

ORDINANCE NO. 3974

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING AND DEVELOPMENT CODE PERTAINING TO MULTIFAMILY DEVELOPMENT

Recitals

The 2000 version of the Zoning and Development Code made significant changes in the types of housing allowed in various zone districts, in anticipation of the housing offered becoming more diverse. Those zone districts with a multifamily designation allow a variety of housing types, including single family attached, duplex, townhouse and multifamily.

In the last year there has been an increase in the number of higher density, multifamily and single family attached residential housing projects proposed in the City. As staff and developers work through the Code requirements, conflicts with density and lot size have been found.

The proposed text amendments would do the following:

- Eliminate the minimum lot size and minimum lot width for attached housing in the RMF-8, 12, 16 and 24 zone districts;
- Reduce the minimum lot size and minimum lot width for detached housing in the RMF-8, 12, 16 and 24 zone districts;
- Make open space requirements consistent for attached housing in the RMF-8, 12, 16 and 24 zone districts; and
- Improve and clarify Code definitions to better match building code and planning terminology

The Grand Junction Planning Commission, at its hearing on August 8, 2006 reviewed the proposed Zoning and Development Code amendments and determined them consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

1. Table 3.2 is hereby amended as follows:

Table 3.2
ZONING DISTRICTS DIMENSIONAL STANDARDS

Zoning District	Minimum Lot Size ^{12,13}		Minimum Street Frontage ¹²	Minimum Setbacks ¹ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width ¹¹ (ft.)		Front ⁸ (ft.)	Side (ft.)	Rear ⁸ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
Urban Residential Zoning Districts									
RSF-R	5 Acres	150	50 ²	20/25	50/50	50/50	5	0.40 ³	35
RSF-E	2 Acres	100	50 ²	20/25	15/5	30/10	15	0.40 ³	35
RSF-1	1 Acres	100	50 ²	20/25	15/3	30/10	20	0.40 ³	35
RSF-2	17,000	100	50 ²	20/25	15/3	30/5	30	0.40 ³	35
RSF-4	8,000	75	20	20/25	7/3	25/5	50	0.40 ³	35
RMF-5	6,500	60	20	20/25	5/3	25/5	60	0.40 ³	35
RMF-8	4,000	40	20	20/25 ¹⁴	5/3	10/5	70 ¹⁵	0.45 ³	35
RSF-12	2,500	30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.50 ³	40
RMF-16	2,000	30	20	20/25 ¹⁴	5/3	10/5	75 ¹⁵	0.60 ³	40
RMF-24	2,000	30	20	20/25 ¹⁴	5/3	10/5	80 ¹⁵	0.60 ³	40
Nonresidential Zoning Districts									
R-O	5,000	50	20	20/25	5/5	10/5	70	0.40	35
B-1	10,000	50	N/A	20/25	0/0 ⁵	15/15	N/A	0.50	40
B-2	N/A	N/A	N/A	15/25 ⁷	0/0 ^{5,10}	0/0 ⁵	N/A	8.00	65 ⁴
C-1	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	1.00	40 ⁶
C-2	0.5 Acre	50	N/A	15/25	0/0 ⁵	10/10	N/A	2.00	40
I-0	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.75	40 ⁶
I-1	1 Acre	100	N/A	15/25	5/5 ^{5,10}	10/10	N/A	2.00	40

Nonresidential Zoning Districts, continued

I-2	1 Acre	100	N/A	15/25	0/0 ¹⁰	10/10	N/A	2.00	40
CSR	1 Acre	100	N/A	15/25	5/5	10/5	N/A	1.00	65 ⁴
M-U	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.5	40 ⁹

GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Some properties might also be subject to additional restrictions and/or overlay zones.

FOOTNOTES:

- 1 Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be twenty feet (20'), measured from the storage entrance to the property line.
- 2 Minimum street frontage on cul-de-sac is thirty feet (30').
- 3 FAR (Floor Area Ratio) applies only to nonresidential uses.
- 4 Maximum height is forty feet (40') if adjacent to any residential zoning district.
- 5 10/5 foot setback if abutting a residential zone or use.
- 6 Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be sixty-five feet (65').
- 7 Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.
- 8 The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.
- 9 Maximum building height may be increased up to sixty-five feet (65') if the building setbacks (front, side and rear) are at least 1.5 times the overall height of the building. A minimum of fifty percent (50%) of the resulting front yard setback area must be landscaped per Code requirements.
10. A minimum side yard setback of six feet (6') will be required where perimeter side yard landscaping is required.
11. For all lots created after October 22, 2006, garage doors cannot exceed 45% of the width of the street facing façade on single family detached dwellings, two-family dwellings, or duplex dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. The garage door(s) can be up to a maximum of 60% of the street facing façade if the garage door is recessed at least 4' behind the front façade of the house.
12. Minimum lot size, minimum lot width, and minimum street frontage does not apply to single family attached dwellings or multifamily dwellings in RMF-8, RMF-12, RMF-16 and RMF-24 zone districts. See Section 6.3.B.7 for outdoor living area requirements.
13. Minimum lot size and lot width for a duplex or stacked unit shall be one and one-half times the standards shown for the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts.
14. For all dwellings in the RMF-8, RMF-12, RMF-16 and RMF-24 zone districts, the front yard setback shall be a minimum of twenty (20) feet for principal structures with street facing garages and fifteen (15) feet for principal structures with alley loaded garages or with garages located in the rear yard or principal structures with no garage.
15. Maximum lot coverage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

2. Sections 3.3 G, H, I and J are hereby amended as follows:

G. **RMF-8: Residential Multifamily - 8**

1. **Purpose.** To provide for medium-high density attached and detached dwellings, duplexes, two family dwelling, stacked dwelling and multifamily units. RMF-8 is a transitional district between lower density single family districts and higher density multifamily or business development. A mix of dwelling types is allowed in this district. RMF-8 implements the *Residential Medium and Medium-High Density* future Land Use classifications of the GROWTH PLAN.

RMF-8 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily Civic
Max. Density	8 units/acre
Min. Density	4 units/acre

Section 3.3.G.3.b: Minimum lot size shall be 4,000 square feet for single family detached and two family dwellings and 6,000 square feet for a duplex and stacked dwelling;

Section 3.3.G.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

H. **RMF-12: Residential Multifamily - 12**

1. **Purpose.** To provide for high density development allowing several types of residential units within specified densities. RMF-12 may serve as a transitional district between single family and trade districts. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-12 implements the *Residential Medium High and High Density* future land use classifications of the GROWTH PLAN. This zone may be appropriate in lower density areas if used as a part of a mixed density development.

RMF-12 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	12 units/acre
Min. Density	8 units/acre

Section 3.3.H.3.b: Minimum lot size shall be 2,500 square feet for single family detached and two family dwellings and 3,750 square feet for a duplex and stacked dwelling;

Section 3.3.H.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

I. **RMF-16: Residential Multifamily - 16**

1. **Purpose.** To provide for high density development allowing several types of residential unit types. RMF-16 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in a neighborhood. RMF-16 implements the *Residential Medium High and High Density* future land use classification of the GROWTH PLAN. It may be appropriate in lower intensity areas if part of a mixed density development.

RMF-16 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	16 units/acre
Min. Density	12 units/acre

Section 3.3.I.3.b: Minimum lot size shall be 2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;

Section 3.3.I.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

J. **RMF-24: Residential Multifamily - 24**

1. **Purpose.** To provide for high density residential use. This district allows several types of residential unit types within specified densities. RMF-24 may serve as a transitional district between single family and trade zones. This district is intended to allow a mix of residential unit types and densities to provide a balance of housing opportunities in the neighborhood. RMF-24 implements the residential *High Density* future land use classification of the GROWTH PLAN. It may be appropriate in lower intensity areas where it is part of a mixed density development.

RMF-24 Summary	
Primary Uses	Attached and Detached Single-Family, Duplex, Two Family Dwelling, Stacked Dwelling, Multifamily, Civic
Max. Density	24 units/acre
Min. Density	16 units/acre

Section 3.3.J.3.b: Minimum lot size shall be 2,000 square feet for single family detached and two family dwellings and 3,000 square feet for a duplex and stacked dwelling;

Section 3.3.J.4.d: Minimum lot size, minimum lot width and minimum lot frontage does not apply to single family attached dwellings or multifamily dwellings. See Section 6.3.B.7 for outdoor living area requirements.

