum street access improvements. Minimum street access improvements shall be defined by the most recent version of the City's growth and development related street policy and/or TEDS (GJMC Title 29). The growth and development related street policy shall be reviewed by City staff and adopted periodically by Council resolution.~~

~~(iii) (ii) No planning clearance for a building permit for any use or activity requiring payment of the TCP shall be issued until the TCP has been paid and minimum street and access improvements have been constructed, paid for or adequately secured as determined by the Director. If secured, the Adequate security shall be the same as that which is allowed or required for a development improvement agreement (DIA) under GJMC 21.02.070(m) Chapter 02 of this Title 21..~~

~~(iv) The amount of the TCP shall be determined as set forth annually by the City Council in its adopted fee a resolution. The TCP is minimally subject to annual adjustment for inflation based on the Colorado Department of Transportation's (CDOT) Construction Cost Index published quarterly by the CDOT (this information can be found at the Internet site of <http://www.coloradodot.info/business/eema/construction-cost-index>).~~

~~(v) The TCP shall be used by the Director to make solely for the purpose of making capital improvements to the that enhance the capacity of transportation facilities in the City, which purposes may include, but are not necessarily limited to, the following: as follows: in accordance with the City's growth and development related street policy, this section, and other applicable provisions of the Zoning and Development Code.~~

(A) To pay debt service on any portion of any current or future general obligation bond or revenue bond issued after July 1, 2019 ~~July 6, 2004~~, and used to finance major road system improvements.

(B) For expenses integral and related to the reconstruction and replacement of existing roads transportation facilities with resulting increased capacity for all transportation mode(s), the construction of new major road systems and improvements, and/or for the payment of reimbursable street expenses.

~~(C) Traffic capacity improvements do not include ongoing operational costs or debt service for any past general obligation bond or revenue bond issued prior to July 6, 2004, or any portion of any current or future bond issued after July 6, 2004, and not used to finance major road system improvements.~~

~~(D) Capital spending decisions shall be guided by the principles, among others, that TCP funds shall be used to make capacity and safety improvements but not used to upgrade existing deficiencies except incidentally in the course of making improvements; TCP fund expenditures which provide improvements which are near in time and/or distance to the development from which the funds are collected are preferred over expenditures for improvements which are more distant in time and/or distance.~~

~~(E) No TCP funds shall be used for maintenance.~~

~~(F) TCP funds will be accounted for separately but may be commingled with other funds of the City.~~

~~(G) The Director shall determine when and where TCP funds shall be spent:~~

~~a. As part of the two-year budget process.~~

~~b. As required to keep pace with development.~~

~~(H) The TCP shall not be payable if the Director is shown by clear and convincing evidence that at least one of the following applies:~~

~~a. Alteration or expansion of an existing structure will not create additional trips;~~

~~b. The construction of an accessory structure will not create additional trips produced by the principal building or use of the land. A garage is an example of an accessory structure which does not create additional trips;~~

~~c. The replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use that does not create additional trips;~~

~~d. A structure is constructed in a development for which a TCP fee has been paid within the prior 84 months or the structure is in a development with respect to which the developer constructed street access improvements and the City accepted such improvements and the warranties have been satisfied.~~

(vi) TCP funds shall not be used for the following:

(A) maintenance

(B) ongoing operational costs

(C) debt service for any past general obligation bond or revenue bond issued prior to July 1, 2019 or not used to finance road system improvements

(D) to remedy existing deficiencies except incidentally in the course of making improvements

(vii) TCP funds will be accounted for separately but may be commingled with other funds of the City.

(viii) The TCP shall not be payable if the Director is shown by clear and convincing evidence that at least one of the following applies:

(A) Alteration or expansion of an existing structure will not create additional trips.

(B) The construction of an accessory structure, such as but not limited to a garage, will not create additional trips over and above the trips generated by the principal building or use of the land.

(C) The replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use does not create additional trips;

~~(vi) (ix) If the type of impact-generating development for which a planning clearance building permit is requested is for the an impact-generating expansion, redevelopment or modification of an existing development, the fee shall be based on the net increase in the fee for the new land use type as compared to the previous land use type.~~

~~(vii) In the event that the proposed expansion, redevelopment or modification results in a net decrease in the fee for the new use or development as compared to the previous use or~~

~~development, the developer may apply for a refund of fees previously paid with the consent of the previous person having made the payment and/or constructed the improvements.~~

~~(viii)~~ (x) A request for a change of use permit that does not propose the expansion of an existing structure shall not require the payment of the TCP. If, however, a request for a change of use permit does propose the expansion of an existing structure, the TCP shall only be applied to the expansion and not the existing structure.

~~(ix)~~ (xi) For fees expressed per 1,000 square feet, the square footage shall be determined according to gross floor area, measured from the outside surface of exterior walls and excluding unfinished basements and enclosed parking areas. The fees shall be prorated and assessed based on actual floor area, not on the floor area rounded to the nearest 1,000 square feet.

~~(xi)~~ (xii) Any claim for TCP credit shall be made not later than the time of application or request for a planning clearance. Any claim not so made shall be deemed waived. TCP Credits credits shall not be transferable from one project or development to another nor otherwise assignable or transferable.

~~(xi)~~— Minimum street access improvements include street and road improvements required to provide for the safe ingress and egress needs of the development as determined by the Director.

~~(A)~~— Quality of service for any new development and/or for traffic capacity improvements shall be determined by the Director. The Director shall determine the acceptable quality of service taking into consideration existing traffic, streets and proposed development.

~~(B)~~— Required right-of-way dedications shall be at no cost to the City.

~~(xii)~~ (xiii) Definitions. The following terms and words shall have the meanings set forth for this section:

(A) "Average trip length" means the average length of a vehicle trip as determined by the limits of the City, the distance between principal trip generators and as modeled by the City's, the County's, the State's or MPO's computer program. In the event that the models are inconsistent, the most advantageous to the City shall be used.

(B) "Convenience store," "hotel/motel," "retail," and other terms contained in and with the meaning set forth in the Trip Generation Manual.

(C) "Lane-mile" means one paved lane of a right-of-way one mile in length and 14 feet in width, including curb and gutter, sidewalk, storm sewers, traffic control devices, earthwork, engineering, and construction management including inspections. The value of right-of-way is not included.

(D) "Percentage of new trips" is based on the most current version of the ITE Transportation and Land Development Manual, and the ITE Trip Generation Manual.

(E) "Unimproved/under-improved floor area" has the meaning as defined in the adopted building codes.

(xiii) (xiv) Calculation of Fee.

(A) ~~The developer of~~ Any person who applies for a building permit for an impact-generating development shall pay a transportation impact fee in accordance with the most recent fee schedule, ~~prior to issuance of a~~ No building permit shall issue to such developer unless and until such fee is paid. If any credit is due pursuant to this subsection ~~(b)(2)(x)~~ of this section, the amount of such credit shall be deducted from the amount of the fee to be paid.

(B) If the type of impact-generating development for which a building permit is requested is not specified on the fee schedule, then the Director shall determine the fee on the basis of the fee applicable to the most nearly comparable land use on the fee schedule. The Director shall determine comparable land use by the trip generation rates contained in the most current edition of the ITE Trip Generation Manual.

(C) In many instances, a building may include secondary or accessory uses to the principal use. For example, in addition to the production of goods, manufacturing facilities usually also have office, warehouse, research and other associated functions. The TCP fee shall generally be assessed based on the principal use. If the applicant can show the Director in writing by clear and convincing evidence that a secondary land use accounts for over 25 percent of the gross floor area of the building and that the secondary use is not assumed in the trip generation for the principal use, then the TCP may be calculated on the separate uses.

(D) TCP Fee Calculation Study. At the election of the applicant or upon the request of the Director, for any proposed development activity, for a use that is not on the fee schedule or for which no comparable use can be determined and agreed to by the applicant and the Director or for any proposed development for which the Director concludes the nature, timing or location of the proposed development makes it likely to generate impacts costing substantially more to mitigate than the amount of the fee that would be generated by the use of the fee schedule, a TCP fee calculation study may be performed.

(E) The cost and responsibility for preparation of a fee calculation study shall be determined in advance by the applicant and the Director.

(F) The Director may charge a review fee and/or collect the cost for rendering a decision on such study. The Director's decision on a fee or a fee calculation study may be appealed to the Zoning Board of Appeals in accordance with GJMC [21.02.210\(b\)](#).

(G) The TCP fee calculation study shall be based on the same formula, quality of service standards and unit costs used in the impact fee study. The fee study report shall document the methodologies and all assumptions.

(H) ~~The TCP fee calculation study shall be calculated according to the following formula:~~

~~[[DELETE TABLE]]~~

FEE	=	VTM x NET COST/VTM x RF
VTM	=	TRIPS x % NEW x LENGTH ÷ 2
TRIPS	=	DAILY TRIP ENDS GENERATED BY THE DEVELOPMENT DURING THE WORK WEEK
% NEW	=	PERCENT OF TRIPS THAT ARE PRIMARY, AS OPPOSED TO PASSBY OR DIVERTED-LINK TRIPS
LENGTH	=	AVERAGE LENGTH OF A TRIP ON THE MAJOR ROAD SYSTEM
÷ 2	=	AVOIDS DOUBLE-COUNTING TRIPS FOR ORIGIN AND DESTINATION
NET COST/VTM	=	COST/VTM – CREDIT/VTM
COST/VTM	=	COST/VMC x VMC/VTM
COST/VMC	=	AVERAGE COST TO CREATE A NEW VMC BASED ON HISTORICAL OR PLANNED PROJECTS (FEES SET BY CITY COUNCIL)
VMC/VTM	=	THE SYSTEM-WIDE RATIO OF CAPACITY TO DEMAND IN THE MAJOR ROAD SYSTEM (1.0 ASSUMED)
CREDIT/VTM	=	CREDIT PER VTM, BASED ON REVENUES TO BE GENERATED BY NEW DEVELOPMENT (FEES SET BY CITY COUNCIL)
RF	=	REDUCTION FACTOR ADOPTED BY POLICY (FACTOR SET BY CITY COUNCIL)

(I) A TCP fee calculation study submitted for the purpose of calculating a transportation impact fee may be based on data information and assumptions that are from:

- a. An accepted standard source of transportation engineering or planning data; or

- b. A local study on trip characteristics performed by a qualified transportation planner or engineer pursuant to an accepted methodology of transportation planning or engineering that has been approved by the Director.

(3) Existing Streets.

(i) Existing Local Residential Streets. Many areas of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many such neighborhoods, the existing local residential streets do not have curbs, gutters or sidewalks. Where houses are already built on most or all of such lots, the character of the neighborhood is well established. Given that there are no serious safety or drainage problems associated with these local residential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks. When an owner in one of these ~~well-established~~ well-established neighborhoods chooses to subdivide a lot or parcel, unless such improvements are extended off site to connect to a larger system, the new "short runs" of curbing, gutters and/or sidewalks are of little value as drainage facilities or pedestrian ways until some future development or improvement district extends them to other connecting facilities.

~~The Public Works and Planning~~ Director shall determine the acceptable minimum improvements. The Director may defer street improvements if all of the following criteria are met:

- (A) The development is for three or less residential lots;
- (B) The zoning or existing uses in the block or neighborhood are residential. The Director shall determine the boundaries of the block or neighborhood, based on topography, traffic patterns, and the character of the neighborhood;
- (C) The existing local residential street that provides access to the lots or development meets minimum safety and drainage standards, and has a design use of less than 1,000 average daily traffic ("ADT") based on an assumed typical 10 trips per day per residence and the volume is expected to be less than 1,000 ADT when the neighborhood or block is fully developed;
- (D) At least 80 percent of the lots and tracts in the neighborhood or block are already built upon, so that the street and drainage character is well established;
- (E) If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, exists and it can be improved or remedied without the street improvements being built; and

(F) There is at least 250 feet from any point on the development to the nearest existing street improvements (on the same side of the street) that substantially comply with the City standard for similar street improvements.

(G) If all of the criteria have been met, instead of requiring these “short run” improvements, the Public Works and Planning Director may in his or her discretion accept a signed agreement from the owner to form an improvement district for the construction of curbs, gutters, and sidewalks in lieu of construction. The agreement shall be in a form approved by the City Attorney. The agreement shall run with the land and shall be recorded with the Mesa County Clerk and Recorder.

(ii) Existing Local Nonresidential Streets. Many commercial and industrial areas of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many of these areas the existing local nonresidential streets do not have curbs, gutters or sidewalks. Given that there are no serious safety or drainage problems associated with these local nonresidential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks. When an owner in a commercial or industrial area chooses to develop a lot or parcel, the new “short runs” of curbing, gutters and/or sidewalks are of little value as drainage facilities or pedestrian ways unless the improvements are extended off site to connect to a larger system or until some future development or improvement district extends them to other connecting facilities.

The Public Works and Planning Director shall determine the acceptable minimum improvements. In order to promote development of infill properties the Director may defer nonresidential street improvements if all of the following criteria have been met:

(A) The development is for a single commercial or industrial lot or parcel that does not create a new lot or parcel;

(B) The proposed development or use of the lot or parcel must be consistent with the allowed uses and requirements of the current zone district;

(C) The lot or parcel size is two acres or less;

(D) The lot or parcel does not have more than 500 feet of frontage on the local nonresidential street;

(E) If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, exists and it can be improved or remedied without the local nonresidential street improvements being built; and

(F) There is at least 250 feet from any point on the development to the nearest existing street improvements (on the same side of the street) that substantially comply with the City standard for similar local nonresidential street improvements.

(G) If all of the criteria have been met, instead of requiring these “short run” improvements, the Public Works and Planning Director may in his or her discretion accept a signed agreement from the owner to form an improvement district for the construction of curbs, gutters and sidewalks in lieu of construction. The agreement shall be in a form approved by the City Attorney. The agreement shall run with the land and shall be recorded with the Mesa County Clerk and Recorder.

(4) Public Right-of-Way and Private Parking Lot Use.

(i) No structure, fence, sign, parking lot, detention/retention pond, or other temporary or permanent object or structure shall be constructed, maintained, or erected in any portion of any public right-of-way without first obtaining a revocable permit from the City. The City Engineer or other City official may allow traffic control devices, street signs, public notices, utility poles, lines and street banners (see this chapter).

(ii) No person shall use, store, display or sell any goods, merchandise or any structure without having first obtained a revocable permit, except that this provision shall not be enforced in a manner which limits unreasonably any person’s freedom of speech or assembly.

(iii) No commercial vehicle which exceeds one and one-half tons rated carrying capacity shall be parked in a public right-of-way which abuts any residential zone.

(iv) Overnight camping shall not be allowed in a public right-of-way or in any private parking lot made available to the public, unless specifically permitted by the City for such use. Parking of an RV or any vehicle for more than 72 hours shall not be allowed in a public right-of-way or on any vacant lot.

(5) Partially Dedicated Street. Prior to any development or change of use which is projected to increase traffic generation by the greater of five percent or 10 vehicle trips per day, the applicant shall dedicate right-of-way required to bring abutting streets into compliance with the adopted street classification map, or as otherwise approved by the City Engineer. Upon receipt of the appropriate deed, and if all other requirements have been met, the final development permit shall be issued.

(6) Street Naming and Addressing System. A street naming system shall be maintained to facilitate the provisions of necessary public services (police, fire, mail), reduce public costs for administration, and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. The Director shall

check all new street names for compliance to this system and issue all street addresses. Existing streets and roads not conforming to this system shall be made conforming as the opportunity occurs.

Introduced on first reading this _____ day of March 2019.

PASSED and ADOPTED and ordered published in pamphlet form this ____ day of April 2019.

President of the Council

Barbara Traylor Smith

Attest:

Wanda Winkelmann, City Clerk

CLEAN TEXT

SECTION 21.06.010 OF THE ZONING AND DEVELOPMENT CODE

(FOLLOWING CODE TEXT AMENDMENT)

21.06.010 Infrastructure standards.

(a) General.

(1) Public Improvements. The improvements described in this section must be built by the applicant and constructed in accordance with adopted standards, unless otherwise indicated. The applicant/developer shall either complete construction of all such improvements (in this section “infrastructure”) prior to final City approval (such as a subdivision plat) or shall execute a development improvements agreement. No improvements shall be made until the following required plans, profiles and specifications have been submitted to, and approved by, the City:

- (i) Roads, streets and alleys;
- (ii) Street lights and street signs for all street intersections;
- (iii) Sanitary sewer pipes and facilities;
- (iv) Fire hydrants and water distribution system and storage;
- (v) Storm drainage system;
- (vi) Irrigation system;
- (vii) Right-of-way landscaping;
- (viii) Other improvements and/or facilities as may be required by changing technology and the approval process;
- (ix) Permanent survey reference monuments and monument boxes (§ [38-51-101](#) C.R.S.).

(2) Guarantee of Public Improvements. No development shall be approved until the City has accepted constructed infrastructure or the developer has executed a development improvements agreement along with adequate security (GJMC [21.02.070\(m\)](#)).

(3) City Participation. The City may elect to require the developer to coordinate construction with the City as required in this chapter. If the developer, in order to provide safe access and circulation, must build or improve an arterial or collector street, the City may choose to participate in paying for a portion of the costs of constructing to add capacity to these streets, including engineering, site preparation, base and pavement mat.

(b) Streets, Rights-of-Way, Alleys, Trails and Easements.

(1) Minimum Requirements and Design Standards.

- (i) Street and alley layouts shall conform to adopted street plans and other policies, as well as TEDS (GJMC Title 29). No owner or developer shall propose a site design or plan which could result in the applicant controlling access to a street, alley or right-of-way.
- (ii) Easements shall be provided as required for improvements and utilities. Alleys may be used for utilities and infrastructure.
- (iii) A developer shall dedicate to the City such rights-of-way (e.g., streets, sidewalks, trails, bicycle paths and easements) needed to serve the project and in accordance with the Grand Valley Circulation Plan, as such Plan may be amended at no cost to the City, and such dedications shall not be eligible for or require a TCP credit.
- (iv) Streets, alleys, sidewalks, trails and bike paths shall be constructed in accordance with applicable City standards. If needed to provide safe and adequate access and circulation for residents, visitors, users and occupants, the applicant shall provide off-site infrastructure, such as, but not limited to, turn lanes into the development.
- (v) Each project with one or more buildings (except detached dwellings) shall provide paved pedestrian walkway/sidewalk connections to nearby rights-of-way. Said connections shall be separate from parking and driveway areas.
- (vi) Where infrastructure previously constructed by others provides service to a development, the developer may be required to reimburse a portion of construction costs based on the proportionate benefit at the time of development.
- (vii) The developer shall construct right-of-way improvements as required by the Director.
- (viii) The developer shall pay for and construct improvements necessary for the safe ingress and egress of traffic to and from the development, as determined by the Director, which shall be referred to as minimum street access improvements.
- (ix) Quality of service for any new development and/or for traffic capacity improvements shall be determined by the Director. The Director shall determine the acceptable quality of service taking into consideration existing traffic, streets and proposed development.
- (x) If needed to provide safe and adequate access and circulation for residents, visitors, users and occupants, the applicant shall provide off-site infrastructure

(2) Transportation Capacity Payment (TCP)

- (i) The developer shall pay to the City a transportation capacity payment (TCP).
- (ii) No planning clearance for a building permit for any use or activity requiring payment of the TCP shall be issued until the TCP has been paid and access improvements have been constructed, paid for or adequately secured as determined by the Director. If secured, the security shall be the same as that which is allowed or required for a development improvement agreement (DIA) under Chapter 02 of this Title 21.
- (iv) The amount of the TCP shall be determined by the City Council in a resolution.
- (v) The TCP shall be used solely for the purpose of making capital improvements that enhance the capacity of transportation facilities in the City, which purposes may include, but are not necessarily limited to, the following:
 - (A) To pay debt service on any portion of any current or future general obligation bond or revenue bond issued after July 1, 2019 and used to finance major road system improvements.
 - (B) For expenses integral and related to the reconstruction and replacement of existing transportation facilities with resulting increased capacity for all transportation mode(s), the construction of new major road systems and improvements, and/or for the payment of reimbursable street expenses.
- (vi) TCP funds shall not be used for the following:
 - (A) maintenance
 - (B) ongoing operational costs
 - (C) debt service for any past general obligation bond or revenue bond issued prior to July 1, 2019 or not used to finance road system improvements
 - (D) to remedy existing deficiencies except incidentally in the course of making improvements
- (vii) TCP funds will be accounted for separately but may be commingled with other funds of the City.
- (viii) The TCP shall not be payable if the Director is shown by clear and convincing evidence that at least one of the following applies:
 - (A) Alteration or expansion of an existing structure will not create additional trips.

(B) The construction of an accessory structure, such as but not limited to a garage, will not create additional trips over and above the trips generated by the principal building or use of the land.

(C) The replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use does not create additional trips;

(ix) If a planning clearance is requested is for an impact-generating expansion, redevelopment or modification of an existing development, the fee shall be based on the net increase in the fee for the new land use type as compared to the previous land use type.

(x) A request for a change of use permit that does not propose the expansion of an existing structure shall not require the payment of the TCP. If, however, a request for a change of use permit does propose the expansion of an existing structure, the TCP shall only be applied to the expansion and not the existing structure.

(xi) For fees expressed per 1,000 square feet, the square footage shall be determined according to gross floor area, measured from the outside surface of exterior walls and excluding unfinished basements and enclosed parking areas. The fees shall be prorated and assessed based on actual floor area, not on the floor area rounded to the nearest 1,000 square feet.

(xii) Any claim for TCP credit shall be made not later than the time of application or request for a planning clearance. Any claim not so made shall be deemed waived. TCP credits shall not be transferable from one project or development to another nor otherwise assignable or transferable.

(xiii) Definitions. The following terms and words shall have the meanings set forth for this section:

(A) "Average trip length" means the average length of a vehicle trip as determined by the limits of the City, the distance between principal trip generators and as modeled by the City's, the County's, the State's or MPO's computer program. In the event that the models are inconsistent, the most advantageous to the City shall be used.

(B) "Convenience store," "hotel/motel," "retail," and other terms contained in and with the meaning set forth in the Trip Generation Manual.

(C) "Lane-mile" means one paved lane of a right-of-way one mile in length and 14 feet in width, including curb and gutter, sidewalk, storm sewers, traffic control devices,

earthwork, engineering, and construction management including inspections. The value of right-of-way is not included.

(D) "Percentage of new trips" is based on the most current version of the ITE Transportation and Land Development Manual, and the ITE Trip Generation Manual.

(E) "Unimproved/under-improved floor area" has the meaning as defined in the adopted building codes.

(xiv) Calculation of Fee.

(A) The developer of an impact-generating development shall pay a transportation impact fee in accordance with the most recent fee schedule. No building permit shall issue to such developer unless and until such fee is paid. If any credit is due pursuant to this subsection, the amount of such credit shall be deducted from the amount of the fee to be paid.

(B) If the type of impact-generating development for which a building permit is requested is not specified on the fee schedule, then the Director shall determine the fee on the basis of the fee applicable to the most nearly comparable land use on the fee schedule. The Director shall determine comparable land use by the trip generation rates contained in the most current edition of the ITE Trip Generation Manual.

(C) In many instances, a building may include secondary or accessory uses to the principal use. For example, in addition to the production of goods, manufacturing facilities usually also have office, warehouse, research and other associated functions. The TCP fee shall generally be assessed based on the principal use. If the applicant can show the Director in writing by clear and convincing evidence that a secondary land use accounts for over 25 percent of the gross floor area of the building and that the secondary use is not assumed in the trip generation for the principal use, then the TCP may be calculated on the separate uses.

(D) TCP Fee Calculation Study. At the election of the applicant or upon the request of the Director, for any proposed development activity, for a use that is not on the fee schedule or for which no comparable use can be determined and agreed to by the applicant and the Director or for any proposed development for which the Director concludes the nature, timing or location of the proposed development makes it likely to generate impacts costing substantially more to mitigate than the amount of the fee that would be generated by the use of the fee schedule, a TCP fee calculation study may be performed.

(E) The cost and responsibility for preparation of a fee calculation study shall be determined in advance by the applicant and the Director.

(F) The Director may charge a review fee and/or collect the cost for rendering a decision on such study. The Director's decision on a fee or a fee calculation study may be appealed to the Zoning Board of Appeals in accordance with GJMC 21.02.210(b).

(G) The TCP fee calculation study shall be based on the same formula, quality of service standards and unit costs used in the impact fee study. The fee study report shall document the methodologies and all assumptions.

(H) A TCP fee calculation study submitted for the purpose of calculating a transportation impact fee may be based on data information and assumptions that are from:

- a. An accepted standard source of transportation engineering or planning data; or
- b. A local study on trip characteristics performed by a qualified transportation planner or engineer pursuant to an accepted methodology of transportation planning or engineering that has been approved by the Director.

(3) Existing Streets.

(i) Existing Local Residential Streets. Many areas of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many such neighborhoods, the existing local residential streets do not have curbs, gutters or sidewalks. Where houses are already built on most or all of such lots, the character of the neighborhood is well established. Given that there are no serious safety or drainage problems associated with these local residential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks. When an owner in one of these well-established neighborhoods chooses to subdivide a lot or parcel, unless such improvements are extended off site to connect to a larger system, the new "short runs" of curbing, gutters and/or sidewalks are of little value as drainage facilities or pedestrian ways until some future development or improvement district extends them to other connecting facilities.

The Director shall determine the acceptable minimum improvements. The Director may defer street improvements if all of the following criteria are met:

- (A) The development is for three or less residential lots;
- (B) The zoning or existing uses in the block or neighborhood are residential. The Director shall determine the boundaries of the block or neighborhood, based on topography, traffic patterns, and the character of the neighborhood;

(C) The existing local residential street that provides access to the lots or development meets minimum safety and drainage standards, and has a design use of less than 1,000 average daily traffic ("ADT") based on an assumed typical 10 trips per day per residence and the volume is expected to be less than 1,000 ADT when the neighborhood or block is fully developed;

(D) At least 80 percent of the lots and tracts in the neighborhood or block are already built upon, so that the street and drainage character is well established;

(E) If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, exists and it can be improved or remedied without the street improvements being built; and

(F) There is at least 250 feet from any point on the development to the nearest existing street improvements (on the same side of the street) that substantially comply with the City standard for similar street improvements.

(G) If all of the criteria have been met, instead of requiring these "short run" improvements, the Public Works and Planning Director may in his or her discretion accept a signed agreement from the owner to form an improvement district for the construction of curbs, gutters, and sidewalks in lieu of construction. The agreement shall be in a form approved by the City Attorney. The agreement shall run with the land and shall be recorded with the Mesa County Clerk and Recorder.

(ii) Existing Local Nonresidential Streets. Many commercial and industrial areas of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many of these areas the existing local nonresidential streets do not have curbs, gutters or sidewalks. Given that there are no serious safety or drainage problems associated with these local nonresidential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks. When an owner in a commercial or industrial area chooses to develop a lot or parcel, the new "short runs" of curbing, gutters and/or sidewalks are of little value as drainage facilities or pedestrian ways unless the improvements are extended off site to connect to a larger system or until some future development or improvement district extends them to other connecting facilities.

The Public Works and Planning Director shall determine the acceptable minimum improvements. In order to promote development of infill properties the Director may defer nonresidential street improvements if all of the following criteria have been met:

(A) The development is for a single commercial or industrial lot or parcel that does not create a new lot or parcel;

(B) The proposed development or use of the lot or parcel must be consistent with the allowed uses and requirements of the current zone district;

(C) The lot or parcel size is two acres or less;

(D) The lot or parcel does not have more than 500 feet of frontage on the local nonresidential street;

(E) If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, exists and it can be improved or remedied without the local nonresidential street improvements being built; and

(F) There is at least 250 feet from any point on the development to the nearest existing street improvements (on the same side of the street) that substantially comply with the City standard for similar local nonresidential street improvements.

(G) If all of the criteria have been met, instead of requiring these “short run” improvements, the Public Works and Planning Director may in his or her discretion accept a signed agreement from the owner to form an improvement district for the construction of curbs, gutters and sidewalks in lieu of construction. The agreement shall be in a form approved by the City Attorney. The agreement shall run with the land and shall be recorded with the Mesa County Clerk and Recorder.

(4) Public Right-of-Way and Private Parking Lot Use.

(i) No structure, fence, sign, parking lot, detention/retention pond, or other temporary or permanent object or structure shall be constructed, maintained, or erected in any portion of any public right-of-way without first obtaining a revocable permit from the City. The City Engineer or other City official may allow traffic control devices, street signs, public notices, utility poles, lines and street banners (see this chapter).

(ii) No person shall use, store, display or sell any goods, merchandise or any structure without having first obtained a revocable permit, except that this provision shall not be enforced in a manner which limits unreasonably any person’s freedom of speech or assembly.

(iii) No commercial vehicle which exceeds one and one-half tons rated carrying capacity shall be parked in a public right-of-way which abuts any residential zone.

(iv) Overnight camping shall not be allowed in a public right-of-way or in any private parking lot made available to the public, unless specifically permitted by the City for such use. Parking of an RV or any vehicle for more than 72 hours shall not be allowed in a public right-of-way or on any vacant lot.

(5) Partially Dedicated Street. Prior to any development or change of use which is projected to increase traffic generation by the greater of five percent or 10 vehicle trips per day, the applicant shall dedicate right-of-way required to bring abutting streets into compliance with the adopted street classification map, or as otherwise approved by the City Engineer. Upon receipt of the appropriate deed, and if all other requirements have been met, the final development permit shall be issued.

(6) Street Naming and Addressing System. A street naming system shall be maintained to facilitate the provisions of necessary public services (police, fire, mail), reduce public costs for administration, and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. The Director shall check all new street names for compliance to this system and issue all street addresses. Existing streets and roads not conforming to this system shall be made conforming as the opportunity occurs.

CITY OF GRAND JUNCTION

ORDINANCE NO. ____

AN ORDINANCE AMENDING ORDINANCE NO. 3641 CONCERNING GROWTH AND DEVELOPMENT RELATED STREET POLICY

Recitals:

Safe and efficient streets are one of the most important services provided by the City, the City Council finds and determines that it is proper to provide a specific financing mechanism that will continue to allow safe and functional streets and for new growth and development to pay its way to an equitable degree.

The Council further determines that the resources of the City are properly allocated to maintaining and improving, including capital additions to, the existing streets and roads and those annexed over time, as resources permit, together with additional improvements to the system near and around developing areas of the City. The citizens and users of the street system pay for the upkeep and general improvement to the system by the payment of sales and use taxes. Sales and use taxes are not sufficient, however, to pay for all the road needs and there are limited resources available to the City, from other sources, to add to the system and/or to make improvements in the rapidly developing areas of the City.

The Council has found and affirms that an equitable method of imposing a portion of the costs of paying for additional or improved capacity, necessitated because of Growth, and promoting safe and effective access to and from new developments to the public street system is best addressed by requiring developers to pay for and install public right-of-way improvements that are required for such safe and effective access.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT ORDINANCE NO. 3641 AMENDED AS SHOWN: (For text, deletions are ~~struckthrough~~ and additions are underlined; for graphics, deletions are crossed through with an X.)

Growth and Development Related Street Policy

~~The City of Grand Junction requires that new development pay a Transportation Capacity Payment to help defray the cost to the City for the impact of development on City streets. The City has experienced steady growth for over a decade and during that time has struggled with how to fairly collect and administer impact fees assessed against development, how to credit some or all of those fees against taxes otherwise paid and what, if any, role the City should have in funding/contributing to the cost of providing additional traffic/street capacity and/or traffic/street capacity in accordance with community expectations.~~

~~The City has determined that there are three key components to a meaningful growth and development related street/traffic policy. They are:~~

- ~~— 1. Collection of a realistic TCP for all new development projects. The TCP shall be annually reviewed and adjusted in accordance with 6.2B2d of the ZDC.~~
- ~~— 2. A clear articulation of what minimum requirements (in addition to the TCP) each development must construct; and~~
- ~~— 3. City funding and/or other means of participation in construction of street improvements.~~

~~Because the City has determined that traffic is a community problem, the TCP shall be uniform throughout the City and subject to criteria stated below; funding may be provided to street improvements anywhere within the City.~~

~~The principles of this policy are:~~

- ~~1. All development projects that create a traffic impact, as defined by the City ZDC, shall pay a TCP as established by and in accordance with the ZDC. The fundamental precept of the City's TCP policy is that new development must pay its fair share for the added traffic that development creates.~~
- ~~2. The TCP fee has been set to ensure that trips from each new development are calculated and that the developer contributes to the value of _____ capacity consumption of City streets in proportion to the traffic that the development is reasonably anticipated to generate. The fee also recognizes as a credit the value of taxes generated from development.~~
- ~~3. TCP funds are intended to be used for improvements to the major roadway system as identified on the most current version of the Grand Valley Circulation Plan functional classification map (Minor Collector or above). Improvements to the local roadway system will continue to be the responsibility of the property owners abutting the local roadway. The TCP fee is not intended to be used for debt service for the Riverside Parkway project.~~
- ~~4. Minimum Street Access Improvements -- The intent of this section is to describe the improvements necessary to connect a proposed development to the existing street system. SUCH IMPROVEMENTS SHALL BE PUBLIC IMPROVEMENTS AND SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE CITY WHETHER SUCH PUBLIC IMPROVEMENTS ARE IDENTIFIED THROUGH A TRAFFIC STUDY OR OTHERWISE MADE A CONDITION OF APPROVAL FOR DEVELOPMENT. Construction of these improvements will be the responsibility of the developer and shall be constructed or guaranteed at the time of development. These improvements are needed to provide safe ingress/egress and shall meet the minimum standards in Section CHAPTERS 5 AND 6 AND THE UNNUMBERED CHAPTER ENTITLED Fire Department Access of the TEDS Manual -- Fire Department Access. These improvements are not intended to include off-site, Half Street or perimeter improvements necessary to increase the capacity or improve the safety of adjacent or perimeter streets.~~
 - ~~• Absent unique needs or characteristics of the development, Minimum Street Access Improvements shall mean construction of full asphalt radii, and necessary drainage improvements in accordance with the City standard detail for each intersection with a perimeter street and/or improvements necessitated if the proposed development creates lots with direct access to the perimeter street(s) as determined by the Director. An owner or developer may appeal a determination of Minimum Street Access Improvements to the Transportation Engineering Design Standards (TEDS) Exception~~

~~Committee. That Committee consists of the PW&U Director, the Fire Chief and the Community Development Director.~~

- ~~• Curb, gutter and sidewalk improvements shall be constructed as part of minimum access improvements when connecting directly to a street with like improvements.~~
- ~~• The City's multi-modal plan, including bike lanes, trails, paths, alternate pedestrian connections and bus stops and transit shall be incorporated into determining what improvements are required associated with a connection to the adjacent street system.~~
- ~~• Right of Way – The development shall dedicate necessary ROW (per Code and TEDS) to provide safe ingress/egress to the proposed development.~~
- ~~• Drainage Structures including Bridges – The development shall construct drainage structures and/or bridges associated the connection of the development to the street system.~~
- ~~• Traffic Studies – Preparation of Traffic Studies shall be the responsibility of new development as currently defined by the Code.~~
- ~~• Utilities – The extension of utilities including water, sewer, storm water improvements gas, electric, cable and telephone, etc will continue to be the responsibility of new development.~~

~~5. In addition to the TCP and Minimum Street Access Improvements, the developer must fully construct (or if current needs do not require construction, then the developer must guarantee for future construction) all internal streets, roads, alleys, and future connections in accordance with the development's approved plan.~~

~~6. The developer is responsible for the cost of the design of all features of the Minimum Street Access Improvements as required by TEDS, the GVCP, and other applicable City code(s), ordinance(s), policy(ies) or resolution(s).~~

~~7. Reimbursable Street Expenses – In the event a development triggers the need for public improvements beyond available City funding from the TCP, the City and the developer may enter into an agreement that would provide for the reimbursement of a portion of the costs of the public improvements.~~

~~Safe and adequate streets are a priority for the City. To help meet that need, a fund will be established to allow the City to fund and/or partner with developers or other governments. City funding or participation in street improvements shall be used for three purposes:~~

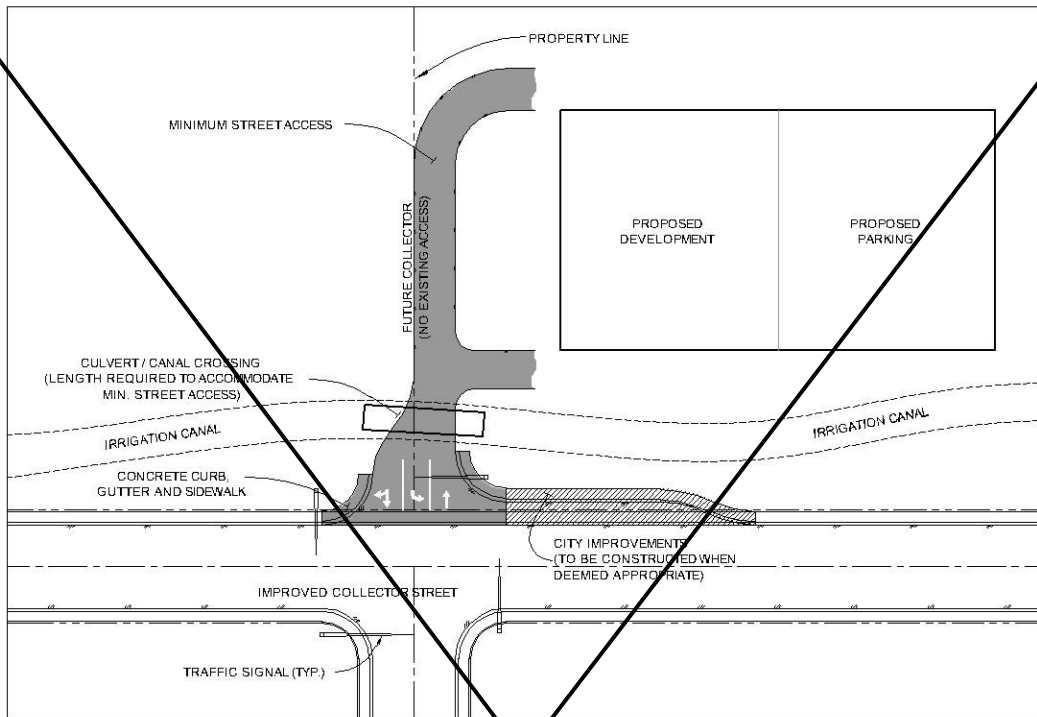
~~1. Construction of larger scale improvements along corridors which are deficient in street improvements (i.e., capacity, safety or physical improvements including pavement, curbs, gutters, and sidewalks).~~

~~2. Specific street or intersection improvements either adjacent or off-site from a new development where the existing condition is deficient as defined by City code.~~

~~3. Participation in a larger regional project in cooperation with the participating agencies of the Grand Valley MPO.~~

~~City funding and/or other means of participation in street improvements is conditioned on:~~

- ~~• Construction will improve traffic safety;~~
- ~~• Construction will improve traffic flow;~~
- ~~• Construction will improve pedestrian safety;~~
- ~~• Construction will improve capacity.~~



MINIMUM STREET ACCESS INCLUDES

- ♦ CULVERT/CANAL CROSSING TO ACCOMMODATE DEVELOPMENT NEEDS (TRAFFIC STUDY). IF LESS THAN LENGTH REQUIRED FOR ULTIMATE STREET SECTION, CITY MAY CONTRIBUTE TO COMPLETE THE LENGTH.
- ♦ FIRE ACCESS IMPROVEMENTS BETWEEN COLLECTOR AND STORE ACCESS (MIN. 20' OF PAVEMENT WIDTH, OR GREATER AS REQUIRED BY THE TRAFFIC STUDY. DOES NOT INCLUDE CURB, GUTTER OR SIDEWALK, UNLESS NECESSARY FOR TRANSITION WITH EXISTING).
- ♦ DEDICATION OF R.O.W. PER DEVELOPMENT NEEDS OR PER MAJOR STREET PLAN, WHICH EVER IS GREATER.
- ♦ DRAINAGE IMPROVEMENTS AS NECESSARY.

