

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**GRAND JUNCTION CITY COUNCIL
MONDAY, DECEMBER 4, 2023
WORKSHOP, 5:30 PM
FIRE DEPARTMENT TRAINING ROOM AND [VIRTUAL](#)
625 UTE AVENUE**

1. Discussion Topics

- a. Zoning & Development Code
- b. Community Recreation Center Design Update

2. City Council Communication

An unstructured time for Councilmembers to discuss current matters, share ideas for possible future consideration by Council, and provide information from board & commission participation.

3. Next Workshop Topics

4. Other Business

What is the purpose of a Workshop?

The purpose of the Workshop is to facilitate City Council discussion through analyzing information, studying issues, and clarifying problems. The less formal setting of the Workshop promotes conversation regarding items and topics that may be considered at a future City Council meeting.

How can I provide my input about a topic on tonight's Workshop agenda?

Individuals wishing to provide input about Workshop topics can:

1. Send an email (addresses found here <https://www.gjcity.org/313/City-Council>) or call one or more members of City Council (970-244-1504);
2. Provide information to the City Manager (citymanager@gjcity.org) for dissemination to the City Council. If your information is submitted prior to 3 p.m. on the date of the Workshop, copies will be provided to Council that evening. Information provided after 3 p.m. will be disseminated the next business day.

3. Attend a Regular Council Meeting (generally held the 1st and 3rd Wednesdays of each month at 6 p.m. at City Hall) and provide comments during “Public Comments.”
-



Grand Junction City Council

Workshop Session

Item #1.a.

Meeting Date: December 4, 2023
Presented By: Niki Galehouse, Planning Supervisor
Department: Community Development
Submitted By: Niki Galehouse, Planning Supervisor

Information

SUBJECT:

Zoning & Development Code

EXECUTIVE SUMMARY:

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

1. Update the City's regulations to better reflect the key principles 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
2. Achieve a higher level of regulatory efficiency, consistency, and simplicity
3. Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies

The project team will present, for City Council discussion, the recent discussions with the Code Committee and the Planning Commission leading into the public hearings, the outstanding issues, and an overview of key documents for review.

Due to file size, two documents are being provided as links instead of attachments: 1) [Zoning & Development Code Adoption Draft](#), and 2) The [GJ Code Assessment Report](#) from June of 2022.

BACKGROUND OR DETAILED INFORMATION:

In December 2021, the City initiated a contract with Clarion Associates for an update to the Grand Junction Zoning and Development Code (the "Code"). Clarion Associates

has extensive experience drafting development regulations across the United States and the project team is led by two land use attorneys. In early 2022, the project team initiated work on assessing the current code, reviewing the 2020 One Grand Junction Comprehensive Plan, the Housing Needs Assessment and Housing Strategy reports, and conducted extensive interviews and focus groups along with a public open house to receive feedback on the existing code. The objectives established by the Assessment were to:

1. Update the City’s regulations to better reflect the key principles 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
2. Achieve a higher level of regulatory efficiency, consistency, and simplicity
3. Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City’s recently adopted Housing Strategies

In June 2022, a [Code Assessment Report](#) was completed which described input of the existing regulations from the public, the DCC, City Council, Planning Commission, community members, and City staff. The initial drafting of the code occurred in three modules:

- June 2022: Code Assessment Report completed
- August 2022: Module 1 – Administration and Procedures
- October 2022: Module 2 – Zoning Districts and Uses
- December 2022: Module 3 – Development Standards
- March 2023: Consolidated Draft

Following the modules, Clarion, with the input of staff and the DCC, authored a Consolidated Draft and a Public Review Draft that was presented to the Planning Commission on March 28, 2023. At that hearing, there was significant concern raised that the document was not ready for adoption. Planning Commission remanded the item back to staff and the Consultant to work with the DCC to find consensus on outstanding issues raised at the hearing, which included utility undergrounding, stormwater, multimodal circulation, significant trees, site plan review, cottage court standards, drive-through regulations, and dwelling definitions.

The project team has been reviewing and discussing the Draft updated code with the City Council, Planning Commission, and the Code Committee. Extensive meetings and discussion have occurred on the draft document. Some of the major discussion items updated in the consolidated draft include, but are not limited to:

- Cottage Court Regulations
- Manufactured Home Communities
- Housing Definitions

- Commercial Parking Downtown
- Drive-Through Regulations
- Electric Vehicle Charging
- The Principal Use Table
- Rezoning Review Criteria
- Bicycle Circulation

Following a City Council workshop on August 14, 2023, the project team has continued to work with the Code Committee and Planning Commission to complete a final draft of the Zoning & Development Code. Those meetings occurred on:

- August 17 - Planning Commission Workshop
- August 23 - Zoning & Development Code Committee
- September 6 - Zoning & Development Code Committee
- September 7 - Planning Commission Workshop
- September 13 - Zoning & Development Code Committee
- September 20 - Zoning & Development Code Committee
- September 21 - Planning Commission Workshop
- October 4 - Zoning & Development Code Committee
- October 5 - Planning Commission Workshop
- October 10 - Zoning & Development Code Committee
- October 19 - Planning Commission Workshop
- October 24 - Planning Commission Workshop
- November 9 - Planning Commission Workshop

A final draft of the Code has been completed and adoption hearings are scheduled for Planning Commission on November 14, 2023, and City Council on December 20, 2023. The final draft code titled the "[Adoption Draft](#)" is available on [EngageGJ.org](#), along with all associated materials for the Planning Commission public hearing. Project documents are located on the right-hand side of the project page, in a folder labeled 'Planning Commission Hearing Items.' The Adoption Draft is also located on the EngageGJ.org page below the 'Key Changes' section in the body of the project description. In addition to the project documents, the EngageGJ.org site has a Zone District Identification Tool, which allows users to enter an address and see how a property will transition zone districts under the proposed update. For optimal viewing, click on 'Go To Discussion' prior to using the tool.

In the final workshops leading to the hearings, Planning Commission has been reviewing several areas of the proposed Code Update in which staff has identified that the revisions do not implement or could go further to align with the principles, goals, and strategies of the Comprehensive Plan. These items include:

1. Drive-Through Regulations in the 24 Road Corridor
2. Open Space Dedication Procedures

3. Transitional Housing
4. Parking
5. Utility Undergrounding

Planning Commission heard this item at the November 14, 2023, meeting. Discussion at the Planning Commission hearing primarily surrounded two of the items identified above - drive-throughs in the 24 Road Corridor and the dedication process for open space. Regarding drive-throughs in the 24 Road Corridor, the conversation attempted to identify what concerns were caused by the use, if the exclusion of the use was appropriate, and if there was sufficient public input to make a change at this time. There was debate as to whether the 24 Road Corridor Overlay and the subareas contemplated within the Comprehensive Plan intended to disallow or strongly discourage drive-throughs, raising the question of whether a change related to the use would be in line with these plan goals. When discussing the process for open space dedication, the core of the issue focused on which party was more appropriate to make the decision - the City (Director, followed by City Council) or the Developer/Applicant. The conversation also highlighted the benefits of having criteria for the decision, but noted a need to have additional conversation about what these criteria included with subject-matter experts involved. Since both items indicated benefits from larger discussions, the discussion also included the possibility of adding these items to the 'adjacent issues list,' created by the DCC, along with the formation of a committee to follow these issues post-code adoption.

FISCAL IMPACT:

There is no fiscal impact related to this item.

SUGGESTED ACTION:

This item is for Council Discussion only.

Attachments

1. Staff Report CC
2. Exhibit 1 - Code Committee Roster
3. Exhibit 3 - DCC Summary Report
4. Exhibit 5 - GJ Z&DC Adoption Draft Transmittal Memo
5. Exhibit 6 - Consultant Team Recommendations
6. Exhibit 7 - Impact of Code Changes
7. Exhibit 8 - GJZDC Adoption Draft Full Addendum Packet_11.07.23
8. PRAB Open Space Letter 11 7 23
9. GJN COMMENTS RE ZDCU 10-20-23
10. GJZDC Issue Recommendations Memo
11. Land Use Letter Nov 2023
12. Zoning Code Letter
13. Usher Email
14. Planning Commission Minutes - 2023 - November 14 - Draft
15. Draft Repeal-Replace Ordinance
16. Draft Zone District Transition Ordinance



Grand Junction City Council

Regular Session

Item #2.a.i.

Meeting Date: December 6, 2023
Presented By: Niki Galehouse, Interim Planning Supervisor
Department: Community Development
Submitted By: Niki Galehouse, Planning Supervisor

Information

SUBJECT:

Introduction of an Ordinance Repealing the 2010 Title 21 Zoning and Development Code and Adopting the 2023 Zoning and Development Code; Introduction of an Ordinance Transitioning Zone Districts on the Official Zoning Map in Accordance with the 2023 Zoning and Development Code, and Setting a Public Hearing for December 20, 2023

RECOMMENDATION:

Planning Commission heard this item at the November 14, 2023 meeting. The following recommendations were made:

- Planning Commission voted (6-2) to recommend approval to repeal and replace the 2010 Title 21 Zoning and Development Code of the Grand Junction Municipal Code, as amended, with an additional recommendation that a committee be formed, comprised of local expertise as well as appropriate City staff, to discuss adjacent issues.
- Planning Commission voted (7-0) to recommend approval to incorporate the proposed revisions in Exhibit 8 - Addendum to the Adoption Draft into the Zoning and Development Code prior to final adoption.
- Planning Commission voted (7-0) to recommend approval to transition zone districts on the Official Zoning Map in accordance with the 2023 Zoning and Development Code.
- Planning Commission voted (6-1) to recommend to move issues B (24 Road Restaurant and Retail Drive Throughs) and C (Open Space Dedication) from Exhibit 6 - Consultant Team Recommendations to the "adjacent issues list" to be discussed by a future committee.

EXECUTIVE SUMMARY:

The City contracted with Clarion Associates in December 2021 to update the City's Zoning and Development Code with the intent of updating regulations to better reflect the key principles and policies described in the 2020 One Grand Junction Comprehensive Plan, achieve a higher level of regulatory efficiency, consistency, and simplicity, and identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies. Comprehensive Plan Principle 3 item 1(e) provides "Ensure zoning and development regulations are consistent with the One Grand Junction Comprehensive Plan". The process for updating the Code commenced with a Code Assessment based on review of the City's Comprehensive Plan and subarea plans, Housing Needs Assessment and Strategy, and extensive interviews and focus groups, which then informed the areas of the Code to be updated. The update effort was supported by an 18-member Development Code Committee (DCC). The DCC met frequently over the past 18 months to discuss and ultimately to recommend adoption of an Updated Zoning and Development Code.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The City last authored a new development Code in 2010, and since 2017 the city has been regularly updating limited sections of the code largely for clarity, reduction of redundancy and easing of regulatory burden for specific issue areas.

On December 16, 2020, the City adopted the One Grand Junction Comprehensive Plan. It is considered best practice to update a jurisdiction's zoning and development code after the adoption of a Comprehensive Plan to ensure the city's land development regulations work to implement the city's vision. In addition, the City adopted on October 6, 2021 the City's first Housing Strategy which developed various strategies, including reviewing certain sections of the city's zoning and development code to remove barriers to affordable housing.

In December 2021, the City initiated a contract with Clarion Associates for an update to the Grand Junction Zoning and Development Code (the "Code"). Clarion Associates has extensive experience drafting development regulations across the United States and the project team is led by two land use attorneys. In early 2022, the project team initiated work on assessing the current code, reviewing the 2020 One Grand Junction Comprehensive Plan, the Housing Needs Assessment and Housing Strategy reports, and conducted extensive interviews and focus groups along with a public open house to receive feedback on the existing code. The objectives established by the Assessment were to:

1. Update the City's regulations to better reflect the key principles 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

2. Achieve a higher level of regulatory efficiency, consistency, and simplicity
3. Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies

City Council appointed an 18-member Development Code Committee (DCC) to help guide the updates to the Code. One member of the Code Committee withdrew in July 2023. A list of the Code Committee members is included as Exhibit 1. Code Committee members gathered for their first meeting on April 6, 2022.

In June 2022, a Code Assessment Report, attached as Exhibit 2, was completed which described input of the existing regulations from the public, the DCC, City Council, Planning Commission, Citizens, and City Staff. The initial Drafting of the code occurred in three modules:

- June 2022: Code Assessment Report completed
- August 2022: Module 1 – Administration and Procedures
- October 2022: Module 2 – Zoning Districts and Uses
- December 2022: Module 3 – Development Standards
- March 2023: Consolidated Draft

Following the modules, Clarion with the input of staff and the DCC authored a Consolidated Draft and a Public Review Draft that was presented to the Planning Commission on March 28, 2023. At that hearing, there was significant concern raised that the document was not ready for adoption. Planning Commission remanded the item back to Staff and the Consultant to work with the DCC to find consensus on outstanding issues raised at the hearing, which included utility undergrounding, stormwater, multimodal circulation, significant trees, site plan review, cottage court standards, drive-through regulations, and dwelling definitions.

Since the commencement of the Code in the spring of 2021, staff has brought forth individual code sections for updating, including amendments to the landscaping regulations, removing density caps in non-residential zone districts, easing Accessory Dwelling Unit regulations and redefining Short-Term Rentals and including percentage limitations in within geographic areas of the city.

Since March 28, the project team, staff, and the DCC have met 14 times between April and October 2023. The DCC has addressed the following items over the past seven months including:

- utility undergrounding,
- stormwater,
- multimodal circulation,
- significant trees,

- site plan review,
- cottage court regulations,
- manufactured home communities,
- housing definitions,
- commercial parking downtown,
- drive-through regulations,
- electric vehicle charging,
- the principal use table,
- rezoning review criteria,
- bicycle circulation, and
- open space dedications.

The revisions made over the last seven months represent a product of collaboration and compromise and are indicative of a strong desire by all parties to create positive change in the City of Grand Junction.

The DCC met on October 10 to discuss the transmittal documents and associated cost matrix that would be conveyed to the Planning Commission and City Council for review and consideration. A summary report of the edits made by the DCC is provided as Exhibit 3. DCC was surveyed to indicate their sentiment with regard to overall cost impacts (decrease, no impact, increase) for particular code provisions; these results are provided in Exhibit 7. The impacts of future development in Exhibit 7 are reflective of the consultant's perception of the proposed changes.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on October 15, 2023, in the Grand Junction Daily Sentinel.

In addition to the required notice, the project team conducted extensive outreach on the update project, and each module and draft of the code was released via a press release, posted on the City's website, and made available directly to industry groups. The meetings held are outlined in the table below. In addition to those dates listed below, staff met with individuals from industry groups to discuss the Code and was an occasional presenter to groups such as Bray Commercial Realtors, AMGD (Associated Member of Growth and Development) and the HBA of Western Colorado at their Governmental Affairs luncheon.

Z&DC Committee	Public Engagement	Planning Commission Workshops	City Council Workshops
4/6/2022	4/5/2022 (Kick Off)	6 Jan 2022 (Z&DC Assign.)	4/6/2022
5/17/2022	4/6/2022 (Kick Off)	7 Apr 2022 (Public Engage.)	6/13/2022
6/15/2022	4/7/2022 (Kick Off)	5/19/2022	3/14/2022
9/6/2022	4/14/2022 (HBA)	7/7/2022	5/16/2022
11/1/2022	4/22/2022 (MC CommUNITY)	4 Aug 2022 (Assess. Report)	9/19/2022
11/10/2022	4/28/2022 (GJARA)	8 Sep 2022 (Module 1)	10/31/2022
11/17/2022	5/6/2022 (WCLCC)	6 Oct 2022 (ADUs, STRs)	12/19/2022
12/19/2022	6/14/2022 (Lion's Club)	20 Oct 2022 (ADUs, STRs)	1/9/2023
1/19/2023	11/3/2022 (AMGD Meeting)	11/3/2022	2/27/2023 (1:1)
1/23/2023	11/3/2022 (#1 Public Engagement, Modules 1 & 2)	11/17/2022	2/28/2023 (1:1)
1/30/2023	11/4/2022 (#2 Public Engagement, Modules 1 & 2)	12/20/2022	3/6/2023 (1:1)
2/21/2023	11/4/2022 (#3 Public Engagement, Modules 1 & 2)	1/5/2023	3/13/2023
2/27/2023	1/19/2023 (Public Engagement, Module 3)	1/19/2023	6/12/2023 (Joint with DCC)
3/3/2023	1/20/2023 (Public Engagement, Module 3)	2/23/2023	8/14/2023
3/17/2023	2/8/2023 (Chamber of Commerce Webinar)	3/8/2023	12/13/2023
3/21/2023		3/9/2023	
4/26/2023		3/22/2023	
5/17/2023		3/23/2023	
5/31/2023		5/18/2023	
6/14/2023		6/22/2023	
6/28/2023		7/6/2023	
7/12/2023		7/20/2023	
7/26/2023		8/17/2023	
8/9/2023		9/7/2023	
8/23/2023		9/21/2023	
9/6/2023		10/5/2023	
9/13/2023		10/19/2023	
9/20/2023		10/24/2023	
10/4/2023		11/9/2023	
10/10/2023			

ANALYSIS

In accordance with Section 21.02.140(c), a proposed Code amendment shall address in writing the reasons for the proposed amendment. The items below are not intended to be exhaustive but demonstrate some of the proposed changes and how they directly achieve the stated goals of the project. The Adoption Draft is included for review of this analysis as Exhibit 4.

