

**FRUITA CITY COUNCIL  
WORKSHOP  
JULY 23, 2024  
6:30 P.M.**

**CALL TO ORDER AND ROLL CALL**

The workshop of the Fruita City Council was called to order at 6:30 p.m. by Mayor Matthew Breman. City Council members present were Jeannine Purser, James Williams, Amy Miller, Andrea Stolarczyk and Aaron Hancey. Councilor Rich Parrish was excused absent.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Communications & Engagement Specialist Ciara DePinto, Deputy City Clerk Deb Woods, Finance Director Joe Zaher, Parks and Recreation Director Marc Mancuso, Planning and Development Director Dan Caris and City Planner Henry Hemphill and a few members of the Fruita Arts and Culture Board.

Also in attendance were Josh Blanchard, Director of Colorado Creative Industries (CCI) and Brandon Stam, Executive Director and Dave Goe, Community Engagement Manager with Downtown Grand Junction.

**AGENDA ITEMS**

**1. COLORADO CREATIVE DISTRICTS OVERVIEW AND DISCUSSION (6:30 – 7:30 PM)**

Josh Blanchard with Colorado Creative Industries, a Division of the Colorado Office of Economic Development & International Trade (OEDIT), provided a high-level overview of his organization and its Creative District Program. Colorado Creative Industries is Colorado's designated state arts agency that supports creative industries and culture.

The Creative District Program certifies communities that contribute to the state's economy through creativity, culture and the arts. It incentivizes communities to support a creative economy through infrastructure, capital (including city planning), representation in community identity and public processes and presence in civic spaces. Josh noted that the City's Thursday Night Concerts are a good example of a creative environment and experience that adds to Fruita's culture.

Josh listed some benefits of the Creative District Program which include:

- Grants and awards (that only Creative Districts can apply for)
- Technical and Professional Assistance Fund
- Marketing strategy support
- Highway signage
- Access to state-wide data
- Facilitate resources
- Collaboration and professional networks/leverage partnerships
- Invitation to CCI Summit pre-convening (hosted by the City of Grand Junction in 2025)

Some requirements of the Creative District Program include:

- Must complete one of two prerequisite programs: Rural Technical Assistance Program (RTAP) Creativity Lab or Call Yourself Creative Program
- Be a contiguous area with a mix of uses that is easy to walk and navigate
- Have one paid district staff (can be a dedicated percentage of time)
- Have broad community support and buy-in
- Have an advisory or governing board
- Have a Strategic Plan (preferably covers three to five years)
- Have a minimum \$10,000 cash operating budget and sustainable funding source(s)

Mr. Blanchard stated that 2024 legislation resulted in an increase of \$1.2 million to the CCI Program Budget. There are currently 30 Certified Creative Districts in Colorado and during the current grant cycle, the CCI is looking to certify 5 to 7 more Creative Districts.

Brandon Stam with Downtown Grand Junction noted that Grand Junction was certified as a Creative District in 2018 when the City already had budget and staffing for arts programs. He said that the process to certification is a year-long one and the City of Grand Junction had to map their assets and develop a Strategic Plan for the arts. The certification has been a tool for them to connect the riverfront with downtown Grand Junction and has helped showcase and highlight valley artists.

The advice given to Fruita was that it would need to figure out what the City wants to do including having projects identified, which requires a lot of community involvement. Brandon noted that it was the City of Grand Junction who instigated getting certified as a Creative District, but it sparked artists and businesses to get involved and even take over in some instances.

Brandon invited the City of Fruita to come to the CCI Conference next spring, noting that they are very fun conferences to attend.

Dave Goe, Community Engagement Manager with Downtown Grand Junction, displayed slides of recent art projects they've done. Art on the Corner was the Flagship program in Grand Junction and since then, the following events and programs have been implemented:

- Downtown arts festivals (7,000 people attended the Arts Expo last year)
- Mural program
- Downtown galleries
- Friday Art Walk
- Union Depot painting party (in window stalls)
- Art installations at Country Jam
- Las Colonias art piece: stained glass at west entrance of venue always changing colors has solar lights in it
- Urban Fibers – semi-permanent clothing on art installations
- Painting downtown architecture
- Classes, workshops
- Old bus station – set for zombie movie

Once a jurisdiction is awarded certification, it receives \$10,000. Mayor Breman asked what other financial assistance may be available and Mr. Stam explained that there are grants, but they are not large enough to fully fund a Creative District. He added that the Creative District Program is supposed to be the catalyst, but it requires partnerships with businesses, artists and community members to

succeed and grow. Mr. Blanchard explained that the Creative District Program is like a vision or a Master Plan and not a funding mechanism. He pointed out that messaging will be crucial in managing the public's expectations and advised that the Program actually moves slower than most people think.

There was also some discussion about a potential vision of Palisade, Fruita and Grand Junction partnering to create a combined Creative District for the entire valley. Parks and Recreation Director Marc Mancuso stated that he is in touch with Palisade's Parks and Recreation Director, so he could reach out to him if and when that time comes.

## **2. LAND USE CODE AMENDMENTS COMMUNICATION AND DISCUSSION (7:30 – 8:30 PM)**

City Manager Mike Bennett pointed out that the Land Use Code amendments have come up in previous Council conversations, especially during the City Market Appeal and during the 2024 Municipal Election concerning the timing of removing election signs because the Supreme Court decided that the content of signs cannot be regulated.

