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**PLANNING COMMISSION WORKSHOP AGENDA  
PLANNING CONFERENCE ROOM, CITY HALL, 250 N 5<sup>TH</sup> STREET  
Virtual Meeting link: <https://bit.ly/GJPCW>  
THURSDAY, JANUARY 19, 2023 - 12:00 PM**

**Call to Order - 12:00 PM**

**Other Business**

1. Zoning & Development Code Update: Module 3

**Adjournment**



## Grand Junction Planning Commission

### Workshop Session

Item #1.

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**Meeting Date:** January 19, 2023

**Presented By:** Felix Landry, Planning Supervisor, Elizabeth Garvin, Gabby Hart

**Department:** Community Development

**Submitted By:** Felix Landry, Planning Supervisor

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### Information

#### **SUBJECT:**

Zoning & Development Code Update: Module 3

#### **RECOMMENDATION:**

#### **EXECUTIVE SUMMARY:**

The third module of the revised Code has been drafted and is available for public review and comment. Module three focuses on Section 21.06. Clarion Associates will present for discussion key sections of Module three.

The City hired Clarion Associates to work on updating the City's Zoning and Development Regulations, Title 21 of the Grand Junction Municipal Code. This effort will work toward three primary goals:

- Update the City's development regulations to better implement the City's vision and goals as described in the 2020 One Grand Junction Comprehensive Plan
- Achieve greater simplicity, efficiency, consistency, and legal effectiveness in the code language
- Identify opportunities to facilitate the development of affordable and attainable housing

The project team will present the Module 3 draft to the Planning Commission for discussion.

#### **BACKGROUND OR DETAILED INFORMATION:**

The project team has posted Module 3 of the drafting process for review by the public on the Zoning and Development Code Update Website. Information pertaining to the update can also be found on GJSpeaks.org, as well as the project website. Module 3 includes the following sections:

- 21.14 Measurement and Definitions (as needed for this module).
- 21.06.010 Infrastructure Standards
- 21.06.020 Public and Private Parks and Open Spaces
- 21.06.040 Landscaping, buffering and screening standards (on a separate adoption schedule)
- 21.06.050 Off-Street parking, loading and bicycle storage
- 21.06.060 Subdivision Standards
- 21.06.080 Outdoor Lighting
- 21.06.090 Site Circulation
- 21.06.100 Private streets, shared driveways and loop lanes

The project team has also posted a Module 3 Overview Memo outlining the changes to these sections and providing some insight into the major topics up for discussion at the ZDC Update Committee. The Zoning & Development Code Committee will discuss Module 3 at their December 20th meeting and the Planning Commission will discuss Module 3 at their December 22 workshop. This memo is also available to download from the project website and has been attached for review.

**SUGGESTED MOTION:**

Discussion Only

**Attachments**

1. GJ Z&DC Transmittal Memo M3
2. GJZDC\_Module 3\_Development Standards Public Review Draft December 2022

## Grand Junction Zoning and Development Code Module 3: Development Standards | December 2022



This memo provides an overview of the Z&DC updates made in Module 3: Development Standards. This memo is designed to accompany distribution of the public review draft of Module 3.

### 1. Z&DC Update Project Summary

#### A. Project Goals

- Update the City's regulations to better reflect the goals and policies described in the 2020 One Grand Junction Comprehensive Plan, especially those Key Principles related to Responsible and Managed Growth and Strong Neighborhoods and Housing Choices.
- Achieve a higher level of efficiency, consistency, and simplicity.
- Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies.

A portion of the funding for the Z&DC update project is being provided through an Innovative Housing Strategies Planning Grant from the Colorado Department of Local Affairs (DOLA). The grant is intended to help communities understand their housing needs and adopt policy and regulatory strategies aimed at promoting the development of affordable housing.

#### B. Understanding and Implementing Relevant City Plans and Policies

This project is guided primarily by the One Grand Junction Comprehensive Plan (2020) and the Grand Junction Housing Strategy (2021).

#### C. Code Assessment and Annotated Outline

The updated Z&DC organization and key revisions are described in the [Code Assessment](#), available on the City's website.

### 2. Development Code Committee Input

The role of the Development Code Committee in the draft review phase of the Z&DC update is to:

- Assist with the technical review of the draft Code;
- Provide local knowledge and specialized expertise of specific development topics; and
- Identify policy-level issues for Project Team to discuss with elected and appointed officials.

To help focus the DCC on key issues in each draft module, questions have been provided following the Summary of Changes section. Members of the DCC are not expected to provide specific edits to the draft and, to help the group work as a whole, are also not encouraged to raise specific edits to the draft as part of DCC meetings.

If there are concepts or topics that DCC members would like to discuss at their meeting, in addition to the topics identified in the questions below, **please summarize them before the meeting** and email them to Felix Landry so they can be distributed to the rest of the DCC members prior to the meeting.

If members of the DCC wish to submit suggested edits, please do so separately from the DCC meeting. Feel free to submit suggested edits through the City website or to [ZoningCodeUpdate@gjcity.org](mailto:ZoningCodeUpdate@gjcity.org).

### 3. Summary of Changes in Module 1: Administration and Procedures

#### A. Contents

Module 3: Development Standards includes the following chapters:

- Chapter 21.05: Site and Structure Development Standards
- Chapter 21.06: Stewardship and Resilience
- Chapter 21.07: Landscaping, Buffering, and Screening
- Chapter 21.08: Vehicle Parking and Loading
- Chapter 21.09: Subdivision Standards
- Chapter 21.10: Sign Standards
- Chapter 21.11: Outdoor Lighting
- Chapter 21.14: Measurements and Definitions updated for the chapters in this Module.

Module 2: Zone Districts and Uses, *reviewed in October/November 2022* and available on the City's website, included the following chapters:

- Chapter 21.03: Zone Districts and Dimensional Standards
- Chapter 21.04: Use Standards
- Chapter 21.14: Measurements and Definitions updated for the chapters in this Module.

Module 1: Administration and Procedures, *reviewed in September 2022* and available on the City's website, included the following chapters:

- Chapter 21.01: General Provisions
- Chapter 21.02: Administration and Procedures
- Chapter 21.12: Nonconformities
- Chapter 21.13: Violations and Enforcement
- Chapter 21.14: Measurements and Definitions

#### B. General Code Reading Instructions

Z&DC content has been edited into more “plain” language, but regulatory drafting still has some legal quirks. If you are unsure of a phrase or term, check the definitions.

When the Z&DC refers to “Director” it also includes Community Development staff, the actual Director is not required to do all of the specific tasks identified in the Code.

The Z&DC is being drafted in three modules, each containing a number of chapters. Earlier chapters may be missing cross-references or information available in later chapters. The missing cross-references are marked as <> [Name of Section] and will be filled-in as part of a later draft.

Formatting issues, while unintended, may exist in this draft. While the drafting goal is to minimize these issues, they will all be addressed as the draft is revised.

## C. Summary of Updates

The following updates were made in each chapter. *\*Note: This module is subject to additional revisions based on ongoing review by the Community Development Department and City Attorney's Office.*

### 1. All Chapters

- a. Added more detailed table of contents and page headers/footers to make information easier to find.
- b. Graphics, tables, and flow charts added to summarize information where helpful as a quick reference.
- c. Content that is not relevant to the chapter has been moved to a different location where a Code user is more likely to find it.
- d. Cross-references have been added or updated unless the section being cross-referenced is in a later draft.

### 2. Chapter 21.05: Site and Structure Development Standards

This is a new chapter that includes both current and new standards that address site layout and development and structure design. With an increased emphasis on infill and redevelopment in Grand Junction, the purpose of this chapter is to clarify how many of the development standards and improvement requirements that are typically applied to subdivisions should be made applicable to infill and redevelopment sites. New and updated content includes:

- a. 21.05.020: Required Improvements, specifies the improvements required of all development and the plans and standards that regulate improvement planning and design.
- b. 21.05.040: Residential Compatibility Standards, identifies how larger scale mixed-use and nonresidential development should be designed in places where it is adjacent to smaller scale residential development.
- c. 21.05.050: Residential Attached and Multifamily Design, new baseline design standards for attached and multifamily residential structures focused on residential design basics such as pedestrian safety and compatibility with the comprehensive plan and existing development.
- d. Table 21.05-1: Applicability of Site and Structure Development Standards, creates a sliding-scale applicability table that allows design standards to be applied in proportion to changes made to existing structures.
- e. 21.05.050(c)(6): Private Outdoor Space, proposed standards for the creation of outdoor space on attached and multifamily residential lots pursuant to the M2 conversations about on-site open space.
- f. 21.05.060: Mixed-Use and Commercial Design Standards, these design standards are a combination of standards carried over from the Horizon Drive District and North Avenue Overlay District for consideration as more generally applicable standards for mixed-use and commercial development.
- g. 21.05.070: Superstore/Big Box Development Standards, have been carried forward but may be revised based on feedback about the Mixed-Use and Commercial Design Standards and other updates made in related Code sections such as parking and use standards.

- h. 21.05.080: Screening, new service area and mechanical equipment screening standards have been proposed.

### **3. Chapter 21.06: Stewardship and Resilience**

This chapter consolidates and carries forward standards related to wildfire, wildlife habitat protection, hillside development, ridgeline development, natural resources, and flood damage protection. All content has been reformatted for consistency with the new Z&DC and language has been simplified and clarified throughout.

### **4. Chapter 21.07: Landscaping, Buffering, and Screening**

This chapter is currently being updated outside of and parallel to the Z&DC update. Any new standards adopted by the end of 2022 will be incorporated into the Consolidated Draft of the Z&DC.

### **5. Chapter 21.08: Vehicle Parking and Loading**

#### a. 21.08.010(d): Minimum and Maximum Off-Street Parking Standards

1. Updated Minimum Off-Street Vehicle Parking Requirements table to directly align with the Table of Allowed Uses (presented in Module 2) to ensure that each proposed land use type has an associated off-street parking requirement.
2. Reduced minimum parking requirements based on best practices, regional trends, and the increased likelihood for particular uses to provide a surplus of parking (e.g., large retail).
3. Revised minimum parking requirements to switch from employee-based standards to more objective standards based on structure size or design.
4. Proposed maximum parking requirements intended to reduce stormwater runoff and minimize negative impacts associated with large expanses of vacant parking areas. Parking maximum is 150% of minimum requirement for mixed-use and nonresidential uses in the MU-1, MU-2, and MU-5 districts and 125% for mixed-use and nonresidential uses in the MU-3 district (Downtown).

#### b. 21.08.010(e): Parking Credits and Adjustments

1. Introduced automatic parking reductions that do not require the submittal of an alternative parking plan for shared parking facilities, proximity to transit, transportation demand management, and those allowed by Administrative Adjustments as proposed in Module 1.
2. Current standards for alternative parking plans to allow on-street parking, off-site parking, and valet parking have been carried forward.

#### c. 21.08.010(f): Vehicle Parking Location and Design

Generally, the current vehicle parking location and design standards including parking area location, parking space and access drive dimensions, pedestrian crossings, and surfacing requirements have been carried forward.

#### d. 21.08.020: Bicycle Parking and Storage

1. Increased bicycle parking space requirement from 1 per 20 vehicle spaces to 1 per 10 vehicle spaces for all uses other than multifamily dwellings that require 1 per dwelling unit.
2. Significantly expanded standards to include requirements that ensure safe, secure, and appropriately designed bicycle parking facilities including location (e.g., within 50 feet of the main entrance of a building), dimensional and surface requirements, and signage.

3. Included a provision to allow the Director to waive or reduce requirements for unique development sites or for site where there is significant bicycle infrastructure in close proximity.
- e. 21.08.030: Electric Vehicle Charging

Introduced a new requirement to provide one electric vehicle charging station for each 25 parking spaces in excess of 50 parking spaces for multifamily, nonresidential, or mixed-use parking lots that contain more than 50 spaces.

#### **6. Chapter 21.09: Subdivision Standards**

- a. Content has been reorganized and reworded for clarity throughout.
- b. Revised sidewalk standards to include a requirement to provide a pedestrian and bicycle easement between the head of a cul-de-sac and an adjacent arterial or collector street.

#### **7. Chapter 21.10: Sign Standards**

This chapter has been carried forward from the current Z&DC with no changes, other than formatting the content in a consistent style and converting existing zone district references to align with the new proposed zone district lineup (e.g., sign standards specific to the current R-O district are now the MU-1 district).

#### **8. Chapter 21.11: Outdoor Lighting**

- a. 21.11.020: Introduced new exemptions for lighting types that are not subject to the regulations (e.g., traffic control devices, airport lighting, and seasonal decorations).
- b. 21.11.040: Clarified when a Lighting Plan is required to be submitted and introduced the ability to submit an alternative lighting plan that can be approved administratively.
- c. 21.11.050(a): Revised general standards to include additional requirements that support dark-sky principles including lighting efficiency standards, limitations on the “warmth” of light to reduce glare (see draft for more information), and strengthened the shielding and light trespass standards.
- d. 21.11.050(d): Expanded the current approach to establishing minimum and maximum lighting output based on general areas on a development site to simplify administration of the standards.
- e. 21.11.060(c): Added new standards for pedestrian-scaled lighting.

#### **9. Chapter 21.14: Measurement and Definitions**

This module includes the third draft of the Measurement and Definitions chapter. The current definitions and measurement instructions have been carried forward and are being updated as needed with each Module. Any definitions or measurements included in other sections of the Z&DC will be moved to this chapter during the drafting process.

### **4. Questions for Discussion**

#### **1. Attached and Multifamily Design Standards**

- Could the Section 21.05.050(b) redevelopment sliding-scale applicability standards be useful? Should they be expanded to parking and outdoor lighting?
- What feedback does the DCC have about the 21.05.050(c)(6): Private Outdoor Space standards?
- Are there any topics within the Attached and Multifamily Design Standards or the Mixed-Use and Commercial Design Standards that should be discussed?



## 2. Minimum and Maximum Off-Street Parking Requirements

Local governments are increasingly leaving parking decisions to developers, allowing the amount of parking provided to be based on what the developer determines to be needed for the development.

- Should the City eliminate minimum off-street parking requirements for all or some uses?
- Should the City eliminate minimum off-street parking requirements citywide or in certain areas (in addition to the B-2 district (Downtown) that does not currently maintain parking requirements)?
- Should the City establish maximum parking limitations for all or some uses? Should those maximum limitations be implemented citywide or in certain areas?

## 3. Electric Vehicle Parking Requirements

Communities are increasingly incorporating electric vehicle charging requirements and provisions into their zoning codes. The degree of regulation varies broadly across the state and the country. In order to support a discussion about to what extent Grand Junction should regulate electric vehicle charging stations, there are several key terms to know:

**1. EV-Capable**  
Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.  
[Aspen, CO: 3% of parking is EV-Capable \(IBC\)](#)  
[Atlanta, GA: 20% is EV-Capable \(Ordinance\)](#)

**2. EVSE-Ready Outlet**  
Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).  
[Boulder, CO: 10% of parking is EV-Ready Outlet](#)

**3. EVSE-Installed**  
Install a minimum number of Level 2 EV charging stations.  
[Palo Alto, CA: 5-10% of parking is EV-Installed](#)

Types of EV Spaces

	Power	Time	Standard Use
<b>Level I</b>	120V	6-10 hrs	Staff use during work day, long term parking at commuter lots or vehicles parked overnight.
<b>Level II</b>	204-240V	1-3 hrs	Commercial use or work vehicles that are heavily used and need a midday charge.
<b>DC Fast Charging</b>	480V	30 mins	Best for highway sites to enable longer vehicle trips.

Types of Charging Stations

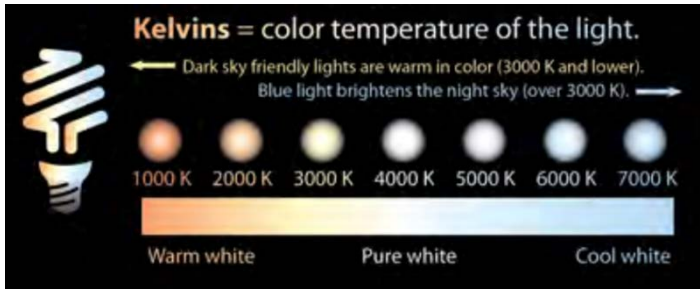
Electric vehicle charging requirements and incentives can be drafted to include a scaled approach of requiring only or more EV-Capable or EV-Ready spaces, rather than the installed charging station itself.

Major considerations for this discussion include:

- Should EV charging only be required for large parking lots (e.g. over 50 spaces)?
- Should EV charging be required for all use types or only multifamily/nonresidential (or other specified uses)?

#### 4. Outdoor Lighting

The draft introduces a new lighting requirement related to “Kelvin” ratings; limiting fixtures to a maximum of 3,000 degrees Kelvin. Kelvin refers to the temperature (e.g., coolness or warmth) of light. The Kelvin rating on a light fixture indicates the shade of white that is given off by the light source. Lower Kelvin ratings produce warmer light that is less harmful to human health and the environment. The International Dark Sky Association recommends Kelvin temperatures of 3,000 and below.



- Do you have any questions or concerns about implementing this provision?

#### 5. Readability and Understanding

- Did you find Module 2 readable and understandable?
- Do you have suggestions for making the Z&DC more accessible to all Code users?

# Zoning & Development Code

Grand Junction, Colorado

## Module 3: Development Standards

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Chapter 21.05: Site and Structure Development Standards

Chapter 21.06: Stewardship and Resilience

Chapter 21.07: Landscaping, Buffering, and Screening

Chapter 21.08: Vehicle Parking and Loading

Chapter 21.09: Subdivision Standards

Chapter 21.10: Sign Standards

Chapter 21.11: Outdoor Lighting

**PUBLIC DRAFT**

**CLARION**

**ONE GRAND  
JUNCTION**  
ZONING & DEVELOPMENT  
CODE UPDATE

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### Commentary

General comments applicable to this Module 3 draft Code:

- Throughout the draft there are footnotes that identify any changes from the current Zoning and Development Code, or further commentary related to that particular provision.
- A reference to a section or other provision reads "GJMC <> [current Code reference]" means that the cross-reference to that specific section or provision will be inserted at the time of Consolidated Draft.
- Many of the existing regulations that are carried forward relatively intact, were still revised for clarity, consistency, and to improve user-friendliness, often without footnote.

## Chapter 21.01 General Provisions

[See Module 1: Administration and Procedures]

## Chapter 21.02 Administration and Procedures

[See Module 1: Administration and Procedures]

## Chapter 21.03 Zone Districts and Dimensional Standards

[See Module 2: Zone Districts and Uses]

## Chapter 21.04 Use Standards

[See Module 2: Zone Districts and Uses]

# Chapter 21.05 Site and Structure Development Standards

## 21.05.010 PURPOSE

This chapter includes standards that regulate the physical layout and design of development within Grand Junction to ensure the protection of the health, welfare, safety, and quality of life. These standards address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the comprehensive plan vision for a more attractive, efficient, and livable community.

## 21.05.020 REQUIRED IMPROVEMENTS

### Comment:

These standards have been collected from various locations in the current Z&DC and updated here for general applicability to both new development (including subdivision) and redevelopment. The goal of this change is to clarify how required improvements apply across all categories of development.

### (a) Applicability

All development shall comply with this section.

### (b) Plans and Standards<sup>1</sup>

The plan, design, construction, and perpetual maintenance of all development shall be consistent with:

- (1) Adopted City plans and policies, including without limitation the One Grand Junction Comprehensive Plan and the Grand Junction Circulation Plan, as those plans may be amended or replaced in the future;
- (2) The lot, design, and use standards applicable to the zoning district in which the property is located;
- (3) All other applicable requirements of this Code;
- (4) Any previous plans or development approvals approved by the City and applicable to all or part of the property on which the development, structure, or subdivision is proposed; and
- (5) All technical and engineering, design, construction, and inspection criteria, standards, and specifications adopted or accepted by City, including but not limited to applicable GJMC Title 29, Transportation Engineering Design Standards (TEDS), the City's adopted fire code, and the Submittal Standards for Improvements and Development (SSID) Manual.

### (c) Public Improvements Required

#### (1) Types of Improvements

<sup>1</sup> Current 21.06.060(c), moved from subdivision standards to general applicability.

- (i) All development applications are required to include plans for the following public improvements unless waived by the Director:
  - (A) Multi-modal transportation system (see GJMC 21.05.020(e)),
  - (B) Sanitary sewer system (see GJMC 21.05.020(d)(2)),
  - (C) Utilities (see GJMC 21.05.020(d)(3)),
  - (D) Potable water system including fire hydrants (see GJMC 21.05.020(d)(1)),
  - (E) Stormwater management system (see GJMC 21.05.020(d)(4)), and
  - (F) Other improvements and/or facilities as may be required by changing technology and the approval process, and
  - (G) Permanent survey reference monuments and monument boxes (see § 38-51-101 C.R.S.).
- (ii) The improvements described in this chapter shall be built by the applicant and constructed in accordance with adopted standards, unless otherwise indicated. The City may elect to participate in the design, installation, and cost of any improvement and may require the developer to coordinate construction with the City and with other development taking place nearby and in a similar timeframe.
- (iii) No improvements shall be made until required plans, profiles, and specifications have been submitted to and approved by the City.

**(2) Guarantee of Public Improvements**

No development shall be approved until the City has accepted constructed infrastructure or the developer has executed and recorded a development improvements agreement and provided adequate security per GJMC <> [Guarantees and Improvements].

**(3) Permits and Approvals**

No Planning Clearance for any use or activity shall be issued until minimum required improvements have been constructed, paid for, or adequately secured.

**(d) Standards for Specific Improvements**

The following improvements shall be provided for all development unless the appropriate official determines otherwise based on a process provided in the specific standards or, where applicable, through GJMC <> [Variance].

**(1) Potable Water System**

- (i) All development shall be served by a water treatment and distribution system operated or approved by the City.
- (ii) Fire hydrants shall be placed and have fire flow capabilities in accordance with GJMC 15.44, Fire Code.

**(2) Sanitary Sewer System**

All lots must be served by a sewer system connected to a public wastewater treatment facility. Sewer variance requests are subject to "Permit Application for Sewer Variance" administered by the Manager of the Persigo Wastewater Treatment Plant.

**(3) Utilities**

Utilities include, without limitation: cable, electricity, telephone, television, and natural gas.

- (i) All new utilities, including, but not limited to, telephone, cable, television, electric, and natural gas, shall be provided and paid for by the developer and shall be installed underground. Necessary above-ground facilities (e.g., pedestals, transformers, and transmission lines of 50kv capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the Director.
- (ii) All existing overhead utilities along streets contiguous with the development, except properties being subdivided through a simple subdivision, shall be installed underground prior to street construction.
- (iii) When the development has less than 700 feet of frontage along a street, the Director may accept cash in lieu of this requirement in accordance with the adopted fee schedule.
- (iv) When the development has 700 feet or greater frontage along a street and has a primary transmission line, the developer may either:
  - (A) Pay cash in lieu of undergrounding in accordance with the adopted fee schedule, or
  - (B) Request a contribution of available utility undergrounding in lieu funds from the City to offset the cost of relocating the existing utilities underground. If available, the City's contribution shall result in the developer paying less than or equal to the amount that would be otherwise required by payment of the in-lieu fee.

**(4) Stormwater Management**

- (i) All proposed development must provide for on-site runoff collection and conveyance in accordance with GJMC Title 28, Stormwater Management Manual (SWMM), and applicable state and federal regulations.
- (ii) An impact fee may be paid in-lieu of the construction of applicable stormwater facilities where the project meets the requirements of GJMC 28.56.050, Drainage Fee in-Lieu of Detention.

**(e) Multi-Modal Transportation System<sup>2</sup>**

**(1) Design Standards**

- (i) The developer shall design and provide a multi-modal transportation system, including streets, alleys, sidewalks, trails, active transportation corridors, and bike paths shall be designed and constructed in accordance with GJMC Title 29, TEDS.
- (ii) No developer shall propose a site design or plan which could result in the developer controlling access to a street, alley, or right-of-way.
- (iii) Easements shall be provided as required for improvements. Alleys may be used for placement of utilities and infrastructure.

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<sup>2</sup> Current 21.06.010 (partial), 21.06.100, and 21.06.090.

- (iv) The developer shall provide off-site infrastructure If needed to provide safe and adequate access and circulation for all users.
- (v) Each development with one or more buildings (except detached dwellings) shall provide paved pedestrian sidewalk connections to nearby public streets. Pedestrian connections shall be separate from parking and driveway areas.

**(2) Right-of-Way Dedication**

- (i) A developer shall dedicate to the City all rights-of-way needed to serve the project in accordance with the Grand Junction Circulation Plan, as amended.
- (ii) Required right-of-way dedications shall be at no cost to the City. Such dedications shall not be eligible for transportation impact fee credit.

**(3) Required Street Improvements**

**(i) Scope of Street Improvements**

Minimum street improvements shall be those required for the safe ingress and egress of traffic to and from the development and include the design and construction of all streets internal to and fronting a development that are designated as local or unclassified in the Grand Junction Circulation Plan.

**(ii) Applicable Street Standard and Oversizing**

- (A) Any unbuilt street that is designated in the Grand Junction Circulation Plan as a collector or arterial and is internal to the development shall be constructed to a local street standard by the developer.
- (B) Based on the City's Circulation Plan and input from the Public Works Director, the City may require the developer to design and construct the street to a collector or arterial standard, thereby requiring the oversizing of streets. When oversizing is required, the developer may be eligible for a City cost-share agreement in the differential amount between the required local street improvement and the required collector or arterial street improvement.

**(iii) Safe Ingress and Egress**

- (A) The developer shall be responsible for the design and construction of any turn lanes needed to achieve safe ingress and/or egress, if turn lanes to and from the development are warranted based on a traffic impact study.
- (B) Where a safety improvement is for the benefit of a development but will benefit other future developments, the developer may request the City to provide a reimbursement agreement.<sup>3</sup>

**(4) Improvement Deferral for Existing Local Streets**

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<sup>3</sup> Standard provisions for oversizing criteria, determination of benefit to future development, and reimbursement agreements will be added to Ch. 21.02, Administration and Procedures at the time of Consolidated Draft.

**(i) Policy and Applicability**

- (A) 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 and areas, the existing local streets do not have curbs, gutters or sidewalks. Given that there are no serious safety or drainage problems associated with these local 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 established neighborhoods chooses to subdivide a lot or parcel or an owner in a commercial or industrial area chooses to develop 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.
- (B) This section is applicable only in areas originally developed in Mesa County that meet the description of paragraph (A).

**(ii) Request for Deferral**

- (A) Instead of constructing “short run” improvements, the owner may apply to the Director to defer full and permanent improvements (“permanent improvements”) through the creation of an improvement district and construction of street, curb, gutter, and sidewalk improvements to the standards established for the improvement district.<sup>4</sup>
- (B) The Director allow the use of an improvement district for residential 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 fewer than 1,000 average daily traffic (“ADT”);
  - d. At least 80 percent of the lots and tracts in the neighborhood or block are already built upon,<sup>4</sup> so that the street and drainage character is well established;
  - e. If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, it can be improved or remedied without the street improvements being built; and

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<sup>4</sup> A process to create an improvement district and establish improvement standards will be added to Ch. 21.02, Administration and Procedures at the time of Consolidated Draft.

- 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.
- (C) The Director may allow the use of an improvement district for nonresidential street improvements if all of the following criteria have been met:
- a. The development is conforming to the zone district and is for a single commercial or industrial lot or parcel that does not create a new lot or parcel;
  - b. The lot or parcel size is two acres or less;
  - c. The lot or parcel does not have more than 500 feet of frontage on a local nonresidential street;
  - d. If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic, it can be improved or remedied without the local nonresidential street improvements being built; and
  - e. 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.

**(iii) Requirement for Full Compliance**

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 circulation plan, 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.

**(iv) 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.

**(5) Private Streets<sup>5</sup>**

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<sup>5</sup> Current 21.06.100(a)-(b)



**(i) Applicability**

Private streets are prohibited unless there is no practicable design alternative available through the public street standards and the proposed private street meets the review criteria in this section.

**(ii) Policy**

Private streets have historically posed problems over time as they deteriorate and property owners do not realize the burden of maintenance is theirs. Application of the criteria established in this section are established to avoid problems encountered in the past with private streets and provide property owners some protection through a maintenance agreement and funding.

**(iii) Review Criteria**

The developer must conclusively demonstrate that a proposed private street meets all of the following:

- (A) Provides flexibility in residential street access due to design or topographic conditions;
- (B) Encourages more creative design including but not necessarily limited to the clustering of units in residential development;
- (C) Provides an immediate and continuing public benefit, e.g., by reducing public street maintenance costs;
- (D) Provides a safe residential environment; and
- (E) Promotes attractive streetscapes that give neighborhoods character and identity, e.g., by allowing alternative street surfaces, finishes and designs.

**(iv) Design Requirements**

A private street that meets the requirements of this section shall be allowed for residential development under the following conditions:

**(A) Street Capacity and Design**

- a. The maximum annual average daily traffic (AADT) of the proposed private street shall not exceed 250 trips per day as determined by the ITE – Trip Generation publication.
- b. The street shall be designed so that all traffic, including vehicular and pedestrian, exiting from the private street(s) shall not adversely impact the existing and proposed transportation network. A private street shall conform to the Title 29 TEDS or the SSID manual, as applicable, for the following:
  - 1. Turnaround requirements;
  - 2. On-street parking requirements;
  - 3. Cross-sections;
  - 4. Curb and gutter construction; and

- 5. Utility and multipurpose easements.
- c. Pedestrian facilities and connections as shown on the Grand Junction Circulation Plan shall be required within the proposed development and made accessible by the general public.
- d. The finished surface of the private street may be composed of variable surfaces such as brick, interlocking pavers, cobblestones, or other similar finishes, designed by a professional engineer and as approved by the City Engineer.
- e. An entrance design feature such as decorative paving, special signage or other conspicuous improvement shall be incorporated into the final design of the private street such that the design clearly distinguishes the private street from the public street.

**(B) Adjoining Properties**

- a. All entrances to garages shall be set back from the private street or pedestrian trail a minimum distance of 20 feet.
- b. Each residential structure accessed from a private street shall have landscaped areas of at least 10 feet in width between the street and the structure except for the driveway to the garage.

**(C) Off-Street Parking**

If off-street parking is utilized, it shall conform to the following:

- a. Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements.
- b. Off-street parking shall be located within 200 feet of any unit the private street serves.
- c. Off-street parking shall be included within the same tract as the private street and shall be maintained by the homeowners' association.

**(D) Platting, Dedication, Homeowners' Association**

- a. Private streets shall be platted in a tract dedicated to the homeowners' association and maintenance of the private street shall be.
- b. The homeowners' association shall be responsible to maintain a vegetation-free zone along the private street that is 20 feet in width (10 feet each side from the center of the street) and 13 feet, six inches in height as measured from the paved surface of the street.

**(6) Shared Driveway or Autocourt<sup>6</sup>**

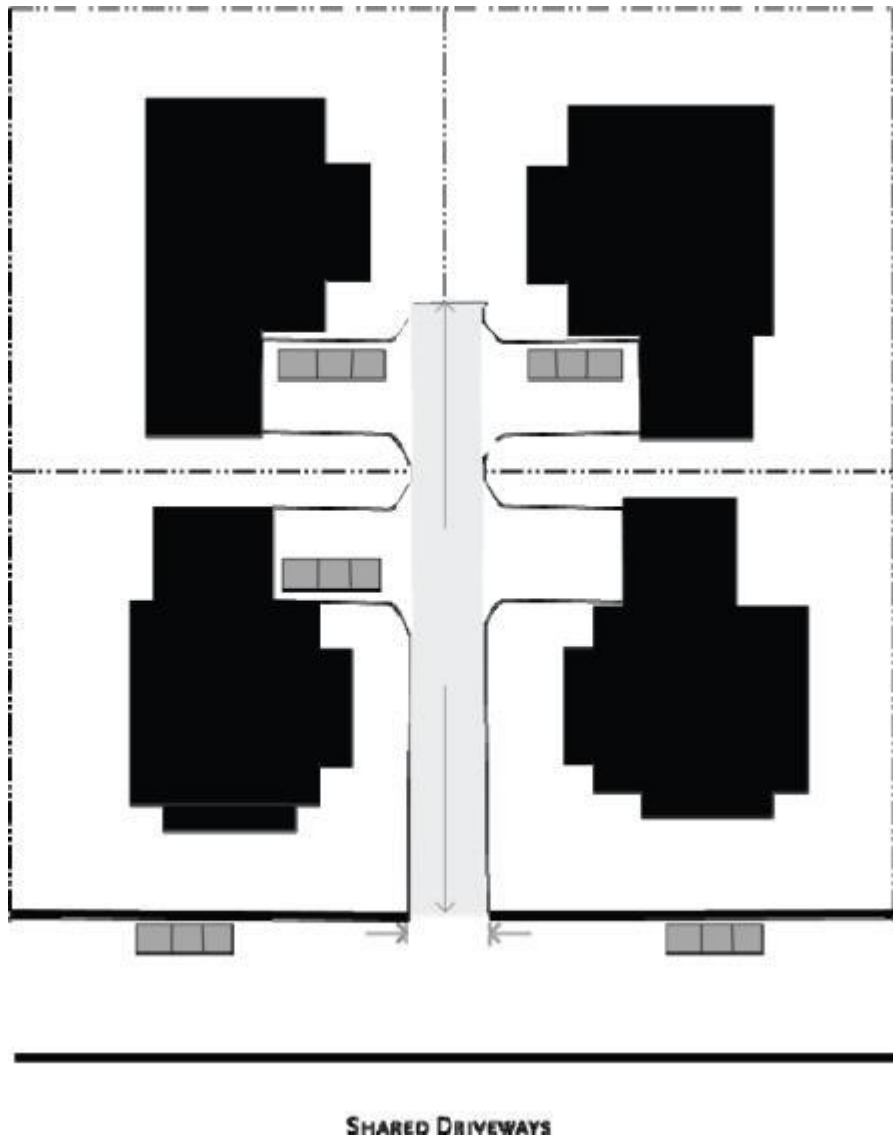
**(i) Intent**

A shared driveway or autocourt is designed to provide access to lots where a full public street is not practical or economical. The number of shared driveways used in a

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<sup>6</sup> Current 21.06.100(c)

subdivision shall be limited due to the undesirable lot layouts they often create, potential conflicts over shared common space, and private versus public maintenance cost issues.



**(ii) Design Standards**

Shared driveways shall comply with the following standards:

**(A) Ownership**

- a. A shared driveway shall be owned and maintained by the owners of the parcels or lots that abut the shared driveway.
- b. The shared driveway shall be platted in a tract dedicated to the property owners of the parcels that abut the shared driveway.

**(B) Access**

- a. Not more than five single-family lots shall abut or touch any portion of the shared driveway and no more than five single-family units may utilize a single shared driveway.
- b. Each lot abutting a shared driveway shall access off of the shared driveway unless approved otherwise at the time of subdivision.

**(C) Design**

- a. Shared driveways shall be a minimum of 16 feet wide flowline to flowline and a maximum of 150 feet long.
- b. Shared driveways shall be designed to permit the ASHTO "P" design vehicle to back out of an individual driveway and turn 90 degrees in either direction on the shared driveway without any portion of the vehicle:
  1. Leaving the individual driveway from which the vehicle is exiting or the shared driveway; or
  2. Entering on or over the individual driveways of any other residence.
- c. Finished surface may be composed of variable hard surfaces such as brick, interlocking pavers, cobblestones, or similar finishes, designed by a professional engineer and as approved by the City or County Engineer.

**(D) Parking**

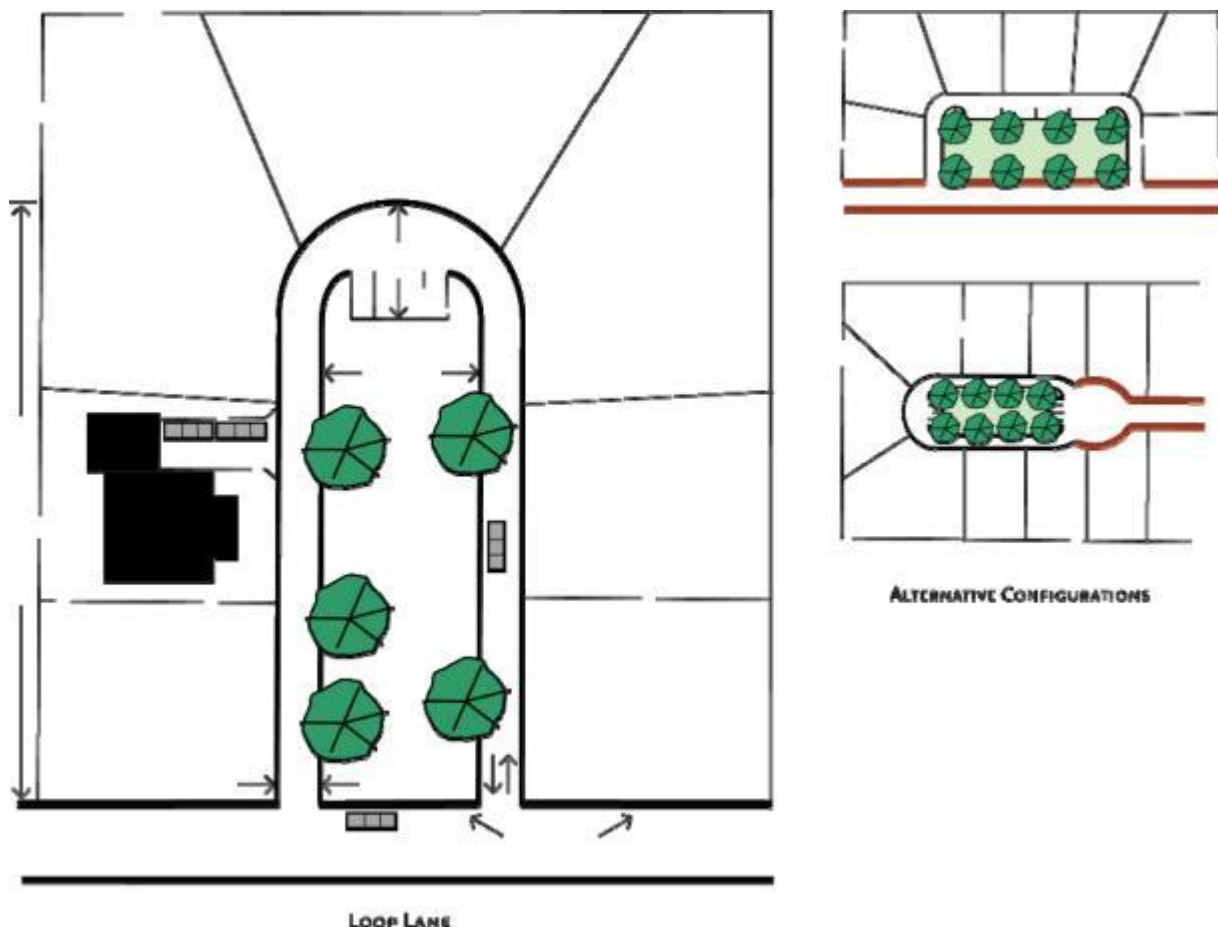
- a. Parking on a shared driveway shall be prohibited.
- b. A shared driveway may be used only where it intersects a street with on-street parking.
- c. Each lot abutting a shared driveway shall provide four on-site parking spaces. For homes on shared driveways that access a cul-de-sac, five on-site parking spaces shall be provided. These additional spaces may be provided on the shared driveway if it is widened to accommodate such parking.

**(E) Adjacent Lots and Structures**

- a. The building setback adjacent to a shared driveway shall be the minimum setback required for that side of the property by the underlying zoning district or 15 feet, whichever is greater. All entrances to garages shall be set back a minimum distance of 20 feet from the shared driveway.
- b. No fences or hedging taller than 30 inches shall be located within the setback adjacent to the shared driveway. Open fences are acceptable.
- c. No gateways, locked entries or other restrictive access constraints are allowed across a shared driveway.

**(7) Loop Lane<sup>7</sup>**

Loop lanes shall comply with the following standards. Any variation from these specifications shall require an administrative adjustment.



**(i) Intent**

A loop lane is an alternate street design that provides a turnaround in place of a cul-de-sac. The loop lane is desirable because it allows for additional open space/park area instead of an expanse of asphalt paving found in a standard cul-de-sac.

**(ii) Ownership**

- (A) The loop lane and parking shall be dedicated to and maintained by the City.
- (B) The park shall be owned and maintained by the homeowners' association, subject to any easements.

**(iii) Access**

- (A) A maximum of seven homes may access off the loop.
- (B) Corner lots with frontage on the loop lane and the abutting street shall be required to access from the loop lane only.

<sup>7</sup> Current 21.06.100(e). Coordinate loop lane and cottage court standards in Consolidated Draft.

**(iv) Design**

- (A) The minimum loop lane is 16 feet from flowline to flowline and shall consist of a paved surface with roll-over curb and gutter on at least one side and a roll-over curb or vertical curb on the other side.
- (B) No curve on any portion of the flowline of the loop lane shall have an inside radius of less than 33 feet and an outside radius of less than 48 feet.
- (C) No portion of the loop lane shall extend more than 250 feet from the abutting street right-of-way.
- (D) A minimum separation of 66 feet is required between the right-of-way on each side of the loop.
- (E) The right-of-way shall extend one foot beyond the curb on the park side of the lane and one foot beyond curb on outside edge of the lane.
- (F) A 14-foot multipurpose easement shall be dedicated on the outside edge of the lane. The park may be used for stormwater detention.
- (G) The loop shall provide for two-way traffic.
- (H) A sidewalk is required only where the park abuts a street other than the loop.
- (I) The developer shall landscape the park and provide an irrigation system in accordance with the Zoning and Development Code.

**(v) Parking**

- (A) Four guest parking spaces, located in the public right-of-way, are required at the end of the loop. The parking area is reserved for guest parking and shall not be used for the parking of residents' vehicles and/or recreation vehicles for more than a 24-hour period.
- (B) "No parking" signs shall be installed and maintained so that no parking is allowed between the curbs on any traveled portion of the loop lane, except the guest parking area.
- (C) Each residence shall provide and maintain four off-street parking spaces, two of which may be within a garage or carport.