1. Update the City's regulations to better reflect the key principles 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

The Grand Junction Municipal Code (Sec 21.01.060) states: *"The code is intended to implement the goals and policies of the Grand Junction Comprehensive Plan, as amended ("Comprehensive Plan") and to be consistent with the Comprehensive Plan."* This code update process has made a variety of changes to increase consistency with the Comprehensive Plan, especially concerning Plan Principles 3 & 5.

Plan Principle 3: Responsible and Managed Growth and Plan Principle 5: Strong Neighborhoods and Housing Choices present a variety of goals and strategies that the project team endeavored to address through the updates. Those goals and strategies are detailed in the Code Assessment Report and the changes are cataloged in the GJ Zoning & Development Code Transmittal Memo, attached as Exhibit 5. Here are some of the major change areas summarized:

a. *Outdoor Lighting – Plan Principle 3, Goal 4, Strategy e. Outdoor Lighting. Use development regulations to promote best practices in lighting that protect night skies.*

The 2020 One Grand Junction Comprehensive Plan specifically calls for regulations to protect night skies from lighting related to urban development. The updated regulations establish a maximum Kelvin temperature of 3,000 kelvins for all new developments. They also contain language that allows for exceptions to up to 5,000 kelvins to address potential safety concerns. These maximums allow for adequate lighting within a range of color temperatures which are friendlier to night skies and natural rhythms among people and wildlife.

b. *Shift in parking requirements – Plan Principle 3, Goal 1. Support fiscally responsible growth and annexation policies that promote a compact pattern of growth, maintain or improve levels of service, and encourage the efficient use of land.*

Plan Principle 3, Goal 2. Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5, Goal 1, Strategy g. Parking. Evaluate parking standards to ensure both sufficient parking for the context and area of which a project is planned to occur. Parking should be evaluated based on specific areas and should be consistent with the City’s Urban Intensification goals.

Plan Principle 5, Goal 4. Promote the integration of transportation mode choices into existing and new neighborhoods.

Minimum parking standards present a variety of difficulties for a development project. Vehicle parking spaces are expensive, create additional stormwater management needs, and take up valuable space better used for other purposes. This code update includes an overall reduction in the City’s required minimum parking standards, eliminates minimum parking standards for nonresidential development in the City’s defined redevelopment areas, and increases the provision of onsite bicycle parking. Developers and business owners often have the best understanding of their own parking needs, and these changes allow them to play a greater role in determining how much parking they need to invest in.

The heightened bicycle parking standards will allow for secure storage of bicycles, increasing usability of citywide networks, a much healthier and less expensive

form of transportation. The cost and spatial savings achieved by the reduction in required vehicle spaces should more than compensate for the increase in required bicycle parking.

c. More flexibility in Zone Districts and Use Table – *Plan Principle 3, Goal 1. Support fiscally responsible growth and annexation policies that promote a compact pattern of growth, maintain or improve levels of service, and encourage the efficient use of land.*

Plan Principle 3, Goal 2. Encourage infill and redevelopment to leverage existing infrastructure.

Plan Principle 5, Goal 5, Strategy c. Innovative Design. Encourage creativity, flexibility, and innovation in the design and construction of new developments and neighborhoods to adapt to unique site conditions and that promote an engaged community and facilitate active and healthy lifestyles (e.g., co-housing, community gardens, and recreational amenities).

The Zone Districts and Use Table have been updated to facilitate a wider variety of development options within the parameters established by the 2020 One Grand Junction Comprehensive Plan. This includes combining like Zone Districts into a single district and updating the Use Table to keep conditional uses to a minimum and allow more uses by-right. Bulk standards were revised where appropriate to allow a larger buildable footprint by relaxing height standards and minimum setbacks.

2. Achieve a higher level of regulatory efficiency, consistency, and simplicity

In the beginning of the Code Assessment effort, the project team received significant feedback that the City’s regulations could be revised for clarity and simplicity. The following comes from the Code Assessment:

“Beyond the Z&DC content-based issues discussed in this Code Assessment, both staff members and stakeholders said they find the development regulations cumbersome to use and difficult to understand. Issues include an unclear organization, redundant and sometimes conflicting information, and lack of explanatory measurements and graphics. It appears from our discussions with stakeholders that the lack of a well-organized, user-friendly code can also impede effective communication between applicants and the City, resulting in a perception (and complaints) that the development review process does not work as well as it could.”

The Code update addresses these issues through the following strategies:

a. Improve Document Layout and Organization

The existing layout often requires a user to reference multiple code sections to get a full understanding of requirements for a specific project. The proposed regulations have been restructured to provide a logical organization pattern, grouping standards by district or use. Definitions were often included in specific code sections, making them difficult to find. All existing and new definitions are contained in the Definitions at the end of the Code. Definitions containing regulatory information have been cleaned and the regulatory information moved to the relevant section of the Code.

The updates also include new or revised illustrations for measurements and application processes, which reinforce the language and make regulations easier to understand and increase consistent implementation.

b. Improve Drafting Language

The project team focused on removing highly technical language and jargon from the code. When found, these occurrences were replaced with plain language and in many cases a definition was created. The project team also removed redundant lists and clarified regulations hidden in exceptions.

c. Fix Conflicts Created by Piecemeal Amendments

Code amendments proffered over time have served the City well to address immediate concerns or issues with the Code. However, as previously mentioned, it can be difficult to ensure that each amendment includes updates to related portions of the Code. The project team worked to address as many of these inconsistencies as were identified.

d. Improve Clarity, Consistency, and Predictability

The project team focused on two primary concerns around clarity – removing subjective review standards and establishing clear guidelines where regulations provide for director discretion. Subjective review standards include regulations such as those that require “compatibility” or “sufficiency.” As much as possible subjective terms have been removed or reworded to have some kind of measurable standard. However, the DCC also expressed that some degree of flexibility should also be maintained and in some cases opted to retain some level of director discretion for unique circumstances.

3. Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City’s recently adopted Housing Strategies

The Comprehensive Plan and the Housing Needs Strategy Report both detail the housing issues the City currently faces. Plan Principle 5: Strong Neighborhoods and Housing Choices specifically recommends a variety of goals and strategies that are implemented by the proposed regulations.

a. *Plan Principle 5, Goal 1, Strategy c. Housing Types. Promote a variety of housing types that can provide housing options while increasing density in both new and existing neighborhoods, such as duplexes, triplexes, multiplexes, apartments, townhomes, and accessory dwelling units, while maintaining neighborhood character.*

Plan Principle 5, Goal 5. Foster the development of neighborhoods where people of all ages, incomes, and backgrounds live together and share a feeling of community.

Strategy c. Innovative Design. Encourage creativity, flexibility, and innovation in the design and construction of new developments and neighborhoods to adapt to unique site conditions and that promote an engaged community and facilitate active and healthy lifestyles (e.g., co-housing, community gardens, and recreational amenities).

The proposed regulations expand residential uses and allow for their development in a more strategic manner in alignment with the Comprehensive Plan. In the existing Code, many housing types that the Comprehensive Plan strives to encourage, often referred to as “missing middle housing”, are all grouped together under the use “multifamily”. Multifamily in the existing Code includes everything from a three-unit townhome to the largest apartment complexes, making zoning changes to develop missing middle housing challenging. The proposed use table now includes the following additional uses: Dwelling, Tiny Home; Dwelling Single-Family Attached; Dwelling, Cottage Court; and Dwelling, Duplex.

b. *Goal 4 Principle 5: Promote the integration of transportation mode choices into existing and new neighborhoods.*

Goal 4.c Principle 5: Prioritize walking and bicycling infrastructure improvements needed to complete gaps or “missing links” between existing neighborhoods and other community destinations such as schools, transit stops, neighborhood centers, parks, public open space, and trailheads.

The proposed regulations also incorporate a higher level of required bicycle parking and connectivity. These requirements facilitate a safer and more affordable mode of transportation, which addresses an often-neglected component of the affordability issue.

In addition, the Housing Needs Strategy Report Appendix A summarizes areas of opportunity within the current code that were evaluated through the proposed regulations.

c. *Zoning Districts and Permitted Uses. Areas of Opportunity. The City of Grand Junction provides for a robust mix of housing types in residential and mixed-use*

districts. To allow for residential infill development, the city should consider permitting triplexes and rowhomes in lower density residential districts by right.

Types of residential uses and the zone districts they are permitted in were evaluated in all zone districts with the goal of enhancing flexibility where possible. For example, Single-family attached use is proposed to be allowed by-right in RL-4 (formerly R-4), limited to 4 units per building. Cottage courts are a new use proposed and allowed by-right in residential districts starting at RL-4 density and in MU-1 and MU-2 districts. This new use is a creative means of land development and provides a 20 percent density bonus. During the course of the process, the State adopted a new definition for “Tiny Home,” which are reflected in this code and are proposed to be allowed in residential zone districts that allow single-family detached dwellings.

d. Residential Development Standards. Areas of Opportunity. The City of Grand Junction has relatively flexible land use development standards with minimum densities and in some instances no minimum lot sizes. However, there are development standards that are prohibitive for the development of certain housing products—townhomes and duplexes—and limit the number of units in multifamily developments—through maximum densities. There is an opportunity to examine the potential for reducing or eliminating these standards to increase development capacity and thereby affordability.

Revised bulk standards have been included which create minimum lot sizes that are specific to use type (i.e. – single-family attached, multifamily) and which reduce setbacks for principal structures. These revisions allow for greater flexibility in site design. Raised during the code update, but brought ahead and adopted already, maximum density in nonresidential zone districts were removed (Ordinance No. 5052). This will most directly impact multifamily developments and allow this type of development to build with greater density and flexibility.

e. Parking Standards. Areas of Opportunity. Although these requirements are not unreasonable, many cities are adopting lower parking standards for more urban areas, particularly for multifamily housing. Grand Junction should consider adjusting parking standards downward to promote affordability and greater land utilization.

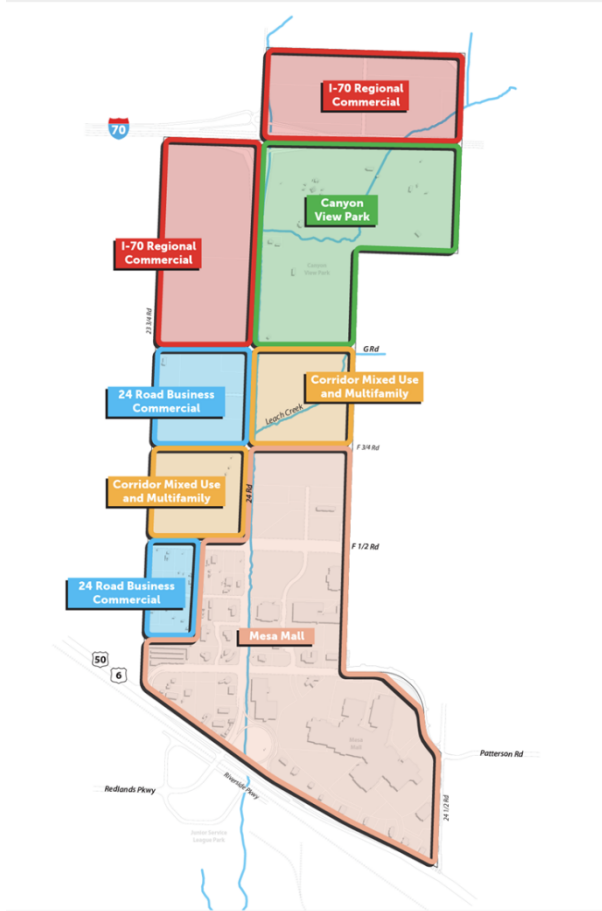
The proposed code reduces parking spaces for the ‘missing middle’ housing types at one space per unit for single-family attached, co-housing, cottage court, duplex, triplex, fourplex; affordable housing reduction at 0.75 spaces per unit. Another issue raised during the code update process but separated and adopted in advance (Ordinance No. 5115). as it related to ADUS, was revised to allow for on-street parking to count for required parking.

There are five areas of the proposed Code Update in which staff finds that the revisions do not implement or could go further to align with the principles, goals, and strategies of

the Comprehensive Plan. Additional analysis and recommendation from the Consultant Team on these issues is provided in Exhibit 6.

1. Drive-Through Regulations in the 24 Road Corridor. As part of the establishment of zoning districts in the proposed update, Chapter 21.03.30, the Mixed Use zone district is proposed to be combined with the Light Commercial (C-1) zone district into the new Mixed-Use Light Commercial, MU-2 zone district. As part of this consolidation, every effort was made to ensure that entitled uses were not lost as part of this process. In combining these specific districts, a major area of reconciliation was the use of drive-throughs, which are currently not permitted in M-U but are permitted in C-1. DCC has taken the position to broadly expand the use of drive-throughs throughout the entirety of the new MU-2 zone district, however, staff finds that this is a significant deviation along the 24 Road Corridor, both with the standards of the Overlay District as well as the Character Areas as described in the most recently adopted Comprehensive Plan.

The majority of properties within the City with a Mixed Use (M-U) zoning designation lie along the 24 Road Corridor. The 24 Road Corridor is identified within the Comprehensive Plan as a unique site, comprised of multiple character areas – I-70 Regional Commercial, 24 Road Business Commercial, Corridor Mixed Use and Multifamily, and Mesa Mall. The M-U zone districts encompass the entirety of the Corridor Mixed Use and Multifamily character area and a portion of the I-70 Regional Commercial, 24 Road Business Commercial, and Mesa Mall character areas. These areas are described in the Comprehensive Plan (Chapter 4, p.81-85) and generally do not appear to support vehicle-centric uses in the Corridor Mixed Use and Multifamily character areas, as show in the graphic below.



The functional improvements component of the character area analysis indicates that drive-through uses should not be located near Leach Creek, which runs through the Corridor Mixed Use and Multifamily character areas. These areas also have a land use designation of Mixed Use, which indicates a lower intensity of uses than a Commercial designation would. The 24 Road Business Commercial character areas are described with the intent of ‘modern business campuses to attract uses such as technology, education, research, entrepreneurship, and light manufacturing.’ Drive-through uses are not conducive to development in alignment with this goal. It is staff’s recommendation that at a minimum, drive-through uses not be permitted within the Corridor Mixed Use and Multifamily character areas, but ideally not within both those and the 24 Road Business Commercial character areas.

2. Open Space Dedication Procedures. Residential development of 10 or more lots of dwelling units requires dedication of 10 percent of the gross acreage of the property or the equivalent 10 percent of the value of the property. The existing code reads as follows: “The decision as to whether to accept money or land as required by this section shall be made by the Director.” Procedurally, when a property of larger size is being proposed for residential development, Planning staff will discuss with Parks and Engineering if there is a need for open space in the area (eg. Parkland, drainage, enhancements to trail corridors). If it is determined that there is no public

benefit/need, the Director conveys to the applicant in the initial phases of project scoping that the City will accept a fee-in-lieu payment instead of land dedication. If land is needed to implement the City's Parks and Recreation Space (PROS) plan, for example, staff will discuss this with the developer and work together to identify an appropriate location for the land dedication to occur.

During DCC meetings, the DCC expressed concern that this dedication was the City's decision to make and not the applicant's. They also expressed concern that the City could require dedication of a portion property that otherwise conflicted with their development plans. Subsequently, a recommendation was made by the DCC to revise this language to read "The applicant shall decide whether to dedicate land or to pay a fee-in-lieu." This represents a significant shift in both policy and administration. Concerns surrounding this shift include that dedications will not be proffered unless the land is unusable and the City will lose its ability to use the land dedication process to obtain land which implements the vision of the Parks and Recreation Open Space Master Plan. Comprehensive Plan Principle 7, Goal 1, Strategy c recommends 'actively pursuing opportunities to acquire and retain open space, trails, and drainages that support the implementation of an interconnected network within the urbanizing area of the city, consistent with adopted City plans.'

In discussions with Planning Commission regarding the shift in open space dedication procedures, it was requested that options be provided to guide decision-making. The consultant team put together a document outlining the DCC, staff, and consultant team recommendations, which was then brought to the Parks and Recreation Advisory Board (PRAB) for their input. The difference between the staff and consultant team recommendations is the establishment of dedication standards that better describe property that is appropriate for donation, reflecting the concerns of both parties. During the discussion with PRAB, the board members offered further refinement to these criteria, clarifying considerations about the proximity to the nearest park, relativity to the PROS plan, and whether the presence of easements should preclude property from consideration. With this additional input and refinement from PRAB, staff therefore find it appropriate to shift its recommendation to support the inclusion of these criteria in alignment with the consultant team recommendation.

3. Transitional Housing. The topic of Transitional Housing is an important housing type along the housing continuum. The Comprehensive Plan identifies this in Plan Principle 5, Goal 1, Strategy d where it outlines the need to 'integrate residential care and treatment facilities, shelters, permanent supportive housing, group homes, and senior housing throughout the city in areas that are well served by amenities and public transportation' and Strategy 9 of the Housing Strategy includes supporting conversion of hotels/motels into affordable or transitional housing. Issues related to transitional housing began to be articulated with more clarity in the summer of 2023. Considering the timing and the complexity of the issue, the Code Committee recommended this important land use topic be set aside as an adjacent

issue. Both staff and the DCC recommend this should be taken up as one of the next priorities.