CITY OF GRAND JUNCTION BUILDS

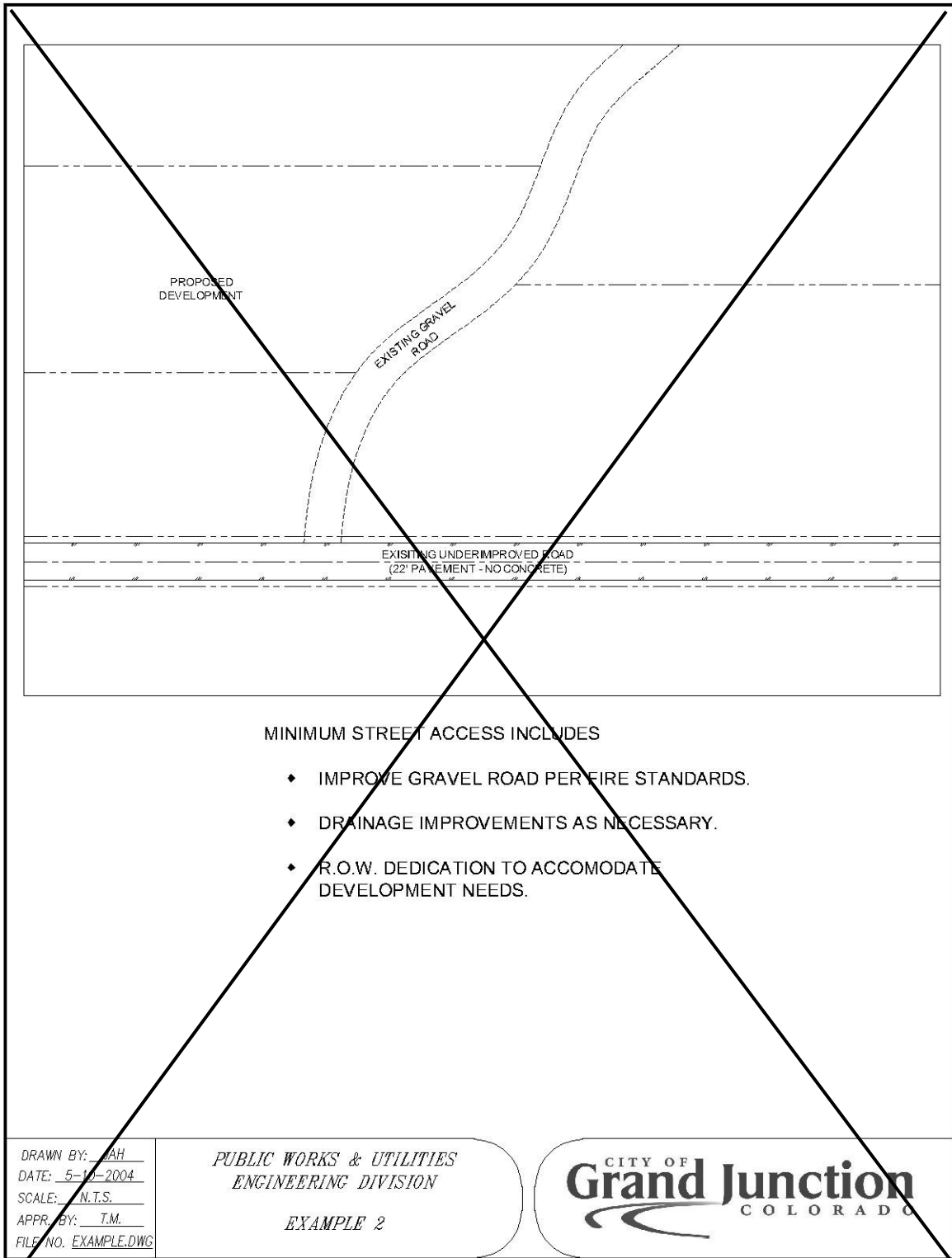
- ♦ TRAFFIC SIGNAL
- ♦ DECELERATION LANE

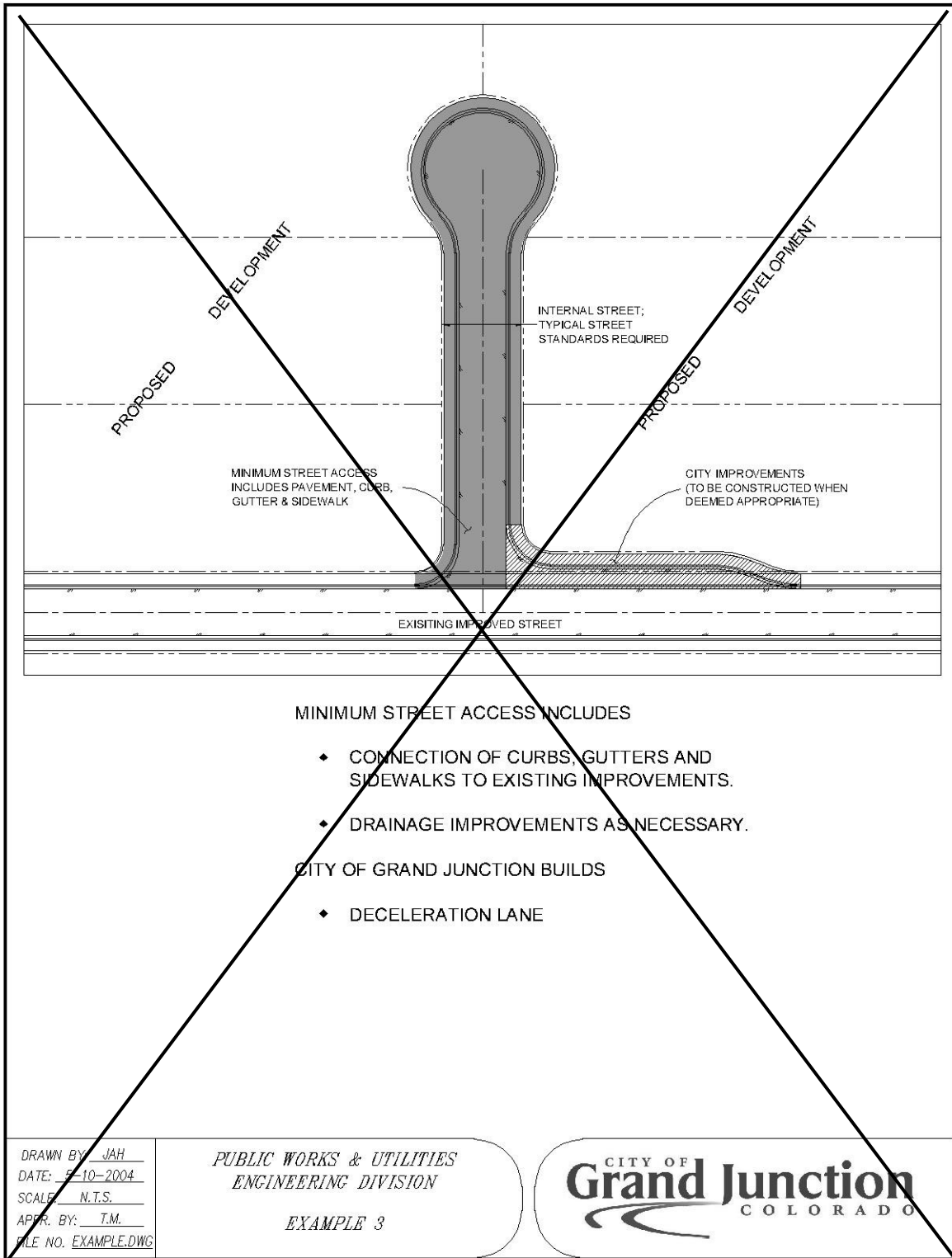
DRAWN BY: JAH
 DATE: 6-10-2004
 SCALE: N.T.S.
 APPR. BY: T.M.
 FILE NO. EXAMPLE.DWG

PUBLIC WORKS & UTILITIES
 ENGINEERING DIVISION

EXAMPLE 1

CITY OF
Grand Junction
 COLORADO





This Ordinance shall be effective on January 1, 2021.

Introduced on first reading tis _____ day of March 2019.

PASSED and ADOPTED and ordered published in pamphlet form this _____ day of April 2019.

President of the Council

Barbara Traylor Smith

Attest:

Wanda Winkelmann, City Clerk



Grand Junction City Council

Regular Session

Item #2.b.i.

Meeting Date: March 20, 2019

Presented By: David Thornton, Principal Planner

Department: Community Development

Submitted By: David Thornton, AICP
Principal Planner

Information

SUBJECT:

Introduction of an Ordinance Zoning the Hosanna Annexation R-8 (Residential - 8 du/ac), Located at 743 24 3/4 Road, and Setting a Public Hearing for April 3, 2019

RECOMMENDATION:

The Planning Commission at their February 26, 2019 meeting voted in favor of the request by a 5 to 0 vote.

EXECUTIVE SUMMARY:

The Applicant, Bonny J. Collins Trust, is requesting a zone of annexation to R-8 (Residential – 8 du/ac) for the Hosanna Annexation. The approximately 5.722-acre parcel is located north of the North Valley Subdivision at 743 24 ¾ Road with direct access to the property from North Valley Drive. 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. The Comprehensive Plan Future Land Use Map designates this property as Residential Medium High (8 – 16 du/ac) and this request conforms with this designation. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

The Applicant, Bonny J. Collins Trust, has requested annexation of land into the City limits, located at 743 24 ¾ Road, in anticipation of future residential development. The property is approximately 5.722-acres in size, which includes 0.155-acres of the adjacent G ½ Road right-of-way. The property currently has one single-family home on

it. The Applicant is requesting a zone of annexation to 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 zoned RSF-R in the County, R-8 and R-5 in the City. The subject property has a Future Land Use designations of Residential Medium High (8 – 16 du/ac). The Applicant's proposed zoning designation of R-8 meets with the intent of the Land Use Map achieving the desired density for the property.

The surrounding area is mostly developed, with city zoning of R-5 and R-8. An area zoned PD (Fountain Greens Subdivision) lies to the east less than a tenth of a mile. The two small properties adjacent to the east and zoned RSF-R in Mesa County each have one residence on them. The overall average residential density for Fountain Greens Subdivision is 8 dwelling units per acre. See the attached map exhibits for additional information.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on November 5, 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 thirteen citizens. Comments and concerns expressed by the attendees centered on subdivision of the property which has not been submitted to the City. Subdivision questions and concerns included annexation, traffic, maximum density, phasing, size of homes, price of homes, how much of the neighborhood that received notice of the meeting, Fire Department review and police protection, name of the subdivision and timeline of the development.

The application for annexation and zoning was submitted on December 17, 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 January 31, 2019. 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 February 15, 2019. The notice of this public hearing was published February 19, 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-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium High (8 – 16 du/ac), in accordance with Section 21.02.130 (d) (1) (iii) & (v) of the Zoning and 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 property can no longer have a county zoning designation. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which requires 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 adopted Comprehensive Plan designated this property with a Future Land Use designation of Residential Medium High (8 – 16 du/ac). The character and/or condition of the area has mostly urbanized with the North Valley Subdivision, Fountain Greens Subdivision and other subdivisions in the area since the adoption of the Plan in 2010. The subject property is currently underutilized in terms of the residential development potential anticipated by the Comprehensive Plan designation of Residential Medium high (8 -16 du/ac) as the property currently only has one single family home developed on the property resulting in a density of 1 dwelling unit per 5.7 acres. Adjacent subdivisions also have a much higher density than the current density of this property. The Future Land Use Map designation of Residential Medium High designation allows for densities up to 16 units per acre. The Applicant is requesting a zone of R-8 which furthers the goals and policies of the Comprehensive Plan by providing for density in the range of the Residential Medium High (8 – 16 du/ac) land use classification. Because this area continues to urbanize at densities consistent with the proposed R-8 designation which is consistent with the Comprehensive Plan Staff finds that this criterion has been met.

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

Water and sewer services are available to this property in Monument View Drive. This property is within the Ute Water District service area. A 2-inch water line services the neighboring property at 735 24 ³/₄ Road. An 8-inch line terminates at the southern property boundary on Monument View Drive. The property is currently within the

Persigo 201 Sewer Service Area. However, the property does not currently have a sewer connection.

1. Plant Capacity: Based on the Future Land Use (FLU) designation of Residential Medium High (8-16 DU/Acre), the maximum anticipated additional flow associated with 83 equivalent units (EQUs) is about 14,000 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently only receives approximately 8 million gallons per day. Therefore, the plant has ample capacity to accommodate this additional flow.

2. Ability to Serve Area: An 8-inch sewer main is located along Monument View Drive and terminates on the south side of the property. In addition, an 8-inch sewer main is located on the neighboring property to the west (736 24 ½ Road) along Monument Road. There is available capacity in this sewer collection system to accommodate future development of this property with 30 dwelling units.

The property can also be served by Xcel Energy natural gas and Grand Valley Power electric. A short distance away is Appleton Elementary School and even closer is Canyon View Park. To the west along Patterson Road and 24 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. The City has been working to address the current and future fire and EMS coverage demands of this area of Grand Junction and is planning for a new fire station in the 23 Road and H Road area.

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 has a Comprehensive Plan Future Land Use Map designation of Residential High Mixed Use (16 – 24 du/ac). The property is currently vacant. The proposed zoning designation of R-8 meets with the intent of achieving the desired overall density for the property to be developed at the low end of the Residential Medium High designation. Citywide, fifteen (15) percent of existing property in the City limits with a R-8 zoning designation is vacant. 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.

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 zoning will also provide an opportunity for a variety of housing allowed by the R-8 zone district including single family detached, single family attached and multi-family residential land uses, all 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 Guiding 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, the zone district of R-8 comports with the recommendations of the Plan's Future Land Use Map. Other zone districts implementing this Future Land Use designation or Residential Medium High include R-12, R-16 and R-O (Residential Office).

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.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Hosanna Annexation, ANX-2018-781, for a Zone of Annexation

from County RSF-R (Residential Single Family – Rural) to a City R-8 (Residential – 8 du/ac), the following findings of fact have been made:

1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
2. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted Comprehensive Plan.

Therefore, Staff recommends approval of the requested Zone of Annexation.

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. More specific impacts to various service providers of the City include the following.

Police Department:

Upon review of 2017 and 2018 calls for service within the surrounding area which is similar in residential density, data revealed that there were 111 calls for service in 2017 and 100 calls for service in 2018. Based on that information it is anticipated that calls for service by GJPD for this location will equal to 12.5% of an officer. At this point, it does not warrant the need for an increase in personnel or equipment in order to provide law enforcement services to this proposed annexation. However, this annexation along with any future annexations/developments will no doubt have an eventual cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works:

There are no external streets being annexed, therefore there are no financial impacts from the annexation. Transportation Capacity Payment (TCP) fees will be collected at the time of subdivision of the property.

Fire:

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 \$203 annually. If the property develops at an estimated 31 units, including 17 single family detached, three single family attached and two eight unit 4-plex units for an estimated value of \$6.8 million, the estimated annual property tax revenue (at the current residential assessment rate)

would be approximately \$3,900 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 \$150.94 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 \$203 per year (prior to development) and \$3,900 per year after estimated planned development which 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 once to this location in the last 10 years and with an estimated build out of 31 units the increase in incident volume will be minimal. The area is served by Fire Station #3 however response times are longer than other areas due to the distance from the fire station. Response time is estimated to be 6-8 minutes from time of dispatch for an emergent call for service, which is longer than National Fire Protection Association response time standards. 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 at 23 and H Road.

Parks:

There are no financial impacts to Parks with this annexation. Parks and Recreation fees and Open Space fees will be collected with the future subdivision of this property.

Utilites:

Water and sewer services are available to this property. This property is within the Ute Water District service area. The property is currently within the Persigo 201 Sewer Service Area. However, the property does not currently have a sewer connection. The property would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (2019 rate) or \$396,408. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure. Monthly sewer service rates for single family units are \$22.40.

SUGGESTED MOTION:

I move to introduce an ordinance zoning the Hosanna Annexation to R-8 (residential - 8 du/ac), located at 743 24 3/4 Road and set a public hearing for April 3, 2019.

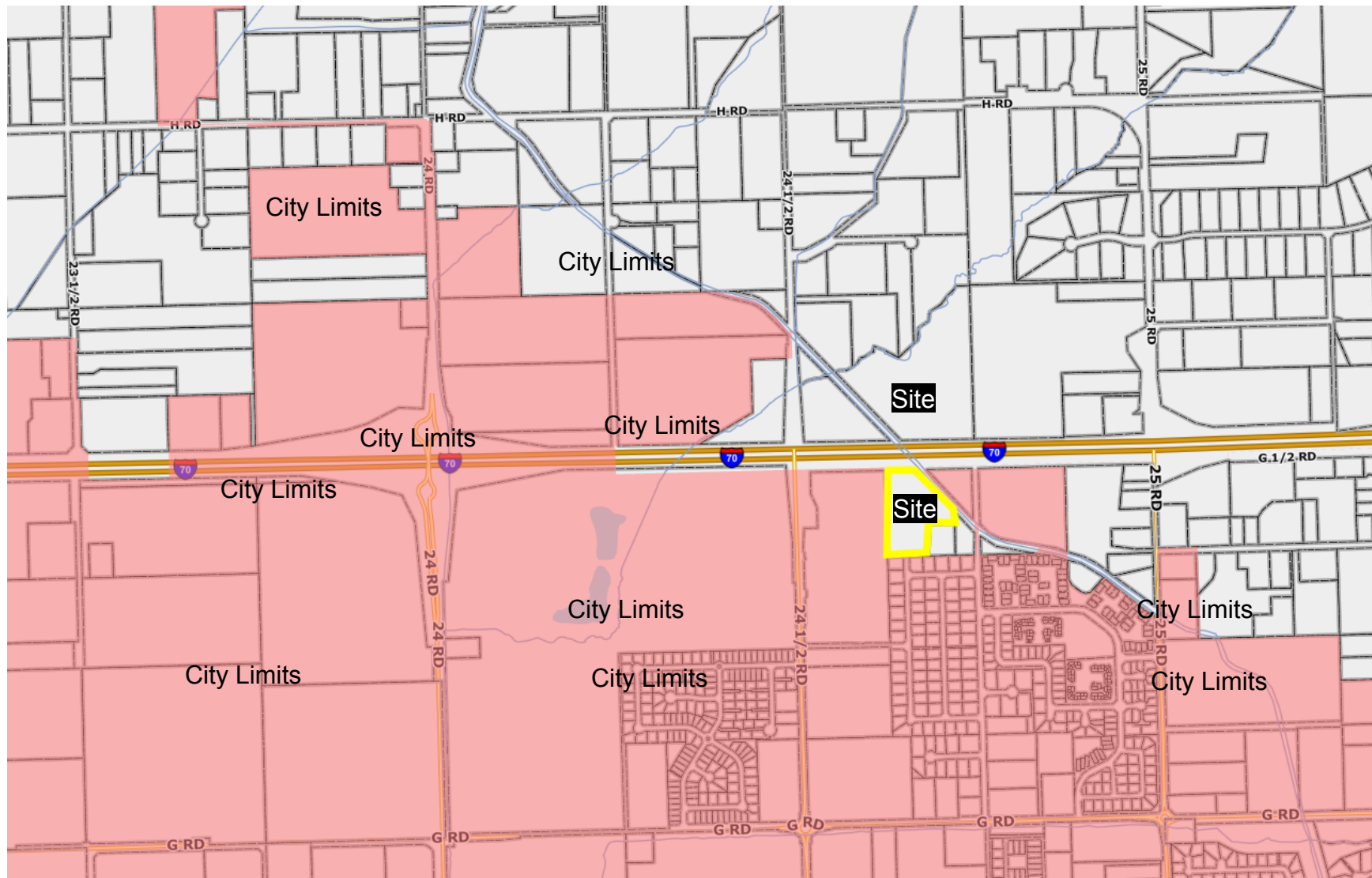
Attachments

1. Maps and Photos
2. Zoning Ordinance

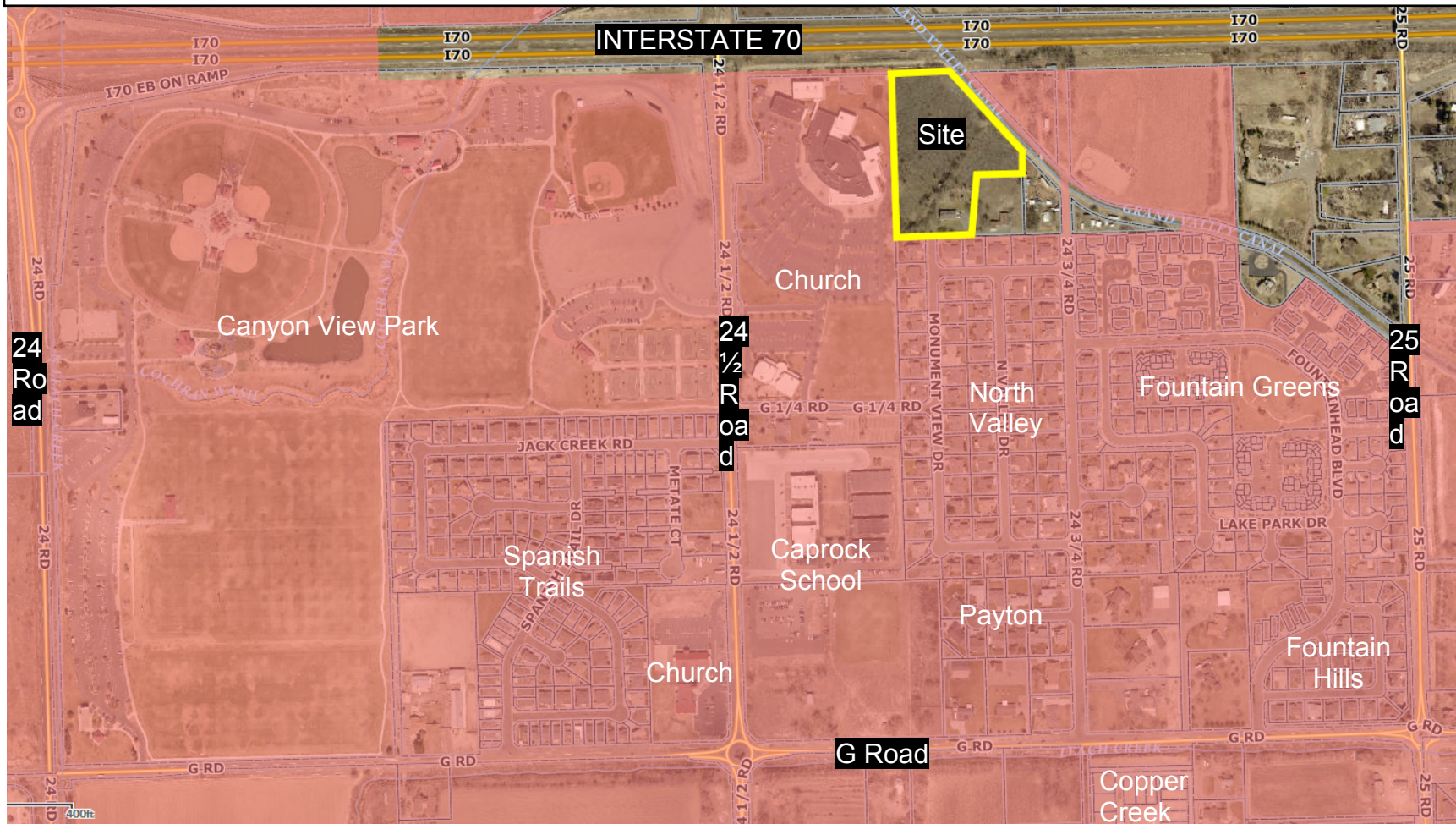
HOSANNA ANNEXATION MAPS and PHOTOS

1. City Limits Map
2. Expanded Site Location Map
3. Site Location Map / Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Zoning Map
6. Annexation Plat
7. Site Photos

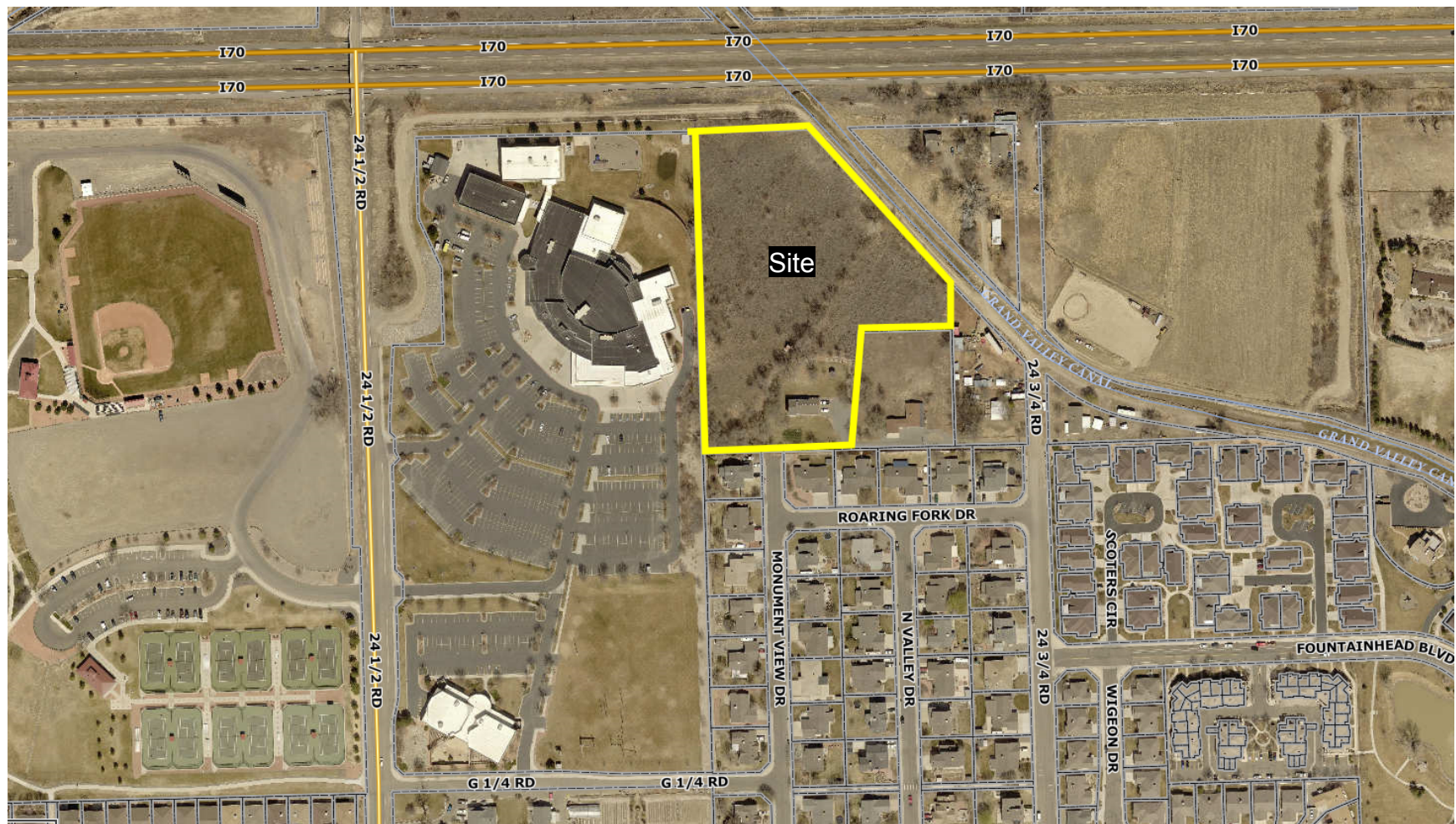
HOSANNA ANNEXATION - City Limits Map



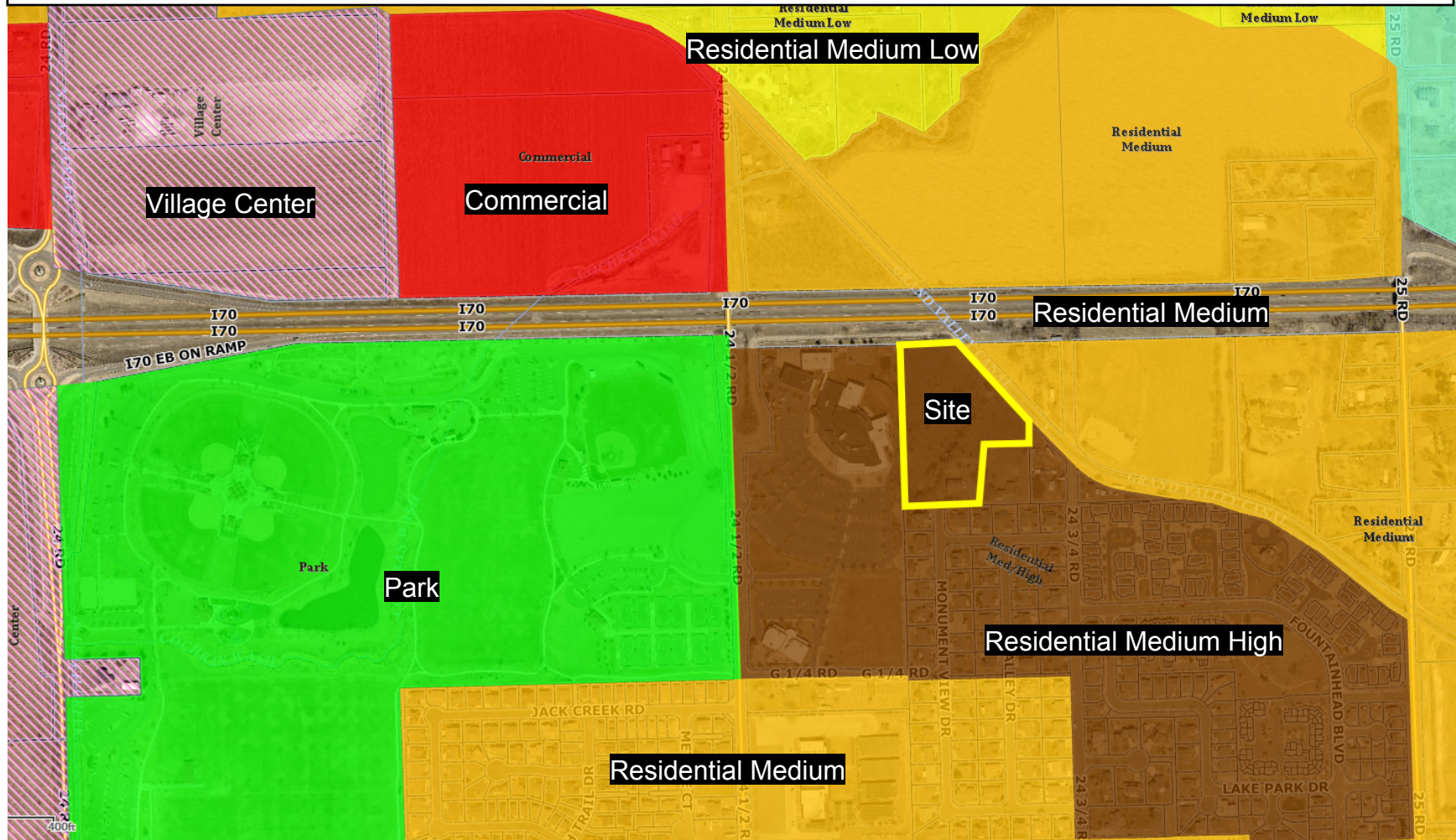
HOSANNA ANNEXATION - Expanded Site Location Map



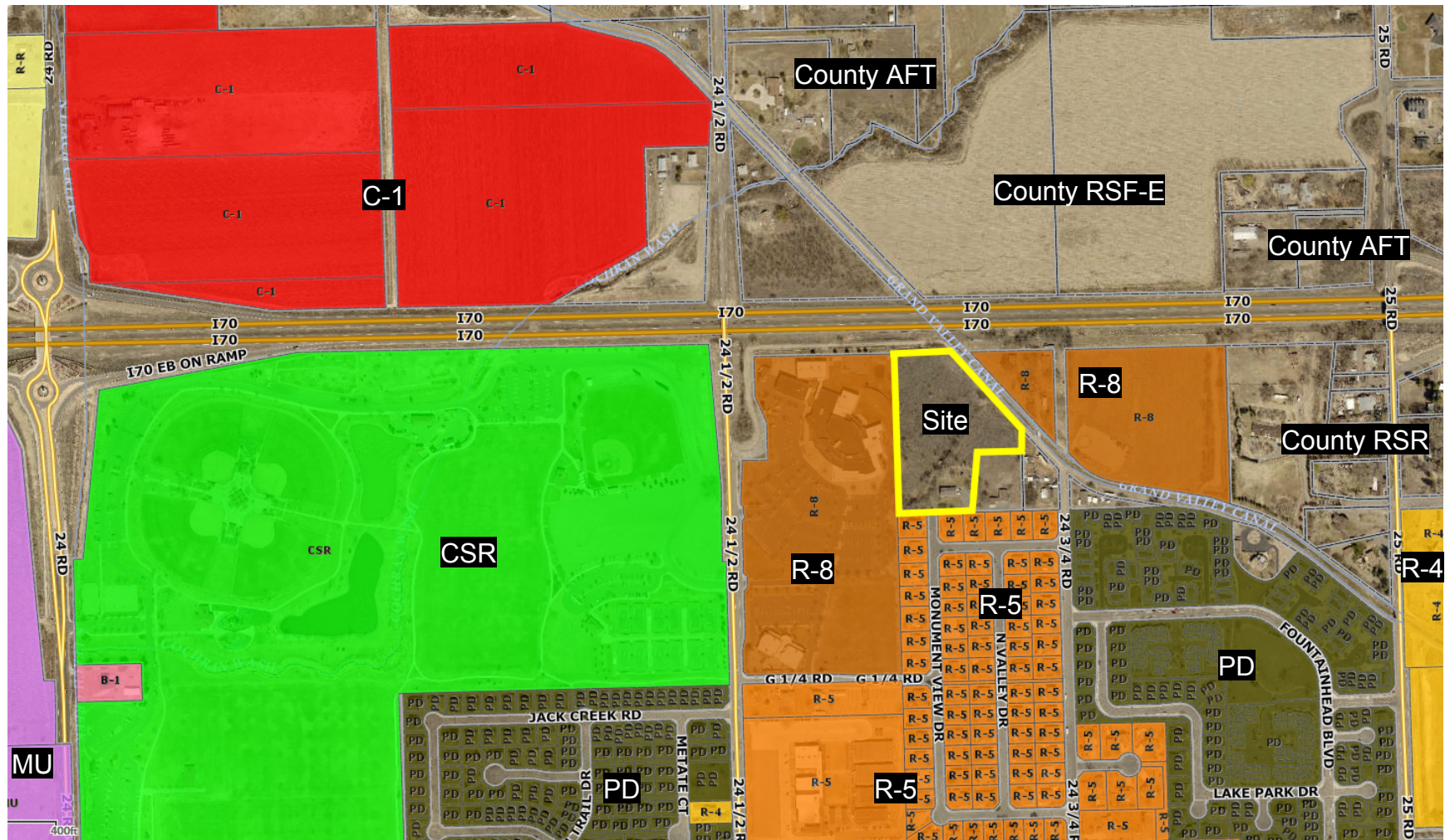
HOSANNA ANNEXATION – Site Location / Aerial Photo



HOSANNA ANNEXATION – Future Land Use Map



HOSANNA ANNEXATION – Zoning Map



8-62772-78223-53.824, 8-62772-78223-53.825

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the Southeast Quarter (SE 1/4) of said Section 33 and assuming the North line of the NW 1/4 SE 1/4 of said Section 33 bears S 89°53'19" E with all other bearings contained herein being relative thereto; thence said Point of Commencement, S 89°53'19" E, along the North line of the NW 1/4 SE 1/4 of said Section 33 a distance of 658.53 feet to the POINT OF BEGINNING; thence S 41°14'10" W, of Beginning, continue N 89°53'19" E, along said North line, a distance of 270.28 feet; thence S 00°06'41" W, a distance of 25.00 feet to a point on the centerline of the existing Grand Valley Canal; thence Southeasterly along the centerline of the Grand Valley Canal the following four (4) courses:

1. S 43°37'30" E, a distance of 36.79 feet,
2. S 41°37'54" E, a distance of 88.95 feet,
3. S 40°40'11" E, a distance of 192.33 feet,
4. S 43°12'52" E, a distance of 27.89 feet, more or less, to a point on the East line of Lot 1, Collins-Baumgartner
Subdivision, as same is recorded in Book 4329, Page 69, Public Records of Mesa County, Colorado projected
Northerly; thence...

S 00°07'13" E, along the East line of said Lot 1, a distance of 143.93 feet, more or less, to a point being the Northwest corner of Lot 2 of said Collins Baumgartner Subdivision; thence N 8°54'18" W, along the North line of said Lot 2, a distance of 182.21 feet, more or less, to a point being the Northwest corner of said Lot 2; thence S 04°41'51" W, along the West line of said Lot 2, a distance of 231.92 feet, more or less, to a point on the North line of North Valley Subdivision Filing No. Four, as same is recorded in Plat Book 16, Pages 188 and 189, Public Records of Mesa County, Colorado; thence N 8°54'18" W, along the North line of said North Valley Subdivision Filing No. Four, a distance of 182.21 feet, more or less, to a point being the Northwest corner of said Lot 2; thence S 04°41'51" W, along the West line of said Lot 2, a distance of 231.92 feet, more or less, to a point being the Southwest corner of said Lot 1; thence S 00°09'05" W, along the West line, and Northerly projection, of said Lot 1, a distance of 659.09 feet, more or less, to the Point of Beginning.