**(vi) Adjacent Lots and Structures**

- (A) No front-loading garage or carport may be closer than 20 feet to the front lot line. Individual driveways must have a five-foot radius fillet on driveway corners.
- (B) The front yard setback for the house is 15 feet from the right-of-way (16 feet from the curb).
- (C) Lots on the loop lane may be 20 percent smaller and the rear setback can be 10 feet less (10 feet minimum) than as required by the zone district.
- (D) No gateways, locked entries or other access constraints are allowed across the loop lane.

**(8) Bicycle Circulation<sup>8</sup>**

**(i) Required Bicycle Access**

- (A) All new development, except individual lot development of a single-family detached or two-family dwelling, shall be served by an internal bicycle circulation system (including shared roadway lanes, widened outside roadway lanes, bike lanes, shoulders, and/or separate bike paths) that permits safe, convenient, efficient, and orderly movement of bicyclists among the following origin and destination points within the development:
  - a. Bicycle parking facilities or areas near the primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions), as well as any adjacent transit station areas, transit stops and shelters, 7 public parks, greenways, schools, community centers, and shopping areas;
  - b. Any designated or planned bus stops and shelters; and
  - c. Recreation facilities and other common use area and amenities.
- (B) The development's internal bicycle circulation system shall also permit safe, convenient, efficient, and orderly movement of vehicles between the development's internal origin and destination points and adjacent parts of an existing or planned external, community-wide bicycle circulation system, as well as any adjacent transit stations, bus stops and shelters, public parks, trails, greenways, schools, community centers, and shopping areas.
- (C) Sidewalks shall not be used to satisfy the bicycle circulation requirement.

**(ii) Bike Lanes Required**

- (A) All new development except individual lot development of a single-family detached or two-family dwelling (including subdivisions for such dwellings) shall provide bike lanes within the development site and along the frontage of the development site with an existing street where bikes lanes are called for by the comprehensive plan or other City-adopted plans addressing transportation (unless an existing bike lane meeting City standards is already in place). The Director and/or the City Engineer may allow alternatives to this requirement where compliance is impractical.
- (B) Required bike lanes shall be provided within the right-of-way of the street unless the City Engineer determines that location within the right-of-way is not practicable or preferable—in which case, alternatives may be allowed by the Director and/or the City Engineer.
- (C) Bike lanes shall conform to GJMC Title 29, TEDS.

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<sup>8</sup> New

## 21.05.030 PARKS, OPEN SPACE, AND TRAILS<sup>9</sup>

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### (a) Open Space Dedication

- (1) The owner of any residential development of 10 or more lots or dwelling units shall dedicate 10 percent of the gross acreage of the property or the equivalent of 10 percent of the value of the property. The decision as to whether to accept money or land as required by this section shall be made by the Director. Subdivisions with less than 10 lots or residential dwelling units are not required to dedicate 10 percent of the gross acreage of the property or the equivalent of 10 percent of the value of the property unless the developer or owner owns land adjacent to the proposed subdivision, in which case the Planning Commission shall determine the open space requirement.
- (2) For any residential development required to provide open space, the owner shall hire an MAI appraiser to appraise the property. For purposes of this requirement, the property shall be considered the total acreage notwithstanding the fact that the owner may develop or propose to develop the property in filings or phases.<sup>10</sup>
- (3) The appraiser's report shall be submitted to the City for purposes of determining fair market value and otherwise determining compliance with this section. The owner shall pay all costs of the appraisal. The owner waives any privilege and/or protection that may exist or be asserted to exist over the details of the appraisal. The appraisal is and shall be considered by the City as an open record under the Colorado Open Records Act.
- (4) The required dedication and/or payment shall be subject to and made in accordance with this code. The City Council may accept the dedication of land in lieu of payment so long as the fair market value of the land dedicated to the City is not less than 10 percent of the value of the property.
- (5) As part of any project approval, the owner shall dedicate, at no cost to the City, public trails, rights-of-way and waterfront greenbelts/access as designed on and as needed to implement adopted plans of the City. If such dedication is claimed to exceed constitutional standards, the owner shall so inform the City Attorney who, if he agrees, shall ask the City Council to pay a fair share of the value of such dedication or waive all or part of such required dedication.
- (6) For creation of a homeowners' association, each subdivision of five or more lots shall record covenants which shall contain provisions for assessments, liens and enforcement of maintenance of all private open space areas and provisions for enforcement by and reimbursement to the City should the homeowners' association fail to maintain the areas properly and the City elects to do so.
- (7) For subdivisions, the land dedication or open space fee is required and payable at the time of platting, when applicable.

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<sup>9</sup> Current 21.06.020.

<sup>10</sup> This requirement will be clarified in the Consolidated Draft per staff instructions.



- (8) Unless provided pursuant to GJMC 21.05.050(c)(6), private open space and/or recreational area in any development, or outdoor living area required in a multifamily development, shall not be a substitute for the required land dedication.

**(b) Trails**

Trails shall be constructed in accordance with applicable City standards. If a trail(s) is constructed in addition to the construction of required sidewalks, then the owner may request an offset for the cost of construction of the trail(s) against the project's open space fee in an amount not to exceed the total open space fee. The amount of the credit or offset will be determined by the City using established and uniform cost for labor and materials for the specific type and width of the trail(s) constructed.

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## 21.05.040 RESIDENTIAL COMPATIBILITY STANDARDS<sup>11</sup>

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**(a) Purpose<sup>12</sup>**

The purpose of this section is to protect existing residential districts, neighborhoods, and uses from the potentially adverse impacts arising from the development of more intense uses in close proximity to residences.

**(b) Applicability**

- (1) The residential compatibility standards in this subsection apply when multifamily residential, mixed-use development, or nonresidential development is proposed adjacent to lots in an R-R, R-E, R-1, R-2, R-4, or R-5 residential district (protected residential districts). Residential adjacency shall include the lot on which the nonresidential building, use, or associated activity is located.
- (2) In cases where multiple uses are contained on the same lot, residential adjacency shall apply to the area within that lot which encompasses the building, use, or associated activity and all accessory buildings, uses, or areas necessary to support them.
- (3) Conformity with the design requirements in this section shall be the responsibility of the multifamily, mixed-use, or nonresidential development applicant.

**(c) Building Height Stepdown**

**(1) Height Transition Area**

A height transition area of 25 feet in width is established along each side and rear property line abutting an existing residence in a protected residential district. All new construction and additions within the height transition area are limited in height to no more than 25 percent higher than the existing structure, up to the maximum height allowed in the non-protected zone district.

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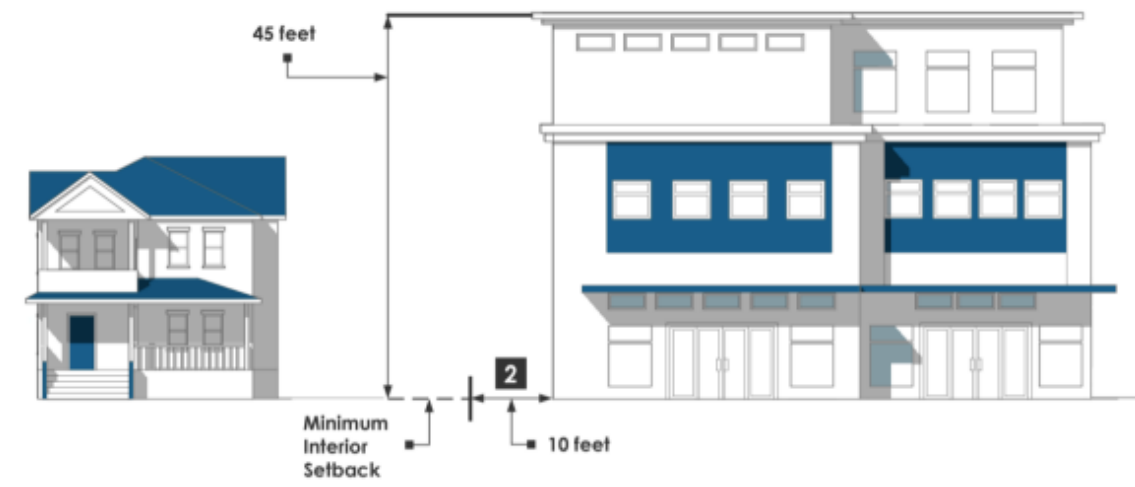
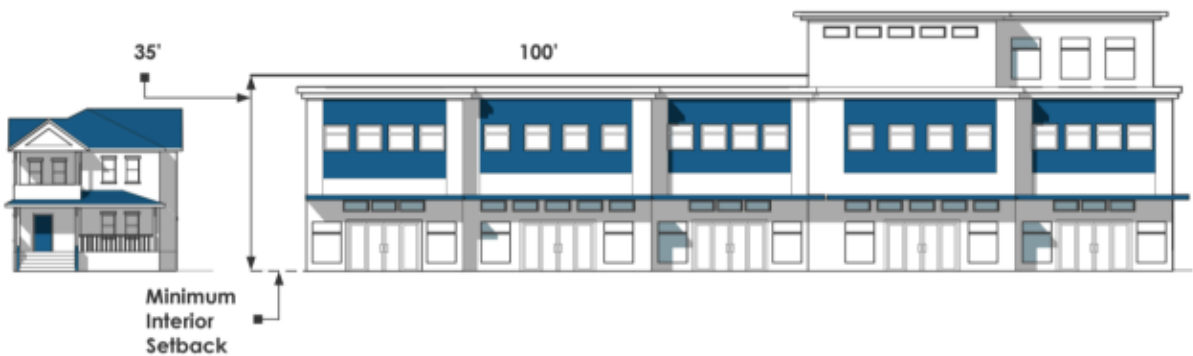
<sup>11</sup> New

<sup>12</sup> Standards to address corner lots will be added to the Consolidated Draft.

**(2) New Primary Structure Height Greater than 35 Feet**

New primary buildings with a height greater than 35 feet shall reduce the perceived height of the building when viewed from the protected residential lots by using at least one of the following techniques.

- (i) "Stepping down" building height of any portion of the building within 100 feet of the side and rear lot lines abutting a lot zoned in any neighborhood district to a maximum of 35 feet; or
- (ii) Increasing the side yard and rear yard setbacks abutting the neighborhood-zoned lots by at least 10 feet beyond that otherwise required.



**(d) Building Orientation**

**(1) Privacy**

All buildings and structures shall be designed and oriented in a manner ensuring privacy of residential uses in a protected residential district.

**(2) Upper Story Balconies and Patios**

Balconies, patios, or other exterior public gathering spaces that are more than 24 feet above grade shall not be located within 30 feet of a protected residential district lot line.

**(e) Screening, Buffering, and Site Layout**

**(1) Mechanical Equipment**

All mechanical equipment, including but not limited to air conditioning units, air-handling units, back-up power generators, installed at ground level or on a roof must be fully screened from view.

- (i) The screening shall be at least the height of the mechanical equipment.
- (ii) Mechanical equipment that generates or is expected to generate noise in excess of 55 decibels within three feet of the equipment location must provide sound abatement or suppression, which may require the equipment to be enclosed in a structure.

**(2) Loading Docks**

Loading docks, if necessary or required by the operation, must be located the farthest distance practicable from the protected residential district. When the property adjoins an arterial street, the loading dock must be set back far enough such that no trucks will be loading, unloading, or backing within the street. Loading shall be done from alleys when possible.

**(3) Outdoor Storage**

- (i) Outdoor storage of merchandise or equipment must be within an area enclosed with a sight-obscuring fence at least 6 feet in height that is architecturally coordinated in color and design with the building.
- (ii) Vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are on the same site wherein the business displays the bulk of its goods for sale.
- (iii) Outside promotional displays are allowed during business hours only.

**(4) Outdoor Waste Storage**

No outdoor waste storage shall be located within 30 feet of a property line that adjoins a protected residential district or within 10 feet of a property line that parallels a protected residential district. This requirement shall not apply where the mixed-use property is separated from protected residential district by an alley or street.

**(5) Vehicle Service Bays**

All vehicular service bays within 150 feet of a protected residential district shall face away from the residential districts unless separated by a building or permanent architectural feature of minimum height matching the height of the service bays.

**(f) Sound**

- (1) No outdoor music system, whether permanent or temporary, is allowed in any mixed-use district but MU-3, Downtown.

21.05.050. Residential Attached and Multifamily Design Standards

- (2) Any use containing individual service speakers, such as drive-through ordering or payment windows, vehicle fueling pump islands, and car washes, shall not be permitted within 150 feet of any residential district unless the speaker is appropriately screened. The Director may require wing walls, landscape screens, changes in building orientation, and/or other design elements to screen and minimize the impact of individual service speakers.
- (3) Any use containing public address/paging systems, such as car dealers, building materials sales, and garden centers, shall not be permitted within 1,000 feet of any residential district unless separated by an arterial or higher classification roadway.  
Parking and Loading
- (4) No auto-related site element, including parking area, drive-through lane, or vehicle circulation driveway, shall be located between a primary structure on the lot and any side or rear property line abutting a protected residential district.
- (5) If the Director determines that, due to site topography, soils, easements, or other constraints, compliance with the Section (g)(1) is impracticable, the Director may approve a site design that locates a single or combination of auto-related site elements, between a primary structure and a side or rear property line abutting a protected residential district, provided the site element(s) is located at least 10 feet from any applicable rear or side property lines.

**(g) Accessory Uses and Equipment**

Outdoor vending machines, ice dispensers, vacuums, and air pumps shall not be permitted within 100 feet of any protected residential district and shall be screened to be completely out of view from adjacent residential uses.

**21.05.050 RESIDENTIAL ATTACHED AND MULTIFAMILY DESIGN STANDARDS<sup>13</sup>**

**Commentary**

One Grand Junction includes multiple references to the creation and use of design standards. This section of Module 3 includes proposed draft design standards for attached (e.g., triplex, townhome) and multifamily (e.g., apartment) residential structures. These standards do not apply to single-family detached or duplex units. The proposed regulations are focused on residential design basics such as pedestrian safety and compatibility with the comprehensive plan and existing development. If adopted, these standards will only be applicable to new development or redevelopment that meets a threshold described in the Applicability section, below.

**(a) Purpose**

The standards of this section are intended to promote high-quality residential development and construction; protect property values; encourage visual variety and architectural compatibility; and promote the unique character of Grand Junction's neighborhoods. Specifically, the standards:

<sup>13</sup> Current 21.03.050 was carried forward into the zone districts in Module 2. The new standards in this section are applicable to attached and multifamily structures only.

- (1) Promote new multi-unit residential developments that relate and connect to established neighborhoods;
- (2) Enhance public safety by preventing garages from obscuring main entrances or blocking views of the street from inside residences; and
- (3) Improve the compatibility of infill projects with the residential character of surrounding neighborhoods.

**(b) Applicability**

**(1) New Development**

This section applies to all new attached residential with three or more units, and all multifamily development. This section does not apply to single-family detached or duplex units.

**(2) Redevelopment and Infill Development**

To encourage redevelopment, continuing property investment, and infill development, it may be necessary to determine site appropriate adjustments to applicable development standards that will allow the development to take place while applying partial development standards. This section identifies the standards for determining specific site compliance with a partial site or structure standard.

- (i) Applicants for some types of redevelopment may qualify for the partial application of site or structure development standard as described in this section.
- (ii) Any redevelopment of a structure or site shall be designed to either increase compliance with this Code or, at a minimum, not increase existing noncompliance. Redevelopment shall not establish new noncompliance with this Code, regardless of the applicability of this section.
- (iii) Partial compliance with eligible site development standards as applicable to a specific development or structure type may be requested for development types in Table 21.05-1 according to the calculations described in GJMC 21.05.050(b)(3).

<b>Table 21.05-1: Applicability of Site and Structure Development Standards</b>				
	<b>Res. Multi-Unit</b>	<b>Mixed-Use and Public</b>	<b>Comm.</b>	<b>Ind.</b>
<b>New Development</b>	Percent Compliance with All Site and Structure Standards			
New Development	100	100	100	100
<b>Existing Development</b>				
Interior Changes	N/A	N/A	N/A	N/A
<b>Redevelopment:</b>				
Less than 10% GFA	N/A	N/A	N/A	N/A
Between 10% and 75% GFA	Apply GJMC 21.05.050(b)(3)(i)(B)			
Greater than 75% GFA	100	100	100	100
<b>Nonconformities</b>				

<b>Table 21.05-1: Applicability of Site and Structure Development Standards</b>				
	<b>Res. Multi-Unit</b>	<b>Mixed-Use and Public</b>	<b>Comm.</b>	<b>Ind.</b>
Existing Nonconformities	Apply GJMC <> [Nonconformities]			

**(3) Measuring Required Compliance**

(i) Site development standards shall be proportionately applied to all increases in GFA as follows:

**(A) Minimal Change**

Square footage changes that increase the total gross floor area of a structure by less than 10 percent, as determined by the building permit application, shall not be required to comply with these development standards.

**(B) Proportionate Change**

Square footage changes that increase the total gross floor area of a structure by more than 10 percent but less than 75 percent, as determined by the building permit application, shall require a corresponding percent increase in compliance with these development standards or until the site reaches compliance, whichever is less.

**(C) Full Compliance**

Square footage changes that increase total gross floor area of a structure by 75 percent or greater, as determined by the building permit application, shall be required to fully comply with these standards.

(ii) Measurement is based on changes to an individual structure that is subject to improvements, regardless of the total number of structures on the site.

**(c) General Standards for all Residential Attached and Multifamily Development**

**(1) Mix of Housing Types**

Developments shall promote a diverse community through the provision of a variety of housing types, such as a combination of duplex, tri-plex, four-plex, townhomes, apartments, and single-family units in a range of sizes. Developments are encouraged that are not dominated by a single type of home or dwelling unit.

**(2) Transitions Between Different Land Use Areas**

When located adjacent to designated zoning districts, development shall comply with applicable height and setback transitional standards in GJMC 21.05.040.

**(3) Infill Development**

Infill residential structures, including garages, shall be designed with form, shapes, textures, and functions that are compatible in scale, siting, detailing and overall character with comparable residential structures in the immediate neighborhood.

**(4) Energy Conservation and Site Orientation Guidelines**

- (i) Consideration shall be given to energy conservation in the building design. Use of solar space or water heating, or use of in-line hot water systems, efficient lighting systems, insulation and other energy efficient techniques are strongly encouraged.
- (ii) Orientation of buildings and windows to improve solar access and energy conservation is strongly encouraged.
- (iii) The site plan may be required to be modified so that view planes identified by the City are preserved for as many structures as possible.

**(5) Structured Parking Design**

- (i) Parking structures shall be constructed of materials of similar quality and shall be compatible in appearance with adjacent buildings and shall contain lighting sufficient for security as approved by the Director.
- (ii) Ground floor facades of parking structures not occupied by active uses shall be articulated through the use of three or more of the following architectural features.
  - (A) Windows or window-shaped openings with decorative mesh or similar features as approved by the zoning administrator;
  - (B) Masonry columns;
  - (C) Decorative wall insets or projections;
  - (D) Awnings;
  - (E) Changes in color or texture of materials;
  - (F) Approved public art;
  - (G) Integrated landscape planters; or
  - (H) Other similar features approved by the Director.
- (iii) Where feasible, the ground floor of parking structures in mixed-use or nonresidential districts shall be wrapped with active public or residential uses along at least 60 percent of the ground-floor street frontage.

**Commentary**

During the review of Module 2, both the Development Code Committee and Planning Commission discussed the current 10% set-aside or fee payment for multifamily and mixed-use development. The standards proposed in this section illustrate how that requirement could be more clearly specified and applied for the creation of on-site open space.

**(6) Private Outdoor Space**

In addition to complying with the standards in GJMC <> [dedication requirement], all residential attached and multifamily development shall provide private outdoor space in compliance with this section.

**(i) Definition**

"Private outdoor space" means the usable floor area of any patio, porch, or deck or enclosed yard attached to and accessible directly from a particular dwelling unit and that is for the exclusive private use by the residents of a particular dwelling unit.

**(ii) Requirements**

Private outdoor space shall be provided according to the following:

**(A) First-Floor Units**

- a. For units located on the first floor, the minimum size of private outdoor space shall be 80 square feet or ten percent of the gross floor area of the unit, whichever is larger. The minimum dimension of such space shall be eight feet.
- b. Porches and entry patios that serve one dwelling may be considered private outdoor areas. However, any area necessary for walkways from outside the private outdoor area to the entrance of the dwelling unit shall be excluded from the calculation of the private outdoor space. Walkways shall be assumed to be three feet in width.

**(B) Units Above First Floor**

For units located above the first floor, the minimum size of private outdoor space shall be 60 square feet or five percent of the "livable" floor area of the unit, whichever is larger. The minimum dimension of such space shall be six feet.

**(C) Design of Private Outdoor Spaces**

- a. The private intent of private outdoor spaces shall be clearly defined by the design.
- b. Private outdoor spaces shall be designed as an extension of the living unit. Its location and relationship to interior spaces should be given consideration.
- c. Where landscaped private outdoor space exceeds ten percent of the floor area on the first floor, the excess private space may apply towards any common open space requirement.

**(d) Development with Three or More Primary Structures**

In addition to GJMC 21.05.050(c), these standards apply to all attached single-family or multifamily developments with three or more primary structures. For example, this would include a development with three rows of townhomes or four apartment buildings. These standards are applicable whether the units are designed for individual lots or not.

**(I) Building Layout**

- (i) Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, areas of naturalized landscaping, and to screen parking areas.
- (ii) Buildings shall be arranged and grouped to define one or more of the following:
  - (A) Framing the corner of an adjacent street intersection or entry point to the development;
  - (B) Framing and enclosing a pedestrian and/or vehicle road or access corridor within or adjacent to the development site;



- (C) Framing and enclosing parking areas, public spaces, or other site amenities on at least three sides;
- (D) Framing and/or enclosing outdoor dining or gathering spaces for pedestrians between buildings; or
- (E) Framing one or more areas of natural vegetation.

**(2) Building Design Elements**

- (i) To the maximum extent feasible, the principal building entrance shall face:
  - (A) An adjacent public street;
  - (B) An adjacent publicly accessible plaza; or
  - (C) An adjacent primary public walkway.
- (ii) In cases where the long axis of a building is perpendicular to the primary street, the portion of the structure facing the primary street shall be configured with at least one functioning entry and one or more transparent windows.
- (iii) In cases where the principal entrance does not face the principal street, the entrance shall be connected to the street and adjacent parking areas with a sidewalk(s).
- (iv) Primary entrances shall not be oriented towards parking lots, garages, or carports.

**(3) Circulation and Parking**

- (i) Circulation shall be designed to protect pedestrian/bicycle ways and shall minimize potentially unsafe interactions automobile traffic.
- (ii) Pedestrian and bicycle circulation shall be given equal consideration as automobile traffic. Pedestrian and visual linkages shall be made between a project and off-site amenities.
- (iii) The project shall be designed to minimize negative traffic impacts on and of the surrounding uses.
- (iv) To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from street frontage.
- (v) Parking areas and freestanding parking structures (detached garages or carports) shall not occupy more than 30 percent of each perimeter public street frontage of a multifamily development.
- (vi) To the maximum extent practicable, freestanding parking structures that are visible from perimeter public streets shall be sited so that the narrow end of the parking structure is perpendicular to the perimeter street.
- (vii) Temporary parking structures are not permitted.
- (viii) Projects that require parking areas with more than six parking spaces shall provide maneuvering areas that accommodate ingress and egress from the lot by forward motion of vehicles. The Director may allow parking that backs out directly onto a street if the applicant can show this is a safe alternative for both pedestrians and the driver.

- (ix) The visual focal point of drives and walkways should be free of utilities, trash receptacles, and outdoor storage areas.

#### **(4) Garages, Parking, and Bulk Storage**

##### **(i) Attached Garage**

On blocks where the existing garage layout is predominately detached or alley-loaded, attached garages for attached residential units shall meet the following design standards

- (A) The structural opening for street-facing garages on attached dwellings shall not comprise more than:
  - a. Two-car garage: 45 percent of the facade width or 18 feet, whichever is greater; or
  - b. Three-car garage: 55 percent of the facade width or 27 feet, whichever is greater.
- (B) The use of side-loading garages is permitted. The outside wall of a street-facing side-loading garage must have a minimum of two of these design features:
  - a. Siding materials identical to that found on the primary façade;
  - b. Two or more windows of a size and design similar to those found on the primary façade; or
  - c. Garage or living area facade offset from the other a minimum of four feet.
- (C) Townhome (or similar attached structure design) rows shall have no more than six garage openings on any principal building elevation containing entry doors.
  - a. Each garage opening shall have a maximum width of 9 feet.
  - b. No more than four garage openings may be grouped together without an intervening wall surface of at least 20 linear feet (measured horizontally).

##### **(ii) Bulk Storage**

- (A) Bulk storage areas intended for storage of materials other than food and clothing, such as tools, bicycles, ski equipment, etc. shall be designed for this purpose. Bulk storage areas shall be free of encumbrances such as water heaters or other types of mechanical or electrical equipment.
- (B) A minimum of 1 cubic foot of storage for each 3 square feet of gross area of the dwelling unit shall be provided for each unit; this calculation shall not include areas for bedroom closets, kitchen cabinets, and food storage.
- (C) Exterior or detached bulk storage areas shall be designed as an integral part of the project and be integrated with the architectural character of the dwellings on the site. Bulk storage areas shall incorporate storage facilities into garages, car ports, screening walls, and shall use materials and details similar to those of the dwelling unit to achieve an integrated appearance.

- (D) The provision of additional storage beyond these minimum requirements is encouraged.

## 21.05.060 MIXED-USE AND COMMERCIAL DESIGN STANDARDS

### Commentary

The following design standards are a combination of standards carried over from the Horizon Drive District and North Avenue Overlay District for consideration as more generally applicable standards for mixed-use and commercial development.

#### (a) Purpose

The purpose of these standards is to provide a consistent level of architectural character, quality, and aesthetics for mixed-use and commercial development, as well as to improve and enhance pedestrian access, vehicular access, parking, and circulation.

#### (b) Applicability

This section is applicable to mixed-use and commercial development in Mixed-Use Districts.

#### (c) Materials

- (1) All mixed-use and commercial buildings shall be constructed with exterior materials that are durable, including but not limited to stone, brick, cementitious board, and architectural metals.
- (2) The following exterior materials are prohibited in mixed-use zone districts:
  - (i) Metal-clad prefabricated buildings
  - (ii) Building made from pre-cast concrete and
  - (iii) Tilt-up wall systems that are structural in appearance.

#### (d) Architectural Features

- (1) The main entrance to the building(s) shall be on the front façade of the building.
  - (i) Additional entrance(s) may be provided on the side and/or rear of the building to parking areas or other pedestrian facilities.
  - (ii) A front door may be constructed anywhere along the front facade of the building including at the corner of the front façade.
- (2) Buildings shall include the following architectural design elements:
  - (i) The building shall be designed to include recessed or projecting elements to provide facade articulation. This can be accomplished through the design of entryways, awnings, rooflines, projecting bays, pilasters, columns, or other features. Articulation shall occur a minimum of every 30 feet for all sides of the building.
  - (ii) The first floor of a building designed to accommodate a commercial space (such as a restaurant or retail use) shall have windows facing the public street to create visual interest to pedestrians and provide views from inside of buildings to the street.
- (3) All sites or structures shall incorporate a minimum of 3 of the following architectural design elements:

- (i) Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features for all sides of the building.
- (ii) Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs, eaves, recesses, projections, raised cornice parapets over doors or bays and peaked roof forms.
- (iii) Facade features that emphasize the primary building entrance through projecting or recessed forms, detail, color and/or material.
- (iv) Outdoor patio in combination with or without outdoor seating located between the building and the primary public street.
- (v) Ground story transparency of at least 50 percent in the form of windows and/or door(s) for facades facing all public street frontages.
- (vi) Public art, as approved by the Director, or
- (vii) Other architectural or site features that help create a consistent design for the site and reflect the design character of the area where the project is located, as determined by adopted plan or by the Director.

**(e) Site Design**

Site design elements are intended to minimize vehicular orientation and emphasize pedestrian activities such as ease of access from the public way and safe access to parking areas, increase walkability of the district especially between the public way, transit facilities and other buildings. They are also intended to provide safe access to businesses from the street and sidewalks, as well as maximize multiple parcel interconnectivity.

**(1) Circulation**

- (i) A six-foot-wide sidewalk shall be provided from the street to the front of all primary building main entrances.
- (ii) Pedestrian paths shall be established between neighboring buildings, between buildings and outlying parking areas, and between buildings and transit facilities.
  - (A) Pedestrian paths shall be clearly visible, have adequate lighting, and be designed to be reasonably direct.
  - (B) Where pedestrian paths cross vehicular routes, a change in paving materials, textures, or colors shall be provided to emphasize the potential conflict point, improve visibility, enhance safety, and enhance aesthetics.
- (iii) On-site signage and traffic markings shall be provided as necessary to facilitate circulation and improve public safety and awareness.

**(2) Parking**

- (i) Parking shall not be permitted between the building and any adjacent public right-of-way.

- (ii) Bicycle parking shall be provided at locations that do not obstruct the flow of pedestrians, are easily identifiable and visible and convenient to customer entrances.

**(3) Drive-Through**

- (i) Where drive-through windows or drive-up facilities are allowed, they shall be oriented as to not be visible from the public street.
- (ii) Drive through lanes shall not be installed between a public right-of-way and the building.

**(4) Access**

- (i) Site layout and access design shall minimize the number of traffic conflict points into and out of a business or overall development site by defining and consolidate driveways or access points and designing shared access between/among businesses.
- (ii) Turn lanes shall be provided where appropriate.

**21.05.070 SUPERSTORE/BIG BOX DEVELOPMENT STANDARDS<sup>14</sup>**

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**(a) Applicability**

The following standards and guidelines are applicable to any retail commercial structure in excess of 60,000 square feet or any retail center in which any one structure exceeds 60,000 square feet (hereinafter “big box”).

**(b) Building Design**

- (1) The following standards shall apply to all building facades and exterior walls that are visible from adjacent public streets and/or parcels. These standards are intended to reduce the massive scale of large buildings, which, without application of these standards, may be incompatible with Grand Junction’s desired character.
  - (i) Facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 150 horizontal feet.
  - (ii) Ground floor facades that face public streets shall have display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. If the facade of the building facing the street is not the front, it shall provide the same features and/or landscaping in scale with the facade.
- (2) Buildings should have visually interesting architectural features and patterns that are designed to reduce mass and scale and reflect local character.
- (3) The following, in regard to trim, graphics or paint should be integral and not superficially applied: color and material change, texture change and relief such as offsets, projections and reveals.

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<sup>14</sup> Current 21.03.040(l), relocated from the use-specific standards. These standards may be further revised or removed after further discussion with staff at the time of Consolidated Draft.

- (4) Variation in roof lines/roof materials, in order to add interest to and reduce the massive scale of large buildings, is required. Roofs shall have no less than two of the following features:
  - (i) Parapets concealing flat roofs and rooftop equipment, such as HVAC units, from public view. Parapets shall not exceed one-third of the height of the supporting wall and shall not be of a constant height for a distance of greater than 150 feet;
  - (ii) Overhanging eaves, extending no less than three feet past the supporting walls, for no less than 30 percent of the building perimeter;
  - (iii) Sloping roofs that do not exceed an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run; and
  - (iv) Three or more roof slope planes.
- (5) The following standards are intended to ensure that large structures are consistent with community values.
  - (i) Predominant exterior building materials shall be high quality material. These include, without limitation:
    - (A) Brick;
    - (B) Other native stone;
    - (C) Tinted, textured, concrete masonry units;
    - (D) Wood; and
    - (E) Sandstone.
  - (ii) Facade colors shall be nonspecular, neutral or earth tone colors. The Director shall prohibit the use of high intensity, metallic, black, or fluorescent color.
  - (iii) Building trim and accent areas may feature brighter colors, including primary colors.
  - (iv) Predominant exterior building materials shall not include the following:
    - (A) Smooth-faced concrete block;
    - (B) Smooth-faced tilt-up concrete panels; or
    - (C) Prefabricated steel panels.
- (6) Entrances
  - (i) Big boxes, where possible, shall provide multiple entrances. Multiple entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks and provide convenience where certain entrances offer access to individual stores or identified departments of a store. Multiple entrances also mitigate the effect of unbroken walls and neglected areas that often characterize building facades that face other properties.
  - (ii) Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. The following standards identify desirable entryway

design features. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- (A) Canopies or porticos;
  - (B) Overhangs;
  - (C) Recesses/projections;
  - (D) Arcades;
  - (E) Raised corniced parapets over the door;
  - (F) Peaked roof forms;
  - (G) Arches;
  - (H) Outdoor patios;
  - (I) Display windows;
  - (J) Architectural details such as tile work and moldings which are integrated into the building structure and design; and
  - (K) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- (7) To the greatest extent possible, mechanical appurtenances shall be located within the structure. External mechanical appurtenances such as heating and air conditioning equipment shall be screened and finished to match the colors and materials of the building.
- (8) All buildings and enclosures shall be designed to be compatible with the primary structure. Compatibility shall be measured in terms of design, form, use of materials, and color.
- (9) All applications for any superstore/big box development/shopping center development shall submit, as part of their site plan review, a complete sign package consistent with the latest edition of the SSID manual.

**(c) Site Layout**

Where practicable, buildings shall be located closer to the street so that the scale of the building appears to be reduced, pedestrian traffic is encouraged and architectural detail is more apparent.

**(d) Outdoor Spaces and Amenities**

- (1) Big box shall provide outdoor spaces and amenities to link structures with the community. Bus stops, drop-off/pick-up points, as well as pedestrian circulation routes, shall be integrated with traffic patterns on the site. Special design features enhance the building's function with its relationship to the community.
- (2) Big box site or structure design shall provide at least two of the following features:
  - (i) Patio/seating area;
  - (ii) Pedestrian plaza with benches;

- (iii) Window display area (covering at least 75 percent of the length of one facade or 50 percent of the length of two facades);
  - (iv) Outdoor playground area;
  - (v) Kiosk area;
  - (vi) Water feature;
  - (vii) Clock tower;
  - (viii) Public art; or
  - (ix) Other features approved by the Planning Commission.
- (3) Each big box shall provide an off-street bus stop for customers and employees when located on an established or planned bus route.
- (4) Each of these features shall be constructed of material that is compatible with the principal structure and be linked by pedestrian connections as required by this Code.

**(e) Sidewalks**

Pedestrian accessibility from a big box to the neighborhood is important to reducing traffic impacts and projecting a friendlier, more inviting image. This subsection sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter and convenience within the center grounds.

- (1) Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of the principal structure. At a minimum, walkways shall connect pedestrians to transit stops, street crossings, building and store entries and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers or other materials for no less than 50 percent of its length.
- (2) Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance and along any facade abutting public parking.
- (3) Sidewalks shall be located an average of six feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades, display windows or entryways are part of the facade.
- (4) Walkways within 30 feet of at least half of the customer entrances shall have weather protection features such as awnings or arcades.
- (5) Pedestrian walkways in public parking areas shall be distinguished from driving surfaces by the use of durable, low maintenance surface materials such as pavers, bricks or patterned concrete. Such walkways enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

**(f) Parking**

- (1) Parking areas should provide safe, convenient, and efficient access.
- (2) Parking shall be distributed to shorten the distance to buildings and public sidewalks and to reduce pavement.



- (3) Where possible, no more than 75 percent of the off-street parking for the entire property shall be located between the front facade of the principal structure and the primary abutting street ("front parking area").
  - (i) The front parking area shall be determined by drawing a line from the front corners of the building to the nearest property corners. If any such line, when connected to the plane of the front facade of the building, creates an angle that is greater than 180 degrees, then the line shall be adjusted to create an angle of 180 degrees when connected to the plane of the front facade of the building. If any such line, when connected to the plane of the front facade of the building, creates an angle that is less than 90 degrees, then the line shall be adjusted to create an angle of 90 degrees when connected to the plane of the front facade of the building.
  - (ii) Parking spaces in the front parking area shall be counted to include all parking spaces within the boundaries of the front parking area, including:
    - (A) All partial parking spaces if the part inside the front parking area boundary lines constitutes more than one-half of said parking space; and
    - (B) All parking spaces associated with any pad sites located within the front parking area boundaries.

**(g) Outdoor Storage, Display, and Operations**

- (1) Outdoor storage, loading and operations areas shall be attractively screened from adjacent parcels and streets.
- (2) Outdoor storage, trash collection and/or compaction, loading or other such uses shall be located in the rear of the lot.
- (3) If, because of lot configuration, the Director determines that such placement is not feasible, then the side yard may be used, but in no case shall such area be located within 20 feet of any public street, public sidewalk or on-site pedestrian way.
- (4) Outdoor storage, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall site design. Views of these areas shall be screened from visibility from all property lines and separated from sidewalks and on-site pedestrian ways. Screening structures shall be made of the same materials as the principal structure.
- (5) Non enclosed areas for the storage and sale of seasonal merchandise shall be permanently defined and screened with walls and/or fences. Fences must comply with GJMC 21.04.040(i), any design guidelines and other conditions of approval. Materials, colors and design of screening walls and/or fences shall conform to those used as in the principal structure. If such areas are to be covered, then the covering shall conform to the colors on the building. Outdoor display and storage shall not encroach on any portion of a walkway, drive aisles or required parking spaces.
- (6) Portable outdoor display shall be allowed and shall be placed so that a minimum of eight feet of sidewalk remains open at all times in the display area. Display shall not be placed in the drive aisles or required parking spaces.

- (7) No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. unless the applicant submits proof that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45 decibels, as measured at the lot line of any abutting property.
- (8) One outdoor vendor shall be allowed for each tenant over 50,000 square feet. The area established for the vendor shall be identified on the site plan.
- (9) Any special event occurring in any outdoor area, including pedestrian ways and parking lots, shall comply with GJMC <> [Administrative Development Permits].

## 21.05.080 SCREENING<sup>15</sup>

### (a) Single Unit Residential

To the maximum extent practicable, utility equipment on residential lots should be located behind the front building line of the house and screened from public view by an opaque wall, fence, or landscaping screen.

### (b) Multi-Unit Residential, Mixed-Use, and Nonresidential

#### (1) Screening Generally

- (i) All multi-unit residential development, manufactured and mobile home parks, and all mixed-use and nonresidential projects shall include on the landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with trash bins, recycle bins, storage yards, service areas, loading docks, and equipment areas on the property.
- (ii) No existing screening or landscape buffer shall be removed from any developed or undeveloped commercial property which directly abuts a residentially zoned property without first submitting and obtaining approval for a landscaping plan which provides for replacement screening conforming to all provisions of this section.

#### (2) Mechanical Equipment

##### (i) Applicability

- (A) The standards of this section shall apply to all of the following:
  - a. Electrical and gas-powered mechanical equipment;
  - b. Ductwork and major plumbing lines used to heat, cool, or ventilate; and
  - c. Power systems for the building or site upon which the equipment is located.
- (B) Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards. The standards of this section are not intended to apply to solar arrays, solar energy collection systems, or small wind energy systems, if such systems are otherwise in compliance with applicable building codes and development standards requirements.

<sup>15</sup> New.

**(ii) Screening Standards**

**(A) Roof-Mounted Mechanical Equipment**

- a. Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design.
- b. The parapet wall or similar feature shall be of a height equal to, or greater than the height of the mechanical equipment being screened.
- c. Roof-mounted mechanical equipment, except solar energy collection systems, is prohibited on single-unit residential dwellings.

**(B) Wall-Mounted Mechanical Equipment**

Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), shall be screened from view by structural features that are compatible with the architecture of the subject building.

**(C) Ground-Mounted Mechanical Equipment**

- a. Ground-mounted mechanical equipment shall be screened from view by landscaping, a fence, or a decorative wall that is integrated into the architecture of the structure.
- b. The fence or wall shall be of a height equal to, or greater than the height of the mechanical equipment being screened and no taller than 8 feet.

**(D) Alternate Screening**

- a. Alternate screening methods that meet the intent of this section may be approved by the Director.
- b. Alternative screening might include, but shall not be limited to, increased landscaping, grouping the equipment on specific portions of a site, architectural elements, and painting or otherwise causing the equipment to blend with the site or structure.

**(3) Service, Loading, and Storage Areas**

**(i) Applicability**

These screening requirements are applicable to all service, loading, and storage areas. Applicants are encouraged to locate the types of features listed in this subsection where they are not visible from off-site, or from public areas of a site, so that screening is unnecessary.

**(ii) Placement**

- (A) All service areas shall be placed at the rear, on the side of, or inside buildings.
- (B) No service area shall be visible from a public right-of-way, not including an alley, or from adjacent residential areas.

- (C) Service areas and access drives shall be located so they do not interfere with the normal activities of building occupants or visitors on driveways, walkways, in parking areas, or at entries.

**(iii) Outside Storage Areas and Loading Docks**

- (A) All storage areas, service areas, and loading docks visible from any public street right-of-way shall be screened according to one or more of the screening options provided in these standards. Property zoned industrial must also screen from view, all outside storage areas that are adjacent to, or can be seen from non-industrial zoned property, unless the adjacent non-industrial-zoned property is located in the Industrial LUTA by the City's Future Land Use Map.
- (B) Screening shall be a minimum height of eight feet to screen truck berths, loading docks, areas designated for permanent parking, or storage of heavy vehicles, equipment, or materials.
- (C) Screening shall be long enough to screen the maximum size trailer that can be accommodated on site. Sites that can accommodate a full-size tractor-trailer shall provide a 48-foot wing wall, where wing walls are used.

**(iv) Shopping Cart Storage**

All shopping carts shall be stored inside the building they serve. Shopping cart corrals shall be made of a material suitable for withstanding weathering and rusting.