4. Parking. The Comprehensive Plan references infill/redevelopment of existing parking lots in multiple locations, including Plan Principle 3, Goal 2, Strategy a and Plan Principle 4, Goal 3, Strategy e, which ‘support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized sites, including infill of existing surface parking lots.’ It is possible that the proposed regulations do not take revisions to parking standards as far as they could for certain circumstances. For example, the elimination of minimum parking requirements in the redevelopment areas could also be applicable to residential projects or applied at a 50 percent reduction for residential projects. This elimination could also be expanded into a broader segment of the City, for example, it could apply to properties that are within ¼ mile of an existing transit route. Parking maximums could also be considered. In addition, the allowance for new surface parking to occur with a conditional use permit does not appear to implement multiple strategies of the Comprehensive Plan, elements of the City’s Greater Downtown Plan, nor the vision and intent of the DDA’s Plan of Development.

5. Utility Undergrounding. The proposed regulations include the following language: *"All new electric utilities shall be provided and paid for by the developer and shall be installed underground."* This is a policy shift from the current Code language, which reads: *"All existing overhead utilities along streets contiguous with the development shall be installed underground prior to street construction."* The Comprehensive Plan supports the current code language in Plan Principle 3, Goal 3, Strategy e., which states *"Continue to require new and existing electrical lines to be buried."* However, the first part of this strategy also indicates a need to *"evaluate current policy for undergrounding overhead utility lines and in lieu of payments."* Burying existing utility lines can have a significant impact on the cost of developing a lot, potentially creating barriers to affordable housing. Housing Strategy 3 is to *implement land use code changes that facilitate attainable housing development and housing diversity.* The City can still implement the second half of the strategy by requiring overhead utilities to be installed underground at the time of a capital or public project that qualifies for the use of Xcel undergrounding funds instead of at the time of subdivision or other associated land development activity. The consultants have also provided other alternatives to the City's current policies that can be explored are outlined on p.10-11 of Exhibit 6. Staff supports the code language as proposed.

Addendum to Adoption Draft

In preparing for hearings, several concerns were raised that staff felt it would be prudent to address prior to adoption. Exhibit 8 outlines the changes needed and provides the detailed strikethrough/underline revisions. The following is a summary of changes and why they were necessary:

- 21.02.030(d)(2)(i) - Initial Application (Fees): This section unintentionally required development fees per 21.02.070, which outlines impact fees, to be paid with the submittal of an application. This revision removes that requirement.
- 21.02.030(b)(4) - Table 21.03-2 Comprehensive Plan Implementation: In preparing the associated Comprehensive Plan amendment agenda item, it was noticed that previous edits to this table were not shown properly. The table was revised to ensure consistency with the Comprehensive Plan amendment. The two changes made were removing Commercial General as an implementing zone district for Mixed Use land use and removing the Airport Environs Overlay from the table altogether.
- 21.03.050(g)(2) - R-2R Zone District Bulk Standards: This revision corrects the height for the zone district to 35 ft; it had unintentionally been reduced to 20 ft.
- 21.04.020(E) - Use Table: A change was made to the Principal Use Table to align with the Airport Environs Overlay District, not allowing airports or heliports in other zone districts but allowing helipads to remain as a potential use.
- 21.04.030(d)(1) & 21.14.020 - Skilled Gaming Facilities: Amendments to the Adult Entertainment Use-Specific Standards were adopted by City Council earlier this year. This revision incorporates these changes into the overall update.
- 21.04.040(e)(2)(i)(E) - Drive-Through Facility: This change relocates text from 21.05.060(e)(2) to keep drive-through standards together.
- 21.04.050(b)(2) - Temporary Parking Lots: This change is a correction to remove limitations on the location of temporary parking lots, which are now located in the use table.
- 21.05.020(e)(4)(iv)(D)a. - Platting, Dedication, Homeowners' Association: This subsection was missing the end of a sentence; it was added for clarity.
- 21.07.040(d) & (e) - Replacement of Significant Trees: Edits in these sections unintentionally removed clarity regarding placement of replacement trees where significant trees were removed and the ability to remove significant trees within the minimum 30 percent requirement by replacing at a higher rate or paying a fee-in-lieu. These sections were revised to retain the original intent and regain clarity.

Transitioning of Zone Districts

As part of the Zoning and Development Code update, a new list of Zone Districts has been established which implements the Comprehensive Plan, expands opportunities for a wider mix of uses, and consolidates existing districts based on similarities. The implementation of the Zoning and Development Code update necessitates that the legacy districts be retired or transitioned with the updated district titles. These changes will be reflected on the Official Zoning Map, in compliance with Section 21.03.020 of the proposed regulations. The Zone District transitions will take place as outlined in Table 21.03-1: Zone District Summary, shown below:

Table 21.03-1: Zone Districts Summary	
Legacy Districts	Updated District Titles
Residential	
R-R: Residential – Rural	Residential – Rural, R-R
R-E: Residential – Estate	Residential – Estate Retired, R-ER
R-1: Residential – 1	Residential 1 Retired, R-1R
R-2: Residential – 2	Residential 2 Retired, R-2R
R-4: Residential – 4	Residential Low 4, RL-4
R-5: Residential – 5	Residential Low 5, RL-5
R-8: Residential – 8	Residential Medium 8, RM-8
R-12: Residential – 12	Residential Medium 12, RM-12
R-16: Residential – 16	Residential High 16, RH-16
R-24: Residential – 24	Residential High 24, RH-24
Mixed-Use Commercial	
R-O: Residential – Office	Mixed-Use Neighborhood, MU-1
B-1: Neighborhood Business	[Combined with R-O into MU-1]
B-2: Downtown Business	Mixed-Use Downtown, MU-3
M-U: Mixed Use	Mixed-Use Light Commercial, MU-2
C-1: Light Commercial	[Combined with M-U into MU-2]
BP: Business Park Mixed-Use	[Combined with M-U into MU-2]
C-2 General Commercial	Commercial General, CG
MXR: Mixed Use Residential	[Combined with Residential Districts]
MXG: Mixed Use General	[Combined with closest MU district]
MXS: Mixed Use Shopfront	[Combined with closest MU district]
MXOC: Mixed Use Opportunity Corridor	[Combined with MU-2]
Industrial	
I-O: Industrial/Office Park	Industrial/Office Park Retired, I-OR
I-1: Light Industrial	Industrial Light, I-1
I-2: General Industrial	Industrial General, I-2
Public, Parks, and Open Space	
CSR: Community Services and Recreation (Parks and Open Space only)	Public Parks and Open Space, P-1
CSR: Community Services and Recreation (Public, Civic and Institutional Facilities)	Public, Civic, and Institutional Campus, P-2
Planned Development	
PD: Planned Development	Planned Development, PD

For clarity, in the form based districts, excluding MXOC, there are only properties zoned MXG-3, MXS-3, and MXR-3. For the MXG-3 and MXS-3 properties, the closest MU district would be MU-1, so these properties would be transitioned into the MU-1 district.

For the MXR-3 property, it will be transitioned into the RM-8 district.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed replacement for Title 21 Zoning and Development Code, the following findings of fact have been made:

1. The Code Update, including the Transition of Zoning Districts, works to implement the vision, goals and strategies of the 2020 One Grand Junction Comprehensive Plan.
2. The Code Update, including the Transition of Zoning Districts, reduces barriers to affordable housing and allows for a wider variety of housing types across a greater portion of the City.
3. The Code Update reduces inconsistencies and improves the efficiency, consistency, and readability of the Code.

Planning Commission heard this item at the November 14, 2023 meeting. Discussion primarily surrounded two of the remaining items that were identified in the staff analysis above and in Exhibit 6 - drive-throughs in the 24 Road Corridor and the dedication process for open space. Regarding drive-throughs in the 24 Road Corridor, the conversation attempted to identify what concerns were caused by the use, if the exclusion of the use was appropriate, and if there was sufficient public input to make a change at this time. There was debate as to whether the 24 Road Corridor Overlay and the subareas contemplated within the Comprehensive Plan intended to disallow or strongly discourage drive-throughs, raising the question as to if a change related to the use would be in-line with these plan goals. When discussing the process for open space dedication, the core of the issue focused on which party was more appropriate to make the decision - the City (Director, followed by City Council) or the Developer/Applicant. The conversation also highlighted the benefits of having criteria for the decision, but noted a need to have additional conversation about what these criteria included with subject-matter experts involved. Since both items indicated benefits from larger discussions, the discussion also included the possibility of adding these items to the 'adjacent issues list,' created by the DCC, along with the formation of a committee to follow these issues post-code adoption.

Therefore, the Planning Commission recommended the following:

- Planning Commission voted (6-2) to recommend approval to repeal and replace the 2010 Title 21 Zoning and Development Code of the Grand Junction Municipal Code, as amended, with an additional recommendation that a committee be formed, comprised of local expertise as well as appropriate City staff, to discuss adjacent issues.
- Planning Commission voted (7-0) to recommend approval to incorporate the proposed revisions in Exhibit 8 - Addendum to the Adoption Draft into the Zoning and Development Code prior to final adoption.

- Planning Commission voted (7-0) to recommend approval to transition zone districts on the Official Zoning Map in accordance with the 2023 Zoning and Development Code.
- Planning Commission voted (6-1) to recommend to move issues B and C from Exhibit 6 - Consultant Team Recommendations, more specifically, drive-throughs on 24 Road and the open space dedication process, to the adjacent issues list to be discussed by a future committee.

FISCAL IMPACT:

There is no direct fiscal impact related to this request.

SUGGESTED MOTION:

I move to introduce an ordinance repealing and replacing the 2010 Title 21 Zoning and Development Code of the Grand Junction Municipal Code, as amended, incorporating the proposed revisions in Exhibit 8 - Addendum to the Adoption Draft, and set a public hearing for December 20, 2023.

I move to introduce an ordinance transitioning zone districts on the Official Zoning Map in accordance with the 2023 Zoning and Development Code and set a public hearing for December 20, 2023.

Attachments

1. Exhibit 1 - Code Committee Roster
2. Exhibit 2 - GJ Code Assessment Report June 2022
3. Exhibit 3 - DCC Summary Report
4. Exhibit 4 - Adoption Draft
5. Exhibit 5 - GJ Z&DC Adoption Draft Transmittal Memo
6. Exhibit 6 - Consultant Team Recommendations
7. Exhibit 7 - Impact of Code Changes
8. Exhibit 8 - GJZDC Adoption Draft Full Addendum Packet_11.07.23
9. PRAB Open Space Letter 11 7 23
10. GJN COMMENTS RE ZDCU 10-20-23
11. GJZDC Issue Recommendations Memo
12. Land Use Letter Nov 2023
13. Zoning Code Letter
14. Usher Email
15. Planning Commission Minutes - 2023 - November 14 - Draft
16. Draft Repeal-Replace Ordinance
17. Draft Zone District Transition Ordinance

ZONING & DEVELOPMENT CODE COMMITTEE 2022-2023

No.	Name	Background/Profession	Member of Comprehensive Plan Advisory Committee
1	Colin St. Clair	Neighborhood Advocate, Real Estate Broker	
2	Kevin Bray	Bray Real Estate, Developer	
3	Mike Foster	Coldwell Banker, Commercial Broker	X
4	Ivan Geer	River City Engineering, Professional Engineer	X
5	Mark Austin	Austin Civil Group, Professional Engineer	
6	Ron Abeloe	Chaparral West/Bella Partners, HBA, AMGD, WCCA	
7	Jane Quimby	La Plata Communities, Colorado West Land Trust	
8	Shelley Dackonish	Dufford Waldeck Law, Land Use Attorney	
9	Candace Carnahan	Grand Junction Chamber of Commerce	
10	Jonathan Purdy	Horizon Drive BID Executive Director	X
11	Brandon Stam	Downtown Grand Junction	
12	Bill Wade	Former Planning Commissioner, Homeward Bound	
13	Emilee Powell	Housing Resources of Colorado	
14	Jill Norris	Grand Junction Housing Authority	
15	Nancy Strippel	Parks and Recreation Advisory Board	
16	Andrew Teske	Planning Commission Chair	
17	Keith Ehlers	Planning Commission, Consultant	X

Erin Nix*

Director of Testing & Accom. at CMU

X

*withdrew on 07.22.23



GRAND JUNCTION Z&DC UPDATE CODE COMMITTEE SUMMARY REPORT

**Grand Junction Zoning and Development Code
Development Code Committee Summary Report
November 7, 2023**

Contents

Overview..... 2

Chapter 21.02: Administration and Procedures 2

 A. Section 21.02.040(k) Site Plan..... 2

Chapter 21.03: Zone Districts and Dimensional Standards..... 3

Chapter 21.04: Use Standards..... 3

 A. Table 21.04-1 Long-Term Temporary Parking Lots 3

 B. Table 21.04-2 Accessory Uses..... 4

 C. Section 21.04.030(b) Cottage Courts..... 5

 D. Section 21.04.030(b) Manufactured Housing Communities 7

Chapter 21.05: Site and Structure Development Standards..... 7

 A. Section 21.05.02(e)(3)..... 7

 B. Section 21.05.2(e)(1) Multimodal Transportation System, Design Standards..... 7

 C. Section 21.05.2(e)(2) Multimodal Transportation System, Required Street Improvements 8

 D. Section 21.05.30(a) Open Space Dedication or Payment of Fee in-Lieu 8

 E. Section 21.05.30(a)(2) Open Space Dedication or Payment of Fee in-Lieu..... 9

Chapter 21.07: Landscaping, Buffering, and Screening 11

 A. Section 21.07.40, Preservation of Significant Trees..... 11

Chapter 21.14 Measurements and Definitions..... 14

 A. Section 21.14.20..... 14

Adjacent Issues 16

 A. Cost to Development of Required Fees and Dedications 16

 B. Cost to Development of Required Improvements from City Plans and Standards..... 16

 C. Length of Time and Late Comments During Internal and External Review Process 16

 D. Individual Issues 16

Overview

The purpose of this report is to summarize Z&DC edits made by the Development Code Committee between April and October 2023. Earlier edits were reflected in the late March public review version.

Chapter 21.02: Administration and Procedures

A. Section 21.02.040(k) Site Plan

1. Description of Changes

Current code language creates confusion about which changes require minor site plan and whether the Director can exempt applicants from site plan review.

- a. Eliminate Site Plan review requirement for residential accessory structures, parking lot resurfacing, temporary office trailers, enclosing outdoor courtyards within existing building envelopes, co-location of telecommunication towers, electric vehicle charging stations, public utility structures, and unenclosed structures that do not require water/sewer.
- b. Description: Clarify that the Director may determine that a development does not require Major Site Plan review when it will not adversely affect the neighborhood.

2. Proposed Edits:

(ii) Minor Site Plan

The following types of development require a Minor Site Plan:

- (A) A new, non-habitable structure of up to 1,000 gross square feet ~~if~~ water and sewer services are not provided and if no structures currently exist on the parcel;
- (B) An addition of up to 1,000 gross square feet to an existing structure, or a new structure of up to 1,000 square feet on a lot with one or more structures;
- (C) An existing unpaved parking lot or existing unpaved work area to be paved with asphalt or concrete;
- ~~(D) A temporary office trailer;~~
- ~~(D) Similar low-impact uses.; and~~
- (E) A development that the Director determines does not require a Major Site Plan review whenif the development will not adversely affect the neighborhood and meets the purpose and intent of this Code.

(iii) Exempt Development Types

The following development types are exempt from the Site Plan review process:

- (A) A residential structure with one or two dwellings and associated accessory structures;
- (B) Nonresidential, interior remodeling which will cost 25 percent or less of the fair market value of the existing structure;
- (C) An approved home occupation;
- ▲ (D) An approved temporary use;
- (E) An approved fence ~~and~~ or wall; and
- (F) An approved sign; ~~and~~
- (G) Parking lot resurfacing, provided that the number of stalls is not reduced beyond the minimum required or, if legally nonconforming, in compliance with GJMC Chapter 21.12;
- (H) A temporary office trailer;
- (I) Enclosing outdoor courtyards within existing building envelopes;
- (J) Co-location of telecommunication tower;
- (K) Electric vehicle charging stations;
- (L) Public utility structures;
- (M) Unenclosed structures constructed over already impervious areas and that do not require water/sewer; and
- (N) A development that the Director determines does not require a Minor Site Plan review when the development will not adversely affect the neighborhood and meets the purpose and intent of this Code.
- (F) —
- (G) ~~A development that the Director determines does not require a Major Site Plan review if the development will not adversely affect the neighborhood and meets the purpose and intent of this Code.~~

Chapter 21.03: Zone Districts and Dimensional Standards

No post-March updates.

Chapter 21.04: Use Standards

A. Table 21.04-1 Long-Term Temporary Parking Lots

Description of Changes

New surface parking lots are not allowed Downtown. Change to allow MU-3 lots (Downtown) that are currently vacant to be used as temporary parking through a time-limited Conditional Use Permit. This will:

- Create more parking opportunities near Downtown businesses
- Allow property owners to make use of currently vacant lots
- Help address on-site parking issues on some lots
- Allow the City to oversee the appropriateness of the lot for parking through the CUP approval.

Proposed Edits

- Use Table

21.04.20(e). U.

