

GRAND JUNCTION PLANNING COMMISSION
November 8, 2022, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:32 p.m. by Commissioner Andrew Teske.

Those present were Planning Commissioners; Melanie Duyvejonck, Ken Scissors, Shanon Secrest, JB Phillips, Sandra Weckerly, and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Felix Landry (Planning Supervisor), Scott Peterson (Senior Planner), Jacob Kaplan (Planning Technician), and Kalli Savvas (Associate Planner).

There were 11 members of the public in attendance, and 6 virtually.

ANNOUNCEMENTS

The consideration to amend the Zoning and Development code for Landscape standards was requested to be moved to the December 13, 2022 hearing by City Staff.

CONSENT AGENDA

1. **Approval of Minutes**

Minutes of Previous Meeting(s) from September 27, 2022.

REGULAR AGENDA

1. **Hedrick-Ortiz Holdings LLC Rezone** **RZN-2022-639**

Consider a request by Hedrick-Ortiz Holdings LLC to rezone 10.96-acres from PD (Planned Development) to R-4 (Residential – 4 du/ac) located at 172 & 174 Sunlight Drive.

Staff Presentation

Scott Peterson, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Presentation

Applicant Kim Kerk was present and available for questions.

Questions for staff

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, November 1, 2022, via www.GJSpeaks.org.

The public hearing was closed at 5:48 p.m. on November 8, 2022.

Discussion

Commissioner Ehlers inquired about the topography of the site and how they would impact future development. He wondered if ridgeline protections would be necessary.

Commissioner Teske asked about minimum density for the lot.

Commissioner Scissors noted that he found no issue with the rezone.

Motion and Vote

Commissioner Scissors made the following motion "Mr. Chairman, on the Rezone request for the Hedrick-Ortiz Holdings Rezone from PD (Planned Development) to R-4 (Residential - 4 du/ac) for the properties located at 172 & 174 Sunlight Drive, City file number RZN-2022-639, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Ehlers seconded; motion passed 7-0.

2. Zoning and Development Code Amendment-Landscaping Standards ZCA-2022-170

Consider an amendment to the Zoning and Development Code Section 21.06.040 Landscape, Buffering, and Screening Standards; Section 21.10.020 Terms Defined; Section 21.03.030 Measurements; Section 21.03.080 Mixed Use and Industrial Bulk Standards Summary Table; and Section 21.04.030 Use-Specific Standards of the Grand Junction Municipal Code.

Discussion

City staff requested to postpone consideration of this amendment until the December 13, 2022 hearing.

3. Zoning and Development Code Amendment-Accessory Dwelling Units ZCA-2022-757

Consider an amendment to the Zoning and Development Code Section 21.04.040 Accessory Uses and Structures, specifically item (f) Accessory Dwelling Units, of the Grand Junction Municipal Code.

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Commissioner Ehlers asked how strict the requirements will be for an ADU to match the aesthetic of the primary structure. He also commented on adjustments to the definition of two-family dwellings and their design requirements.

Commissioner Secrest asked about the impact ADUs would have on on-street parking. He also asked about utility restrictions for ADUs.

Commissioner Teske inquired about considerations for Short Term Rentals.

Staff responded to the Commissioner's comments and questions.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, November 1, 2022, via www.GJSpeaks.org.

Kevin Cole echoed the issues with on-street parking. He also expressed concerns about the impact allowing 2 ADUs on a lot would have for neighborhood character. Additionally, he noted that there is currently no signage in alleyways for intersections with sidewalks and the potential increase in accidents this could cause.

The public hearing was closed at 6:17 p.m. on November 8, 2022.

Discussion

Staff addressed the public comments.

Commissioner Secrest asked how the City could enforce or regulate on-street parking for ADUs. He expressed concerns that on-street parking could have a negative impact on aesthetics and safety.

Commissioner Scissors asked if applicants would be required to complete an analysis of available on-street parking as part of their ADU application.

Commissioner Ehlers noted that due to the size restrictions of ADUs, they likely wouldn't require more than one additional parking space. He also noted that the potential negative impact on parking could be outweighed by the increase in available housing and the reduced cost of being able to use existing infrastructure for ADUs.

Commissioner Teske wondered where in the code it stated restrictions for on-street parking for ADUs.

Staff responded to Commissioner questions and comments.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the request to amend the Zoning and Development Code Section 21.04.040 Accessory Uses and Structures, specifically item (f) Accessory Dwelling Units, of the Grand Junction Municipal Code, file number ZCA-2022-757, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report."