The Collins-Baumgartner Subdivision, as recorded in Book 4329, Page 69, Public Records of Mesa County, Colorado, incorrectly depicted the ownership of the lands to an "apparent Southwesterly right of way line for the Grand Valley Canal". The ownership should have been depicted extending to the centerline of said Grand Valley Canal.

[illegible]

The Jewish and Descriptive passages herein have been derived from published lists and area descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plot area not constitutes a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PRELIMINARY

49-688-1, 49-688-2, 49-688-3, 49-688-4
 Professional Land Surveyors for the
 City of Grand Junction
 1/1/01

9252

THIS IS NOT A BOUNDARY SURVEY

AREA OF ANNEXATION

[illegible]

Keywords: child sexual abuse; disclosure; self-blame

According to research, the job stressor associated with high office design space may affect the work environment. This paper will show that there are many different ways to design an office space and that the design of the office space can affect the work environment. The design of the office space can affect the work environment in many ways. The design of the office space can affect the work environment in many ways. The design of the office space can affect the work environment in many ways.

PMR

DRAWN BY
DESIGNED BY
CHECKED BY
APPROVED BY

P.T.K.	DATE	01-03-2019
	DATE	
P.T.K.	DATE	
	DATE	

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

SCALE
1" = 60'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

HOSANNA ANNEXATION

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HOSANNA ANNEXATION – PHOTOS



View of property from Monument View Drive looking north



View of property from I-70 looking south

Exhibit 3

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE HOSANNA ANNEXATION TO R-8 (RESIDENTIAL – 8 DU/AC)

LOCATED AT 743 24 3/4 ROAD

Recitals

The property owners have requested annexation of the 5.722-acre Un-platted 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 Hosanna Annexation to the R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the Residential Medium High (8 – 16 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-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 and Development Code.

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

HOSANNA ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the Southeast Quarter (SE 1/4) of said Section 33 and assuming the North line of the NW 1/4 SE 1/4 of said Section 33 bears S 89°53'19" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°53'19" E, along the North line of the NW 1/4 SE 1/4 of said Section 33 a distance of 658.53 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°53'19" E, along said North line, a distance of 270.28 feet; thence S 00°06'41" W, a distance of 25.00 feet to a point on the centerline of the existing Grand Valley Canal; thence Southeasterly along the centerline of the Grand Valley Canal the following four (4) courses:

1. S 43°37'30" E, a distance of 36.75 feet,

2. S 41°37'54" E, a distance of 88.95 feet,
3. S 40°40'11" E, a distance of 192.33 feet,
4. S 43°12'52" E, a distance of 27.89 feet, more or less, to a point on the East line of Lot 1, Collins-Baumgartner Subdivision, as same is recorded in Book 4329, Page 69, Public Records of Mesa County, Colorado projected Northerly; thence...

S 00°07'13" E, along the East line of said Lot 1, a distance of 143.93 feet, more or less, to a point being the Northeast corner of Lot 2 of said Collins-Baumgartner Subdivision; thence N 89°54'18" W, along the North line of said Lot 2, a distance of 182.21 feet, more or less, to a point being the Northwest corner of said Lot 2; thence S 04°41'51" W, along the West line of said Lot 2, a distance of 231.92 feet, more or less, to a point on the North line of North Valley Subdivision Filing No. Four, as same is recorded in Plat Book 16, Pages 188 and 189, Public Records of Mesa County, Colorado; thence N 89°54'18" W, along the North line of said North Valley Subdivision Filing No. Four and the South line of said Lot 1, Collins-Baumgartner Subdivision, a distance of 297.24 feet, more or less, to a point being the Southwest corner of said Lot 1; thence N 00°05'05" W, along the West line, and Northerly projection of said Lot 1, a distance of 659.09 feet, more or less, to the Point of Beginning.

CONTAINING 249,266 Square Feet or 5.722 Acres, more or less, as described.

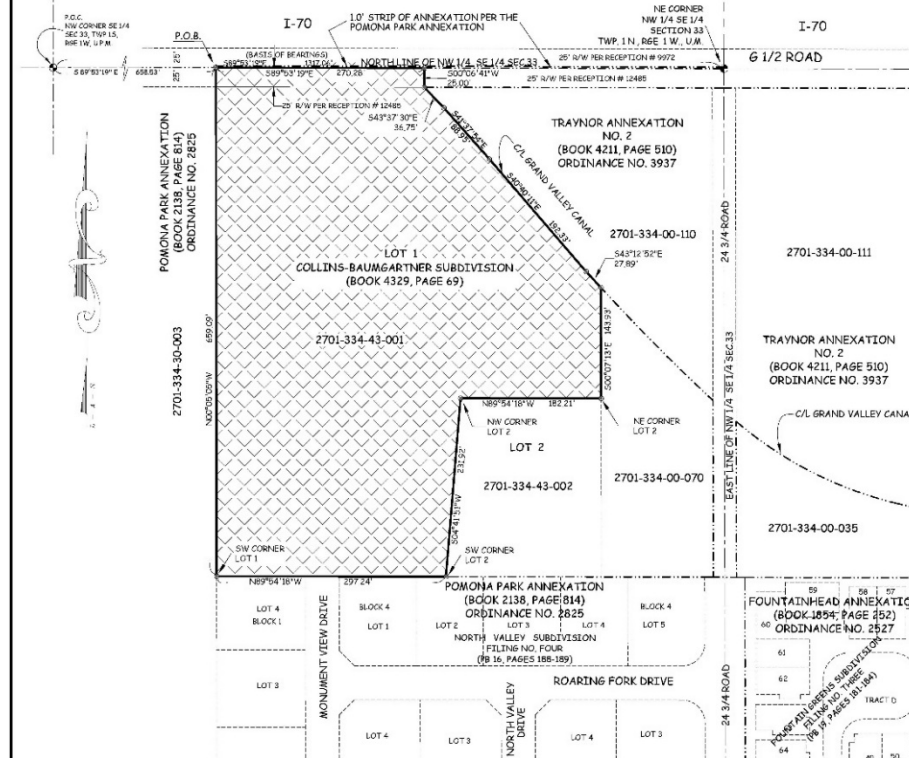
INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

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

ATTEST:

President of the Council

City Clerk



A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the Southeast Quarter (SE 1/4) of said Section 33 and assuming the North line of the NW 1/4 SE 1/4 of said Section 33 bears S 89°53'19" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°53'19" E, along the North line of the NW 1/4 SE 1/4 of said Section 33 a distance of 658.93 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°53'19" E, along said North line, a distance of 270.28 feet; thence S 00°06'41" W, a distance of 25.00 feet to a point on the centerline of the existing Grand Valley Canal; thence Southeasterly along the centerline of the Grand Valley Canal the following four (4) courses:

2. A 43°37'30" E. distance of 365.00 feet, to the
 3. S 43°47'30" E. a distance of 88.95 feet.
 4. S 40°40' 11" E. a distance of 32.33 feet
 5. S 43°12' 52" E. a distance of 27.89 feet, more or less, to a point on the East line of Lat 1, Collins-Bassano
 Subdivision; of same is recorded in Book 4-29, Page 69, Public Records of Meata County, Colorado projected
 thence.
 S 00°07' 13" E. along the East line of said Lat 1, a distance of 149.51 feet, more or less, to a point being the
 Northeast corner of Lot 2 of said Collins-Bassano Subdivision; thence N 89°04' 18" W. along the North line of
 said Lot 2, a distance of 129.13 feet, more or less, to a point on the North line of said Lot 2, Collins-Bassano
 S 00°04' 51" W. along the West line of said Lat 1, a distance of 23.91 feet, more or less, to a point on the North line
 of said Lot 2, Collins-Bassano Subdivision; thence S 00°04' 51" W. along the West line of said Lot 2, Collins-Bassano
 Meata County, Colorado; thence N 89°04' 18" W. along the North line of said North Valley Subdivision File No. 98
 and the South line of said Lat 1, Collins-Bassano Subdivision, a distance of 297.24 feet, more or less, to a point
 on the North line of said Lot 2, Collins-Bassano Subdivision; thence S 00°04' 51" W. along the West line, and Northerly projection
 of said Lat 1, a distance of 459.09 feet, more or less, to the Point of Beginning.

The Collins-Baumgartner Subdivision, as recorded in Book 4329, Page 69, Public Records of Mesa County, Colorado, incorrectly depicted the ownership of the lands to an "apparent Southwesterly right of way line for the Grand Valley Canal". The ownership should have been depicted extending to the centerline of said Grand Valley Canal.

5.5.1	POINT OF COMMENCEMENT
5.5.2	POINT OF BEGINNING
5.5.3	POINT OF VIEW
5.5.4	SECTION
5.5.5	SECTION
5.5.6	SECTION
5.5.7	SECTION
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5.5.96	SECTION
5.5.97	SECTION
5.5.98	SECTION
5.5.99	SECTION
5.5.100	SECTION

The Search and Description composite fields have been derived from subdivision maps and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plot does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



AREA OF ANNEXATION	
ADAMSVILLE WARDEN TWP.	7,332.00 AC.
CLINTONVILLE WARDEN TWP.	52,733.00 AC.
PAVIA WARDEN TWP.	248,100.00 AC.
WATERLOO CO. (TOWNSHIP OF)	1,177

$$\Delta N(t) \leq \Delta t \left(\frac{1}{2} \frac{d^2 N}{dt^2} \right)_{t=0} \Delta t$$

LINAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

Activity: In Lakeland, the gas lines sometimes dry up, which leaves your car stuck in one place while the rest goes on. But the station won't allow a car to stay any longer if the station runs out of gas. It will only be customers that fill the gas tank the night before to make sure.

DRAWN BY	P.T.K.	DATE	01-03-2019
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE
1" = 60'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

HOSANNA ANNEXATION



Grand Junction City Council

Regular Session

Item #2.b.ii.

Meeting Date: March 20, 2019

Presented By: Jace Hochwalt, Associate Planner

Department: Community Development

Submitted By: Jace Hochwalt, Associate Planner

Information

SUBJECT:

Introduction of an Ordinance Zoning the Arlington Annexation R-4 (Residential - 4 du/ac), Located at 265 Arlington Drive, and Set a Public Hearing for April 3, 2019

RECOMMENDATION:

The Planning Commission at their February 26, 2019 recommended approval of the request (5-0).

EXECUTIVE SUMMARY:

The Applicant, Hammerhead Development, LLC, is requesting a zone of annexation to R-4 (Residential – 4 du/acre) for the Arlington Annexation. The approximately 0.64-acre parcel is located in the Orchard Mesa neighborhood, at the northwest corner of the Arlington Drive/Oxford Avenue intersection. 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. The Comprehensive Plan Future Land Use Map designates this property as Residential Medium (4 – 8 du/ac) and this request conforms to this designation. The request for annexation will be considered separately by the City Council.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant, Hammerhead Development, LLC, has requested annexation of land into the City limits, located at 265 Arlington Drive, in anticipation of future residential development. The property being annexed is approximately 1.41 acres in size, which includes 0.77 acres of the adjacent Arlington Drive and Arlington Drive/Oxford Avenue

intersection right-of-way. The property is currently vacant. The Applicant is requesting a zone of annexation to R-4 (Residential – 4 du/ac).

The subject property was originally a part of Village Nine Phase 2 Subdivision, a PUD (Planned Unit Development) within unincorporated Mesa County that was developed in 1978. At that time, the property was referred to as “Common Area” within the subdivision, and was owned by Mesa County, until they sold the property in 2016. The property remains within unincorporated Mesa County and retains a County zoning of RSF-4 (Residential Single Family – 4 du/acre). Surrounding properties are zoned PUD (Planned Unit Development) and RSF-4 in the County, or PD (Planned Development) and R-4 in the City. The subject property has a Future Land Use designation of Residential Medium (4 – 8 du/ac). The Applicant’s proposed zoning designation of R-4 meets with the intent of the Land Use Map achieving the desired density for the property.

The surrounding area was primarily developed in unincorporated Mesa County. The subdivision directly north and east of the subject site is known as the Village Nine Subdivision, a 130 lot subdivision with an overall density of 3.4 units/acre. Properties situated directly to the northwest of the subject site are zoned RSF-4 though Mesa County. The Terrace Estates subdivision is directly south of the subject property, which is a 14-lot subdivision zoned PUD (Planned Development within the County) with a density of 4.9 units/acre. The request of R-4 for the subject property fits well with the density of adjacent properties.

NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on October 16, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant and City staff were in attendance along with two citizens. Comments and concerns expressed by the attendees mainly focused on how the attendees wanted to have that property remain as open space and also wanted to know how annexation will affect neighboring properties. Subdivision questions and concerns included annexation, traffic, density, size of homes, price of homes, subdivision and timeline of the development.

The application for annexation and zoning was submitted on December 3, 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 January 3, 2019. 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 February 15, 2019. The notice of this public hearing was published February 19, 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 owner has petitioned for annexation into the City limits with a requested zoning district of R-4, 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 and 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 property can no longer have a county zoning designation. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which requires 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 adopted Comprehensive Plan designated the subject property with a Future Land Use designation of Residential Medium (4 - 8 du/ac). The character and/or condition of the area has been urbanized over time with the Village Nine Filings 1 through 3 (and various replats of said filings) which occurred between the 1970's and 1990's. The subject property is currently underutilized in terms of the residential development potential anticipated by the Comprehensive Plan designation of Residential Medium (4 - 8 du/ac), as the property currently sits vacant. The Future Land Use Map designation of Residential Medium allows for a density up to 8 units per acre. The Applicant is requesting a zone of R-4 which furthers the goals and policies of the Comprehensive Plan by providing for density in the range of the Residential Medium (4 – 8 du/ac) land use classification. Because this area continues to urbanize at densities consistent with the proposed R-4 designation, which is consistent with the Comprehensive Plan, staff finds that this criterion has been met.

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

Ute Water and city sanitary sewer are presently available within the Arlington Drive right-of-way adjacent to the east of the subject property. The property can also be

served by Xcel Energy for gas and electric services. The subject site is approximately $\frac{3}{4}$ of a mile northwest of Orchard Mesa Elementary School and 1 mile southeast of Orchard Mesa Middle School and Eagle Rim Park. To the southwest along B $\frac{1}{2}$ Road and Highway 50 are retail centers that include convenience stores and gas islands, restaurants, commercial businesses and a grocery store. Additionally, Grand Junction Fire Station #4 is located at 2884 B $\frac{1}{2}$ Road, less than a mile from the subject site.

Plant Capacity: Based on the Future Land Use (FLU) designation and proposal for 3 dwelling units, the maximum anticipated additional flow associated with 3 equivalent units (EQUs) is about 500 gallons per day. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently only receives approximately 8 million gallons per day. Therefore, the plant has ample capacity to accommodate this additional flow.

Ability to Serve Area: An 8-inch sewer main is located along Arlington Drive so the property would have direct access for sewer taps. There is available capacity in this sewer collection system to accommodate future development of this property with 3 dwelling units.

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 has a Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac). The property is currently vacant. The proposed zoning designation of R-4 meets with the intent of achieving the desired overall density for the property to be developed at the low end of the Residential Medium designation. Citywide, seventeen (17) percent of existing property in the City limits with an R-4 zoning designation is vacant. 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.

Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with Mesa County. The requested zoning will also provide an opportunity for a variety of housing allowed by the R-4 zone district including single family detached, single family attached and two-

family residential land uses, all which 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 Guiding 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.

Though other zone districts could also be considered, the zone district of R-8 comports with the recommendations of the Plan's Future Land Use Map. Other zone districts implementing this Future Land Use designation of Residential Medium include R-5, R-8 and R-O (Residential Office).

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. More specific impacts to various service providers of the City include the following.

Police Department:

In an effort to determine/anticipate what the impact may be to the GJPD in providing police services should the city proceed with this annexation, calls for service during 2017 and 2018 were pulled. A review of that data revealed that there were only 19 calls for service in 2017 and 31 calls for service in 2018 to that surrounding area which is similar in residential density. Based on that information we anticipate that any calls for service by GJPD for this location will equal to 1.2% of an officer. With that said, at this point, we do not anticipate a need for an increase in personnel or equipment in order to

provide law enforcement services to this proposed annexation. However, this annexation along with any future annexations/developments will no doubt have an eventual cumulative impact that will require an increase in law enforcement personnel and equipment in order to provide adequate services.

Public Works:

Annual Maintenance costs for the 21,200 square feet / 500 linear feet of pavement on Arlington Drive is estimated at approximately \$90/year to sweep, stripe and sign, and maintain the 130 ft of storm drain facilities. Street lighting expenses for the three street lights will run \$612 per year. Future chipseal costs for this road is estimated at \$5,800 and is planned as part of this area's normal chip seal cycle in the next five years. As the existing street includes some curb, gutter, and sidewalk, the only major capital expenses anticipated are a small replacement of concrete and the construction of two curb ramps for less than \$10,000.

Fire:

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 \$80 annually. If the property develops at the estimated three single family units for an estimated total improvements value of \$900,000, the estimated annual property tax revenue (at the current residential assessment rate) would be approximately \$518 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 \$59.20 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 \$80 per year (prior to development) and \$518 per year after estimated planned development which 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.

No changes in fire protection and emergency medical response are expected due to this annexation. Primary response is from Fire Station 4 at 2884 B ½ Road and response time from the station is within National Fire Protection Association guidelines. The incident load for this development is predicted to be minimal.

Parks:

There are no anticipated impacts to the Parks Department with this proposed

annexation. Parks and Recreation fees will be collected with the future subdivision of this property.

Utilities:

Water and sewer services are available to this property. This property is within the Ute Water District service area. An 8-inch water line crosses this property along the northern and western property boundary. The property is currently within the Persigo 201 Sewer Service Area. However, the property does not currently have a sewer connection. The property would be assessed the current plant investment fee (PIF) of \$4,776 per equivalent unit (2019 rate) or \$14,328. This fee is intended to pay the equivalent share of the payments due on bonds for the existing wastewater treatment plant and infrastructure. Monthly sewer service rates for single family units are \$22.40.

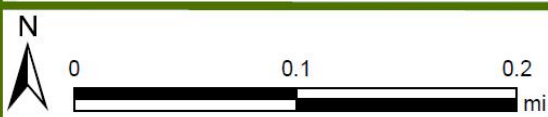
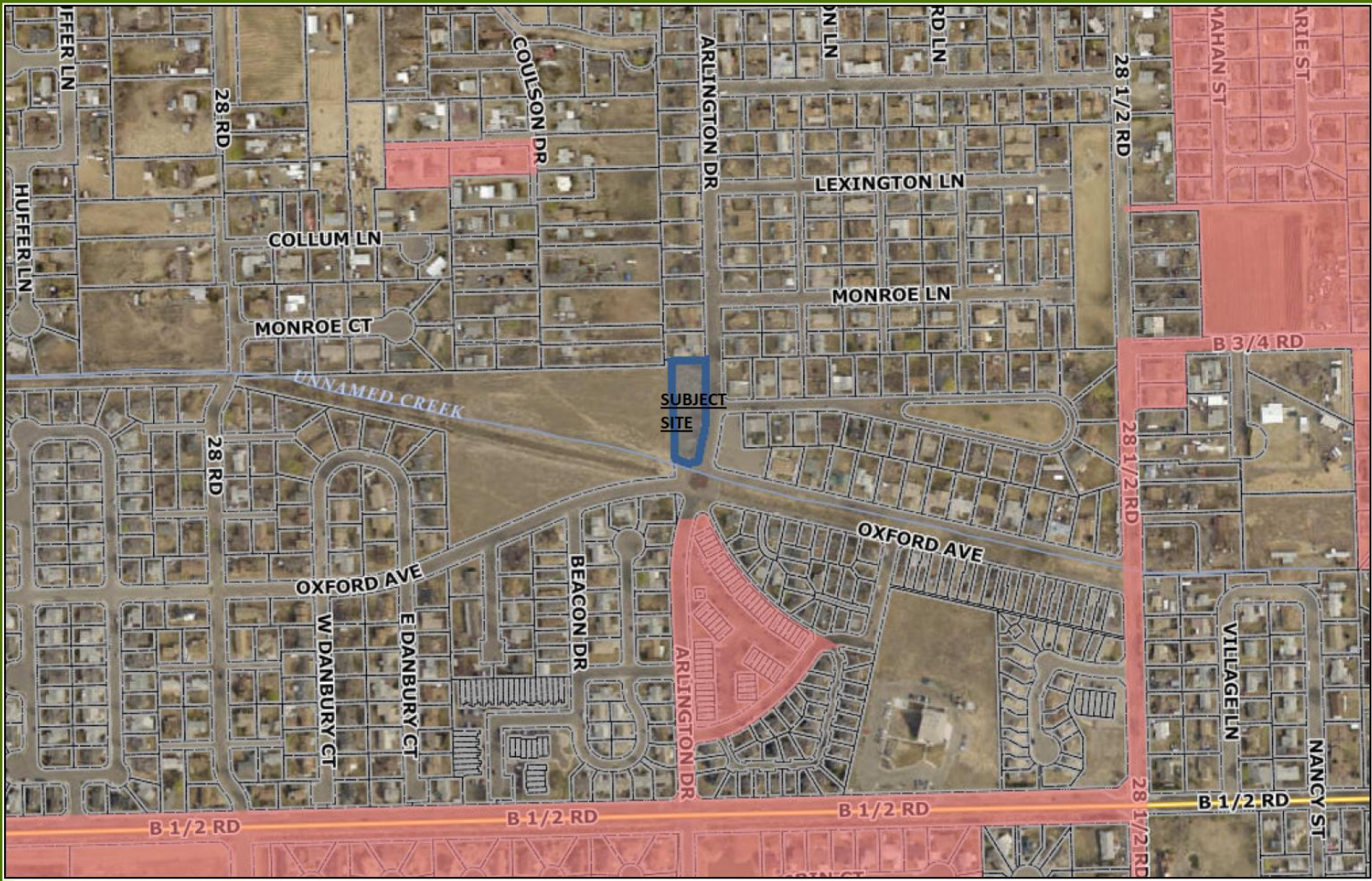
SUGGESTED MOTION:

I move to introduce an ordinance zoning the Arlington Annexation to R-4 (residential - 4 du/ac), located at 265 Arlington Drive, and set a public hearing for April 3, 2019.

Attachments

1. Maps and Exhibits
2. Zoning Ordinance

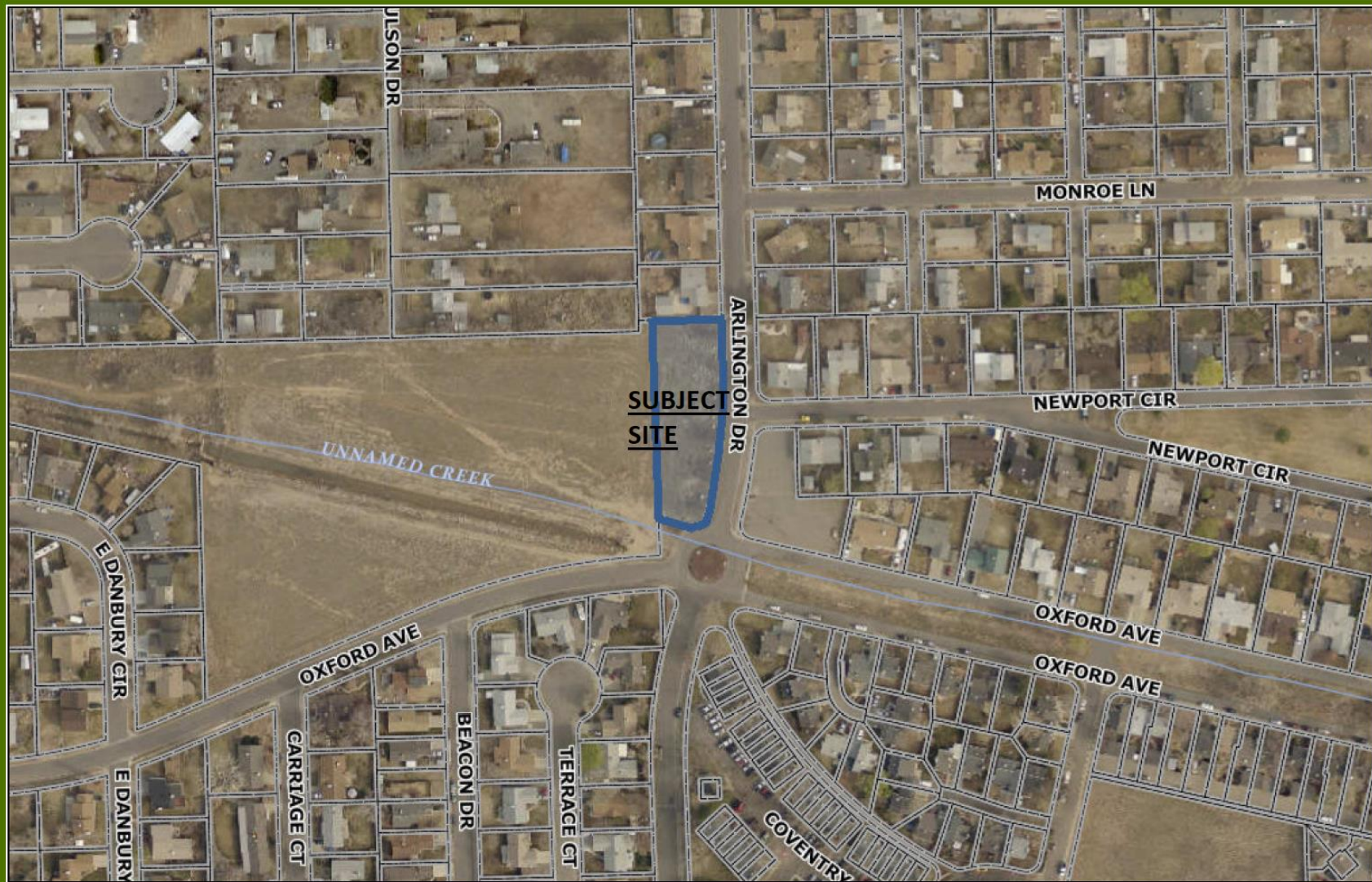
Expanded City Limits Location Map



Printed: 2/4/2019

1 inch = 376 feet

Site Location Map



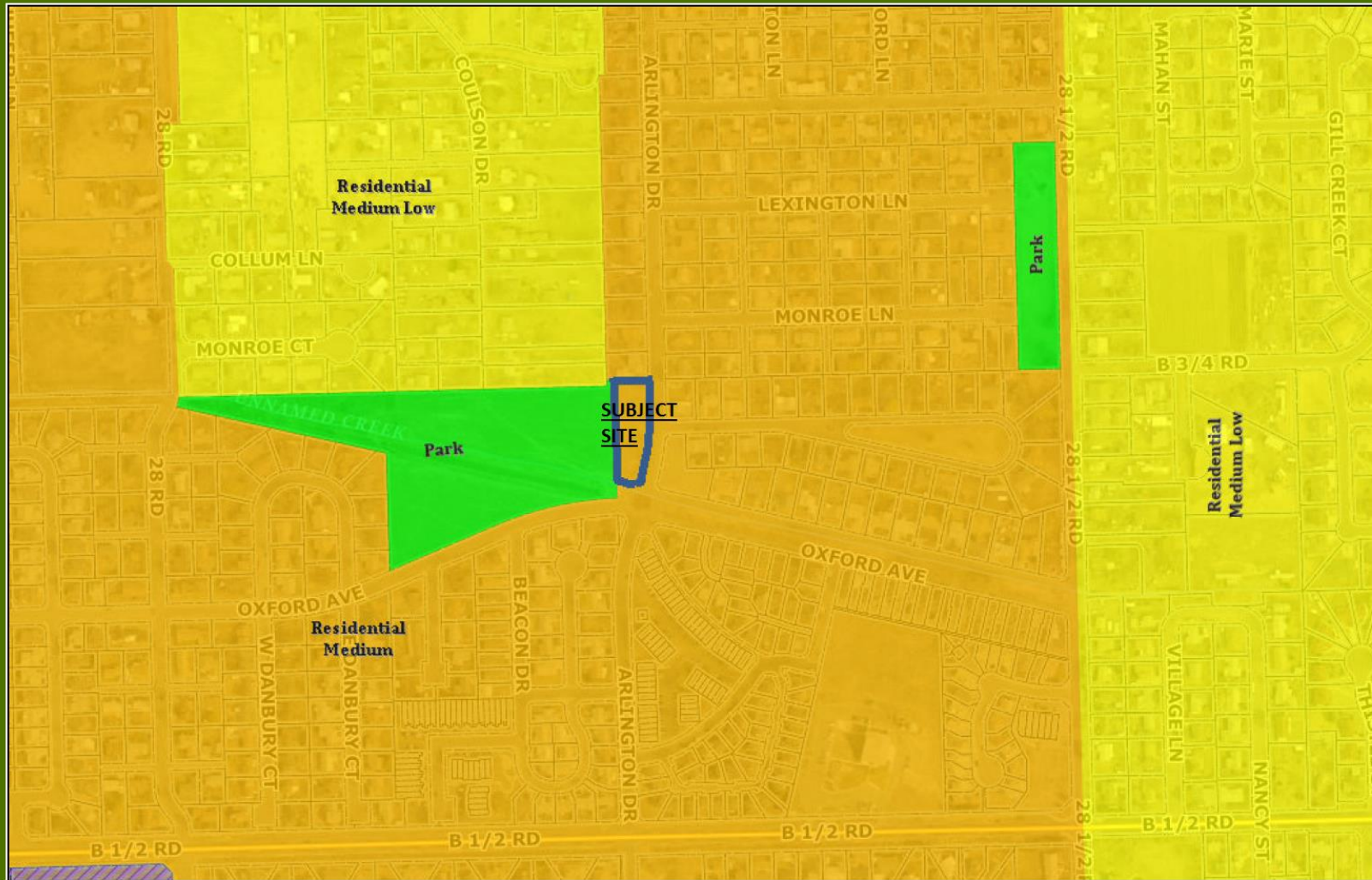
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mi

Printed: 2/4/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

Future Land Use Map



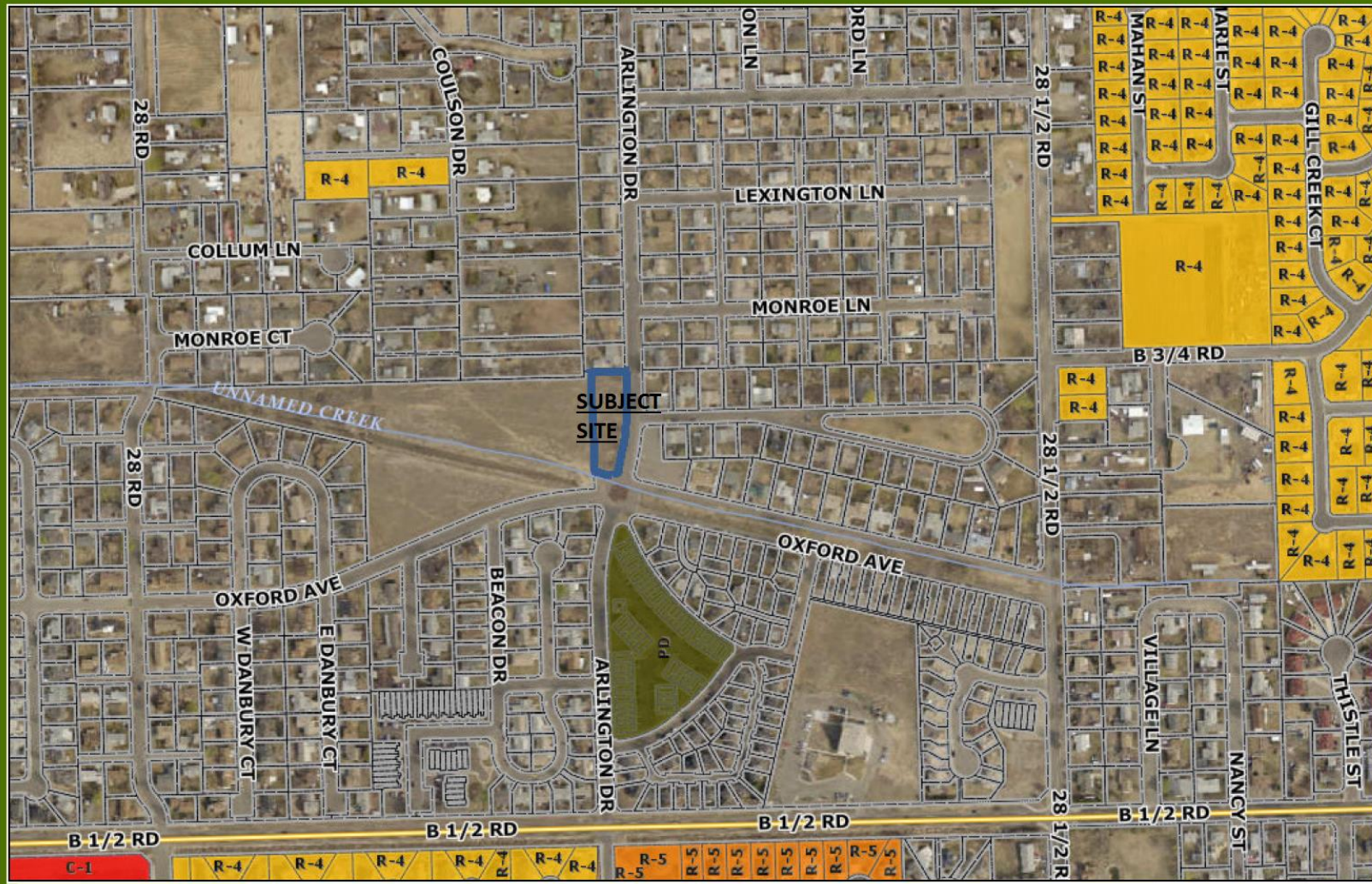
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Printed: 2/4/2019

1 inch = 376 feet

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

City Zoning Map



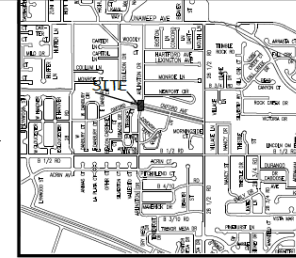
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Printed: 2/4/2019

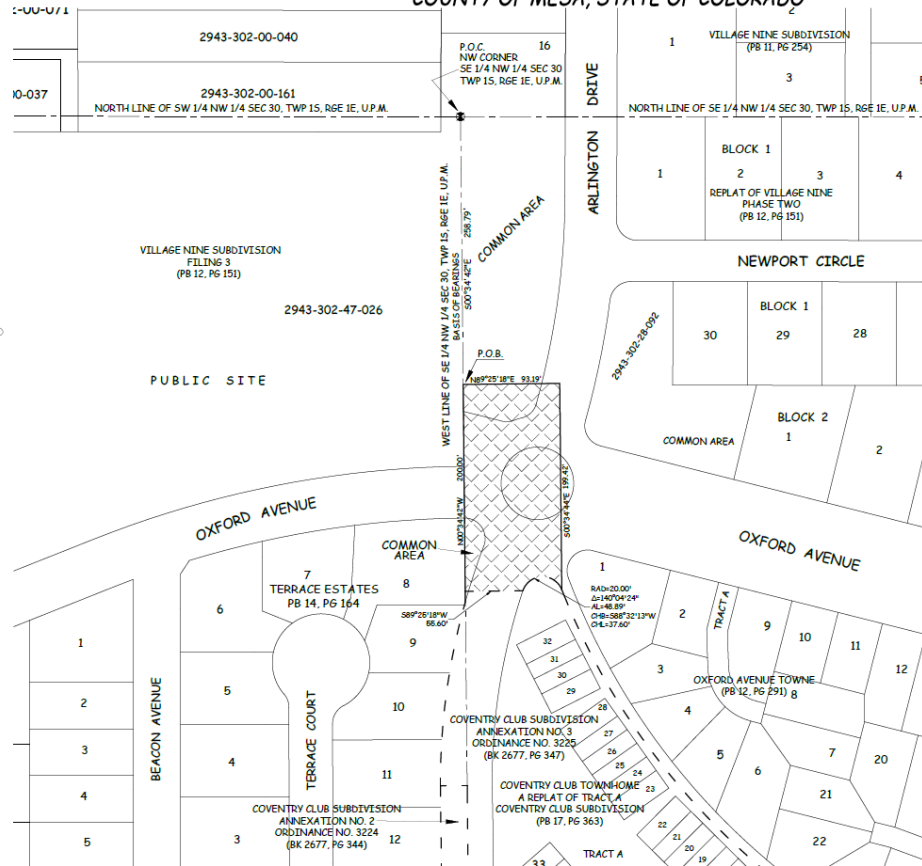
1 inch = 376 feet

ARLINGTON ANNEXATION NO. 1

LYING IN THE SE 1/4 NW 1/4 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 EAST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT TO SCALE



DESCRIPTION

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the SE 1/4 NW 1/4 of said Section 30 and assuming the West line of the SE 1/4 NW 1/4 of said Section 30 bears S 00°34'42" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°34'42" E, along said West line, a distance of 258.79 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°25'18" E, a distance of 93.19 feet; thence S 00°34'44" E, a distance of 199.42 feet to a point being the beginning of a 200.00 foot radius curve, concave South, whose long chord bears S 88°32'13" W with a long chord length of 37.60 feet; thence Westerly along the arc of said curve, thru a central angle of 140°04'24", an arc length of 48.89 feet; thence S 89°25'18" W, a distance of 55.60 feet, more or less, to a point on the West line of the SE 1/4 NW 1/4 of said Section 30, thence N 00°34'42" W, along said West line, a distance of 200.00 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	DEFINITIONS
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R.O.B.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RANGE	RANGE
UTM	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
IN	INCHES
FEET	FEET
AC.	ACRES
CH.	CHORD LENGTH
CH.	CHORD BEARING
BLK.	BLOCK
PG.	PLAT BOOK
BOOK	BOOK
PG.	PAGE

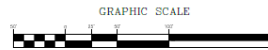
The Sketch and Description contained herein have been derived from subdivision plat and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

AREA OF ANNEXATION

ANNEXATION PERIMETER 597.11 FT.
CONTIGUOUS PERIMETER 104.43 FT.
AREA IN SQUARE FEET 16,287.44
AREA IN ACRES 0.419
PROPOSED 50 FT. SET IN PLATTED PLATS

LEGEND

ANNEXATION BOUNDARY
EXISTING CITY LIMITS



LINEAL UNITS USED HEREIN - U.S. SURVEY FOOT, AS ESTABLISHED

ORDINANCE NO.
PPPP

EFFECTIVE DATE
PPPP

THIS IS NOT A BOUNDARY SURVEY

PRELIMINARY

PETER T. KROCK, PLS No. 33284
Professional Land Surveyor for the
City of Grand Junction



Notice:
According to Colorado law, this document may be voided within three years after the date of the survey, unless the survey is confirmed by a final plat or by a court order. This document may be voided within three years after the date of the survey, unless the survey is confirmed by a final plat or by a court order.