**(v) Dumpster, Garbage, or Trash Enclosure**

- (A) Each required garbage enclosure shall be accessible for truck pick-up. Access drives shall be constructed of material and thickness to accommodate truck loading. Year-round accessibility to the enclosure for service trucks area shall be maintained by the property owner or tenant.
- (B) The container shall not be visible from any adjacent property or from any public right-of-way. Each required enclosure shall be screened through the use of a solid wall on at least three sides to a height of at least six inches above the height of the top of the container. The use of materials that are not solid, such as slates in chain-link fencing, shall not be used to meet this requirement.
- (C) Enclosure openings directly visible from a public right-of-way and/or adjoining properties shall have a gate constructed of solid material.
- (D) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may include use of barrier curbing reinforced masonry walls, or other similar means.
- (E) Trash enclosures shall not be located within a required street front or street side setbacks or buffer yard or occupy area used for required parking spaces.

### **21.05.090 USE OF PUBLIC RIGHT-OF-WAY**

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No private 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 consistent with this Code.

- (a) No person shall use any structure or use, store, display, or sell any merchandise in a public right-of-way 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.
- (b) 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.
- (c) 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.

## Chapter 21.06 Community Stewardship

### 21.06.010 ENVIRONMENTAL AND SENSITIVE LAND REGULATIONS<sup>16</sup>

#### (a) Purpose

Environmental and sensitive lands (ESL) regulations shall apply to identified hazard areas and/or lands, which have or may have specific environmental conditions. The intent of this regulation is to:

- (1) Guide development and land use within these areas;
- (2) Protect the public from avoidable financial expenditures for hazard control projects, hazard relief measures and damages to public utilities, streets and bridges;
- (3) Protect people and property and minimize damage from possible hazards; and
- (4) Provide a mechanism by which people owning/purchasing land can gain information about the land and whether the land is suitable for development.

#### (b) Applicability

The provisions of this section, in addition to any other applicable regulation, shall apply to a Planned Development Outline Development plan, Preliminary Subdivision Plat or Simple Subdivision for environmental and sensitive lands. This section shall not apply to the following:

- (1) Development of a single-family detached dwelling on any lot or parcel in existence as of the Effective Date;
- (2) State, County or City highway personnel engaged in constructing or effecting repair of bridges and/or roads;
- (3) Colorado Division of Wildlife and/or U.S. Fish and Wildlife Service engaged in habitat improvement; and
- (4) Railroad personnel engaged in constructing or effecting repair of bridges and track.

#### (c) General Requirements

- (1) The Director shall administer this Code making any necessary interpretations of maps and other documents or information necessary or required, to determine among other things the boundaries of geologic and wildfire hazard areas.
- (2) Any development application involving a property with a known or suspected geologic hazard shall be submitted by the Director for review by the Colorado Geological Survey.
- (3) Any development application involving a property with a known or suspected wildfire hazard shall be submitted by the Director for review by the State Forestry Service.
- (4) Protection from or against hazard or loss by the application of this regulation is not guaranteed. The analysis and recommendations are based on engineering and scientific studies, which are reasonably believed to be accurate and complete. A review consistent with this regulation does not guarantee, either expressly or impliedly that areas outside of established hazard boundaries or uses permitted within hazard boundaries will be free

<sup>16</sup> Current 21.07.020.

from damage or that people will be free from death or injury caused by known or unknown hazards. Application of this regulation to any development shall not create any liability on the part of, or create a cause of action against, the City or any officer or employee thereof.

**(d) Wildfire Standards**

**(1) Defensible Space**

Any new residential development on or adjacent to land that is predominantly woods, brush or grasslands, shall be developed to minimize the potential for the buildings to be ignited by wildfire and for a building fire to ignite surrounding woods, brush or grasslands. In addition to all other applicable regulations woods, brush or grassland development shall be developed with the area surrounding each dwelling unit modified and managed using a two-area system as follows:

**(i) Area 1**

Area 1 shall consist of a 30-foot area immediately surrounding the dwelling unit, not to extend beyond the property line. No dead trees or other dead vegetation may remain in Area 1 at the time of initial sale or initial construction, whichever is first. Area 1 shall be further subdivided into two segments:

- (A) Segment A shall consist of the five feet immediately surrounding all sides of the dwelling unit. All vegetation shall be removed from this area at the time of initial sale or construction, whichever is first. No new vegetation shall be planted in Segment A if the structure is sided with combustible materials such as wood or logs. If noncombustible siding is used, however, low-growing shrubs may remain or be installed. In no case shall shrubs be planted so as to be continuous with grass. No propane tanks may be installed in Segment A and no firewood or other combustible materials may be stored there.
- (B) Segment B shall consist of the 25 feet immediately beyond Segment A. At the time of initial sale or initial construction, whichever occurs first, all installed trees within Area 1 shall be located, and all existing vegetation shall be thinned, as follows to break up the horizontal and vertical continuity of fuels:
  - a. Spacing between clumps of brush or trees, as measured between the crown of each clump, shall be no closer than two times the height of the taller clump. The maximum width of any clump of brush or trees shall be no greater than two times the height of the clump. Thinned material shall be removed from the site.
  - b. All branches of trees or brush shall be pruned to a minimum height of 10 feet above the ground or one-half the total height of the tree or bush, whichever is less. Pruned material shall be removed from the site.
  - c. Propane tanks and firewood may be located in Segment B, but in no case shall such tanks be located within 20 feet of the primary structure. Propane tanks shall be located on gravel pads and shall not be located immediately adjacent to grass-covered areas.

**(ii) Area 2**

Area 2 shall consist of the area immediately beyond Area 1 and extending to 75 feet from the principal structure, not to extend beyond the property line. Trees shall be initially thinned in this area to maintain a minimum of five feet between tree crowns at maturity. All dead trees must be removed from Area 2 prior to initial sale or initial construction, and subsequent dead trees shall be removed annually, except that two dead trees per acre may remain to serve as wildlife habitat.

**(2) Maintenance**

Persons owning, leasing or otherwise maintaining new dwelling units covered by provisions of this code are responsible for proper maintenance of the defensible space. Maintenance of the defensible space shall include modifying or removing flammable vegetation and keeping leaves, needles, and other dead vegetative material from accumulating on roofs of structures.

**(e) Wildlife Habitat Protection**

- (1) Prior to development of a moderate, high, or very high potential for impact category parcel, as shown on the 1999 Wildlife Composite Map for the urban area or an amended map approved by the City, the developer shall consult with the Colorado Division of Wildlife to substantiate the basis for the potential impact and to address various specific measures to avoid, minimize, or mitigate negative impacts to wildlife and/or habitat.
- (2) New structures shall not be located within 100 feet of the floodways of the Colorado or Gunnison Rivers or as recommended by the Colorado Division of Wildlife. Roads, trails, recreation access sites, bridges, fences, irrigation and water diversion facilities, erosion and flood control devices, underground utilities, and similarly necessary structures may be located within this setback, if necessary. The installation of these structures shall comply with all other applicable federal, state, and local regulations.

**(f) Hillside Development**

**(1) Purpose**

The provisions in this section are designed to accomplish the following:

- (i) Prohibit development or uses which would likely result in a hazardous situation due to slope instability, rock falls, or stormwater runoff and excessive soil erosion;
- (ii) Minimize the threat and consequent damages resulting from hillside area fires by establishing fire protection measures and adequate emergency vehicle access;
- (iii) Preserve natural features, wildlife habitats, natural vegetation, trees and other natural plant formations;
- (iv) Provide for safe vehicular circulation and access to recreation areas, natural drainage channels, paths and trails;
- (v) Encourage the location, design and development of building sites in a manner that will provide for greater aesthetic appeal, blend with the slopes and hillside terrain, minimize the scarring and erosion effects of cutting, filling and grading of hillsides and prohibit development of ridge lines as defined; and



- (vi) Encourage preservation of open space by encouraging clustering or other design techniques to preserve natural terrain, views and vistas.

**(2) Applicability**

Hillside development standards are applicable to hillside development and excavation of hillside so that:

- (i) Soil and slope instability and erosion is minimized;
- (ii) The adverse effects of grading, cut and fill operations are minimized;
- (iii) The character of the City's hillsides is preserved; and
- (iv) The public's interest is protected.

**(3) Hillside Development Standards**

In furtherance of the purposes set forth in this section, any hillside development shall comply with the tables below. Any portion of a development having a slope greater than 30 percent with an elevation change of 20 feet or greater shall not be included in calculation of the area of such parcel for the purposes of determining conformity with the minimum lot parcel size and density requirements below.

<b>Table 21.06-2: Minimum Lot Size and Width for Hillside Development: Single-Family, Planned Development, and Cluster Development</b>		
<b>Average Slope of Development Area (%)</b>	<b>Minimum Lot Size (sq. ft.) [1]</b>	<b>Minimum Lot Width (ft)[2]</b>
0 – 10	See existing zone	See existing zone
10.01 – 20	10,000	At least 100 at front setback line
20.01 – 30	15,000	At least 200 at front setback line
30.01+	Development not permitted [3]	Development not permitted [3]
<p><b>Notes:</b>                      [1] Minimum lot size as finally approved.                      [2] Maximum setback for single-family dwelling structures – 150 feet from public or private street.                      [3] Development on slopes of greater than 30 percent is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that: (a) Appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff consistent with the purpose of this section; and (b) The developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.</p>		

<b>Table 21.06-3: Minimum Width and Maximum Density for Hillside Development: Multiple Dwelling Units</b>		
<b>Average Slope of Development Area (%)</b>	<b>Minimum Lot Width (ft)</b>	<b>Maximum Density</b>
0 – 10	See existing zone	See existing zone
10.01 – 20	100	Maximum density of underlying zone x 0.80 unless clustered
20.01 – 30	100	Maximum density of underlying zone x 0.60 unless clustered

Table 21.06-3: Minimum Width and Maximum Density for Hillside Development: Multiple Dwelling Units		
Average Slope of Development Area (%)	Minimum Lot Width (ft)	Maximum Density
30.01+	Development not permitted [1]	Development not permitted [1]
<p><b>Notes:</b></p> <p>[1] Development on slopes of greater than 30 percent is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that: (a) Appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff consistent with the purpose of this section; and (b) The developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.</p>		

**(4) Cluster Development**

Property with slopes in excess of 20 percent may be clustered on the portion of the site with slopes less than 20 percent per GJMC <> [Cluster Development].

**(5) Determination of Slope and Slope Areas**

- (i) Slope shall be determined on a parcel-by-parcel basis if the slope is not generally uniform.
- (ii) The Director may allow some incursion hillside disturbance between slopes. Such incursions shall not exceed 20 feet unless, upon recommendation of the Planning Commission, the City Council finds that a greater incursion is consistent with the purposes of this section.
- (iii) All property with a slope greater than 30 percent shall be excluded from the calculation of development area for purposes of determining hillside disturbance and density/intensity limitations.
- (iv) Natural slope delineation for the purposes of this section shall be determined as follows:
  - (A) Contour intervals, maps and calculations required to determine the natural slope shall be prepared by the applicant and shall be submitted with the development application.
  - (B) Contour maps shall be prepared and certified by a licensed professional engineer or licensed surveyor showing contours at intervals no greater than two feet (the contour map).
  - (C) A qualified professional shall prepare all reports, documents, maps, reports and calculations. The basis of the information used/analyzed shall be conspicuously disclosed thereon. Each report shall include a current statement of the professionals' certifications, credentials and qualifications to prepare the report.
  - (D) The Director may require that the applicant perform a field survey to verify the accuracy of the contour lines shown on the contour map.

- (E) The contour map shall identify profile lines, which shall be used for performing the field survey. Profile lines shall be perpendicular to contour lines and in no case occur at intervals greater than 150 feet apart or 75 feet from a property line.

**(6) Determination of Slope Areas/Density Calculation**

Using the field survey, slopes shall be calculated in horizontal intervals no greater than 40 feet. Points identified as slopes, as listed above, shall be located on the contour map and connected by a continuous line. The area bounded by the lines and intersecting property lines shall be used for determining dwelling unit density.

**(7) Street Design**

GJMC Title 29, TEDS shall apply to all hillside development, except that streets, roads, driveways and other vehicular routes shall not traverse property having a slope greater than 30 percent. The Planning Commission may recommend and the City Council may approve vehicular routes on slopes greater than 30 percent when:

- (i) Appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion, and stormwater runoff consistent with the purposes of this section; and
  - (ii) The site design minimizes the amount of hillside cuts and includes measures to mitigate the aesthetic impact of cuts through the use of landscaping and other mitigation measures.
- (A) Existing vegetation, where streets are to be located, shall be preserved to the greatest extent possible. As much as possible street alignment should follow the natural terrain.
  - (B) The Director may recommend and the Planning Commission may approve the waiver of sidewalk construction when sidewalk construction would result in excessive grading and/or cut/fill of slopes.
  - (C) Vertical or drive-over, curb and gutter, as determined by the Director, shall be installed along all public streets.

**(8) Joint Development Applications**

Multiple owners of hillside property, whether or not such property is contiguous, may file a joint development application for all such property or the City Council may direct the Director to file such an application on behalf of the City.

- (i) For all purposes of this section, hillside property shall be treated as a single development parcel.
- (ii) Development permitted on hillside property, pursuant to this section, may be clustered on any one or more of the parcels under such joint application subject to the requirements and limitations of this section. The provisions of this section shall not allow variance in the use requirements of the underlying and existing zoning category for the receiving parcel and may not result in a violation of the purposes of these regulations.

**(g) Ridgeline Development**

**(1) Purpose**

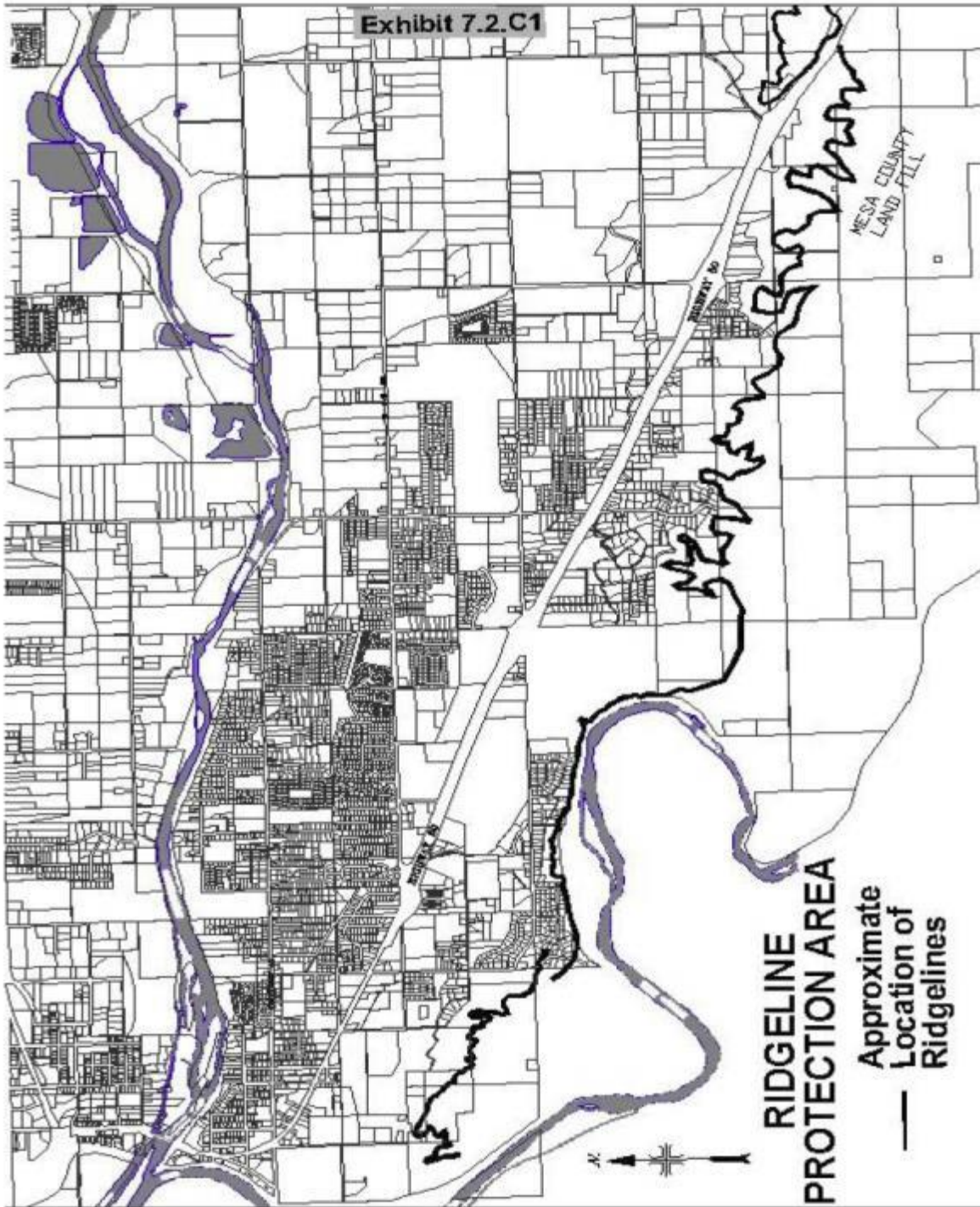
The City recognizes the value of its visual resources and amenities. The purpose of the ridgeline development standards is to preserve the character of the identified ridgelines and to minimize soil and slope instability and erosion.

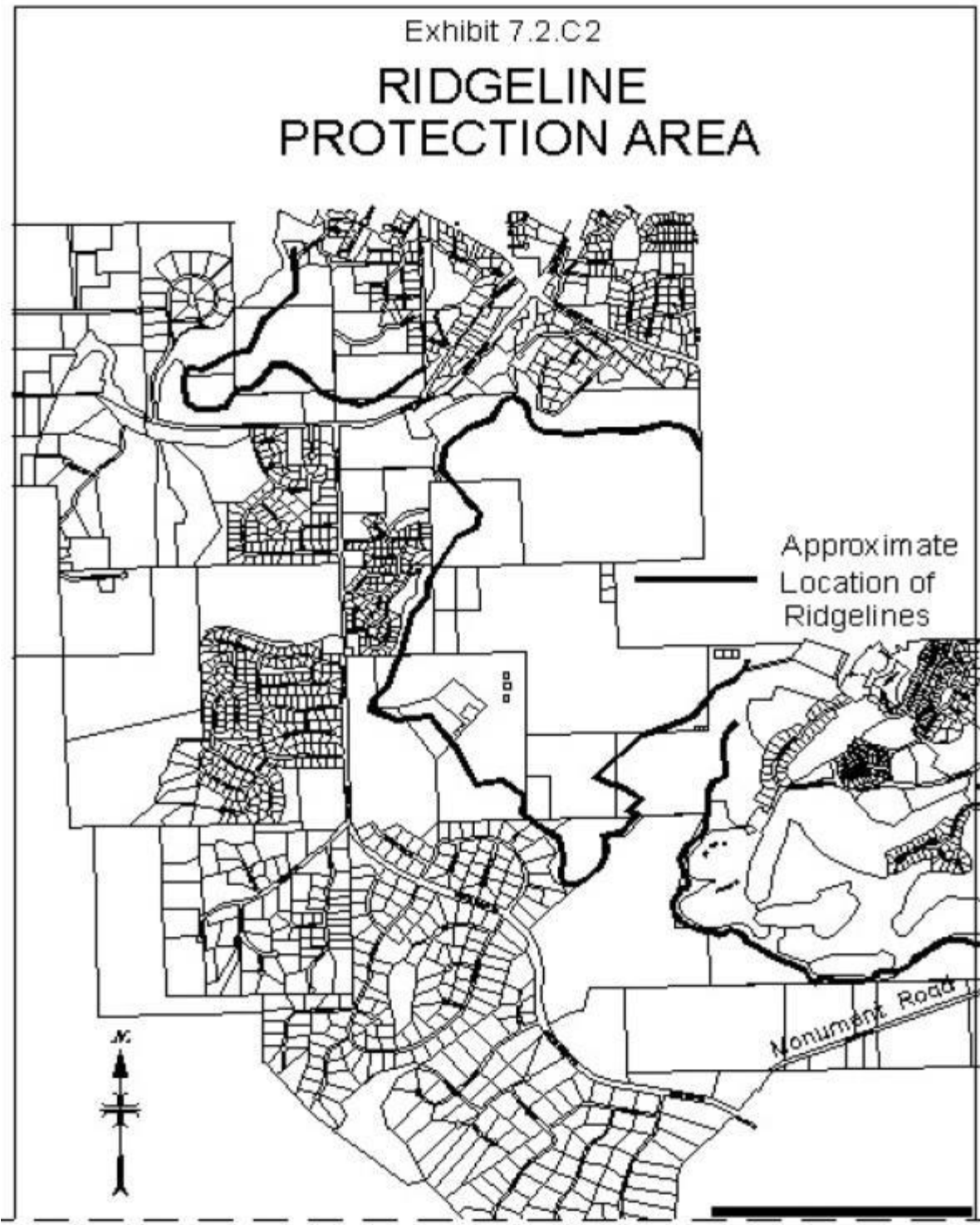
**(2) Ridgeline Setback**

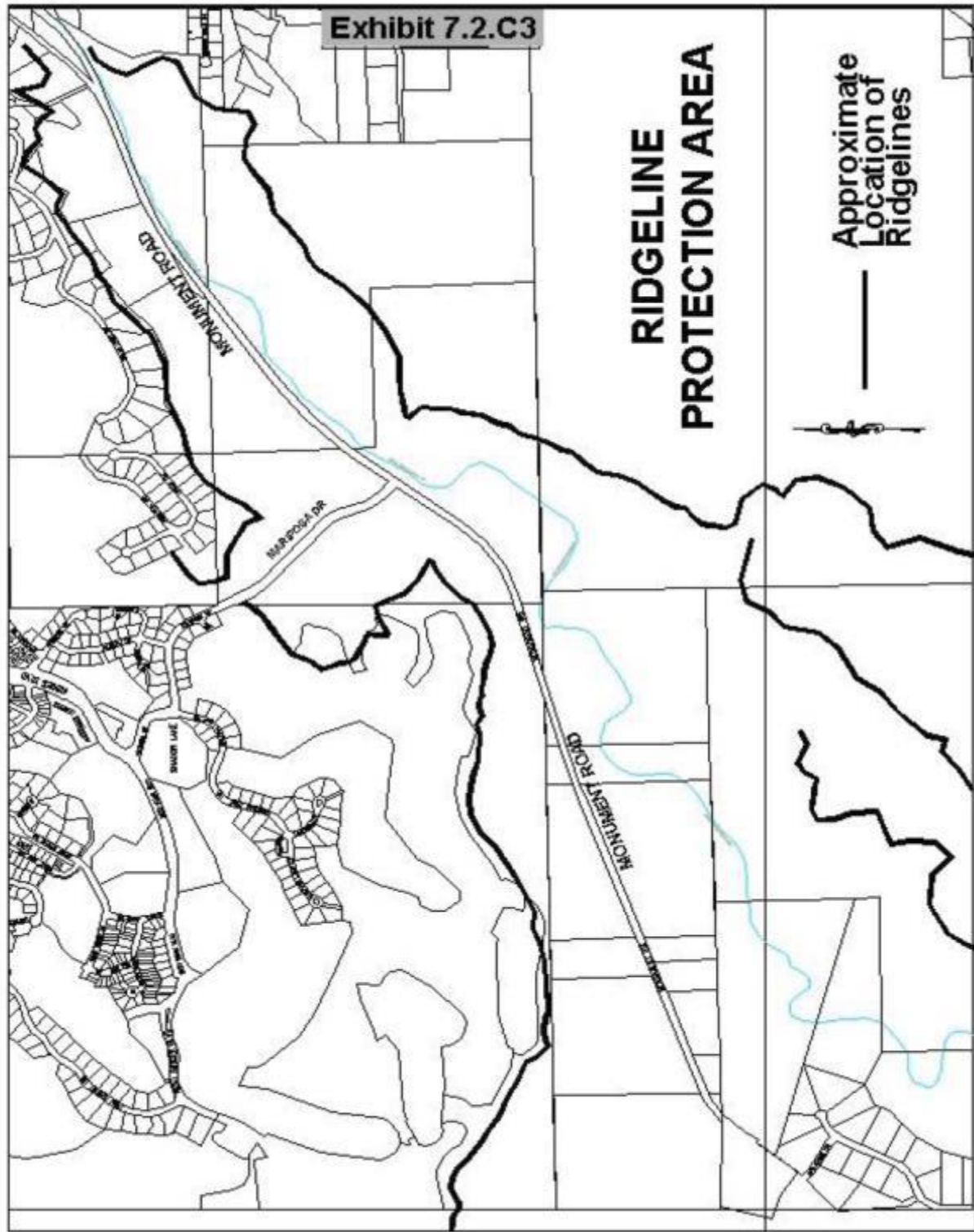
- (i) For all lots platted within the mapped ridgeline protection area shown on Exhibits 7.2.C1, 7.2.C2 and 7.2.C3, buildings, fences and walls shall be set back a minimum of 200 feet from the ridgeline except as follows:
  - (A) ~~In no case shall the setback be less than 30 feet from the ridgeline.~~ This section does not apply to existing structures or lots platted prior to the effective date of this code or to fences constructed primarily of wire.
  - (B) This setback can be reduced to a minimum of 30 feet if the applicant produces adequate visual representation that a proposed new structure will not be visible on the skyline as viewed from the centerline of the mapped roads or that mitigation will be provided. Mitigation techniques might include:
    - a. Earth tone colors to blend with the surrounding area;
    - b. The use of nonreflective materials;
    - c. Vegetation to screen and soften the visual impact of the structure; and/or
    - d. A reduction of building height or the “stepping” of the building height; or
    - e. Other means that minimize the appearance from the road corridor.
- (ii) The required setback shall be measured to the building envelope, to be established at the time of platting.

**(3) Measurements**

- (i) Line of sight shall be measured from the centerline of the road most parallel to the ridgeline at the point most perpendicular to the center of the lot.
- (ii) Ridgeline shall be determined on a site-specific basis and shall be that point at which the line of sight is tangent with the slope profile.







**(h) Natural Resources**

- (1) Natural resources, especially mineral resources, shall be protected. In the event that development is proposed in an area of known mineral deposits, the applicant shall provide an estimate of the economic value of the on-site mineral resources.

- (2) This estimate shall be prepared by a registered engineer and submitted prior to approval of development.
- (3) The City Council shall make an evaluation of the value of both the resource and the cost of extraction prior to development of the property. The City Council may delay development approval until extraction has been accomplished or protection provided within the design of the development.

**(i) Geologic Hazard Maps**

- (1) The Colorado Geological Survey (CGS) has identified geologic hazard areas. The CGS maps, together with explanatory text, references and supporting and supplemental studies, results and findings delineating the boundaries of geologic hazard areas are incorporated into this code by reference.
- (2) The CGS maps approximate the boundaries of hazard areas. The maps shall primarily provide notice to the Director, Planning Commission, City Council and the applicant, that geologic hazards may exist and if so require consideration prior to and if approved, during development. Precise boundaries and determination of hazard require on-site evaluation by qualified professionals. The Director may require a detailed engineering analysis, study and/or report if a hazard is known or reasonably believed to exist. The engineering analysis, study and/or report, if required, may, as determined by the Director, be required to include a map of the extent of the hazard, a definition of its degree of severity, a determination of the frequency of occurrence/reoccurrence, an evaluation of the compatibility of the proposed land use and consideration of the means and methods of hazard mitigation.
- (3) Hazard mitigation is not intended to categorically preempt development but development may occur only if mitigation is appropriate and proportionate to the severity and frequency of the hazard.
- (4) Mitigation techniques, which may be acceptable, are:
  - (i) Avoidance of the hazard area;
  - (ii) Retaining walls, fill, rock bolting, pilings;
  - (iii) Diversion, channeling, damming, barriers;
  - (iv) Excavation of unstable areas, bridging of weak zones, proper distribution of loading;
  - (v) Improvement of surface and subsurface drainage.
- (5) Mitigation plans shall be prepared and stamped by a Colorado registered, professional engineer.

**(j) Environmental Audit**

A Phase I environmental audit shall be required for any property dedicated or deeded to the City. The City may require additional investigation.



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## 21.06.020 FLOOD DAMAGE PROTECTION<sup>17</sup>

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### (a) Purpose

Flood damage prevention regulations promote the public health, safety and general welfare and minimize public and private losses due to flooding. The regulations are designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to critical facilities, infrastructure and other public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges;
- (6) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- (8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

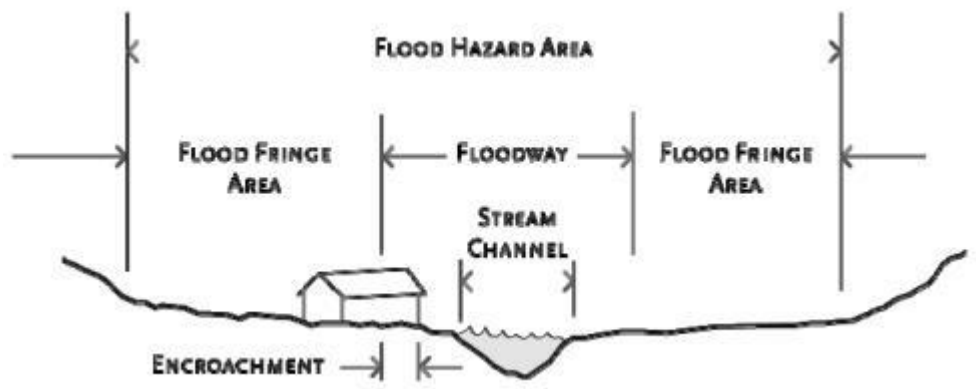
### (b) Methods and Provisions for Flood Damage Prevention

In order to accomplish its purposes, this section includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety and property because of water or erosion hazard;
- (2) Restricting or prohibiting uses which result in damaging increases in erosion or in flood heights or velocities;
- (3) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (4) Controlling the alteration of natural floodplains, stream channels and natural protective barriers which help accommodate or channel flood waters;
- (5) Controlling filling, grading, dredging and other practices which may increase flood damage; and
- (6) Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

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<sup>17</sup> Current 21.07.010. Additional subheadings and other minor organizational layout changes for readability.



**(c) General Provisions**

This section applies to all areas of special flood hazard and areas removed from the floodplain by the issuance of a Federal Emergency Management Agency (FEMA) Letter of Map Revision Based on Fill (LOMR-F) within the City.

**(1) Basis for Establishing the Areas of Special Flood Hazard**

FEMA has identified areas of special flood hazard in a scientific and engineering report entitled, "The Flood Insurance Study for Mesa County and Incorporated Areas," dated October 16, 2012. The study together with the Flood Insurance Rate Maps (FIRMs) are hereby adopted by reference and declared to be a part of this code. The FIRMs may be superseded by local engineering studies approved by the Director, provided such studies fully describe and analyze, based on the FIRMs and generally accepted engineering practice, design floodwater build-out conditions.

**(2) Compliance**

No structure shall be constructed, located, extended, converted or altered without full compliance with the terms of this section and other applicable regulations. No land shall be developed without full compliance with the terms of this section and other applicable regulations. For waterways with base flood elevations (BFEs) for which a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the City's FIRMs, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-half foot at any point within the City. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the NFIP regulations, the City may approve certain development in Zones A1-30, AE, AH, on the City's FIRM which increases the water surface elevation of the base flood by more than one-half foot; provided, that a conditional FIRM revision through FEMA (Conditional Letter of Map Revision), fulfills the requirements for such revisions as established under the provisions of Section 65.12 and receives FEMA approval.

**(3) Relationship to Existing Restrictions**

This section does not and it is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. If this section and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions on use and development shall prevail and be applied.

**(4) Terms and Provisions**

All terms and provisions of this section shall be:

- (i) Considered as minimum requirements;
- (ii) Liberally construed in favor of the City; and
- (iii) Deemed neither to limit nor repeal any other powers granted or reasonably construed or interpreted under law, charter, rule or regulation.

**(5) Warning and Disclaimer of Liability**

The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased because of manmade or natural causes. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of the City, or any officer or employee thereof, or FEMA for any flood damage that results from reliance on this section or any administrative decision lawfully made hereunder.

**(6) Flood Carrying Capacity**

The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

**(7) Records**

The Director shall maintain records obtained as part of a Floodplain Development Permit, including but not limited to the lowest floor and floodproofing elevations for new and substantially improved construction.

**(8) Riverine**

In riverine situations, notice shall be given by the Director to an adjacent community(ies) prior to any alteration or relocation of a watercourse.

**(d) Provisions for Flood Hazard Reduction**

**(1) General Standards**

The following standards shall apply to all property located in special flood hazard areas:

**(i) Anchoring**

- (A) All new construction and substantial improvement shall be anchored to prevent flotation, collapse or lateral movement of the structure and as anchored must be capable of resisting the hydrostatic and hydrodynamic loads.
- (B) All manufactured homes shall be elevated and anchored to resist flotation, collapse or lateral movement and as anchored is capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are

not limited to, over the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. Specific requirements may be:

- a. Over the top ties provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than 50 feet long requiring one additional tie per side;
- b. Frame ties provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than 50 feet long requiring four additional ties per side;
- c. Each component of the anchoring system shall be capable of carrying a force of 4,800 pounds; and
- d. Any addition to the manufactured home shall be similarly anchored.

**(ii) Construction Materials and Methods**

- (A) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (B) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (C) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding.

**(iii) Utilities**

- (A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (B) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
- (C) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

**(iv) Subdivision Proposals**

- (A) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (B) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

- (C) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- (D) BFE data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres (whichever is less).

**(2) Specific Standards**

The following provisions, as determined from BFE data, are required for all special flood hazard areas:

**(i) New Construction and Substantial Improvements**

- (A) New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated at least one foot above the BFE.
- (B) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated at least one foot above the level of the BFE; or, together with attendant utility and sanitary facilities, shall:
  - a. Be flood-proofed so that below the BFE the structure is watertight with walls being substantially impermeable to the passage of water;
  - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - c. Be certified by a Colorado registered professional engineer. The certification shall state that the design and methods of construction are in accordance with accepted standards of practice and meet the minimum provisions of this code. Such certifications shall be provided to and reviewed by the Director.

**(ii) Openings in Enclosures Below the Lowest Floor**

For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement shall be certified by either a Colorado registered professional engineer or architect and must meet or exceed the following minimum criteria:

- (A) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- (B) The bottom of all openings shall be no higher than one foot above grade;
- (C) Openings may be equipped with screens, louvers, or other coverings or devices; provided that they permit the automatic entry and exit of floodwaters.

**(iii) Manufactured Homes**

- (A) All manufactured homes that are placed and/or substantially improved on a site:

- a. Outside of a manufactured home subdivision;
  - b. In a new manufactured home park or manufactured home subdivision;
  - c. In an expansion to an existing manufactured home park or manufactured home subdivision; or
  - d. On an existing manufactured home park or manufactured home subdivision on which a manufactured home has incurred substantial damage as a result of a flood;
- (B) Shall be anchored and elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above the BFE;
- (C) The manufactured home shall be securely anchored to an anchored foundation system in order to resist flotation, collapse and lateral movement; and
- (D) Manufactured homes that are placed or substantially improved on sites in existing manufactured home parks or manufactured home subdivisions that are not subject to the provisions of this subsection shall be elevated so that either:
- a. The lowest floor of the manufactured home is at least one foot above the BFE; or
  - b. The manufactured home frame or chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and securely anchored to an anchored foundation system in order to resist flotation, collapse and lateral movement.

**(iv) Recreational Vehicles**

Recreational vehicles occupied as a temporary dwelling in a special flood hazard area shall meet all of the following requirements or meet permit requirements, elevation and anchoring requirements for manufactured homes:

- (A) Be on the site for fewer than 180 consecutive days;
- (B) Be fully licensed and ready for highway use;
- (C) Be attached to the site only by quick disconnect type utilities and security devices; and
- (D) Include no permanently attached additions.

**(3) Specific Standards for Areas of Shallow Flooding**

Specific standards are required for special flood hazard areas associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

**(i) Residential Construction**

All new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade

at least one foot above the depth number specified in feet on the City's FIRM (at least three feet if no depth number is specified). Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado professional engineer.

**(ii) Nonresidential Construction**

(A) With the exception of critical facilities, all new construction and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the City's FIRM (at least three feet if no depth number is specified), or together with attendant utility and sanitary facilities be designed so that the structure is watertight to at least one foot above the base flood level with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy. A registered Colorado professional engineer or architect shall submit a certification which shall state that the design and methods of construction are in accordance with accepted standards of practice and meet the minimum provisions of this code.

(B) Within Zones AH or AO, adequate drainage paths around structures on slopes are required to guide floodwaters around and away from proposed structures.

**(4) Specific Standards for Floodways**

A floodway is an area within a special flood hazard area. The floodway is extremely hazardous due to the velocity of floodwaters, debris and erosion potential. To mitigate those hazards the following provisions apply:

- (i) Encroachments, including fill, new construction, substantial improvements and other development are prohibited unless a Colorado registered professional engineer certifies in writing with a no-rise certificate that encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge. The supporting technical data for the no-rise certificate shall be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the FIRM or Flood Boundary and Floodway Map (FBFM), unless otherwise approved by the Director.
- (ii) All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.

**(5) Specific Standards for Alteration of a Watercourse**

For all proposed developments that alter a watercourse within a special flood hazard area, the following standards apply:

- (i) Channelization and flow diversion projects shall appropriately consider issues of sediment transport, erosion, deposition, and channel migration and properly mitigate potential problems through the project as well as upstream and downstream of any improvement activity. A detailed analysis of sediment transport and overall channel

stability should be considered, when appropriate, to assist in determining the most appropriate design.

- (ii) Channelization and flow diversion projects shall evaluate the residual 100-year floodplain.
- (iii) Any channelization or other stream alteration activity proposed by a project proponent must be evaluated for its impact on the regulatory floodplain and be in compliance with all applicable Federal, State and local floodplain rules, regulations and ordinances.
- (iv) Any stream alteration activity shall be designed and sealed by a registered Colorado professional engineer or certified professional hydrologist.
- (v) All activities within the regulatory floodplain shall meet all applicable Federal, State and City floodplain requirements and regulations.
- (vi) Within the regulatory floodway, stream alteration activities shall not be constructed unless the project proponent demonstrates through a floodway analysis and report, sealed by a registered Colorado professional engineer, that there is not more than a 0.00-foot rise in the proposed conditions compared to existing conditions floodway resulting from the project, otherwise known as a no-rise certification.
- (vii) Maintenance shall be required for any altered or relocated portions of watercourses so that the flood-carrying capacity is not diminished.

**(6) Specific Standards for Properties Removed From the Floodplain by Fill**

A Floodplain Development Permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F), with a lowest floor elevation placed below the base flood elevation with one foot of freeboard that existed prior to the placement of fill.

**(7) Specific Standards for Critical Facilities**

A critical facility is a structure or related infrastructure, but not the land on which it is situated, as classified below, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the City at any time before, during and after a flood.

**(i) Classification of Critical Facilities**

Critical facilities are classified under the following categories: (a) essential services; (b) hazardous materials; (c) at-risk populations; and (d) vital to restoring normal services.

(A) Essential services facilities include public safety, emergency response, emergency medical, designated emergency shelters, communications, public utility plant facilities, and transportation lifelines.

a. These facilities consist of:

- 1. Public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage, and, emergency operation centers);



2. Emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non ambulatory surgical structures but excluding clinics, doctors offices, and nonurgent care medical structures that do not provide these functions);
  3. Designated emergency shelters;
  4. Communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits);
  5. Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and
  6. Air transportation lifelines [airports (municipal and larger)], helicopter pads and structures serving emergency functions, and associated infrastructure (aviation control towers, air traffic control centers, and emergency equipment aircraft hangars).
- b. Specific exemptions to this category include wastewater treatment plants (WWTP), non potable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances.
  - c. Public utility plant facilities may be exempted if it is demonstrated to the satisfaction of the Director that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are either located outside of the 100-year floodplain or are otherwise compliant with all floodplain regulations, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. A development approval includes the condition that evidence of ongoing redundancy be provided to the Director upon the Director's request.
- (B) Hazardous materials facilities include facilities that produce or store highly volatile, flammable, explosive, toxic and/or water-reactive materials.
- These facilities include:
- a. Chemical and pharmaceutical plants (chemical plant, pharmaceutical manufacturing);
  - b. Laboratories containing highly volatile, flammable, explosive, toxic and/or water-reactive materials;
  - c. Refineries;

- d. Hazardous waste storage and disposal sites; and
  - e. Above ground gasoline or propane storage or sales centers.
- (C) At-risk population facilities include medical care, congregate care, and schools. These facilities consist of:
- a. Elder care (nursing homes);
  - b. Congregate care serving 12 or more individuals (day care and assisted living);
  - c. Public and private schools (pre-schools, K-12 schools, before-school and after-school care serving 12 or more children);
- (D) Facilities vital to restoring normal services including government operations.
- a. These facilities consist of:
    - 1. Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers);
    - 2. Essential structures for public colleges and universities (dormitories, offices, and classrooms only).
  - b. These facilities may be exempted if it is demonstrated to the Director that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are otherwise compliant with all floodplain regulations and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the Director on an as-needed basis as determined by the Director upon request.

**(ii) Protection for Critical Facilities**

All new and substantially improved critical facilities and new additions to critical facilities located within the special flood hazard area shall be regulated to a higher standard than structures not determined to be critical facilities. For the purposes of critical facilities, protection shall include one of the following:

- (A) Location outside the special flood hazard area; or
- (B) Elevation or floodproofing of the structure to at least two feet above the BFE.

**(iii) Ingress and Egress for New Critical Facilities**

New critical facilities shall, when practicable as determined by the Director, have continuous non inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.

**(e) Data, Information, and Interpretation**

- (1) The Director shall obtain and maintain the following information:
  - (i) The actual elevation, relative to mean sea level, of the lowest floor, including basement, of each structure;
  - (ii) For each new or substantially improved floodproofed structure, the actual elevation, relative to mean sea level, to which the structure has been floodproofed and the required floodproofing certifications;
  - (iii) Proof that an applicant has, prior to altering or relocating any watercourse or part thereof, notified adjacent communities and the Colorado Water Conservation Board of such alteration and demonstrated that there is adequate maintenance within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished. The Director shall also submit evidence of such notification to the Federal Emergency Management Agency.
- (2) The Director shall interpret the Flood Insurance Rate Maps (FIRM) to decide location of the boundaries of the areas of special flood hazard.