Commissioner Weckerly seconded; motion passed 7-0.

4. Zoning and Development Code Amendment-Short Term Rentals ZCA-2022-756

Consider an amendment to the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and section 21.10.020 Terms Defined in the Grand Junction Municipal Code.

Staff Presentation

Felix Landry, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Commissioner Scissors asked if an STR permit would transfer ownership if the property was sold. He also inquired about the impact of this amendment on long term rentals and secondary STR permits.

Commissioner Weckerly requested clarification for scenario three on the presentation. She also asked how verification of ownership was being handled.

Commissioner Secret expressed concerns that STRs were being targeted as the reason for a lack of affordable housing. He worried that limiting STR permits could punish potential homebuyers if permit ownership did not transfer.

Commissioner Phillips noted that STRs are often used by people to subsidize their own property and they are not exclusively money-making ventures. He mentioned that he preferred having a larger buffer for primary STR permits.

Commissioner Ehlers wondered why the buffer was a “bubble” rather than being based on walkability.

Staff responded to Commissioner questions and comments.

Public Hearing

The public hearing was opened at 5:00 p.m. on Tuesday, November 1, 2022, via www.GJSpeaks.org.

Tom LeValley remarked that taxes on STRs would limit the opportunity for small businesses to compete or view it as a viable option.

Kevin Bray expressed concerns that there was not enough public input on this amendment and noted that this community was not large enough to require regulation on STRs.

Kevin Cole argues that the profits from STRs enabling property owners to improve their homes and increase density in the Downtown area. He also commented on the social impacts of short term vs. long term rentals. He expressed appreciation for the grandfathering in of existing properties.

Erin Bates commented that the buffer was too large. She wondered if there would be variances in the size of the buffer for downtown vs less developed areas moving forward. She echoed Commissioner Secret’s concerns for the potential loss of a STR permit if the ownership changes hands. She also asked about the nuances of primary vs secondary permits if the property was used as a vacation home.

Jan Miller commented on that STR licensing services require the properties to be listed under the manager not the owner. She commented that there should be more community input prior to a final decision.

Heather Ford stated that Commissioner Secrest makes excellent points.

Trevor Martin expressed appreciation for Staff and Commissioner's recognition for STRs as a tool for middle class individuals and not explicitly for corporate or monied interests. He also applauded the implementation of secondary STR permits and the flexibility it provides for STR owners. He suggested a variance process for the buffer.

Nicole Bernal Ruiz commented that people currently in the process of constructing a property for use as an STR could lose that ability by the time the construction is finished. She echoed concerns about the amendments impact on GJ as a whole and not just the downtown area.

Anna Rickenbach commented on the positive impact STRs have on community aesthetics. She asked to be included in any future discussions impacting STRs in the future.

The public hearing was closed at 7:32 p.m. on November 8, 2022.

Discussion

Staff responded to public comments.

Commissioner Scissors asked if there has been adequate public notice/input regarding this amendment. He also wondered if it is standard to allow additional public input following the hearing.

Commissioner Weckerly asked if limiting short term rentals was part of a larger strategy/other amendments. She also wondered if this was a problem to begin with or if it would have an adverse impact on housing strategies. Additionally, she expressed concerns about the process of permit transfer and the submarket it could create for homeowners.

Commissioner Secrest noted that the fair market drives private property not STRs so this amendment could be preemptive. He spoke about the potential negative impacts this amendment could have on the fair market and owners relying on this income during a recession.

Commissioner Phillips noted that STRs are often better maintained and echoed concerns about the impact on the free market.

Commissioner Ehlers asked if HOAs could restrict STRs. He also asked about other uses that were limited by buffering requirements and zoning. He recommended delaying the amendment for more consideration.

Commissioner Duyvejonck echoed the concerns of the other Commissioners and recommended postponing the amendment for further discussion.

Staff responded to Commissioner questions and comments.

Motion and Vote

Commissioner Ehlers made the following motion “Mr. Chairman, on the request to amend the Zoning and Development Code Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and Section 21.10.020 Terms Defined of the Grand Junction Municipal Code, file number ZCA-2022-756, I move that the Planning Commission remand the motion back to staff for consideration.”

Commissioner Secrest seconded; motion passed 7-0.

Other Business

Adjournment

Commissioner Ehlers moved to adjourn the meeting.

The vote to adjourn was approved 7-0.

The meeting adjourned at 8:23 p.m.