DRAWN BY P.T.K. DATE 01-17-2019
DESIGNED BY DATE
CHECKED BY P.T.K. DATE
APPROVED BY DATE

SCALE
1" = 80'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ARLINGTON ANNEXATION
NO. 1

10-00-071	2943-302-00-040	P.O.B. NW CORNER SE 1/4 NW 1/4 SEC 30 TWP 15, RGE 1E, U.P.M.	16	1	VILLAGE NINE SUBDIVISION (PG II, PG 254)
10-037	2943-302-00-161	NORTH LINE OF SW 1/4 NW 1/4 SEC 30, TWP 15, RGE 1E, U.P.M.		3	NORTH LINE OF SE 1/4 NW 1/4 SEC 30, TWP 15, RGE 1E, U.P.M.



A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the S 1/4 NW 1/4 of said Section 30 and assuming the West line of the S 1/4 NW 1/4 of said Section 30 bears S 00°34'42"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°08'23"W, along the North line of the S 1/4 NW 1/4 of said Section 30, a distance of 218.97 feet; thence right angle South, a distance of 218.97 feet to the Northwest corner of Plot Block 2, Page 151, Public Records of Mesa County, Colorado; thence S 00°06'25"W, along said East-right-of-way line, a distance of 76.45 feet to a point being the beginning of a 808.89 foot radius curve, concave West, whose long chord bears S 07°30'59"W with a long chord length of 218.97 feet; thence Southerly along the arc of said curve, theta, a central angle of 91°32'58", an arc length of 218.97 feet; thence right angle North, a distance of 218.97 feet to the Northwest corner of said Plot Block 2, page 151, Public Records of Mesa County, Colorado; thence N 30°34'36"E, with a long chord length of 28.66 feet; thence Southeasterly along the arc of said curve, theta, a central angle of 91°32'58", an arc length of 31.96 feet; thence S 04°05'57"W, a distance of 101.56 feet, more or less, to a point on the South right-of-way line of the Highway between Mesa and Cortez, Colorado; thence right angle West, a distance of 20.00 feet to the beginning of a 20.00 foot radius curve, concave Southwest, whose long chord bears S 41°46'38"W, with a long chord length of 35.44 feet; thence Southeasterly along the arc of said curve, theta, a central angle of 124°44'39", an arc length of 43.54 feet; thence S 29°15'54"W, a distance of 12.96 feet; thence N 00°34'44"W, a distance of 12.96 feet; thence right angle North, a distance of 218.97 feet; thence right angle West, a distance of 218.97 feet to the Northwest corner of said Section 30; thence N 00°34'42"E, along said West line, a distance of 228.75 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
=	CENTRAL ANGLE
RAD.	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PLT	PLAT BOOK
BOOK	BOOK
PAGE	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

045

4. OF ANNEXATION

ANNEXATION PERIMETER	1,188.54 FT.
CONTIGUOUS PERIMETER	292.61 FT.
AREA IN SQUARE FEET	42,773***
AREA IN ACRES	0.982

ANNEXATION BOUNDARY _____

ANNEXATION BOUNDARY _____
EXISTING CITY LIMITS - - - - -

GRAPHIC SCALE



LINEAL UNITS USED HEREIN - U.S. SURVEY FOOT, AS ESTABLISHED

ORDINANCE NO.
????

EFFECTIVE DATE
????

THIS IS NOT A BOUNDARY SURVEY

Notice:

Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

DRAWN BY P.T.K. DATE 01-17-2019
DESIGNED BY _____ DATE _____
CHECKED BY P.T.K. DATE _____
APPROVED BY _____ DATE _____

SCALE
1" = 60'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ARLINGTON ANNEXATION
NO. 2

1
OF
1

ARLINGTON ANNEXATION – PHOTOS



View from northeast corner of the subject property, looking southwest



View from southwest corner of the subject property, looking north

Exhibit 3

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE ARLINGTON ANNEXATION TO R-4 (RESIDENTIAL – 4 DU/AC)

LOCATED AT 265 ARLINGTON DRIVE

Recitals

The property owners have requested annexation of the 0.64-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 Arlington Annexation to the R-4 (Residential – 4 du/ac) zone district respectfully, finding that it conforms with the Residential Medium (4 – 8 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) zone districts are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

ARLINGTON ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the SE 1/4 NW 1/4 of said Section 30 and assuming the West line of the SE 1/4 NW 1/4 of said Section 30 bears S 00°34'42" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°34'42" E, along said West line, a distance of 258.79 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°25'18" E, a distance of 93.19 feet; thence S 00°34'44" E, a distance of 199.42 feet to a point being the beginning of a 20.00 foot radius curve, concave South, whose long chord bears S 88°32'13" W with a long chord length of 37.60 feet; thence Westerly along the arc of said curve, thru a central angle of 140°04'24", an arc length of 48.89 feet; thence S 89°25'18" W, a distance of 55.60 feet, more or less, to a point on the West line of the SE

1/4 NW 1/4 of said Section 30; thence N 00°34'42" W, along said West line, a distance of 200.00 feet, more or less, to the Point of Beginning.

CONTAINING 18,267 Square Feet or 0.419 Acres, more or less, as described.

ARLINGTON ANNEXATION NO. 2

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the SE 1/4 NW 1/4 of said Section 30 and assuming the West line of the SE 1/4 NW 1/4 of said Section 30 bears S 00°34'42" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°58'23" E, along the North line of the SE 1/4 NW 1/4 of said Section 30, a distance of 151.01 feet to a point on the East right of way for Arlington Drive, as same is recorded in Plat Book 12, Page 151, Public Records of Mesa County, Colorado; thence S 00°08'25" W, along said East right of way, a distance of 76.46 feet to a point being the beginning of a 808.89 foot radius curve, concave West, whose long chord bears S 07°55'09" W with a long chord length of 218.97 feet; thence Southerly along the arc of said curve, thru a central angle of 15°33'28", an arc length of 219.64 feet to a point being the beginning of a 20.00 foot radius curve, concave Northeast, whose long chord bears S 30°04'36" E, with a long chord length of 28.66 feet; thence Southeasterly along the arc of said curve, thru a central angle of 91°32'58", an arc length of 31.96 feet; thence S 04°05'57" W, a distance of 101.56 feet, more or less, to a point on the South right of way for Oxford Avenue, as same is recorded in Plat Book 12, Page 151, Public Records of Mesa County, Colorado, being the beginning of a 20.00 foot radius curve, concave Southeast, whose long chord bears S 41°46'38" W, with a long chord length of 35.44 feet; thence Southwesterly along the arc of said curve, thru a central angle of 124°44'35", an arc length of 43.54 feet; thence S 29°15'54" W, a distance of 12.96 feet; thence N 00°34'44" W, a distance of 199.42 feet; thence S 89°25'18" W, a distance of 93.19 feet, more or less, to a point on the West line of the SE 1/4 NW 1/4 of said Section 30; thence N 00°34'42" W, along said West line, a distance of 258.79 feet, more or less, to the Point of Beginning.

CONTAINING 42,773 Square Feet or 0.982 Acres, more or less, 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.

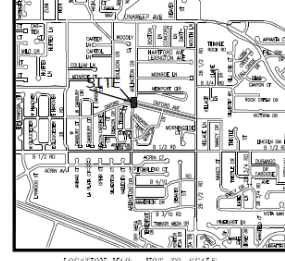
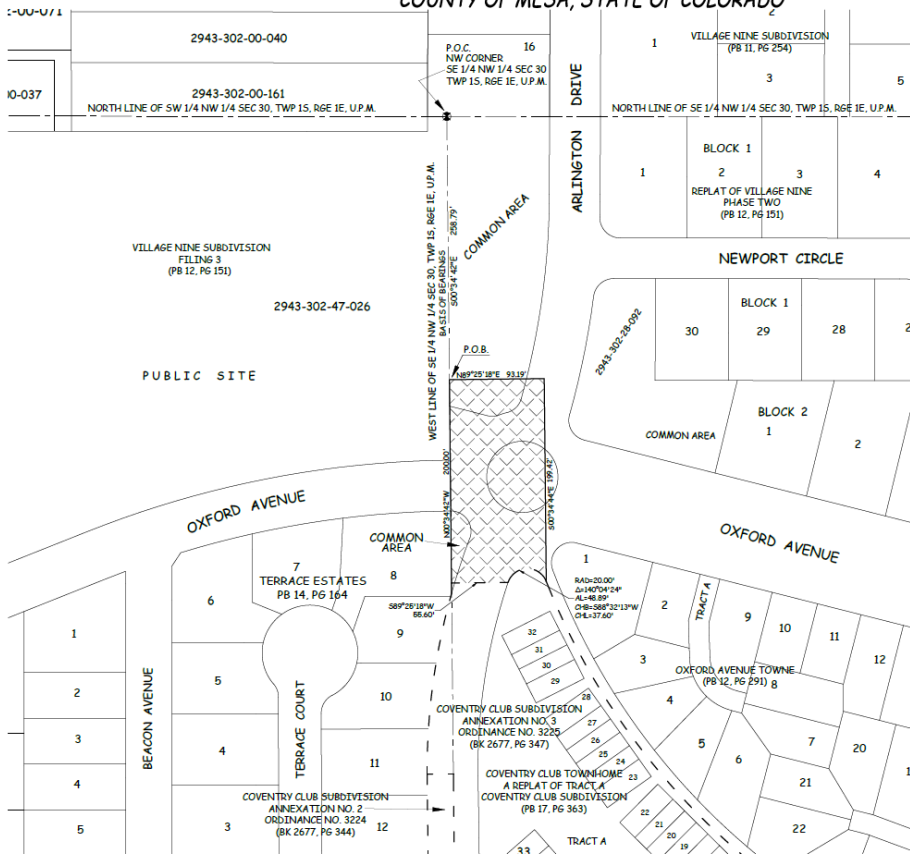
ATTEST:

President of the Council

City Clerk

ARLINGTON ANNEXATION NO. 1

LYING IN THE SE 1/4 NW 1/4 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 EAST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

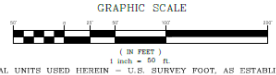
COMMENCING at the Northwest corner of the SE 1/4 NW 1/4 of said Section 30 and assuming the West line of the SE 1/4 NW 1/4 of said Section 30 bears S 00°34'42" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°34'42" E, along said West line, a distance of 258.79 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°25'18" E, a distance of 93.19 feet; thence S 00°34'44" E, a distance of 199.42 feet to a point being the beginning of a 20.00 foot radius curve, concave South, whose long chord bears S 88°32'13" W with a long chord length of 37.60 feet; thence West along the arc of said curve, thru a central angle of 140°04'24", an arc length of 48.89 feet; thence S 89°25'18" W, a distance of 55.60 feet, more or less, to a point on the West line of the SE 1/4 NW 1/4 of said Section 30; thence N 00°34'42" W, along said West line, a distance of 200.00 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
R1E	RANGE
UTM	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
CH	CENTRAL ANGLE
RAD.	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHD	CHORD BEARING
BLK	BLOCK
PG	PAGE
BOOK	BOOK
PLAT	PLAT

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

AREA OF ANNEXATION	
ANNEXATION PERMITS	58,771.71
CONTIGUOUS SUBDIVISION	104.40 AC.
AREA IN SQUARE FEET	18,267,000
AREA IN ACRES	0.419
PROPOSED SQ. FT. LIES IN PLATS (N/A)	

EASMENTS	
ANNEXATION BOUNDARY	
EXISTING CITY LIMITS	



ORDINANCE NO.
9999

EFFECTIVE DATE
9999

THIS IS NOT A BOUNDARY SURVEY

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. No one shall rely on any action based upon any defect in this survey for a period more than two years from the date of the certification shown herein.

DRAWN BY	P.T.K.	DATE	01-17-2019
DESIGNED BY	P.T.K.	DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE
1" = 50'



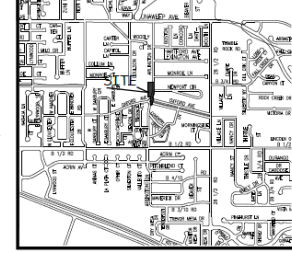
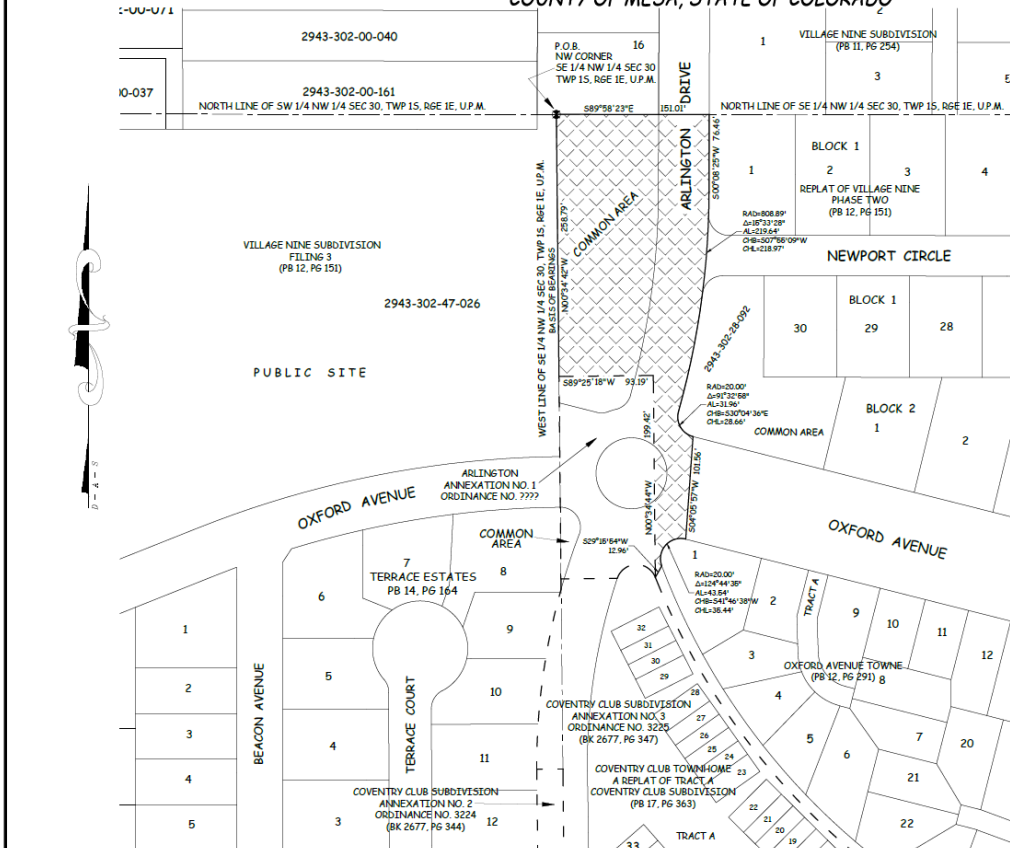
PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ARLINGTON ANNEXATION
NO. 1

1
OF
1



ARLINGTON ANNEXATION NO. 2
LYING IN THE SE 1/4 NW 1/4 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 EAST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



DESCRIPTION

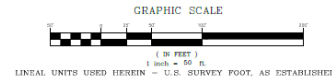
A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the SE 1/4 NW 1/4 of said Section 30 and assuming the West line of the SE 1/4 NW 1/4 of said Section 30 bears S 00°34'42" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°58'23" E, along the North line of the SE 1/4 NW 1/4 of said Section 30, a distance of 151.01 feet to a point on the East right of way for Arlington Drive, as same is recorded in Plat Book 12, Page 151, Public Records of Mesa County, Colorado; thence S 00°08'25" W, along said East right of way, a distance of 76.46 feet to a point being the beginning of a 808.89 foot radius curve, concave West, whose long chord bears S 07°55'09" W with a long chord length of 218.97 feet; thence Southerly along the arc of said curve, thru a central angle of 19°33'28", an arc length of 219.44 feet to a point being the beginning of a 20.00 foot radius curve, concave Northeast, whose long chord bears S 30°04'36" E, with a long chord length of 28.66 feet; thence Southeasterly along the arc of said curve, thru a central angle of 91°32'58", an arc length of 31.96 feet; thence S 04°05'57" W, a distance of 101.56 feet, more or less, to a point on the South right of way for Oxford Avenue, as same is recorded in Plat Book 12, Page 151, Public Records of Mesa County, Colorado; being the beginning of a 20.00 foot radius curve, concave Southeast, whose long chord bears S 41°46'38" W, with a long chord length of 35.44 feet; thence Southwesterly along the arc of said curve, thru a central angle of 124°44'35", an arc length of 43.54 feet; thence S 29°15'54" W, a distance of 12.96 feet; thence N 00°34'44" W, a distance of 199.42 feet; thence S 89°25'18" W, a distance of 93.19 feet, more or less, to a point on the West line of the SE 1/4 NW 1/4 of said Section 30; thence N 00°34'42" W, along said West line, a distance of 258.79 feet, more or less, to the Point of Beginning.

ARLINGTON ANNEXATION NO. 2
P.O.B. POINT OF BEGINNING
P.O.M. POINT OF MERIDIAN
SEC. SECTION
TWP. TOWNSHIP
RANGE RANGE
UT. UTE PRINCIPAL MERIDIAN
NO. NUMBER
SQ. FT. SQUARE FEET
C. CENTRAL ANGLE
RAD. RADIUS
AL. ARC LENGTH
CH. CHORD LENGTH
CB. CHORD BEARING
BLK. BLOCK
PG. PLAT BOOK
BK. BOOK
PG. PAGE

The Sketch and Description contained herein have been derived from subdivision plat and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

AREA OF ANNEXATION		LEGEND	
ANNEXATION (2018/2019)	1,085.54 FT.	ANNEXATION BOUNDARY	---
CONTIGUOUS PARCELS	260.61 FT.	ARLINGTON CITY LIMITS	---
AREA IN SQUARE FEET	12,773**		
AREA IN ACRES	0.292		
ARLINGTON SQ. FT. (EST. IN PLAT) (B/M)	0.000		



ORDINANCE NO. 0000
EFFECTIVE DATE 0000

THIS IS NOT A BOUNDARY SURVEY

PRELIMINARY

PETER T. KROCK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
DATE: _____

Notice
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. No one can stop any action based upon any defect in this survey for commenced more than two years from the date of the publication of this map.

DRAWN BY P.T.K. DATE 01-17-2019
DESIGNED BY DATE
CHECKED BY P.T.K. DATE
APPROVED BY DATE

SCALE
1" = 50'

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

ARLINGTON ANNEXATION
NO. 2

1
OF
1



Grand Junction City Council

Regular Session

Item #2.b.iii.

Meeting Date: March 20, 2019

Presented By: Scott D. Peterson, Senior Planner

Department: Community Development

Submitted By: Scott D. Peterson, Senior Planner

Information

SUBJECT:

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 Maverick Estates Annexation of 22.38 Acres, Located at 2428 H Road

RECOMMENDATION:

Staff recommends adoption of a resolution referring the petition for the Maverick Estates Annexation, introducing the proposed Ordinance and setting a hearing for May 1, 2019.

EXECUTIVE SUMMARY:

The Applicant, GJ Mavericks Investments LLC, have requested annexation of their 17.38 acres located at 2428 H Road. The proposed annexation will be conducted as a five-part "Serial Annexation" in order to gain one-sixth contiguity per State statute. The proposed annexation also includes an additional 5.00 acres of the adjacent 24 ¼ Road, H Road and Green Flash Drive rights-of-way. The subject property is currently vacant but was once utilized as a sod farm. The owner is requesting annexation in anticipation of future residential subdivision development for the property, which is anticipated to constitute "annexable development" and as such is required to annex in accordance with the Persigo Agreement. Consideration for zoning of this annexation will be heard in a future action.

BACKGROUND OR DETAILED INFORMATION:

The Maverick Estates Annexation consists of one 17.38-acre parcel of land located at

2428 H Road. The property is currently vacant. The Applicant wishes to annex the property into the City limits in anticipation of future residential subdivision development. The Applicant will be requesting a zoning for the property of R-4 (Residential – 4 du/ac). Zoning will be considered in a future action and requires review and recommendation by the Planning Commission.

The property is currently not adjacent to existing city limits, however is within the Persigo 201 boundary and is annexable development as defined in the Persigo Agreement. Under the 1998 Persigo Agreement with Mesa County, all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation by the City. The property owner has signed a petition for annexation of the property.

This property was annexed into the Persigo 201 Sewer Service Area Boundary by the Persigo Board (Mesa County Commissioner's and City Council) in August, 2018 after petition by the applicant so that the potential subdivision development would be able to connect to City sewer. Nearest sewer availability to this property would be at the intersection of 24 and H Roads. Connection to sanitary sewer would be the responsibility of the potential developer.

Staff has found, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Maverick Estates Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an

assessed valuation of \$200,000 or more for tax purposes is included without the owner's consent.

The proposed annexation and zoning schedule with a summary is attached.

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 and prior to development, the City property tax revenue is estimated to be \$51.60 annually. 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 \$38.30 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 \$51.60 per year prior to development and an estimated \$16,600 per year after full development (assuming 68 units at an average of \$425,000 per unit) 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 does not have a record of responding to this location for any incidents and with an estimated build out of 68 units, the increase in incident volume is estimated to be minimal at 5-10 fire and EMS calls annually. The area is served by Fire Station #3 however response times are longer than other areas due to the distance from the fire station. Response time is estimated to be 6-8 minutes from time of dispatch for an emergent call for service, which is longer than National Fire Protection Association response time standards. 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 at 23 and H Road.

Streets

24 ¼ Road is a half street with a cul-de-sac that was constructed in 2008 or 2009 as part of Albino Estates Subdivision. There is approximately 19,500 square feet / 850 linear feet of pavement on 24 ¼ Road along with approximately 850 linear feet of 7-foot curb, gutter and sidewalk all in good condition.

A 680 ft. section of H Road is also included in this annexation. The asphalt is approximately 22 feet in width with 2-foot road based shoulders and concluding in borrow ditches. There is presently no curb, gutter, sidewalk or street lights present on

H Road. There is approximately 15,000 sq. ft. of pavement in H Road to be maintained that is estimated at a Pavement Condition Index in the low 60's.

Future chip seal costs for these roads is estimated at \$9,500 and is planned as part this area's normal chip seal cycle in the next five years. Annual maintenance cost for the annexation is estimated at approximately \$246/year to sweep, stripe and sign, and maintain the 1550 ft. of borrow ditches. There are no street lights.

The cost to construct the 680 ft. section of H Road to a collector road (3 lanes with curb, gutter, sidewalk and bike lanes both sides) is estimated at \$650,000.

Utilities

Water and sewer services are available to this property.

This property is within the Ute Water District service area. There is a 24-inch water line run along the H Road bordering this property.

The property was approved for inclusion into the Persigo 201 Sewer Service Area by the Persigo Board on 8/23/18. A determination was made at that time that the property can be served by the Persigo wastewater system. However, the property does not currently have a sewer connection.

1. Plant Capacity: Based on a Future Land Use of Residential Medium Low, this 17.38-acre property could be developed with up to 68 dwelling units. The Persigo wastewater treatment plant has sufficient capacity to accommodate this development. The current capacity of the wastewater treatment plant is 12,500,000 gallons per day. The plant currently receives approximately 8 million gallons per day. The anticipated additional flow associated with this project is 12,000 gallons per day.

Staff have determined that the wastewater treatment plant has sufficient capacity to treat the additional wastewater from this property when developed.

2. Ability to Serve Area: An existing 8-inch sanitary sewer located at H Road and 24 Road, would need to be extended approximately 1,400 feet to serve this property. There is capacity in the sewer line to accommodate future development of this property with 68 dwelling units.

Staff has determined that the City has the ability to serve the property if sewer is extended from H Road and 24 Road to the subject property.

3. Sewer Service Charges: Monthly sewer service rates for single family units are \$22.40. These rates have been determined sufficient to cover the cost of service.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 18-19 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, and Exercising Land Use Control as well as Introduce a Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Maverick Estates Annexation, Approximately 22.38 Acres, Located at 2428 H Road, and Set a Hearing for May 1, 2019.

Attachments

1. Maverick Estates Annexation Schedule & Summary
2. Site Location & Zoning Maps, etc.
3. Resolution - Referral of Petition
4. Annexation Ordinance

MAVERICK ESTATES ANNEXATION SCHEDULE

March 20, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
March 26, 2019	Planning Commission considers Zone of Annexation
April 17, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
May 1, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 2, 2019	Effective date of Annexation

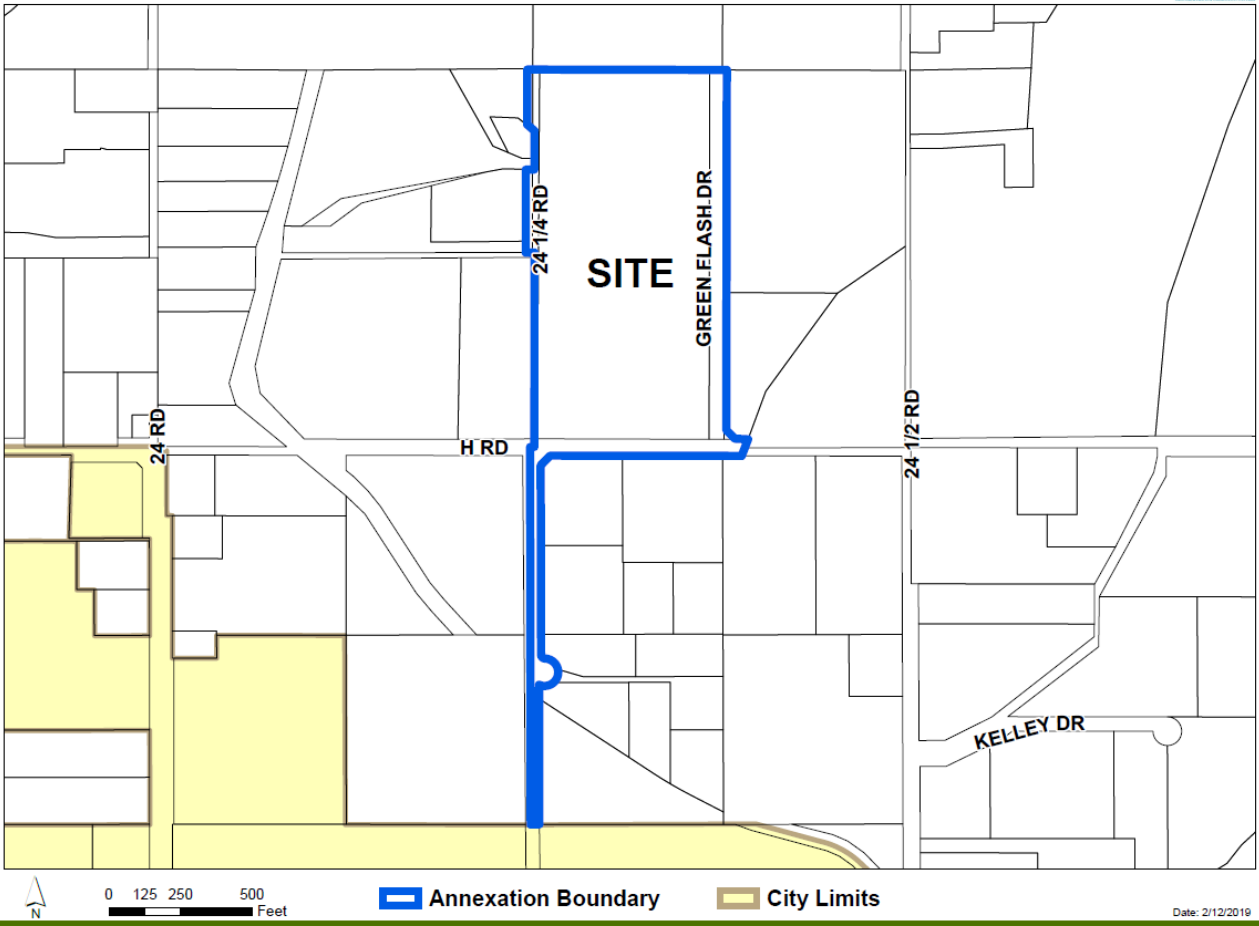
ANNEXATION SUMMARY

File Number:	ANX-2019-37
Location:	2428 H Road
Tax ID Numbers:	2701-283-04-001
# of Parcels:	1
Existing Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	22.38
Developable Acres Remaining:	17.38
Right-of-way in Annexation:	5.00 acres
Previous County Zoning:	AFT (Agricultural, Forestry, Transitional)
Proposed City Zoning:	R-4 (Residential – 4 du/ac)
Current Land Use:	Vacant land
Future Land Use:	Residential Medium Low (2 – 4 du/ac)
Values:	Assessed: \$6,450
	Actual: \$22,230
Address Ranges:	2428 H Road
Special Districts:	Water: Ute Water Conservancy District
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: GVIC/GVDD
	School: Fruita Monument HS / Fruita Middle / Appleton Elementary
	Pest: Grand River Mosquito Control District

Expanded City Limits Location Map



Maverick Estates Annexation



Maverick Estates Annexation



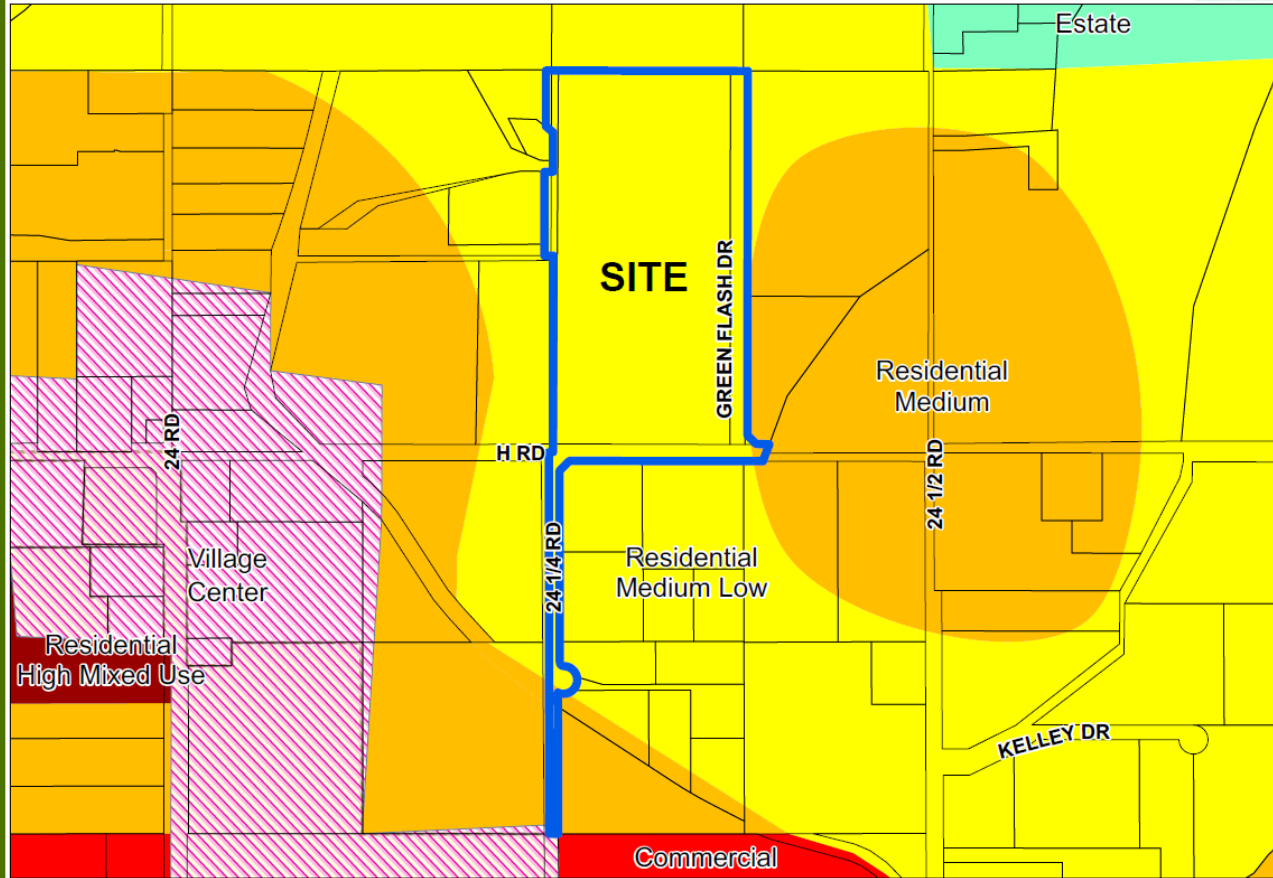
0 125 250 500
Feet

 Annexation Boundary

 City Limits

Date: 2/12/2019

Maverick Estates Annexation - Future Land Use

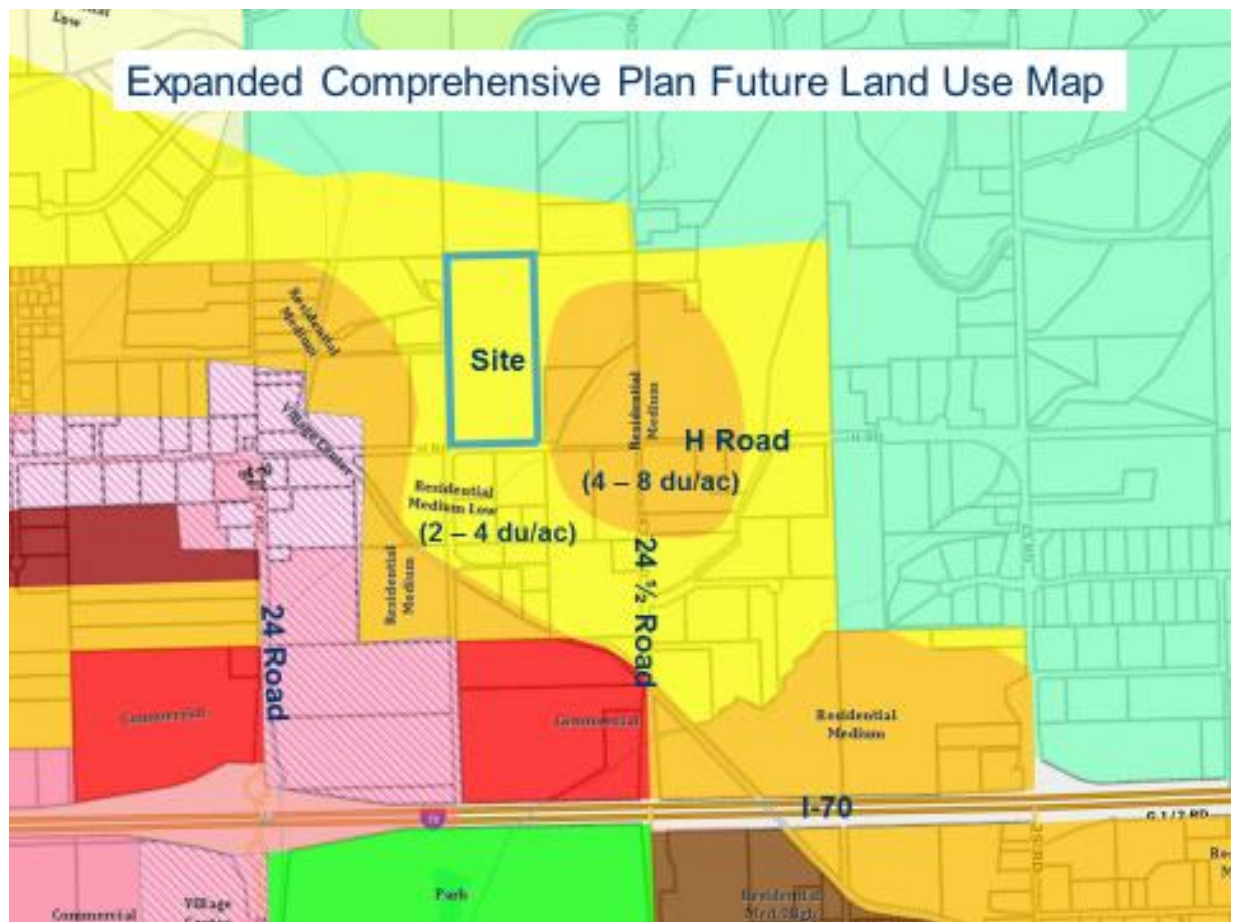


0 125 250 500 Feet

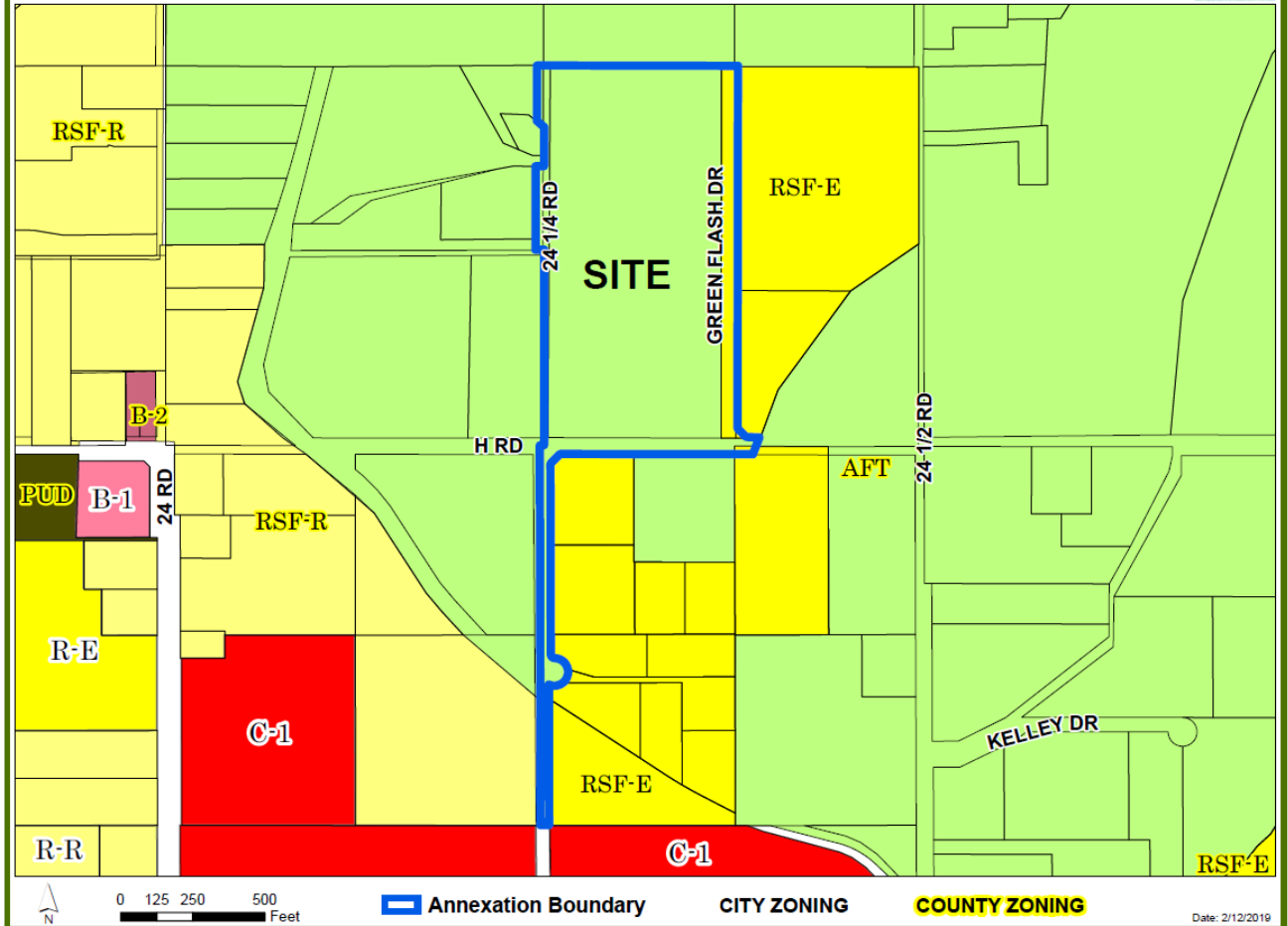
Annexation Boundary

Date: 2/12/2019

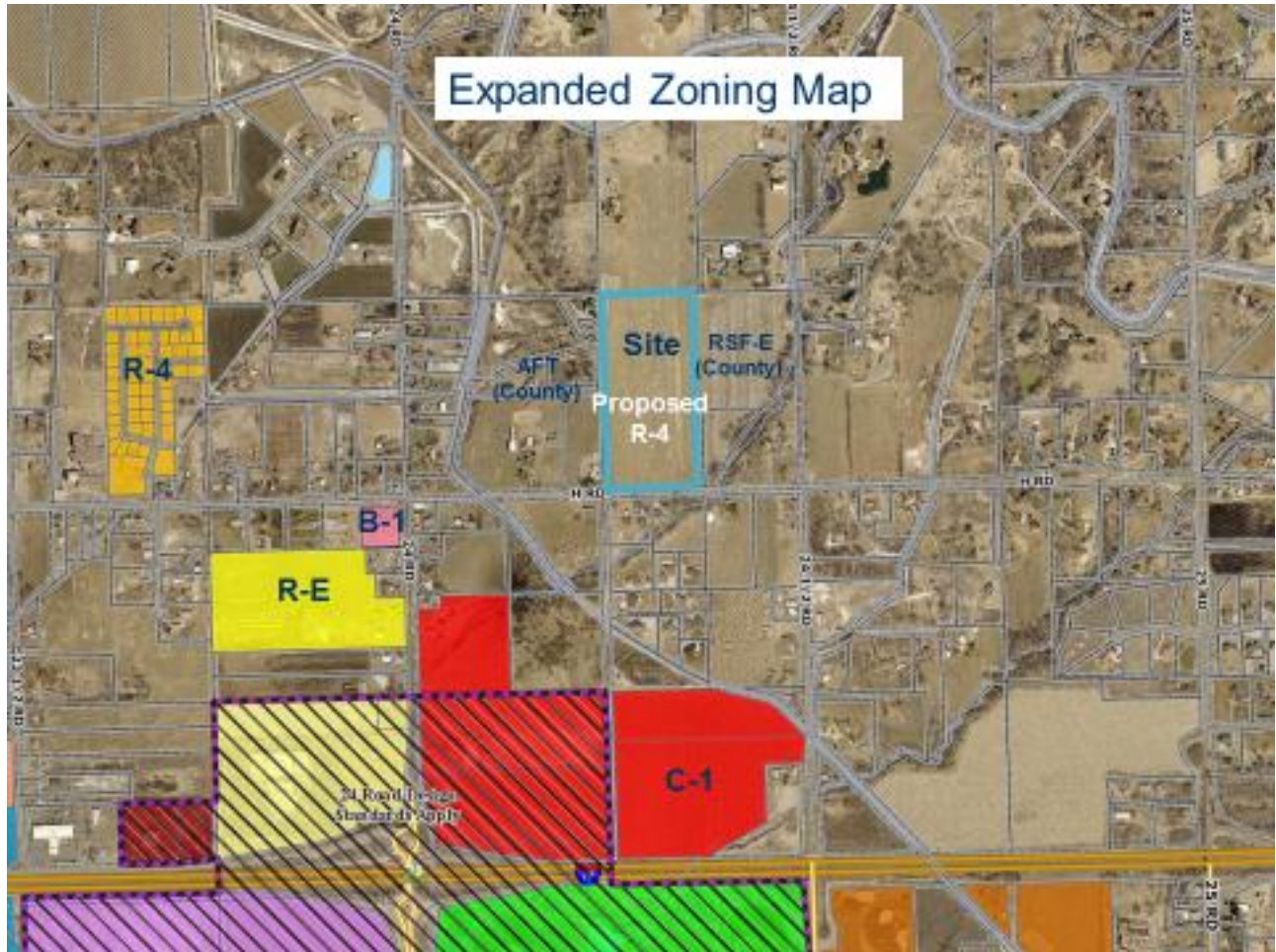
Expanded Comprehensive Plan Future Land Use Map