3. Table 3.5, Residential, is hereby amended as follows:

Table 3.5 Use/Zone Matrix

Use Category- Definition. See Chapter Nine for complete description.	Specific Use Type	URBAN RESIDENTIAL									Use- Specific Standard	
		RSF-R	RSF-E	RSF-1	RSF-2	RSF-4	RMF-5	RMF-8	RMF-12	RMF-16		RMF-24
RESIDENTIAL												
Household Living - residential occupancy of a dwelling units by a "household	Business Residence											4.3.I
	Rooming/Boarding House							C	C	A	A	
	Two Family Dwelling ³				A	A	A	A	A	A	A	
	Single-Family Detached	A	A	A	A	A	A	A	A	A	A	4.3.N
	Duplex ³					A	A	A	A	A	A	
	Multi-Family ³							A	A	A	A	4.3.O
	Stacked Dwelling							A	A	A	A	
	Residential Subunits/Accessory Units	A	A	A	A	A	A	A	A	A	A	4.1.G
	Agricultural Labor Housing	A										
	Single Family Attached							A	A	A	A	
	Manufactured Housing Park							C	C	C	C	4.3.F
All Other Housing Living							A	A	A	A		
Home Occupation	Home Occupation	A	A	A	A	A	A	A	A	A	A	4.1.H
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	A	A	A	A	A	A	A	A	A	A	4.3.Q
	Large Group Living Facility (includes secure facilities)							C	C	C	C	4.3.Q
	Unlimited Group Living Facility									C	C	C

4. Sections 6.3 and 6.7 are hereby amended as follows:

Section 6.3.B.1: The owner of any residential development of ten (10) or more lots or dwelling units shall dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) 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 ten (10) lots or residential dwelling units are not required to dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) 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.

Section 6.3.B.7: Single family attached and multifamily dwelling developments shall provide six hundred (600) square feet per unit of public and/or private outdoor living area in all zones. Single family detached, two family duplex and stacked dwellings are excluded from this requirement.

Section 6.7.D.1.f: 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.

Section 6.7.D.3: **Two Family, Attached Single Family, Multifamily Dwellings.** In accordance with the provisions of this paragraph, attached dwellings shall be allowed as indicated in Table 3.5.

- a. There is no side setback for “attached single family dwellings” or the common wall of two family dwellings. Covenants shall provide for the maintenance of common walls, other common structures and common spaces and facilities.
- b. The City Attorney may require changes and additions to ensure long term maintenance of all structures and property as a neat and well-kept project.
- c. Attached single family and multifamily dwellings that front onto a private drive, shared drive, parking lot, or other private accessway shall be setback a minimum of 15 feet from the edge of the accessway, with front loading garages setback a minimum of 20 feet from any vehicular or pedestrian accessway.
- d. Construction of an attached unit on a lot originally platted for a detached dwelling in the RSF-2, RSF-4, RMF-5 or RMF-8 zone require a conditional use permit and the consent of the owners pursuant to the plat unless the plat or other plat approval document allowed such construction.

5. Chapter 9, Definitions, is hereby amended as follows, with all other definitions remaining:

DUPLEX—A building containing two (2) single family dwelling units on the same lot and separated by an unpierced common wall extending from ground to roof.

DWELLING, MULTIFAMILY—A building or portion thereof arranged designed, and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominiumized.

DWELLING, SINGLE-FAMILY, ATTACHED—A single family dwelling attached to two (2) or more dwelling units by common wall(s), with each dwelling located on separate lots. Includes townhomes.

DWELLING, SINGLE FAMILY, DETACHED—A single family dwelling which is not attached to any other dwelling or building by any means, on a single lot.

DWELLING, STACKED—A dwelling containing two (2) single family dwellings on the same lot and separated vertically.

DWELLING, TWO FAMILY—A single family dwelling attached to only one (1) other single family dwelling unit by a common wall, with each dwelling located on separate lots.

MULTIFAMILY DWELLING—A building or portion thereof, arranged, designed and intended to be used for occupancy by three or more families living independently of each other and containing three or more dwelling units on the same lot. Each dwelling unit has independent cooking and bathing facilities. Units may be condominiumized.

OUTDOOR LIVING AREA—Any property or portion thereof which is permanently set aside for public or private use, is landscaped with living plant material (a minimum of 75% coverage), and will not be further developed. The area can include landscape buffers. The area calculation excludes detention areas, parking areas, and driveways.

Delete “Townhouse (or Townhome)” definition.

Introduced on first reading the 6th day of September, 2006 and ordered published.

Adopted on second reading this 20th day of September, 2006.

/s/: James J. Doody
Mayor

ATTEST:

/s/ Stephanie Tuin
City Clerk