## **Chapter 21.07 Landscaping, Buffering, and Screening<sup>18</sup>**

[reserved]

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<sup>18</sup> Current 21.06.040 is being updated outside of and parallel to the Z&DC Update. Any new standards adopted by the end of 2022 will be incorporated into the Consolidated Draft.

## Chapter 21.08 Off-Street Parking<sup>19</sup>

### 21.08.010 OFF-STREET PARKING AND LOADING

#### (a) Purpose<sup>20</sup>

The purpose of this section is to:

- (1) Ensure that off-street parking areas are well designed with regard to safety, efficiency and convenience for vehicles, bicycles, and pedestrians;
- (2) Ensure parking requirements result in land usage and intensity that align with the City's goal;
- (3) Provide enough vehicular parking to accommodate the need generated by the uses without providing excessive amounts of parking that unduly burden businesses with the cost of building or maintaining parking;
- (4) Manage and improve existing public parking facilities and future development in Downtown; and
- (5) Provide for creative and innovative approaches to parking reduction mechanisms, alternative parking arrangements, and parking design.

#### (b) General Parking Standards

##### (1) Compliance with TEDS Manual

In addition to the standards in this section, all off-street parking shall meet the TEDS standards (GJMC Title 29).

##### (2) Uses Not Identified

The Director shall determine the parking requirement for a use that is not listed in subsection (d) of this section. The applicant shall provide adequate information so that the Director can make such decision by including:

- (i) Type of uses;
- (ii) Number of employees;
- (iii) Building design capacity;
- (iv) Square feet of sales area, service area, etc.;
- (v) On-site parking spaces;
- (vi) Proposed off-site parking spaces; and
- (vii) Hours of operation.

##### (3) Multiple Uses

If there are accessory or multiple uses within one or more structures, these standards shall apply to each use and structure, resulting in a total parking requirement for the complex or property except as provided in subsection (e).

<sup>19</sup> Current 21.06.050, unless otherwise noted.

<sup>20</sup> New, based on OGJ policies related to parking.

**(4) Accessible Parking<sup>21</sup>**

- (i) All development that provides off-street vehicle parking spaces shall comply with the requirements of the Americans with Disabilities Act (ADA) and the International Building Code (IBC), and the standards in this section. If the standards in this section conflict with the requirements of the ADA or IBC, the requirements of the ADA or IBC shall apply.
- (ii) Requirements for accessible parking spaces are detailed in the City Standard Street Details and are also in the Federal Register.
- (iii) All development shall provide at least the following number of accessible parking spaces:

**Table 21.08-4: Required Number of Accessible Parking Spaces**

Total Parking Spaces in Lot or Garage	Minimum Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of spaces provided
1,001 and Over	20 plus 1 for each 100 over 1,000

- (iv) The additional width required for an accessible parking space may be created by reducing the width of an adjacent sidewalk area, provided the clear portion of the sidewalk width is not reduced below five feet, when providing accessible parking spaces in public right-of-way.

**(c) Minimum and Maximum Off-Street Parking Standards**

**Commentary**

This updated table of minimum vehicle parking requirements corresponds to the table of allowed uses presented in Module 2 (ensuring that each proposed land use type has an associated off-street parking requirement). The current minimum parking requirement for each use is listed (if one exists) in the middle column for comparison against the new proposed requirement. Some existing parking requirements include a broad range of land use types. In these cases, we used our judgment to assign a current parking standard to the proposed land use type most closely related to it. Generally, requirements based on number of employees or number of seats were replaced with standardized

<sup>21</sup> Replaces 21.06.090(b)(2).

requirements based on building square footage to improve administration and enforcement for staff.

**Bold and blue** text in the righthand column indicates a reduction from current requirements. The current standards column will be removed prior to adoption.

**Bold and light blue** text in the righthand column indicates a change from employee or seat-based requirement to standardized square footage requirements.

**Bold and blue** text in the lefthand column indicates a new use.

**(I) Minimum Off-Street Vehicle Parking Requirements**

- (i) Notwithstanding Subsection (ii) below, all development shall provide vehicle parking spaces in the amount required by Table 21.08-2, as those amounts may be modified by GJMC 21.08.010(d).
- (ii) Parking regulations for uses in the MU-3 district are:<sup>22</sup>
  - (A) There is no parking requirement for the reuse, remodel, or reconstruction of an existing structure that does not increase the available square footage of leasable area.
  - (B) Parking shall be provided for any leasable square footage added after the Effective Date.
  - (C) Permanent parking available to the public and within 1,000 feet of the proposed construction counts towards the total parking requirement.<sup>23</sup>

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
<b>Residential Uses</b>		
Household Living		
Dwelling, Single-Family Detached	2 per unit	2 per unit
<b>Dwelling, Single-Family Attached</b>	-	1 per unit
<b>Dwelling, Co-Housing<sup>24</sup></b>	-	1 per unit
<b>Dwelling, Cottage Court</b>	-	1 per unit
Dwelling, Duplex <sup>25</sup>	2 per unit	<b>1 per unit</b>

<sup>22</sup> Updated reference from B-2 to MU-3 to align with new proposed districts in Module 2.

<sup>23</sup> Expanded current 1,000 foot allowance for employee parking to apply broadly.

<sup>24</sup> Based on "Other Group Living" category.

<sup>25</sup> Renamed from "Two-Family Dwelling."

**Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements**

GFA = Gross Floor Area

	Minimum Vehicle Parking (Current)	Minimum Vehicle Parking (Proposed)
<b>Dwelling, Triplex or Fourplex</b>	1 bedroom: 1 per unit 2 bedroom: 1.5 per unit 3+ bedroom: 2 per unit	1 per unit
Dwelling, Medium Multifamily		1 bedroom: 1 per unit 2 bedroom: 1.5 per unit
Dwelling, Large Multifamily		3+ bedroom: 2 per unit <b>Affordable Housing: 0.75 per unit<sup>26</sup></b>
<b>Manufactured Home</b>	-	1 per unit
Manufactured Housing Community <sup>27</sup>	2 per manufactured home site + 1 per every 50 square feet of floor area in administration and service buildings	<b>1 per unit</b>
<b>Group Living</b>		
Boarding or Rooming House	1 space for each room available for rent plus 2 spaces	1 per bedroom + 2 spaces
Fraternity or Sorority	1.5 spaces for each sleeping room plus 1.5 spaces for every 4 active nonresident members of the fraternity/sorority plus 1 space for every 3 staff employed at the facility	<b>1 per bedroom</b>
Group Living Facility, Small	1 per 4 beds + 1 per each 3 employees	1 per 4 beds + 1 per each 3 employees
Group Living Facility, Large		
Group Living Facility, Unlimited		
<b>Public, Institutional, and Civic Uses</b>		
<b>Adult or Child Day Care</b>		
Day Care Center, Adult or Child	1.5 per employee	<b>1 per 400 square feet GFA</b>
<b>Community and Cultural Facilities</b>		
Assembly, Community <sup>28</sup>	Community Center: 1 per 250 square feet	<b>2 per 1,000 square feet GFA</b>

<sup>26</sup> A definition for affordable housing will be added at the time of Consolidated Draft.

<sup>27</sup> Renamed from Manufactured Housing Park.

<sup>28</sup> Consolidates "Community Activity Building" and "Art Gallery, Museum, Opera House or Library."



<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
	Museums, Art Galleries, Opera Houses: 1 per 1,000 square feet	
Assembly, Religious/Private Group <sup>29</sup>	Religious Assembly: 1 per 4 seats (one seat = 18")  Assembly/Auditorium: 1 per 4 seats or 1 per 50 square feet if not permanent seat  Clubs/Lodges: 1 per 500 square feet	<b>2 per 1,000 square feet GFA</b>
Community Corrections Facility	1 per employee on maximum shift + 1 per service vehicle	<b>2 per 1,000 square feet GFA</b>
Crematory	1 per employee + 1 space per service vehicle	None
Funeral Home or Mortuary	1 per 4 seats (one seat = 18")	<b>2 per 1,000 square feet GFA</b>
<b>Government Service Facility</b>	-	2 per 1,000 square feet GFA plus 1 space per service vehicle
Jail <sup>30</sup>	1 per employee on maximum shift + 1 per service vehicle	<b>2 per 1,000 square feet GFA</b>
<b>Meeting, Banquet, Event, or Conference Facility</b>	-	2 per 1,000 square feet GFA
Safety Service Facility	1 per employee + 1 per 300 square feet of office space	<b>2 per 1,000 square feet GFA plus 1 space per service vehicle</b>
<b>Educational Facilities</b>		
Boarding School	0.8 parking spaces per bed	0.8 per bed
College or University	1 per 2 students	<b>2 per 1,000 square feet GFA office, research, and library area plus 1 space per 250 square feet GFA assembly areas and classrooms</b>
Public or Private School	Elementary and Junior High: 1 per classroom	Elementary and Junior High: 1 per classroom

<sup>29</sup> Consolidates "Religious Assembly" with "Membership and Service Clubs."

<sup>30</sup> Removed "Honor Camps or Reformatories" from term.

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
	High Schools: 6 per classroom	High Schools: 6 per classroom
Vocational, Technical, or Trade School	1 per 2 students	<b>2 per 1,000 square feet GFA</b>
<b>Health Facilities</b>		
Hospital <sup>31</sup>	1 per 2 beds + 1 per employee	<b>1 per 2 beds based on maximum design capacity plus 2 per 1,000 square feet GFA office and administrative area</b>
Medical or Dental Clinic <sup>32</sup>	1 per 250 square feet	<b>2 per 1,000 square feet GFA</b>
<b>Parks and Open Space</b>		
Cemetery	-	None
Golf Course	4 per hole	4 per hole
Golf Driving Range	1 per 20 feet of driving area	1 per 20 feet of driving area
Park, Lake, Reservoir, Other Open Space	-	None
<b>Commercial Uses</b>		
Adult Entertainment	-	2 per 1,000 square feet GFA
<b>Agriculture and Animal</b>		
Animal Agriculture <sup>33</sup>	None	None
Animal Care, Boarding, or Sales, Indoor Operations Only	-	2 per 1,000 square feet GFA
Animal Care, Boarding, or Sales, Outdoor Operations	-	2 per 1,000 square feet GFA
<b>Animal Clinic or Hospital<sup>34</sup></b>	-	2 per 1,000 square feet GFA
Dairy Operations or Feedlot <sup>35</sup>	None	None

<sup>31</sup>Consolidates “Hospital/Mental Hospital,” “Law Enforcement Rehabilitation Centers” and “Physical and Mental Rehabilitation, Resident.”

<sup>32</sup> Consolidates “Medical or Dental Clinic” and “Counseling Centers (Nonresident).”

<sup>33</sup> Replaces current “Animal Confinement.”

<sup>34</sup> Consolidates current “Animal Clinic” and “Animal Hospital.”

<sup>35</sup> Consolidates current “Confined Animal Feeding Operation, Feedlot” and “Dairy.”

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
Farmers' Market	-	As determined by the Director
Forestry, Commercial	-	None
Nursery or Greenhouse <sup>36</sup>	-	2 per 1,000 square feet GFA
Pasture, Commercial	None	None
<b>Urban Agriculture</b>	-	None
<b>Food and Beverage</b>		
Bar or Tavern <sup>37</sup>	1 per 100 square feet	<b>4 per 1,000 square feet GFA</b>
Brewery, Distillery, or Winery <sup>38</sup>		4 per 1,000 square feet GFA
<b>Brewpub, Distillery Pub, or Limited Winery</b>	-	4 per 1,000 square feet GFA
Food Service or Catering	-	2 per 1,000 square feet GFA
Mobile Food Vendor/Court	2.5 spaces per vendor	2.5 per vendor
Restaurant	Restaurant, Drive-In, no indoor seating: 1 per employee on largest shift  Restaurant, Fast-Food with Drive-In Facilities: 1 space per 3 seats  Restaurants: 1.5 per 100 square feet	<b>4 per 1,000 square feet GFA</b>
<b>Lodging Facilities</b>		
Emergency Shelter <sup>39</sup>	-	As determined by the Director
Hotel or Motel	1 per room + 1 per 250 square feet of restaurants, bars, meeting areas	<b>1 per guest room plus 3 per 1,000 square feet GFA restaurants, bars, or meeting areas</b>
Resort Cabin and Lodge	-	1 per guest room
Short-Term Rental	-	<b>[insert following STR update]</b>

<sup>36</sup> Renamed from "Landscaping Materials Sale/Greenhouse/Nursery."

<sup>37</sup> Replaces "Drinking Establishment."

<sup>38</sup> Consolidates current "Winery" and "Alcoholic Beverage Production."

<sup>39</sup> Renamed from "Homeless Shelter" and use permissions added.

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
<b>Office and Personal Services</b>		
Office	1 per 400 square feet	<b>2 per 1,000 square feet GFA</b>
Personal Service <sup>40</sup>	Other Retail Sales/Service, Low Volume: 1 per 500 square feet  Other Service Businesses: 1 per 500 square feet	2 per 1,000 square feet GFA
<b>Recreation and Entertainment</b>		
Campground or Recreational Vehicle Park	1 space (10' x 30') per campsite	1 per campsite
Indoor Entertainment and Recreation <sup>41</sup>	Assembly/Auditorium: 1 per 4 seats or 1 per 50 square feet if not permanent seat  Bowling Alley: 4 per lane  Health Club/Fitness Center: 1 per 500 square feet  Theaters: 1 per 4 seats	<b>2 per 1,000 square feet GFA</b>
Outdoor Entertainment and Recreation <sup>42</sup>	Miniature Golf: 2 per hole  All Other Outdoor Recreation: As determined by the Director	1 per 300 square feet GFA area plus 1 space per 10,000 square feet GFA site area
Riding Academy, Roping, or Equestrian Area	All Other Outdoor Recreation: As determined by the Director	1 per 5 stalls

<sup>40</sup>Consolidates "Retail Sales and Services" use category, "Repair, Small Appliance," "Repair, Large Appliance," and "Personal Services."

<sup>41</sup> Consolidates "Indoor Recreation and Entertainment" use category, "Health Club," and "Movie Theater, Skating Rink, Arcade."

<sup>42</sup> Consolidates "Outdoor Recreation and Entertainment" use category and "Amusement Park, Miniature Golf."

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
Shooting Range, Indoor	-	1 per 2 shooting stations
Shooting Range, Outdoor	All Other Outdoor Recreation: As determined by the Director	1 per 2 shooting stations
Swimming Pool, Community	All Other Outdoor Recreation: As determined by the Director	2 per 1,000 square feet pool surface area
Zoo	All Other Outdoor Recreation: As determined by the Director	As determined by the Director
<b>Retail Sales</b>		
Flea Market	1.5 per booth or stall	<b>2 per 1,000 square feet GFA or use area</b>
Manufactured Building Sales and Service	Other Retail sales, High Volume: 1 per 300 square feet	<b>2 per 1,000 square feet GFA</b>
Regulated Cannabis Store	-	1 per 300 square feet
Retail Sales and Service, Small <sup>43</sup>	Convenience Store: 1 per 250 square feet  Shopping Centers < 400,000 square feet: 1 per 250 square feet  Other Retail Sales, Low Volume: 1 per 500 square feet	<b>2 per 1,000 square feet GFA</b>
Retail Sales and Service, Medium	Shopping Centers < 400,000 square feet: 1 per 250 square feet Other Retail sales, High Volume: 1 per 300 square feet	<b>1.5 per 1,000 square feet GFA</b>
Retail Sales and Service, Large	Shopping Centers < 400,000 square feet: 1 per 250 square feet  Other Retail sales, High Volume: 1 per 300 square feet	<b>1 per 1,000 square feet GFA</b>
Retail Sales and Service, Big Box	Shopping Centers < 400,000 square feet: 1 per 250 square feet	<b>1 per 1,000 square feet GFA</b>

<sup>43</sup> All Retail Sales uses (Small, Medium, Large, and Big Box) consolidate "Farm Implement/Equipment Sales/Service," "Feed Store," "General Retail Sales (Indoor and Outdoor Operations, Display, and Storage)," and "Rental Service (Indoor and Outdoor Display/Service)."

**Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements**

GFA = Gross Floor Area

	Minimum Vehicle Parking (Current)	Minimum Vehicle Parking (Proposed)
	Shopping Centers > 400,000 square feet: 1 per 200 square feet  Other Retail sales, High Volume: 1 per 300 square feet	
<b>Transportation</b>		
Airport or Heliport	1 per employee + 1 space per peak embarking passengers	<b>3 per 1,000 square feet GFA terminal area</b>
Helipad	-	None
Parking Lot or Garage	-	None
Transportation Depot <sup>44</sup>	1 per employee + 1 space per peak embarking passengers	<b>3 per 1,000 square feet GFA waiting area</b>
Truck Stop	1 space per employee on largest shift + 1 space per 200 square feet	<b>2 per 1,000 square feet GFA</b>
<b>Vehicles and Equipment</b>		
Vehicle Fleet Operations Center <sup>45</sup>	-	1 per 1,000 square feet GFA plus 1 space per commercial fleet vehicle
Vehicle Fuel Sales and Service Station	Fuel: full service no repair/service facility; self-service: space per employee on largest shift + 1 space per 200 square feet	<b>2 per 1,000 square feet GFA</b>
Vehicle Impound Lot	-	1 per 1,000 square feet GFA
Vehicle Repair, Major <sup>46</sup>	2 per service bay + 1 per employee	<b>2 per 1,000 square feet GFA retail, office, waiting area plus 1 per service bay</b>
Vehicle Repair, Minor <sup>47</sup>		
Vehicle Sales, Rental and Leasing, Heavy <sup>48</sup>	1 space for each 5,000 feet of open sales lot area devoted to the sale, display, and rental of said vehicles and 1 space for each 300 square feet of gross floor area	<b>2 per 1,000 square feet GFA of enclosed buildings plus 1 per 5,000 square feet of outdoor display area</b>
Vehicle Sales, Rental and Leasing, Light <sup>49</sup>		

<sup>44</sup> Replaces Bus/Railroad Depot.

<sup>45</sup> Replaces "Delivery and Dispatch Services."

<sup>46</sup> Consolidates and expands current "Auto and Light Truck Mechanical Repair," "Tire Recapping and Storage" and "Body Shop".

<sup>47</sup> Consolidates and expands current "Auto and Light Truck Mechanical Repair" and "Body Shop".

<sup>48</sup> New use, includes "Rental Service" uses.

<sup>49</sup> New use, includes "Rental Service" uses.

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
Vehicle Wash	Car Wash, Self-Service: See TEDS  Car Wash, Full-Service: 1 space per employee	<b>3 stacking spaces per service lane, stall, or bay</b>
<b>Industrial Uses</b>		
Manufacturing and Processing		
<b>Industrial, Artisan</b>	-	2 per 1,000 square feet GFA
Industrial, Light <sup>50</sup>	Manufacturing and Production: 1 per 1,000 square feet	1 per 1,000 square feet GFA
Industrial, Heavy <sup>51</sup>	Industrial Services and Operations (e.g., Asphalt Plants, Concrete, Pipe and Culvert Storage): 1 per 1,000 square feet of floor area  Manufacturing and Production: 1 per 1,000 square feet	1 per 1,000 square feet GFA
Mining and Extraction <sup>52</sup>	1 per employee + 1 per facility vehicle	<b>None</b>
Oil and Gas Drilling	1 per employee + 1 per facility vehicle	<b>None</b>
Storage, Wholesale, and Warehousing		
Mini-Warehouse	2 per development	2 per development
Outdoor Storage, Commercial <sup>53</sup>	Industrial Services and Operations (e.g., Asphalt Plants, Concrete, Pipe and Culvert Storage):	1 per 1,000 square feet GFA of enclosed buildings

<sup>50</sup> Consolidates "Assembly," "Food Products," "Manufacturing/Processing," (Indoor Operations and Storage) and "Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations Without Hazardous Materials."

<sup>51</sup> Consolidates "Assembly," "Food Products, and "Manufacturing/Processing" (Indoor and Outdoor Operations and Outdoor Storage," and "Machine Shop."

<sup>52</sup> Consolidates "Sand or Gravel Extraction" and "All Other Mining."

<sup>53</sup> Consolidates "Heavy Equipment/Pipe", Outdoor Storage or Loading," "Gas or Petroleum Storage," and "Sand or Gravel Storage."

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
	1 per 1,000 square feet of floor area	
Wholesale or Warehouse <sup>54</sup>	Warehouse and Freight Movement: 1 per 1,000 square feet  Wholesale Sales: 1 space per 500 square feet of floor area	<b>1 per 1,000 square feet GFA</b>
<b>Telecommunication</b>		
Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific Requirements	-	None
Temporary PWSF (e.g., COW)	-	None
Co-Location	-	None
Tower Replacement	-	None
Dual Purpose Facility	-	None
DAS and Small Cell Facilities	-	None
Base Station with Concealed Attached Antennas	-	None
Base Station with Non-Concealed Attached Antennas	-	None
Tower, Concealed	-	None
Tower, Non-Concealed	-	None
Broadcast Tower	1 per each tower development	1 per each tower development
<b>Utility Uses</b>		
Utility Facility, Basic <sup>55</sup>	1 per employee	<b>None</b>

<sup>54</sup> Consolidates “Wholesale Business (No Highly Flammable Materials/Liquids)” and “Agricultural Products.”

<sup>55</sup> Renamed from “Basic Utilities.”



<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
Utility Facility, Major <sup>56</sup>	-	None
Transmission Line	-	None
<b>Waste and Salvage</b>		
<b>Composting Facility</b>	-	1 per 1,000 square feet GFA
Junkyard or Salvage Yard	-	1 per 1,000 square feet GFA of enclosed buildings
Transfer Facility, Medical and Hazardous Waste	Industrial Services and Operations: 1 per each 1,000 square feet of floor area	1 per 1,000 square feet GFA
Transfer Facility, Solid Waste		1 per 1,000 square feet GFA
<b>Recycling Collection Facility</b>	-	1 per 1,000 square feet GFA
Recycling Collection Point	-	None
Solid Waste Disposal or Processing Facility	Industrial Services and Operations: 1 per each 1,000 square feet of floor area	1 per 1,000 square feet GFA
<b>Accessory Uses</b>		
<b>Residential Uses</b>		
Accessory Dwelling Unit	1 per unit	1 per unit
Agricultural Labor Housing	-	1 per 2 beds
Business Residence	1 per residence + business parking	1 per residence + required parking of the nonresidential use
<b>Guest Ranch<sup>57</sup></b>	-	1 per 2 beds
Household Pets	-	None
Other Animals	-	None
<b>Public, Institutional, and Civic Uses</b>		
Home Occupation, Day Care	-	None
<b>Commercial Uses</b>		

<sup>56</sup> Renamed from "Utility Treatment, Production, or Service Facility."

<sup>57</sup> Existing use term not currently included in the Use Table.

<b>Table 21.08-2: Minimum Off-Street Vehicle Parking Requirements</b>		
GFA = Gross Floor Area		
	<b>Minimum Vehicle Parking (Current)</b>	<b>Minimum Vehicle Parking (Proposed)</b>
<b>Agri-business<sup>58</sup></b>	-	None
Animal Agriculture <sup>59</sup>	-	None
<b>Drive-Through Facility</b>	-	None
<b>Electric Vehicle (EV) Charging Facility</b>	-	None
Home Occupation	-	None
Outdoor Display and Sales	-	None
Produce Stand	-	None
<b>Industrial Uses</b>		
<b>Antenna<sup>60</sup></b>	-	None
Outdoor Storage, Accessory <sup>61</sup>	-	None
<b>Recreation and Commercial Vehicles<sup>62</sup></b>	-	None
<b>Renewable Energy Facility, Accessory</b>	-	None
<b>Temporary Uses</b>		
All Other	As determined by the Director	As determined by the Director during the review of a Temporary Use Permit

<sup>58</sup> Existing use term not currently included in the Use Table.

<sup>59</sup> New as an accessory use. Reflects the combined use permissions of “Animal Confinement,” “Confined Animal Feeding Operation, Feedlot,” and “Dairy.”

<sup>60</sup> Existing use term not currently included in the Use Table.

<sup>61</sup> Consolidates all uses that include “outdoor storage” in their current titles.

<sup>62</sup> Renamed from “Storage of Vehicles” existing use term not currently used in the Use Table.

## (2) Maximum Parking Requirements

### Commentary

We proposed maximum parking standards to reduce stormwater runoff and minimize negative impacts associated with large expanses of vacant parking areas. Rather than propose a maximum standard for each use type, we established a maximum percentage threshold above the minimum parking requirements.

An alternative approach used in some codes is not to flat-out prohibit excess parking, but to say that any parking provided over a certain amount must be surfaced with permeable pavers or provide some other benefit to minimize the environmental impacts of the extra pavement.

#### (i) MU-1, MU-2, and MU-5 Districts

In no case shall any nonresidential use or mixed-use development provide more than 150% percent of the minimum number of off-street parking spaces required by Table 21.08-2, unless otherwise provided in this Code.

#### (ii) MU-3

In no case shall any nonresidential use or mixed-use development provide more than 125% percent of the minimum number of off-street parking spaces required by Table 21.08-2, unless otherwise provided in this Code.

### (d) Parking Credits and Adjustments<sup>63</sup>

#### (1) Parking Reductions<sup>64</sup>

The minimum parking requirements in Table 21.08-2 may be adjusted as described in this section. The following reductions do not require the submittal of an alternative parking plan.

#### (i) Reduction Allowed by Administrative Adjustment

Applications meeting the requirements of GJMC <> [Administrative Adjustments] shall be eligible for the parking reduction as set forth in that section.

#### (ii) Shared Parking Facility Reduction<sup>65</sup>

##### (A) Calculation

- a. Where two or more uses listed in <> [Table 21.04-1] share a parking lot or structure, the total off-street parking requirement for those uses may be reduced by the factors shown in the table below.

<sup>63</sup> Current 21.06.050(e), unless otherwise noted.

<sup>64</sup> New section that removes the requirement for an alternative parking plan prior to applying parking reductions.

<sup>65</sup> Replaces 21.06.050(e)(4). Removes the requirement to submit a shared parking study and provides a calculation that will improve administrative efficiency and market flexibility.

Table 21.08-6 Shared Parking Reduction					
Property Use	Multifamily Dwellings	Public, Institutional, and Civic	Food and Beverage, Indoor Recreation, or Lodging	Retail Sales	Other Commercial
Multifamily Dwellings	1.0				
Public, Institutional, and Civic	1.1	1.0			
Food and Beverage, Indoor Recreation, or Lodging	1.1	1.2	1.0		
Retail Sales	1.2	1.3	1.3	1.0	
Other Commercial	1.3	1.5	1.7	1.2	1.0

- b. To calculate the shared parking reduction, add the requirements for each use category and then divide the sum by the factor shown for that combination of use categories in Table 21.08-6. For example, a development with 5,000 square feet of small retail space (3 per 1,000 square feet gross floor area) and 20, two-bedroom multifamily dwelling units (1.5 per dwelling unit) would take the total spaces required and divide by 1.2.

$(15) + (30) = 45.$

$45/1.2 = 37.5$

The shared parking requirement is 38 spaces.

- c. If the shared parking includes more than two categories of uses, this reduction only applies to the two uses with the greatest parking demands. After calculating the reduction for those two use categories pursuant to Table 21.08-6, parking for a third, fourth, or additional use categories sharing the parking facility shall be provided at the rates shown in Table 21.08-6.

**(B) Location**

Shared parking spaces shall be located within 1,000 feet<sup>66</sup> of the primary entrance of all uses served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot) unless shuttle bus service is provided to the parking area.

<sup>66</sup> Increased from 500.

**(C) Agreement**

- a. A shared parking plan shall be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Director on forms made available by the City.
- b. A shared parking agreement may be rescinded only if all required off-street parking spaces are provided in accordance with this section.

**(iii) Transit Proximity Reduction<sup>67</sup>**

- (A) The minimum parking required by Table 21.08-2 may be reduced by 5 percent if the majority of the site for which parking is being provided is within ¼ mile of a transit stop.
- (B) The minimum parking required by Table 21.08-2 may be reduced by 5 percent if the majority of the site for which parking is being provided is within ¼ mile of a regional trail providing pedestrian and bicycle access.

**(iv) Transportation Demand Management Reduction<sup>68</sup>**

The Director may allow a reduction in required parking for employers that enter into a Transportation Demand Management (TDM) Agreement that specifies how on-site parking will be reduced through property owner or operator programs or initiatives that reduce the number of employees on-site. Any TDM Agreement, whether used independently or in combination with other allowed parking reductions, is subject to the 50 percent limitation on overall parking reduction. Such programs may include the following:

- (A) Compressed work week schedules;
- (B) Flexible arrival and departure times;
- (C) Telework opportunities; or
- (D) Incentives for employees to use alternative modes of transportation to the work place.

**(v) Additional and Enhanced Bicycle Parking<sup>69</sup>**

The minimum parking required by Table 21.08-2 may be reduced by 5 percent if the applicant:

- (A) Provides at least 5 bicycle spaces in excess of the minimum requirements of GJMC 21.08.020(a); or

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<sup>67</sup> New.

<sup>68</sup> New.

<sup>69</sup> New to implement OGI's recommendation to "require the integration of bicycle parking as well as other facilities such as lockers and shower facilities as part of new development/redevelopment."

- (B) Provides a dedicated bicycle storage area with at least 2 showers and 4 lockers for every shower provided.

**(2) Alternative Parking Plans<sup>70</sup>**

An applicant shall submit an alternative parking plan with a proposed site plan to adjust the minimum off-street parking requirements as follows.

**(i) Applicant-Submitted Parking Data<sup>71</sup>**

The required parking ratios may be modified where applicant-submitted parking data illustrates that required parking ratios do not accurately apply to a specific development.

**(ii) Credit for On-Street Parking**

Credit may be provided by the Director for any on-street parking spaces abutting the subject property. Such spaces must not be located within a clear sight triangle. No fractional spaces shall be credited.

**(iii) Off-Site Parking**

Required off-street parking spaces may be permitted on a separate lot from the lot on which the principal use is located if the off-site parking complies with all of the following standards:

**(A) Ineligible Activities**

Off-site parking may not be used to satisfy the required parking ratios for residential uses (except for guest parking), as well as small retail sales<sup>72</sup>. Required accessible parking spaces may not be located off site.

**(B) Location**

- a. Off-site parking spaces shall be located within 1,000 feet<sup>73</sup> from the primary entrance of the use served along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the building or structure served by such parking lot).
- b. Off-site parking may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet unless a designated pedestrian crosswalk or walkway is provided.
- c. The off-site parking shall be located wholly within a district that allows commercial parking lots or garages as principal use.<sup>74</sup>

<sup>70</sup> Includes 21.06.050(e)(1), (2), (3), (5), (6), and (7).

<sup>71</sup> The submittal requirements for an alternative parking plan have been removed and will be located on the City's website.

<sup>72</sup> Replaced the reference to convenience stores to align with new Use Table in Module 2.

<sup>73</sup> Replaced 500 feet and broadly applied 1,000 feet, currently applicable only to employee parking.

<sup>74</sup> Removed the exception for B-2 (new MU-3).

**(C) Agreement**

- a. In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners shall be required.
- b. An off-site parking agreement may be rescinded only if all required off-street parking spaces are provided in accordance with this section.

**(iv) Valet Parking**

Valet parking may be permitted as a means of satisfying otherwise applicable parking requirements where all of the following standards have been met:

- (A) Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or the tenant's affidavit agreeing to provide such services.
- (B) An equivalent number of valet spaces are available to replace the number of required on-site parking spaces. Such valet spaces do not require individual striping, and may take into account the tandem or mass parking of vehicles.
- (C) The design of the valet parking shall not cause customers who do not use the valet service to park off-premises or cause queuing in the right-of-way.
- (D) An accessible passenger loading and unloading area meeting ADA standards shall be provided.

**(v) Recording of Approved Plans**

An attested copy of an approved alternative parking plan shall be recorded in the deed records for Mesa County on forms made available by the Director. An alternative parking plan may be amended by following the same procedure required for the original approval. The applicant shall provide proof of recording prior to approval of the certificate of occupancy.

**(e) Vehicle Parking Location and Design<sup>75</sup>**

**(1) Location**

- (i) Except as provided in an approved alternative parking plan, all parking shall be provided on the same property as the principal structure, unless the Director deems it impracticable.
- (ii) Parking spaces in Residential zone districts shall not be in a front yard setback, except for parking in driveways for detached single-family detached or duplex dwelling structures. In no case shall parking be allowed in parkway strips (the area between the sidewalk and curb or edge of pavement).

**(2) Parking Stall and Aisle Design<sup>76</sup>**

<sup>75</sup> Current 21.06.050(b), unless otherwise noted. Removed 21.06.050(b)(4) and replaced with a general cross-reference to the Outdoor Lighting standards.

<sup>76</sup> Current 21.06.090(b)(1).

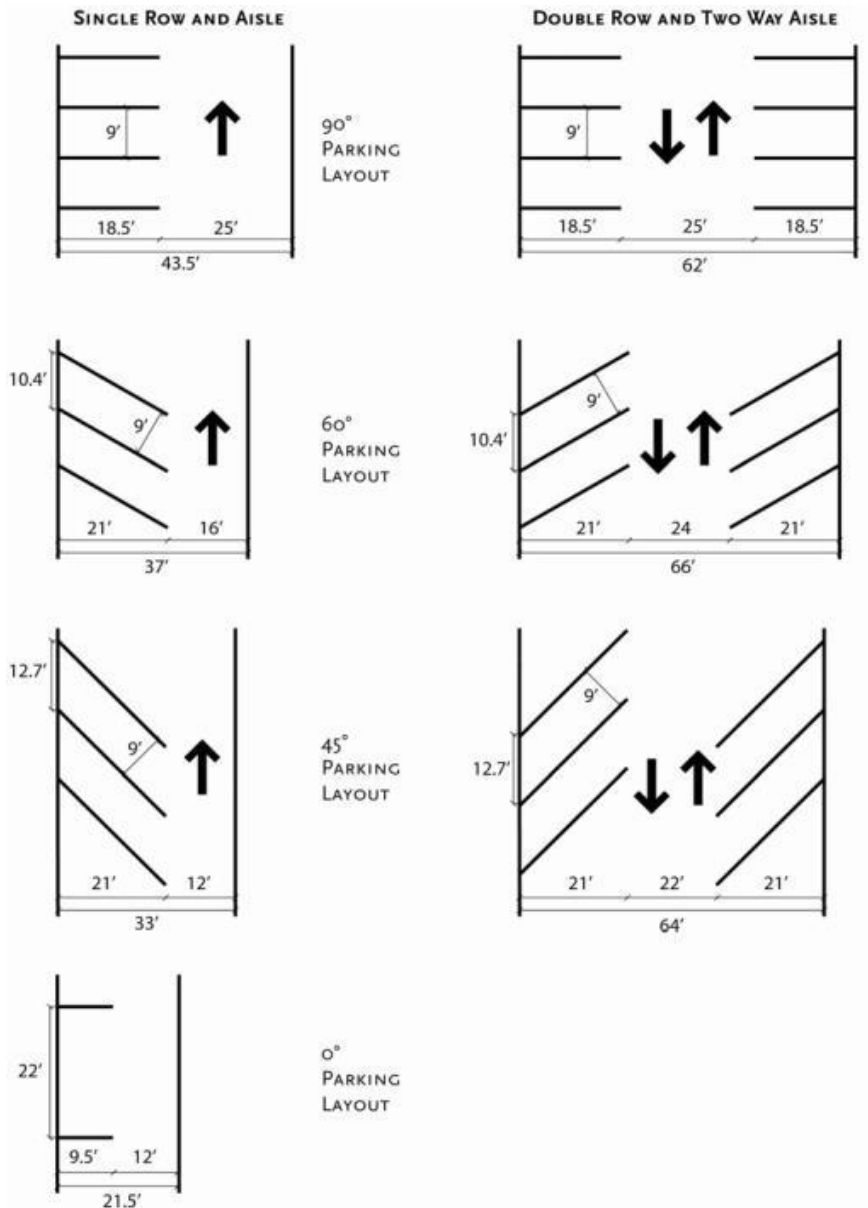
- (i) Parking stalls shall be located outside the GJMC Title 29, TEDS sight triangle at access locations.
- (ii) Each parking space must be accessible independently of others.
- (iii) All parking stalls shall be oriented such that any vehicle exiting a parking stall is not required to back into any public street. Wheel or bumper blocks shall be provided, located, and arranged so that no part of any parked vehicle extends beyond the boundaries of the parking area and to ensure that the vehicle overhang does not obstruct sidewalks or other pedestrian walking areas.
- (iv) Parking stalls may be oriented at zero, 30, 45, 60, 75 or 90 degrees to the parking aisle. Both stall and aisle dimensions and layout will vary depending on the stall orientation. The use of parking stalls oriented 90 degrees to the building face with two-way aisles is generally preferred as this permits the most direct route between the parking stall and the building and minimizes auto/pedestrian conflicts adjacent to buildings.
- (v) Where larger vehicles may be frequent users of the parking facilities, it is appropriate to increase the parking stall dimensions according to the dimensions and turning characteristics of the vehicle.
- (vi) Parking aisles shall be designed to accommodate the turning characteristics of the vehicles that will most commonly use the parking facilities. Dead-end parking aisles are prohibited without provision of an adequate turn around. Aisles should not exceed 300 to 350 feet in length without a break in circulation.

**Table 21.08-7 Shared Parking Reduction**

Parking Angle	A	B	C
	Stall Width in Feet	Stall Length in Feet	Aisle Width in Feet
<b>0</b>	22.0	9.0	12.0
	22.0	9.5	12.0
	22.0	10.0	12.0
<b>30</b>	9.0	18.0	11.0
	9.5	18.0	11.0
	10.0	20.0	11.0
<b>45</b>	8.5	21.0	13.0
	9.0	21.0	12.0
	9.5	21.0	11.0
<b>60</b>	8.5	21.0	18.0
	9.0	21.0	16.0
	9.5	21.0	15.0
<b>75</b>	8.5	19.5	25.0
	9.0	19.5	23.0
	9.5	19.5	22.0



Table 21.08-7 Shared Parking Reduction			
Parking Angle	A	B	C
	Stall Width in Feet	Stall Length in Feet	Aisle Width in Feet
90	8.5	18.5	28.0
	9.0	18.5	25.0
	9.5	18.5	24.0



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<sup>77</sup> This graphic will be updated to include the "A, B, and C" labels to align with the table above.

**(3) Maximum Allowable Grades in Parking Lots<sup>78</sup>**

Maximum grades allowed in parking lots shall be eight percent.

**(4) Pedestrian Crossings<sup>79</sup>**

- (i) Pedestrian crossing areas shall be provided for each building egress or for every 125 feet of building which fronts a part of the parking area.
- (ii) Pedestrian crossing areas in parking lots shall be constructed of surface pavers, such as brick, stone blocks, interlocking brick pavers, stamped concrete or other materials as may be approved by the Director which form a smooth surface but contrast with asphalt. For parking lots of less than 50 cars, the Director may accept paint or similar markings.

**(5) Surfaces<sup>80</sup>**

All driveways and parking areas, except for a single dwelling on one lot, shall comply with the following:

- (i) All required parking and vehicular traffic surfaces shall drain and be surfaced with concrete or bituminous pavement in accordance with City standards. The City Engineer may permit a gravel surface in overflow parking areas, a low-traffic storage yard, or, as in subsection (ii) of this section, if the applicant establishes that very little dust will be generated. "Overflow parking" is defined as "parking in addition to the minimum required by ordinance which is designed not to be used more than 10 times per year." A "low-traffic storage yard" is defined as "a storage area generating less than 30 average daily trips." Industrial yards that accommodate large trucks and/or heavy equipment shall be surfaced and maintained with materials to prevent dust, mud and debris from leaving the site and being tracked onto the public right-of-way.
- (ii) All surfaces shall be maintained in good condition free of weeds, dust, trash and debris. All vehicular traffic areas shall be built according to the construction standards established by the City.

**(6) Parking Lot Landscaping**

Parking lots shall be landscaped pursuant to GJMC <> [Landscaping, Buffering, and Screening].

**(7) Temporary Parking Lots**

- (i) Temporary parking lots are parking areas which serve during transition of a property during development and shall not be used for more than 24 months from issuance of a City site plan for such parking use.
- (ii) A temporary parking lot:

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<sup>78</sup> Current 21.06.090(b)(3).

<sup>79</sup> Current 21.06.050(b)(3).

<sup>80</sup> Current 21.06.050(b)(5)(i-iii).

- (A) Is allowed only in MU-1, MU-2, MU-3, MU-4, MU-5, I-1, or I-2 zone districts<sup>81</sup> and only if a site plan has been approved by the Director;
- (B) Shall be hard surfaced or gravel;
- (C) Shall be graded for drainage;
- (D) Shall be maintained in good condition free of weeds, dust, trash and debris;
- (E) Shall be landscaped and screened;
- (F) Parking spaces within a gravel lot shall be delineated with concrete “bumper blocks”; and
- (G) Only used for a total of 24 months unless a site plan for a permanent lot usage is approved.

**(f) Loading<sup>82</sup>**

A site plan for a proposed nonresidential<sup>83</sup> use shall identify loading/unloading areas and shall be built and maintained in accordance with TEDS (GJMC Title 29).

## 21.08.020 BICYCLE PARKING AND STORAGE<sup>84</sup>

### Commentary:

Some communities tailor the number of required bicycle parking standards by more specific use types. This approach can apply standards based on overall use category or for specific principal uses. Two examples are provided below.

#### A. Amount Required

- (1) Each nonresidential primary structure shall provide the following, depending on the category of the use as shown in Table 11-03.1: Table of Allowed Uses.<sup>661</sup>
  - (a) Food and Beverage Service, Recreation and Entertainment, and Retail Uses shall provide a minimum of five bicycle spaces, plus an additional one bicycle space for every 500 square feet of gross floor area.
  - (b) Industrial Uses shall provide a minimum of two bicycle spaces, plus an additional one bicycle space for every 4,000 square feet of gross floor area.
  - (c) All other nonresidential uses shall provide a minimum of five bicycle spaces, plus an additional one bicycle space for every 1,500 square feet of gross floor area.
- (2) Primary structures containing Multifamily Dwelling uses shall provide at least five bicycle spaces, plus, an additional one bicycle parking space per five dwelling units.