Maverick Estates Annexation - Zoning



Expanded Zoning Map





View of property from H Road

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20th day of March 2019, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**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,
AND EXERCISING LAND USE CONTROL**

MAVERICK ESTATES ANNEXATION

APPROXIMATELY 22.38 ACRES LOCATED AT 2428 H ROAD

WHEREAS, on the 20th day of March 2019, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MAVERICK ESTATES ANNEXATION NO. 1

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 50.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for said 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 60.00 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33; thence N 89°50'39" W, along said South line, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,050 Square Feet or 0.024 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 2

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said West right of way, a distance of 210.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 10.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 50.00 feet; thence N 89°50'39" W, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 3,300 Square Feet or 0.075 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 3

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°00'20" E, along said East line, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said East line, a distance of 150.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 365.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 355.00 feet; thence S 89°50'39" E, a distance of 7.50 feet; thence S 00°00'20" W, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet, more or less, to the Point of Beginning.

CONTAINING 6,675 Square Feet or 0.153 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 4

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 28 and the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'39" E along the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence N 00°00'20" E, along said East right of way, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°50'39" W, a distance of 7.50 feet; thence N 00°00'20" E, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 355.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 735.09 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 33; thence S 89°48'31" E, along said North line, a distance of 15.00 feet to a point being the Northwest corner of the NE 1/4 NW 1/4 of said Section 33; thence N 00°07'00" E, along the West line of the SE 1/4 SW 1/4 of said 28, a distance of 250.00 feet; thence S 89°53'00" E, a distance of 25.00 feet to a point on the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado; thence S 00°07'00" W, along said West line and its Southerly extension, a distance of 280.04 feet; thence N 89°59'40" W, a distance of 24.94 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 22.00 feet to a point being the beginning of a 13.50 foot radius curve, concave Northeast, whose long chord bears S 44°17'45" E with a long chord length of 18.86 feet; thence Southeasterly along the arc of said curve, thru a central angle of 88°36'09", an arc length of 20.88 feet to a point being the beginning of a 48.00 foot radius curve, concave West, whose long chord bears S 12°21'48" W with a long chord length of 94.25 feet; thence Southerly and Westerly along the arc of said curve, thru a central angle of 201°55'13", an arc length of 169.16 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 418.18 feet, more or less, to the Point of Beginning.

CONTAINING 30,235 Square Feet or 0.694 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 5

A certain parcel of land lying in the South half of the Southwest Quarter (S1/2 SW 1/4) of Section 28 and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 28 and assuming the West line of the SE 1/4 SW 1/4 of said Section 28 bears N 00°07'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'00" E, along said West line, a distance of 250.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°07'00" E along said West line, a distance of 429.83 feet; thence N 89°49'40" W, along the South line of that certain 30 foot right of way as recorded in Book 1435, Page 529, Public Records of Mesa County, Colorado, a distance of 30.00 feet; thence N 00°07'00" E, along the West line of said right of way, a distance of 290.25 feet; thence S 89°49'58" E, along the North line of said right of way, a distance of 30.00 feet; thence N 00°07'00" E, along the West line of the SE 1/4 SW 1/4 of said Section 28, a distance of 135.74 feet; thence N 48°45'16" W, along the Southerly line of that certain 25 foot right of way recorded in Book 1225, Page 521, Public Records of Mesa County, Colorado, a distance of 33.19 feet; thence N 00°07'00" E, along the West line of that certain right of way, a distance of 192.44 feet, more or less, to a point on the North line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 28; thence S 89°50'16" E, along said North line, a distance of 25.00 feet to a point being the Northwest corner of the SE 1/4 SW 1/4 of said Section 28; thence S 89°45'37" E, along the North line of the SE 1/4 SW 1/4 of said Section 28, a distance of 672.67 feet, more or less, to a point on the East right of way for Green Flash Drive, as same is recorded in Book 4647, Page 416, Public Records of Mesa County, Colorado; thence S 00°11'35" W, along said East right of way, a distance of 1259.62 feet; thence S 44°48'01" E, a distance of 42.43 feet to a point on the North right of way for H Road; thence S 89°47'59" E, along said North right of way, a distance of 46.10 feet; thence S 20°34'18" W, a distance of 64.00 feet, more or less, to a point on the South right of way for H Road; thence N 89°47'59" W, along said South right of way, a distance of 668.58 feet; thence S 45°05'49" W, a distance of 48.08 feet, more or less, to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 662.24 feet; thence N 89°59'40" W, a distance of 22.00 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 24.94 feet; thence N 00°07'00" E, along the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado, a distance of 280.04 feet; thence N 89°53'00" W, a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 933,825 Square Feet or 21.438 Acres, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 1st day of May, 2019, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 6:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 2019.

President of the Council

Attest:

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>DATES PUBLISHED</i>
March 22, 2019
March 29, 2019
April 5, 2019
April 12, 2019

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

MAVERICK ESTATES ANNEXATION

APPROXIMATELY 22.38 ACRES LOCATED AT 2428 H ROAD

WHEREAS, on the 20th day of March 2019, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of May 2019; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MAVERICK ESTATES ANNEXATION NO. 1

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 50.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for said 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 60.00 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33; thence N

89°50'39" W, along said South line, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 1,050 Square Feet or 0.024 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 2

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°50'39" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said West right of way, a distance of 210.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 150.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 10.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 50.00 feet; thence N 89°50'39" W, a distance of 15.00 feet, more or less, to the Point of Beginning.

CONTAINING 3,300 Square Feet or 0.075 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 3

A certain parcel of land lying in the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°00'20" E, along said East line, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°00'20" E, along said East line, a distance of 150.00

feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 365.00 feet; thence S 89°50'39" E, a distance of 15.00 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said East line, a distance of 355.00 feet; thence S 89°50'39" E, a distance of 7.50 feet; thence S 00°00'20" W, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet, more or less, to the Point of Beginning.

CONTAINING 6,675 Square Feet or 0.153 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 4

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 28 and the North Half of the Northwest Quarter (N-1/2 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 33 and assuming the East line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°00'20" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'39" E along the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 33, a distance of 15.00 feet to a point on the East right of way for 24-1/4 Road; thence N 00°00'20" E, along said East right of way, a distance of 70.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°50'39" W, a distance of 7.50 feet; thence N 00°00'20" E, a distance of 160.00 feet; thence N 89°50'39" W, a distance of 7.50 feet to a point on the East line of the NW 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said East line, a distance of 355.00 feet; thence N 89°50'39" W, a distance of 15.00 feet to a point on the West right of way for 24-1/4 Road; thence N 00°00'20" E, along said West right of way, a distance of 735.09 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 33; thence S 89°48'31" E, along said North line, a distance of 15.00 feet to a point being the Northwest corner of the NE 1/4 NW 1/4 of said Section 33; thence N 00°07'00" E, along the West line of the SE 1/4 SW 1/4 of said 28, a distance of 250.00 feet; thence S 89°53'00" E, a distance of 25.00 feet to a point on the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado; thence S 00°07'00" W, along said West line and its Southerly extension, a distance of 280.04 feet; thence N 89°59'40" W, a distance of 24.94 feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence S 00°00'20" W, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 22.00 feet to a point being the beginning of a 13.50 foot radius curve, concave Northeast, whose long chord bears S 44°17'45" E with a long chord length of 18.86 feet; thence Southeasterly along the arc of said curve, thru a central angle of 88°36'09", an arc length of 20.88 feet to a point being the beginning of a 48.00 foot radius curve,

concave West, whose long chord bears S 12°21'48" W with a long chord length of 94.25 feet; thence Southerly and Westerly along the arc of said curve, thru a central angle of 201°55'13", an arc length of 169.16 feet to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 418.18 feet, more or less, to the Point of Beginning.

CONTAINING 30,235 Square Feet or 0.694 Acres, more or less, as described.

TOGETHER WITH

MAVERICK ESTATES ANNEXATION NO. 5

A certain parcel of land lying in the South half of the Southwest Quarter (S1/2 SW 1/4) of Section 28 and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 33, all in Township One North, Range One West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 28 and assuming the West line of the SE 1/4 SW 1/4 of said Section 28 bears N 00°07'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°07'00" E, along said West line, a distance of 250.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°07'00" E along said West line, a distance of 429.83 feet; thence N 89°49'40" W, along the South line of that certain 30 foot right of way as recorded in Book 1435, Page 529, Public Records of Mesa County, Colorado, a distance of 30.00 feet; thence N 00°07'00" E, along the West line of said right of way, a distance of 290.25 feet; thence S 89°49'58" E, along the North line of said right of way, a distance of 30.00 feet; thence N 00°07'00" E, along the West line of the SE 1/4 SW 1/4 of said Section 28, a distance of 135.74 feet; thence N 48°45'16" W, along the Southerly line of that certain 25 foot right of way recorded in Book 1225, Page 521, Public Records of Mesa County, Colorado, a distance of 33.19 feet; thence N 00°07'00" E, along the West line of that certain right of way, a distance of 192.44 feet, more or less, to a point on the North line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 28; thence S 89°50'16" E, along said North line, a distance of 25.00 feet to a point being the Northwest corner of the SE 1/4 SW 1/4 of said Section 28; thence S 89°45'37" E, along the North line of the SE 1/4 SW 1/4 of said Section 28, a distance of 672.67 feet, more or less, to a point on the East right of way for Green Flash Drive, as same is recorded in Book 4647, Page 416, Public Records of Mesa County, Colorado; thence S 00°11'35" W, along said East right of way, a distance of 1259.62 feet; thence S 44°48'01" E, a distance of 42.43 feet to a point on the North right of way for H Road; thence S 89°47'59" E, along said North right of way, a distance of 46.10 feet; thence S 20°34'18" W, a distance of 64.00 feet, more or less, to a point on the South right of way for H Road; thence N 89°47'59" W, along said South right of way, a distance of 668.58 feet; thence S 45°05'49" W, a distance of 48.08 feet, more or less, to a point on the East right of way for 24-1/4 Road; thence S 00°00'20" W, along said East right of way, a distance of 662.24 feet; thence N 89°59'40" W, a distance of 22.00

feet to a point on the West line of the NE 1/4 NW 1/4 of said Section 33; thence N 00°00'20" E, along said West line, a distance of 696.29 feet; thence S 89°59'40" E, a distance of 24.94 feet; thence N 00°07'00" E, along the West line of Lot 1, Venegas Minor Subdivision No. 2, as same is recorded in Plat Book 14, Page 179, Public Records of Mesa County, Colorado, a distance of 280.04 feet; thence N 89°53'00" W, a distance of 25.00 feet, more or less, to the Point of Beginning.

CONTAINING 933,825 Square Feet or 21.438 Acres, more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the _____ day of _____ 2019 and ordered published in pamphlet form.

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

President of the Council

Attest:

City Clerk

Exhibit A

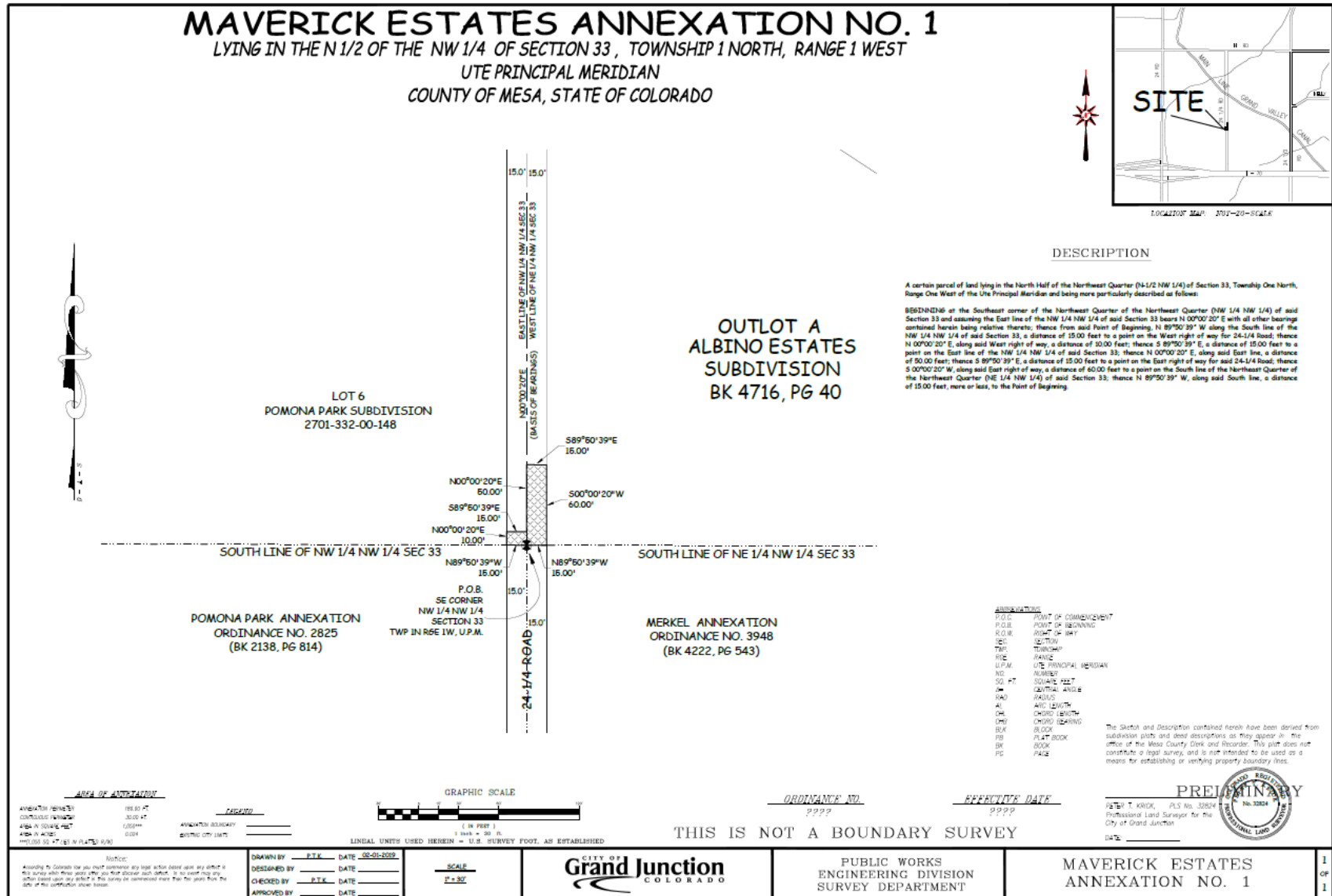


Exhibit B

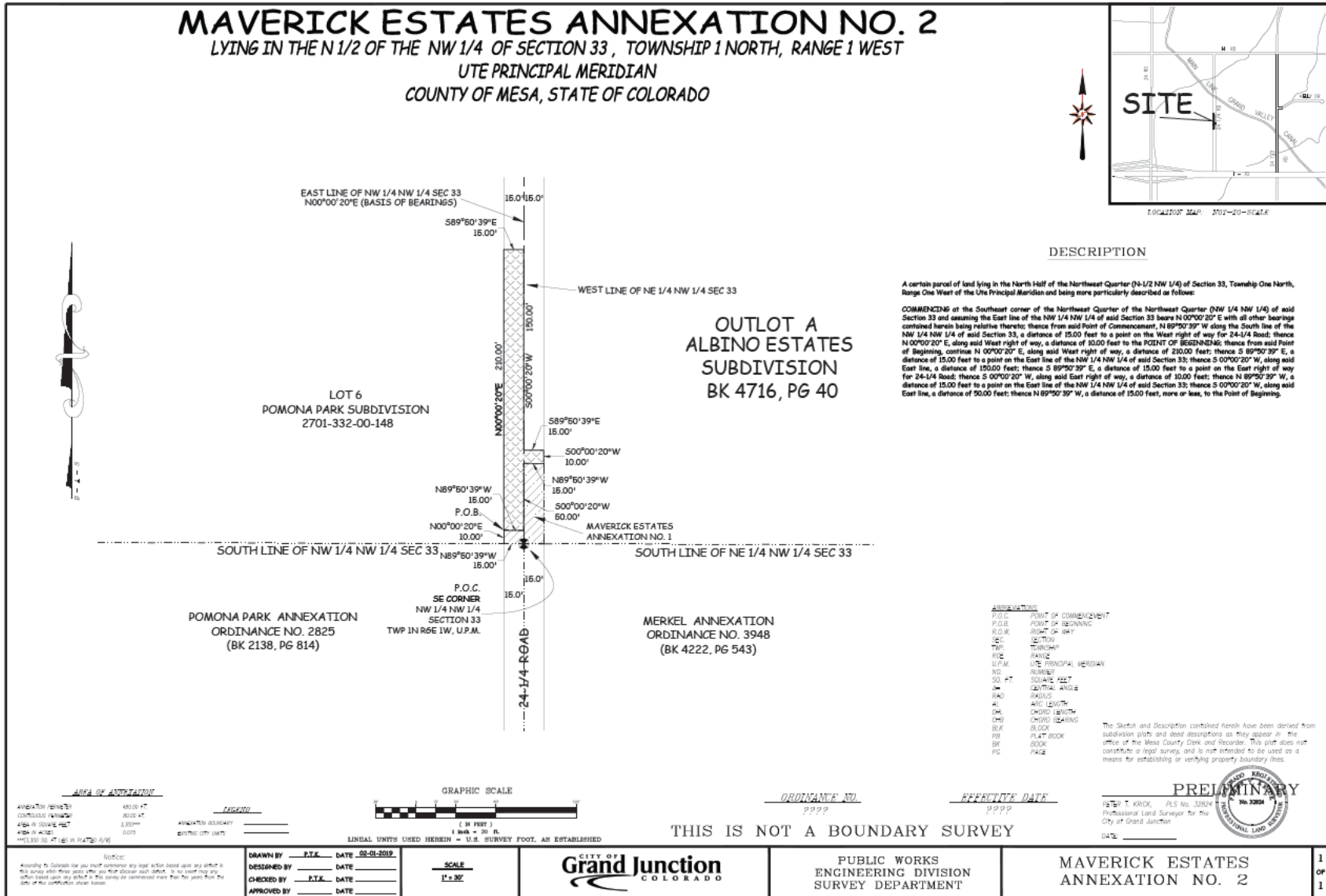


Exhibit C

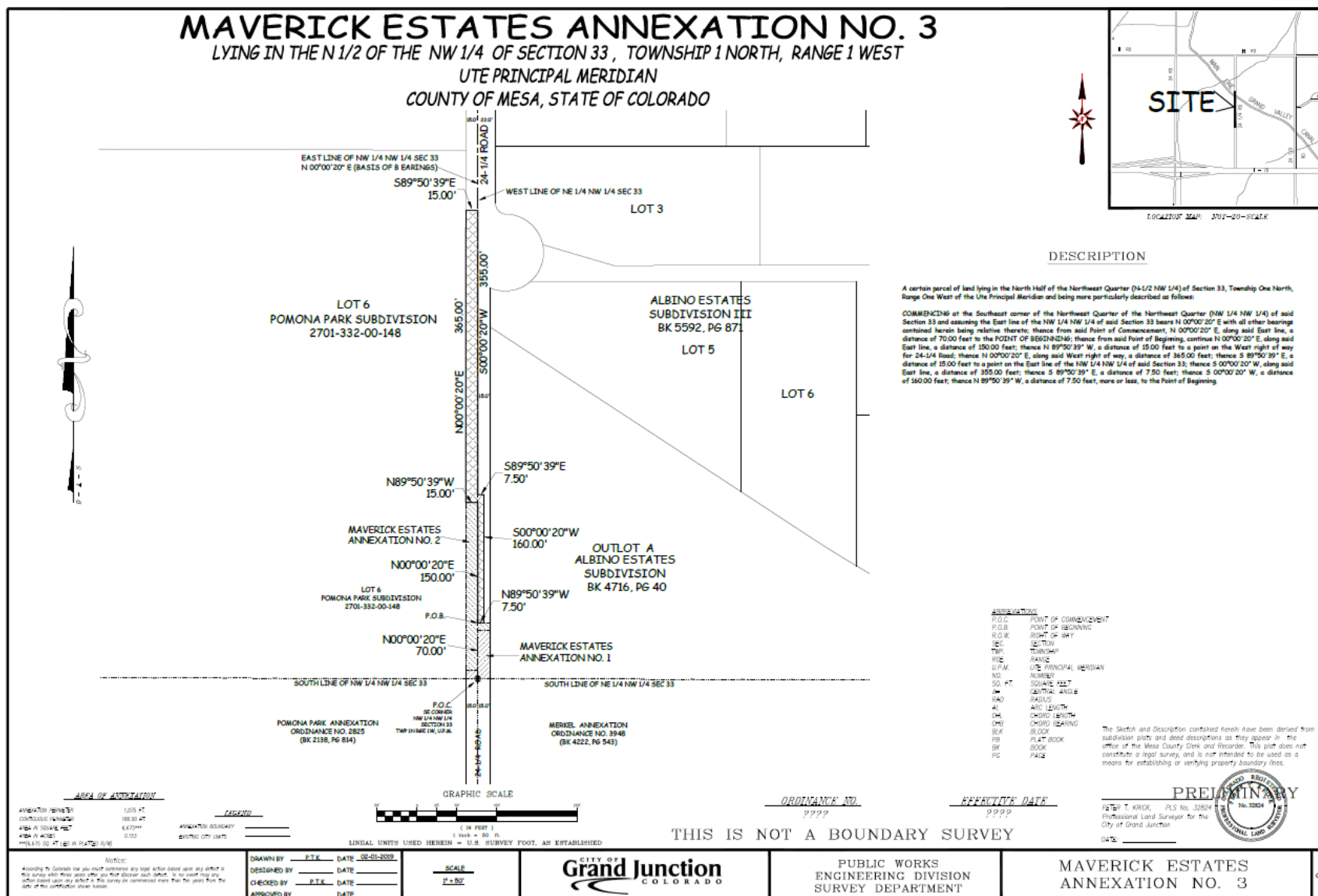


Exhibit D

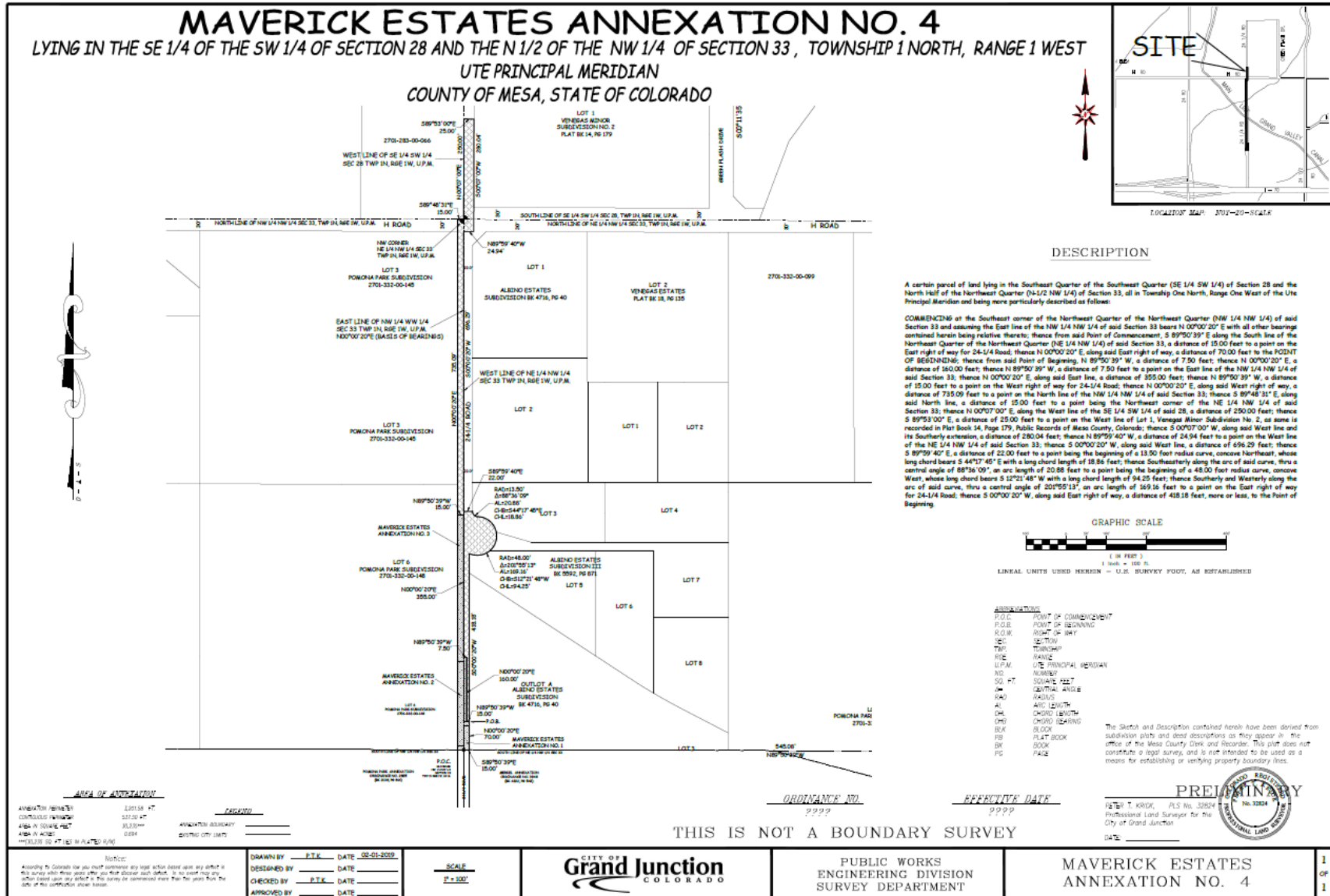


Exhibit E

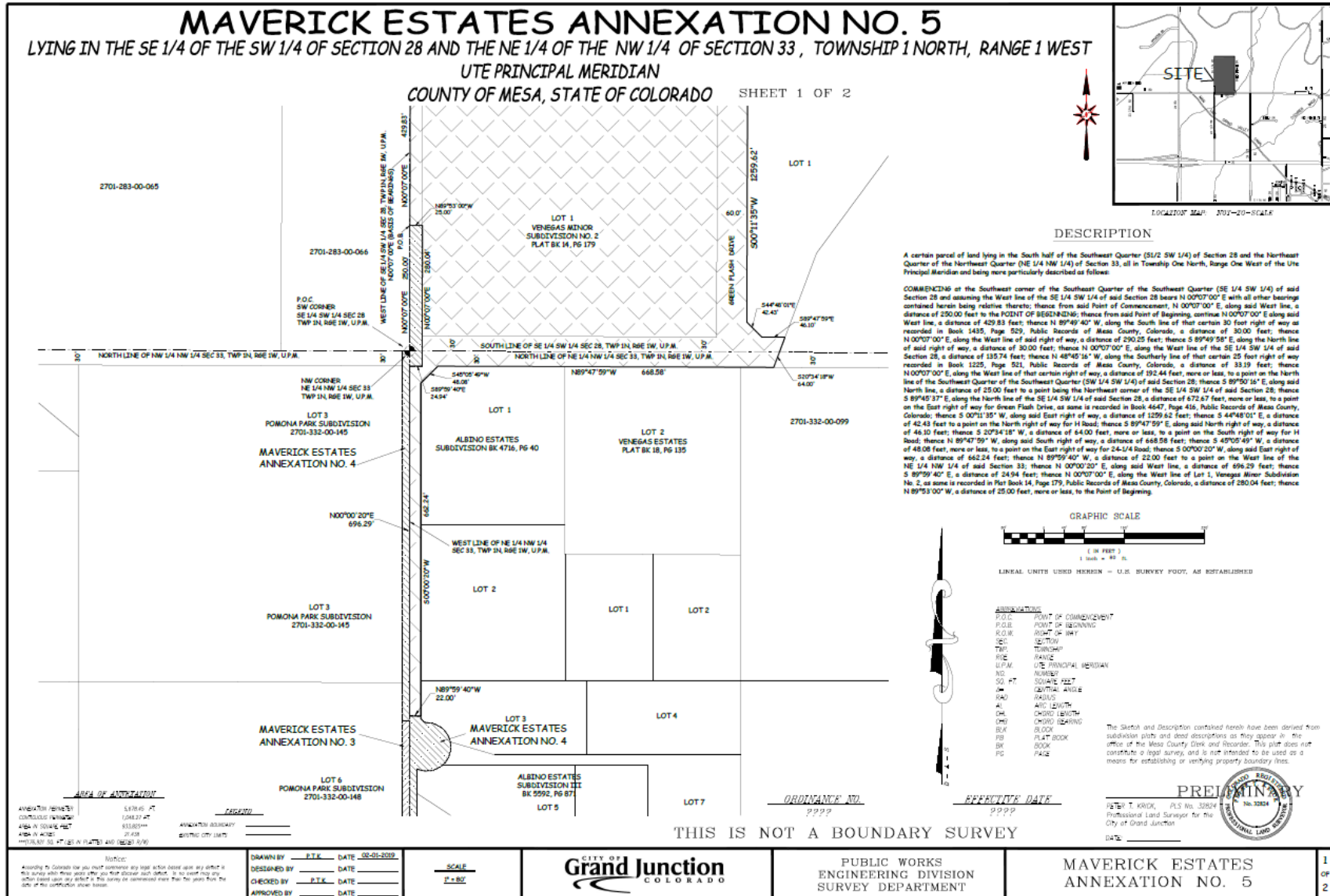
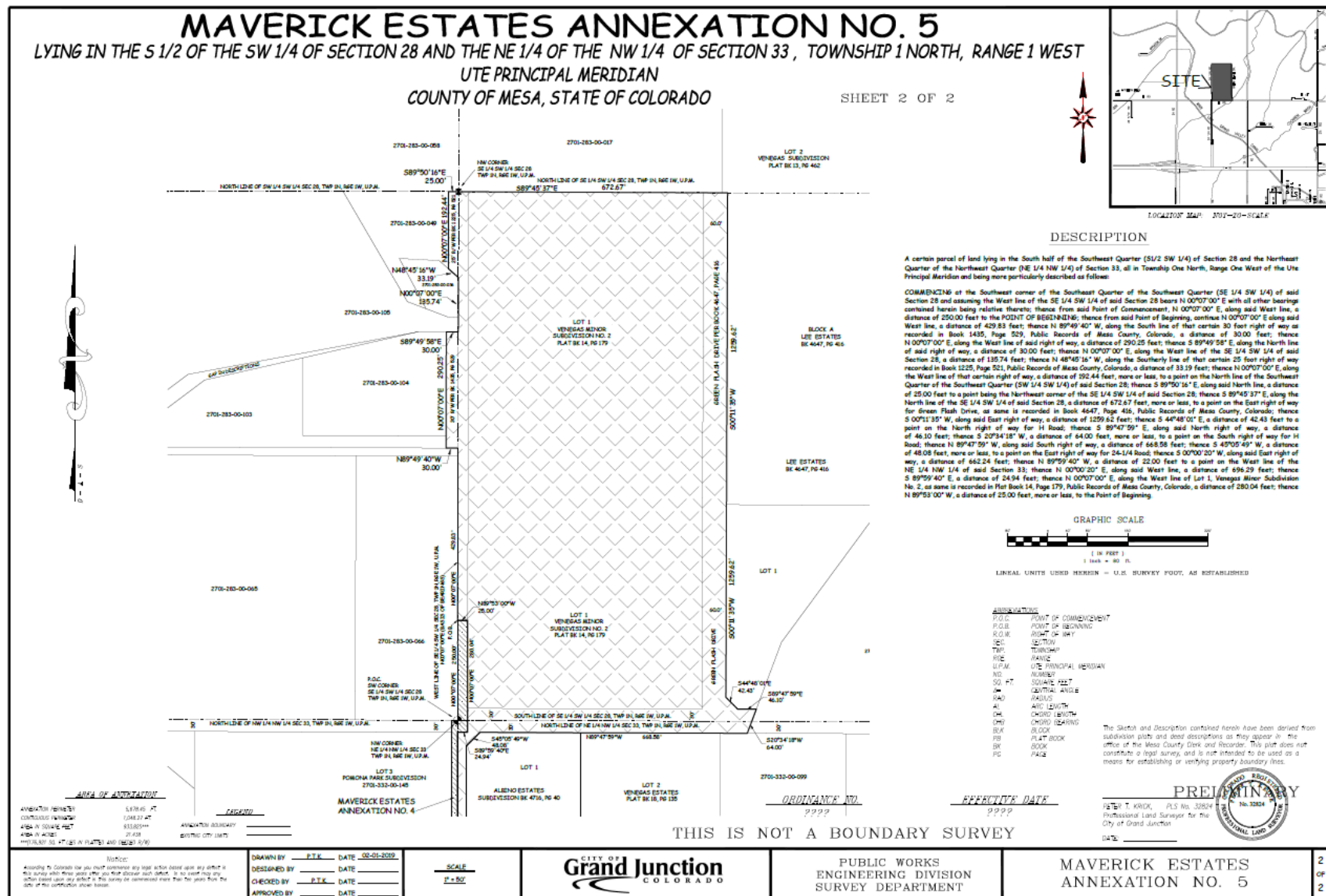


Exhibit F





Grand Junction City Council

Regular Session

Item #2.b.iv.

Meeting Date: March 20, 2019

Presented By: Kathy Portner, Community Services Manager

Department: Community Development

Submitted By: Kathy Portner

Information

SUBJECT:

Introduction of an Ordinance Amending Ordinance No. 3981, Planned Development for Corner Square, Located at 2525 Meander Court, and Setting a Public Hearing for April 3, 2019

RECOMMENDATION:

The Planning Commission will make a recommendation at their March 26, 2019 hearing.