The Code amendments proposed include Conditional Uses in the DMU Zone, Call-Up Provisions, Appeals, and the Sign Code. City Engineer Henry Hemphill provided an overview of each of the amendments to the Land Use Code as follows:

### **Conditional Use Permits:**

The proposed amendment shows a change from Fuel Sales as an Allowed land use to a Conditionally Allowed Use in the DMU zone. This means that if a Fuel Sales business is proposed in the DMU zone, a Conditional Use Permit would be required. This amendment is proposed for Section 17.05.090.

### **Call-Up Provisions:**

This code language needs to be relocated from Section 17.21.030(2) to Section 17.07.040 (G). The reason for relocating the language from the Subdivisions Chapter to the Standard Review Procedures Chapter is because the language now includes Site Design Review as a project subject to Call Up. These Call-Up provisions will allow the Community Development Director to decide whether a project or application should be called up. The Call-Up provisions would likely not be used for every single project.

### **Appeals:**

The proposed changes will ensure that if an application for appeal of a decision that the application is not reheard, but otherwise, is appealed based on whether or not a decision or determination shall not be reversed or modified unless there is a finding that there was a denial of due process or the administrative body has acted arbitrarily and capriciously, exceeded its jurisdiction or abused its discretion.

### **Sign Code:**

The proposed amendments to the Sign Code are directly related to supreme court rulings regarding compliance with the First Amendment to the United States Constitution regarding municipal regulation of signs across the nation. With this ruling, municipalities are not allowed to regulate signage based on what the sign says. However, municipalities still can regulate signage location, size, height, brightness, and quantity. The proposed changes are to Section 17.15.040 Exempt Signs section of the Land Use Code. The Exempt Sign regulations explain the types of signage which do not require a Sign Permit.

Mr. Hemphill stated that staff was looking for the Council's comfort level in moving forward with the Ordinance process to amend the Land Use Code. The Council was in consensus to move forward after agreeing upon a few changes to the proposed amendments.

Community and Development Director Dan Caris provided the purpose of Call Ups, which is to be implemented when an administrative decision cannot be made on a development application and the Community Development Director would like the City Council to review, discuss and ultimately take action on it.

The Council had no objections to all of the amendments being put into one Ordinance.

### **OTHER ITEMS (8:30 PM)**

- City Manager Mike Bennett reminded everyone about Fire Chief Cavaliere's Retirement Party to be held the following day from 1:00 to 3:00 p.m.
- Mike also noted that there is an issue with one of the parking spaces being too close to the back of the new downtown restrooms where people are hitting their car door on it when trying to get out of their cars and/or when the wind catches the car door. There was discussion about potentially turning it into a motorcycle space and staff was urged to talk to both Kim's Auto Parts and Domino's about it before doing anything.
- Councilor Miller asked if the Civic Center's AED (defibrillators) have disposable razors in them and Mike said he thought they did, but he would look into it to make sure and let the Council know.
- Jeannine realized she forgot to talk about something during the CML Reports. She said she and Cullen saw a Silo elevator outside of Longmont that has been creatively fashioned into a living space and art studio that they just loved. She added that she and Mike toured the new Grand Junction High School, which is three stories tall, has three gymnasiums and a large theatre area. They will have 1,600 students initially, but as of now, there are 1,800 students registered for school.
- James announced that he's finally played a game of pickleball. He asked staff if they could find out whether the School District can leave the water fountains on and asked Mike to find out if the District is performing any maintenance on the Middle School.
- Matthew handed out copies of the newly published Business Incubator's Bi-Annual Report and encouraged everyone to read it.
- Amy asked Mike how the 19 Road Open House went and Aaron, who was also in attendance, said it got intense but Mike handled it well. Mike said there is a person who is not happy that J.6 Road between Rim Rock Elementary and 19 Road is in the County's Fruita 201-10 classification and the City's Urban Growth Boundary, which has been the case since the 2008 Comprehensive Plan, Future Land Use Map and the 2020 Comprehensive Plan and Future Land Use Map, and that the road shows it could be widened in both the 2008 and 2022 Circulation Plans. Mike explained that while the City is not pursuing any projects on J.6 Road currently, the City is not able to pre-determine what may or may not occur in the Urban Growth

Boundary. The future land use is shown on the City's Future Land Use Map as Community Residential, but this occurs if a property owner decides to change from their current County zoning and go through the process to voluntarily annex into the City of Fruita, including a subsequent application to zone the property. Property owners can choose to not take such steps and remain in the county only. Also, situations like the recent example of the County approving a solar farm within the City's Urban Growth Boundary would not have been anticipated by the City. This person has submitted multiple Open Records Requests for which staff has spent over 30 hours compiling.

- It was mentioned that the Council needs new photos now that the new members have been seated. Staff will be scheduling a photo shoot before the fall.
- Aaron and Matthew met with Ms. Tessa Binam after the last Council meeting to discuss her concerns. They told her that her comments were taken very seriously and were appreciated, but also discussed "finding a balance." They also suggested that she consider joining one of the City's Boards and Commissions.

#### **4. ADJOURN**

With no further business before the Council, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Deb Woods  
Deputy City Clerk