<sup>81</sup> Replaced “R-0, B-1, B-2, C-1, C-2, I-O, I-1, or I-2” to align with new zone districts.

<sup>82</sup> Current 21.06.050(f).

<sup>83</sup> Replaced “business, commercial or industrial.”

<sup>84</sup> This section significantly expands current 21.06.050(g) to increase required bicycle parking and include requirements that ensure safe, secure, and appropriately designed bicycle parking facilities. All content is new unless otherwise noted.

<b>Table 13.08.L: Bicycle Parking – Number of Spaces Required by Use<sup>850</sup></b>	
<b>Use</b>	<b>Minimum Bicycle Spaces</b>
Multifamily residential <sup>851</sup>	5% of required vehicle parking spaces
Elementary, junior, or middle schools	3 per classroom
Senior high school	2 per classroom
College, trade, professional, vocational	1 per 20,000 s.f. GFA
Place of worship	1 per 75 persons design capacity
Hospital	2 per 10,000 s.f. GFA, not to exceed 10
Library, museum	1 per 5,000 s.f. GFA
Eating, drinking establishment, stand alone	10% of vehicle spaces provided
Other office, retail, grocery store, services, sales, stand-alone, or mixed-use development not listed in this table.	2 per 10,000 s.f. GFA, or 10% of vehicle spaces provided, whichever is lower, but not to require more than 10 bicycle spaces per retail tenant
Indoor recreation activities	1 per 75 persons design capacity

The provisions below are simpler and increase the current requirement from 1 per 20 spaces to 1 per 10.

**(a) Amount Required**

- (1) Except as stated in Subsection (2) below, one bicycle parking space within an approved rack shall be required for each 10 required vehicle parking spaces.<sup>85</sup>
- (2) For multifamily dwellings, one space is required per dwelling unit.

**(b) Location**

- (1) Short-term bicycle spaces shall be located within 50 feet from the main entrance of the principal building.
- (2) Short-term bicycle racks shall be located so that they:
  - (i) Are easily accessed from the street and protected from motor vehicles;
  - (ii) Are visible to passers-by to promote usage and enhance security;
  - (iii) Do not impede or interfere with pedestrian traffic or routine maintenance activities;
  - (iv) Do not block access to buildings, bus boarding or freight loading;
  - (v) Allow reasonable clearance for opening of passenger-side doors of parked cars; and
  - (vi) Are covered, to the maximum extent practicable, where users will leave their bikes for a longer amount of time.
- (3) Long-term bicycle spaces shall be designed to meet the needs of employees, residents, public transit users, and others with similar needs.
- (4) Long-term bicycle parking shall be covered and secured to the maximum extent practicable. Covered bicycle parking includes but is not limited to a secure and accessible room in a building, a secure and accessible enclosure within a parking structure, or a cluster of bicycle lockers at a transit station.

<sup>85</sup> Increased from current 1 per 20 vehicle spaces.

**(c) Design Standards**

- (1) Bicycle parking spaces shall be a minimum of six feet long and two feet wide and have an overhead clearance of seven feet if covered.
- (2) A four foot wide aisle is required between rows of bicycle parking spaces or between a row of bicycle parking spaces and any wall.
- (3) Bicycle racks shall be located on improved non-permeable surfaces and shall be anchored to the ground.
- (4) Bicycle racks shall provide two points of contact with the bicycle frame such as an inverted "U" or a post and ring.
- (5) Areas designated for bicycle parking shall be clearly marked and reserved for bicycle parking only.

**(d) Alternative Bicycle Parking<sup>86</sup>**

The Director may waive or reduce the requirements of this section if:

- (1) Unique or unusual characteristics exist on a development site that would preclude safe travel of bicycles to and from the site; or
- (2) Existing bicycle parking facilities are located within the public right-of-way and within 100 feet of the building's main entrance, provided that a minimum of two bicycle parking spaces are provided on site.

**21.08.030 ELECTRIC VEHICLE CHARGING<sup>87</sup>**

**Commentary**

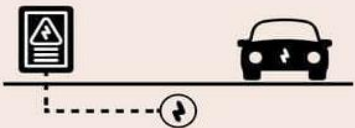
Communities are increasingly incorporating electric vehicle charging requirements and provisions into their zoning codes. The degree of regulation varies broadly across the state and the country. In order to support a discussion about to what extent Grand Junction should regulate electric vehicle charging stations, there are several key terms to know:

<sup>86</sup> Expands current provision for Director to vary the location of employee bicycle parking.


<sup>87</sup> New.

**Types of EV Spaces:**


**1. EV-Capable**  
Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.









**2. EVSE-Ready Outlet**  
Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet (typical clothing dryer outlet).



**3. EVSE-Installed**  
Install a minimum number of Level 2 EV charging stations.



**Types of Charging Stations:**

	Power	Time	Standard Use
<b>Level I</b>	 120V	 6-10 hrs	Staff use during work day, long term parking at commuter lots or vehicles parked overnight.
<b>Level II</b>	 204-240V	 1-3 hrs	Commercial use or work vehicles that are heavily used and need a midday charge.
<b>DC Fast Charging</b>	 480V	 30 mins	Best for highway sites to enable longer vehicle trips.

Electric vehicle charging requirements and incentives can be drafted to include a scaled approach of requiring only or more EV-Capable or EV-Ready spaces, rather than the installed charging station itself.

Major considerations for this discussion include:

- Should the full charging station itself be required to be installed or is supporting infrastructure for future stations sufficient?
- If a charging station is required, what level of service should it be?

- Should EV charging only be required for large parking lots (e.g. over 50 spaces)?
- Should EV charging be required for all use types or only multifamily/nonresidential (or other specified uses)?
- Should EV charging be required for redevelopment, reuse, or other small-scale development?
- Should the provision of EV charging be a mandatory requirement or incentivized?

**(a) Amount Required**

- (1) For all multifamily dwellings, a minimum of 5 percent of the required off-street parking spaces shall provide electric vehicle charging stations.
- (2) Each off-street parking lot or structure for a nonresidential or mixed-use development that contains more than 50 parking spaces shall provide at least one electric vehicle charging station for each 25 parking spaces, or part thereof, provided in excess of 50 parking spaces.

**(b) Standards**

All electric vehicle parking spaces shall meet the minimum dimensional standards of this chapter and the use-specific requirements of GJMC <> [Electric Vehicle Charging Station].

## Chapter 21.09 Subdivision Standards<sup>88</sup>

### 21.09.010 PURPOSE<sup>89</sup>

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The purpose of this chapter is to ensure that all divisions of land subject to this Code are designed to help implement the goals and objectives of the Comprehensive Plan and to:

- (a) Ensure that all developable lots have adequate provision for water service, sewer disposal, and other utilities;
- (b) Ensure that all developable lots had adequate legal access to the public street and highway system;
- (c) Incorporate and emphasize unique features of the land;
- (d) Protect existing natural resources and wildlife habitat, and preserve stands of existing mature trees and native vegetation;
- (e) Reduce fire hazards;
- (f) Mitigate erosion from wind and water;
- (g) Reinforce the importance of public places such as boulevards, parks, and open spaces;
- (h) Avoid development in riverine slide areas, geologically hazardous areas and in floodplains;
- (i) Provide active opens spaces for active and passive use that are integrated with those on abutting properties where possible;
- (j) Promote pedestrian uses, bicycling, and transportation modes other than the private automobile;
- (k) Reduce long-term service and maintenance costs to the City, its residents, and owners in the subdivision;
- (l) Avoid repetitive building and lot layouts;
- (m) Complement adjacent neighborhoods development and uses, and
- (n) Mitigate significant adverse impacts on neighboring developments.

### 21.09.020 APPLICABILITY<sup>90</sup>

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Unless otherwise provided in development or annexation agreement approved by City Council, the provisions of this section shall apply to all divisions of land into legal parcels for development. See GJMC <> [Administration and Procedures] for the process of subdivision review and approval.

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<sup>88</sup> Current 21.06.060.

<sup>89</sup> Current 21.06.060(b) reorganized and reworded for clarity; subsections (a) and (b) are new.

<sup>90</sup> Current 21.06.060(a).



## 21.09.030 GENERAL STANDARDS<sup>91</sup>

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All subdivisions shall comply with the following:

- (1) GJMC 21.05.020.
- (2) All state laws and regulations regarding surveying and monumentation of land.

## 21.09.040 LOT LAYOUT AND DESIGN

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### (a) Designation of Lot Lines

Each plat shall identify the front and rear lot line of each lot. The front lot line shall be the shortest exterior lot line along a street unless the Director determines that a different lot line should be designated based on the lot and street pattern.

### (b) Lot Designs to be Avoided<sup>92</sup>

The creation of the following types of lots shall be avoided to the maximum extent practicable.

- (1) Double Frontage Lots. Where there is no reasonable alternative to the creation of double frontage lots, each lot shall comply with the subdivision perimeter enclosures provisions of GJMC <> [Landscaping, Buffering, and Screening].
- (2) Reverse Corner Lots
- (3) Three Frontage Lots
- (4) Lots with rear lot lines abutting a residential collector street, local street, or cul-de-sac. Creation of lots abutting an arterial or collector street is permitted, but may be required to provide larger building setbacks from those streets.
- (5) Flag Lots. Where there is no reasonable alternative to the creation of flag lots, provided each flag lot complies with the following standards:
  - (i) In a subdivision of four or fewer lots, not more than one lot may be a flag lot;
  - (ii) In a subdivision of five or more lots, not more than 15 percent of the lots may be flag lots;<sup>93</sup>
  - (iii) The developable "flag" portion of each flag lot shall meet the minimum lot size required in the zoning district where the property is located, without counting the area within the "flagpole" access portion of the lot;
  - (iv) Additional building setbacks for the "flag" portion of the lot may be required to reduce adverse impacts on surrounding properties;
  - (v) Not more than two flag lots may abut each other;
  - (vi) Where two flag lots abut each other, their two "flagpole" access portions of each lot shall abut and a shared driveway shall be provided;

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<sup>91</sup> Current 21.06.060(c) and (e) reworded for clarity. Current 21.06.060(d) was not carried forward, as it is covered in the Administration and Procedures provisions. Multiple scattered references to various plans and to the TEDS have been consolidated in this section to avoid repetition.

<sup>92</sup> Current 21.06.060(f), significantly reorganized and reworded for clarity.

<sup>93</sup> Separate rounding down rules were not carried forward; standard rounding rules apply.

- (vii) Except as provided in subsection (D) below, each flag lot shall have at least 25 feet of street frontage;
- (viii) Where the Director determines that access will be needed to access future development, the Director may require the applicant to provide an access easement and an irrevocable offer of dedication of right-of-way 50 feet wide running the full depth of the lot or lots.
- (ix) Each lot shall be designed to allow a motor vehicle to exit the site to the public street driving forward.

**(c) Reserve Strips**

The creation of reserve strips on the outer edges or elsewhere in any subdivision, when used to the control of access to any public right-of-way, is not permitted.

**(d) Alleys**

- (1) Alleys shall be included in all residential subdivisions where:
  - (i) One or more adjacent blocks contain alleys, and the inclusion of alleys would continue that pattern; and
  - (ii) Alleys would provide access to residential lots abutting residential collector streets or local streets, and where with garages or parking areas are located behind a principal structure.
- (2) Alleys shall be included in all other residential blocks to the maximum extent practicable.
- (3) Alleys shall be included in mixed-use, commercial, or industrial subdivisions unless alternative service access is provided.

**21.09.050 ACCESS, CIRCULATION, AND CONNECTIVITY<sup>94</sup>**

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**(a) General<sup>95</sup>**

- (1) Each subdivision shall be designed to continue or create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent development, while facilitating the use of mass transit.
- (2) Each subdivision shall include a street layout that continues the alignments of streets in adjoining subdivisions or their anticipated locations when adjoining property is not yet developed.
- (3) Each subdivision shall allow for through movement of general traffic to avoid isolation of residential areas and overreliance on arterial streets on the edges of the subdivision for traffic movement, except as required by subsection (g).
- (4) Each subdivision shall be designed to enable emergency service providers, including but not limited to police, fire, and ambulance vehicles to access each lot quickly and efficiently.

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<sup>94</sup> Current 21.06.060(g) with changes as noted.

<sup>95</sup> General statements in Street Layouts section of current ordinance were integrated into this section.

- (5) Each subdivision shall accommodate a system of major collector, minor/residential collector, and local/residential streets providing multiple direct connections between local destinations such as parks, schools, and shopping, without requiring the use of arterial streets to the maximum extent practicable.
- (6) Each residential and mixed-use subdivision shall provide efficient and reasonably direct motor vehicle, pedestrian, and bicycle access to nearby commercial development, and shall avoid the creation of physical barriers between adjacent residential and commercial areas unless necessary for safety reasons.
- (7) Each subdivision shall include reasonably direct connections to the City's on-street bikeway network and off-road trail system to the maximum extent practicable.
- (8) Street names and property addresses in each subdivision shall comply with the City's adopted Street Naming and Addressing Manual.
- (9) Each subdivision designed for nonresidential primary land uses shall provide for vehicular circulation between adjacent lots and must dedicate or grant appropriate easements ensuring such cross-access between lots.

**(b) Access to Public Streets**

- (1) All lots shall have direct or indirect access to a dedicated public road. The creation of private streets is not permitted unless approved by City Council.
- (2) If the plat provides for indirect access (i.e., over intervening private drives), access easements or tracts benefiting all lots with indirect access shall be provided on the recorded plat. Easements shall be used to access not more than one lot with no street frontage.
- (3) Single-family attached dwellings and/or multifamily dwellings with no street frontage or limited street frontage may be allowed by the Director provided access is reasonably and readily available for each dwelling unit through the use of private streets, shared drives, parking lots, and/or other specifically identified limited common elements.
- (4) No more than five dwelling units on individual lots may share a single driveway providing access to a public streets.
- (5) Single-family residential lots may be located on a loop lane providing access to a public street, provided the loop lane complies with standards in GJMC 21.05.020(e)(7).

**(c) Sidewalks, Walkways, and Sidewalks<sup>96</sup>**

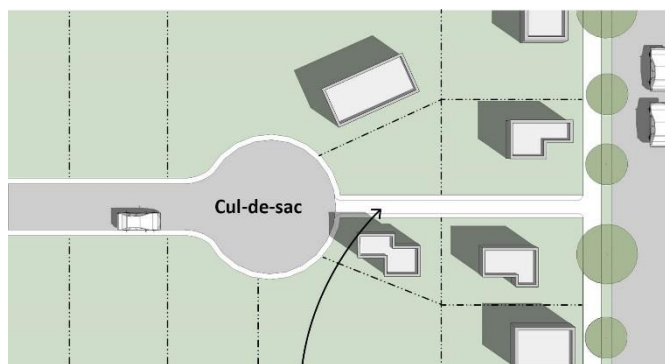
- (1) Each subdivision shall provide an integrated system of bikeways, walkways, and sidewalks to allow residents, customers, and the public to safely and directly access all principal uses, public areas, streets, bus stops, parking areas, and trash, recreation, and mail pickup facilities on bicycle and on foot.
- (2) Pedestrian circulation systems shall be separated by a curb or other physical barrier from motor vehicle and bicycle circulation areas to the maximum extent practicable.<sup>97</sup>

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<sup>96</sup> Current section 21.06.060(g)(7) with wording revised for clarity.

<sup>97</sup> Revised to include the reference to a physical barrier.

- (3) Each subdivision shall provide internal walkways to allow pedestrians reasonably direct access from perimeter sidewalks to the major pedestrian entry of each primary building. If a surface parking lot is located between the primary building and the perimeter sidewalk, at least one pedestrian walkway through the parking lot to the major pedestrian entry of each primary building shall be provided.<sup>98</sup>
- (4) Within each subdivision lot containing multiple primary buildings or uses, internal walkways not located adjacent to a street shall be included to provide reasonably direct connections between common points of pedestrian origin and destination.
- (5) Where a subdivision abuts or includes an arterial or collector street, a bicycle and pedestrian access points into the subdivision shall be provided at least every 1,200 linear feet of arterial and collector street.
- (6) Where the head of a cul-de-sac is only separated from an arterial or collector street by lots accessed from the cul-de-sac, a pedestrian and bicycle easement at least 10 feet in width shall be provided between the head of the cul-de-sac and the arterial or collector street, as shown below:<sup>99</sup>



**(d) Support for Public Transit<sup>100</sup>**

- (1) Each subdivision adjacent to or including an existing or planned or public bus transit route shall include streets designed to facilitate the use of public bus transit.
- (2) The Director may require each subdivision to dedicate and/or construct adequate waiting areas for bus stops in the locations adjacent to arterial or major collector streets identified by a public transit authority; and may also require that the subdivision include reasonably direct walkways to each bus stop area from each nearby street, commercial, industrial use, and public park or gathering area.

<sup>98</sup> Revised for clarity and conciseness.

<sup>99</sup> New, to promote pedestrian and bicycle connectivity.

<sup>100</sup> Current section 21.06.060(g)(8) reworded for clarity. Reference to review by public transit authority was deleted as unnecessary; the City may refer any proposed plan or application to any affected public entity or service provider.

## 21.09.060 OPEN AND UNDEVELOPED SPACES<sup>101</sup>

### (a) Sensitive Lands and Unique Site Features<sup>102</sup>

Each subdivision plat shall include and protect as much of the following open space as the Director deems reasonable to protect public health and safety based on the anticipated size, use, and impacts of the proposed development: <sup>103</sup>

- (1) Stream beds and corridors, bluffs, ridges, steep slopes, mature trees and/or stands of native vegetation, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors;
- (2) Water features such as drainages, waste ditches, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds; and
- (3) Natural, geologic or other hazard areas, such as potentially unstable slopes, faults, landslides, rockfalls, expansive soils, and floodplains.

### (b) Location and Integration of Open Space<sup>104</sup>

- (1) The open space in each subdivision shall be located to create or enhance:
  - (i) Active and passive recreational opportunities,
  - (ii) Landscaped buffers or visual transitions between different types or intensities of land uses,
  - (iii) Community focal points,
  - (iv) Scenic vistas,
  - (v) Wildlife habitat,
  - (vi) Passive water quality treatment, and/or
  - (vii) Opportunities to accommodate multiple compatible uses rather than a single use.
- (2) The open space in each subdivision shall be located to be contiguous to and integrated with schools, parks, and other open spaces or public property in or near the subdivision or on neighborhood property to the maximum extent practicable.
- (3) Storm drainage, retention, and detention ponds shall be located, designed, maintained, planted, and managed to serve as visual amenities, entryway features, or opportunities for passive recreation within the subdivision.
- (4) Open space shall not be located in isolated areas or corners of the subdivision, in peripheral strips along the borders of rights-of-way or the subdivision, or in unconnected patterns unless the Director finds the proposed location would further one of the other goals described above.

<sup>101</sup> Current 21.06.060(h) significantly reworded for clarity.

<sup>102</sup> Reorganized and related provisions from other sections integrated.

<sup>103</sup> Last clause added to clarify criteria to be used by Director in making this decision.

<sup>104</sup> Reorganized, and related content from other subsections integrated.

**(c) Public Access and Visibility**

- (1) Open spaces in each subdivision shall be open, accessible, and visible to all residents of the subdivision and to the public using public streets, trails, and open spaces to the maximum extent practicable and consistent with public health and safety.
- (2) If a subdivision contains or abuts a publicly owned natural area, the Director may require the subdivision plat to include such easements and rights-of-way as are necessary to allow reasonable access for the public to such natural area. Conveyance to the public requirement or dedication to the City may be credited against any park or open space dedication or fee in lieu of such land required by the City, upon approval of the City Council.

**21.09.070 NATURAL HAZARDS AND SIGNIFICANT NATURAL FEATURES**

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**(a) Natural Hazards**

If natural or geologic hazards exist within the property, the applicant shall comply with either subsection (1), subsection (2), or a combination of those approaches:

- (1) Identify the limits of development (as defined in subsection (b) below on the plat and include a plat note that those areas are not available for sale nor development;
- (2) Provide a report from a geotechnical engineer licensed in Colorado designating the specific mitigation measures or engineering precautions necessary to make such areas safe for development and occupancy, and include a plat note stating that development will be subject to those mitigation measures and engineering precautions although the specific design needed as a part of a building permit may occur as a part of the building permit; or

**(b) Significant Natural Features**

- (1) Each subdivision plat shall identify each of the following that exist within the area covered by the subdivision plat.
  - (i) All significant natural features, including but not limited to bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors; and
  - (ii) All significant water features, including but not limited to drainages, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds.
- (2) Each subdivision plat containing any of the features listed or referenced in subsection (1) shall show the limits of development established pursuant to subsection (c) below and shall include a plat note clearly stating that such areas are not available for sale or development.

**(c) Limits of Development<sup>105</sup>**

Each subdivision plat shall specify the limits of development (LOD), which shall include all specific areas of a subdivision within which development and construction shall be limited or

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<sup>105</sup> Current section 21.06.060(h)(8) with minor wording changes for clarity.

prohibited so that natural hazard areas are avoided and significant natural features are preserved. LODs shall be determined based on:

- (1) Available mapping of hazard areas and significant natural features;
- (2) Site topography, including but not limited to steepness of slopes, existing drainage features, rock outcroppings, river and stream terraces, valley walls, ridgelines, and scenic topographic features; and
- (3) The practical needs to give access to heavy equipment for the developed project and reasonable staging and operational areas. Plat notes shall indicate any areas in which construction or development activities are only permitted during build-out of the subdivision, and that shall thereafter be outside the LODs.<sup>106</sup>

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<sup>106</sup> Last sentence is new.

## Chapter 21.10 Sign Standards<sup>107</sup>

### 21.10.010 PURPOSE AND APPLICABILITY

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This chapter governs exterior signs on real property. The proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, and contribute to visual pollution to the detriment of the general public. No sign shall be displayed in any zone district without a sign permit, except where the provisions of this section expressly provide otherwise. Signs placed by a governmental entity are exempt from this section.

### 21.10.020 PROHIBITED SIGNS

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Prohibited signs are signs that:

- (a) Contain an obscene statement, word, or picture describing or depicting sexual activities or sexual anatomical areas;
- (b) Contain, or are an imitation of, an official traffic sign or signal or contain the words: "STOP," "GO SLOW," "CAUTION," "DANGER," "WARNING," or similar words;
- (c) Are of a size, location, movement, content, coloring or manner of illumination which may be confused with, or construed as, a traffic control device or which hide from view any traffic or street sign or signal;
- (d) Contain or consist of portable signs, tent signs, or strings of light bulbs not permanently mounted on a rigid background, except that one portable sign per business will be allowed next to the building in shopping areas where pedestrians circulate, so long as such portable sign is not placed in a parking lot or in any median, does not visually or physically obstruct vehicular or pedestrian circulation, and does not exceed 12 square feet in size and three feet in width;
- (e) Are erected after adoption of this Code and do not comply with the provisions of this regulation;
- (f) Do not comply with the laws, rules and regulations of the State of Colorado as now or hereafter enacted and/or amended. See § 43-1-401, C.R.S. et seq.;
- (g) Create a hazard for, or impede safe or efficient movement of, motorists or pedestrians;
- (h) Are placed in whole or in part in, on or over any part of a public right-of-way, except where the sign is placed by a governmental entity. The Director has the authority to remove and dispose of any sign placed in or on or protruding into, onto or over any part of a public right-of-way without compensation to any person or entity; or
- (i) Are interactive signs that are readable with normal vision from the public right-of-way. Interactive signs readable from the public right-of-way are prohibited because they distract drivers and pedestrians so as to constitute a significant safety risk.

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<sup>107</sup> Current 21.06.070, carried forward without change.



### 21.10.030 SIGNS THAT DO NOT REQUIRE A PERMIT

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The following signs are allowed on a lot/parcel in any zone district:

- (a) One sign that is integral to or flush-mounted on a building or structure that is no greater than four square feet in area.
- (b) A sign that is not illuminated, not digital or electronic, and not permanent in nature; for example, one that is planted into the ground or affixed to an object or structure by temporary means, does not have a foundation, is made of lightweight and thin materials such as a single sheet of plastic, thin metal, plywood or paper, except for wind driven signs and banners which are regulated separately in GJMC 21.10.040, and except for prohibited signs discussed in GJMC 21.10.020, with the following limitation:
  - (1) On a parcel of less than one acre, up to six such signs are allowed, so long as each sign is not greater than six square feet in area, except in that one of these signs may be up to 32 square feet in area when construction is occurring on a parcel or a subdivision of land is being developed.
  - (2) On a parcel of one acre or larger, up to six such signs per acre are allowed, so long as each sign is not greater than six square feet in area, except that one sign per acre can be up to 32 square feet in area.

### 21.10.040 WIND DRIVEN SIGNS AND BANNERS

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- (a) A banner permit shall be required prior to any use of wind driven signs or banners.
- (b) Banners and wind driven signs may be displayed for a up to 30 consecutive days up to four times in a 12-month calendar year. Permit periods may run consecutively.
- (c) All banners must be secured directly to the structure, fence, or post that is permanently affixed to the ground.
- (d) All wind driven signs must be professionally made, must be in good repair and appearance, and must also be so located and installed so as not to pose a safety hazard for motorists or pedestrians. Such signs shall not be attached to any object located in the public right-of-way.
- (e) In addition to other available penalties, failure to comply with the terms of a permit issued under this section shall result in the loss of a permit.

### 21.10.050 NONCONFORMING SIGNS

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- (a) All signage on site shall be brought into conformance with this Code prior to approval of any new sign permit on the property.
- (b) Any nonconforming sign that has been damaged in excess of 50 percent of its replacement cost by fire, wind or other cause except vandalism shall not be restored without conformance with the provisions of this regulation.
- (c) Sign face changes are allowed without a permit, including converting from static display to digital/electronic display, if no other changes are made to the sign size, height or structure. Digital and electronic signs must comply with regulations governing such.

## 21.10.060 DIGITAL OR ELECTRONIC SIGN STANDARDS

### (a) Purpose and Intent

Advancements in technology permit signs to change copy electronically, utilizing LED, LCD and other technologies. The impacts of these may disrupt the peace and quiet enjoyment of other properties in the area and create traffic hazards. Limitations on brightness is necessary in order to mitigate these impacts, protect public health and safety, and preserve the character of areas, especially residential neighborhoods.

### (b) Brightness

- (1) The maximum brightness levels for signs shall not exceed 0.3 (three tenths) footcandles over ambient light levels. Measurements of light are based on the area of the sign versus measurement of the distance. Using a footcandle meter, brightness shall be in conformance with the following distance table:

Area of Sign (sq. ft.)	Measurement of Distance (ft. from sign)
0-10	30
10-24	45
25-49	55
50-99	90
100-149	110
150-199	135
200-300	150

- (2) The measurement shall be conducted at least 30 minutes after sunset or 30 minutes before sunrise. Certification must be provided to the City upon installation that the sign has been preset to automatically adjust the brightness to these levels or lower. Re-inspection and recalibration may be periodically required by the City at the permittee's expense, to ensure that the specified brightness levels are maintained at all times.
- (3) Interactive signs are prohibited.
- (4) All new electronic display signs shall have photocell technology that will be used to dim the displays for appropriate nighttime viewing from dusk to dawn or when ambient light conditions warrant such changes.

## 21.10.070 GENERAL REQUIREMENTS

### (a) All Zone Districts

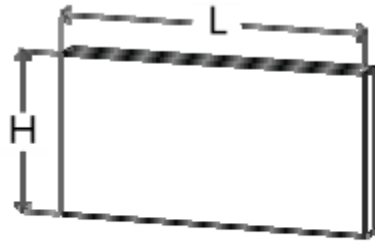
The following requirements shall apply to all signs in all zones unless otherwise indicated:

- (1) A permit is required for placement or display of any new sign, except where otherwise stated or where specifically exempted by the provisions of this section.

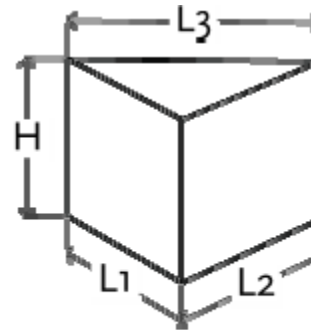
- (2) Touching up, repainting or changing existing letters, text, symbols, graphics, or other content is considered maintenance and repair and does not require a permit.
- (3) Only a licensed sign contractor can obtain a sign permit.
- (4) All signs shall be permanent in nature except for those nonpermanent signs allowed under GJMC 21.10.030.
- (5) All exterior signs shall be engineered to withstand a minimum wind load of 30 pounds per square foot.
- (6) No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property including the posting of handbills except as expressly authorized by this section.
- (7) Regardless of sign allowances by zone district, no single sign shall exceed 300 square feet in area.

**(b) Sign Measurement**

- (1) The total surface area of one sign face of freestanding signs and projecting wall signs shall be counted as part of the maximum total surface area allowance. Sign enhancement features such as bases, pillars, and other decorative elements as part of monument signs shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.
- (2) The total surface area of all sign faces of roof signs shall be counted as part of the maximum total surface area allowance.
- (3) For measurement of different shapes of signs, see the graphics below.
- (4) The total surface area of three-dimensional figures shall be counted as part of the maximum sign allowance.
- (5) The area of flush wall signs with backing or a background that is part of the overall sign display or when backed by a surface which is architecturally a part of the building shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), logo or figure including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.
- (6) The area of a facade sign shall be determined to be the sum of the area of each of the smallest perimeter enclosing the limits of each work and written or graphic representation, including letter, number, character, and/or logo used for advertising, offering or merchandising a product, or for service identification. The area of a mural painted on a wall shall not be included in the sign area calculation.

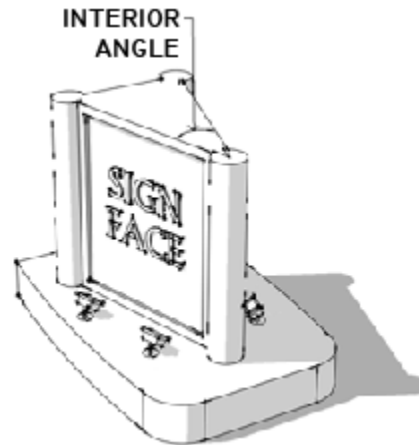


**DOUBLEFACE SIGN**  
**H x L**



**TRIANGULAR SIGN**  
 **$[(H \times L1) + (H \times L2) + (H \times L3)] / 2$**

- (7) Only one display face is measured if the sign faces are parallel or form an interior angle of less than or equal to 60 degrees; provided, that the signs are mounted on the same structure. If the faces are of unequal area, then sign area is equal to the area of the larger face.



**(c) Sign Illumination**

No illumination of a sign is permitted unless the following criteria are met:

- (1) The light from any illuminated sign shall be so shaded, shielded and directed that the light intensity or brightness shall not be objectionable to surrounding areas.
- (2) Neither the direct or reflected light from a light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares.
- (3) No exposed reflective type bulb or incandescent lamp, which exceeds 40 watts, shall be used on the exterior surface of a sign to expose the face of the bulb, light or lamp to any public street or adjacent property.
- (4) Electrical service provided to illuminated signs may require an electrical permit from the Building Department.

**(d) Identification and Marking**

Each sign requiring a permit shall bear an identification plate stating the following information:

- (1) Date the sign was erected; and
- (2) Name of person, firm or entity responsible for its construction and erection.

**(e) Temporary Use Signs**

Sign(s) placed in connection with a temporary use that requires a temporary use permit shall conform to the requirements, conditions and terms of the temporary use permit.

**21.10.080 SIGN STANDARDS BY ZONE DISTRICT**

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The following restrictions and requirements apply to permanent signs in the given zone districts.

**(a) All Zone Districts**

Any property containing a nonresidential use that abuts an arterial street may be permitted to have one monument style sign on one such frontage that meets the requirements of subsection (d) of this section.

**(b) Residential Zone Districts**

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

- (1) One permanent monument sign up to 32 square feet in area is allowed at a multifamily apartment/condominium building/complex and on each common area parcel that abuts a public right-of-way; for purposes of this subsection, "common area parcel" means a parcel that is owned by a homeowners' association for the benefit of all lot owners in a planned community, common interest community or condominium.
- (2) For a nonresidential use in a residential zone, one sign not to exceed 24 square feet in area is allowed per street frontage.
- (3) Location. Permitted signs may be anywhere on the property. If freestanding, the top shall not be over eight feet above the ground. If building-mounted, the sign shall be flush-mounted and shall not be mounted on a roof of the building or project above the roof line.
- (4) Illumination. Indirect or internal illumination only shall be utilized for letter faces and/or logos.

**(c) MU-1 District<sup>108</sup>**

**(1) General**

The MU-1 zone district provides a transition from residential to commercial development and consequently requires more restrictive sign regulations to maintain compatibility.

**(2) Types Allowed**

Flush wall signs and monument signs shall be the only sign types allowed.

**(3) Location and Size**

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

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<sup>108</sup> Current standards applied to R-O converted to MU-1 district (consolidated R-O and B-1).

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

**(4) Illumination**

Signs may be externally illuminated; no other illumination of signs is allowed. All lights used for illumination of signs shall be arranged so as to confine direct light beams to the lighted sign and away from adjacent residential properties and out of the direct vision of motorists passing on adjacent streets. Illumination of signs shall comply with GJMC Chapter 21.11 and shall be limited to authorized business hours.

**(5) Sign Area**

The area of flush wall signs and monument signs shall be calculated as per the graphics shown under GJMC 21.10.070(b).

**(d) All Other Mixed-Use and Industrial Zone Districts<sup>109</sup>**

**(1) General**

This section shall apply to the MU-2, MU-3, MU-4, MU-5, I-1, and I-2 zone districts.

**(2) Types Allowed**

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

**(3) Location and Size**

Permitted signs may be anywhere on the premises except as specifically restricted in this subsection (see specific sign type and pertinent zoning regulation). The total amount of signage to be allowed on any property shall not exceed the sign allowance as calculated in accordance with subsection (d)(5)(ii) or (d)(7)(ii) of this section, whichever is greater. No single sign may be larger than 300 square feet. No projecting sign may exceed the allowances in subsection (d)(6) of this section.

**(4) Illumination**

Unless specifically prohibited, all of the following signs may be illuminated within the limits allowed under GJMC 21.10.070(c) and GJMC Chapter 21.11.

**(5) Facade Signs, Flush Wall Signs and Roof Signs**

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

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<sup>109</sup> Replaces "Business, Commercial, Industrial Zones (B-1, B-2, C-1, C-2, I-O, BP, M-U, I-1, I-2, and AE (Formerly PAD))" to align with proposed new zone districts.

exceed two square feet of sign area per linear foot of the facade on which it is being placed.

- (ii) Two square feet of sign area shall be allowed for each linear foot of building facade for facade signs, flush wall signs and roof signs. The measurement of a roof sign shall be based on the square footage of each sign face. Flush wall signs may extend up to 12 inches from the face of the building if the base of the sign is at least eight feet above ground level. (Show window signs in a window display of merchandise when incorporated with such display will not be considered part of the total sign allowance.)
- (iii) On any building which allows facade signs, flush wall signs, roof signs, or projecting signs, a maximum of two of these types may be used. If a flush wall sign and roof sign are used, the sign allowance of two square feet per linear foot of building may be divided between the two types of signs. If either a flush wall sign or roof sign and a projecting sign are used, the allowance for the projecting sign shall be subtracted from the flush wall sign or roof sign allowance.
- (iv) Roof signs shall be manufactured such that no guy wires, braces, or secondary supports shall be visible. Maximum height for roof signs shall be such that height of the structure and the sign together do not exceed the maximum height for the zone district.
- (v) One sign that is flush-mounted on the rear facade of a structure that is no more than 16 square feet in area is allowed, which sign does not count toward the total sign allowance for the parcel or building (if there is more than one such sign, the other(s) shall count toward the total sign allowance).

#### **(6) Projecting Signs**

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

#### **(7) Freestanding Signs**

Freestanding signs shall comply with the following requirements:

- (i) No more than one freestanding sign shall be permitted for any parcel for each street frontage. The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage, except where otherwise provided.
- (ii) Maximum sign allowance shall be calculated by the linear front foot of property on a public street right-of-way in conformance with the following:
  - (A) Two traffic lanes: Maximum area of sign per face per front foot of property, three-quarters square foot; maximum height, 25 feet.
  - (B) Four or more traffic lanes: Maximum area of sign per face per front foot of property, one and one-half square feet; maximum height, 40 feet.

- (iii) Signs may be installed at street right-of-way line. The sign face may project up to 72 inches into the right-of-way, if located 14 feet or more above grade, but shall not project closer than 24 inches to the back of the curb. If the existing street right-of-way width is less than that required in this code, the distance shall be measured from the line of such right-of-way as required by this code rather than from the existing right-of-way line. Ute and Pitkin Avenues shall be calculated using four lanes.
- (iv) On a corner lot, a freestanding sign shall not be placed within the sight distance triangle, as defined in TEDS (GJMC Title 29), unless free air space is maintained as provided in TEDS (GJMC Title 29). A single pipe support with no sign structure or copy shall not be considered a violation of the free air space requirement.
- (v) In addition to freestanding signs as allowed above, up to two additional freestanding signs per street frontage, not greater than three square feet in area and no more than 30 inches in height, are allowed.
- (vi) When electrical service is provided to freestanding signs, all such electrical service shall be underground.
- (vii) All freestanding signs shall require a building permit in addition to a sign clearance.
- (8) Flush wall or freestanding sign(s) with text so small as to not be readable with normal eyesight from a public right-of-way are allowed, so long as such sign does not exceed 32 square feet in area. Such signs shall not count toward the total sign allowance or the maximum freestanding sign allowance.

**(e) Outdoor Advertising Signs**

Outdoor advertising signs erected on ground or wall locations (and roof locations done within the regulations and limitations of roof signs) shall only be permitted in the C-2 (general commercial) and I-1 and I-2 (industrial) zones, subject to the following conditions, limitations and restrictions:

**(1) Height Limitations**

No outdoor advertising sign shall be erected higher than 40 feet above the level of the street or road upon which the sign faces, or above the adjoining ground level if such ground level is above the street or road level. No outdoor advertising sign shall have a surface or face area exceeding 300 square feet in area or containing less than 15 square feet in area.

**(2) Distance**

For each square foot of surface or facing of the sign, two feet of space from adjacent outdoor advertising signs shall be maintained. Such distances shall be determined by using the largest sign as criterion. For example, no sign can be erected closer than 600 feet to an existing 300-square-foot sign. A maximum of one outdoor advertising sign shall be allowed per lot or parcel of land.

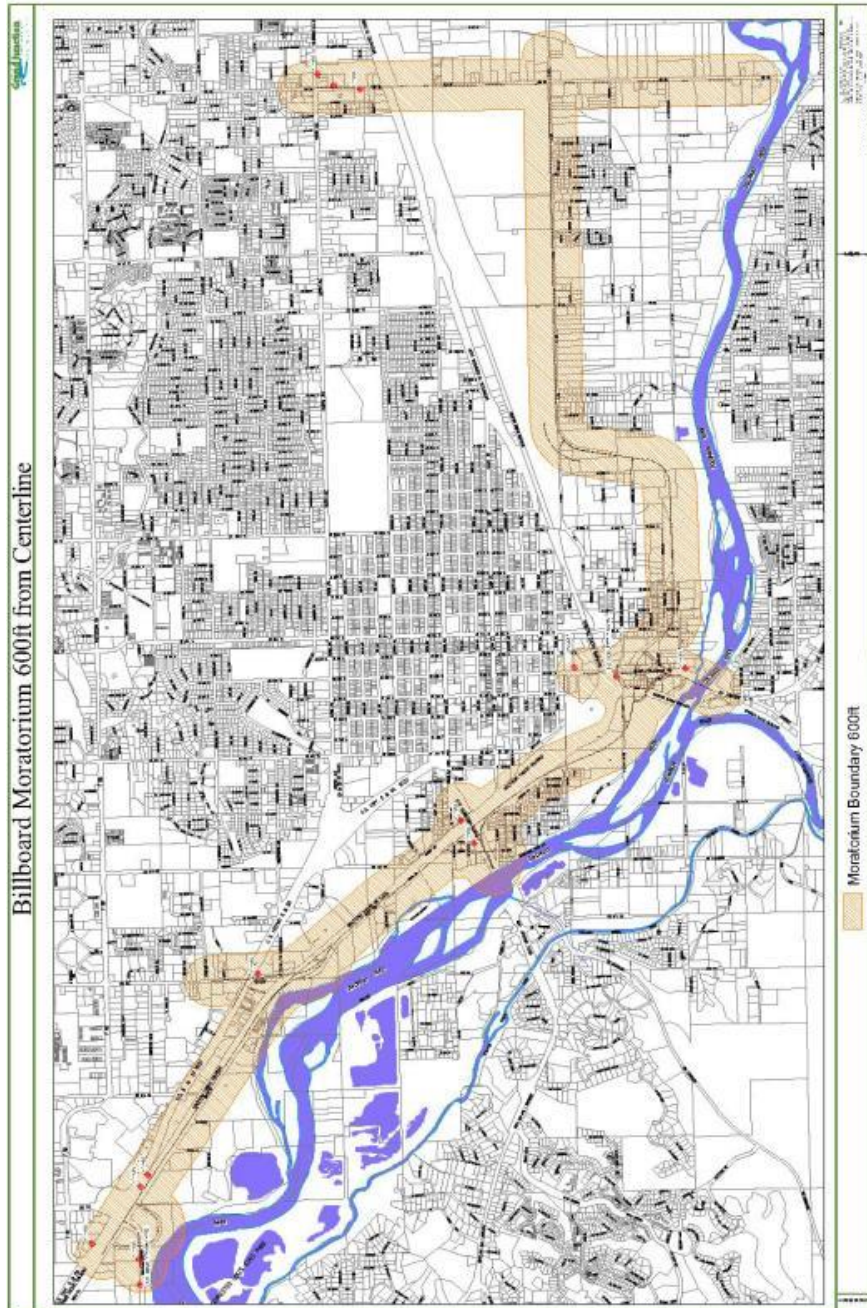
**(3) Location**

- (i) A sketch, drawn to scale, depicting the size and location of the proposed billboard shall be provided. The sketch shall be prepared by a licensed surveyor and shall indicate dimensions from the proposed billboard to the closest adjacent aliquot



section line and shall include coordinates. The sketch shall also include the location of the proposed billboard to the nearest adjacent right-of-way line, if applicable. The sketch shall be signed and sealed by the surveyor.