EXECUTIVE SUMMARY:

The Applicant, F & P Development LLC is requesting approval of an amendment to the existing Outline Development Plan (ODP) for the Corner Square development, located at the southwest corner of N. 1st Street and Patterson Road. The Applicant is proposing an Assisted Care and Memory Care facility on the remaining area of Pod G, which will complete the development of Corner Square. The proposed amendments are as follows:

- The addition of Group Living as an allowed use;
- Increase the maximum building size to 65,000 square feet for group living facilities;
- and
- Establish a new phasing schedule.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

Ordinance No. 3981, adopted in 2006, established the Planned Development (PD)

zoning and Outline Development Plan (ODP) for the 20-acre Corner Square development, located at the southwest corner of N. 1st Street and Patterson Road. Pods A, C, D and E have been developed as retail/office and Pod B is currently under construction for a retail/office building. In addition, Pod H contains a multifamily apartment complex. Pod G was subdivided into two lots in 2015. Lot 1 (.83 acres) has been developed into a parking lot to serve the overall development. Lot 2 (2.62 acres) is the last remaining vacant land within the Corner Square Planned Development. All of the public infrastructure, including roads and utilities, has already been completed to service all of the Corner Square development.

The approved ODP for Pod G was for Mixed Use with a default zone of B-1 (Neighborhood Business). The Mixed Use designation allowed for multifamily residential, professional services and off-site parking, but specifically disallowed certain uses, including group homes. The Applicant is requesting to add Group Living facilities as an allowed use, which would allow for the proposed Assisted Care and Memory Care facilities.

The Applicant is also requesting to increase the maximum building size to 65,000 square feet, specific to the Group Living Use. The existing ODP has a maximum building size of 30,000 square feet for mixed use buildings and 25,000 square feet for office uses. The proposed Assisted Care facility would be approximately 60,000 to 65,000 square feet and the proposed Memory Care facility would be between 15,000 and 20,000 square feet. Because of the need for centralized services and security, the proposed uses cannot function well when limited to 30,000 square feet per building.

A revised development schedule is also being proposed from December, 2018, to a completion date of December, 2022. However, the intent is to begin construction in 2019 with completion in 2020.

NOTIFICATION REQUIREMENTS

As required by § 21.02.080 (e) of the Zoning and Development Code, a Neighborhood Meeting was held on February 5, 2019. Seven people attended the meeting along with City Staff. Generally, those in attendance were supportive of the proposal, but concerned with the continuation of construction noise.

Notice was provided in accordance with §21.02.080 (g) of the Zoning and Development Code. On March 15, 2019 notice of the application was mailed to property owners within 500 feet of the subject property. An application sign was posted on the property on or before March 15, 2019 and notice of the public hearing was published March 19, 2019 in the Daily Sentinel.

ANALYSIS

Pursuant to Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development

Code, requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The request to amend the Corner Square Planned Development Outline Development Plan is consistent with the following Goals and Policies of the Comprehensive Plan.

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

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

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

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

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

The Corner Square project is a mixed use development that provides housing, services and retail uses; thereby providing the opportunity to reduce trips and housing for a variety of life stages. Therefore, staff finds this criterion has been met.

b) The rezoning criteria provided in Section 21.02.140 (a) of the Grand Junction Zoning and Development Code.

(1) Subsequent events have invalidated the original premises and findings; and/or The Zoning and Development Code applied in 2006 when the PD was established required a Conditional Use Permit for large and unlimited Group Living facilities in the B-1 zone district, which is the default zone for Pod G. The purpose of the B-1: Neighborhood Business zone district is as follows: 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. The current Zoning and Development Code (revised in 2017) allows all sizes of Group Living facilities as a use by right in the default B-1 zone district. Further, the functions of an Assisted Living facility necessitate centralized services, making it inefficient to have multiple buildings rather than one structure. These subsequent event of recognizing the group living is a consistent use with the intent of the B-1 zone district works to

invalidated the original premises and, therefore, Staff finds that 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

Since the original PD ordinance was established for Corner Square, the 2010 Comprehensive Plan designated a large area west of 1st Street, on either side of Patterson Road as a Neighborhood Center. Neighborhood Centers provide for limited employment, residential, open space and limited retail focused on uses that provide convenience items to the immediate neighborhood. Residential uses are encouraged to integrate with commercial uses. The allowance for group living facilities in the Corner Square development provides for additional integration of residential and commercial uses. Therefore, this criterion has been met.

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

All major utilities are available to the property and are adequate to serve group living facilities as proposed. Staff finds that 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

There are a number of zone districts that would allow for large and unlimited group living facilities, including R-12, R-16, R-24, R-O, B-1, B-2, C-1, M-U and BP; therefore, staff finds that there is an adequate supply of suitably designated land for the proposed use and does not find that this criterion has been met.

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

The Corner Square Planned Development provides a mixed use neighborhood that meets the intent of the Comprehensive Plan. The proposed amendment to allow for the development of an assisted care facility provides a public benefit by completing infill development in an area already served by infrastructure and providing additional housing types for varying life stages. Therefore, Staff finds that this criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone.

No changes to setbacks established with Ordinance 3981 are proposed. Setbacks in Pod G will remain as follows: 15/20 front, 5/3 side and 15/3 rear.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone.

No changes are proposed to open space requirements. Open Space requirements will be determined by the type of use proposed.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

No changes are proposed to standards established with Ordinance 3981. Fencing and screening will be as per Code.

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

No changes are proposed to standards established with Ordinance 3981. Landscaping will be as per Code.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

No changes are proposed to standards established with Ordinance 3981. Parking requirements will be as per Code.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

All streets located in Corner Square have already been constructed in accordance with City standards.

d) The applicable corridor guidelines and other overlay districts.

There are no applicable corridor guidelines or other overlay districts for this property.

e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

All major utilities are available to the property and are adequate to serve group living facilities as proposed. Staff finds that this criterion has been met.

f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

Adequate circulation and access is provided to all development pods. Staff finds that this criterion has been met.

g) Appropriate screening and buffering of adjacent property and uses shall be provided;

Screening and buffering will be provided as per Code. Staff finds that this criterion has been met.

h) An appropriate range of density for the entire property or for each development pod/area to be developed;

No change is proposed for the density of Pod G, which is 8 to 12 dwelling units per acre. Density of group living facilities are calculated as four beds equal one dwelling unit.

i) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.

The only change proposed to the standards for Pod G is to increase the maximum building size from 30,000 square feet to 65,000 square feet to accommodate the unique needs of an assisted living facility.

j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The original phase schedule included completion by December, 2018. The proposed development schedule provides for a completion date of December, 2022; however, the intent is to begin construction in 2019, with completion in 2020.

STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the request for approval of a Planned Development amendment for Pod G of the Corner Square development to allow Group Living as a use, increase the maximum building size to 65,000 square feet for group living facilities and modify the phasing schedule, (PLD-2019-84), the following findings of fact have been made:

1. The Outline Development Plan conforms with the requirements of Section 21.02.150 (b) (2) of the Grand Junction Zoning and Development Code, including meeting more than one of the rezoning criteria provided in Section 21.02.140.

Therefore, Staff recommends approval.

FISCAL IMPACT:

This land use action does not have any direct fiscal impact.

SUGGESTED MOTION:

I move to introduce an ordinance Amending Ordinance No. 3981, Planned Development for Corner Square, Located at 2525 Meander Court, and Set a Public Hearing for April 3, 2019.

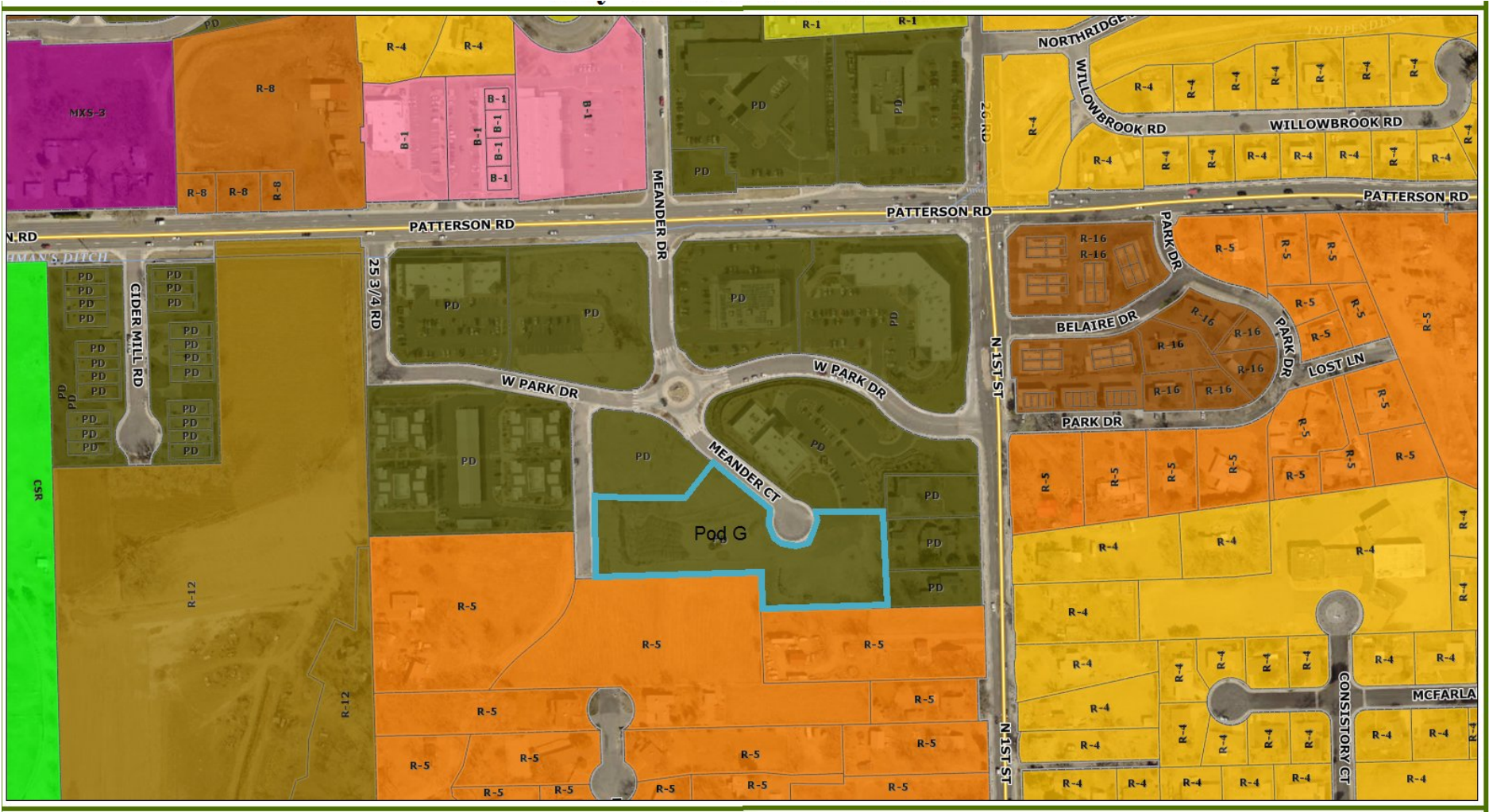
Attachments

1. Site maps
2. General Project Report_2019-02-13
3. Proposed Ordinance to Amend the PD District

Site Map of Corner Square



Zoning Map



First and Patterson Planned Development Outline Development Plan Amendment General Project Report

Project Overview

The applicant, F & P Development LLC, c/o Bruce Milyard, is requesting approval of an amendment to the existing Outline Development Plan (ODP) for the southwest corner of N. 1st Street and Patterson Road. The applicant intends to add an Assisted Care and Memory Care facility on the remaining area of Pod G, which currently has a 'Mixed Use' designation which requires three limited amendments for the proposed uses.

Pod G was subdivided into two lots in 2015 ... Lot 1 (.83 acres) and Lot 2 (2.62 acres). Lot 1 has been developed into a parking lot primarily for employees of the development; Lot 2 is the last remaining vacant land within the Corner Square Planned Development project.

The three proposed ODP Amendment requests, which are amendments to the original ODP, are:

- To allow Group Living as a use in Pod G; Group Living allows Assisted Care and Memory Care. Pod G currently has a 'Mixed Use' designation that allows Residential Uses, Professional Services, and off-site parking. The Default Zone continues to be B1, with the remaining deviations noted in Table 3 of the ODP.
- To allow the maximum size of a building to be 65,000 SF. The proposed Assisted Care Facility is between 60,000 and 65,000 SF, and the proposed Memory Care Facility is between 15,000 and 20,000 SF ... each requiring their own building. Current building size allowances in the ODP for mixed use buildings is 30,000 SF; the proposed uses cannot function with three 30,000 SF buildings.
- To replace the outdated Phasing Schedule for already completed 'pods' within the ODP, updating to a current schedule.

It is worth noting that the entirety of public infrastructure (all roads and utilities) is constructed and complete throughout Corner Square. This request is only for the noted amendments. Specific site plans are likely to be submitted concurrent with the review of these amendments.

A. Project Description

Location

- The entire Corner Square development is located at the southwest corner of N. 1st Street and Patterson Road.
- Pod G (Lot 2 of Corner Square 2) is located between Knollwood Drive and Meander Court, south of West Park Drive. A more generalized description is the southeast area of the approved Planned Development.

Acreage

- The existing Pod G is platted as 3.45 acres (the ODP notes 4.1 acres which at the time included portions of now platted abutting ROW's).
- The proposed amendments are for the entirety of Pod G, which is two lots: Lot 1 @ .83 acres, and Lot 2 @ 2.62 acres.

Proposed Use

- Amend ODP to allow Group Living as a use in Pod G; Group Living allows Assisted Care and Memory Care. Pod G currently has a 'Mixed Use' designation that allows Residential Uses, Professional Services, and off-site parking. The Default Zone continues to be B1, with the remaining deviations noted in Table 3 of the ODP.

B. Public Benefit

The Corner Square Planned Development has already created a mixed use neighborhood that meets the intent of the current Growth Plan and the current development requirements of the City of Grand Junction. Public benefits from this amendment include:

- o The amendments will help facilitate development, which aids in:
 - o the development of property within the City 201 boundary;
 - o the development of an Infill property;
 - o the inclusion of uses already allowed in the underlying B1 default zone;
- o The ability to proceed with a realistic development plan for the last remaining area of the PD;
- o A continuation of established and 'tested' attractive architectural guidelines;
- o No new road, drainage, or utility improvements added to the City system, as all is currently installed, approved and accepted

C. Neighborhood Meeting

A neighborhood meeting was held on February 5, 2019 for the amendments note above, and at which time potential development concepts were presented.

D. Project Compliance, Compatibility, and Impact

Adopted Plans and Policies

The proposed Amendment conforms to the Growth Plan, the City Zoning and Development Code, and known City regulations.

Surrounding Land Use

Properties to the north include a Pain Clinic and various commercial uses within Corner Square, with single family residential uses to the east and south, and multi-family / apartments to the west.

Adjacent zoning:

- o NORTH, EAST, and WEST is PD;
- o SOUTH: R-5;

Site Access & Traffic Patterns

Access into the overall PD, including Pod G is established and constructed. Extensive traffic studies were prepared and scrutinized for the original ODP and PD approvals.

Knollwood Drive, to the west, is a stub street to future undeveloped properties; Meander Court, to the northeast, is a cul-de-sac; Park Drive, to the north, is a 'through street' from 1st to Patterson and provides access to both Knollwood Drive and Meander Court.

Availability of Utilities

All necessary infrastructure and utilities are constructed.

- Water – Ute and City; the site straddles the dividing line between the two water purveyors.
- Sewer – City
- Storm Sewer- City
- Drainage – Grand Junction Drainage District
- Irrigation water – Grand Valley Irrigation Company
- Power / gas – Excel
- Telephone – Qwest
- Cable TV – Bresnan

Special or Unusual Demands on Utilities

The property is served by both Ute and City water. Relative to the Fire Flow information, the original submittal made assumptions that the City would service the entire site.

Effects on Public Facilities

The proposed amendments will have no unusual impacts on Public Facilities.
Off-site improvements have already been constructed.

Site Soils

NRCS soils was provided with the original submittal.

Impact on Geology and Geological Hazards

No known geological hazards exist on this property.

Hours of Operation

NA to these amendments.

Number of Employees

NA to these amendments.

Signage Plans

NA to these amendments.

E. Development Schedule and Phasing

The revised schedule notes the date of completion as December 2022. However, the intent is to begin construction in 2019, with completion in 2020.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE No. 3981 PLANNED DEVELOPMENT
FOR CORNER SQUARE**

LOCATED AT 2525 MEANDER COURT

Recitals:

The Applicant, F & P Development LLC is requesting approval of an amendment to the existing Outline Development Plan (ODP) for the Corner Square development, located at the southwest corner of N. 1st Street and Patterson Road. The Applicant is proposing an Assisted Care and Memory Care facility on the remaining area of Pod G, which will complete the development of Corner Square. The proposed amendments are as follows:

- The addition of Group Living as an allowed use;
- Increase the maximum building size to 65,000 square feet for group living facilities; and
- Establish a new phasing schedule.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Planning Commission reviewed the request for the proposed amendment to Corner Square Planned Development and determined that it satisfies the applicable criteria of the Zoning and Development Code, is consistent with the purposes, intent, goals and policies of the Comprehensive Plan, and is generally compatible with land uses located in the surrounding area, and recommended approval.

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

The Corner Square Planned Development is amended as follows:

1. Group Living is added as an allowed use for Pod G
2. Maximum building size for Group Living Facilities shall be 65,000 square feet
3. The development schedule shall be extended to December 31, 2022

Introduced on first reading this 20th day of March 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



Grand Junction City Council

Regular Session

Item #3.a.

Meeting Date: March 20, 2019

Presented By: Randi Kim, Utilities Director

Department: Public Works - Utilities

Submitted By: Brendan Hines, Project Engineer for Public Works

Information

SUBJECT:

Construction Contract for the 2019 Sewer Interceptor Rehabilitation Project

RECOMMENDATION:

Authorize the City Purchasing Division to Execute a Construction Contract with Granite Inline, LLC for the Construction of the 2019 Sewer Interceptor Rehabilitation Project IFB-4602-19-DH, in the amount of \$1,735,905.00.

EXECUTIVE SUMMARY:

This project is aimed at the rehabilitation of the existing 30" and 24" south interceptor sewer lines, the rehabilitation of the existing 18", 15" and 12" sewer lines within the downtown area, as well as the replacement and coating of 37 manholes in the City's collection system. Portions of the existing sewer line manholes are approaching 100 years old, and have exceeded their design service life. Both interceptor lines have portions composed of reinforced concrete and as a result of the infrastructure's age and damage caused by hydrogen sulfide gas, this maintenance is necessary to prolong the life of the existing sewer system.

BACKGROUND OR DETAILED INFORMATION:

This rehabilitation effort will include Cured-In-Place Pipe (CIPP) lining of the sewer lines which is a trench-less rehabilitation method utilizing the existing sewer line. The finish product is a joint-less, seamless pipe within a pipe with a 50 plus year design service life. The rehabilitation of the infrastructure can be completed for approximately 60% of the cost of conventional dig and replace construction.

The project will provide repairs to approximately 1,961 LF of 12" CIPP, 895 LF of 15" CIPP, 2,894 LF of 15" CIPP, 5,942 LF of 24" CIPP, 4,498 LF of 30" CIPP, the installation and coating of 37 sanitary sewer manholes (approximately 240 vertical linear feet), and bypass pumping. The 30" interceptor line is within or adjacent to the Riverside bike path or Riverside Drive. Approximately 2,500 LF of the 24" interceptor resides within the residential streets of the Riverside neighborhood. The 18" segments are within the residential areas along 4th Street, between Grand and North Avenue, as well as N. 7th Street between Hill Avenue, and Glenwood Avenue. The 15" segments are within residential and commercial areas along S. 9th Street, between South Avenue and Colorado Avenue. The 12" segments reside within commercial and residential areas along S. 12th Street, between Pitkin Avenue and Grand Avenue.

This project includes the last updates to the segments of the 30" and 24" interceptor lines between the HWY 50/5th Street bridge and the City Shops. The south termination point of both the 24" and 30" interceptor lines will connect to the CIPP project completed in 2016. Although CIPP is proposed within heavy traffic segments of both commercial and residential areas, the trenchless construction allows for minor traffic control, maintaining two-way traffic through the traffic corridor.

Pending Council approval, the project is anticipated to take approximately 4 months. With an early April start, the work should be completed by early August.

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

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BID SCHEDULE COST</u>
Granite Inliner, LLC	Kiowa, CO	\$1,735,905.00
Insituform Technologies, LLC	Chesterfield, MO	\$1,776,637.00
Whitaker Construction Co.	Brigham City, UT	\$2,040,669.00

FISCAL IMPACT:

The Persigo Waste Water Treatment fund (902) has \$1,800,000 budgeted for this sewer construction project as part of the 2019 recommended capital improvements.

Project Costs:

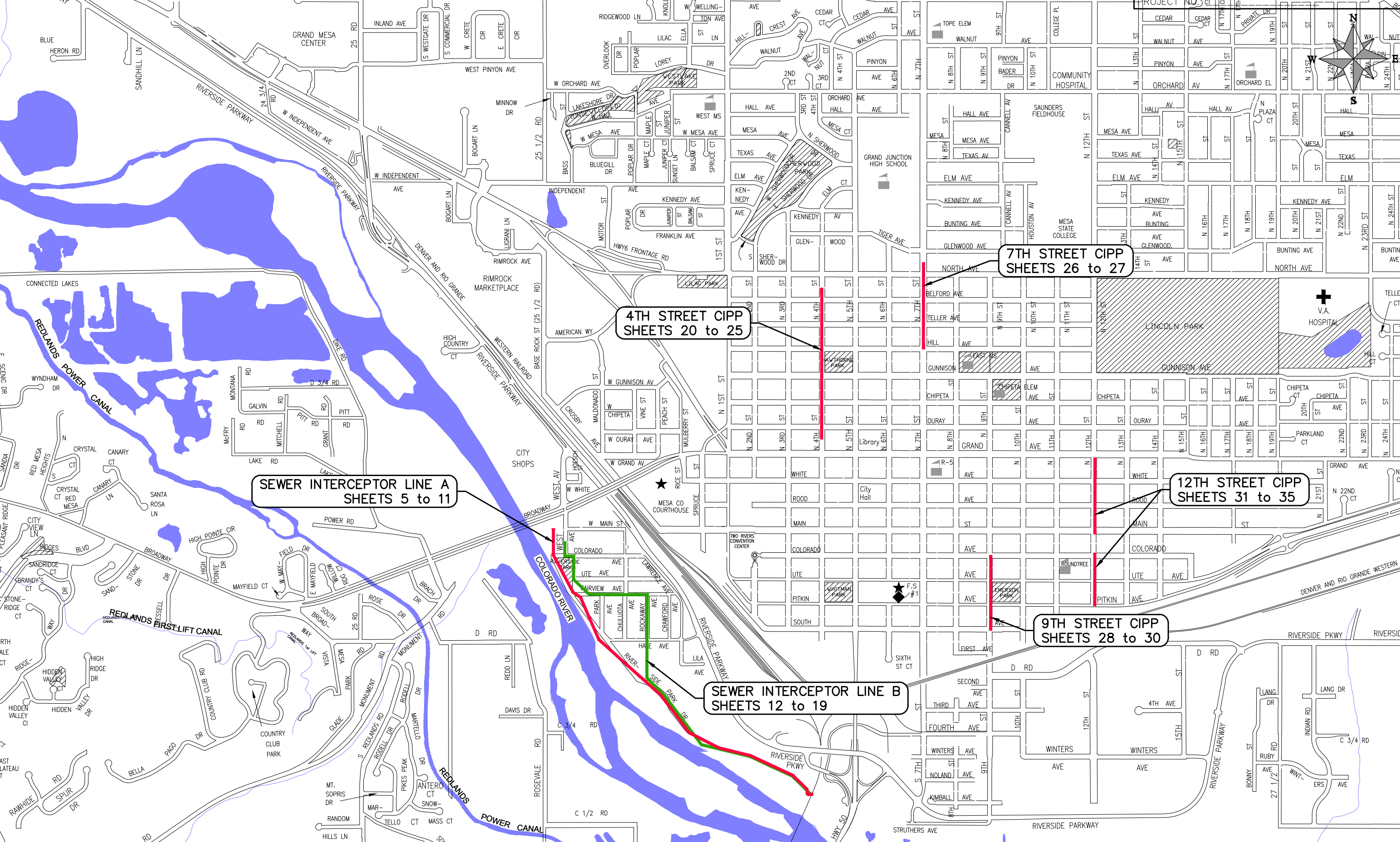
Construction Contract Amount - Granite Inliner, LLC-	\$1,735,905
City Construction Inspection and Contract Admin. (est.)-	\$25,000
3rd Party Quality Assurance Testing (estimate)-	<u>\$35,000</u>
Total Project Costs =	\$1,795,905

SUGGESTED MOTION:

I move to (authorize/deny) the Purchasing Division to Enter into a Contract with Granite Inliner, LLC for the Construction of the 2019 Sewer Interceptor Rehabilitation Project.

Attachments

1. Project Vicinity Map



4TH STREET CIPP
SHEETS 20 to 25

7TH STREET CIPP
SHEETS 26 to 27

SEWER INTERCEPTOR LINE A
SHEETS 5 to 11

12TH STREET CIPP
SHEETS 31 to 35

SEWER INTERCEPTOR LINE B
SHEETS 12 to 19

9TH STREET CIPP
SHEETS 28 to 30



Grand Junction City Council

Regular Session

Item #4.a.

Meeting Date: March 20, 2019

Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

A Resolution Concerning the Issuance of a Revocable Permit to Downtown Grand Junction REgeneration, LLC to Allow for Eaves of New Homes to Overhang the White Avenue and North 8th Street Rights-of-Way adjacent to Lot 2 R5 Block Subdivision Amended

RECOMMENDATION:

Staff recommends approval.

EXECUTIVE SUMMARY:

Downtown Grand Junction REgeneration LLC is requesting a Revocable Permit to allow for the eaves on the front and sides of the proposed town home units to overhang and encroach into a portion of the White Avenue and North 8th Street rights-of-way adjacent to Lot 2 R5 Block Subdivision Amended (the northwest corner of White and 8th). The permit is for the four units that are proposed with the first phase of development of the Lowell Village Townhomes project. The Revocable Permit allows the City to acknowledge the encroachment while retaining the ability to require the removal of the encroachment from the right-of-way should it be necessary in the future.

BACKGROUND OR DETAILED INFORMATION:

The property at 310 North 7th Street known as the R-5 block has received approval to construct the first phase of development for the Lowell Village Townhomes project. The first phase is for four townhome units with detached garages and flex space above the garages on the northwest corner of White Avenue and 8th Street. The property is zoned B-2 (Downtown Business) which allows a front yard setback of 0 feet. In

addition, the Zoning and Development Code permits encroachment of such items as projecting signs within rights-of-way downtown, provided they are higher than 8 feet above grade. Consequently, the development of these units with eaves projecting approximately 2 feet into the adjacent rights-of-way were approved for construction provided the projection will be higher than 8 feet above grade and subject to approval of a Revocable Permit for this encroachment by City Council.

The Revocable Permit allows the City to acknowledge the construction of the encroaching eaves within its rights-of-way while retaining the ability to require the removal of the encroachments from the rights-of-way should it be necessary in the future.

FISCAL IMPACT:

This action does not have a direct fiscal impact to the City.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 20-19, a resolution concerning the issuance of a revocable permit to Downtown Grand Junction REgeneration, LLC to allow for the eaves of proposed town home units to overhang and encroach in the rights-of-way for White Avenue and North 8th Street adjacent to Lot 2 R5 Block Subdivision Amended.

Attachments

1. Lowell Village Revocable Permit Maps and Elevations
2. Proposed Resolution with Revocable Permit

Location Map - R5 Block Subdivision Amended



0 0.0125 0.025
mi

Printed: 2/25/2019

1 inch = 47 feet

CITY OF
Grand Junction
COLORADO
GRAND JUNCTION INFORMATION SYSTEM

Location of Proposed Eave Overhang/ROW Encroachment



0 0.005 0.01
mi

Printed: 2/25/2019

1 inch = 24 feet

UTILITIES AND AGENCIES

CITY OF GRAND JUNCTION PUBLIC WORKS	TRUNK MAIN	350'-604'
CITY OF GRAND JUNCTION GATED DIRECTOR	BRANCH MAIN	244'-408'
301 DRAINAGE AUTHORITY	ALARM MAIN AND	203'-130'
WELL COMPANY	ILLUMIN. MICHIGAN	270'-180'
CENTURY LINE	COLO. TELEPHONE	244'-413'
VERIZON	ADSL. FIBER	242'-870'

PROPOSED TOWNHOME UNITS (4)

LOT 1 LIVING UNIT FF:4596.00

LOT 2 GARAGE UNIT FF:4596.17

LOT 3 GARAGE UNIT FF:4596.17

LOT 4 GARAGE UNIT FF:4596.17

LOT 5 LIVING UNIT FF:4596.00

S. PIONEER WAY TRACT S

WHITE AVENUE

TRACT A

TRACT B

8-INCH PROVIDE B AND SCRE 8" OUTLET

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4" PERF PVC W/ CAP INV:4592.55

4" PERF PVC W/ CAP INV:4592.70

4" PERF PVC W/ CAP INV:4592.75

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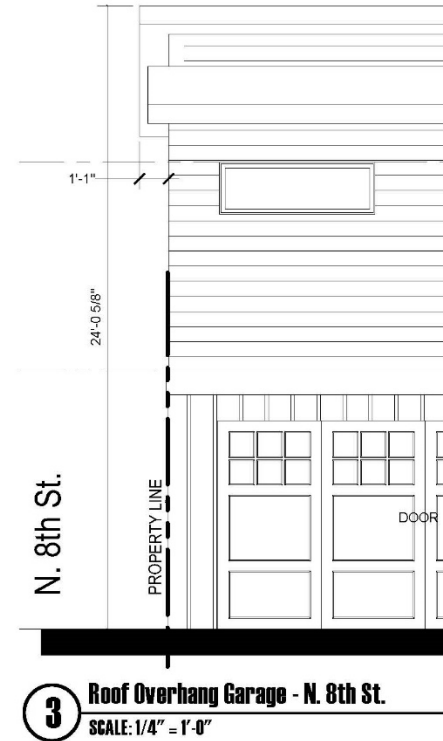
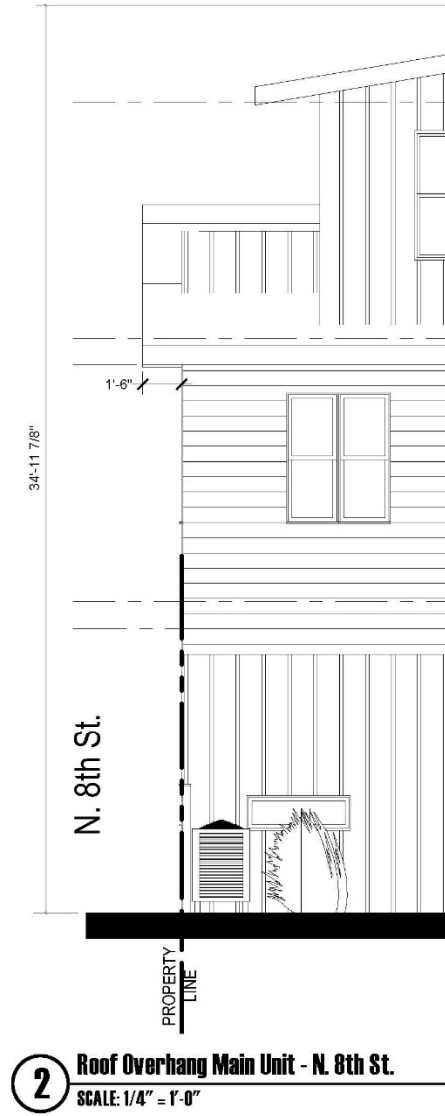
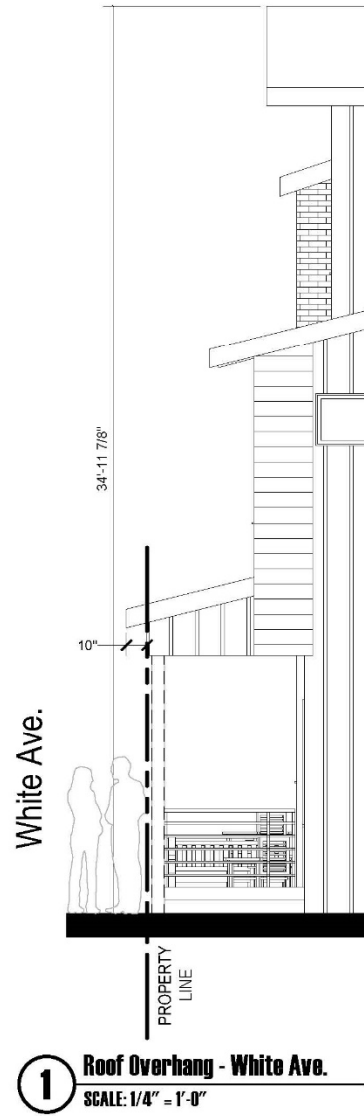
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4" PERF PVC W



RESOLUTION NO. __-18

**A RESOLUTION CONCERNING
THE ISSUANCE OF A REVOCABLE PERMIT TO DOWNTOWN GRAND JUNCTION
REGENERATION LLC TO ALLOW FOR EAVES OF NEW HOMES TO OVERHANG
AND ENCROACH IN THE WHITE AVENUE AND NORTH 8TH STREET RIGHTS-OF-
WAY ADJACENT TO LOT 2 R5 BLOCK SUBDIVISION AMENDED**

Recitals.

A. Downtown Grand Junction Regeneration LLC, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit: LOT 2 R5 Block Subdivision Amended

B. The Petitioner has requested that the City of Grand Junction issue a Revocable Permit to allow for eaves of new homes to overhang and encroach in the White Avenue and North 8th Street rights-of-way adjacent to Lot 2 R5 Block Subdivision Amended, subject to the terms of the permit, within the limits of the following described public rights-of-way, to wit (refer to Exhibit A for graphical representation):

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, lying across the North two feet (2.00 feet) of White Avenue right-of-way adjoining the South property line of Lot 2 of R5 Block Subdivision Amended recorded at Reception No. 2835112 at the Mesa County Clerk and Records Office and the West two feet (2.00 feet) of North 8th Street right-of-way adjoining the East property line of Lot 2 of said R5 Block Subdivision, White Avenue and North 8th Street right-of-way depicted on Plat of Resurvey of Second Division of City of Grand Junction, Plat Book 2, Page 37 recorded at the Mesa County Clerk and Records Office and being more particularly described as follows:

Commencing at the City Block Monument at the road intersection of White Avenue and North 8th Street whence the City Block Monument at the road intersection of White Avenue and North 7th Street bears N89°55'18"W with all bearings being relative thereto; thence N44°55'50"W, a distance of 28.29 feet to the Point Of Beginning and the Southeast corner of said Lot 2; thence S00°03'39"W, a distance of 2.00 feet; thence N89°55'18"W, a distance of 96.00 feet; thence N00°03'39"E, a distance of 2.00 feet to the South Line of said Lot 2; thence S89°55'18"E along the South Line of said Lot 2, a distance of 96.00 feet to the Point of Beginning.

and

Continuing from the Point Of Beginning and the Southeast corner of said Lot 2 S89°55'18"E, a distance of 2.00 feet; thence N00°03'39"E, a distance of 58.08 feet; thence N89°55'18"W, a distance of 2.00 feet to the East Line of said Lot 2; thence S00°03'39"W along the East Line of said Lot 2, a distance of 58.08 feet to the Point of Beginning.

Said description contains an area of 308 SQ FT more or less, as described herein and illustrated on Exhibit "A".

C. Relying on the information supplied by the Petitioner and contained in File No. SUB-2018-578 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this _____ day of _____, 2019.

Attest:

City Clerk

President of the City Council

REVOCABLE PERMIT

Recitals.

A. Downtown Grand Junction Regeneration LLC, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit: LOT 2 of R5 Block Subdivision Amended

B. The Petitioner has requested that the City of Grand Junction issue a Revocable Permit to allow for eaves of new homes to overhang and encroach in the White Avenue and North 8th Street rights-of-way adjacent to Lot 2 R5 Block Subdivision Amended, subject to the terms of the permit, within the limits of the following described public rights-of-way, to wit (refer to Exhibit A for graphical representation):

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Commencing at the City Block Monument at the road intersection of White Avenue and North 8th Street whence the City Block Monument at the road intersection of White Avenue and North 7th Street bears N89°55'18"W with all bearings being relative thereto; thence N44°55'50"W, a distance of 28.29 feet to the Point Of Beginning and the Southeast corner of said Lot 2; thence S00°03'39"W, a distance of 2.00 feet; thence N89°55'18"W, a distance of 96.00 feet; thence N00°03'39"E, a distance of 2.00 feet to the South Line of said Lot 2; thence S89°55'18"E along the South Line of said Lot 2, a distance of 96.00 feet to the Point of Beginning.

and

Continuing from the Point Of Beginning and the Southeast corner of said Lot 2 S89°55'18"E, a distance of 2.00 feet; thence N00°03'39"E, a distance of 58.08 feet; thence N89°55'18"W, a distance of 2.00 feet to the East Line of said Lot 2; thence S00°03'39"W along the East Line of said Lot 2, a distance of 58.08 feet to the Point of Beginning.

Said description contains an area of 308 SQ FT more or less, as described herein and illustrated on Exhibit "A".

C. Relying on the information supplied by the Petitioner and contained in File No. SUB-2018-578 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.
2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any or no reason.
3. The Petitioner, for himself and for his successors and assigns, agree that they shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any improvements and/or facilities to be installed by the Petitioners within the limits of the public right-of-way (including the removal thereof), or any other property of the Petitioners or any other party, as a result of the Petitioners' occupancy, possession or use of said public right-of-way or as a result of any City, County, State or Public Utility activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.
4. The Petitioner agrees that he shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.
5. This Revocable Permit for the overhangs and encroachments in the rights-of-way shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole expense and cost of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to Petitioner's last known address), peaceably surrender said public right-of-way and, at their own expense, remove any encroachment so as to make the described public right-of-way available for use by the City, the County of Mesa, the State of Colorado, the Public Utilities or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the off of the Mesa County Clerk and Recorder.

Dated this _____ day of _____, 2019.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

City Manager

Acceptance by the Petitioner:

Downtown Grand Junction Regeneration LLC

AGREEMENT

Downtown Grand Junction Regeneration LLC, for the itself and its successors and assigns, does hereby agree to:

- (a) Abide by each and every term and condition contained in the foregoing Revocable Permit;
- (b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approved Resolution and Revocable Permit;
- (c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way fully available for use by the City of Grand Junction or the general public; and
- (d) At the sole cost and expense of the petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2019.

Downtown Grand Junction Regeneration LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2019, by Downtown Grand Junction Regeneration LLC.