Table 21.04-1: Principal Use Table																				
A= Allowed Use C= Conditional Use																				
For accessory use regulations, see Table 21.04-2 in Section 21.04.40																				
Current Zone Districts	R-R	R-E	R-1	R-2	R-4	R-5	R-8, MXR-3	R-12, MXR-5	R-16	R-24, MXR-8	R-O, B-1, MXG-3, MXS-3, MXOC	M-U, BP, C-1, MXG-5, MXS-5, MXG-8, MXS-8, MXOC	B-2	C-2	I-O	I-1	I-2	CSR/New	CSR/New	
Proposed Zone Districts	R-R	R-ER	R-1R	R-2R	RL-4	RL-5	RM-8	RM-12	RH-16	RH-24	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	Use-Specific Standards
Helipad												C ¹⁹⁸	C	C	C	C	C		C	
Parking Lot or Garage, Commercial ¹⁹⁹											A ²⁰⁰	A		A	A	A	A		A	
Parking Lot, Commercial ²⁰¹											A ²⁰²	A	C ²⁰³	A	A	A	A		A	21.04.30(d)(10)
Transportation Depot ²⁰⁴												A ²⁰⁵	A	A	A	A	A		A	

b. Use Standards

(10) Parking Lot, Commercial³⁰²

In the MU-3 zone district, the following standards apply:

- (i) The parking lot shall comply with the temporary parking lot standards in GJMC 21.04.50(b).
- (ii) A Conditional Use Permit for a commercial parking lot shall not be granted if demolition of an existing building is required to complete the project or the prior building on the lot was demolished within the previous three years.
- (iii) The approval conditions of a Conditional Use Permit for a commercial parking lot shall specify a period of validity not to exceed five years and shall allow for up to two, five-year extensions of the approval.

B. Table 21.04-2 Accessory Uses

1. Description of Changes

Restaurant drive-throughs are not currently allowed in the MU zoning area of the 24 Road Corridor Overlay. Change this to allow restaurant drive-throughs in all areas of the 24 Road Corridor Overlay to:

- Encourage more restaurant development and more development in general
- Take advantage of the traffic along I-70
- Provide drive-through opportunities for sports teams using the adjacent park area
- Reflect that the 24 Road Corridor standards and MU zoning are too restrictive for the corridor

2. Proposed Edits

Table 21.04-2: Accessory Use Table																				
A = Allowed Use C = Conditional Use																				
Current Zone Districts	R-R	R-E	R-1	R-2	R-4	R-5	R-8, MXR-3	R-12, MXR-5	R-16	R-24, MXR-8	R-O, B-1, MXG-3, MXS-3, MXOC	M-U, B-P, C-1, MXG-5, MXS-5, MXG-B, MXS-B, MXOC	B-2	C-2	I-O	I-1	I-2	CSR/New	CSR/New	Use-Specific Standards
Proposed Zone Districts	R-R	R-ER	R-1R	R-2R	RL-4	RL-5	RM-8	RM-12	RH-16	RH-24	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	
Drive-Through Facility ³³⁶											C ³³⁷	C ³³⁸	A	A	A ³³⁹	A			C ³⁴⁰	21.04.040(e)(2)(i)
Office											C ³⁴¹	A	A	A	A	A			A	21.04.40(e)(2)(i)
Restaurant												A ³⁴²	A	A		A				21.04.40(e)(2)(i)
Retail											C ³⁴³	A ³⁴⁴	A	A		A				21.04.40(e)(2)(i)

C. Section 21.04.030(b) Cottage Courts

1. Description of Changes

The March draft version of the cottage court standards was too restrictive to encourage this type of development. Revisions to:

- Adjust lot and unit size requirements to reflect positive investment return
- Add a density bonus to encourage small housing development, potentially included in a larger overall development
- Clarify applicable perimeter landscaping requirements

2. Proposed Edits

Dwelling, Cottage Court⁵⁷³

A residential development, including co-housing developments, that combines a group of small individually owned or rented single-family dwelling units, including tiny homes, on a single parcel of land that are 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. See Cottage Court.

(1) Cottage Court Dwelling²⁶³

(i) Dimensional and Density Standards

(A) The minimum project size for a cottage court development is one-half acre and the maximum project size is five acres. The cottage court development may be a designated area within a larger development.

(B) Lot and setback standards for the zone district shall be applied to the perimeter of the entire project. The following standards shall apply to individual units:

Lot Standards		Building Standards	
Dimensions (min, length ft or area sf)		Density (units/acre)	
Lot area (min sf,			Per zone district
Tiny home or ho	Lot Standards		
per unit)	Private Common Open Space		
	Area of Individual open space (min, sf)	400	Avg. 1,000
	Dimensions of any sSide (min, ft)	20	Avg. 20
Private Comm	Building Standards		
Area of individua	Density (units/acre)		Per zone district
Dimension of any	Minimum Maximum	Per zone district	
	Footprint Area (max)		Per building code
	Per cottage (sf)	1,200 average	
	Height and Separation		
	Height (max)	Per zone district	
	Building separation (min)	Per Building Code	

~~(C) The maximum density permitted is the maximum density of the Comprehensive Plan Land Use Designation applicable to the A minimum of one dwelling unit or an increase of up to 20 percent increase over the maximum density (rounded up) permitted in the underlying zoning district by 20 percent is allowed when the project can meet all other applicable GJMC standards.~~

~~(A) Cottage courts may include tiny homes or tiny houses.~~

~~(B)(D) All other building and lot requirements, including principal and accessory structure setbacks and lot coverage limitations, for the base zone district shall apply to the project site as a whole, not individual units.~~

(ii) Design Standards

~~Accessory dwelling units are prohibited on lots containing an approved cottage court development.~~

~~Cottage court developments shall meet all landscaping requirements applicable to multifamily dwellings in GJMC Chapter 21.07.~~

~~(A) Individual dwellings shall be clustered around a shared open space containing a minimum of 10 percent of the total lotsite area shall be private common open space. The private common open space may be divided into multiple locations, each of which shall meet the minimum area and dimensional standards.~~

~~(B) A community building(s) for the sole use of the cottage court dwelling residents may be used to meet up to 25 percent of the required common open space requirement. A shared facility for communal cooking, dining, and other activities containing no more than 2,000 square feet may be provided and shall not count against the maximum density limits. Community buildings shall not count toward the maximum density calculation.~~

~~(C) Paved paths for pedestrian circulation may count toward common open space, but parking areas and driveways for vehicular circulation may not count toward common open space.~~

▲ ~~(D) Accessory dwelling units are prohibited.~~

~~(C)(E) Multifamily dwellings landscaping requirements apply y; if required is required by per GJMC Chapter 21.07 and landscaped areas may count toward up to 30 percent of the required private common open space.~~

~~Lot and setback requirements for the base zoning district shall apply to the project site as a whole.~~

D. Section 21.04.030(b) Manufactured Housing Communities

1. Description of Changes

Manufactured Housing Communities were limited to a density of 8 dwelling units/acre. Redrafted manufactured home use standards to allow manufactured home communities to be built to the density of the zone district in which they are located.

2. Proposed Edits

~~(3)(2)~~ **Manufactured Housing Community**²⁶⁶

(i) **Density and Setbacks**²⁶⁷

~~All building and lot requirements, including principal structure setbacks and maximum density requirements, for the base zone district shall apply to the project site as a whole (not individual units).~~

~~(A) Manufactured housing communities shall have a maximum density of eight units per acre and a minimum density of four units per acre.~~

~~(B) No manufactured home or structure shall be closer than 25 feet to any perimeter property line, nor closer than 20 feet to another manufactured home or any building in the community, except where manufactured homes are parked end-to-end, the end clearance shall be at least 15 feet.~~

Chapter 21.05: Site and Structure Development Standards

A. Section 21.05.02(e)(3)

1. Description of Changes

The code currently requires new and existing utilities to be placed underground as part of construction.

- Revised underground utilities requirement to no longer require existing overhead utilities to be undergrounded; require only new electric utilities to be placed underground.
- Significant cost savings that should spur redevelopment of previously overlooked infill parcels

2. Proposed Edits

(3) Utilities³⁸⁹

All new electric utilities shall be provided and paid for by the developer and shall be installed underground. ~~Necessary A~~above-ground facilities associated with new installations (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.

B. Section 21.05.2(e)(1) Multimodal Transportation System, Design Standards

1. Description of Changes

Clarify implementation of bicycle circulation standards by:

- Updating “off-road trail system” to “Active Transportation Corridors”

- Clarifying that applicants must provide bike lane right-of-way, not construct the bike lanes.

2. Proposed Edits

(I) Design Standards

- (i) The developer shall dedicate, design, and provide a multi-modal transportation system, including construct all streets, alleys, sidewalks, trails, active transportation corridors, and bike paths Active Transportation Corridors shall be designed and constructed consistent with the Grand Junction Circulation Plan and in accordance with TEDS (GJMC Title 29) GJMC Title 29, TEDS.

C. Section 21.05.2(e)(2) Multimodal Transportation System, Required Street Improvements

1. Description of Changes

Access, turn lane, oversizing standards grouped and edited for clarity.

2. Proposed Edits

(iii) External Streets

- (A) All development shall provide Minimum Access, pursuant to GJMC 29.24.020, required for the safe ingress and egress of vehicular traffic to and from the development. Minimum Access includes 20 feet width of asphalt and may include curb and gutter if needed for drainage safety or infrastructure concerns exist.
- (B) Where a perimeter street is not required for Minimum Access, no local improvements will be required.
- (C) The developer shall design and construct safety improvements (e.g., turn lanes, traffic lights) needed to achieve safe ingress and/or egress, as may be warranted based on a traffic impact study.
- (D) Where a safety improvement is for the benefit of a development but will also benefit other future developments, the developer may request the City to provide a reimbursement agreement.
- (E) Where a safety improvement also benefits existing development, the developer may request the City create a cost share agreement for the improvement.
- (F) Agreements will be based on traffic study and proportional impacts.

D. Section 21.05.30(a) Open Space Dedication or Payment of Fee in-Lieu

1. Description of Changes to Section (a)(1) Applicability

The Code currently allows the Director to determine whether a land dedication or payment of fee in-lieu is appropriate. Where a land dedication is preferred, the Director negotiates with the applicant for a preferred site. This change allows the applicant to make an offer of a specific site for dedication and, if the site is not acceptable to the City, the applicant can opt to make an in-lieu payment instead, without engaging in negotiation. This change:

- Allows the developer to maintain control over the project design
- Limits the City's ability to require land dedication from some projects but allow in-lieu fee payment from others

- Provides the City with in-lieu funds to purchase desired open space locations rather than require dedication.

2. Proposed Edits

(1) Applicability

- (i) The owner of any residential development, being developed in full or incrementally, of 10 or more lots or 10 or more 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 as a fee in-lieu of dedication.
 - (A) The Director shall decide whether to request the fee in-lieu or a land dedication.
 - (B) If a land dedication is preferred by the City, the Director shall work with the applicant to determine an appropriate location on the property

Proposed Revisions:

- (A) The ~~applicant~~ Director shall decide whether to ~~dedicate~~ land or to ~~pay a request~~ the fee in-lieu. ~~dedication~~.
- (B) ~~If the land offered for dedication by the applicant is not acceptable to the City, the applicant shall pay a fee in-lieu instead.~~

E. Section 21.05.30(a)(2) Open Space Dedication or Payment of Fee in-Lieu

1. Description of Changes

Simplification of open space dedication calculation requirements, removal of MAI appraiser requirement

2. Proposed Edits

(2) Calculation of Fee In-Lieu

- (i) To calculate the ~~correct~~ fee in-lieu, the owner shall have the property appraised by ~~an MAI-Colorado certified~~ appraiser. ~~For purposes of this requirement, the property shall be considered-The appraiser shall value~~ the total acreage ~~of the property~~ notwithstanding the fact that the owner may develop or propose to develop the property in filings or phases. The ~~owner-applicant~~ is responsible for all costs of the appraisal and report. ~~An appraisal is not required for a 10 percent land dedication.~~
- (ii) The ~~appraiser's Appraisal R~~report shall be in a Summary Appraisal Report form as prescribed by the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP). The Appraisal Report shall be provided by the Applicant to

(3) Dedication and/or Fee Payment

~~(i) The required dedication and/or payment shall be subject to and made in accordance with this Code. If the Director decides that land shall be dedicated, then the Director shall provide make a written a recommendation to City Council. If the land to dedicated has open space or recreational value, the Parks and Recreation Advisory Board shall also provide a written recommendation.~~ The City Council may accept the dedication of land so long as the land dedicated to the City is at least 10 percent of gross acreage or is found to provide adequate public benefit. If the dedication is less than 10 percent of the gross acreage ~~and is not found to provide adequate public benefit~~, the owner shall have the ~~property gross acreage~~ appraised per GJMC 21.05.30(a)(2) to ~~determine calculate~~ the difference in value between the land dedication and value of the ~~property gross acreage~~. ~~The owner shall pay the difference in calculation to equal the value of 10 %percent of gross acreage. -and to calculate a fee that corrects the difference.~~

In-lieu fee = Value of 10% Dedication (Value of Dedication/Value of Gross Acreage)

~~(i) 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. Property dedicated to meet this requirement shall be included in the 10 percent land dedication calculation. 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.~~

Chapter 21.07: Landscaping, Buffering, and Screening

A. Section 21.07.40, Preservation of Significant Trees

1. Description of Changes

- a. Limit the applicability of requiring a significant tree inventory to new, non-industrial development and infill/redevelopment on lots of less than one acre.
- b. Allow the Director to waive the significant tree survey requirement if a landscape professional determines there are no potential significant trees on the site.
- c. Allow significant trees to be included in individual lots or private common areas and contribute to any land that meets the valuation requirement for public land dedications.
- d. Allow for the use of cluster development if the 30 percent significant tree preservation requirement impedes the primary development of a site in the R-8 and higher zone districts.

2. Proposed Edits

21.07.40 PRESERVATION OF SIGNIFICANT TREES

(a) This section applies to the following:

(1) New residential, mixed-use, and commercial development; and

(2) infill or redevelopment on lots as follows:

(i) Preservation is required for all lots in MU-3

(ii) Preservation is required for lots larger than one acre in areas in all other zone districts unless otherwise exempt.

(3) All development in Industrial development zone districts is exempt from this section.

(b) Existing landscape features such as escarpments, large trees or stands, heavy vegetative cover, ponds, and bluffs that exist at the time of development shall be identified by the applicant as part of the development review process.

(1) This identification shall include a surveyed inventory of significant trees to be produced with a landscaping plan. Prior to undertaking a survey, an applicant may have a landscape professional view the site and determine whether there are any potential significant trees on the site. If there are no potentially significant trees on the site, the applicant may request the Director waive the survey requirement.

(2) Any significant tree to be preserved during development shall be identified on the proposed landscaping plan.

(c) All trees, except those identified as included 'excluded' on the Suitable Plants List, that meet all of the following criteria as determined by a certified arborist shall be considered significant:

(1) have a diameter exceeding 15 caliper inches, or exceed 15 inches or larger in diameter at breast height DBH;

(2) Are in fair or better condition;

(3) Are free from irreparable structural defects; and

(4) is not infested with a disease or pestilence that threatens the good health of other trees as determined by a certified arborist shall be considered significant.

(d) Preservation Required

(2) —

- (1) Where significant trees exist on a property, ~~no fewer than at least one and no less than~~ 30 percent of significant trees shall be preserved during development.
- (2) If the 30 percent minimum preservation requirement impedes the proposed Primary Development of a site, then the Director may grant a 10 percent adjustment of the minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements, or allow the use of cluster development.
- (3) Furthermore, the City Forester may adjust the drip line protection standards described in (6)(i) of this section so to allow for additional flexibility for the development to occur around the identified significant trees.
- (4) Tree replacement shall be required for all significant trees on a property at the following ratios:

Table 21.07-3: Tree Replacement Requirements	
Percent of Trees Preserved	Tree Replacement Ratio
Minimum 30% preservation	3 caliper in. per 5 in. DBH [1]
Above 30% minimum	1 caliper in. per 3 in. DBH [2]
Significant trees damaged or killed during construction	3 caliper in. per 5 in. DBH [1]
Notes:	
[1] If developer cannot replace trees on-site, they may pay a fee-in-lieu according to GJMC 21.07.40(f).	
[2] See GJMC 21.7.90(f) for credit applied to preserved trees. 21.07.40(e)(2).	