- (ii) Outdoor advertising signs shall not be located within 600 feet from the centerline of the Riverside Parkway as depicted below.



**(4) Illumination**

Outdoor advertising signs that are illuminated by indirect or external illumination shall use only downward facing, downcast light to confine direct light beams to the sign and out of the direct vision.

**(5) Prohibited Signs**

Prohibited signs are signs that do not comply with the laws, rules and regulations of the State of Colorado as now or hereafter enacted or amended. See § 43-1-401, C.R.S. et seq.

**(f) P-1 and P-2 Districts<sup>110</sup>**

Signage on a property zoned P-1 or P-2 shall be limited to signage allowed in the surrounding zone districts.

**(g) Planned Developments**

No sign other than those permitted in any zone district in GJMC 21.10.030 shall be allowed on properties in a planned development zone unless the sign has been approved as part of the development plan. Variance of the maximum total surface area of signs shall not be permitted, but the maximum sign allowance for the entire development or use may be aggregated and the total allowance redistributed.

**(h) Sign Packages**

A site or sites that consist of more than one developed parcel of land that are abutting and function as one through the sharing of vehicular access through, across, over, entrance onto, and/or exit from the site and/or parking (such as a shopping center) may be considered for a sign package through a sign package permit. Variance of the maximum total sign allowance shall not be permitted, but the maximum sign allowance for the entire site or sites may be aggregated and the total allowance redistributed for the same type of sign. For example, freestanding sign allowance may be redistributed among freestanding signs, but a freestanding sign allowance may not be redistributed for a facade sign. See GJMC <> [Sign Package].

## 21.10.090 REMOVAL AND DISPOSITION OF SIGNS

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**(a) Maintenance and Repair**

No person shall allow, on any premises owned or controlled by him, any sign that is in a dangerous or defective condition.

- (1) The Director shall require the owner of the sign and/or the owner of the premises upon which it is located to remove or repair any such sign. In cases of immediate danger to the public due to the defective nature of a sign, the Director may have the sign removed and assess the costs of the removal against the property. Such assessment shall constitute a first and prior lien on the property, equivalent to ad valorem taxes, and shall be collected in the same manner as the real estate taxes on the property.

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<sup>110</sup> Updated from CSR to P-1 and P-2 to align with new proposed zone districts.

- (2) All signs shall be safe and maintained in good appearance as well as safety including the replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance. Failure to properly maintain a sign shall be a violation of this code.

**(b) Abandoned Signs**

- (1) Signs are allowed on otherwise vacant property so long as a permit is obtained (unless a permit is otherwise expressly not required) and so long as the sign allowance for the zone district is adhered to. However, a sign structure that has no content or is “blank” and has fallen into disrepair and which is located on property which is unoccupied for a period of 12 consecutive months or more shall be deemed abandoned.
- (2) An abandoned sign is prohibited; the owner of the sign or the owner of the premises shall remove the sign and supporting structure. An abandoned sign which is not removed in a timely manner may be removed by the Director under the provisions of this section.

## **21.10.100 REGULATED CANNABIS BUSINESS SIGNAGE AND ADVERTISING**

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**(a) General**

- (1) All signs and advertising for regulated cannabis stores shall comply with all applicable provisions of the Colorado Marijuana Code, any regulations adopted pursuant thereto, the provisions of this chapter and of Chapter 5.13 GJMC, and the City’s ordinances and regulations regarding signs and advertising.
- (2) No sign shall use the terms “pharmacy,” “pharmacist,” “pharmaceutical,” “rx,” or any other similar variation of such terms as its corporate, business, or “doing business as” name, so as to prevent a reasonable person from concluding such business is involved in the practice of pharmacy, as regulated by Pharmaceuticals and Pharmacists, C.R.S. Article 22 of Chapter 12. Additionally, no regulated cannabis stores may use any of the above terms or any similar variation thereof in any of its signs, placards, promotional, or advertising materials. Additionally, no signs that mimic or allude to pharmacy or medical related symbols, including but not limited to medical style crosses regardless of proportions or colors, shall be used or displayed in nonmedical regulated cannabis stores.
- (3) No sign shall include advertising material that is misleading, deceptive or false or that, as evidenced by the content of the advertising material or by the medium or the manner in which the advertising material is disseminated, is designed to appeal to persons under 21 years of age.

**(b) Maximum Sign Dimensions**

- (1) For properties that lie within an existing overlay district regulated by GJMC Title 22, 24, 25, 26, or 27 the specific regulations within the overlay shall apply.
- (2) For all other properties within the City, only flush wall mounted signs or monument signs shall be allowed. Maximum sign allowances shall be calculated according to the provisions of this chapter and subject to the following limitations:
  - (i) Maximum height: 20 feet; and
  - (ii) Maximum area: 150 square feet per sign face.

**(c) Signs Not Requiring a Permit**

Signs and advertising not requiring a permit include:

- (1) Sign-wavers or other natural persons standing in the public. No regulated cannabis stores shall advertise with sign-wavers or other natural persons within the buffering distances from specified land uses as provided in GJMC <> [Regulated Cannabis Stores, Buffering].
- (2) Any advertisement contained within a newspaper, magazine, or other periodical of general circulation within the City or on the internet, which may include coupons.
- (3) Any nonconsumable merchandise or accessories.
- (4) A booth at an adult event or job fair where the only items distributed are company or educational materials and no other items are distributed, shown or sold.
- (5) Business cards within the business or handed directly to an individual who is over the age of 21.
- (6) Showing a government-issued verification of age or military status, or registration for a charitable event, or similar item the showing of which, without providing a separate printing to the business, entitles the holder to a discount for a particular product or service.
- (7) Company materials and educational materials distributed inside the cannabis business.

## Chapter 21.11 Outdoor Lighting<sup>111</sup>

### Commentary

In order to support One Grand Junction’s strategy to “Use development regulations to promote best practices in lighting that protect night skies,” the current outdoor lighting regulations have been updated to strengthen and introduce new “dark sky” compliant lighting standards.

### 21.11.010 PURPOSE<sup>112</sup>

The purpose of this section is to:

- (a) Minimize light pollution, light trespass, and glare;
- (b) Conserve energy and resources;
- (c) Provide safe roadways for motorists, bicyclists, and pedestrians;
- (d) Ensure sufficient lighting can be provided where needed to promote safety and security; and
- (e) Protect and reclaim the ability to view the night sky.

### 21.11.020 APPLICABILITY

#### (a) Applicability<sup>113</sup>

This section shall apply to all lighting installed on new development, development that increases the gross floor area of the development by more than 10 percent and use changes that require an increase in parking as well as all replacement lighting.

#### (b) Exemptions<sup>114</sup>

The following are exempt from this section:

- (1) Luminaires with lamps of 100 watts or less on residential structures in Residential zone districts existing prior to April 5, 2010;
- (2) Emergency lighting used by police, fire fighting, or medical personnel, or at their direction;
- (3) Traffic control devices and luminaires on these devices installed by the City or other governmental entity;
- (4) Navigational lighting systems at airports and other lighting necessary for aircraft safety;
- (5) Holiday lighting and seasonal decorations using typical unshielded low-intensity incandescent lamps; and

<sup>111</sup> For the purpose of this draft, certain standards in this section include new exemplary graphics as a starting point for discussion. After further review and discussion with staff, the existing graphics will be reproduced to a consistent style.

<sup>112</sup> Current 21.06.080(a).

<sup>113</sup> Replaces current 21.06.080(b) applicability to “all new land uses, structures or building additions.” Updated to align with a similar applicability structure as the Site and Structure Standards.

<sup>114</sup> New.

- (6) Lighting for temporary festivals, carnivals, or other special events lasting less than 14 consecutive days, provided the lighting turned off within 30 minutes after the last event of each day.

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### **21.11.030 PROHIBITED LIGHTING<sup>115</sup>**

The following types of outdoor lighting are prohibited:

- (a) Any lighting that could interfere with the safe movement of motor vehicles, bicycles, or pedestrians on public or private streets;
- (b) Searchlights and rotating beacons;<sup>116</sup>
- (c) Laser, strobe, and or flashing light sources or any similar high intensity light for outdoor advertising or entertainment;
- (d) Mercury vapor and low-pressure sodium lighting;
- (e) Upward-directed lighting that allows spillage into the sky; and
- (f) Tower lighting, unless required by the Federal Aviation Administration (FAA).

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### **21.11.040 LIGHTING PLANS**

#### **(a) Lighting Plan Required<sup>117</sup>**

A lighting plan shall be submitted for all uses that require the submittal of a Major or Minor Site Plan review as set forth in GJMC <> [Site Plan, Major and Minor].

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### **21.11.050 GENERAL STANDARDS**

#### **(a) Lighting Types and Efficiency<sup>118</sup>**

- (1) LED or other high efficiency light fixtures shall be used to the maximum extent practicable.
- (2) All light fixtures shall generate at least 80 lumens per watt of energy consumed, as shown on the manufacturers' specifications for the fixture.
- (3) All exterior lighting shall have a correlated color temperature (CCT) below 3,001 Kelvin degrees.<sup>119</sup>

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<sup>115</sup> All items, excluding (b) and (d), are new.

<sup>116</sup> Expanded provision; currently only applies to searchlights for advertising purposes.

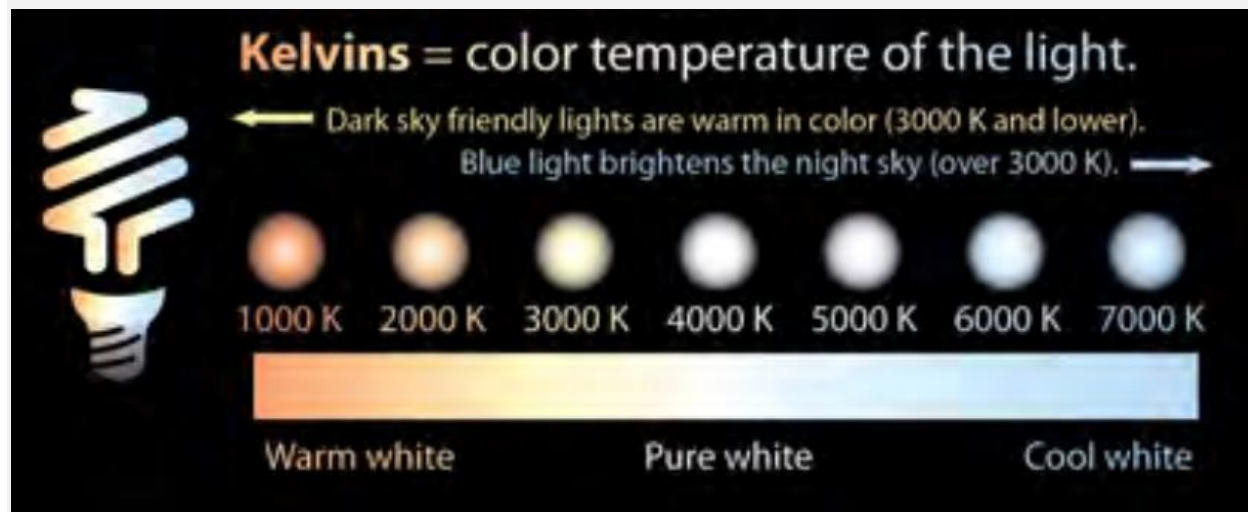
<sup>117</sup> Replaces current 21.06.080(d)(4) and (5) that determine lighting plan requirement based on number of parking spaces based on current staff practice.

<sup>118</sup> New standards to limit inefficient light fixtures that consume significant amounts of energy and limit flare from blue-white light sources. The requirements in paragraphs (2) and (3) are standard information provided on specification sheets of lighting fixtures therefore easy for applicants to provide and staff to review in conjunction with the lighting plan.

<sup>119</sup> The illumination requirements of the Sign Standards currently require compliance with the Outdoor Lighting chapter as a whole. Staff is continuing to discuss if signs should be exempted from this requirement or maintain separate, higher, requirements based on industry trends.

### Commentary

Kelvin refers to the temperature (e.g., coolness or warmth) of light. The Kelvin rating on a light fixture indicates the shade of white that is given off by the light source. Lower Kelvin ratings produce warmer light that is less harmful to human health and the environment. The International Dark Sky Association recommends Kelvin temperatures of 3,000 and below.



### (b) Lighting Height<sup>120</sup>

No light fixtures shall be mounted more than 35 feet above the ground unless as a part of an approved sports field or outdoor amphitheater.<sup>121</sup>

### (c) Shielding and Light Trespass

- (1) All light fixtures shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the light source. Lighting shall not be aimed onto adjacent properties, except in cases of shared parking, shared pedestrian pathways, or for coordinated development sites spanning multiple parcels.<sup>122</sup>
- (2) Lighting fixtures shall not be directly visible from adjacent roadways or residential uses and shall not interfere with the safe operation of vehicles moving on or near the site.<sup>123</sup>
- (3) Light sources shall be concealed or shielded with luminaires with cut-offs with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent properties.<sup>124</sup>

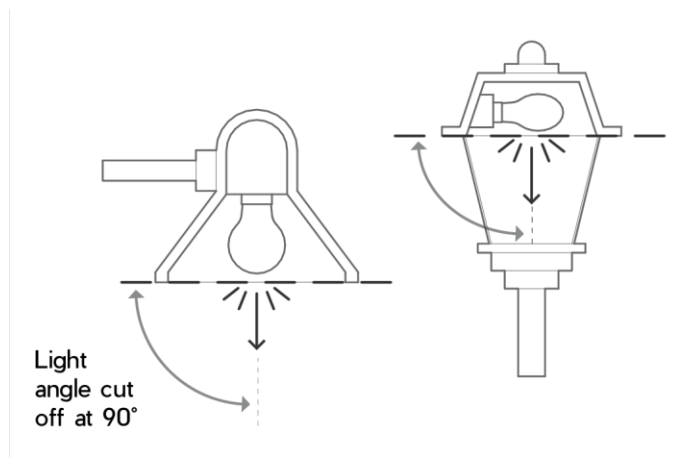
<sup>120</sup> Current 21.06.080(c)(2).

<sup>121</sup> Clarified reference to "outdoor recreational facility."

<sup>122</sup> Expanded current 21.06.080(4) and consolidated with (d)(1).

<sup>123</sup> Broadly applied a current parking lot lighting standard.

<sup>124</sup> New.



(4) Light levels measured at the property line of the development site shall not exceed 0.2 footcandles as a direct result of the on-site lighting.<sup>125</sup>

**(d) Lighting Output Levels<sup>126</sup>**

All lighting used to illuminate buildings, parking lots, walkways, or other site features, with the exception of lighting for public streets, shall comply with the following minimum and maximum outputs.

<b>Table 21.11-9 Lighting Level Requirements</b>		
<b>Area</b>	<b>Minimum (footcandles)</b>	<b>Maximum (footcandles)</b>
Building Entries (Nonresidential)	1.0	10.0
Bicycle Paths and Pedestrian Walkways	0.6	10.0
Loading and Unloading Platforms	5.0	20.0
Parking Areas	0.6	10.0
Playgrounds	5.0	10.0
Under-Canopy Areas	5.0	20.0 <sup>127</sup>

**(e) Lighting Controls**

- (1) Floodlights shall not be used to light all or any portion of any building facade between the hours of 10:00 p.m. and 6:00 a.m.
- (2) All exterior lighting not necessary for security purposes shall be reduced, activated by motion sensor devices, or turned off during non-operating hours. Any illumination

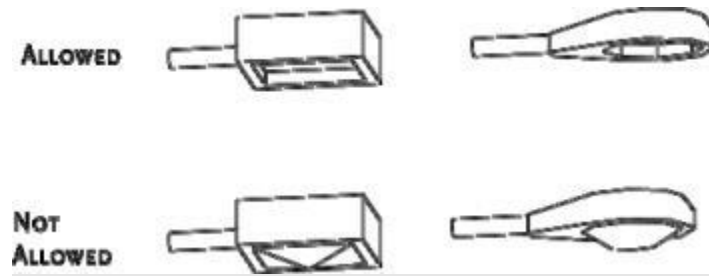
<sup>125</sup> Replaced 0.1 footcandles limitation 20 feet beyond the property line for ease of enforcement.

<sup>126</sup> New table to include additional requirements for specific areas within a development. The requirement to maintain an average of 3.0 footcandles has not been carried forward.

<sup>127</sup> Increased from current 30.0.



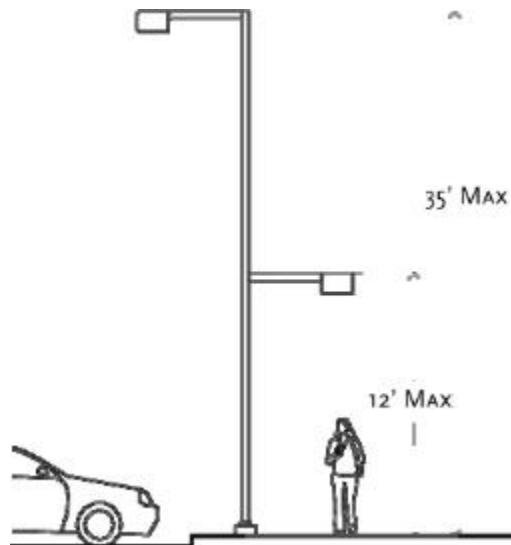
between 10:00 p.m. and sunrise shall use full cutoff light fixtures and be reduced to levels sufficient for security purposes only.<sup>128</sup>



### 21.11.060 STANDARDS FOR SPECIFIC LIGHTING TYPES

#### (a) Parking Areas

- (1) The maximum height of required lighting is 35 feet, measured from the parking surface to the top of the lighting fixture. Lighting located near buildings and adjacent to sidewalks shall not exceed 12 feet in height.



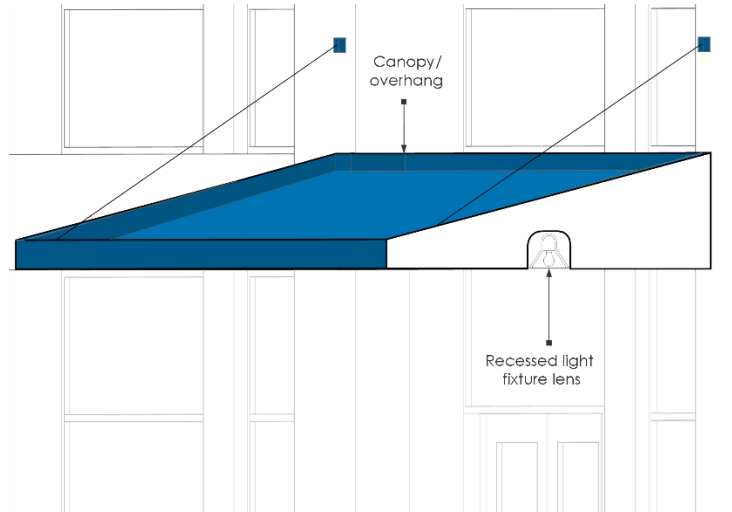
- (2) The total lighting output in parking areas shall meet the requirements set forth in Table 21.11-9 above.

#### (b) Canopy Lighting<sup>129</sup>

- (1) Canopy lights, such as service station lighting, shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent properties.

<sup>128</sup> Consolidates current 21.06.080(3), (5), and (6). Replaces vague “encourage” standards with clear requirements.

<sup>129</sup> Current 21.06.080(c)(7).



- (2) The total lighting output of canopies shall meet the requirements set forth in Table 21.11-9 above.

**(c) Pedestrian-Scale Lighting<sup>130</sup>**

Low-level pedestrian lighting may be used along walkways pursuant to the following:

- (1) The lighting fixture shall direct light downward;
- (2) The lighting fixture shall use shatterproof lamp coverings;
- (3) The lighting fixture shall not be located to present hazards for pedestrians or vehicles; and
- (4) Post or bollard-type lights shall be mounted no higher than four feet above grade.

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<sup>130</sup> New.

## **Chapter 21.12 Nonconformities**

[See Module 1: Administration and Procedures]

## **Chapter 21.13 Violations and Enforcement**

[See Module 1: Administration and Procedures]

## Chapter 21.14 Measurements and Definitions

### 21.14.010 MEASUREMENTS<sup>131</sup>

#### (a) Density/Intensity

The following measurements shall apply to all maximum and minimum density calculations for zoning and land use classifications, unless otherwise indicated.

##### (1) Maximum Residential Density

- (i) "Maximum residential density" means the number calculated by dividing the total number of dwelling units or residential lots, by the gross acreage expressed in square feet or acres of the development property.
- (ii) Gross land area includes the entire parcel or property at the time a development application is filed.
  - (A) The "gross residential density" is calculated the same as maximum residential density.
  - (B) For the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.<sup>132</sup>

##### (2) Minimum Residential Density

- (i) This calculation applies to the term "net minimum residential density" as used in this Code. "Minimum residential density" means the number calculated by dividing the total number of dwelling units or residential lots by the net developable land area of the development parcel. "Net developable land area" means all portions of the parcel at the time a development application is filed, minus the following if they are to be left as open space:
  - (A) Floodways and floodplains;
  - (B) As defined by the Clean Water Act: wetlands, surface waters, stream and river channels, banks and corridors;
  - (C) Slopes of greater than 30 percent or other areas of unstable soils that are not suitable for development;
  - (D) Clear zones and critical zones;
  - (E) Open space or recreation areas to be dedicated to a public agency or to a private entity approved by the Director to perpetually maintain the open space;
  - (F) Ridgeline setback areas in excess of any required setbacks;

<sup>131</sup> Current 21.03.030.

<sup>132</sup> Moved from R-4, R-5, R-8, R-12.

- (G) Areas of geologic hazards; and
- (H) Other areas that, in the opinion of the body reviewing the development, are similarly unsuitable for development.

**(3) Transitional Densities**

Larger lots or other screening and buffering areas that are provided as a transition for adjoining established neighborhoods may be excluded from the density calculations for purposes of determining minimum density on those parcels that are not large enough to accommodate the transition and meet minimum density.

**(4) Other Residential Density**

Density of Group Living Facilities shall be calculated as four beds equal one dwelling unit. Group Living Facilities are meant to fit into a neighborhood with the same characteristics and requirements.

**(5) Application of Density/Intensity Definitions**

The maximum and minimum residential density or nonresidential intensity requirements apply to all development except:

- (i) Minimum density requirements shall not apply to a simple subdivision if one or more lots can reasonably be resubdivided or developed in a manner that complies with the minimum density and other requirements of this Code;
- (ii) There shall be no minimum density requirement applicable to a major subdivision if all but two of the resulting lots comply with the minimum density requirements and at least one of the two lots that do not comply can reasonably be resubdivided or developed in a manner that complies with the minimum density and other requirements of this code and no other development is allowed; and
- (iii) A mix of residential and nonresidential uses.

**(6) Mixed-Use Density/Intensity**

The density of a lot with a mix of residential and nonresidential uses (“mixed-use”).

**(i) Mixed-Use Lot**

The density of a mixed-use lot shall be calculated by dividing the total number of dwellings on the lot by the gross land area of the lot. The gross residential density of the lot shall be the maximum density permitted in the underlying zone district. There is no minimum density requirement for a mixed-use lot if at least 10 percent of the gross floor area is used for nonresidential purposes.

**(ii) Mixed-Use Subdivision**

In a mixed-use subdivision, the density shall be calculated for each lot, unless provided otherwise at the time of subdivision approval.

**(b) Distances**

**(1) Cannabis Operation Separation**

The separation distance shall be computed by direct measurement from the nearest property line of the land use to the nearest portion of the building or unit in which the

regulated cannabis is to be sold, using a route of direct pedestrian access, measured as a person would walk safely and properly, without trespassing or utilizing alleys, following striping or parking patterns or on-site designated pedestrian routes, with right angles at crossings and with the observance of traffic regulations and traffic signals.

**(c) Lot and Site Measurements**

**(1) Frontage**

- (i) Lot frontage is measured as the distance for which a lot abuts a street.
- (ii) Street frontage is measured between side lot lines along the front lot line.

**(2) Lot Area Measurement**

Lot area is measured as the amount of net land area contained within the property lines of a lot or parcel, not including street right-of-way.

**(3) Lot Coverage**

- (i) Lot coverage is measured as the percentage of the total lot area covered by buildings. It is calculated by dividing the square footage of impervious surface by the square footage of the lot.
- (ii) The following shall be counted as covered areas for purposes of determining building coverage:
  - (A) Areas covered by swimming pools and hot tubs;
  - (B) Decks, stoops, patios, porches, and their associated stairs that are 30 inches or more above grade;
  - (C) Any portion of a lot or site covered by materials forming an unbroken surface impervious to water, including streets, driveways, and parking lots;
  - (D) Structures covered by a roof; and
  - (E) Structures that are more than six feet tall and enclosed on three or more sides with walls that are less than 25 percent open.

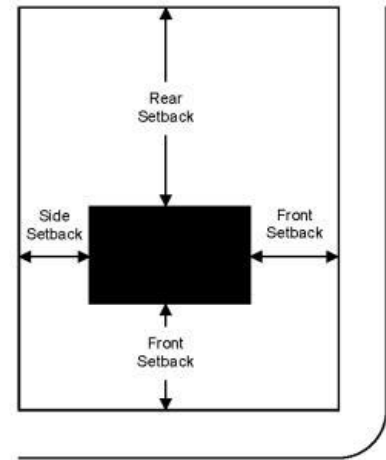
**(4) Lot Width**

Lot width is measured between side lot lines along a line that is parallel to the front lot line located at the minimum front setback distance from the front lot line.

**(5) Setbacks**

**(i) Measurement**

- (A) Setbacks are measured as the unobstructed unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section.
- (B) Setbacks shall be unobstructed from the ground to the sky except as specified in this section.
- (C) Structures shall meet the front yard setback from all abutting streets unless otherwise provided in this Code.
- (D) Vehicle storage setbacks are measured from the storage entrance to the property line.



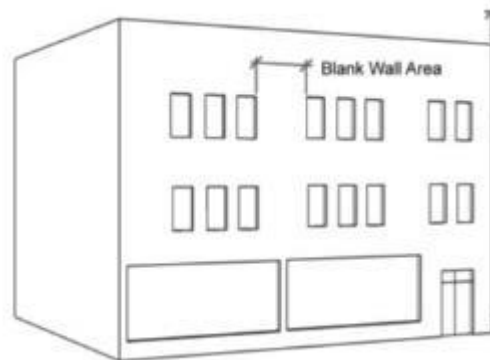
**(ii) Setback Encroachment Measurement**

- (A) Each setback encroachment shall be measured from the minimum required setback line towards the lot line; setback encroachments are always measured from the same point and are not cumulative.
- (B) No permitted setback encroachment shall be closer than three feet to any lot line with the exception of fences and walls and gardens and landscaping.

**(d) Structure Measurements**

**(1) Blank Wall Area**

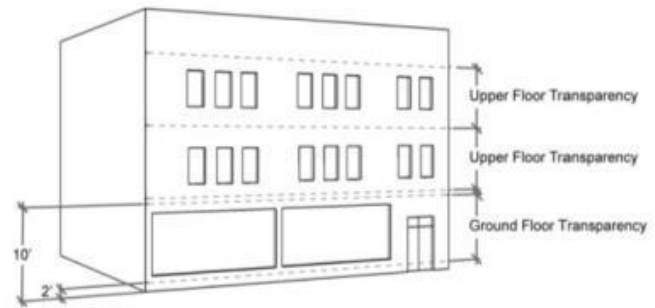
- (i) A portion of the exterior facade of the building which does not include a substantial material change (paint color is not considered a substantial change); windows or doors; or columns, pilasters or other articulation greater than 12 inches in depth.
- (ii) Blank wall area applies to both ground and upper story street-facing facades.



**(2) Transparency**

- (i) Ground floor transparency (windows and doors) is measured between two and 12 feet above the adjacent sidewalk.

- (ii) For form district building type shopfront only (see GJMC 21.03.090(f)), a minimum of 60 percent of the street-fronting, street-level windowpane surface area must allow views into the ground story use for a depth of at least six feet. Windows must be clear, unpainted, or made of similarly treated glass; spandrel glass or backpainted glass does not comply with this provision.



**(3) Gross Floor Area (GFA)**

Gross floor area is measured within the exterior face of exterior walls or the centerline of walls separating two abutting buildings but excluding any space where floor-to-ceiling height is less than 6.5 feet.

**(4) Ground Floor Elevation**

Ground floor elevation is measured from natural or improved grade (whichever is more restrictive) to the finished floor level of the ground floor. Grade is measured continuously across a lot.

**(5) Height**

**(i) Measurement**

Building height is the vertical distance between the mean finished grade between the lowest and highest grades along the foundation and the highest point of the roof or facade (see graphic).



**(ii) Height Encroachment Measurement**

- (A) Each height encroachment shall be measured from the maximum building height.
- (B) Building height encroachments are not cumulative in that they are always measured from the same point.

**(6) Story Height**

- (i) An attic story is considered a half-story and counts toward the calculation of maximum number of stories.
- (ii) Basements are not considered a story.
- (iii) If a ground story is more than five feet above original grade, the space below counts as an additional story.



- (iv) Story height is measured from the top of finished floor to the top of the finished floor above.

## 21.14.020 DEFINITIONS<sup>133</sup>

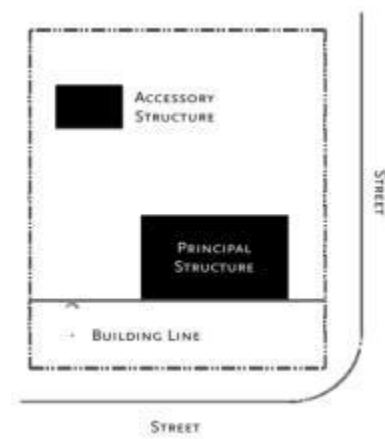
### A

#### Abut/Abutting

Uses or parcels that directly touch. Parcels across a right-of-way would not be abutting but would be adjacent.

#### Access

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.



#### Accessory Dwelling Unit

A dwelling unit that is secondary to a principal dwelling unit that may be attached to the principal structure or freestanding.

#### Accessory Structure

A detached subordinate structure, the use of which is customarily incidental to, and supportive of, the principal structure or the principal use of land, and that is located on the same parcel of ground with the principal structure or use.

#### Accessory Use

The use of land or of a building customarily incidental to, subordinate to, and supportive of the principal use on the parcel.

<sup>133</sup> The following definitions include those related to this Module as well as the Zoning Districts and Use Standards chapters of this Code. They will be combined with all other definitions at the time of Consolidated Draft.

### Addition

1. A structure added to the original structure at some time after certificate of occupancy has been issued for the original structure; or
2. An extension or increase in floor area or height of a building or structure.

### Adjacent

Property or use, any portion of which is within a 100-foot radius. Right-of-way, easements, canals or waste ditches, and waterways are not counted when deciding if one property or use is adjacent to another.

### Adjoin

A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.

### Adult or Child Day Care (Use Category)<sup>134</sup>

Uses in this category include temporary care facilities on a less than twenty-four-hour basis for adults and children of varying ages. Activities include supervision, education, and recreation for care facility participants. Accessory uses commonly include recreation, personal storage buildings, and parking.

### Adult or Juvenile Offenders<sup>135</sup>

Persons who have committed a crime or are accused of having committed a crime and are housed at a group living facility for that reason.

### Adult Entertainment-Related Definitions

#### Adult Entertainment Establishment

Any establishment that conducts the sale, rental, display or other offering of live entertainment, dancing or material that is distinguished or characterized by its emphasis on depicting, exhibiting, describing or relating to specified sexual activities or specified anatomical areas as a principal use of the premises or as a significant or substantial adjunct to another use of the premises, including but not limited to:

1. Adult bookstore: Any establishment which sells or rents adult material including but not limited to books, magazines, movies, films, slides, or other photographic or written material and/or devices;
2. Adult hotel or motel: Any hotel or motel in which the presentation of adult material is the primary or a principal attraction;
3. Adult motion picture theater: Any fully enclosed theater in which the presentation of adult material is the primary or principal attraction; and

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<sup>134</sup> New definition for new use category.

<sup>135</sup> Existing term currently defined within the use-specific standards for Group Living Facility.

4. Adult cabaret, restaurant or place of business: a cabaret, restaurant or place of business which features topless and/or bottomless dancers, waitresses, waiters, or entertainers, or any other depiction of adult material.

### **Adult Material**

Any material including, but not limited to, books, magazines, newspapers, movie films, slides, or other photographic or written materials, video tapes and/or devices that are distinguished by their emphasis on depicting, describing or relating to specified anatomical areas or specified sexual activities:

1. Specified anatomical areas are any of the following that are less than completely and opaquely covered:
  - a. Human genitals and pubic region;
  - b. Buttocks;
  - c. The human female breast or breasts to a point immediately below the top of the areola; and
  - d. Human male genitals in a discernibly turgid state even if completely and opaquely covered.
2. Specified sexual activities or sexual conduct:
  - a. Human genitals in a state of sexual stimulation or arousal;
  - b. Actual or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, cunnilingus, fellatio, anilingus or any sexual acts which are prohibited by law; and
  - c. Touching or fondling of the human female breast, buttock, anus or genital.

### **Public Building**

Any building owned, leased or held by the United States of America, the State of Colorado, Mesa County, or the City of Grand Junction, any school district or other agency or political subdivision, which building is used for governmental purposes.

### **School**

Any public or private educational facility including child day care facilities, nursery schools, preschools, kindergartens, elementary schools, middle schools, junior high schools, high schools, vocational schools, special education schools, colleges, universities and trade schools. "School" includes the school grounds, buildings, structures and facilities.

### **Church**

Any structure or building for public worship.

### **Park**

Any public property kept, used and maintained for recreational, ornamental or aesthetic purposes.

### **Playground**

Any property, public or private, used for and equipped with facilities for recreation, especially by children. A playground may be incidental to school use but is not limited to school use or school facilities as defined in this Code.

### **Agri-business**

A business and/or commercial use operated primarily for the support of agricultural needs. Such use may consist of products, materials, and equipment servicing and sales; storage and/or processing of agricultural products and/or animals; medical and/or technical support services.

### **Agricultural Animals<sup>136</sup>**

The following animals are considered agricultural animals to an agricultural use, whether used for personal enjoyment or for commercial purposes: horses, mules, burros, sheep, cattle, rabbits, pigs, llamas, alpacas, goats, and any type of fowl.

### **Agricultural Labor Housing<sup>137</sup>**

A facility for the dormitory-style housing of agricultural workers on a seasonal basis.

### **Agricultural Products<sup>138</sup>**

Agricultural or horticultural products such as vegetables, fruits, dairy products, eggs, grains, meat, poultry, fish, honey, hay, bedding plants, herbs, and wool.

### **Agriculture and Animal Services (Use Category)<sup>139</sup>**

Uses in this category include agricultural and farming activities, including nurseries and facilities for processing and selling agricultural products. Agricultural uses involve farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal husbandry. Animal-related uses include the boarding and care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas.

### **Agricultural Activities<sup>140</sup>**

General on-going and active activities, including agronomy, aquaculture, grazing, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), forestry, fisheries, honey production, silviculture (including the harvesting of timber), and similar uses. Agricultural activities do not include a grocery store or the retail or wholesale sale of products remotely related to the production of agricultural products.

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<sup>136</sup> Expanded the list of animal types to include pigs, alpacas, llamas, and goats and changed “chickens, geese, and ducks” to the general “fowl.”

<sup>137</sup> New definition for existing term not currently defined.

<sup>138</sup> Replaces and expands agricultural produce.

<sup>139</sup> New definition for new use category.

<sup>140</sup> New.

### **Airport or Heliport<sup>141</sup>**

A landing area, runway, or other or other ground level or elevated facility designed, used, or intended to be used for the landing or taking off of airplanes and/or helicopters, including all necessary taxiways, aircraft storage and tie-down areas, hangars, fueling and maintenance equipment areas, and other necessary buildings and open spaces, and including auxiliary facilities such as waiting rooms.

### **Alcohol Beverage**

Fermented malt beverage or malt, vinous, or spirituous liquors.

### **Alley**

A service road providing a secondary means of public access to abutting property and not intended for general traffic circulation.

### **Amateur Radio**

Radio communications, which are licensed or regulated by the Federal Communications Commission and are not subject to provisions of this Code.

### **Animal Agriculture**

Any parcel of land used for the principal or accessory use of breeding, raising, and/or keeping of agricultural animals for sale or use of the animal, their products or byproducts, and/or the processing of those products or byproduct.

### **Animal Care, Boarding, or Sales**

A facility in which four or more animals of the same species are housed, groomed, bred, boarded, trained in return for compensation, or sold. Such facility may offer incidental medical treatment.

### **Animal Clinic or Hospital<sup>142</sup>**

A facility for the medical care, treatment, and/or hospitalization of animals under the supervision of a licensed veterinarian.

### **Antenna**

Any device designed and intended for transmitting or receiving television, radio, microwave signals, or other electromagnetic waves. An antenna includes all mounting and stabilizing items such as a tower, a pole, a bracket, guy wires, hardware, connection equipment and related items.

### **Appurtenances**

The visible, functional, or ornamental objects accessory to and part of buildings.

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<sup>141</sup> Revised definition.

<sup>142</sup> Revised definition of existing term and consolidated with "Animal Hospital". See new use-specific standards for content related to limitations on outdoor areas and temporary boarding.

**Art Gallery, Museum, or Library<sup>143</sup>**

A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan, of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value.

**Assembly, Community<sup>144</sup>**

Places of community assembly, such as libraries, museums, community centers, senior centers, and recreation centers that are open and available to the general public

**Assembly, Religious/Private Group<sup>145</sup>**

Private, non-profit membership organizations that provide meeting space and facilities for their members. Examples include religious institutions and civic and social organizations such as private lodges, clubs, fraternal organizations, and similar private, non-commercial membership organizations.

**Average**

Unless specified otherwise, the arithmetic mean.

**B**

**Bar or Tavern<sup>146</sup>**

An establishment engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises and that may or may not serve food. This use also includes “hookah” bars in which patrons consume flavored tobacco from a stemmed instrument designed for vaporizing tobacco. If food is served, the revenue from sales of food is smaller than the revenue from alcohol sales.

**Bed and Breakfast**

A house, or portion thereof, where short-term lodging rooms and meals are provided and where the operator of the house lives on the premises or in adjacent premises. A bed and breakfast is a type of short-term rental.

**Block**

A land area consisting of contiguous lots established by recorded plats, usually bordered by a combination of streets, public parks, cemeteries, railroad right-of-way, or other barrier to the continuity of development.

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<sup>143</sup> New definition for an existing term. Removed “opera houses” from term.

<sup>144</sup> New term and definition for the consolidation of “Community Activity Building” and “Art Gallery, Library, Museum, or Opera House.”

<sup>145</sup> New term and definition for the consolidation of “Religious Assembly” and “Membership and Service Club.”

<sup>146</sup> Replaces “Drinking Establishment” with new term and definition.

### **Block Frontage**

All property fronting on one side of a street between intersecting or intercepting streets, or between a street and a street right-of-way, waterway (wider than 30 feet), or end of a dead-end street. An intercepting street shall determine only the boundary of the frontage of the side of the street which it intercepts.

### **Boarding or Rooming House<sup>147</sup>**

A building containing a single dwelling unit and three or more rooms where lodging is provided, with or without meals, for compensation. "Compensation" may include money, services, or other things of value.

### **Brewery, Distillery, or Winery<sup>148</sup>**

#### **Brewery**

Any establishment where malt liquors are manufactured, except a brew pub.

#### **Distillery**

Any establishment where spirituous liquors are manufactured, except a distillery pub.

#### **Winery**

Any establishment where vinous liquors are manufactured, except a limited winery. For purposes of this Code, a winery shall include a vintner's restaurant that sells food for consumption on the premises and that manufactures not more than 250,000 gallons of wine on its premise each calendar year.

### **Brewpub, Distillery Pub, or Limited Winery<sup>149</sup>**

#### **Brewpub**

A retail establishment that manufactures not more than 1,860,000 gallons of malt liquor on its licensed premises or licensed alternating proprietor licensed premises, combined, each calendar year.

#### **Distillery Pub**

A retail establishment whose primary purpose is selling and serving food and alcohol beverages for on-premises consumption; and that ferments and distills not more than 45,000 liters of spirituous liquor on its licensed premises each calendar year.

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<sup>147</sup> Deleted "A rooming/boarding house differs from a Group Living Facility in that a boarding and rooming house does not have staff and its residents do not receive care, treatment or assistance with daily living at the facility. For purposes of this definition, receiving compensation in the form of rent or "room and board" does not render someone "staff"; staff is compensated by a salary or rate of pay based upon hours worked or work accomplished."

<sup>148</sup> Replaces "Alcoholic Beverage Production." Terms and definitions align with those Title 44 C.R.S (Alcohol and Tobacco Regulation).

<sup>149</sup> New term and definition. Terms and definitions align with those Title 44 C.R.S (Alcohol and Tobacco Regulation).

### **Limited Winery**

Any establishment manufacturing not more than 100,000 gallons, or the metric equivalent thereof, of vinous liquors as defined in Article 3, Title 44, C.R.S. annually within Colorado.

### **Building**

Any structure used or intended for supporting or sheltering any use or occupancy. (See also Structure.)

### **Building Envelope**

The three-dimensional space occupied by a building, including all eaves, covered porches, breezeways and other portions of the building, but excluding attached decorative walls which are less than or equal to three feet in height.

### **Building Façade**

That exterior side of a building that faces, and is most nearly parallel to, a public or private street.