My Commission expires: _____
Witness my hand and official seal.

Notary Public

REVOCABLE PERMIT

A circular professional seal for Christopher C. Ransom, a Colorado Licensed Professional Land Surveyor. The seal features a rope-like border. Inside the border, the text "COLORADO LICENSED" is at the top and "PROFESSIONAL LAND SURVEYOR" is at the bottom. The name "CHRISTOPHER C. RANSOM" is written in the center. Below the name is the license number "38089". At the bottom of the seal is the date "11/29/18". A handwritten signature "Christopher C. Ransom" is written across the seal.

*Linear units are in U.S. Survey Feet.

CHRISTOPHER C. RANSIER
CO PLS 38089
717 CENTAURI DRIVE
GRAND JUNCTION, CO 81506



Grand Junction City Council

Regular Session

Item #4.b.

Meeting Date: March 20, 2019

Presented By: Doug Shoemaker, Chief of Police

Department: Police

Submitted By: Doug Shoemaker, Chief of Police

Information

SUBJECT:

A Resolution Authorizing the City Manager to Submit a Grant Request to the Department of Local Affairs for the 2019 Gray and Black Market Marijuana Enforcement Program

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to consider an application for the Gray and Black Market Marijuana Enforcement grant.

BACKGROUND OR DETAILED INFORMATION:

This will be the second grant year that the GJPD would like to apply for the Gray and Black Market Marijuana Enforcement grant, which requires assurance of community priority. Applications cannot be submitted unless approved by the city council.

The Colorado Department of Local Affairs has total funding of \$6,000,000 available annually (including program operations.) Although it is unknown at this time how much of the total \$6,000,000 the City would be awarded, the fiscal impact of this grant will allow for personnel/overtime costs, equipment & supplies, travel, medical expenses related to injury or exposure during a marijuana investigation, and the purchase of information or evidence to be reimbursed to the City of Grand Junction.

In the last grant period for the Gray and Black Market Marijuana Enforcement Program,

City of Grand Junction Police Department had \$116,759 awarded to it as a formula calculation based off of the number of applicants and the population of City of Grand Junction. Grand Junction Police Department would estimate another \$120,000 in formula grant award to help with the enforcement of illegal marijuana activities.

FISCAL IMPACT:

This grant is a formula grant, so we cannot apply for any outlined amount. Based off of our 18-19 award of \$116,759 we might anticipate up to \$120,000 for the enforcement by the Drug Task Force.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 21-19, a resolution authorizing the City Manager to submit a grant request to the Department of Local Affairs for the Gray and Black Market Marijuana Enforcement Program.

Attachments

1. GBMJ - CRS 24-32-119
2. Resolution xx-19 Gray and Black Market Grant

COLORADO REVISED STATUTES

*** Current through all laws passed during the 2017 Legislative Session. ***

TITLE 24. GOVERNMENT - STATE
PRINCIPAL DEPARTMENTS
ARTICLE 32. DEPARTMENT OF LOCAL AFFAIRS
PART 1. DIVISION OF LOCAL GOVERNMENT

C.R.S. **24-32-119** (2017)

24-32-119. Gray and black market marijuana enforcement grant program - report - definition

(1) (a) The gray and black market marijuana enforcement grant program is created in the division. The division shall award grants to local law enforcement agencies and district attorneys to cover, in part or in full, investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations conducted in violation of state law.

(b) The division shall:

(I) Solicit and review applications for grants from local law enforcement agencies and district attorneys; and

(II) Select local law enforcement agencies and district attorneys to receive grants to cover costs associated with the investigation and prosecution of unlicensed marijuana cultivation or distribution operations conducted in violation of state law.

(c) Grants awarded by the executive director of the department of local affairs pursuant to this subsection (1) shall be prioritized to:

(I) Provide necessary financial assistance to local law enforcement agencies and district attorneys in rural areas to address unlicensed marijuana cultivation or distribution operations conducted in violation of state law;

(II) Support local law enforcement agencies and district attorneys in investigating and prosecuting large-scale unlicensed marijuana cultivation or distribution operations conducted in violation of state law;

(III) Provide necessary financial assistance to local law enforcement agencies and district attorneys in the investigation and prosecution of organized crime involved in unlicensed marijuana cultivation or distribution operations conducted in violation of state law; or

(IV) Provide necessary financial assistance to local law enforcement agencies and district attorneys in the investigation and prosecution of unlicensed marijuana cultivation or distribution operations that divert marijuana outside of Colorado.

(2) The general assembly may annually appropriate money from the marijuana tax cash fund created in section 39-28.8-501 or the proposition AA refund account created in section 39-28.8-604 (1) to the division to make the grants described in subsection (1) of this section and for the division's reasonable administrative expenses related to the grants. Any unexpended and unencumbered money from an appropriation made pursuant to this subsection (2) remains available for expenditure by the division in the next fiscal year without further appropriation.

(3) The division shall adopt policies and procedures that are necessary for the administration of the grant program, including the application process and the grant award criteria.

(4) (a) On or before November 1, 2019, and on or before November 1 each year thereafter, the division

shall include an update regarding the effectiveness of the grant program in its report to the members of the applicable committees of reference in the senate and house of representatives as required by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", part 2 of article 7 of title 2.

(b) Notwithstanding section 24-1-136 (11)(a)(I), the reports required in subsection (4)(a) of this section continue indefinitely.

(5) As used in this section, "rural area" means:

(a) A county with a population of less than two hundred thousand people, according to the most recently available population statistics of the United States bureau of the census; or

(b) A municipality with a population of less than thirty thousand people, according to the most recently available population statistics of the United States bureau of the census, that is located ten miles or more from a municipality with a population of more than fifty thousand people.

HISTORY: Source: L. 2017: Entire section added, (HB 17-1221), ch. 401, p. 2091, § 3, effective July 1.

Cross references: For the legislative declaration in HB 17-1221, see section 1 of chapter 401, Session Laws of Colorado 2017.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ??-19

**A Resolution Authorizing the City Manager to Submit a Grant Request to the
Department of Local Affairs for the Gray and Black Market Marijuana
Enforcement Program**

RECITALS.

At its March 20, 2019 meeting the City Council considered and for the reasons stated, authorizes an application for a grant to provide financial assistance to the Grand Junction Police Department for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.

This will be the second grant year that the GJPD would like to apply for the Gray and Black Market Marijuana Enforcement grant, which requires assurance of community priority. Applications cannot be submitted unless approved by the city council.

The Colorado Department of Local Affairs has total funding of \$6,000,000 available annually (including program operations.) Although it is unknown at this time how much of the total \$6,000,000 the City would be awarded, the fiscal impact of this grant will allow for personnel/overtime costs, equipment & supplies, travel, medical expenses related to injury or exposure during a marijuana investigation, and the purchase of information or evidence to be reimbursed to the City of Grand Junction.

In the last grant period for the Gray and Black Market Marijuana Enforcement Program, City of Grand Junction Police Department had \$116,759 awarded to it as a formula calculation based off of the number of applicants and the population of City of Grand Junction. Grand Junction Police Department would estimate another \$120,000 in formula grant award to help with the enforcement of illegal marijuana activities.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports and authorized submittal of a grant request to the Department of Local Affairs for an estimate of \$120,000 of costs related to marijuana enforcement, to be reimbursed to the City of Grand Junction, in accordance with and pursuant to the recitals stated above and authorizes the City Manager to enter into a grant agreement with DOLA if the grant is awarded.

PASSED and ADOPTED this 20th day of March, 2019

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #4.c.

Meeting Date: March 20, 2019

Presented By: Doug Shoemaker, Chief of Police

Department: Police

Submitted By: Doug Shoemaker, Chief of Police

Information

SUBJECT:

A Resolution Authorizing the Application of the 2019-2020 Peace Officers Mental Health Grant

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to authorize the application for the 2019-2020 Peace Officers Mental Health Grant

BACKGROUND OR DETAILED INFORMATION:

On April 4, 2017, Governor Hickenlooper signed into law House Bill 17-1215 Concerning Mental Health Support for Peace Officers. As a result, the Department of Local Affairs (DOLA) has created this new grant opportunity for eligible agencies. GJPD would like to be able to offer every authorized peace officer the opportunity to meet with a Mental Health professional annually and to receive trauma counseling when necessary.

The Colorado Department of Local Affairs has total funding of \$1,900,000 available annually (including program operations). The fiscal impact of this grant will allow for mental health support and counseling services to peace officers. GJPD will be requesting \$25,000 in grant funding to cover travel costs and law enforcement counseling services of Nicoletti-Flatter, located in Denver, CO.

FISCAL IMPACT:

We would be applying for \$25,000 to assist with the cost of travel for trauma counseling services, counseling hours, and peer support training.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution 22-19, a resolution authorizing the City Manager to submit a grant request to the Department of Local Affairs for the Peace Officer Mental Health Grant.

Attachments

1. CRS 24-32-3501
2. Resolution xx-19 Mental Health Grant

C.R.S. 24-32-3501

Current through all Laws passed during the 2018 Legislative Session

- [Colorado Revised Statutes](#)
- [TITLE 24. GOVERNMENT - STATE](#)
- [PRINCIPAL DEPARTMENTS](#)
- [ARTICLE 32. DEPARTMENT OF LOCAL AFFAIRS](#)
- [PART 35. PEACE OFFICERS MENTAL HEALTH SUPPORT GRANT PROGRAM](#)

24-32-3501. Peace officers mental health support grant program - created - rules - policies and procedures - fund - repeal

(1) There is created in the department of local affairs, referred to in this section as the "department", the peace officers mental health support grant program to provide grants of money to county sheriffs' offices and municipal police departments for the purpose of helping these agencies engage mental health professionals who can provide:

(a) On-scene response services to support peace officers' handling of persons with mental health disorders; and

(b) Counseling services to peace officers.

(2) Grant recipients may use the money received through the grant program to hire mental health professionals and provide:

(a) On-scene response services to support peace officers' handling of persons with mental health disorders; and

(b) Counseling services to peace officers.

(3) County sheriffs' offices and municipal police departments that apply for grants from the grant program are encouraged to do so, to the extent possible, in collaboration with the community mental health centers in their regions.

(4) The department shall administer the grant program and, subject to available appropriations, shall award grants as provided in this section. Subject to available appropriations, grants shall be paid out of the fund created in subsection (10) of this section.

(5) The executive director of the department, or his or her designee, shall develop such policies and procedures as are required in this section and such additional policies and procedures as may be necessary to implement the grant program. At a minimum, the policies and procedures must specify the time frames for applying for grants, the form of the grant program application, the time frames for distributing grant money, and criteria for the executive director, or his or her designee, to use in awarding and denying grants.

(6) To receive a grant, a sheriff's office or municipal police department must submit an application to the department in accordance with policies and procedures developed by the executive director, or his or her designee.

(7) On and after August 9, 2017, the department shall include a summarized report of the activities of the grant program in the department's annual presentation to the committees of reference pursuant to section 2-7-203. Notwithstanding section 24-1-136 (11)(a)(I), the reporting requirements set forth in this section continue until the grant program is repealed pursuant to subsection (11) of this section.

(8) The department may use up to five percent of the money annually appropriated for the program to pay the direct and indirect costs that the department incurs in administering the grant program.

(9) Notwithstanding any other provision of this section, the department is not required to implement the grant program until sufficient funds are received in the fund created in subsection (10) of this section.

(10) (a) The peace officers mental health support fund, referred to in this section as the "fund", is created in the state treasury. The fund consists of gifts, grants, and donations credited to the fund pursuant to subsection (10)(b) of this section and any other money that the general assembly may appropriate or transfer to the fund. The executive director, or his or her designee, may expend money from the fund for the purposes of this section.

(b) The department may seek, accept, and expend gifts, grants, or donations from private or public sources for the purposes of this section. The department shall transmit all money received through gifts, grants, or donations to the state treasurer, who shall credit the money to the fund.

(c) The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund. At the end of any fiscal year, all unexpended and unencumbered money in the fund remains therein and shall not be credited or transferred to the general fund or any other fund.

(d) The state treasurer shall transfer all unexpended and unencumbered money in the fund on August 31, 2027, to the general fund.

(11) This section is repealed, effective September 1, 2027.

History

Source:

L. 2017: Entire part added, (HB 17-1215), ch. 150, p. 507, § 3, effective August 9.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ??-19

**A Resolution Authorizing the City Manager to Submit a Grant Request to the
Department of Local Affairs for the Peace Officer Mental Health Grant**

RECITALS.

At its March 20, 2019 meeting the City Council considered and for the reasons stated, authorizes an application for a grant to provide financial assistance to the Grand Junction Police Department for the purpose of engaging mental health professionals who can provide counseling services to peace officers.

On April 4, 2017, Governor Hickenlooper signed into law House Bill 17-1215 Concerning Mental Health Support for Peace Officers. As a result, the Department of Local Affairs (DOLA) has created this new grant opportunity for eligible agencies. GJPD would like to be able to offer every authorized peace officer the opportunity to meet with a Mental Health professional annually and to receive trauma counseling when necessary.

The Colorado Department of Local Affairs has total funding of \$1,900,000 available annually (including program operations.) The fiscal impact of this grant will allow for mental health support and counseling services to peace officers. GJPD will be requesting \$25,000 in grant funding to cover travel costs and law enforcement counseling services of Nicoletti-Flatter, located in Denver, CO.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports and authorized submittal of a grant request to the Department of Local Affairs in the amount of \$25,000, to be reimbursed to the City of Grand Junction, in accordance with and pursuant to the recitals stated above and authorizes the City Manager to enter into a grant agreement with DOLA if the grant is awarded.

PASSED and ADOPTED this 20th day of March, 2019

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #4.d.

Meeting Date: March 20, 2019

Presented By: Doug Shoemaker, Chief of Police

Department: Police

Submitted By: Doug Shoemaker, Chief of Police

Information

SUBJECT:

A Resolution Authorizing an Addendum to the 2018 Gray and Black Market Marijuana Enforcement Grant

RECOMMENDATION:

Staff recommends adoption of the resolution.

EXECUTIVE SUMMARY:

The purpose of this item is to authorize an addendum to the previous Gray and Black Market Marijuana Grant.

BACKGROUND OR DETAILED INFORMATION:

An addendum to the October 17, 2018 authorization is being requested as the Gray and Black Market Marijuana Grant changed from a reimbursement grant to a formula grant. Based off of the number of applicants and the population in City of Grand Junction – City of Grand Junction Police Department was awarded \$116,759. This amount is \$69,759 more than the City of Grand Junction Police Department was expecting.

FISCAL IMPACT:

City of Grand Junction Police Department was awarded \$116,759. This amount is \$69,759 more than the City of Grand Junction Police Department was expecting.

SUGGESTED MOTION:

I move to (adopt/deny) Resolution No. 23-19, a resolution authorizing an addendum to

the 2018 - 2019 Grant Request to the Department of Local Affairs for the Gray and Black Market Marijuana Enforcement Program.

Attachments

1. Award Letter
2. Summary of Plan
3. Resolution xx-19 Addendum to 2018-2019 Gray and Black Market Grant



COLORADO

Department of Local Affairs

Division of Local Government

January 4, 2019

The Honorable Barbara Traylor-Smith, Mayor
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RE: **GBMJ #18533 City of Grand Junction Law Enforcement 2018 Gray and Black Marijuana Enforcement Grant Program Award and Next Steps**

Dear Mayor Traylor-Smith:

The Colorado Department of Local Affairs has reviewed your application for the Gray and Black Market Marijuana Enforcement Grant Program. Your application through the DOLA grants portal and DOLA's acceptance of your application serves as your contract with the state. By opting in to this grant program, you are eligible to receive an award in the amount of \$116,759 for expenses related to investigations and prosecutions of unlicensed marijuana cultivation or distribution operations. These funds must be expended by June 30, 2019. As DOLA's Executive Director, I am pleased to inform you that I approve this recommendation for funding.

This award letter and your application serve as your contract. Grantees of these funds do not require any additional contracts.

By submitting your application you have agreed to the following:

- Grant funds will only be spent on costs associated with the investigation and prosecution (including large-scale operations, organized crime, and operations that divert marijuana outside of Colorado) of unlicensed marijuana cultivation or distribution operations conducted in violation of state law. Recipient counties and municipalities who spend any grant funds outside of this statutory intent understand that any such funds must be returned to the Department of Local Affairs and agree to do so within 30 days of identification of improper fund use.
- Recipient counties and municipalities must provide DOLA with quarterly itemized reports on how grant funds were spent in that quarter.
- Recipient counties and municipalities will be randomly selected for detailed monitoring of grant fund expenditures. Supporting documentation for grant fund expenditures must be provided promptly to DOLA, if requested, to conduct necessary monitoring. DOLA or the State reserves the right to initiate detailed monitoring or auditing of any recipient county or municipality at its sole discretion.
- Recipient counties agree to cooperate with and make grant funds available to District Attorneys for costs associated with prosecution of unlicensed marijuana cultivation or distribution operations conducted in violation of state law.
- Program Staff will annually conduct monitoring of a random selection of approximately 30% of all participating grantees. Monitoring may be onsite or by desk review and will include verification of quarterly reports using receipts and other financial documentation as provided by the grantee. The review shall provide assurance that the information self-reported by eligible entities is accurate and complete, and identify unallowable or questionable expenditures for follow-up. When concerns are noted during the review process, documentation to verify the eligible entities' expenditures or accounting practices shall be provided to DOLA. Funds spent outside of the statutory intent must be returned to DOLA within 30 days of identification of improper use.
- Recipient counties and municipalities acknowledge that, if NO grant funds are spent in any given state fiscal year, they will NOT receive grant funds in the following year. Due to appropriation limitations in statute, ANY grant funds not spent by the specific spend-by date(s) above must be returned to the Department of Local Affairs.



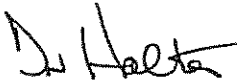
Next Steps:

- You will make a single request for your full award amount ("One-Check" payments). Payment requests will be made using DOLA's online portal system and must be submitted within 90 days after the performance start date of the signed grant award letter including Terms and Conditions.
- Please complete and return the W-9 (required), unless previously submitted on a prior Gray & Black Market Marijuana Enforcement grant, and the EFT form (optional) included in this packet to the addresses indicated on the forms as soon as possible.

These grant funds will come from state marijuana tax proceeds that may cause you to go to an election to receive and spend these funds. Please confer with your appropriate staff to determine if such an election is necessary.

Thank you for your interest in the Gray and Black Market Marijuana Enforcement Grant Program. Please contact Tara Tubb at (303) 864-7756 if you have any questions.

Sincerely,



Irv Halter
Executive Director

cc: Doug Shoemaker, Chief of Police
Katherine Boozell, Financial Analyst
Kimberly Bullen, DOLA
Tara Tubb, DOLA

In accordance with §24-30-202 C.R.S., this Grant is not valid until signed and dated below by the State Controller or an authorized delegate.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD



By: Yingtse Cha, Controller Delegate
Department of Local Affairs

Effective Date: 1/4/19



Talino Forensic Workstation - DTF	15,395.00
Marijuana Grow Take Down Trailer	17,581.67
DTF Tactical Body Armor	31,900.00
Recording Device	3,725.00
Cameras/Concelments	14,806.00
Hardware	2,469.00
Overtime	30,882.33
	<u>116,759.00</u>

MARIJUANA GROW TAKEDOWN TRAILER QUOTE

ITEM	LOCATION	COST	#	TOTAL
Trailer - UXT Tool Crib	Completetrailers.com	\$11,709.00	1	\$11,709.00
Professional 301 Piece Mechanic's Tool Kit SAE and Metric	Amazon	\$210.89	1	\$210.89
DEWALT DCK590L2 20-Volt MAX Li-Ion 3.0 Ah 5-Tool Combo Kit	Amazon	\$429.99	1	\$429.99
DEWALT DCB102BP 20-volt MAX Jobsite Charging Station with Battery Pack	Amazon	\$149.00	1	\$149.00
Igloo BMX 52 Quart Cooler - Carbonite Gray/Carbonite Blue	Amazon	\$99.99	1	\$99.99
Stihl - MS241 C-M 18" bar chain saw	Western Imp.	\$529.95	1	\$529.95
Stihl Rapid Duro3 Carbide chainsaw blade	Western Imp.	\$137.99	2	\$275.98
Curt 45900 Black Adjustable Trailer Mount with 2" and 2-5/16" Hitch Balls	Amazon	\$133.99	1	\$133.99
Walker Razor Slim Passive Range Earmuff - Ultra Low-Profile Earcups - Black	Amazon	\$19.99	10	\$199.90
Fiskars 91466935J 28 Inch Bypass Lopper	Amazon	\$16.40	10	\$164.00
gonicc 8" Professional Sharp Bypass Pruning Shears (GPPS-1002),	Amazon	\$15.95	10	\$159.50
Garmin Oregon 700 Handheld GPS	Amazon	\$339.00	1	\$339.00
Vortex Optics Viper HD 2018 Spotting Scopes	Amazon	\$648.99	1	\$648.99
Vortex Optics Summit Tripod Series	Amazon	\$106.37	1	\$106.37
Garage boss 2 gallon gas can	Home Depot	\$19.99	1	\$19.99
Chainsaw bar oil - 1 gallon	Western Imp.	\$15.99	1	\$15.99
Chainsaw mixing Oil - 2.6 oz bottle	Western Imp.	\$2.59	6	\$15.54
Werner 8' fiberglass ladder	Home Depot	\$89.00	2	\$178.00
Werner 12' fiberglass ladder	Home Depot	\$362.71	1	\$362.71
Angel USA Extra Large Platform 22" x 18" Stainless Steel 400lb Heavy Duty Digital Postal Shipping Scale, Powered by Batteries or AC Adapter, Great for Floor Bench Office Weight Weighing	Amazon	\$169.98	1	\$169.98
Sandusky white plastic 6' folding table	Home Depot	\$74.98	2	\$149.96
Yescom 20" 500mm Impulse Manual Hand Sealer Heat Sealing Machine Poly Tubing Plastic Bag	Amazon	\$63.95	1	\$63.95
Canon EF 100-400mm f/4.5-5.6L IS II USM Lens	Abesofmaine.com	\$1,449.00	1	\$1,449.00
Grand Total		\$17,581.67		

UXT-8.516TA52 Standard Features / Upgrades

HEIGHT	QTY	PRICE	TOTAL
Standard 6ft- 6in	1	\$0 EA	\$0
AXLE - 5200#	QTY	PRICE	TOTAL
5200# Elec Brake Axle - #9	2	\$0 EA	\$0
TIRES - 225/75R15	QTY	PRICE	TOTAL
White Mod -ST225/75R 15 E rated 6 bolt	4	\$0 EA	\$0
HITCH	QTY	PRICE	TOTAL
7-Way Molded Plug	1	\$0 EA	\$0
Breakaway kit w/charger	1	\$0 EA	\$0
Coupler - 2 5/16in	1	\$0 EA	\$0
Foot Pad on Std Jack	1	\$0 EA	\$0
Jack - Std Top Wind	1	\$0 EA	\$0
Safety Chain	2	\$0 EA	\$0
Tongue - 3rd Member	1	\$0 EA	\$0
FRAME	QTY	PRICE	TOTAL
Crossmembers - 16in o.c.	16	\$0 PTL	\$0
I-Beam - 6in I-Beam Frame	16	\$0 EA	\$0
Roof Bows - 16in On Center	16	\$0 PTL	\$0
Wall - 16in On Center Sidewall Posts	16	\$0 PTL	\$0
INTERIOR	QTY	PRICE	TOTAL
Floor - 3/4in Plywood Floor	16	\$0 PTL	\$0
Box off sidewalls to reduce dust	1	\$0 PTL	\$0
Wall - 3/8in plywood Wall Liner	16	\$0 PTL	\$0
12 VOLT ELECTRICAL	QTY	PRICE	TOTAL
12-Volt Wall Switch	1	\$0 EA	\$0
Location: ?			
12v LED Dome Light	2	\$0 EA	\$0
Location: ?			
LED CLEARANCE & TAIL LIGHTS FOR ENTIRE UNIT	1	\$0 EA	\$0
Lights-LED tail light surface mount w/chrome ring	1	\$0 PAIR	\$0
EXTERIOR	QTY	PRICE	TOTAL
UPGRADE: Color: .030 White	1	\$0 EA	\$0
24"H ATP Stoneguard	1	\$0 EA	\$0
Bright Aluminum - Front Corners	1	\$0 PAIR	\$0

QUOTE TOTAL

\$11,709

Base Price	\$6,326
Feature Upgrades	\$658
Options	\$2,197
Surcharge	\$1,378
Subtotal	\$10,559
Custom Options	\$0
Freight	\$1,150

Complete Trailers of Colorado

10,000 Brighton Rd
Henderson , CO 80640
Phone: 888-245-0177
Email: jeremy@completetrailers.com

Customer: Colter Church
Prepared By: Brandon Molzan
Customer Email: colterc@gjcity.org
Customer Phone: (970) 986-5394



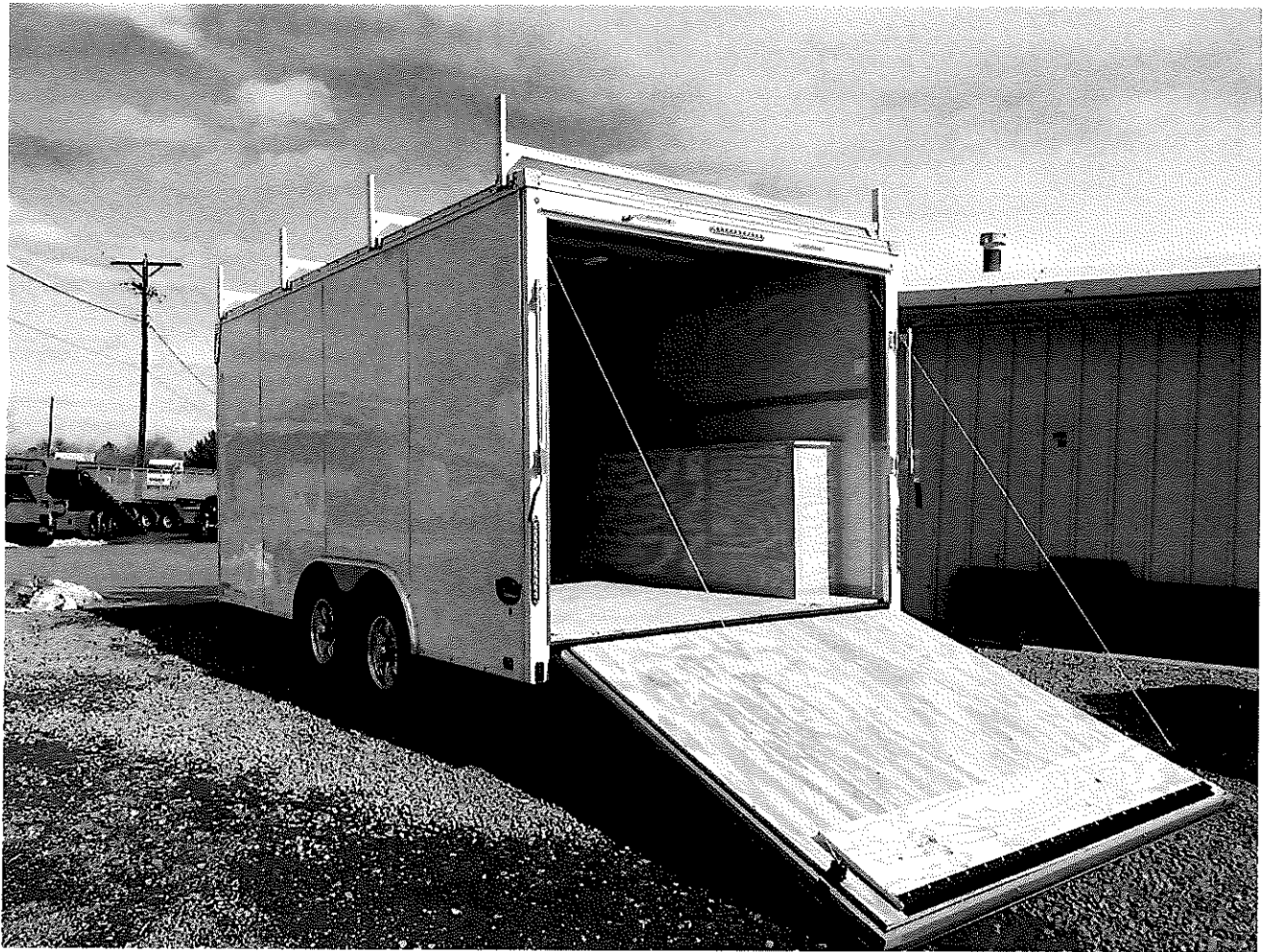
MODEL: UXT-8.516TA52**CUSTOMER QUOTE**

EXTERIOR	QTY	PRICE	TOTAL
UPGRADE: Cast Corners (unpolished) w/ Bright Aluminum Cap <i>Rounded front cap, COLOR: ?</i>	1	\$259 EA	\$259
Flares - 1in Aluminum Tandem	2	\$0 EA	\$0
Exterior - Screwed <i>Note: this trailer has screwed exterior?</i>	16	\$0 PTL	\$0
Roof - Aluminum Seamless	1	\$0 EA	\$0
Roof - Luan down center of roof only <i>Luan down center of roof ONLY 48" wide</i>	16	\$0 PTL	\$0
DOOR	QTY	PRICE	TOTAL
32in Curbside Barlock Door <i>Location: ?</i>	1	\$0 EA	\$0
UPGRADE: Ramp door w/ spring & flap for 8-8.5 wide	1	\$399 EA	\$399

UXT-8.516TA52 Options

DOOR ACCESSORIES	QTY	PRICE	TOTAL
Flush Lock - RV Lock	1	\$45 EA	\$45
PACKAGES	QTY	PRICE	TOTAL
110 Volt Electrical Package - A <i>Package Includes: (2) 4ft or (2) 8ft Fluorescent Lights, (1) 110-Volt Wall Switch, (2) 110-Volt 15 Amp Duplex Receptacles, (1) 30-Amp Electrical Panel w/ 25ft Shoreline & Cable Hatch</i>	1	\$372 EA	\$372
Contractors Package -A -16' and above <i>Package Includes: (4) HD D-Rings, (4) Ladder Racks, 10ft of Recessed E-Track, (2) 12-Volt LED Surface Mounted Loading Lights, (1) 12-Volt Wall Switch for Loading Lights, (1) Exterior Ladder, Ladder Platform on Hitch (Excluding V-Fronts)</i>	1	\$600 EA	\$600
Tool Crib Curb Side Package <i>Package Includes: (1) 400 Series 72" X 21-1/2" C/S TC Door, (2) 400 Series 22" X 35" C/S TC Door, (1) 16" Deep Plywood TC Cabinet, (1) Peg Board, (1) Adjustable Shelf</i>	1	\$1,036 EA	\$1,036
TIE-DOWNS	QTY	PRICE	TOTAL
E-Track - Recessed <i>This E-track is welded in and rated at 2300# / TRIM OUT WITH ATP - Location: ?</i>	16	\$9 FT	\$144







Complete Trailers

United UTX Tool Crib

8.5'x16' enclosed heavy-duty cargo Trailer

www.completetrailers.com/commercialgradetoolaccess/

Specifications

Dimensions

Interior Length: 16'
Exterior Length To Hitch: 19'
Interior Width: 96"
Exterior Width: 101"
Interior Height: 78"
Rear Door Opening Height: 74"
Rear Door Opening Width: "
Empty Weight: 3,440lbs

Interior

3/4" Plywood Floor
3/8" Plywood Interior Walls
16' Recessed Wall E-Track

Tool Compartments

2 - 22" X 35" Access Doors w/ RV Latches
1 - 72" X 21.5" Access Door w/ RV Latches
16" Deep Interior Cabinet w/ Hinged Top
.080 Aluminum Adjustable Shelves
Peg Board

Frame

6" I-Beam Main Frame
16" On Center Floor, Roof and Wall Crossmembers

Axles, Tires and Wheels

2 - 5,200lb Torsion Axles w/ EZ Lube Hubs
Electric Brakes Both Axles
ST225/75R15E Radial Tires
Aluminum Wheels
Aluminum Exterior Fenders

Exterior

.030 Screwless Exterior Aluminum
3" Upper Rub Rail
1" Lower Rub Rail
Polished Front Verticals
Polished Front Radius
Cast Corners
24" Diamond Plate Stone Guard
4 - Exterior Ladder Racks
Tongue Mounted Permanent Ladder
Diamond Plate Hitch Cover

Hitch

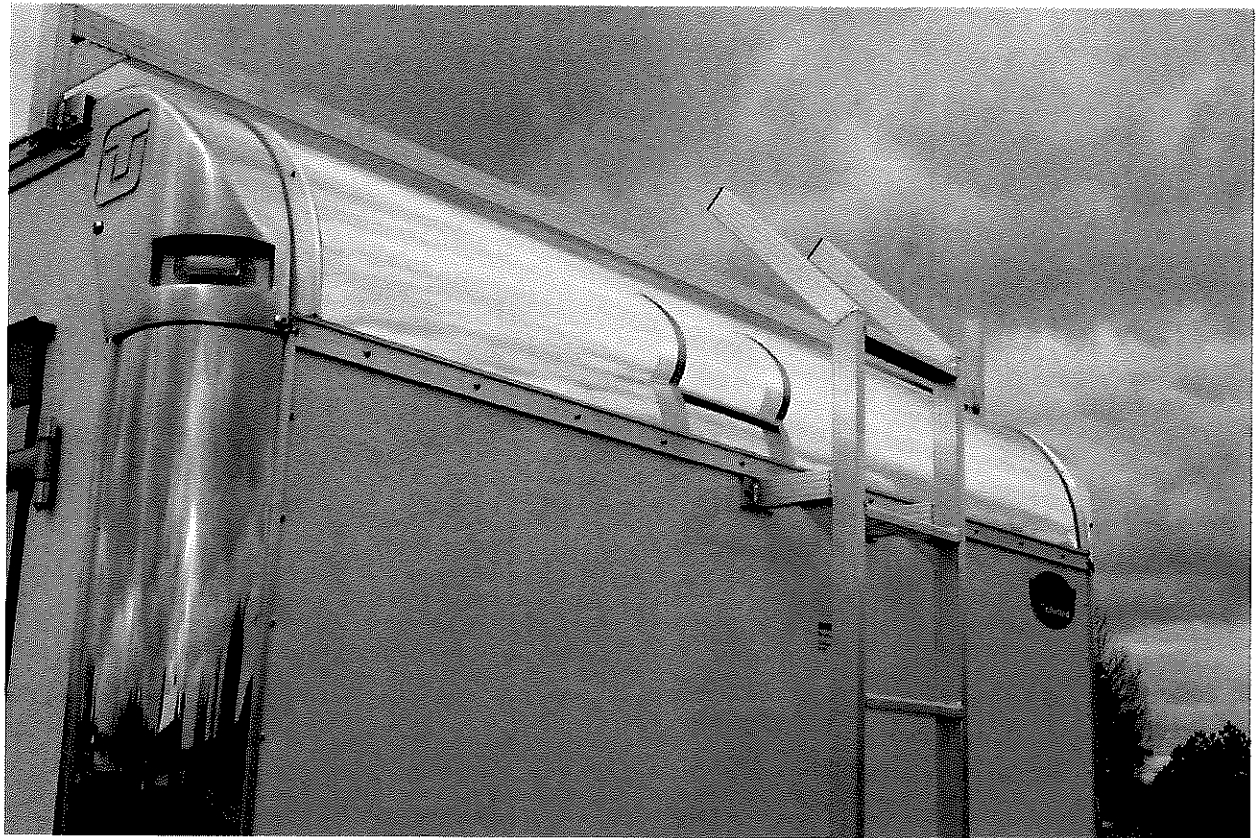
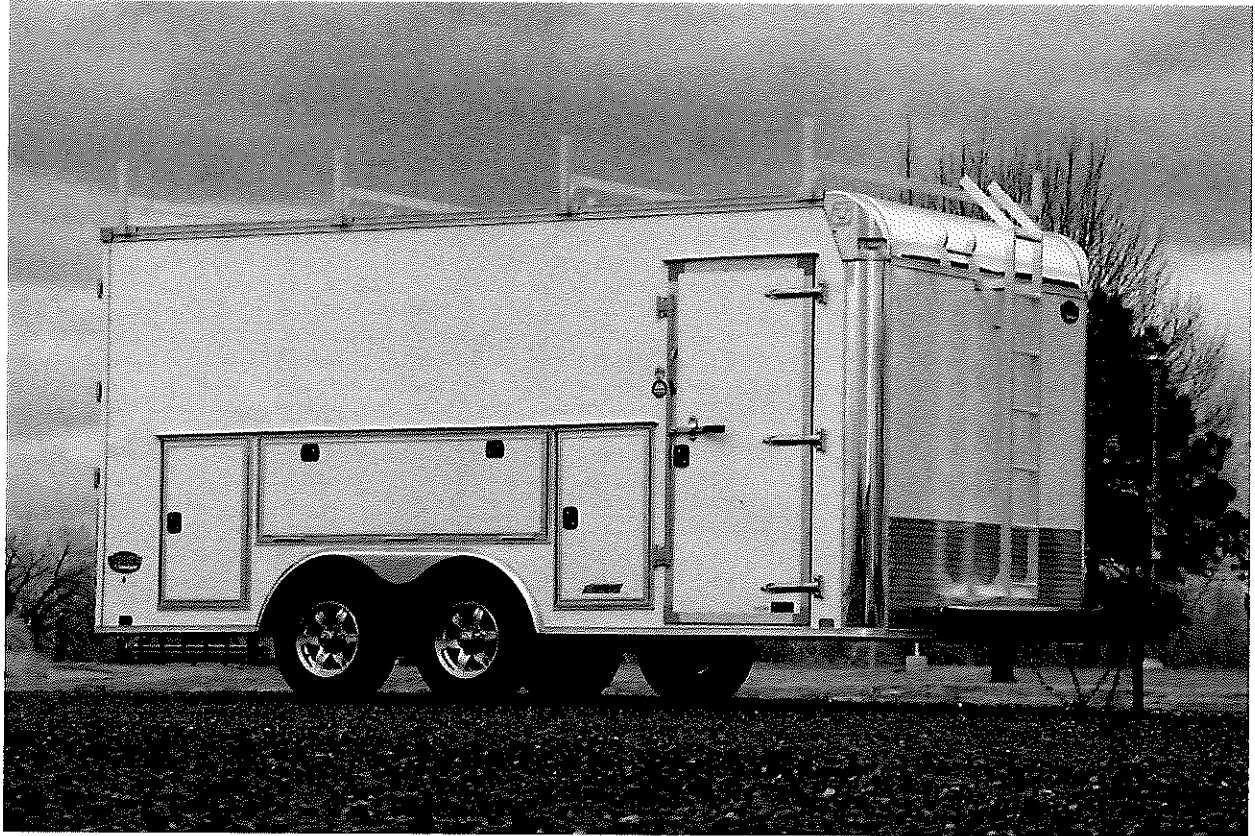
2 - 5/16" Coupler
Safety Chains & Hooks
Breakaway Battery Kit
Top Wind Manual Jack