(e) Replacement of Significant Trees

- (e)(1) Significant trees may be included in individual lots or private common areas.
- (2) Significant trees may also be included in land dedicated for public use while still credited to the site tree preservation requirement. Where the value of the land dedication does not meet the minimum assessment requirement of GJMC 21.05.30(a), the valuation of the significant tree shall not be considered separately from or added to the assessment total.
- ~~(d) Fee-in-Lieu Significant trees that are removed shall be replaced at a rate of one caliper inch of tree per three inches in diameter at breast height of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.07.090(f) for credit applied to preserved trees.~~
- ~~(e) Significant trees to be preserved shall be visibly healthy and free from disease or parasite infection.~~
- ~~(f) If the 30 percent minimum preservation requirement impedes the proposed Primary Development of a site, then the Director may grant a 10 percent adjustment of the minimum~~

~~setbacks, lot size, parking lot interior landscaping, and parking count requirements, or allow the use of cluster development. Furthermore, the City Forester may adjust the drip line protection standards described in (56)(i) of this section so to allow for additional flexibility for the development to occur around the identified significant trees.~~

~~(f) If these adjustments do not provide a viable means of developing the site with the preservation of the minimum required significant trees then, at the developer's discretion, the developer may:~~

~~(1) Replace the required significant trees on-site at a ratio of three caliper inches of new tree(s) per five inches in diameter at breast height of significant tree removed with trees identified as preferred trees on the Suitable Plants List, and/or~~

~~(2) Pay a fee in lieu of replanting the required on-site replacement trees. The developer fee in lieu shall be based on shall pay to the City the value of the required replacement tree(s) not planted on site, along with the total cost of installation. The City shall use this payment to purchase the required replacement trees not planted on-site and plant them on nearby public property.~~

~~(g) Significant trees that are not included in the 30% preservation requirement and are removed shall be replaced at a rate of one caliper inch of tree per three inches in diameter at breast height of the significant tree to be removed, in addition to new tree plantings otherwise required by this Code. See GJMC 21.07.110(f) for credit applied to preserved trees.~~

~~(h)(g) Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.~~

~~(1) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.~~

~~(2) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.~~

~~(3) If a significant tree which that was to be preserved dies or is substantially damaged, the developer shall replace it at the rate of three caliper inches of new tree per five caliper inches of diameter at breast height of damaged or destroyed tree or pay the applicable fee in lieu.~~

Chapter 21.14 Measurements and Definitions

A. Section 21.14.20

1. Description of Changes and Proposed Edits

- a. Updated dwelling definitions to better explain difference between single-family attached and multifamily and clarify that HUD certified manufactured homes are allowed where single-family detached development is allowed.

Dwelling, Multifamily⁵⁷⁶

A single building that contains three or more dwelling units on the same lot, including co-housing dwellings.

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 contains 5 to 12 dwelling units.

Large Multifamily

A multifamily dwelling that contains over 12 dwelling units.

Dwelling, Single-Family Detached⁵⁷⁷

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. Manufactured homes shall be considered single-family detached dwellings.⁵⁷⁸

Dwelling, Single-Family Attached⁵⁷⁹

Three Two 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. This use is also referred to as a townhome.

- b. Define and allow co-housing options

Dwelling, Co-Housing⁵⁷²

A community of private dwelling units that includes shared spaces, such as a community room, or shared facilities, such as a kitchen for community use. Each private unit must include sleeping and sanitary facilities. Where community spaces or facilities are provided, they need not be provided in individual units. Dormitories, rooming/boarding houses, and fraternities or sororities are not considered co-housing. Co-housing may be designed as either a multifamily structure or cottage court development. See Co-housing

- c. Updated definitions of tiny home and tiny house to account for new state regulations.

Dwelling, Tiny Home⁵⁸⁰

A structure that:

1. Is permanently constructed on a vehicle chassis;
2. Is designed for long-term residency;
3. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
4. Is not self-propelled; and
5. Has a square footage of not more than 400 square feet, single-family dwelling constructed on a frame and capable of being transported on its own wheels but from which the wheels have been removed, that contains less than 400 square feet of gross floor area, and that meets either the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et. seq.) or the building code.

In order to meet this definition, a tiny home must be built to the International Residential Code as adopted by the Building Codes & Standards program within the Division of Housing. Colorado tiny homes will receive a metal plate insignia that certifies the tiny home is built to the codes and standards of the program. This use does not include manufactured homes, recreational park trailers, or recreational vehicles.

Dwelling, Tiny House⁵⁸¹

See Dwelling, Single-Family Detached.

Adjacent Issues

The issues identified in this section, with the exception of transitional housing, are outside of the legal scope of authority of the Zoning & Development Code. These issues, however, play a role in both the cost of development and overall project decision-making by applicants. The Development Code Committee recommends that the City Council establish a post-adoption committee that is tasked with review and comment on these issues for further City Council consideration. The Code Committee also recommends that the City explore options for transitional housing that can be made as future amendments to the new Z&DC.

A. Cost to Development of Required Fees and Dedications

Members of the DCC have requested that the City review the current impact fees and explore opportunities for additional credits to help reduce the overall cost of development.

- 1. Ongoing discussion about the relationship between impact fees, land dedications, and fees in-lieu; perception that the City is “double dipping”**
 - a. Open space and trails
 - b. Roads, sidewalks, active transportation corridors
- 2. Potential for authorizing additional impact fee credits**
- 3. Council asked: Is the question “how does this work” or “who pays for it”? Yes, both**

B. Cost to Development of Required Improvements from City Plans and Standards

Members of the DCC have expressed concerns about the impact of new development requirements in the updated Z&DC on the cost of housing.

- 1. Stormwater: Onsite stormwater vs regional- potential for less expensive development**
- 2. Pedestrian & Bicycle Plan requirements**
 - a. Additional street infrastructure requirements
 - b. Additional short and long-term bicycle parking requirements
 - c. Pedestrian block length standards with cul-de-sac connection for pedestrian access (Follow up)
 - d. Updated TEDS standards

C. Length of Time and Late Comments During Internal and External Review Process

Members of the DCC have discussed delays in application processing and receipt of City staff comments regarding application content, particularly comments that come late in the process and contradict earlier review comments.

- a. Requirements of fire access plan
- b. Review agency requirements i.e., fire truck turnarounds
- c. Exhausting review process (Fire, Legal, and canal company discharge permits (requested change to language of GJMC 28.16.200 per KB email))

D. Individual Issues

- a. Policy: Multipurpose easement size related to TEDS roll-out? Can this be reduced from 14 to 9 feet? What happens when structures should be placed at the lot line?

- b. Public Services and Facilities : What is policy on lift stations?
- c. Public v. Private Responsibility: CCRs, DIAs, etc. Legal review of CCRs holds up many projects, why is this review needed? Can be changed following recordation.
- d. Housing Definitions: Does the ZDC allow for the full range of housing types, including emergency shelters and transitional housing, to meet the needs of the community? Are there housing-related definitions that need to be adjusted ? Citywide consideration of transitional housing.

**Grand Junction Zoning and Development Code
Adoption Draft Overview | October 2023**



This memo provides an overview of the Z&DC updates included in the Adoption Draft and is designed accompany distribution of that draft. This memo is informational only and builds upon the Public Review Draft Overview from March 2023. New information resulting from continued discussion with staff and the Development Code Committee throughout the summer and early fall is indicated in **blue text boxes** applicable ZDC section.

1. Z&DC Update Project Summary

A. Project Goals

The Zoning & Development Code update project was designed to:

1. 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.
2. Revise the Z&DC to help achieve a higher level of efficiency, consistency, and simplicity.
3. Identify constraints and opportunities for affordable and attainable housing within the Z&DC, consistent with those identified in the City’s recently adopted Housing Strategies.

A portion of the funding for the Z&DC update project has been 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 was guided by and intended to implement the One Grand Junction Comprehensive Plan (2020) and zoning-relevant aspects of the Grand Junction Housing Strategy (2021).

C. Code Assessment and Earlier Drafts

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

2. Community Input

Community input and feedback was gathered and incorporated into the Z&DC drafts throughout the project. Formal review and feedback sessions were held with the project Development Code Committee and Planning Commission, and informal open house meetings were offered to the community in both live and virtual formats. The City Council stayed connected to the project through regular updates. The table below shows a summary of Z&DC Update input/outreach activities:

Month/Year	Task/Draft	Stakeholder Meetings	Public Outreach
April 22	Project Kickoff	Focus Groups, Planning Commission (PC), Development Code Committee (DCC)	Open House Meetings Website Project Information Posted Comment email opened

Month/Year	Task/Draft	Stakeholder Meetings	Public Outreach
May 22	Code Assessment Preview	City Council Workshop, PC, DCC	Virtual Meetings
June 22	Code Assessment	City Council Workshop, PC, DCC	Open House and Virtual Meetings
July 22			
August 22	Module 1: Administration and Procedures		Draft Posted for Review
September 22		DCC: 2 Meetings PC 2 Meetings	
October 22	Module 2: Zone Districts and Uses	City Council Workshop	Draft Posted for Review
November 22		DCC: 2 Meetings PC 2 Meetings	Public Listening Sessions: 2
December 22	Module 3: Development Standards	City Council Workshop DCC: 2 Meetings PC 2 Meetings	Draft Posted for Review
January 23	Combined Draft (all 3 modules in one document)	City Council Workshop DCC: 3 Meetings + editable draft PC: 2 Meetings	Public Open House Meetings: 2 Project Fact Sheets Posted
February 23		City Council Workshop DCC: 4 Meetings + editable draft PC: 3 Meetings	
March 23	Public Review Draft Posted March 13	City Council Workshops: 2 DCC: 2 Meetings PC: 4 Meetings	PC: Public Hearing March 28
*Planning Commission did not move forward with a recommendation and directed staff to discuss remaining key issues with the Development Code Committee.			
April 23		DCC: 1 Meeting	
May 23		DCC: 2 Meetings	
June 23		DCC: 2 Meetings PC: 1 Meeting	

Month/Year	Task/Draft	Stakeholder Meetings	Public Outreach
July 23		DCC: 2 Meetings PC: 1 Meeting	
August 23		PC: 1 Meeting	
September 23	Adoption Draft Posted September 26	DCC: 3 Meetings PC: 1 Meeting	
October 23		DCC: 2 Meetings	PC: Public Hearing October 24
November 23			City Council: Workshop November 13 City Council: Public Hearing November 15
December 23			City Council: Public Hearing December 6

A. Development Code Committee Input

The Development Code Committee (DCC) consisted of 18 community members representing different aspects of the development process, such as builders, engineers, and brokers, as well as representing a range of community priorities, such as urban trails, affordable housing, and citizens. The role of the Development Code Committee in the draft review phase of the Z&DC update was to:

- a. Assist with the technical review of the draft Code;
- b. Provide local knowledge and specialized expertise of specific development topics; and
- c. 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 were prepared for DCC review and discussion. DCC members also raised questions and discussed recommended changes to the drafts based on local experience and knowledge. The DCC played a very valuable role in considering and revising the proposed regulations.

B. Planning Commission

Grand Junction’s Planning Commission received and commented on the same information provided to the DCC. Planning Commission members’ collective experience with the creation of the One Grand Junction Comprehensive Plan and ongoing interaction with the development application process allowed them to provide focused feedback about how proposed standards and procedures could help implement the comprehensive plan and how those standards would work in the formal application review process.

3. Summary of Changes

This section provides an overview of the range of changes made in each chapter of the Z&DC.

A. All Chapters

1. Added more detailed table of contents and page headers/footers to make information easier to find.
2. Tables and flow charts added to summarize information where helpful as a quick reference.
3. 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.
4. Cross-references have been added or updated unless the section being cross-referenced is in a later draft.

B. Chapter 21.01 General Provisions

1. Revised the purpose statements to better reflect One Grand Junction goals and policies.
2. Clarified that the City does not enforce private agreements or private restrictions.
3. Add transitional standards that address development applications in process when the updated Z&DC is adopted.

C. Chapter 21.02 Administration and Procedures

1. Table 21.02-1: New summary of decision-making table added to provide quick information and improve Code navigation.
2. Consolidated the commonly applicable procedures from two sets to one. The consolidated common procedures were updated to specify:
 - a. Instructions for addressing situations when an applicant wants to make a change to a complete application
 - b. Instructions for fee payment when changes are made to complete applications
 - c. Review criteria for a complete application
 - d. Standards for permit and approval lapsing and extension
3. Updated the review and decision-making standards to be more objective and predictable. This included removing the General Approval Criteria for both administrative permits (current 21.02.070(a)(6)) and permits requiring a public hearing (current 21.02.080(d)) and replacing them with updated approval criteria in the specific application types.
4. Added summary tables of the steps required for each specific procedure.
5. Revised the Administrative Adjustment procedure to allow staff to make specific adjustments to measurable standards for either proposed applications or to approved developments to account for changes identified through field work.
6. All of the current procedures have been carried forward, organized to follow the new format, and edited for clarity.
7. Historic Preservation Procedures have been carried forward without change.
8. Development Fees have been carried forward without change and relocated to the Administration and Procedures chapter. The Z&DC update project will not include changes to the current development fees.
9. Eliminate Site Plan review requirement for residential accessory structures, parking lot resurfacing, temporary office trailers, enclosing outdoor courtyards within existing building envelopes, co-

location of telecommunication towers, electric vehicle charging stations, public utility structures, and unenclosed structures that do not require water/sewer.

10. Clarify that the Director may determine that a development does not require Site Plan review when it will not adversely affect the neighborhood.
11. Redraft rezoning review criteria.
12. Clarified language in Conditional Use Permit review criteria.
13. Clarified language in Revocable Permit review criteria.

D. Chapter 21.023: Zone Districts and Dimensional Standards

1. Updated purpose statements to better reflect City goals and policies expressed in One Grand Junction and related plans and policies.
2. Aligned zone districts with One Grand Junction future Land Use Plan.
3. Consolidated dimensional standard rules and exceptions, moved measurable standards to applicable zone districts, reviewed and cleaned-up exceptions for clarity, moved dimensional measurement rules to 21.14: Measurements and Definitions, zero lot line and cluster development standards moved into Residential Setback Adjustments section.
4. All zone districts: A new measurement has been added for a street side setback. This is the non-front side of a corner lot. In districts with smaller lots, the street side setback will typically be less than the front setback and will be adjustable to align with adjacent side yard or front yard setbacks through the contextual setback process, allowing setbacks and structures to be aligned along a street.
5. The R-E, R-1, R-2, and I-O districts have been retired. This means that any property currently zoned R-E, R-1, R-2, and I-O will continue to be conforming to the Code but rezoning to any of these districts/expansion of these districts to new properties will not be allowed.
6. Many of the current mixed-use districts include a variety of site, structure, and use related standards, such as performance standards, site design standards, architectural considerations. Most of these standards will be relocated into the appropriate development standards (e.g., site and structure, parking, performance standards) to reduce repetition and so the standards in the individual zone districts can be included in the comprehensive revisions to the development standards.
7. A full line-up of mixed-use districts has been established to replace the current business, commercial, mixed-use, and form-based districts.
8. The current CSR district has been split into a civic and institutional mixed-use district or a public parks and open space district.
9. The Planned Development district has been updated to be more clearly linked to base zone districts.
10. Revised minimum lot area and width standards to consider residential type (single-family detached vs. attached).

E. Chapter 21.04: Use Standards

1. Table 21.04-1: Principal Use Table:

- a. Revised to reflect the new and renamed zone district listed in Chapter 21.03 with current zone district conversion included for reference when applicable.
- b. Uses organized based on use intensity, beginning with less intense residential uses, then moving into public, civic, and institutional uses, then commercial, and ending with more intense industrial uses.
- c. Revised to move away from current approach that lists both broad use categories as well as some individual use types within those categories and eliminated the need for “All Other” catchall uses. The characteristics, examples, exceptions and accessory uses of current use categories have been incorporated within or used to inform the new use-specific standards and definitions.
- d. Includes existing, consolidated, and new use types. When determining use permissions in the new zone districts, the existing permissions in the related existing districts were carried forward, unless otherwise noted.
- e. Color-coded to indicate where new uses have been added and where use permissions have changed from current.
- f. New or consolidated uses include, but are not limited to: cottage court dwelling, triplex or fourplex dwelling, government service facility, urban agriculture, artisan industrial, and recycling collection facility.
- g. Each use category and use type has a definition in Chapter 21.14.
- h. Update definition of tiny home to account for new state regulations.
- i. Redefined and added permanent and temporary emergency shelter use types to reflect currently allowances.
- j. Removed co-housing dwelling as a separate use. Updated definition of multifamily and cottage court dwelling to allow for co-housing developments and defined co-housing dwellings.
- k. Added a temporary parking lot use to allow lots that are currently vacant to be used as temporary parking through a time-limited Conditional Use Permit.
- l. Allowed drive-throughs in all areas of the 24 Road Corridor Overlay.

2. Use-Specific Standards:

- a. Revised to follow the same intensity-based organization as the Principal Use Table.
- b. The standards should be reviewed simultaneously with the Principal Use Table and definitions.
- c. All requirements related to elements of site and building design that will be addressed in the development standards in Module 3 (e.g., building form, parking, and landscaping) have been removed from the use-specific standards and will be included in Chapter 21.05.
- d. New standards for outdoor storage as a principal use.
- e. Several uses have been updated to remove procedural content, including specific criteria for approval, that will be incorporated into Chapter 21.02, Administration and Procedures at the time of Consolidated Draft.
- f. Redrafted cottage court standards for better functionality.
- g. Redrafted manufactured home standards for better functionality.

3. Accessory Uses:

- a. Clarified the type of accessory structures that are exempt from the current size limitation (75% of the square footage of the principal structure).
- b. Revised the accessory structure design requirements to add objective criteria for determining compatibility between the accessory and principal structures.
- c. Includes a new Table 21.04-2 Accessory Use Table that follows the same approach in organization and color-coding as the Principal Use Table. The use-specific standards following the table should be reviewed simultaneously with the Accessory Use Table and definitions.
- d. New accessory uses include: drive-through facilities (currently addressed in principal uses), electric vehicle charging facilities, and renewable energy facilities (e.g., solar collectors).
- e. Each use type has a definition in Chapter 21.14.

4. Temporary Uses

Generally carried forward with minimal revisions, but new applicability section clarifies the types of temporary uses and structures that are required to meet the standards.