### **Bulk Standard**

A standard that applies to individual lots that control the placement, intensity and character of development, including, but not limited to, the amount of open space on the lot, the height of structures, setbacks from property lines and rights-of-way, impervious coverage and density.

### **Business Residence**

A single residential dwelling unit, accessory to and located within a structure primarily devoted to nonresidential uses.

## **C**

### **Campground or Recreational Vehicle Park<sup>150</sup>**

A parcel of land on which two or more recreational vehicle sites and/or camping sites are located, established, or maintained for occupancy by recreational vehicles or camping units of the general public as temporary living quarters for vacation or recreation purposes.

### **Camping Guest**

One or more persons assigned to a campsite.

### **Camping Unit**

A self-propelled or towed recreational vehicle, other vehicle used for temporary human occupancy, or a cabin, tent or other type of shelter intended, designed, or used for temporary human occupancy.

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<sup>150</sup> Revised definition to eliminate distinction between "Overnight Campground" and "Recreational Campground." Consolidated with "Recreational Vehicle Park" and "Recreational Vehicle Resort." The definition for "Recreational Vehicle Park space" was not carried forward as it was not used in the current Code language that has been carried forward.



### **Camping Unit, Dependent**

A camping unit that has no toilet, sink or bathing facilities and is dependent upon a common building for these services.

### **Camping Unit, Independent**

A camping unit that has toilet, sink and bathing facilities requiring connection to a water and/or sanitary sewer system at the individual campsite.

### **Campsite**

Any defined area which is used for overnight stays by an individual, a single camping family, group, or other similar entity.

### **Cannabis Testing Facility**

An entity licensed to analyze and certify safety and potency of cannabis.

### **Carport**

A roofed structure providing space for the storage of one or more motor vehicles and enclosed on not more than two sides by walls.

### **Cemetery<sup>151</sup>**

Land used or designated for the interment of human or animal remains, including columbaria, crematoria, mausoleums, mortuaries, and associated maintenance facilities when operated in conjunction with, and within the boundaries of, such cemetery.

### **Centerline**

The true centerline of a street right-of-way that has been fully dedicated to the required width according to the master street plan.

### **Channel**

A natural or artificial low-lying area with definite bed and banks, which confines and conducts continuous or periodic flows of water.

### **Circulation Plan (formerly known as Major Street Plan and Grand Valley Circulation Plan)**

A plan or plans showing the location of right-of-way which will be developed and for which development and uses must accommodate. Plans for areas smaller than the entire City are still "Grand Valley Circulation Plans or Major Street Plans." The City relies on the authority in Title 31 C.R.S. in addition to its other powers and authority.

### **City**

The City of Grand Junction.

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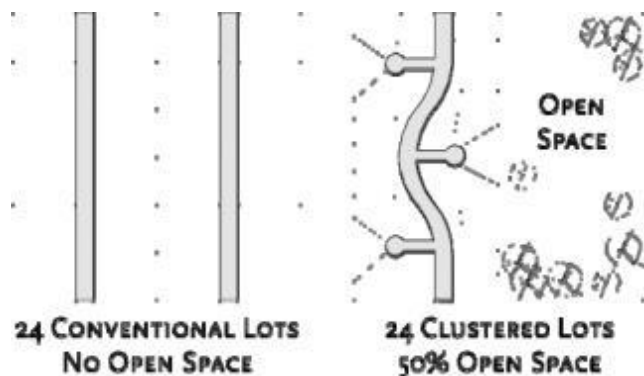
<sup>151</sup> New definition for existing term.

### Civic Use

A municipal use that may include cultural, recreational, athletic, convention and entertainment facilities.

### Cluster Development

A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive areas. (See graphic.)



### Code

Unless otherwise specified, refers to the City of Grand Junction Zoning and Development Code, which is also referred to as GJMC Title 21.

### Collector Street

Streets, as identified in the Master Street Plan, which access neighborhoods and routes serving intra-city rather than intra-state travel.

### College or University<sup>152</sup>

An institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees.

### Commercial Forestry<sup>153</sup>

A land use which creates, conserves, and manages forests and forest lands for the continuing use of both commodity and non-commodity benefits.

### Commercial Vehicle

All vehicles that require the issuance of any of the following license plates by the State of Colorado: passenger bus plates; GVW truck and GVW tractor plates; farm trucks and farm tractor plates; special mobile machinery plates/tabs; special use vehicle plates; light truck plates; but shall not include the following: any vehicle issued any of the above license plates that otherwise would be issued passenger plates or recreational truck plates by the State of Colorado were the vehicle not

<sup>152</sup> New definition for existing term not currently defined.

<sup>153</sup> New definition for existing term not currently defined.

used for commercial purposes; any pickup truck issued light truck plates with bed rails no higher than 30 inches from the floor of the bed; any van issued light truck plates whose basic design could serve as a passenger van and be issued passenger plates.

### **Common Elements**

Land amenities, certain areas of buildings, such as lobbies, corridors and hallways, central services and utilities and any other elements and facilities owned and used by all owners and designated in the master deed as common elements.

### **Common Open Space**

Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate. Common open space does not include areas used for streets, alleys, driveways or off-street parking or loading areas. However, the area of recreational activities such as swimming pools, tennis courts and other recreation facilities may be counted as common open space.

### **Composting Facility<sup>154</sup>**

A facility where organic matter that is derived primarily from off-site is processed by composting and/or is processed for commercial purposes. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost.

### **Community and Cultural Facilities<sup>155</sup>**

Uses in this category include buildings and facilities owned, operated, or occupied by a governmental or non-profit entity providing a service to the public.

### **Community Center<sup>156</sup>**

A building, together with accessory structures and uses, used for recreational, social, educational, or cultural activities by and for the benefit of community groups and individuals, that is accessible to the general public or to members of the residential development in which it is located, and that is not operated for profit.

### **Community Corrections Facility**

3. A facility providing residential or nonresidential services operated under the direction of a community corrections program, as defined by § 17-27-101 C.R.S. et seq.; or
4. A facility providing residential or nonresidential services substantially similar to that described in § 17-27-102(3) C.R.S., although not being administered pursuant to § 17-27-101 C.R.S. et seq., which is operated by a private individual, partnership, corporation or association.

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<sup>154</sup> New term and definition.

<sup>155</sup> New definition for new use category.

<sup>156</sup> New term and definition.

### **Conditional Use**

A use identified by this Code that requires action by the Planning Commission or City Council after public hearings. A conditional use means a use that because of its unique or varying characteristics, cannot be properly classified as a permitted use in a particular district.

### **Contiguous**

Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous.

### **County**

Mesa County.

### **Crematory<sup>157</sup>**

An establishment for the reduction of deceased bodies of humans or animals to ashes by fire.

### **Curb Face**

The vertical or shaped portion of a curb, facing the roadway, and designed to direct stormwaters.

## **D**

### **Dairy Operations or Feedlot<sup>158</sup>**

Agricultural operations where livestock is kept and raised in confined situations and the owners of the livestock pay for yardage, feed, and feed processing.

### **Day Care Center, Adult or Child<sup>159</sup>**

A nonresidential establishment providing for the care, supervision, and protection of children under the age of 16 years or the elderly and/or disabled adults for less than 24 hours. The term includes facilities commonly known as day care centers, day nurseries, nursery schools, kindergartens, preschools, play groups, day camps, summer camps, and includes those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial college or a private or parochial school, except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six grades.

### **Days**

Unless otherwise indicated, calendar days, if the period of time referred to is more than 30 days. If the period of time referred to is less than 30 days, "days" means working days (days when the City is open for business).

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<sup>157</sup> Revised definition.

<sup>158</sup> Consolidates current "Dairy," and "Confined Animal Feeding Operation, Feedlot" and revises definition.

<sup>159</sup> Revised term and definition.

### **Default Standards or Default Zone districts**

The underlying zone of a Planned Development (PD) zone district. The default zone district shall be established with any PD zone district. The standards for the default zone shall be used unless deviations were specifically approved within the PD zoning ordinance.

### **Density**

The number of dwelling units per acre of land.

### **Density, Maximum**

Maximum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the gross acreage expressed in square feet or acres of the development property. Gross land area includes all of the parcel or property at the time an application is filed. The “gross residential density” is calculated the same as maximum residential density.

### **Density, Minimum**

This calculation shall apply to the term “net minimum residential density” as used in this Code. Minimum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the net developable land area of the development parcel.

### **Development**

All property adjacent or abutting, whether or not to be then planned or developed, owned by the same owner. Includes any of the following: the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, drilling, excavation, clearing of roadways or building sites, landfill or land disturbance and any use or extension of the use of land, the placement of a use on any property, or any Planned Development. Development does not include movement of earth associated with crops and/or farming or landscaping.

### **Development Schedule or Phasing Schedule**

Regulating the rate and geographic sequence of development so as to ensure that each phase can stand on its own in terms of circulation, utilities, and so on, in the event subsequent phases are delayed or cancelled.

### **Drive-Through Facility<sup>160</sup>**

A facility, building feature, or equipment at which an occupant of a vehicle may make use of the service or business without leaving their vehicle. This use includes drive-by parcel pickup facilities.

### **Driveway**

A private roadway providing access to a street or highway, excluding the sidewalk when parking vehicles in the driveway.

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<sup>160</sup> Replaces “Drive-In Facilities.”

### **Dwelling Unit**

One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

### **Dwelling, Co-Housing<sup>161</sup>**

A residential development that does not meet the definition of a group living facility, that combines individual dwelling units that may or may not have partial or complete kitchens with common access to and common use of some living and eating areas and areas and facilities for the preparation and serving of food within the dwelling unit.

### **Dwelling, Cottage Court<sup>162</sup>**

A residential development that combines a group of small individually owned single-family dwelling units, each containing not more than 1,000 square feet of gross floor area on a single parcel of land. The development shall be oriented around a shared open space for communal use by the residents of the development and may include a shared parking area and/or a shared community building (which may contain a shared kitchen and/or dining or eating area) for communal use by the residents of the development on a regular basis. This definition shall not include any use meeting the definition of a manufactured housing community.

### **Dwelling, Duplex<sup>163</sup>**

A single residential building on a single lot containing two dwelling units, each designed for use and occupancy by no more than one family. The two units must be able to function as dwelling units independently of each other, but may be located side-by-side, in front and behind, or above and below each other.

### **Dwelling, Live/Work<sup>164</sup>**

A single building containing an integrated living and working space, and in which the living areas is located above or behind the working space.

### **Dwelling, Multifamily<sup>165</sup>**

One or more buildings or portion of buildings on a single lot arranged, designed, and intended to be used for occupancy by five or more families living independently of each other and containing five or more dwelling units on the same or separate lots.

#### **Medium Multifamily**

A multifamily dwelling lot that maintains a residential density of up to (and including) 12 dwelling units per acre.

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<sup>161</sup> Renamed from "Other Group Living" and refined definition.

<sup>162</sup> New term and definition.

<sup>163</sup> Renamed from "Two-Family Dwelling." Refined definition for clarity.

<sup>164</sup> New term and definition.

<sup>165</sup> New definition for existing term. New size distinctions based on maximum residential density.

### Large Multifamily

A multifamily dwelling that maintains a residential density of over 12 units per acre.

### Dwelling, Single-Family Detached<sup>166</sup>

A residential building designed for use and occupancy by no more than one family and is not attached to any other dwelling or building by any means (except an approved accessory dwelling unit), on a single lot.

### Dwelling, Single-Family Attached<sup>167</sup>

Three or more attached single-family dwelling units attached side by side under one roof that share a common vertical side or rear wall reaching from the building foundation to the roof structure, each of which is located on its own separate lot.

### Dwelling, Triplex or Fourplex<sup>168</sup>

A single residential building on a single lot containing either three or four dwelling units, each of which is designed for use and occupancy by one family.

## E

### Educational Facilities (Use Category)<sup>169</sup>

Use in this category include public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, including colleges and college campuses. Accessory uses commonly include play areas, cafeterias, recreation areas, auditoriums, and day care facilities.

### Electric Vehicle Charging Facility<sup>170</sup>

A facility in which electric vehicle charging services are made available to the public or to members for a fee, including structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

### Emergency Shelter<sup>171</sup>

A facility providing basic services that may include food; personal hygiene support; information and referrals; employment, mail and telephone services; including overnight sleeping accommodations, to people with limited financial resources, including people who are experiencing homelessness.

## F

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<sup>166</sup> Refined definition for clarification.

<sup>167</sup> New term and definition.

<sup>168</sup> New term and definition.

<sup>169</sup> New definition for new use category.

<sup>170</sup> New term and definition.

<sup>171</sup> Replaces "Homeless Shelter" term and definition.

**FAA**

The Federal Aviation Administration.

**Façade**

The exterior walls of a building exposed to public view or that wall viewed by persons not within the building.

**Family**

Any number of related persons living together within a single dwelling unit as a single housekeeping unit, but not more than four persons who are unrelated by blood, marriage, guardianship or adoption.

**Farmers' Market**

A structure or place where agricultural products are brought for the purpose of retail sales. A farmers' market differs from a produce stand in that there may be more than one seller allowed per parcel of land and the structure from which produce is sold at a farmers' market need not be portable or capable of being dismantled or removed from the site.

**Flag Lot**

Lots that do not meet minimum lot width at the front lot line, and where the developable portion of the lot (the "flag") is reached through a narrow "flagpole" containing the driveway or accessway.

**Flea Market**

A flea market, swap shop, or similar activity by whatever name, where the use involves the setting up of two or more booths, tables, platforms, racks, or similar display areas for the purpose of selling, buying, or trading merchandise, goods, materials, products, or other items offered for sale outside an enclosed building. Flea markets do not include any of the following activities that occur at the same location four or fewer days in any calendar year: garage sales, produce stands, garage sales or fund-raising activities done by a nonprofit organization.

**Flood-Related Definitions**

**Area of Shallow Flooding**

A designated Zone AO or AH on the City's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard (Floodplain)**

The land in the floodplain subject to a one percent or greater chance of flooding in any given year.

**Base Flood**

The flood having a one percent chance of being equaled or exceeded in any given year.



**Base Flood Elevation (BFE)**

The elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

**Conditional Letter of Map Revision (CLOMR)**

FEMA's comment on a proposed project which does not revise an effective floodplain map that would upon construction affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.

**Critical Facility**

A structure or related infrastructure, but not the land on which it is situated, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the City at any time before, during and after a flood.

**Existing Manufactured Home Park or Subdivision**

A manufactured home park for which the construction of facilities serving the lots on which the manufactured homes are to be affixed are completed before the Effective Date.

**Expansion of Existing Manufactured Home Park or Subdivision**

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Five-Hundred-Year (500-year) Flood**

A flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-chance annual flood).

**Five-Hundred-Year (500-year) Floodplain**

An area of land susceptible to being inundated as a result of the occurrence of a 500-year flood.

**Flood or Flooding**

A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source. (See graphic.)
3. Mudslides or mudflows that occur from excess surface water that is combined with mud or other debris that is sufficiently fluid so as to flow over the surface of normally dry land areas (such as earth carried by a current of water and deposited along the path of the current).

### Flood Control Structure

A physical structure designed and built expressly or partially for the purpose of reducing, redirecting, or guiding flood flows along a particular waterway. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

### Flood Fringe District

That area within a 100-year floodplain where the flood waters are relatively shallow, and move at velocities from one to four feet per second. (See graphic.)

### Flood Insurance Rate Map (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones.

### Flood Insurance Study

The official report provided by the Federal Emergency Management Agency that includes profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

### Floodplain

An area adjacent to a watercourse which may be subject to flooding as a result of an increase in water flow beyond a normal high water mark. (See graphic.)

### Floodplain Development

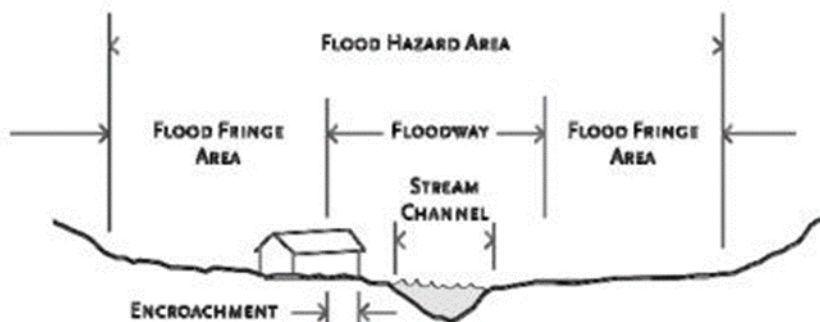
Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard. (See graphic.)

### Flood Profile

Hydrological conclusions based upon historical facts and engineering principles represented graphically showing the relationship of the water surface elevation during a 100-year flood to the channel and adjacent topography.

### Flood Prone Area

An area near a watercourse which is subject to flooding during a 100-year flood based on historical information, topography, vegetation and other indicators, but where the precise dimensions of a 100-year floodplain have not been delineated by Federal Emergency Management Agency studies. (See graphic.)



### **Floodproofing**

A combination of provisions, changes or adjustments to structures and movable objects or to surrounding areas, primarily for the reduction or elimination of flood damage.

### **Flood Regulatory Area**

That portion of the floodplain which is subject to inundation by a 100-year flood. This area may be divided into the floodway district and the flood fringe district. (See graphic.)

### **Floodway**

The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The Colorado Statewide standard for the designated height to be used for all newly studied reaches shall be one-half foot (six inches). (See graphic above.)

### **Freeboard**

The vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood such as debris blockage of bridge openings and the increased runoff due to urbanization of the watershed.

### **High Water Mark**

The ordinary high water level or bank of a stream, river, lake or impoundment which, in the absence of evidence to the contrary, shall be presumed to be the edge of the vegetation growing along the shore.

### **Mudflow**

A flowing mass of predominantly fine grained earth material possessing a high degree of fluidity during movement.

### **New Construction**

Structures for which the "start of construction" commenced on or after the Effective Date of the ordinance enacting the flood damage prevention regulations, and includes any subsequent improvements to such structures.

### **New Manufactured Home Park or Subdivision**

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the Effective Date of the ordinance enacting the flood damage prevention regulations.

### **No-Rise Certification**

A record of the results of an engineering analysis conducted to determine whether a project will increase flood heights in a floodway. A no-rise certification must be supported by technical data and signed by a registered Colorado professional engineer.

### **Obstruction (Floodplains)**

A dam, wall, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, fence, stockpile, refuse, fill, structure or material, in, along, across, or projecting into any drainageway, channel, or watercourse, which might impede, retard or change the direction of the flow of water, either by itself or by catching and collecting debris carried by the water, or which is placed where the 100-year flood may carry the debris downstream.

### **One-Hundred-Year (100-year) Flood**

A flood having a recurrence interval that has a one percent chance of being equaled or exceeded during any given year (one-percent-annual-chance flood).

### **One-Hundred-Year (100-year) Floodplain**

The area of land susceptible to being inundated as a result of the occurrence of a 100-year flood, including the low land near a watercourse which has been, or may be, covered by water of a flood of 100-year frequency, as established by engineering practices of the U.S. Army Corps of Engineers and/or the Colorado Water Conservation Board.

### **Special Flood Hazard Area**

The land in the floodplain within the City subject to a one percent or greater chance of flooding in any given year, i.e., the 100-year floodplain.

### **Start of Construction**

Start of construction includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvements was within 180 days of the permit date. The "actual start" means the first placement of a permanently constructed structure on a site, such as the pouring of slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

### **Substantial Damage**

Damage to a structure from one event not due to the knowing act of the owner such that the cost to restore the damage is 50 percent or more of the fair market value of the structure before the damage occurred.

### **Substantial Improvement**

Any reconstruction, rehabilitation, addition, or other improvement of a structure, which costs 50 percent of the market value of the structure before the "start of construction" of the improvement. Substantial improvement includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not include either:

1. Any improvement of a structure to correct existing violations of any code which the local code enforcement official determines and are necessary to make the structure safe or habitable; or
2. Any alteration of a "historic structure," if the alteration shall not preclude the structure's continued designation as a "historic structure."

### **Water Surface Elevation**

The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

### **Food and Beverage (Use Category)<sup>172</sup>**

Uses in this category include establishments that serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking.

### **Food Service or Catering**

An establishment in which the principal use is the preparation of food or meals on the premises, and where such food or meals are delivered to an off-site location for sale or consumption.

### **Forestry, Commercial<sup>173</sup>**

A land use that creates, conserves, and manages forests and forest lands for the continuing use of both commodity and non-commodity benefits.

### **Fraternity or Sorority**

A place of residence other than a hotel, rooming or boarding house or dormitory that is operated by a nationally or locally chartered membership organization and is used, occupied and maintained as living and dining quarters for its members who are enrolled in an accredited college or university or other accredited educational institution and which is recognized and subject to controls by such educational institution.

### **Frontage**

The frontage of a parcel of land is that distance where a property line is common with a road right-of-way line.

### **Front Lot Line**

The property line dividing a lot from a road right-of-way.

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<sup>172</sup> New definition for new use category.

<sup>173</sup> New definition for existing term not currently defined.

### Funeral Home or Mortuary<sup>174</sup>

An establishment with facilities for the preparation of human or animal remains for burial or interment, including cremation, for the display of the deceased and rituals connected with, and conducted before burial or cremation, and for funeral services. This definition includes columbaria and may include a facility for the permanent storage of cremated human or animal remains.

## G

### Golf Course<sup>175</sup>

A tract of land typically laid out for at least nine holes for playing the game of golf that may include the following accessory uses: a clubhouse, dining and snack bars, pro shop, and practice facilities.

### Golf Driving Range<sup>176</sup>

A tract of land devoted as a practice range for practicing golf shots.

### Government Service Facility<sup>177</sup>

A facility owned or operated by a unit of local, state, or federal government and engaged in providing services unique to government or generally performed by units of government rather than by private commercial businesses.

## Grade

The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, the point between the building and a line five feet from the building.

### Grade, Finished

The level of the soil after completion of site development.

### Grade, Natural

The undisturbed ground level which may be determined by on-site evidence (vegetation, ground level on adjacent land, elevation of adjacent streets and roads, soil types and locations, etc.).

### Gross Acre

A full acre of land prior to subdivision and prior to dedication of any required rights-of-way or easements.

### Gross Acreage

The area of a proposed development, including proposed dedications of easements, rights-of-way or other property rights, but excluding existing rights-of-way dedicated prior to January 1, 1995.

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<sup>174</sup> Revised definition for existing term.

<sup>175</sup> New definition for existing term not currently defined.

<sup>176</sup> New definition for existing term not currently defined.

<sup>177</sup> New term and definition.

### **Gross Floor Area (GFA)**

The sum of the areas of all floor levels of a building or structure.

### **Gross Leasable Area (GLA)**

The total building area, expressed in square feet and designed for tenant occupancy and exclusive use, including any basements, mezzanines, or upper floors, as measured from exterior walls or the centerline of walls separating two abutting buildings, but excluding any space where floor-to-ceiling height is less than 6.5 feet.

### **Group Living (Use Category)<sup>178</sup>**

Uses in this category are characterized by residential occupancy of a structure by a group of people who do not meet "he definition of "household living." Tenancy is arranged on a month-to-month or longer basis and the size of the group may be larger than a family. Group living usually includes common eating areas for residents, and residents may receive care, training, or treatment. Caregivers often reside at the site. Accessory uses commonly include recreational facilities, personal storage buildings, gardens, and parking.

### **Group Living Facility<sup>179</sup>**

A group living facility is a type of group living characterized by the provision of training, treatment, supervision or other professional support or care and who receive care, training, treatment, supervision or other support from caregivers or staff on site. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a typical family. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be either a form of lodging facility. Generally, group living structures have a common eating area for residents, but a common eating area by itself, without other care, treatment, supervision or other professional or health support services being provided on site, does not indicate a group living facility (a multifamily residential facility, such as apartments, may, for example, have a common eating area).

#### **Group Living Facility, Small**

A facility designed for and occupied by five to nine residents living together.

#### **Group Living Facility, Large**

A facility designed for and occupied by 10 to 16 residents living together.

#### **Group Living Facility, Unlimited**

A facility designed for and occupied by 17 or more residents living together.

### **Guest Ranch**

A working ranch with an accessory use for the lodging and/or boarding of guests which provides recreational activities on, or adjacent to, the ranch.

## **H**

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<sup>178</sup> New definition for existing use category.

<sup>179</sup> Group Living Facilities are under further legal and staff review. The definition may be updated at the time of Consolidated Draft.

### **Health Club**

An establishment that provides facilities for exercise activities, such as running, jogging, aerobics, weight lifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

### **Health Department**

The Mesa County Health Department.

### **Health Facilities (Use Category)<sup>180</sup>**

Uses in this category are characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Accessory uses may include laboratories, outpatient, or training facilities, and parking or other amenities primarily for the use of employees in the firm or building. These uses do not include spas, massage parlors, or other health and wellness establishments that meet the definition of personal services.

### **Heavy Equipment**

Large equipment including, but not limited to: trucks with greater than a one and one-half ton rating, cranes, crawler type tractors, earth movers, dump trucks and other equipment of equal or greater size and weight.

### **Height of Structure**

The vertical distance from the grade to the highest point of any portion of a structure.

### **Helipad**

A facility without the logistical support provided by a Heliport where helicopters takeoff and land. Helipads do not include facilities for maintenance, repair, fueling or storage of helicopters.

### **Highest Adjacent Grade**

The highest natural elevation of the ground surface prior to construction next to the proposed wall of a structure.

### **Hillside Disturbance**

Any and all areas of the building site disturbed during construction by grading or excavation and temporary or permanent construction for all buildings, parking areas, driveways, roads, sidewalks, and other areas of concrete, asphalt, or other construction materials

### **Home Occupation<sup>181</sup>**

A business activity or occupation carried on within a dwelling by members of the family occupying the dwelling.

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<sup>180</sup> New definition for new use category.

<sup>181</sup> New definition.



### **Homeowner Association**

A formally constituted nonprofit association made up of the property owners and/or residents of a fixed area, which association is formed for the purpose of assuming permanent responsibility for costs and upkeep of common areas, open space, and similar shared facilities. May also be referred to as a form of Owner Association, such as Property Owner Association or Community Owner Association.

### **Hospital<sup>182</sup>**

An institution providing health services primarily for human inpatient medical or surgical care and including related facilities as laboratories, outpatient departments, training facilities, rehabilitation facilities, central services facilities, and staff offices that are an integral part of the facilities.

### **Hotel or Motel<sup>183</sup>**

An establishment in which lodging is provided and offered to the public for compensation, for periods of time not exceeding thirty days and that is commonly known as a hotel or motel in the community in which it is located.

### **Household**

A family, or a group of not more than four unrelated persons, living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

### **Household Living (Use Category)<sup>184</sup>**

Uses in this category are characterized by residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, gardens, personal storage buildings, and residential parking.

## **I**

### **Impervious Surface**

Any material that prevents absorption of stormwater into the ground.

### **Improvements**

Right-of-way pavements, curbs, gutters, sidewalks, paths, trails, bikeways, sedimentation control facilities, revegetation, landscaping, water mains, sanitary and storm sewers, drainageways, gas lines, electrical and telephone lines and appurtenances, street signs, trees and lights, lot pin monuments, range point boxes, and any other similar items required for compliance with the regulations of this Code or the conditions of approval.

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<sup>182</sup> Revised definition to include/consolidated current definitions for “Law Enforcement Rehabilitation Centers” and “Physical and Mental Rehabilitation, Resident.”

<sup>183</sup> New definition for existing term that is not currently defined.

<sup>184</sup> New definition for use category.

### **Indoor Entertainment and Recreation<sup>185</sup>**

An enclosed facility for entertainment, sports, and recreational activities such as health clubs, game arcades, bowling, skating rinks, swimming, tennis, health and fitness centers, gyms, movie theaters, and similar indoor activities.

### **Industrial, Artisan<sup>186</sup>**

An establishment or business where an artist, artisan, or craftsman teaches, makes, or fabricates crafts or products by hand or with minimal automation and may include direct sales to consumers.

### **Industrial, Light<sup>187</sup>**

The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not involve significant truck traffic or railroad operations and do not create material amounts of noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, and where such processes are housed entirely within an enclosed building, except as may be authorized in this Code. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes not involving flammable or explosive materials. Examples of activities include but are not limited to commercial laundries, food products and wholesale bakeries, newspaper and printing establishments, hair products and barbering supplies, signs and other metal workings, architectural and artist supplies, ceramics and miscellaneous clothing or accessories, small medical or specialty equipment, or musical instruments; and assembly of small appliances or equipment.

### **Industrial, Heavy<sup>188</sup>**

The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of truck traffic, railroad activities, noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not meet the definition of light industrial. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials or products involving flammable, hazardous, or explosive materials and processes, uses involving the fabrication, use, or repair of heavy special purpose equipment. Examples of this use include atmospheric gas production plant, lumbermill or sawmill, tannery, asphalt, and concrete batch plant, bottling and distribution plants, and construction materials manufacturing unless performed on a scale that meets the definition of "artisan industrial."

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<sup>185</sup> New definition that consolidates general use category and "Health Club," and "Movie Theater, Skating Rink, Arcade."

<sup>186</sup> New term and definition.

<sup>187</sup> New term and definition. Consolidates "Assembly," "Food Products," "Manufacturing/Processing," (Indoor Operations and Storage) and "Industrial Services, Contractors and Trade Shops, Oil and Gas Support Operations Without Hazardous Materials."

<sup>188</sup> Consolidates "Assembly," "Food Products," "Manufacturing/Processing" (Indoor and Outdoor Operations and Outdoor Storage) and "Machine Shop."

### **Infill Development**

Generally, the development of new housing or other buildings on scattered, undeveloped sites in a built-up area.

### **Infrastructure**

Facilities and services needed to sustain industry, residential, commercial and all other land use activities.

### **Integral Units**

Items, equipment, or machinery which are assembled or constructed to function as a single unit, such as, but not limited to, large cranes, drilling rigs or other large vehicles, large diameter pipes or culverts, large scale motors or transformers, etc., or, in the case of salvage or junkyards, shelving or other storage units, not to exceed 20 feet in height, that are used to store and display salvage items.

## **J**

### **Jail<sup>189</sup>**

A facility established by a law enforcement agency for the detention of adult or juvenile persons while being processed for arrest or detention, awaiting trial, or for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

### **Junk**

Ferrous or nonferrous metals, wood or wood products, appliances not used for their intended purposes, rubber or plastic products, dismantled or inoperable machinery, equipment, tools, junk vehicles, trash or similar materials. The term junk excludes outside storage permitted as an accessory use.

### **Junk Vehicle**

Any motor vehicle, trailer, or semitrailer, as those terms are defined by § 42-1-102 C.R.S. that: is not operable in its existing condition because of damage or because parts necessary for operation such as, but not limited to, tires, engine, or drive train, are removed, destroyed, damaged, or deteriorated; or, is not capable of being lawfully driven on a public highway or street pursuant to the minimum standards set forth in Title 42 of the Colorado Revised Statutes. Any such motor vehicle, trailer, or semitrailer shall be presumed to be a junk vehicle if no current Colorado license plates are displayed thereon, or if Colorado license plates have been invalid for more than 60 days. (Note: The owner or possessor of such a motor vehicle, trailer, or semitrailer may rebut such a presumption by providing proof of current registration or licensing.)

### **Junkyard or Salvage Yard**

Any yard, lot, land, parcel, building or structure, or part thereof, used for storage, collection, processing, purchase, sale, salvage or disposal of used or scrap materials, equipment, vehicles or appliances. Junkyards include, but are not limited to, wrecking yards, salvage yards and automobile impoundment areas where stored vehicles are inoperative or unlicensed. Junkyards do not include

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<sup>189</sup> Removed "Honor Camp, or Reformatory" from title and added new definition.

storage of vehicles used for agricultural purposes on a property used for agricultural purposes, or facilities qualifying as motor vehicle repair shops.

**K**

**L**

**Land Use**

A list of uses within categories enumerated in this Code for various uses of land in the City.

**Lighting-Related Definitions**

**Full Cutoff Light Fixture**

A light fixture in which no more than two and one-half percent of its total output is emitted above 90 degrees from the vertical pole or building wall on which it is mounted.

**Lighting**

An artificial supply of light or the apparatus providing it.

**Local Road or Street**

A street that provides direct access to adjacent land and access to higher street classifications. All streets or roads not otherwise classified are local.

**Lodging Facilities (Use Category)<sup>190</sup>**

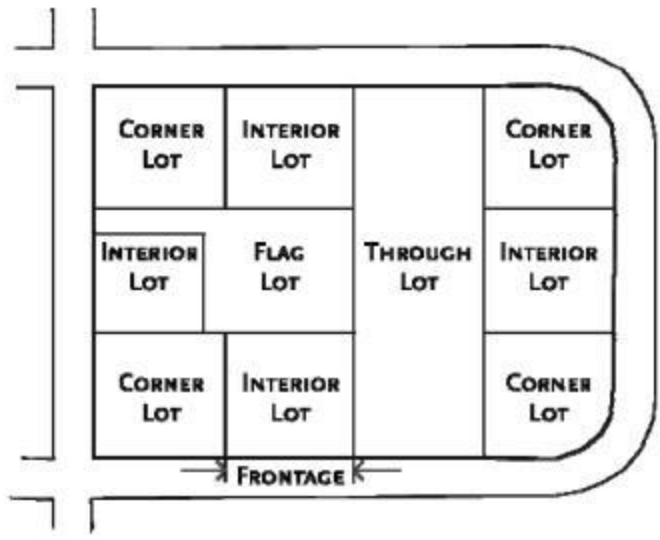
Uses in this category include facilities where lodging, meals, and other services are provided to transient visitors and guests for a fee for a defined period of time less than 30 days per instance. Accessory uses may include storage, cafeterias, limited retail, health and recreation facilities, and parking or other amenities.

**Lot**

A parcel of land that is defined on a subdivision plat of record, which is intended to be occupied by a principal building or building and open space. Streets are not included in this definition. (See graphic.)

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<sup>190</sup> New definition for new use category.



### Lot Area

The area of the lot shall be the horizontal area of the lot and shall not include portions of streets and alleys.

### Lot, Corner

A lot abutting upon two or more intersecting streets.

### Lot Coverage

That area of the lot or parcel which may be occupied by principal and accessory structures.

### Lot Depth

The horizontal distance from the front property line to the rear property line. If front and rear property lines are not parallel, the lot depth is the shortest distance between the front and rear property lines.

### Lot, Double Frontage (Through Lot)

An interior lot having frontage on two nonintersecting streets.

### Lot, Flag

A lot having no frontage or access to a street or place except by a narrow strip of land.

### Lot frontage

The distance for which a lot abuts on a street.

### Lot, Interior

A lot whose side lines do not abut on any street.

### Lot Line

A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

### **Lot Width**

The horizontal distance measured at the front yard setback line between side property lines measured parallel to the street, said property lines or to the tangent of a curved street property line. If side property lines are not parallel, the lot width is the shortest distance between the side property lines.

### **Low Traffic Storage Yard**

An enclosed outdoor storage area generating less than 30 average daily trips (30 ADT).

## **M**

### **Manufactured Building Sales and Service<sup>191</sup>**

A retail sales and service use in which prefabricated or manufactured buildings are displayed and sold.

### **Manufactured Home**

Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Section 5401 et seq.), commonly known as the HUD (U.S. Department of Housing and Urban Development) Code.

### **Manufactured Housing Community<sup>192</sup>**

A site, lot, tract, or parcel of land used for the continuous accommodation of five or more occupied manufactured homes and maintained for dwelling purposes on a permanent basis on individual lots, pads, or spaces; whether those lots, pads, or spaces be individually owned, leased, or rented. A manufactured housing community does not include manufactured home subdivisions or property zoned for manufactured home subdivisions.

### **Manufactured Home Subdivision**

A parcel or contiguous parcels of land subdivided into two or more lots configured for development of manufactured housing.

### **Manufactured Housing**

A manufactured structure designed for residential occupancy that conforms to all applicable federal construction and safety standards certifications (42 U.S.C. Section 5401 et seq.). Construction and safety certification shall be affixed in the original and permanent condition and shall not be removed.

### **Manufacturing and Processing (Use Category)<sup>193</sup>**

Uses in this category includes the excavation, transporting, manufacture, fabrication, processing, reduction, destruction, or any other treatment of any article, substance, or commodity, in order to

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<sup>191</sup> New definition for an existing term not currently defined.

<sup>192</sup> Renamed from "Manufactured Home Park" and new definition.

<sup>193</sup> New definition for new use category.

change its form, character or appearance. Accessory uses may include retail sales, offices, storage, cafeteria, employee amenities, parking, warehousing, and repair facilities.

**Maximum Extent Practicable<sup>194</sup>**

The Director has determined that no feasible or prudent alternative exists, that all possible efforts to comply with the standards or regulation or minimize potential harmful or adverse impacts have been undertaken by an applicant, and that the costs of complying with a Code standard or criteria clearly outweigh the benefits to the public of complying with the standard or criteria. Economic considerations may be taken into account, but shall not be the overriding factor determining whether compliance with a standard or criteria in this Code is impracticable.

**Medical or Dental Clinic<sup>195</sup>**

A health care facility where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, counselors, therapists, or social workers, and where patients are not usually lodged overnight. This use includes dialysis and other outpatient services clinics and emergency care clinics without ambulance services. This use includes establishments providing support to the medical profession and patients, such as medical and dental laboratories, blood banks, oxygen, and miscellaneous types of medical supplies and services.

**Meeting, Banquet, Event, or Conference Facility<sup>196</sup>**

A facility with or without food preparation equipment, used for meetings, conferences, receptions, fellowship, catered meals, and other social functions; and available on a rental basis to the general public.

**Mining and Extraction<sup>197</sup>**

The development or extraction of mineral deposits, including but not limited to limestone, coal, sand, rock, clay, dirt, gravel, and other materials, and quarry aggregate from their natural occurrences on affected land. The term includes but is not limited to cement and asphalt batch plants, open pit mining and surface operations, strip mining, quarrying, dredging, and the disposal of refuse from those activities.

**Mini-Warehouse<sup>198</sup>**

A structure or group of structures containing separate, individual, and private storage spaces of varying sizes, leased or rented on individual leases for varying periods of time.

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<sup>194</sup> New.

<sup>195</sup> New definition and consolidates “Medical or Dental Clinic” and “Counseling Centers (Nonresident).”

<sup>196</sup> New term and definition.

<sup>197</sup> New definition and consolidates “Sand or Gravel Extraction” and “All Other Mining.”

<sup>198</sup> Last two sentences are current 21.04.030(g)(3)(i).

### **Minor Arterial**

A street, as identified in the Grand Junction Circulation Plan, which has a relatively high overall travel speed, with minimal interference and which interconnects with the principal arterial system.

### **Mitigation**

Methods used to alleviate or lessen the impact of development.

### **Mobile Food Vendor**

A readily movable, motorized wheeled vehicle or towed wheeled vehicle that is equipped to prepare, or serve, and sell or dispense food and is registered with a department/division of motor vehicles.

### **Mobile Food Vendor Court**

Three or more Mobile Food Vendors on the same property.

### **Mobile Home**

A single-family dwelling, factory-built and factory-assembled residence which does not comply with the National Manufactured Homes Construction Safety and Standards Act. (42 U.S.C. Section 5401 et seq., 1978, as amended).

### **Municipality**

An incorporated city or town.

## **N**

### **Natural Hazard**

A geologic, floodplain, or wildfire hazard as identified by a State or federal agency.

### **Natural Resource**

Existing natural elements relating to land, water, air, plant and animal life, including, but not limited to, soils, geology, topography, surface and subsurface waters, wetlands, vegetation and animal habitats.

### **Neighborhood**

An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as rivers. (Note: Historically, the neighborhood was defined as the area served by an elementary school, with shopping and recreation facilities to serve neighborhood residents. While the description is probably dated, the neighborhood designation is useful in analyzing the adequacy of facilities and services and in identifying factors affecting the quality of the built environment. In addition, as a distinct and identifiable area, often with its own name, neighborhoods are recognized as fostering community spirit and a sense of place, factors recognized as important in community planning.) Or: That area with definite boundaries as determined by the Director on a case-by-case basis to meet the intent and purpose of the Code.



### **Neighborhood Association**

Any group that has been recognized by the Community Development Department or has registered with the Community Development Department the boundaries of a particular area with which it is related and which the association represents.

### **Net Floor Area**

The square footage of the principal use area of a building including restrooms, hallways and stairwells, but not including normally unoccupied areas such as garages, storage rooms, and furnace areas.

### **Nursery or Greenhouse<sup>199</sup>**

A place where plants are raised, acquired, and maintained for transplanting or sale. It may also include, either exclusively or in conjunction with the above activities, the sale of materials commonly used for landscaping purposes, such as soil, rock, bark, mulch and the sale or rental of small landscaping tools and supplies.

### **Nursing Care or Convalescent Facility<sup>200</sup>**

A licensed health care entity that is planned, organized, operated, and maintained to provide supportive, restorative and preventative services to persons who, due to physical and/or mental disability, require continuous or regular inpatient nursing care. Convalescent facilities may be either an integral patient care unit of a general hospital or a facility physically separated from, but maintaining an affiliation with, all services in a general hospital.

### **O**

### **Oil and Gas Drilling<sup>201</sup>**

Equipment or improvements used or installed at an oil and gas location for the exploration, production, withdrawal, gathering, treatment, or processing of crude oil, condensate, E&P waste, or gas. Any well, wellhead, flowlines, tanks, surface equipment, or associated infrastructure used in the development, production, storage, or marketing of oil, natural gas, natural gas liquids, or other hydrocarbon resources.

### **Offenders<sup>202</sup>**

For the purpose of community corrections facilities, persons accused or convicted of a felony, misdemeanor or other criminal offense.

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<sup>199</sup> Revised definition of existing term.

<sup>200</sup> Renamed from "Nursing Home" and combined with "Convalescent Home" with new definition to align with Colorado Department of Public Health & Environment.

<sup>201</sup> New definition for existing term not currently defined.

<sup>202</sup> Definition currently included in the definition of Community Corrections Facility.