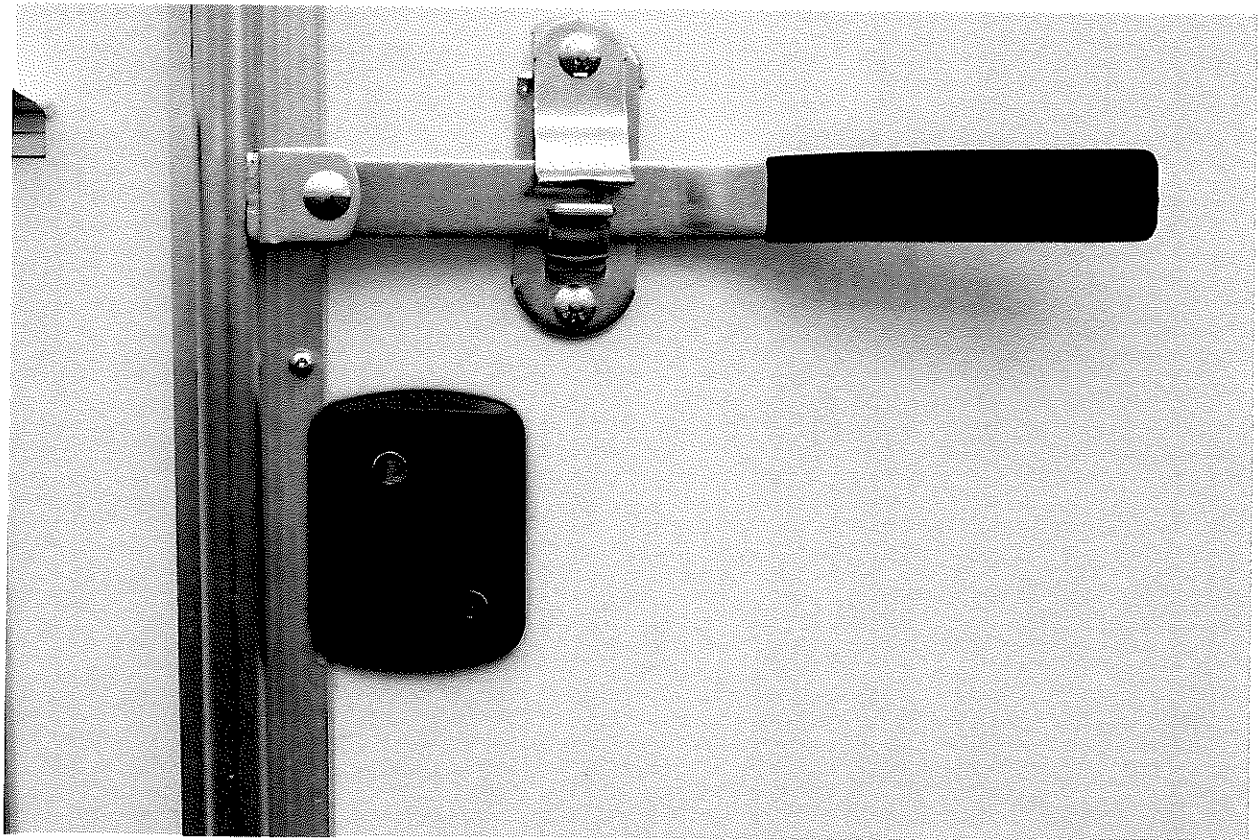
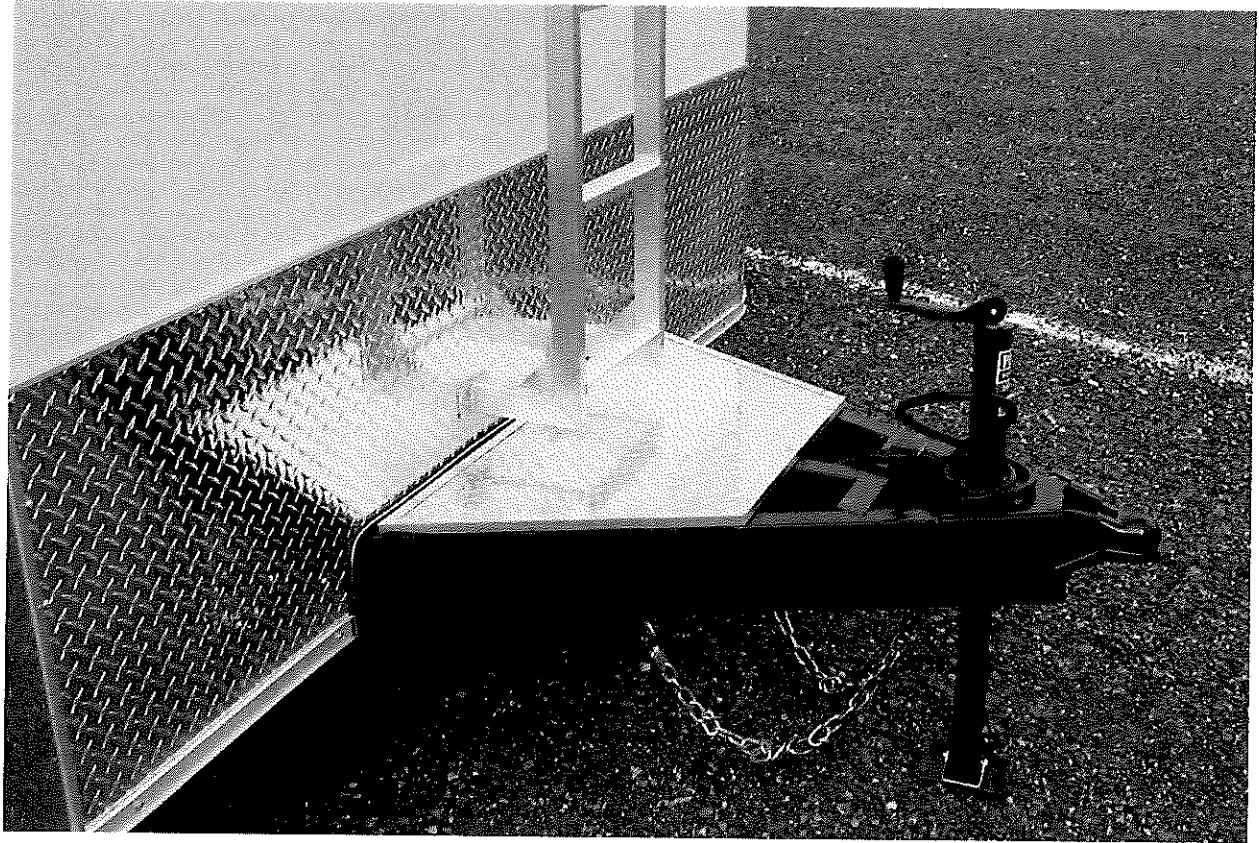
Doors, Vents

32" Camlock Side Door
Double Rear Barn Doors
Non Powered Roof Vent
Zinc Coated Bar Locks

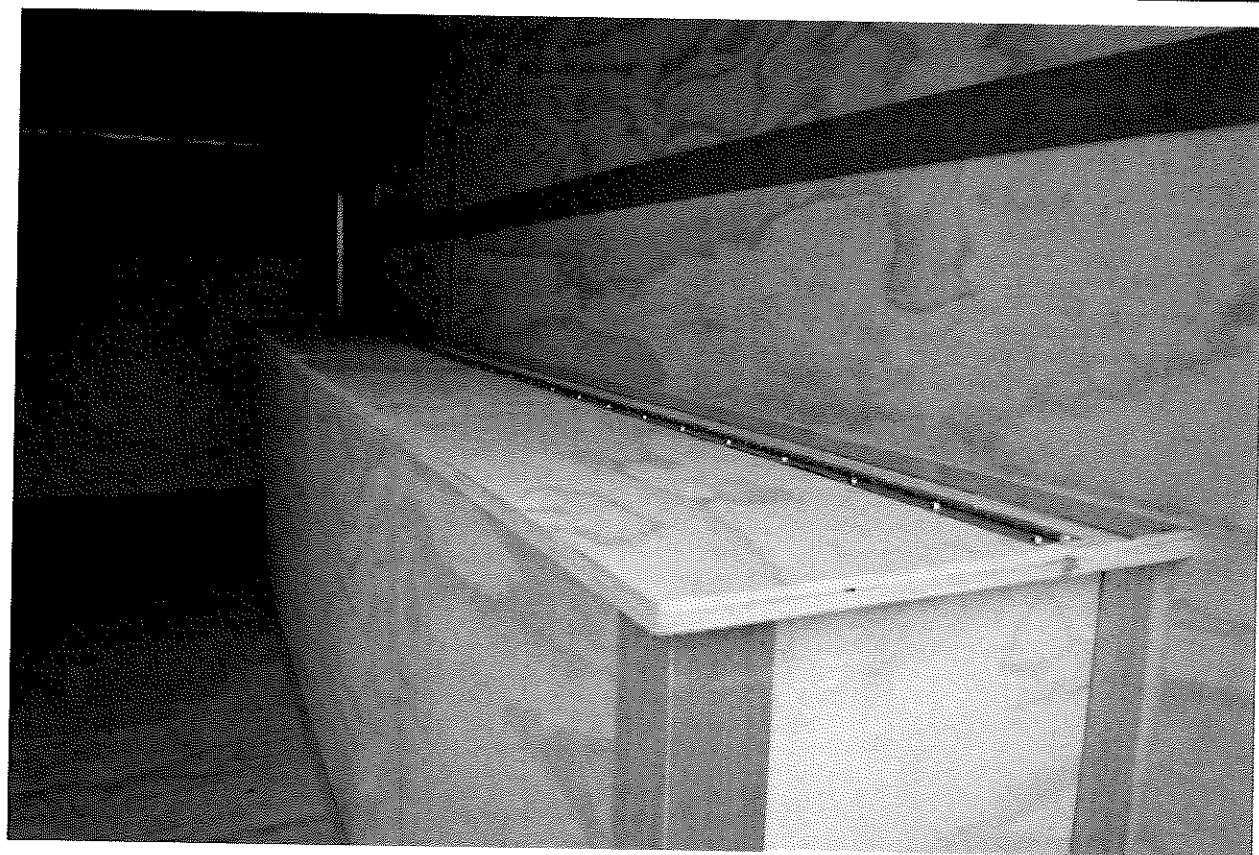
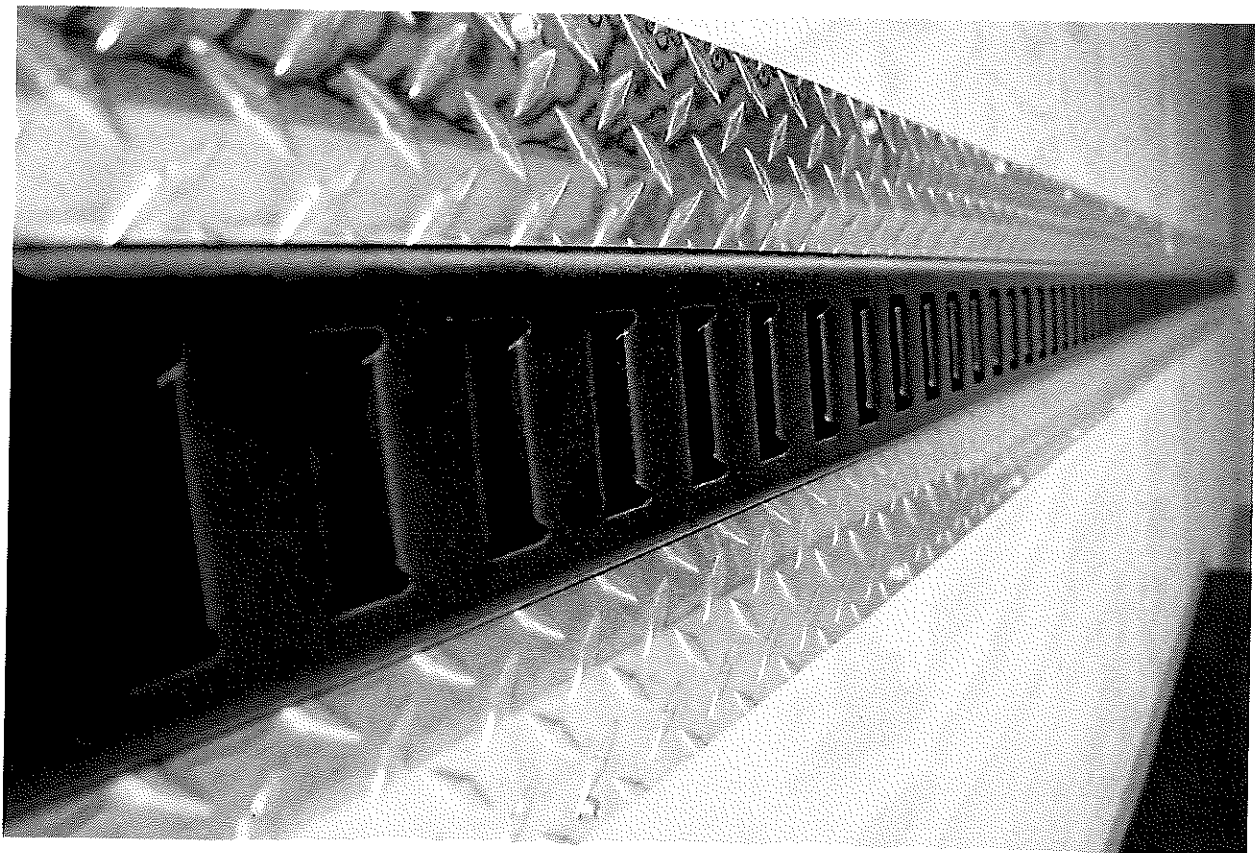
Power

2 - 12V Interior Dome Lights w/ Switch
7 - Way Plug
Recessed LED Brake Lights
LED Clearance Lights
1 - Pair 12V Loading Lights











Western Colorado Drug Task Force

2734 Crossroads Boulevard

Grand Junction, CO 81506

(970) 683-3220 Fax: (970) 683-3250

DTF Tactical Body Armor

Amount Requested:

\$31,900

Prepared by:

Sergeant Jamie Pennay

In 2014, the Western Colorado Drug Task Force purchased ballistic vests for the entire unit for the purpose of uniformity, safety, and a readily available platform with required equipment for the high risk situations we are involved in. All ballistic vests have a five (5) year life and thus, they are due to be replaced this year. The vests are used in a multitude of situations, marijuana investigations included.

The following price break down is for new vest carriers with soft armor ballistic panels, and hard rifle ballistic plates (at this time, these prices are approximate):

Item(s)	Cost Each	Quantity	Item Total
Safariland Fast Attack Vest	\$2100	11	\$23,100
Safariland Hard Plates	\$400	22	\$8,800
Total:			\$31,900



Secondary/Passive Recording Device

NAGRA – CCR2 16GB Kit	\$3725
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Cameras w/ Concealments

SCCI 360 Splice Boot w/ Cradlepoint IBR600C, Cannon VB-M50	\$8855
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SCCI 1066 Concealment w/ Cradlepoint IBR600C, Cannon VB-H45	\$5951
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Hardware

SCCI Patch Antennas – 10 x \$24ea	\$240
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SCCI Swivel Brackets – 4 x \$195ea	\$780
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Replacement Power Modules and Modems	\$1449
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\$21,000

CITY OF GRAND JUNCTION, COLORADO

Resolution. ??-19

**A Resolution Authorizing an addendum to the 2018-2019 Grant Request to the
Department of Local Affairs for the Gray and Black Market Marijuana
Enforcement Program**

RECITALS.

At its March 20, 2019 meeting the City Council considered and for the reasons stated, authorizes an addendum for additional funds awarded for a grant to provide financial assistance to the Grand Junction Police Department for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.

An addendum to the prior authorization granted the 17th day of October 2018 is being requested as the Gray and Black Market Marijuana Grant changed from a reimbursement grant to a formula grant. Based off of the number of applicants and the population in City of Grand Junction – City of Grand Junction Police Department was awarded \$116,759. This amount is \$69,759 more than the City of Grand Junction Police Department was anticipating.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Grand Junction supports and authorizes the addendum of a grant request to the Department of Local Affairs for an additional \$69,759 of costs related to marijuana enforcement, to be reimbursed to the City of Grand Junction, in accordance with and pursuant to the recitals stated above and authorizes the City Manager to enter into a grant agreement with DOLA if the grant is awarded.

PASSED and ADOPTED this 20th day of March, 2019

President of the City Council

ATTEST:

City Clerk



Grand Junction City Council

Regular Session

Item #5.a.

Meeting Date: March 20, 2019

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Tim Barker

Information

SUBJECT:

Chip Spreader Purchase

RECOMMENDATION:

Staff recommends the purchase of a Chip spreader machine with reversing cooling fan, adjustable chip hopper, and shade awning from Faris Machinery in Grand Junction Colorado for \$312,844.00

EXECUTIVE SUMMARY:

The purchase of the Street Chip Spreader for \$312,844.00 will be a scheduled replacement for a unit that has reached the end of its useful life. This unit was budgeted for and approved by the fleet replacement committee.

BACKGROUND OR DETAILED INFORMATION:

The City's street preservation program has been in place for over 30 years. Chip seal is one of the main tools that helps seal the streets against water intrusion and helps prevent deterioration of the asphalt surface from the effects of aging and oxidation due to water and sun. The "chipper" spreads 3/8 inch rock "chips" evenly across a thin layer of oil providing for a skid resistant wearing surface. The two key pieces of equipment for this program are the chipper and the oil distributor.

In 2018 an identical chip spreader was awarded through a competitive bid process. This is a piggy back on the 2018 purchase.

FISCAL IMPACT:

This expenditure of \$312,844.00 is budgeted in the 2019 Fleet replacement fund.

SUGGESTED MOTION:

I move to (approve/deny) the City Purchasing Division to enter into a contract with Faris Machinery for the purchase of one Etnyre Chip Spreader.

Attachments

None



Grand Junction City Council

Regular Session

Item #5.b.

Meeting Date: March 20, 2019

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Tim Barker

Information

SUBJECT:

Purchase Vactor Sewer Jet Truck

RECOMMENDATION:

Staff recommends the purchase of a Vactor Sewer Jet truck from Faris Machinery in the amount of \$233,500.00

EXECUTIVE SUMMARY:

The purchase of the Sewer Jet truck for \$233,500.00 will be a replacement for a unit that has reached the end of its useful life

BACKGROUND OR DETAILED INFORMATION:

This unit was competitively bid through Sourcewell (Formerly NJPA) which is a government purchasing cooperative that the City is a member of. The purchase of this truck will enable the city to maintain a consistent fleet of like equipment, and will be sold and warranted by a Local vendor.

FISCAL IMPACT:

The purchase price of \$233,500.00 for this unit is included in the Fleet 2019 replacement budget and has been approved by the Fleet replacement committee.

SUGGESTED MOTION:

I move to (approve/deny) the City Purchasing Division to enter into a contract with Faris Machinery in Grand Junction Colorado for the purchase of one Vactor Sewer Jet truck.

Attachments

None



Grand Junction City Council

Regular Session

Item #5.c.

Meeting Date: March 20, 2019

Presented By: Jay Valentine, General Services Director

Department: General Services

Submitted By: Tim Barker

Information

SUBJECT:

Purchase Side Load Refuse Truck

RECOMMENDATION:

Staff recommends the purchase of a Labrie Side Load Refuse truck from Westfall O Dell Truck Sales, Fruita Colorado in the amount of \$321,168.64.

EXECUTIVE SUMMARY:

The purchase of the Side Load Refuse truck for \$321,168.64 will be a replacement for a unit that has reached the end of its useful life.

BACKGROUND OR DETAILED INFORMATION:

In 2017 the City requested competitive proposals for the purchase of two (2) Side Load Refuse trucks, and the Labrie was determined to be the best value to the City. The selling Dealer, Westfall O Dell truck center held their 2017 price for two additional trucks in 2018. Fleet Services requested a price hold for the 2019 purchase which was not granted for a third year. This year's price reflects a 4.8% increase which is associated with the inflation rate of steel as well as manufacturing costs.

FISCAL IMPACT:

This unit is included in the Fleet 2019 replacement budget and has been approved by the Fleet replacement committee.

SUGGESTED MOTION:

I move to (approve/deny) the City Purchasing Division to enter into a contract with

Westfall O Dell Truck Center in Fruita Colorado for the purchase of one Labrie Side Load Refuse truck.

Attachments

None



Grand Junction Planning Commission

Regular Session

Item #6.a.i.

Meeting Date: March 20, 2019

Presented By: Kristen Ashbeck, Senior Planner/ CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck, Senior Planner

Information

SUBJECT:

Public Hearing of an Ordinance Amending Ordinance No. 4508 for the Planned Residential Development - North 7th Street to Disallow the Use of Vinyl Fencing on Properties Within the District

RECOMMENDATION:

The Historic Preservation Board recommended approval of the amendment at its December 4, 2018 meeting. The Planning Commission heard this item at its February 12, 2019 meeting and unanimously recommended approval.

EXECUTIVE SUMMARY:

Initiated by the Historic Preservation Board in conjunction with input from property owners within the North Seventh Street Historic Residential District, this request is to amend Planned Development Ordinance 4508 which established the Guidelines and Standards for the North Seventh Street District. The proposed amendment will clarify language in the Guidelines and Standards, expressly disallowing the use of vinyl fencing on properties within the District.

BACKGROUND OR DETAILED INFORMATION:

By adoption of Ordinance 4508 in March 2012, the North Seventh Street Historic Residential District Guidelines and Standards became effective. The Guidelines and Standards dictate that the Historic Preservation Board shall hear and decide applications for alteration/construction on properties within the District.

In mid-2018, the Board heard a proposal from a property owner to replace an existing

6-foot privacy wooden fence with a 6-foot vinyl privacy fence in areas of the yard that are visible from North 7th Street. This proposal brought to light the fencing section of the Guidelines and Standards that is somewhat vague as to the allowance of vinyl fencing within the District. There is no outright prohibition regarding vinyl fencing but a statement in the guidelines (not standards) that vinyl is “not an appropriate fencing material.”

The Guidelines and Standards currently state:

26.20.090 Fencing.

*(a) **Guideline.** Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials. In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

The Historic Preservation Board approved the application for vinyl fencing in a side yard, but discussed the desire to have further clarity in the regulations regarding vinyl fencing as many board members felt that vinyl fencing should not be permitted. In late 2018, the Historic Preservation Board sought input from property owners within the District as to whether vinyl should be strictly disallowed or whether it is an appropriate material acceptable to property owners. The survey letter and the results of the poll are included in the attachments. In summary, 65 percent of the surveys were returned. Of those, 50 percent preferred the option of not allowing the use of vinyl fencing in the District at all, and 23 percent preferred the option of only allowing vinyl fencing in portions of the yard that could not be seen from 7th Street or any of the side streets. The Board interpreted these results as the majority of property owners preferred that vinyl fencing not be allowed within the District. As such, the Historic Preservation Board recommended the following revision to the Guidelines and Standards as follows:

26.20.090 Fencing. – Delete the sentence with strikethrough below

*(a) **Guideline.** Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. ~~Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials.~~ In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

Add the standard listed below:

*(b) **Standard.** Vinyl or plastic fencing is not appropriate on any part of a property*

within the North Seventh Street Historic Residential District and use of such fencing is not allowed.

NOTIFICATION REQUIREMENTS

The property owners within the North Seventh Street Historic Residential District were notified of the proposed change via letters that summarized the results of their input as well as the proposed language. The letter was sent to property owners twice – once in December 2018 and again in January 2019. The second letter included the proposed dates, times and locations of the public hearings for both Planning Commission and City Council.

ANALYSIS

In accordance with Section 21.02.150(e), a proposed amendment to an approved Final Development Plan for a PD zone district shall address the same process and criteria used for outline development plan review and approval as listed below. However, many of these criteria are not relevant to a change such as that proposed for the North Seventh Street Historic Residential District Guidelines and Standards regarding the use of vinyl fencing on properties within the District. The change is generally inconsequential to adopted plans and policies since it is only applicable to the properties within the District. The change will improve the aesthetics of the historic character of the neighborhood.

(i) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies;

The proposed amendment will reinforce Goal 6 of the Comprehensive Plan which states: Land use decisions will encourage preservation of existing buildings and their appropriate reuse. Staff finds this criterion has been met.

(ii) The rezoning criteria provided in GJMC 21.02.140(a) as stated below;

- (1) Subsequent events have invalidated the original premises and findings; and/or*
- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*
- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*
- (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*
- (5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*

The proposed amendment to the PD zone district is not relevant to the rezone criteria with the exception of (3) and (5) above. The existing neighborhood is certainly served

by adequate public and community facilities that will not be impacted by the proposed change. The neighborhood and the community in general will derive benefit from the amendment as it will reinforce and enhance the character of the historic district. Staff finds this criterion has been met.

(iii) The planned development requirements of Chapter 21.05 GJMC listed below;

21.05.020 Default standards.

The use, bulk, development, improvement and other standards for each planned development shall be derived from the underlying zoning, as defined in Chapter 21.03 GJMC.

21.05.030 Establishment of uses.

(a) Uses Allowed. At the time of zoning a parcel to PD, the City Council shall determine the allowed uses. Only uses consistent in type and density with the Comprehensive Plan may be allowed within a PD. The type and density of allowed uses should generally be limited to uses allowed in the default zoning.

(b) Adoption and Modification of Authorized Uses. The City Council, at the time of establishing a PD zone, shall list uses that are authorized by right or by conditional use permit. All uses, whether by right or conditional use permit, shall be subject to all applicable permit and approval processes established in this code.

21.05.040 Development standards.

(a) Generally. Planned development shall minimally comply with the development standards of the default zone and all other applicable code provisions, except when the City Council specifically finds that a standard or standards should not be applied. Planned development shall comply with GJMC 21.02.150.

(b) Residential Density. Dwelling unit densities in planned development shall comply with the maximum and minimum densities of the Comprehensive Plan or default zone.

(c) Nonresidential Intensity. A maximum floor area shall be established at the time of planned development approval. In determining the maximum floor area, the Planning Commission and City Council shall consider:

- (1) The intensity of adjacent development;*
- (2) The demand for and/or mix of residential and nonresidential development in the proposed PD and in the vicinity of the proposed PD;*
- (3) The availability of transportation facilities, including streets, parking, transit facilities and bicycle/pedestrian facilities;*
- (4) The adequacy of utilities and public services.*

(d) Mixed Use Intensity.

(1) In mixed use developments in areas designated for residential development in the Comprehensive Plan, no more than 10 percent of the land area may be dedicated to nonresidential uses.

(2) The maximum residential densities within mixed use developments designated for nonresidential development in the Comprehensive Plan shall not exceed 24 dwelling units per acre. In such developments, residential uses shall not constitute more than 75 percent of total floor area.

(e) Minimum District Size. A minimum of five acres is recommended for a planned development unless the Planning Commission recommends and the City Council finds that a smaller site is appropriate for the development or redevelopment as a PD.

(f) Development Standards. Planned development shall meet the development standards of the default zone or the following, whichever is more restrictive. Exceptions may be allowed only in accordance with this section.

(1) Setback Standards. Principal structure setbacks shall not be less than the minimum setbacks for the default zone unless the applicant can demonstrate that:

(i) Buildings can be safely designed and that the design is compatible with lesser setbacks. Compatibility shall be evaluated under the International Fire Code and any other applicable life, health or safety codes;

(ii) Reduced setbacks are offset by increased screening or primary recreation facilities in private or common open space;

(iii) Reduction of setbacks is required for protection of steep hillsides, wetlands or other environmentally sensitive natural features.

(2) Open Space. All residential planned developments shall comply with the minimum open space standards established in the open space requirements of the default zone.

(3) Fencing/Screening. Fencing shall comply with GJMC 21.04.040(i).

(4) Landscaping. Landscaping shall meet or exceed the requirements of GJMC 21.06.040.

(5) Parking. Off-street parking shall be provided in accordance with GJMC 21.06.050.

(6) Street Development Standards. Streets, alleys and easements shall be designed and constructed in accordance with TEDS (GJMC Title 29) and applicable portions of GJMC 21.06.060.

(g) Deviation from Development Default Standards. The Planning Commission may

recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below.

- (1) Transportation amenities including, but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;*
- (2) Open space, agricultural land reservation or land dedication of 20 percent or greater;*
- (3) Community facilities for provision of public services beyond those required for development within the PD;*
- (4) The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than 20 years; and*
- (5) Other amenities, in excess of minimum standards required by this code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.*

The proposed amendment does not impact the Planned Development (PD) zone district and plan as it was originally established via Ordinance 4508 except for the clarification of the use of vinyl fencing on properties within the district. The existing Guidelines and Standards that form the PD Plan already include some deviations from the underlying zone district of R-8. This revision to the standards is another deviation from what would typically be allowed by the Code but it is intended to be more restrictive in order to clarify the standards and contribute to the preservation of the character of the historic district. Staff finds this criterion has been met.

- (iv) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;*

There are no other corridor or other overlay districts that apply to the North Seventh Street Historic Residential District thus, this criterion does not apply to this proposed change.

- (v) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;*

The proposed amendment is not relevant to this criterion.

- (vi) Adequate circulation and access shall be provided to serve all development pods/areas to be developed;*

The proposed amendment is not relevant to this criterion.

- (vii) Appropriate screening and buffering of adjacent property and uses shall be*

provided;

The proposed amendment is not relevant to this criterion.

(viii) An appropriate range of density for the entire property or for each development pod/area to be developed;

The proposed amendment is not relevant to this criterion.

(ix) An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed; and

The proposed amendment is not relevant to this criterion.

(x) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The proposed amendment is not relevant to this criterion.

STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendment to the Planned Development zone district for the North Seventh Street Historic Residential District is an appropriate revision to clarify the Standards and Guidelines regarding the use of vinyl fencing on properties in the District and thus, meets the criteria of Section 21.02.150(e) of the Zoning and Development Code.

SUGGESTED MOTION:

I move to (adopt/deny) Ordinance 4842, an ordinance amending Ordinance No. 4508 for the Planned Residential Development - North 7th Street consisting of Guidelines and standards by which new construction or alterations within the Zone are determined to disallow the use of vinyl fencing on properties within the District.

Attachments

1. Attachment 1 - Original Poll Letter Sent to Property Owners
2. Attachment 2 - Summary of Poll Results
3. Attachment 3 - Letters Notifying Property Owners of Proposed Change
4. Attachment 4 - Proposed Ordinance to Amend the PD District



September 17, 2018

Dear North Seventh Street Historic District Property Owners:

As you are aware, the Grand Junction Historic Preservation Board reviews and approves Certificate of Appropriateness applications within the North Seventh Street Historic Residential District according to the adopted Guidelines and Standards for the District.

Recent reviews by the Board of fencing proposals have brought to light the fencing section of the Guidelines and Standards that is somewhat vague as to the allowance of vinyl fencing within the District. There is no clear direction as to whether vinyl is allowed or disallowed, just a statement that vinyl is not an appropriate fencing material. The Guidelines and Standards currently state:

26.20.090 Fencing.

*(a) **Guideline.** Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials. In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

The Historic Preservation Board is seeking input from property owners as to whether vinyl should be strictly disallowed or whether it is an appropriate material acceptable to property owners. Please take a moment to review the poll on the back of this letter, provide your input and return this letter in the self-addressed stamped envelope provided by October 12, 2018.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Chris Endreson".

Chris Endreson, Chair

Grand Junction Historic Preservation Board

North Seventh Street Guidelines and Standards Property Owner Poll – Vinyl Fencing

- 1** – Do nothing, leave the Guidelines and Standards as is – vinyl may be allowed as elsewhere in residential areas in the city.
- 2** – Vinyl is not an appropriate fencing material - revise the Guidelines and Standards so that vinyl fencing is expressly disallowed within the North Seventh Street Historic Residential District.
- 3** – Revise the Guidelines and Standards to allow vinyl fencing but it should be neutral in color.
- 4** – Revise the Guidelines and Standards to allow vinyl fencing in a neutral color and the top 1 foot shall be partially open (e.g. lattice).
- 5** – Revise the Guidelines and Standards to allow vinyl fencing in a neutral color only in areas of a yard that are not visible from the 7th Street right-of-way or from the side street rights-of-way within the District.

NAME(S) OF PROPERTY OWNER (S) _____

FIRST CHOICE OF OPTIONS ABOVE (circle one): 1 2 3 4 5

North Seventh Street Guidelines and Standards Property Owner Poll – Vinyl Fencing

22 of 35 letters returned
% based on 22 returned

- 1** – Do nothing, leave the Guidelines and Standards as is – vinyl may be allowed as elsewhere in residential areas in the city. **3 votes – 14%**
- 2** – Vinyl is not an appropriate fencing material - revise the Guidelines and Standards so that vinyl fencing is expressly disallowed within the North Seventh Street Historic Residential District. **11 votes – 50%**
- 3** – Revise the Guidelines and Standards to allow vinyl fencing but it should be neutral in color. **2 votes – 9%**
- 4** – Revise the Guidelines and Standards to allow vinyl fencing in a neutral color and the top 1 foot shall be partially open (e.g. lattice). **1 vote – 4%**
- 5** – Revise the Guidelines and Standards to allow vinyl fencing in a neutral color only in areas of a yard that are not visible from the 7th Street right-of-way or from the side street rights-of-way within the District. **5 votes – 23%**

NAME(S) OF PROPERTY OWNER (S) _____

FIRST CHOICE OF OPTIONS ABOVE (circle one): 1 2 3 4 5

December 12, 2018

FIRST NOTICE

Dear North Seventh Street Historic District Property Owners:

The Historic Preservation Board appreciates the timely and informative feedback received on its last correspondence to you regarding the use of vinyl fencing within the North Seventh Street Historic Residential District. A good majority of you (65%) responded to the survey. Of the responses received, 50% favored revising the Guidelines and Standards such that vinyl fencing would be expressly disallowed in the District. Another 23% of respondents favored use of vinyl fencing only in areas of the yard that cannot be viewed from adjacent streets. The Board felt that, since the yard area not seen from the street is a very limited area on most properties in the District, this response effectively suggests not allowing use of vinyl in the District.

Therefore, unless there is further opposition, the Board will recommend to the City Planning Commission and City Council an amendment to Section 26.20.090 of the Guidelines and Standards that will expressly disallow the use of vinyl fencing in the District. The proposed language will be as stated below.

26.20.090 Fencing. – *Delete the sentence with strikethrough below*

*(a) **Guideline.** Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. ~~Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials.~~ In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

Add the standard listed below

*(b) **Standard.** Vinyl or plastic fencing is not appropriate on any part of a property within the North Seventh Street Historic Residential District and use of such fencing is not allowed.*

Please contact City staff to the Historic Preservation Board, Kristen Ashbeck at 970-244-1491 or kristena@gjcity.org if you have questions or concerns with this proposal. Otherwise, the Board intends to move forward on this revision to the Guidelines and Standards in the near future. As property owners within the North Seventh Street

Historic Residential District, you will be notified of the public hearings on the item and are welcome to attend those meetings.



Thank you again for your responses thus far and time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Chris Endreson".

Chris Endreson, Chair
Grand Junction Historic Preservation Board



January 11, 2019

FINAL NOTICE

Dear North Seventh Street Historic District Property Owners:

In the event the December first mailing of this letter was not received during the holidays, the Historic Preservation Board is providing this information to you again. The Board appreciates the timely and informative feedback received on its last correspondence to you regarding the use of vinyl fencing within the North Seventh Street Historic Residential District. A good majority of you (65%) responded to the survey. Of the responses received, 50% favored revising the Guidelines and Standards such that vinyl fencing would be expressly disallowed in the District. Another 23% of respondents favored use of vinyl fencing only in areas of the yard that cannot be viewed from adjacent streets. The Board felt that, since the yard area not seen from the street is a very limited area on most properties in the District, this response effectively suggests not allowing use of vinyl in the District.

Therefore, unless there is further opposition, the Board will recommend to the City Planning Commission and City Council an amendment to Section 26.20.090 of the Guidelines and Standards that will expressly disallow the use of vinyl fencing in the District. The proposed language will be as stated below.

26.20.090 Fencing. – *Delete the sentence with strikethrough below*

*(a) **Guideline.** Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. ~~Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials.~~ In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

Add the standard listed below

*(b) **Standard.** Vinyl or plastic fencing is not appropriate on any part of a property within the North Seventh Street Historic Residential District and use of such fencing is not allowed.*

Please contact City staff to the Historic Preservation Board, Kristen Ashbeck at 970-244-1491 or kristena@gjcity.org if you have questions or concerns with this proposal. Otherwise, the Board intends to move forward on this revision to the Guidelines and Standards at the following upcoming meetings:

City Planning Commission – February 12, 2019
City Council Public Hearing – March 6, 2019

Thank you again for your responses and time and attention to this matter.

Sincerely,

Grand Junction Historic Preservation Board

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE No. 4508 FOR THE PLANNED RESIDENTIAL DEVELOPMENT – NORTH 7TH STREET CONSISTING OF GUIDELINES AND STANDARDS BY WHICH NEW CONSTRUCTION OR ALTERATIONS WITHIN THE ZONE ARE DETERMINED TO DISALLOW THE USE OF VINYL FENCING ON PROPERTIES WITHIN THE DISTRICT

Recitals:

In March 2012, the City Council of the City of Grand Junction found that it was in the interest of the public to adopt the *North Seventh Street Historic Residential District Guidelines and Standards* as the new Plan for the *Planned Residential Development-North 7th Street* zone district.

Furthermore, the City Council has determined that the Plan achieves long-term community benefits by establishing a process and guidelines and standards for review of development in a unique, nationally recognized historic neighborhood in the City.

The bulk, development, improvement, architectural and design standards are derived from the *North Seventh Street Historic Residential District Guidelines and Standards*. The City Council finds that the proposed amendment regarding the use of vinyl fencing on properties within the District clarifies this concern and will contribute to maintaining the overall historic character of the North Seventh Street Historic Residential District.

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 amendment to the North Seventh Street Historic Residential District Guidelines and Standards.

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

The North Seventh Street Historic Residential Guidelines and Standards are amended as follows (additions underlined, deletions struck through):

26.20.090 Fencing.

(a) **Guideline.** *Fencing materials and styles should complement the character of the District. Fence styles, particularly in front yards, should be similar to those from the restoration era of the buildings on site. ~~Modern or artificial materials, such as plastic and vinyl, are not appropriate fencing materials.~~ In addition to the regulations for fences applicable to the R-8 zone, fences in the District shall adhere to the requirements of this section.*

(b) **Standard.** Vinyl or plastic fencing is not appropriate on any part of a property within the North Seventh Street Historic Residential District and use of such fencing is not allowed.

Introduced on first reading this 20th day of February 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