F. 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:

1. Required Improvements: specifies the improvements required of all development and the plans and standards that regulate improvement planning and design.
2. 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.
3. 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.
4. 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.
5. Large Format Retail/Big Box Development Standards: have been carried forward.
6. Screening: new service area and mechanical equipment screening standards have been proposed.
7. Updated the residential open space dedication standards to allow the applicant to decide whether to dedicate land or pay a fee-in-lieu (rather than the Director). If the applicant chooses to dedicate land and the land is not acceptable by the City, the applicant shall pay the fee-in-lieu instead.
8. Required only new electric utilities to be placed underground.
9. Clarified bicycle circulation standards including updating "off-road trail system" to "Active Transportation Corridors" and clarifying that applicants must provide bike lane right-of-way, not construct the bike lanes.

10. Changed proposed commercial design requirement that limits the placement of parking between the front of a structure and a public street; allow parking in front of commercial structures.
11. Clarified and simplified language for required public improvements, access, turn lane, and oversizing.

G. 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.

H. Chapter 21.07: Landscaping, Buffering, and Screening

This chapter was recently updated outside of and parallel to the Z&DC update. Further revisions to that update include:

1. Limit the applicability of requiring a significant tree inventory to new, non-industrial development and infill/redevelopment on lots of less than one acre.
2. Allow the Director to waive the significant tree survey requirement if a landscape professional determines there are no potential significant trees on the site.
3. Allow significant trees to be included in individual lots or private common areas and contribute to any land that meets the valuation requirement for public land dedications.
4. Allow for the use of cluster development if the 30 percent significant tree preservation requirement impedes the primary development of a site in the R-8 and higher zone districts.

I. Chapter 21.08: Vehicle Parking and Loading

1. 21.08.010(d): Minimum and Maximum Off-Street Parking Standards

- a. 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.
- b. 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). Elimination of required off-street parking for nonresidential uses included in specific areas.
- c. Revised minimum parking requirements to switch from employee-based standards to more objective standards based on structure size or design.

2. 21.08.010(e): Parking Credits and Adjustments

- a. 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.
- b. Current standards for alternative parking plans to allow on-street parking, off-site parking, and valet parking have been carried forward.

3. 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.

4. 21.08.020: Bicycle Parking and Storage

Revised current standards to provide for short-term parking requirements for most use types and long-term parking requirements for some use types.

5. 21.08.030: Electric Vehicle Charging

Add requirement that development meet new state electric vehicle parking standards.

J. Chapter 21.09: Subdivision Standards

1. Content has been reorganized and reworded for clarity throughout.
2. 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.

K. 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).

L. Chapter 21.11: Outdoor Lighting

1. Introduced new exemptions for lighting types that are not subject to the regulations (e.g., traffic control devices, airport lighting, and seasonal decorations).
2. 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.
3. 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.
4. 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.
5. Added new standards for pedestrian-scaled lighting.
6. Revise color temperature limitations to exceed maximum requirements where needed for public safety.

M. Chapter 21.12 Nonconformities

The current nonconformity standards have been carried forward, edited for clarity, and slightly reorganized to group all of the abandonment provisions together.

N. Chapter 21.13 Violations and Enforcement

The current Violations and Enforcement provisions have been carried forward with minimal change.

O. Chapter 21.14 Measurements and Definitions

The current definitions and measurement instructions have been carried forward and were updated as needed with each Module. Any definitions or measurements included in other sections of the Z&DC were moved to this chapter during the drafting process.

Specific definitions with substantive revisions updated since March 28th include: boarding or rooming house, dwelling unit, co-housing dwelling, cottage court dwelling, multifamily dwelling, single-family attached dwelling, tiny home dwelling, tiny house dwelling, emergency shelter permanent and temporary, landscape professional, parking lot and garage, commercial, retail sales and service, and short-term rental.

**Grand Junction Zoning and Development Code
Development Code Committee Issues Summary –
Consultant Team Recommendations**



This memo summarizes the drafting discussion issues and associated Code changes identified by the Development Code Committee for further discussion following the March 28 Planning Commission hearing. The issues are organized by location within the Z&DC.

Issues	Change from Current Code?	Complies with One Grand Junction?
Chapter 21.02 Administration and Procedures		
Eliminate Site Plan review requirement for residential accessory structures, parking lot resurfacing, temporary office trailers, enclosing outdoor courtyards within existing building envelopes, co-location of telecommunication towers, electric vehicle charging stations, public utility structures, and unenclosed structures that do not require water/sewer.	Yes	N/A
Clarify that the Director may determine that a development does not require Major Site Plan review when it will not adversely affect the neighborhood.	Yes	N/A
Redraft rezoning review criteria.	Yes	Yes
Chapter 21.03: Zone Districts and Dimensional Standards		
Residential density in the MU-1 district – maximum density removed to reflect current permissions in R-O and B-1.	No	Yes
Chapter 21.04: Use Standards		
Update definition of tiny home to account for new state regulations.	Yes	Yes
Redraft cottage court standards for better functionality.	Yes	Yes
Redraft manufactured home standards for better functionality.	Yes	Yes
Define and allow co-housing options.	Yes	Yes
Allow Downtown lots that are currently vacant to be used as temporary parking through a time-limited Conditional Use Permit.	Yes	No, Discussion A, below
Allow drive-throughs in all areas of the 24 Road Corridor Overlay.	Yes	No, Discussion B, below
Chapter 21.05: Site and Structure Development Standards		
Update the residential open space dedication standards to allow the applicant to decide whether to dedicate land or pay a fee-in-lieu (rather than the Director). If the applicant	Yes	No, Discussion C, below

Issues	Change from Current Code?	Complies with One Grand Junction?
chooses to dedicate land and the land is not acceptable to the City, the applicant shall pay the fee-in-lieu instead.		
Require only new electric utilities to be placed underground.	Yes	No, Discussion D, below
Clarify bicycle circulation standards including updating “off-road trail system” to “Active Transportation Corridors” and clarifying that applicants must provide bike lane right-of-way, not construct the bike lanes.	Yes	Yes
Change proposed commercial design requirement that limits the placement of parking between the front of a structure and a public street; allow parking in front of commercial structures.	In some areas	No, Discussion E, below
Chapter 21.07: Landscaping, Buffering, and Screening		
Limit the applicability of requiring a significant tree inventory to new, non-industrial development and infill/redevelopment on lots of less than one acre.	Yes	Yes
Allow the Director to waive the significant tree survey requirement if a landscape professional determines there are no potential significant trees on the site.	Yes	Yes
Allow significant trees to be included in individual lots or private common areas and contribute to any land that meets the valuation requirement for public land dedications.	Yes	Yes
Allow for the use of cluster development if the 30 percent significant tree preservation requirement impedes the primary development of a site in the R-8 and higher zone districts.	Yes	Yes
Chapter 21.08: Off-Street Parking		
Add requirement that development meet new state electric vehicle parking standards.	Yes	Yes

Discussion – Compliance with One Grand Junction and Other City Plans

A. Allow Downtown lots that are currently vacant to be used as temporary parking through a time-limited Conditional Use Permit.

The consultant team recommends maintaining the existing MU-3 parking standards that prohibit the creation of new surface parking lots.

Both the comprehensive plan and the current Z&DC support the use of public parking garages rather than the creation of additional surface parking lots. While the Development Code Committee proposed this change as an option limited to currently vacant lots, the creation of a new income stream from temporary

parking may disincentivize the reuse or redevelopment of Downtown lots into more active uses. In the following sections, One Grand Junction recommends the redevelopment of surface parking lots, not the creation of additional surface parking.

Plan Principle 3: Responsible and Managed Growth:

- 2. **Encourage infill and redevelopment to leverage existing infrastructure:** ii. Infill of existing surface parking lots (pg. 20)

Plan Principle 4: Downtown and University Districts, recognizes that “[a]dequate and convenient parking is essential for Grand Junction’s Downtown and commercial areas. However, the community has expressed that parking should not be overemphasized at the expense of walkability or density, particularly in Downtown’s pedestrian environment.” (pg. 22). To implement this community development preference, the plan includes the following strategies and actions:

2. Strengthen multimodal connections in and between districts.

- c. Parking. Continue to manage and improve upon the utilization of existing parking facilities in the Downtown (pg. 24).

3. Promote continued reinvestment into Downtown, Riverfront, Rail, and University District’s economy and built environment.

- e. Underutilized Properties. Work with property owners and partners such as Downtown Grand Junction to redevelop underutilized properties (including surface parking lots) through regulation, incentives, and use of other redevelopment tools (pg. 24).

The **Specific Area Policies for the Downtown Core** recommends that “[s]urface parking should be avoided, but when provided, it should be located in the rear of buildings accessible from an alley” (pg. 71).

B. Allow drive-throughs in all areas of the 24 Road Corridor Overlay.

The consultant team recommends maintaining the current prohibition on restaurant drive-throughs in the MU district in the 24 Road Corridor Overlay. If the City wants to explore changing this requirement, the 24 Road Corridor Subarea Plan should be amended first, with specific exploration of the impact of allowing restaurant drive-throughs, followed by appropriate changes to the Z&DC.

The 24 Road Corridor Subarea Plan was created with the participation of the 24 Road Steering Committee, property owners in the corridor, City and County representatives, and members of the Grand Junction Planning Commission in 1999, with adoption in early 2000. The project included the consideration of several potential future build-out scenarios and decided on the future land use plan shown in the 24 Road Subarea Plan and later referenced in One Grand Junction as the 24 Road Corridor Character Areas (pg. 81). One of the recommendations of the 24 Road Corridor Subarea Plan was the adoption of a Mixed-Use zone district. The City applied a mixed-use zone district to property within the Subarea Plan area and both restaurant and retail drive-throughs are prohibited in the current MU district.

The prohibition on restaurant drive-throughs was carried forward in the 2023 Z&DC update process. While neither the 24 Road Corridor Subarea Plan nor 24 Road Corridor Design Standards specifically prohibit drive-throughs, they do focus on pedestrian-oriented development. The 24 Road Corridor Design Standards, adopted in 2016, also include the following requirements:

25.02.090 Auto-oriented uses.

To minimize impacts of auto circulation, queuing, drive-up facilities (including speaker systems and similar activities) and to promote street-oriented building design and pedestrian amenities, the following standards shall apply:

- (a) Drive-up and drive-through facilities (order stations, pick-up windows, bank teller windows, money machines, car drop-off areas for auto service or rental, etc.) shall be located on the side or rear of a building and away from residential uses.
- (b) For buildings greater than 100 feet from the street and with no intervening buildings, drive-through windows may be allowed to face a perimeter street, and drive-through lanes may be allowed with adequate landscaping buffer from the right-of-way line.

It appears that the Subarea Plan, Design Standards, and MU zoning were established in a purposeful manner to guide the future development of the 24 Road Corridor. Allowing restaurant drive-throughs to be developed may change the future character of development in the area in a manner not contemplated by the City’s earlier process.

C. Update the residential open space dedication standards to allow the applicant to decide whether to dedicate land or pay a fee-in-lieu (rather than the Director). If the applicant chooses to dedicate land and the land is not acceptable to the City, the applicant shall pay the fee-in-lieu instead.

The consultant team recommends that the City maintain the current dedication determination process that is led by the Director. Decision-making about property that is appropriate for dedication should be guided by new review criteria, discussed below.

The Z&DC currently requires the Director to decide whether either: (1) a land dedication, or (2) payment in-lieu of the dedication is appropriate on a project-by-project basis. This approach helps facilitate implementation of the Grand Junction Parks, Recreation, and Open Space Master Plan Objective 1.2 to “[e]nsure that large subdivisions dedicate and construct new neighborhood parks and/or open spaces” (pg. 97). One Grand Junction recommends the following in **Plan Principle 7: Great Places and Recreation:**

- 1. Provide a safe and accessible network of parks, recreational amenities, open space, and trails.**
 - a. NEW PARKS. Work with both public partners and private developers to ensure new parks are dedicated and constructed to meet community service needs, prioritizing:
 - (i) areas with low service levels that serve vulnerable populations;
 - (ii) areas with low service levels; and
 - (iii) high growth areas (pg. 38).
- 2. Ensure parks, recreational and open space facilitates meet community needs and equity of location.**
 - b. RECREATIONAL OPPORTUNITIES. Strive to provide access to active and passive recreation opportunities within walking distance of most homes or neighborhoods, based on the service level targets defined in the PROS plan. Recognize that needs vary based on location and not all

neighborhoods will have the same level of access. Recreational opportunities should be tailored to suit the unique needs of different neighborhoods (pg. 38).

Changing the process to allow the developer to determine what area of the parcel should be dedicated may result in the City being offered property that is unsuitable for park development because of location, topography, or constraints. In these cases, payment of the fee in-lieu will be the default outcome. To provide for community parks and meet the equity considerations identified in One Grand Junction, the City will need to use the in-lieu fees for land purchases rather than relying on a legal dedication process. This could impact other City parks and open space programs that are supported by open space fee in-lieu funds.

While the consultant team recommends keeping the current process, this process should be clarified by the establishment of dedication standards that better describe property that is appropriate for donation, including, for example:

- a. Size of the area to be dedicated is sufficient for the type of park proposed and suitable for City maintenance;
- b. Availability of sufficient flat surface to provide usable park or open space, or suitable open space is provided to preserve:
 - (i) Unique landforms or natural areas;
 - (ii) Fish or wildlife habitat;
 - (iii) Cultural, historic, or archeological areas;
 - (iv) Outdoor recreation areas; or
 - (v) Unique vegetative areas and significant trees;
- c. Area proposed for dedication is free of easements and natural hazards;
- d. Location of the dedication on the site and proximity to public access; and
- e. Area proposed for dedication is not critical to the overall project design.

D. Require only new electric utilities to be placed underground.

The consultant team recommends maintaining the current undergrounding requirement while pursuing a policy discussion at the City Council level to determine whether City participation in the undergrounding costs for some projects would provide an overall benefit to the community.

This issue was explored at length in the attached Development Code Committee Comments memo. We are providing this information again for City Council members who did not participate in this discussion earlier.

E. Change proposed commercial design requirement that limits the placement of parking between the front of a structure and a public street; allow parking in front of commercial structures.

The consultant team recommends accepting this change except in areas where One Grand Junction or other applicable plan specifies that parking should be located to the side or rear of commercial structures. Our preliminary search found this requirement applicable in the following locations:

- a. "Surface parking should be located in the rear of buildings accessible from a side street, alley, or internal driveway"
 - (i) Mixed Use Corridors (pg. 70)
 - (ii) Neighborhood Centers (pg. 70)

- b. 24 Road Corridor: "Parking for new development should be located in the rear or side when the development abuts G Road and/or 24 Road" (pg. 81).
- c. Downtown Core: "Surface parking should be avoided, but when provided, it should be located in the rear of buildings accessible from an alley" (pg. 71).
- d. Lower Downtown Subarea Character Areas: "organized parking that is placed at the rear or to the sides of buildings, when feasible" (pg. 77).

Grand Junction Zoning and Development Code

Development Code Committee Comments | March 2023

This memo provides a summary of the Development Code Committee’s comments on two issues that were not brought to resolution through discussion during the Consolidated Draft Z&DC review process and a set of Z&DC-adjacent issues that the DCC considers critical for further City consideration for update following Z&DC adoption.

1. Undergrounding Utilities

A. DCC Recommendation

The DCC recommends the following changes to the draft Z&DC:

21.05.020 Required Improvements

(d) Standards for Specific Improvements

(iii) Utilities

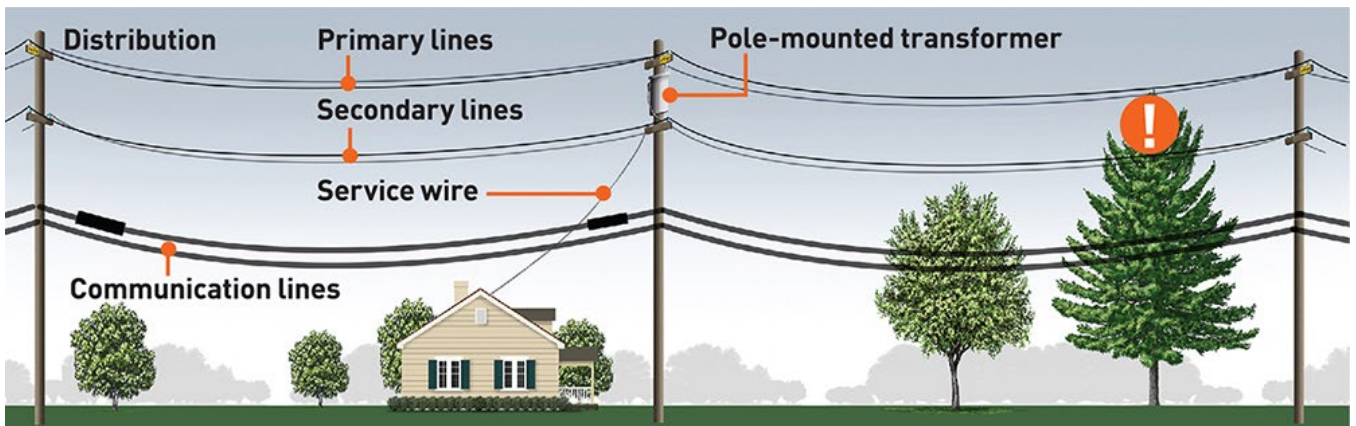
- (i) All new electric utilities shall be provided and paid for by the developer and shall be installed underground. Necessary above-ground facilities (e.g., pedestals, transformers, and transmission lines of 50kv capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the Director.