### **Office<sup>203</sup>**

Establishments that provide executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use. Typical examples include government, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices.

### **Office and Personal Services (Use Category)<sup>204</sup>**

Uses in this category provide executive, management, administrative, governmental, or professional services or are primarily engaged in the provision of informational, instructional, personal improvement, personal care, and similar services. Accessory uses may include retail sales, cafeterias, health facilities, and parking.

### **Open Space**

Any property or portion without any structure or impervious surface and not designated and used for a specific purpose.

### **Open Space Fee**

A fee paid by the developer of a new residential development to the City for the purpose of acquisition and development of open space.

### **Outdoor Display and Sales**

Outdoor display and sales includes portable display taken inside at the close of each business day or a display of items of merchandise for immediate sale and open to customers for browsing (such as, but not limited to, operable autos, RVs, trucks, modular homes, hot tubs) that is permanently located outdoors. Retail displays including shelving or rack areas higher than six feet, wholesale merchandise displays and other areas not accessible to the general public are considered outdoor storage. This use does not include merchandise displayed immediately adjacent primary facade near the customer entrance(s) that does not protrude into parking areas or drive aisles or beyond the eaves, roof overhang or covered entrance area.

### **Outdoor Entertainment and Recreation**

Outdoor facilities, excluding racetracks, for outdoor concerts, amusement parks, miniature golf, drive-in theaters, go-cart tracks, stadiums, and other similar outdoor activities, and that may provide limited bleacher-type seating for the convenience of users. This use includes facilities for outdoor sports such as private swimming pools, tennis and basketball courts, sports fields, and playgrounds.

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<sup>203</sup> Definition based on current "Office" use category details and definition of "Professional Office."

<sup>204</sup> New definition for new use category.

**Outdoor Storage, Accessory<sup>205</sup>**

An outdoor area used for the long-term deposit (more than 48 hours) of any goods, material, merchandise, or vehicles that occupy a volume of more than 150 cubic feet as an accessory use to and associated with a principal use on the property.

**Outdoor Storage, Commercial<sup>206</sup>**

An outdoor area in which storage spaces are used by consumers/tenants for short- and long-term storage of personal property. Consumers/tenants retain "care, custody and control" of their personal property. Outdoor storage includes, but is not limited to, camper/RV storage, commercial and industrial product storage (e.g. sand and gravel), as well as landscape storage and contractor storage.

**Overlay District**

A zone district which has been superimposed over basic districts to address development constraints which require special attention and treatment and to alert developers to issues they need to address in preparing an application for development.

**Owner**

An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

**P**

**Parcel**

An area of land defined by a legal description and recorded with the County Clerk and Recorder.

**Park, Lake, Reservoir, or Other Open Space<sup>207</sup>**

Uses of land that are characterized primarily by natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, or community gardens, or public squares. Structural improvements are generally limited to those structures that facilitate the use of the land as park and open space. Accessory uses may include playgrounds, maintenance facilities, swimming pools, restrooms and dressing rooms, concessions, and parking.

**Parks and Open Space (Use Category)<sup>208</sup>**

Uses in this category focus on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses may include clubhouses, playgrounds, maintenance facilities, concessions, and parking.

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<sup>205</sup> Revised definition to distinguish between accessory outdoor storage and new principal outdoor storage use.

<sup>206</sup> Consolidates and expands "Heavy Equipment Storage/Pipe Storage," "Outdoor Storage or Loading," Gas or Petroleum Storage," and "Sand or Gravel Storage."

<sup>207</sup> Revised definition for existing term.

<sup>208</sup> New definition for new use category.

### **Parking Lot or Garage<sup>209</sup>**

An off-street area or structure used for the parking of vehicles as a principal use of land. Parking is generally available to the public, and a fee is generally charged. Parking facilities that are accessory to a principal use are not considered commercial parking uses

### **Parkway Strip**

The undeveloped portion of right-of-way between the back of curb and the detached sidewalk.

### **Pasture, Commercial<sup>210</sup>**

Land, including fenced fields, where plants, including but not limited to hay, grass, alfalfa, or corn are cultivated and irrigated or watered and are grown for the purpose of grazing.

### **Pedestrian Right-of-way**

A right-of-way or easement dedicated for public pedestrian access.

### **Person**

Natural persons as well as any other entity recognized by law, including: association, partnership, corporation, and joint venture, whether for-profit or nonprofit.

### **Personal Service<sup>211</sup>**

A facility that provides individualized services generally related to personal needs. These include, but are not limited to, laundry, including cleaning and pressing service, beauty shops, barbershops, shoe repair, personal copying/shipping services, health spas, photographic studios, tailor/seamstress shop, indoor equipment/party/event rental, tanning salon, bicycle and sports equipment repair, small appliance repair, tattoo parlors and similar uses.

### **Planned Development (PD)**

An area of land zoned and improved as a development for which the otherwise applicable bulk use and other requirements may be modified in order to allow for more flexible planning in conformance with the development approval process.

### **Principal Arterial**

A street, as identified in the Grand Junction Circulation Plan, which provides a network of continuous routes serving intrastate and interstate travel as well as interurban and intraurban travel.

### **Principal Structure**

The structure in which the principal use of a property is conducted. This shall include any buildings which are attached to the principal structure by a covered structure.

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<sup>209</sup> Replaces “Commercial Parking” use category.

<sup>210</sup> New definition for existing term not currently defined.

<sup>211</sup> New term and definition. Definition based on details from “Retail Sales and Services” use category and includes current “Repair, Small Appliance,” “Repair, Large Appliance,” and “Personal Services.”

### **Principal Use**

The main or principal use of a parcel of land.

### **Private**

Anything not owned or operated by the federal government, State government, or any political subdivision.

### **Produce Stand<sup>212</sup>**

A temporary open air stand or place for the seasonal selling of agricultural products.

### **Property**

A lot, parcel, tract or other real estate. Separate parcels, lots, tracts and/or other real estate which are under the same ownership and which adjoin or abut are, for the purpose of this Code, treated as one lot, parcel or tract or other real estate, even if classified as different tax parcels and even if separated by a right-of-way, watercourse or similar barrier.

### **Public**

Anything owned or operated by the federal government, state government, or any political subdivision.

### **Public Building**

Any building owned, leased or held by the United States of America, the State of Colorado, Mesa County, the City of Grand Junction, any school district or other agency or political subdivision, which building is used for governmental purposes.

### **Public Trail**

Any pathway designed for public recreation.

## **Q**

## **R**

### **Recreation and Entertainment (Use Category)<sup>213</sup>**

Uses in this category include indoor and outdoor recreation and entertainment activities. Accessory uses may include limited retail, concessions, parking, and maintenance facilities.

### **Recreational Vehicle**

All vehicles, with or without motive power, designed, converted or used to provide temporary living quarters that include four or more of the following permanently installed facilities: cooking, refrigeration or ice box, self-contained toilet, heating and/or air conditioning, potable water supply system including faucet and sink, separate 110 to 125 volt electrical power supply and/or LP gas supply. Recreational vehicles shall also include the following: all watercraft subject to registration by the State of Colorado, all motorcycles, mini bikes, all-terrain vehicles (ATVs), go-carts and similar

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<sup>212</sup> Revised to include new definition of agricultural products.

<sup>213</sup> New definition for new use category.

vehicles with motive power that are prohibited from operating on a public street by the State of Colorado. All other vehicles and crafts designed to carry one or more adults used primarily for recreational purposes that are prohibited from operating on a public street by the State of Colorado, all trailers designed or used to carry any recreational vehicle described herein.

For the purpose of this Code, an empty trailer or a recreational vehicle not on a trailer shall each be counted as one recreational vehicle. However, a trailer carrying one or more recreational vehicles shall together be counted as one recreational vehicle. Also includes a semi-trailer, loaded or unloaded, utility trailers, loaded or unloaded, or any other type or use of a trailer.

### **Recycling Collection Facility**

A structure or facility in which used materials such as papers, glassware, plastics, and metal cans are separated, recycled, and processed prior to shipment to others that will use those materials to manufacture new products.

### **Recycling Collection Point<sup>214</sup>**

An incidental use that serves as a neighborhood drop-off point for temporary storage of non-hazardous recoverable or recyclable goods such as, but not limited to, newspapers, glassware, plastics, clothing and metal cans. No on-site processing of such items would be allowed.

### **Regulated Cannabis Cultivation Facility**

An entity licensed to cultivate, prepare, and package cannabis and sell cannabis to retail cannabis stores, to cannabis product manufacturing facilities, and to other cannabis cultivation facilities, but not to consumer.

### **Regulated Cannabis Hospitality and Sales Business**

A facility that cannot be mobile, that is licensed to permit the consumption of only the retail cannabis or retail cannabis products it has sold pursuant to the provisions of an enacted, initiated, or referred ordinance or resolution of the local jurisdiction in which the licensee operates.

### **Regulated Cannabis Products Manufacturing Facility**

An entity licensed to purchase cannabis; manufacture, prepare, and package cannabis products; and sell cannabis and cannabis products to other cannabis product manufacturing facilities and to retail cannabis stores, but not to consumers.

### **Regulated Cannabis Store**

An entity licensed to purchase regulated cannabis from regulated cannabis cultivation facilities and to sell regulated cannabis to consumers and regulated cannabis testing facilities that are licensed to analyze and certify the safety and potency of cannabis.

### **Regulated Cannabis Transporter Business**

An entity or person that is licensed to transport retail cannabis and retail cannabis products from one regulated cannabis business to another regulated cannabis business and to temporarily store

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<sup>214</sup> Revised definition.

the transported regulated cannabis and regulated cannabis products at its licensed premises but is not authorized to sell regulated cannabis or regulated cannabis products under any circumstances.

### **Renewable Energy Facility, Accessory<sup>215</sup>**

The use of land for:

1. Solar collectors or other devices or structural design features of a structure that rely upon sunshine as an energy source and is capable of collecting, distributing, or storing the sun's radiant energy for a beneficial use;
2. Land area and equipment for the conversion of natural geothermal energy into energy for beneficial use; or
3. Wind energy systems.

### **Residence**

A home, abode, or place where an individual is actually living at a specified point in time.

### **Resort Cabin and Lodge<sup>216</sup>**

A building or group of buildings, under single management and ownership, containing rooms and/or units available for temporary rental to transient guests, which serves as a destination point for visitors, and where the primary attraction is major natural areas, recreational features, or activities for persons on vacation.

### **Restaurant<sup>217</sup>**

An establishment serving food and/or beverages that are prepared, served, and consumed either within an enclosed building or accessory outdoor eating and drinking areas on the premises, taken out, or delivered.

### **Retail Sales (Use Category)<sup>218</sup>**

Uses in this category involve the sale, lease, or rent of new or used products directly to the final consumer for whatever purpose, but not specifically or exclusively the purpose of resale. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, or repair of goods for on-site sale.

### **Retail Sales and Service**

Establishments engaged in selling, leasing, or renting goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

#### **Retail Sales and Service, Small**

A facility or establishment with up to 5,000 square feet of gross floor area.

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<sup>215</sup> New term and definition.

<sup>216</sup> New definition for existing term that is not currently defined.

<sup>217</sup> Revised definition.

<sup>218</sup> New definition for new use category.

**Retail Sales and Service, Medium**

A facility or establishment with between 5,001 and 10,000 square feet of gross floor area

**Retail Sales and Service, Large<sup>219</sup>**

A facility or establishment with between 10,001 and 60,000 square feet of gross floor area.

**Retail Sales and Service, Big Box**

A facility or establishment with more than 60,000 square feet of gross floor area.

**Retaining Wall**

A manmade barrier constructed for the purpose of stabilizing soil, retarding erosion, or terracing a parcel or site.

**Reverse Corner Lot**

Lots having a rear lot line that is adjacent to or across an alley from the side lot line of another lot.

**Ridgeline**

The highest elevation of a mountain chain or line of hills; the intersection of two roof surfaces forming the highest horizontal line of the roof.

**Riding Academy, Roping or Equestrian Area<sup>220</sup>**

A facility or place used for horse boarding (including equestrian pasture boarding) and/or equestrian activities for a fee, and/or for an exchange of goods or services. This includes facilities where horses are harbored and the general public may, for a fee, hire horses for riding.

**Right-of-way**

A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, waterline, sanitary storm sewer, and other similar uses; generally, the right of one to pass over the property of another.

**Roadway**

The improved portion of a street within a right-of-way and/or easement.

**Roof Line**

The highest edge of the roof or the top of parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

**Rooster<sup>221</sup>**

A rooster shall be defined as any adult male domestic chicken which is three months of age or older.

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<sup>219</sup> Includes current "Farm Implement/Equipment Sales/Service, "Feed Store"

<sup>220</sup> New definition for existing term not currently defined.

<sup>221</sup> Current 21.04.030(a)(3)(iii).



### **Rubbish**

Rubbish includes but is not limited to food waste, ashes and other solid, semisolid and liquid waste, by-products and generally decomposable residue taken from residences, commercial establishments and institutions. Rubbish may also be known as/referred to as “garbage,” “trash,” or “waste” as those terms are used and/or defined in this Code or any other City code, law, rule or regulation.

## **S**

### **Safety Service Facility<sup>222</sup>**

Facilities for the provision of local rapid response emergency services such as policing, firefighting, and mobile medical emergency services, including areas for the storage and maintenance of emergency vehicles and equipment and housing and feeding of emergency personnel.

### **Sanitary Facility**

A facility providing a toilet and washbasin that may or may not be connected to a central sanitary sewer system.

### **Satellite Dish**

An antenna, consisting of radiation elements that transmit or receive radiation signals, that is supported by a structure with or without a reflective component to the radiating dish, usually circular in shape with a parabolic curve design constructed of a solid or open mesh surface and intended for transmitting or receiving television, radio, microwave signals or other electromagnetic waves to or from earth satellites.

### **School, Boarding<sup>223</sup>**

An educational institution at which pupils are provided with meals and lodging.

### **School, Public or Private<sup>224</sup>**

A public or private institution that offers general academic instruction at preschool, kindergarten, elementary, and secondary levels.

### **School, Vocational, Technical, or Trade<sup>225</sup>**

A secondary or higher education facility primarily teaching usable skills that prepares students for jobs in a trade or in industry, construction, or commerce, and meeting all applicable state requirements for a facility of its type

### **Service Lines**

Electric, gas, communication, water, sewer, irrigation and drainage lines providing local distribution or collection service.

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<sup>222</sup> New definition for an existing term.

<sup>223</sup> New definition for existing term.

<sup>224</sup> Consolidated Elementary and Secondary schools and new definition.

<sup>225</sup> New definition for existing term not currently defined.

### **Setback**

The minimum distance between a structure and a property line of a parcel of land or other established reference point.

### **Shooting Range, Indoor<sup>226</sup>**

An indoor facility used for firearm target practice, competitions, or similar uses, including but not limited to archery, skeet, trap, paintball, and similar shooting activities.

### **Shooting Range, Outdoor<sup>227</sup>**

An outdoor area or facility to be used for firearm target practice, competitions, or similar uses, including but not limited to archery, skeet, trap, and similar shooting activities.

### **Short-Term Rental<sup>228</sup>**

A type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than 30 consecutive days. A bed and breakfast is a type of short-term rental. Likewise, a home used similar to a rooming/boarding house but where stays are fewer than 30 consecutive days is also a short-term rental. Short-term rental does not include emergency shelters.

### **Sight Distance Triangle**

A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

## **Sign-Related Definitions**

### **Sign**

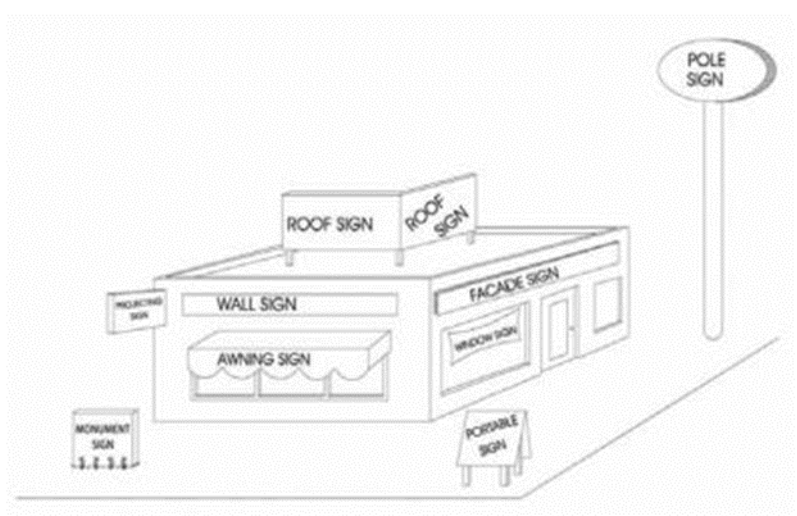
Any device, fixture, placard, structure, painted surface, or part thereof that uses any color, word, written representation, graphic symbol, logo, letters, illumination, numbers, or writing to advertise, announce or identify the purpose of, a person or entity, to advertise or merchandise a product or service, or to communicate written information to the public. (See graphic.)

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<sup>226</sup> New definition for existing term not currently defined.

<sup>227</sup> New definition for existing term not currently defined.

<sup>228</sup> This definition may be revised to reflect updates to the short-term rental regulations.



**Sign, Awning**

A sign that is mounted, painted or attached to an awning.

**Sign, Monument**

A sign other than a pole sign in which the entire bottom is in contact with, or is close to, the ground and is independent of any other structure.

**Sign, Façade**

A sign painted on a wall of a building with or without a background. A facade sign shall not project from the building on which it is painted.

**Sign, Flush Wall**

A sign attached to, or erected against, the wall of a structure which has the sign face in a plane parallel to the plane of the wall and which does not extend more than 12 inches from the building face. (See graphic above.)

**Sign, Freestanding**

A sign structure which is supported by one or more columns, uprights, poles or braces extended from the ground or which is erected on the ground. (See graphic above.)

**Sign, Illegal**

A sign which is in violation of the requirements of this Code except for those signs qualifying as nonconforming (see sign regulations, GJMC 21.06.070).

**Sign, Integral**

A sign that is carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

**Sign, Permanent**

A sign which is securely attached to the ground or a structure so that it cannot readily be moved.

**Sign, Portable**

A sign which is not permanently attached to the ground or a structure. A sign that is mounted or erected upon a vehicle, van, truck, automobile, bus, railroad car or other vehicle which is not registered and not in operating condition shall be considered a portable sign. (See graphic above.)

**Sign, Projecting**

A sign attached to a structure wall and extending outward from the wall more than 12 inches. (See graphic above.)

**Sign, Roof Top**

A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof, or the deck line of a building with a mansard roof. (See graphic above.)

**Sign, Wind Driven**

One or more banners, flags, pennants, ribbons, spinners, streamers, captive balloons or other objects or materials designed or intended to move when subjected to pressure by wind or breeze and by that movement attract attention and function as a sign (see definition of Sign).

**Sign Without Backing**

Any word, letter, emblem, insignia, figure or similar character or group thereof that is neither backed by, incorporated in, or otherwise made a part of any larger display.

**Solid Waste Disposal or Processing Facility<sup>229</sup>**

An area of land and any related facility owned or operated by the City of Grand Junction that is designed or operated for the purpose of disposing of solid waste on or in the land and at which solid waste is disposed of in or on the land.

**Storage, Wholesale, and Warehousing (Use Category)<sup>230</sup>**

Uses in this category are engaged in the storage or movement of goods for themselves or other businesses. Goods are generally delivered to other businesses or the final consumer, except for some will-call pickups. There are typically few customers present.

**Street**

Any public or private roadway, but not an alley.

**Street, Primary**

The principal frontage for a building site, as defined during site plan review.

**Street, Side**

The frontage that is not a primary street, as defined during site plan review.

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<sup>229</sup> New definition for existing term not currently defined.

<sup>230</sup> New definition for new use category.

### **Streetscape**

The landscaping and other manmade objects located within the public right-of-way which add variety and are placed for aesthetic purposes as well as functional, pedestrian guidance and traffic control.

### **Structure**

Anything constructed or erected which requires location on or in the ground, or is attached to something having a location on the ground or anything as defined by the International Building Code. Structures do not include piped ditches and their appurtenances, poles, lines, cables, transmission or distribution facilities of public utilities, freestanding mailboxes, on grade slabs, walks, driveways, landscaping materials or fences, except that fences in excess of six feet shall be considered a structure. (See also Building.)

### **Surveyor**

A land surveyor registered by the State of Colorado.

### **Swimming Pool, Community<sup>231</sup>**

A swimming pool maintained by individuals for the use of more than one household and open to the public, maintained by a school, park district, municipality or other public not for profit organizations.

### **SWMM**

The Stormwater Management Manual (GJMC Title 28) as adopted by the City.

## **T**

### **TEDS**

The Transportation and Engineering Design Standards (GJMC Title 29) as adopted by the City.

## **Telecommunication-Related Definitions**

### **Alternative Structure**

A structure that is not primarily constructed for the purpose of holding antennas but on which one or more antennas may be mounted, such as buildings, water tanks, pole signs, billboards, church steeples, and electric power transmission towers.

### **Amateur Radio Tower**

A tower used for noncommercial amateur radio transmissions consistent with the "Complete FCC U.S. Amateur Part 97 Rules and Regulations" for amateur radio towers.

### **Ancillary Structure**

For the purpose of this section, any form of development associated with a Telecommunications Facility, including foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports, but excluding equipment cabinets.

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<sup>231</sup> New definition for existing term not currently defined.

### Antenna

Any apparatus designed for the transmitting and/or receiving of electromagnetic waves, including telephonic, radio or television communications. Types of elements include omnidirectional (whip) antennas, sectionalized (panel) antennas, multi or single bay (FM and TV), yagi, or parabolic (dish) antennas.

### Antenna Array

A single or group of antenna elements and associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

### Antenna Element

Any antenna or antenna array.

### ASR

The antenna structure registration number as required by the FAA and FCC.

### Base Station

Equipment and nontower supporting structure at a fixed location that enable wireless telecommunications between user equipment and a communications network. Examples include transmission equipment mounted on a rooftop, water tank, silo or other above ground structure other than a tower. The term does not encompass a tower as defined herein or any equipment associated with a tower. "Base station" includes, but is not limited to:

3. Equipment associated with wireless telecommunications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul;
4. Radio transceivers, antennas, coaxial or fiber optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small cell networks);
5. Any structure other than a tower that, at the time the application is filed under this section, supports or houses equipment described in this definition that has been reviewed and approved under the applicable zoning or siting process, or under another City regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

"Base station" does not include any structure that, at the time the application is filed under this section, does not support or house wireless communication equipment.

### Breakpoint Technology

The engineering design of a monopole, or any applicable support structure, wherein a specified point on the monopole is designed to have stresses concentrated so that the point is at least five percent more susceptible to failure than any other point along the monopole so that in the event of a structural failure of the monopole, the failure will occur at the breakpoint rather than at the base plate, anchor bolts, or any other point on the monopole.

### **Broadband Facility**

Any infrastructure used to deliver broadband services or for the provision of broadband service.

### **Broadband Service**

Any technology identified by the U.S. Secretary of Agriculture as having the capacity to transmit data to enable a subscriber to the service to originate and receive high-quality Internet access, voice, data, graphics, and video. Broadband service includes, but is not limited to:

1. Cable Service. The one-way transmission to subscribers of video programming or other programming services and subscriber interaction required for the selection or use of such video programming or other programming service.
2. Telecommunications Service. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.
3. Wireless Service. Data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless service and common carrier wireless exchange access services, as all of these terms are defined by federal law and regulations.

### **Co-Location**

The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes so that installation of a new support structure will not be required.

### **Combined Antenna**

An antenna or an antenna array designed and utilized to provide services for more than one wireless provider, or a single wireless provider utilizing more than one frequency band or spectrum, for the same or similar type of services.

### **Concealed**

A tower, ancillary structure, or equipment compound that is not readily identifiable as a Telecommunications Facility and that is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site or in the neighborhood or area. There are two types of concealed facilities:

1. Antenna attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure; and
2. A freestanding concealed tower which looks like something else that is common in the geographic region such as a church steeple, windmill, bell tower, clock tower, light standard, flagpole with a flag that is proportional in size to the height and girth of the tower, or tree that grows naturally or is commonly found in the area.

### **COW – “Cellular on Wheels”**

A temporary PWSF placed on property to provide short term, high volume telecommunications services to a specific location and which can be easily removed from the property.

### **DAS – Distributed Antenna System**

A system consisting of: (i) a number of remote communications nodes deployed throughout the desired coverage area, each including at least one antenna for transmission and reception; (ii) a high capacity signal transport medium (typically fiber optic cable) connecting each node to a central communications hub site; and (iii) radio transceivers located at the hub site (rather than at each individual node as is the case for small cells) to process or control the communications signals transmitted and received through the antennas.

### **DAS Hub**

Ancillary equipment usually contained in a shelter or other enclosure which does not have any wireless transmission or receive equipment contained therein but is utilized in the deployment and operation of wireless DAS receive/transmit infrastructure that is located elsewhere.

### **Development Area**

The area occupied by a Telecommunications Facility including areas inside or under an antenna-support structure’s framework, equipment cabinets, ancillary structures, and/or access ways.

### **Dual Purpose Facility**

A new banner pole, light stanchion, support tower for overhead electric lines, or other similar utility structure onto which one or more antenna(s) are or can be mounted or attached, and which is built for the primary purpose of providing PWSF.

### **Eligible Facilities Request**

Any request for modification of an existing tower or base station involving co-location of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment that does not substantially change the physical dimensions of such tower or base station.

### **Eligible Facility**

Existing wireless tower or base station that has been approved through a local government land use review process prescribed for the tower or base station.

### **Eligible Support Structure**

Any tower or base station existing at the time the application is filed with the City.

### **Equipment Cabinet**

Any structure used exclusively to contain equipment necessary for the transmission or reception of communication signals.



### **Equipment Compound**

The fenced-in area surrounding, inside or under a ground-based wireless communication facility containing ancillary structures and equipment (such as cabinets, shelters, and pedestals) necessary to operate an antenna that is above the base flood elevation.

### **Equipment Shelter**

A self-contained building housing ancillary electronic equipment typically including a generator.

### **Existing**

A constructed tower or base station is “existing” for purposes of this section if it has been reviewed and approved under an applicable City land use review process. “Existing” also includes a tower that was lawfully constructed but not reviewed because it was not in a zoned area when it was built.

### **Feed Lines**

Cables or fiber optic lines used as the interconnecting media between the base station and the antenna.

### **Flush-Mounted**

Antenna or antenna array attached to the face of a support structure or building such that no portion of the antenna(s) extend(s) above the height of the support structure or building. The maximum flush-mounting distance, if prescribed, shall be measured from the outside edge of the support structure or building to the inside edge of the antenna.

### **Geographic Search Ring**

An area designated by a wireless provider or operator for a new base station and/or tower produced in accordance with generally accepted principles of wireless engineering.

### **Handoff Candidate**

A wireless communication facility that receives call transference from another wireless facility, usually located in an adjacent first “tier” surrounding the initial wireless facility.

### **Least Visually Obtrusive Profile**

The design of a Telecommunications Facility presenting the minimum visual profile necessary for proper function.

### **Nonconcealed**

A Telecommunications Facility that is readily identifiable as such (whether freestanding or attached).

### **OTARD**

Over the air reception devices which are limited to either a “dish” antenna one meter (39.37 inches) or less in diameter designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, or an antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable), or to receive or transmit fixed wireless

signals other than via satellite or an antenna that is designed to receive local television broadcast signals.

### **Personal Wireless Service Facility (“PWSF”)**

Any staffed or unstaffed location for the transmission and/or reception of radio frequency signals or other personal wireless communications, including commercial mobile services, unlicensed wireless services, wireless broadband services, and common carrier wireless exchange access services as defined in the Telecommunications Act of 1996, and usually consisting of an antenna or group of antennas, transmission cables, feed lines, equipment cabinets or shelters, and may include a tower. Facilities may include new or existing towers, replacement towers, co-location on existing towers, base station attached concealed and nonconcealed antenna, dual purpose facilities, concealed towers, and nonconcealed towers (monopoles, lattice and guyed), so long as those facilities are used in the provision of personal wireless services as that term is defined in the Telecommunications Act.

### **Qualified Co-Location Request**

Co-location of PWSF on a tower or base station that creates a substantial change in the facility but is entitled to processing within 90 days under 47 U.S.C. §332(c)(7).

### **Radio Frequency Emissions**

Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment.

### **Radio Frequency Propagation Analysis**

Computer modeling to show the level of signal saturation in a given geographical area.

### **Replacement**

A modification of an existing tower to increase the height, or to improve its integrity, by replacing or removing one or several tower(s) located in proximity to a proposed new tower in order to encourage compliance with this section, or improve aesthetics or functionality of the overall wireless network.

### **Satellite Earth Station**

A single or group of parabolic or dish antennas mounted to a support device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration, including the associated separate equipment cabinets necessary for the transmission or reception of wireless communications signals with satellites.

### **Site**

For towers other than towers in the rights-of-way, the boundaries of the leased or owned property on which the facilities are or are proposed to be situated.

### **Small Cell Facility**

A wireless service facility that meets both of the following qualifications:

1. Each antenna is located inside an enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an enclosure of no more than three cubic feet; and

2. Primary equipment enclosures are no larger than 17 cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosures, backup power systems, grounding equipment, power transfer switch, and cutoff switch.

### **Small Cell Network**

A collection of interrelated small cell facilities designed to deliver wireless service.

### **Stanchion**

A vertical support structure generally utilized to support exterior lighting elements.

### **Streamlined Processing**

Expedited review process for co-locations required by the federal government (Congress and/or the FCC) for PWSF.

### **Substantial Change**

A modification or co-location constitutes a “substantial change” of an eligible support structure if it meets any of the following criteria:

1. A PWSF co-location or modification of an existing antenna-supporting structure not in a right-of-way increases the overall height of the antenna-supporting structure, antenna and/or antenna array more than 10 percent or 20 feet, whichever is greater. A PWSF co-location on an existing antenna-supporting structure within a right-of-way increases the overall height of the antenna-supporting structure, antenna and/or antenna array more than 10 percent or 10 feet, whichever is greater.
2. A PWSF co-location for towers not in a right-of-way protrudes from the antenna-supporting structure more than 20 feet or the width of the structure at the elevation of the co-location, and for towers within a right-of-way, protrudes from the antenna-supporting structure more than six feet.
3. A PWSF co-location on an existing antenna-supporting structure fails to meet current building code requirements (including windloading).
4. A PWSF co-location adds more than four additional equipment cabinets or one additional equipment shelter.
5. A PWSF co-location requires excavation outside of existing leased or owned parcel or existing easements.
6. A PWSF co-location defeats any existing concealment elements of the antenna-supporting structure.
7. A PWSF co-location fails to comply with all conditions associated with the prior approval of the antenna-supporting structure except for modification of parameters as permitted in this section.

### Support Structure

Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

### Telecommunications Facility(ies)

At a specific physical location, one or more antenna, tower, base station, mechanical and/or electronic equipment, conduit, cable, and associated structures, enclosures, assemblages, devices and supporting elements that generate or transmit nonionizing electromagnetic radiation or light operating to produce a signal used for communication, including but not limited to all types of communication facilities defined further herein.

### Temporary PWSF

A temporary tower or other structure that provides interim short-term telecommunications needed to meet an immediate demand for service in the event of an emergency or a public event where a permanent wireless network is unavailable or insufficient to satisfy the temporary increase in demand or when permanent PWSF equipment is temporarily unavailable or off line.

### Transmission Equipment

Equipment that facilitates transmission of communication service (whether commercial, private, broadcast, microwave, public, public safety, licensed or unlicensed, fixed or wireless), such as radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply.

### Tower

Any support structure built for the primary purpose of supporting any antennas and associated facilities for commercial, private, broadcast, microwave, public, public safety, licensed or unlicensed, and/or fixed or wireless services. A tower may be concealed or nonconcealed. Nonconcealed towers include:

1. Guyed. A style of tower consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other, and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.
2. Lattice. A self-supporting tapered style of tower that consists of vertical and horizontal supports with multiple legs and cross bracing, and metal crossed strips or bars to support antennas.
3. Monopole. A style of freestanding tower consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of tower is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on a building's roof. All feed lines shall be installed within the shaft of the structure.

**Tower Base**

The foundation, usually concrete, on which the tower and other support equipment are situated. For measurement calculations, the tower base is that point on the foundation reached by dropping a perpendicular from the geometric center of the tower.

**Tower Height**

The vertical distance measured from the grade line to the highest point of the tower, including any antenna, lighting or other equipment affixed thereto.

**Tower Site**

The land area that contains, or will contain, a proposed tower, equipment compound, support structures and other related buildings and improvements.

**Wireless Service Facility**

A Telecommunications Facility for the provision of wireless services.

**Temporary Use or Structure**

Any use or structure placed on a parcel of land for a period of 120 days or less, unless otherwise permitted by GJMC <> [Temporary Uses and Structures].

**Three Frontage Lot**

A lot that fronts on three public streets.

**Traffic**

As calculated by the Director, according to National or other Director approved objective standards, such as the Institute of Traffic Engineers publications. If an applicant provides proof that actual traffic will be different, the Director may vary from the approved standards.

**Transfer Facility, Medical and Hazardous Waste<sup>232</sup>**

A facility at which solid or liquid medical and/or hazardous wastes are transferred from collection vehicles to another vehicle or container for transportation from one mode of transportation to another.

**Transfer Facility, Solid Waste<sup>233</sup>**

A facility at which non-medical or hazardous refuse awaiting transportation to a disposal site is transferred from one type of collection vehicle to another. Refuse may be sorted and repackaged at a transfer station.

**Transient**

Housing or accommodations which are typically occupied by residents for periods of two weeks or less, including, but not limited to, hotels, motels and short term rentals.

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<sup>232</sup> New definition for existing term not currently defined.

<sup>233</sup> Replaces “Non-Medical or Hazardous Waste Transfer Station” and new definition.

### **Transmission Line**

An electric line (115 KV and over) and appurtenant facilities; or pipelines/conveyors (10 inches diameter or larger) and appurtenant facilities for transporting natural resources, chemicals, petroleum derivatives, or waste substances.

### **Transportation (Use Category)<sup>234</sup>**

Uses in this category are primarily associated with bus, train, and aircraft facilities.

### **Transportation Depot<sup>235</sup>**

Land and buildings used as a relay station for the transfer of a load of freight from one vehicle to another or from one party to another. Long-term or accessory storage is not permitted in a transportation depot.

### **Travel Trailer**

A vehicle or portable unit mounted on its own chassis and wheels which does not exceed eight feet in width and/or 40 feet in length, is drawn by a motor vehicle, and provides temporary living quarters for recreational, camping or travel use.

### **Truck Stop<sup>236</sup>**

A facility for the servicing, repair, and maintenance of motor vehicles, including the dispensing of motor fuels or other petroleum products directly into the vehicles. A truck stop may include a restaurant, overnight accommodations, showers, and other facilities intended to serve travelers.

## **U**

### **Urban Agriculture<sup>237</sup>**

The use of a parcel of land five acres or smaller in size for the cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture and/or hydroponics. This use may include the production of food products from food grown on the premises and accessory keeping of animals City regulations.

### **Use**

The purpose for which land or a structure is designed, arranged, intended or occupied.

### **Utilities**

Any agency that provides essential or basic services and related facilities such as electricity, gas, water (domestic and irrigation), sewage disposal, drainage systems, solid waste disposal, television, telecommunications, telephone, or railway.

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<sup>234</sup> New definition for new use category.

<sup>235</sup> Replaces and adds a new definition for the currently undefined, "Bus/Railroad Depot."

<sup>236</sup> New term to replace "Truck Parking Area" with expanded definition.

<sup>237</sup> New term and definition.

### **Utility Facility, Basic<sup>238</sup>**

Utility facilities that are necessary to support legally established uses and involve utility structures such as water and sewage pump stations, electrical substations, telephone exchanges, poles or cables, switch boxes, transformer boxes, cap banks, and underground water and sewer lines.

### **Utility Facility, Major<sup>239</sup>**

A facility providing an important regional utility service, such as water, sewer, or drainage, that normally entails construction of new buildings or structures, and that typically has employees on the site on an ongoing basis. Examples include but are not limited to: water works, sewage treatment plants, reservoirs, regional storm water detention ponds and other similar facilities.

### **Utility Structures**

Electric transformers, switch boxes, telephone pedestals and telephone boxes, cable television boxes, traffic control boxes, and similar devices.

### **Utility Uses (Use Category)<sup>240</sup>**

Uses in this category includes all lines, buildings, easements, passageways, or structures used or intended to be used by any public or private utility related to the provision, distribution, collection, transmission, or disposal of power, oil, gas, water, sanitary sewage, communication signals, or other similar services at a local or regional level.

## **V**

### **Vehicle Fleet Operations Center<sup>241</sup>**

A central facility for the dispatch, distribution, storage, staging, and loading of vehicles that are owned, leased, or operated for a common purpose, with or without associated offices. Typical uses include, but are not limited to, ambulance service, taxi dispatch, meals-on-wheels dispatch, staging areas for shared vehicle services, and other operations that require frequent arrival and departure of cars or vans such as courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services.

### **Vehicle Fuel Sales or Service Station<sup>242</sup>**

A facility limited to retail sales to the public of gasoline, biodiesel, electricity, ethanol fuel blends, hydrogen, natural gas, or other fuels for motor vehicles, as well as motor oil, lubricants, travel aides, and minor automobile accessories. Accessory use may include a car wash and convenience food and beverage sales.

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<sup>238</sup> Revised current characteristics description of "Basic Utilities."

<sup>239</sup> Replaces current "Utility Treatment, Production, or Service Facility" and new definition.

<sup>240</sup> New definition for new use category.

<sup>241</sup> Replaces current "Delivery and Dispatch Services."

<sup>242</sup> New definition to replace "Gasoline Service Station." Did not carry forward the distinguishing of "light" versus "heavy."

### **Vehicle Impound Lot**

A lot for the storage of vehicles which have been towed or otherwise moved to the lot by a towing carrier permitted to operate pursuant to § 40-13-101 C.R.S. et seq., in which lot no vehicle dismantling or repair work occurs.

### **Vehicle Repair, Major<sup>243</sup>**

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, upholstery, muffler, transmission work, tire recapping and major engine and engine part overhaul. Accessory uses include outdoor repair, storage, and staging areas.

### **Vehicle Repair, Minor<sup>244</sup>**

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, and tune ups, and vehicle bodywork or painting, provided it is conducted within a completely enclosed building.

### **Vehicle Sales, Rental, and Leasing, Heavy<sup>245</sup>**

An establishment that specializes in the sale, display, lease, rental, or storage of heavy equipment including, but not limited to, tractors, trucks with a gross vehicle weight of over 10,000 pounds, semi-trucks and/or trailers, boats, recreational vehicles, and other large equipment.

### **Vehicle Sales, Rental, and Leasing, Light<sup>246</sup>**

An establishment that specializes in the sale, display, lease, rental, of light motor vehicles, including automobiles, vans, light trucks, and light trailers.

### **Vehicle Wash<sup>247</sup>**

Any building or premises or portions of the building or premises used for washing motor vehicles, including the use of automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.

### **Vehicles and Equipment (Use Category)<sup>248</sup>**

Uses in this category include a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.

## **W**

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<sup>243</sup> New term and definition. Includes current "Tire Recapping and Storage."

<sup>244</sup> Consolidates and expands current "Auto and Light Truck Mechanical Repair" and "Body Shop".

<sup>245</sup> New term and definition. Includes current "Rental Service" uses.

<sup>246</sup> New term and definition. Includes current "Rental Service" uses.

<sup>247</sup> Replaces current "Car Wash, Gasoline Service Station, Quick Lube."

<sup>248</sup> New definition for new use category.



### Wall

4. The vertical exterior surface of a building;
5. Vertical interior surfaces that divide a building's space into rooms; or
6. A vertical architectural partition used to divide, separate or enclose an outside area, a masonry fence (see definition of "fence").

### Waste and Salvage (Use Category)<sup>249</sup>

Uses in this category receive solid or liquid wastes from others for disposal on the site or for transfer to another location. The category includes uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products.

### Watercourse

Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and bank and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

### Wholesale or Warehouse<sup>250</sup>

A facility that is used for the selling of merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, selling merchandise to such individuals or companies, or the storage of merchandise, stock, vehicles, furnishings, supplies, and other trade or business material.

### Wildlife Habitat Resource Area

A geographical area identified by a State or federal agency that contains elements of food, water, cover, or space, alone or in combination, which are adequate to support a rare, threatened or endangered species for at least a portion of a year.

### Working Day

A business day; those days the Public Works and Community Development Department are open to the public for business. Federal holidays, Saturdays and Sundays are not working days.

### X

[reserved]

### Y

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<sup>249</sup> New definition for new use category.

<sup>250</sup> Consolidates current "Wholesale Sales" and "Warehouse and Freight Movement" use category descriptions with new definition.

### **Yard**

An existing or required open space on a parcel with a principal structure. A yard shall be open, unoccupied and unobstructed from the ground to the sky, except as otherwise provided in this Code.

### **Yard, Front**

A yard extending across the full width and depth of the lot between a road right-of-way or access easement line and the nearest line or point of the building. (For flag lots, see Yard, side.)

### **Yard, Rear**

A yard extending across the full width and depth of the lot between the rear lot line and the nearest line or point of the building.

### **Yard Setback**

The minimum horizontal distance between any building and the property line.

### **Yard, Side**

A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building. This side yard definition may apply for three sides of a flag lot if the flagpole portion of the lot exceeds the front yard setback.

### **Yard, Side Setback**

The minimum horizontal distance between any building and the side property line.

## **Z**

### **Zero Lot Line**

The location of a building on a lot in such a manner that one or more of the building sides rests directly on a lot line.

### **Zone District**

A mapped area with a particular set of rules and regulations which limits the types of uses. "Zone" is the same as "district."

### **Zoo<sup>251</sup>**

A facility, indoor or outdoor, where animals are kept for viewing by the public, and that may be accredited by the American Zoological Association.

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<sup>251</sup> New definition for an existing term not currently defined.