Key Issue Explanation: These changes would do the following:

- Reduce the current requirement to install all utilities to a requirement to install electric utilities.
- Eliminate the requirement to move existing utilities underground.

B. Overview

For the purposes of understanding this issue, the following illustration may be helpful:



C. Current Z&DC Requirement

The Grand Junction Z&DC has required all utilities (primary, secondary, and communication lines on the illustration) to be undergrounded since at least 1977. Initially, the City Engineer made the determination whether to require that utilities be undergrounded. This was changed to a broadly applicable utility undergrounding requirement in 2000. A fee in-lieu (monetary payment in place of construction)

exception for properties with less than 700 feet of frontage was added in April 2004 and supported by the following explanation (Ordinance 3610):

The Zoning and Development Code appropriately establishes City policy and regulations regarding development in order to serve the public, so that improvement standards encourage consistency and quality of planning, design, and construction. The intent is that the citizens will benefit from well-developed projects to improve quality of life for all.

The 2010 Z&DC currently requires:

Section 21.06.010(f) Utilities: 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. All existing overhead utilities along streets contiguous with the development shall be installed underground prior to street construction. When the development has less than 700 feet of frontage along a street, the Director has discretion to accept a payment of cash in lieu of requiring the developer to underground the existing overhead utilities. The payment amount shall be determined as set forth in the adopted fee schedule. Necessary above-ground facilities (e.g., pedestals, transformers, and transmission lines of 50 KV capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the Director.

D. Amendment Discussion(s) Immediately Prior to Z&DC Update Project and Proposed Z&DC Requirement (21.05.020(d))

Over the past year, Grand Junction Community Development and Public Works staff have met informally with some members of the Grand Junction development community in an effort to address concerns about the cost of undergrounding the primary transmission wires, which can be significantly more expensive to underground. At the time this provision of the Z&DC was updated in late 2022, the following language from those discussions was included (Developer Roundtable Discussion¹):

21.05.020(d)(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 ~~has discretion to accept a payment of~~ may accept cash in lieu of ~~requiring the developer to underground the existing overhead utilities~~ this requirement in accordance with the adopted fee schedule. ~~The payment shall be determined as set forth in the adopted fee schedule.~~

¹ Some members of the DCC note that the Developer Roundtable participants did not agree to these changes.

- (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.

Primary transmission line is defined as: "Either (GVP): Overhead D4 Line Size, or (Xcel) a three-phase mainline ("feeder") 600-amp or greater construction and with conductors greater than #4/0 ACSR."

E. DCC Comments

The DCC recommendation is based on the following considerations identified by the committee.

1. Regulate Electrical Lines Only

The regulations should be limited to electrical lines only and the reference to other listed utilities should be eliminated. In multiple DCC members' experience, it is no longer necessary for the City to require telephone or television cable be provided to new subdivisions. Requiring the provision of natural gas/natural gas lines is currently very expensive and can be eliminated as new development moves away from natural gas to fully electric development. The final group, cable and wireless communication carriers, currently pay for their own underground installation and do not need to be regulated by the Z&DC.

2. Eliminate the Undergrounding Requirement for Existing Lines

The cost of undergrounding existing utilities, even with the proposed Developer Roundtable Discussion language amendments, is a significant impediment to development with estimated costs in the hundreds of thousands of dollars. Some DCC members estimate that the extra per unit cost is several thousand dollars. This impacts the overall cost of housing. It also impacts developer decision-making about purchasing properties with existing overhead lines and longer frontages, particularly in areas identified for redevelopment, such as in-town lots and Downtown Grand Junction.

Electric lines are typically only located on one side of a street or alley. The current approach to undergrounding existing lines places all of the costs on the property owner/developer of the parcel on the side with the existing lines. Properties across the street receive a windfall benefit without participating in the undergrounding cost.

Requiring undergrounding of existing lines expends a disproportionate amount of money on one aspect of development. This holds both the development community and the City back from addressing other priorities. And while the undergrounding is required primarily for aesthetic reasons, relying on the development process to achieve this goal will take an extended period of time and results in an interim checkerboard of partially undergrounded utilities.

F. Pros, Cons, and Options

1. Pros

Accepting the DCC's recommendation to limit this section to electric utilities only will clean-up references to outdated technology.

Accepting the DCC's recommendation to eliminate the requirement to put existing electric utilities underground may:

- Address the one-sided cost burden placed on the development of properties on the side of the street with existing utilities.
- Address the overall cost burden of undergrounding existing electric utilities.
- Encourage the purchase and redevelopment of more lots with existing electric utility lines.

2. Cons

Accepting the DCC's recommendation to limit this section to electric utilities only may leave a future technology gap or create unforeseen issues for utility provision for infill or redevelopment.

Accepting the DCC's recommendation to eliminate the requirement to put existing electric utilities underground is contrary to One Grand Junction Comprehensive Plan

- Principle 5: *Strong Neighborhoods and Housing Choice*, Goal 4(d)(pg. 29):
INFRASTRUCTURE IMPROVEMENTS. Prioritize infrastructure improvements, such as traffic calming enhancements, sidewalk repairs, bikeways, street tree plantings, and undergrounding of overhead utilities to improve safety and quality of life for neighborhood residents based on documented deficiencies.
- Chapter 4, *Area Specific Policies*, Commercial Areas/Employment Centers/Streetscape (pg. 68) :
Streetscape elements should include pedestrian signage, benches, and street trees. A high priority should be placed on the undergrounding of utilities, wayfinding signage, sidewalk connectivity, and other improvements that enhance the streetscape functionality and safety.

Accepting the DCC's recommendation to eliminate the requirement to put existing electric utilities underground may:

- Allow above-ground utilities to stay in place in a manner that impacts overall community aesthetics and quality of life, as well as potentially creating a long-term impact on property values.
- Contribute to future fire hazards, power outages, or other life safety and community welfare concerns.

3. Options

Sample undergrounding requirements from other communities are provided in Appendix A.

- a. Continue to require existing utilities to be undergrounded either:
 - (i) According to the current language or
 - (ii) Including the proposed revisions. *This is the version included in the public draft of the Z&DC.*
- b. Continue to require existing utilities to be undergrounded and create a more open-ended procedure for applicants to request relief. Taking this approach should include establishing review criteria against which to measure the request:
 - (i) Technical feasibility, such as considering the size/transmission capacity of lines.

- (ii) Cost of undergrounding, as a percentage of building permit valuation (e.g., not more than 10%) or other measurable cost.
 - (iii) Practical impact, such as proximity to other sections of utilities that are already undergrounded or are reasonably anticipated to be placed underground in the next 10 years or focused on the character of the area where the lines are located (residential or industrial?).
 - (iv) Support of community priorities, such as how an exemption will impact the provision of affordable housing or infill development.
- c. Create a process for City cost-share participation on a case-by-case basis when project meets established threshold(s).
 - d. Allow or require the creation of special district(s) to share the costs with other benefitted properties.
 - e. Propose a ballot measure to fund City-wide undergrounding.

2. Electric Vehicle Charging

A. DCC Recommendation

The DCC recommends not including the proposed electric vehicle charging requirement in Section 21.08.030 the Z&DC, and instead incorporating the requirements of the upcoming Colorado Model Electric and Solar Ready Code described in the March Update section below.

B. Background

The public review draft of Module 3 introduced a discussion about requiring the provision of EV charging stations through one of three regulatory options: EV-Capable (install electrical panel capacity and conduit), EV-Ready (install full circuit), or EV-Installed (install EV charging station). The DCC shared a general preference for leaving decisions about providing EV charging capability to the developer/property owner. The DCC also had a short side discussion about whether the newly adopted 2018 International Energy Conservation Code (IECC) requires EV charging capability, but these changes appear to be included in the 2021 IECC instead. The P&ZC generally shared the preference for developer decision, but also explored a requirement to provide EV-Capable parking for multifamily units. The discussion at these meetings also focused on the potential additional cost burden to developers.

The City Council discussed EV charging stations and had a general preference for requiring EV-Capable parking in the updated Z&DC, with the potential for additional changes following completion of the current EV parking planning process.

Additional research indicates that the cost of EV charging at either the Capable or Ready level is significantly less expensive when done with building construction rather than as a retrofit. An excellent summary is provided by the Southwest Energy Efficient Project (SWEET)², detailing that EV-Capable installed during new construction can save \$2,040 - \$4,635 per space, a difference of \$10,000 - 23,175 over 5 spaces or \$20,400 - \$46,350 over 10 spaces. The consolidated draft has been revised to require 15% of the required off-street parking for multifamily and mixed-use structures (residential parking only) be installed as EV-Capable.

C. March Update

Colorado House Bill 22-1362, adopted in 2022, instructed the Colorado Energy Office to prepare a Model Electric and Solar Ready Code by June 1, 2023. The model code will include requirements for EV parking that address:

- Applicability to commercial and residential buildings.
- EV Ready and EV Capable requirements for residential buildings.
- EV Ready, EV Capable, and EV Supply Equipment Installed requirements for multifamily and commercial, able to serve 20% of spaces.
- Identification of a substantial cost differential determination process to allow an applicant to request a waiver (1% or greater of total MEP construction costs).

² EV Infrastructure Building Codes: Adoption Toolkit (<https://www.swenergy.org/transportation/electric-vehicles/building-codes>)

These standards will be made applicable to Grand Junction as part of the next building code update, anticipated to take place in 2024.

Additional legislation, HB 23-1233, has been introduced in the 2023 legislative session. This bill would expedite the applicability of EV parking requirements for multifamily housing (new construction and major renovations) to January 1, 2024. If that legislation is adopted the City will need to revise the Z&DC to address EV parking for multifamily housing.

D. Zoning & Development Code Amendments

The draft Z&DC can be amended as follows to leave a placeholder for the updated EV requirements:

(a) Amount Required

~~For all multifamily, mixed-use dwellings, and nonresidential uses that are not part of a mixed-use development, a minimum of 15 percent of the required off-street residential parking spaces shall be EV-capable light. Electric vehicle parking requirements will be adopted as required by the Colorado Model Electric and Solar Ready Code as applied to Grand Junction.~~

Appendix A: Sample Utility Undergrounding Requirements

Fort Collins, Colorado

Sec. 26-441. - Obtaining electric service.

(a) It shall be unlawful for any person to obtain electrical service unless it is provided in accordance with the terms of this Article.

(b) Where the utilities is requested to extend, augment or alter its facilities, or if the utilities is requested to provide new or additional capacity that may be needed, the utilities shall provide such extension, augmentation or alteration in accordance with the requirements of this Code and the Electric Service Standards, as adopted pursuant to § 26-463 of this Code. All existing overhead electric utility facilities on or adjacent to the affected service location shall be converted to underground facilities in conjunction with the augmentation, extension or alteration of any part of such utility service facilities, except where the utilities determines that underground construction is not practical or feasible. Utility line extensions shall be installed underground in accordance with this Code and the Electric Service Standards. The customer, owner or developer shall pay the full cost of such conversion, extension, alteration or augmentation of facilities and a proportionate share of the cost of associated underground distribution system facilities necessary to provide the additional service capacity, all as determined by the utilities. In addition, capacity costs attributed to the customer shall be paid by the customer as a non-reimbursable expense of the associated conversion, extension, alteration or augmentation activity.

(c) Utilities will use reasonable diligence at all times to provide continuous service at the agreed nominal voltage, but shall not be liable to the customer for complete or partial failure (including loss-of phase) or interruption of service, or for fluctuations in voltage, resulting from causes beyond its control or the negligence of its employees, servants or agents. The customer shall be responsible for taking whatever precautions the customer deems appropriate to protect against damage or loss due to interruptions of service or fluctuations of voltage.

(Code 1972, § 48-9; Ord. 061, 2009, § 13, 6-2-09; Ord. No. 066, 2016 , § 8, 6-7-16)

Longmont, Colorado

Sec. 15.07.050. - Subdivision design and improvements.

N. Underground utilities.

1.All utility lines shall be placed underground at the applicant's expense. The applicant shall be responsible for coordinating with the appropriate utility agencies and complying with the requirements of this provision and all other applicable city and state regulations.

2.Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, street lighting and other facilities necessarily appurtenant to such underground utilities may be placed above ground. High-voltage electric transmission and distribution feeder lines and necessary appurtenances thereto may be placed above ground. All utility lines and facilities shall be placed within easements or rights-of-way provided for particular facilities. Subject to review by applicable utility agencies, above-ground utilities allowed by this subsection shall be screened from public view with landscaping, fences, or walls to the maximum extent practicable taking into consideration applicable clearance, access and maintenance requirements.

Note: Longmont also adopted a more comprehensive undergrounding requirement in [Chapter 14.34](#).

Boulder, Colorado

Existing utilities are also placed underground unless the subdivider demonstrates to the manager that the cost substantially outweighs the visual benefit from doing so.

Claremont, California

16.151.010 UNDERGROUND UTILITIES

A. City-Wide Undergrounding Requirements

Persons constructing any building or adding at least 25% to an existing building's gross floor area, shall place underground all on-site utility lines and all utility lines between (i.e., connected to and serving) the building and the first point of connection to existing utility lines having the capacity to serve the project. If upgraded lines are required, the upgraded portion, including pre-existing lines, shall be placed underground. Provided, if there are existing on-site utility lines of less than 300 feet in length or located in a utility easement, the person constructing the improvement shall pay a fee in-lieu of undergrounding these lines, as provided in Section 16.151.010.D.

Kirkland, Washington

Zoning Code Chapter 110 – REQUIRED PUBLIC IMPROVEMENTS

110.60 Additional Requirements

7. Utility Lines and Appurtenances

a. The location of sanitary sewer, storm drainage, and water main lines shall be as approved or required by the Public Works Director. All other utility lines, water meters and other utility appurtenances must be undergrounded within the utility strip, unless an alternate location is approved or required by the Public Works Director. Utility appurtenances must be no higher than finished grade unless this is determined by the Public Works Director to be infeasible.

b. All overhead service utility lines on the subject property must be undergrounded to the nearest primary source; undergrounding to a secondary service pole will not be allowed unless approved by the Public Works Director. All existing overhead utility lines in the public right-of-way adjacent to the subject site must be undergrounded unless the Public Works Director determines that this is infeasible. If undergrounding is determined to be infeasible, the property owner shall sign an agreement, in a form acceptable to the City Attorney, that waives the property owner's right to protest formation of a Local Improvement District (LID) for conversion of overhead utility lines to underground, in the public right-of-way adjacent to the subject property, consistent with RCW 35.43.182.

Des Moines, Iowa

12.25.080 Requirements for service lines in non-single-family residential areas.

In all areas of the City zoned in Title 18 DMMC for uses other than single-family residential, all new electrical or communication service lines from either existing overhead or underground facilities to the service connection of new and existing structures shall be installed underground. [Ord. 1578 § 80, 2013.]

12.25.090 Requirements for service lines in single-family residential areas.

In all areas of the City zoned in Title 18 DMMC for uses as single-family residential, all electrical or communication service lines from either existing overhead or underground facilities to the service connection of new structures shall be installed underground. [Ord. 1578 § 81, 2013.]

12.25.110 Improvement of streets – Utility undergrounding.

The City Council, when ordering the improvement of a street, shall determine whether the relocation of electrical and communication systems underground is required, and if so, the manner of payment. [Ord. 1578 § 83, 2013.]

12.25.120 Cost.

(1) The cost and expense of relocating an existing facility, or installing new facilities, underground is borne by the serving utilities, the owners of the real property served, or persons applying for such underground service in accordance with the applicable filed tariffs, rules, regulations, or the policies of the respective utilities furnishing such service, or as may be agreed upon by contract between the utility and such owner or applicant.

(2) The cost and expense of relocating an existing facility, or installing new facilities, underground may be financed by a local improvement district or as otherwise permitted by law, as further authorized by chapters 35.43 and 35.96 RCW as presently constituted or as may be subsequently amended, and in accordance with DMMC 12.25.140. [Ord. 1578 § 84, 2013.]

12.25.125 Variance procedure.

(1) All applications for variances from the foregoing underground requirements shall first be filed with the Hearing Examiner through the City Clerk. The provisions of the Hearing Examiner Code are followed as it relates to fees, hearings, notices, decisions, appeals, and the like.

(2) A variance shall not be granted by the Hearing Examiner unless the Hearing Examiner finds that the utility owner or user or other affected party can demonstrate that it would be an undue hardship to place the facilities concerned underground. For purposes of this chapter, undue hardship is intended to mean a technological or environmental difficulty associated with the particular facility or with the particular real property involved.

(3) When granting a variance, the Hearing Examiner may attach conditions to the granting of said variance including placing a time limit on the duration of such variance. [Ord. 1578 § 85, 2013.]

Scottsdale, Arizona

Sec. 47-80. - Electric and communications facilities—Undergrounding.

(a) All electric and communications lines installed in the right-of-way for property developed after June 26, 1979 shall be installed underground, except electric lines equal to or greater than 12.5 kVA capacity.

(b) If four or more existing sequential electric or communications poles in the right-of-way are to be moved or replaced for development, then the developer shall pay the cost to install the lines attached to those poles underground, except electric lines equal to or greater than 12.5 kVA capacity.

(c) If an electric or communications service provider proposes to move or replace four or more existing sequential electric or communications poles in the right-of-way, then the service provider shall pay the cost

to install the lines attached to those poles underground, except electric lines equal to or greater than 12.5 kVA capacity.

(d) All related facilities shall be placed underground to the greatest extent practicable.

(Ord. No. 4113, § 1(Res. No. 9551, Exh. A, § 1), 12-9-13, eff. 7-1-14)

El Mirage, Arizona

Undergrounding of Overhead Utility Lines

152.030 General Provisions

(A) The developer shall place underground all existing overhead utility lines, including but not limited to telephone, cable television and electric power, except electrical lines exceeding 13 kV capacity, either within a proposed development or redevelopment project or within public rights-of-way or easements adjacent to the project, prior to issuance of a certificate of occupancy. This requirement shall apply to all projects submitted for approval or re-approval under the provisions of the site development in the zoning code. Utility poles and lines are defined herein as the poles, structures, wire, aerial cables, and related facilities used in the distribution of electricity or in the transmission of telecommunications, telegraph, data, radio, or television communications. This requirement includes utility lines on and adjacent to the project, including lines which extend across public streets, alleys, and/or easements adjacent to the property being developed or redeveloped. Existing utility lines within or adjacent to a project shall be under-grounded up to the first existing pole beyond the limits of the property. This requirement includes the undergrounding of all existing overhead service lines attached to the lines to be removed along with necessary conduit, supports, restoration and the like, necessary to convert the service line from overhead to underground. The requirement shall apply regardless of the existence of easements for overhead lines. When high-voltage power lines, above 13 kV or similar, are present on the same poles as the lower voltage lines, all lines other than the high-voltage lines shall be placed underground.

(B) Equipment appurtenant to the underground facilities, such as surface-mounted transformers, pull boxes, pedestal cabinets, service terminals, telephone splice closures, concealed ducts, or other similar on-the-ground facilities normally used with or as approved by the City Engineer, may be maintained above ground with the written permission of the City Engineer for the specific facility to be left above ground.

(C) The developer or owner of a development or redevelopment project shall be responsible to make necessary arrangements with the affected utility companies for the installation of required underground facilities, including the design and payment of any cost therefore as a condition of plan approval. Nothing contained herein is intended to obligate a providing utility company to install the underground facilities without reimbursement.

(D) In those instances where poles to be removed include street lights, the street lights will be replaced with freestanding poles by the developer in accordance with current street light standards.

(E) Relief from undergrounding requirements may be considered, at the discretion of City Council, under the following conditions.

(1) Deferment of undergrounding may be requested by a developer in cases where the utility frontage is small (generally less than 1,000 feet in length). When deferment is approved, the developer shall obtain an estimate of undergrounding costs from all affected utility companies. The developer shall then be

required to provide a cash deposit, letter of credit, certificate of deposit, or other security acceptable to the City Attorney, in an amount equal to the estimated under-grounding costs, as provided by the utility company, associated with the utility frontage of the project. The developer shall also be required to install the ductwork (conduit) required by the utility companies for the future undergrounding prior to issuance of certificate of occupancy. Phasing of projects will be considered based on the particular situation. On projects for which plans are approved in phases, the developer may request delay in payment of estimated costs until approval of plans for the largest phase involving undergrounding, at which time payment for the entire project shall be required. The obligation to pay at the time of a subsequent phase shall be secured by an agreement which shall bind the owner and subsequent buyers for undergrounding costs along the entire applicable frontage. Monies received will be held in an account by the city to be used at whatever time the applicable area is converted by the city, utility companies, or other parties to underground utilities.

(2) Exemption may be considered where the developer can show that undergrounding will be an unusual economic hardship and the costs of the undergrounding are disproportionate in terms of the utility frontage and the proportionate frontage of the project under consideration. Examples are cases where development occurs in an area where adjacent land on both sides is already developed (infill situation), and in cases involving additions or modifications to existing sites which represent a minor portion of the total site.

(3) Exemption may be considered when high-voltage powerlines, above 13 kV or similar, would remain on the poles after the undergrounding of the lower voltage lines.

(4) All requests for relief must be presented in writing to the Planning and Development Director prior to plan approval. Consideration for approval shall be in accordance with the purpose, intent, and objective of this section. The City Council shall approve or disapprove all formal requests for relief. Aesthetics is only one of many reasons for undergrounding of which public safety is paramount. Completion of undergrounding and/or payment of costs shall be required prior to granting of a certificate of occupancy. All new service lines installed shall be underground per § 155.057 even though relief may be granted for adjacent existing lines.

Grand Junction 2023 Z&DC Update: Impact of Code Changes
Updated October 2023

Section Title/Description	Impact on Future Development	Impact on Construction Costs	Comments
21.01 General Provisions Revised transitional provisions to provide greater specificity about multiple approval projects	Cost/Time Decrease	No Impact	
21.02 Administration and Procedures Expanded applicability and permitted scope of administrative adjustments Updated and clarified rezoning review criteria Updated comprehensive plan amendment criteria Adjusted applicability of PD lapsing provision	Cost/Time Decrease Cost/Time Decrease No Impact Cost/Time Decrease	Cost Decrease No Impact No Impact No Impact	
21.03 Zone Districts and Dimensional Standards Expanded list of permitted setback and height exceptions for clarity and to reduce adjustment requests Retired R-E, R-1, and R-2 zone districts Reduced residential front and street side setbacks in RL-4 and higher to 15 feet RM-5 and up: Revised dimensional standards to specifically allow attached units RM-5: Increased maximum lot coverage RM-12 and up: Reduced minimum lot area for attached DUs, reduced per unit lot width, raised max height Revised most commercial zone districts to mixed-use by adding residential uses, used most permissive dimensions Added new Parks and Open Space district Added new Public, Civic, and Institutional Campus district	Cost/Time Decrease No Impact Expanded development Expanded development Expanded development Expanded development Expanded development No Impact Expanded development	No Impact No impact No Impact/Cost Decrease Cost Decrease Cost Decrease Cost Decrease No impact Cost Increase No Impact	<i>May have been interpreted as additional dedication requirement in cost survey</i>
21.04 Use Standards Updated use table to specify full range of housing types, allowed more types in more districts Added use-specific standards and changed use review processes from Conditional to Allowed Limited or removed permission for a small number of uses in newly combined districts Revised cottage court standards for greater flexibility and to clarify that tiny homes are allowed Adjusted Manufactured Home Community density standards to align with base zone district Made accessory dwelling units (ADU) provisions more flexible (number allowed, parking, and design) Created accessory use table and generally expanded allowed accessory uses	Expanded development Expanded development Create some nonconformities Expanded development Expanded development Expanded development Expanded development	No Impact Cost Decrease Unsure of Impact No Impact/Cost Decrease No Impact Cost Decrease No Impact	
21.05 Site and Structure Development Standards Revised underground utilities requirement to no longer require existing overhead utilities to be undergrounded Removed standards redundant or conflicting with TEDS or SSID Clarified language to specify Pedestrian and Bicycle Plan Implementation Simplification of open space dedication requirements, removal of MAI appraiser requirement Access, turn lane, oversizing standards grouped and edited for clarity Maintained current policy and standards on the use of private roads Residential compatibility standards added (structure location or height) Building layout standards for single-family attached and multifamily development Expansion of Horizon Drive District and North Avenue Overlay to most mixed-use and commercial Expanded allowance for drive-thru restaurants in 24 Road Corridor	1. Expanded development of some infill lots 2. Visual impacts of existing lines remain No Impact No Impact Potential loss of appropriately located park land No impact No Impact Design requirement Design requirement Design requirement Change in allowed use	Cost Decrease No Impact Cost Increase Cost Decrease No Impact No Impact Cost Increase Cost Increase/Unsure Cost Increase No Impact	The utility undergrounding requirement predates this Z&DC update, reflecting a community preference. This requirement can have significant cost impacts on development. Reflecting concerns that Ped/Bike Plan implementation will impose additional costs Inability for City to implement Parks and Recreation Open Space plan effectively and potential equity issues in application Restaurant drive-thrus are currently prohibited in MU zoning districts

Section Title/Description	Impact on Future Development	Impact on Construction Costs	Comments
21.07 Landscaping, Buffering, and Screening Changed significant tree requirement to not require preservation for industrial projects and for infill projects less than one acre	Potential loss of some significant trees	Cost Decrease	Change to the applicability of the Landscaping regulations adopted in Dec. 2022 to reflect development and site layout concerns
21.08 Off-Street Parking Significantly reduced off-street (on-site) vehicle parking requirements for many commercial and industrial uses Eliminated minimum parking requirements for nonresidential uses in some infill areas Expanded parking Decreases allowed through administrative approval Allow the creation of long-term commercial parking lots (surface parking) on vacant lots Downtown Revised short-term bicycle parking requirements Added new long-term bicycle parking requirements Referenced new state model code for electric vehicle charging requirements	Expanded development Expanded development Expanded development Change in allowed use Expanded requirement New requirement Per Colorado Statute	Cost Decrease Cost Decrease Cost Decrease No Impact/Cost Decrease Cost Increase Cost Increase Cost Increase	Surface parking as a principal use is not currently allowed Downtown
21.09 Subdivision Standards Cul-de-sac to arterial or collector street ped/bike connection requirement added (10' easement)	New dedication, limited	Cost Increase	Dedication to improve pedestrian connections
21.11 Outdoor Lighting Incorporated maximum lighting temperature requirement per International Dark-Sky Association (with flexibility for Director to allow limited increases)	Change to bulb type	No Impact	
21.14 Measurements and Definitions Clarified that HUD certified manufactured homes are allowed where single-family detached development is allowed. Revised tiny home definition to align with state statute, to allow for a tiny home that meets DOH approval and is on a chassis Added co-housing definition and clarified applicabilty to cottage courts Clarified boarding/rooming house definition	Use clarification Use clarification Use clarification Use clarification	No Impact No Impact No Impact/Cost Decrease No Impact	

**Grand Junction Zoning and Development Code
Addendum to Adoption Draft | November 2023**



The following table and subsequent pages show the proposed revisions to the draft published October 17, 2023.

Section	Draft Page #	Section Title	Revision	Source
21.02.030(d)(2)(i)	19	Initial Application (Fees)	Text change	Staff
21.03.020(b)(4)	135	Table 21.03-2 Comprehensive Plan Implementation	Text change	Staff
21.03.050(g)(2)	149	Uses and Dimensions	Text change	Staff
21.04.020(E)	189	Use Table – Airport or Heliport	Deleted Conditional Use Permit allowances in CG, I-1, and I-2 districts	Staff
21.04.030(d)(1)	202	Adult Entertainment	Text addition (from Ordinance 5125)	Staff
21.04.040(e)(2)(i)(E)	249	Drive-Through Facility	Text relocation (moved from 21.05.060(e)(2))	Staff
21.04.050(b)(2)	256	Temporary Parking Lots	Text change	DCC
21.05.020(e)(4)(iv)(D)a	266	Platting, Dedication, Homeowners' Association (Private Streets)	Text change	Staff
21.07.040(d) and (e)	321-322	Replacement of Significant Trees	Text change	Staff
21.14.020	394-396	Definitions – Crane Game, Gambling Device, Gaming Arcade, Simulated Gambling Device, Slot Machine	Text addition (from Ordinance 5125)	Staff

(d) Application Submittal and Fees

(1) Application Requirements

- (i) Applications shall be submitted on the prescribed forms and according to the deadlines contained in the Submittal Standards for Improvements and Development (SSID) manual. The City may also make application forms available electronically.
- (ii) The Director may require additional information necessary to evaluate the application based on size, complexity, development timeline, or potential impacts of the project on the surrounding neighborhood or the City's transportation or utility systems.
- (iii) The Director may waive application submittal requirements of this Code in order to reduce the burden on the applicant and tailor the requirements to the information required to review a specific application. The applicant shall make a written request identifying the specific submission items to be waived and why, and the Director may waive the requirements on a finding of the following:
 - (A) The applicant shows good cause for the requested waiver;
 - (B) The project size, complexity, anticipated impacts, or other factors support a waiver;
 - (C) The waiver does not compromise a proper and complete review; and
 - (D) The information is not material to describing the proposal or demonstrating compliance with approval criteria.

(2) Fees

(i) Initial Application

The applicant shall pay all required application fees, ~~including development fees per GJMC 21.02.070,~~ to the City in full before an application will be reviewed by the Director or scheduled for a public hearing. Application fees are generally nonrefundable.

(ii) Changes to Complete Applications

In addition to fees set forth in the City fee schedule, the following fees shall apply to actions taken on a complete application:

- (A) Withdrawn Application: All fees are forfeited in the event the City has incurred any expense related to the application. If the application is refiled within 180 calendar days a resubmittal fee must be paid. The submission fee shall be paid again in full if the application is resubmitted after six months.
- (B) Continuance of Application: Payment of fees may be required to cover the cost of additional notice.
- (C) Reapplication: Payment of fees shall be required for a reapplication where a previous application has been denied.
- (D) Modification or Revision of Approved Site Plan

Table 21.03-2: Comprehensive Plan Implementation									
Zone Districts	Rural Res	Res Low	Res Med	Res High	Mixed Use	Comm	Ind	Air port	Parks & Open Space
Residential									
Residential – Rural	•								
Residential – Estate									
Residential – 1									
Residential - 2									
Residential Low 4		•							
Residential Low 5		•							
Residential Medium 8			•						
Residential Medium 12			•						
Residential High 16				•	•				
Residential High 24				•	•				
Mixed-Use and Commercial									
Mixed-Use 1: Neighborhood				•	•				
Mixed-Use 2: Light Commercial					•	•			
Mixed-Use 3: Downtown					•				
Commercial General					•	•	•		
Industrial									
Industrial 1: Light							•		
Industrial 2: General							•		
Public, Parks, and Open Space									
Public, Parks and Open Space, P-1	•	•	•	•	•				•
Public, Civic, and Institutional Campus, P-2	•	•	•	•	•	•		•	•
Overlay									
Airport Environs								•	
Planned Development									
Planned Development		•	•	•	•	•	•		

(g) Residential 2 Retired (R-2R)

(1) Intent

The Residential 2 zone district has been retired from future use. Property that is zoned R-2 as of the Effective Date shall be permitted to continue as conforming to this Code but rezoning any additional areas to R-2 is prohibited. The intent of the R-2R district is to provide areas for single-family and two-family residential uses where adequate public facilities and services exist.

(2) Uses and Dimensions

- (i) Permitted principal and accessory uses are identified in GJMC Chapter 21.04.
- (ii) The following dimensions apply in the R-2R zone district:

Lot Standards	
Dimensions (min, length ft or area sf)	
Lot Area (per structure, not unit)	15,000
Lot Width	100
Lot Frontage	50
Cul-de-sac (min. ft)	30
Density (units/acre)	
Minimum Maximum	n/a 2
<i>Density measurement GJMC 21.14.010(a)</i>	
Cluster allowed per 21.03.040(f)	Yes
Lot Coverage (max, %)	
Lot Coverage	30

Building Standards	
Setbacks: Principal Structure (min, ft)	
Front	20
Street Side	15
Side	15
Rear	30
Setback: Accessory Structure (min, ft)	
Front	25
Street Side	20
Side	3
Rear	5
Height (max, ft)	
Front Height	20 35
Notes: See 21.03.050(c) for setback adjustments	

Table 21.04-1: Principal Use Table
 A= Allowed Use C= Conditional Use
 For accessory use regulations, see **Table 21.04-2** in Section 21.04.040

Zone Districts	R-R	R-ER	R-IR	R-2R	RL-4	RL-5	RM-8	RM-12	RH-16	RH-24	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	Use-Specific Standards
Regulated Cannabis Store											A	A	A	A						21.04.030(d)(8)
Retail Sales and Service, Small									C	C	A	A	A	A		A				
Retail Sales and Service, Medium												A	A	A		A				
Retail Sales and Service, Large												A		A		A	A			
Retail Sales and Service, Big Box												C		C		C	C			
Transportation																				
Airport or Heliport														€	C	€	€		C	
Helipad												C	C	C	C	C	C		C	
Parking Garage, Commercial											A	A		A	A	A	A		A	
Parking Lot, Commercial											A	A	C	A	A	A	A		A	21.04.030(d)(10)
Transportation Depot												A	A	A	A	A	A		A	
Truck Stop														A		A	A			
Vehicles and Equipment																				
Vehicle Fleet Operations Center												A		A	A	A	A			
Vehicle Fuel Sales and Service Station											C	A	A	A	A	A	A			

ordinance or provision of the laws regarding nuisances, sexual conduct, obscene material, or obscene conduct. "Obscene material" or "obscene conduct" means that material or conduct that, taken as a whole, appeals to the prurient interest of the average person, applying a contemporary local standard and depicts or describes sexual conduct that, taken as a whole, lacks serious literary, artistic, political, or scientific value. The term "contemporary local standard" means that the material or conduct at issue must be measured in terms of the contemporary community standards of the City.

(v) Prohibition

No person, corporation, or business of any sort or description, shall cause or permit the location or operation of an adult entertainment establishment within 1,000 feet of the property line of another such business or within 1,000 feet of the property line of any church, school, park, playground, public building or within 1,000 feet of any residentially zoned property as the same are established under this Code. The operation of an adult entertainment establishment shall include the opening of such business as a new business, the relocation of such business or the conversion of an existing business location to any of the uses described in this subsection.

(vi) Gaming Arcades

-The City Council finds that it is necessary to preserve the public health, safety, morals, and general welfare of the residents and businesses of the City by affording time for City staff to evaluate the impact of gaming arcades, whether such uses are legal and, if so, can be appropriately sited within the City with appropriate regulation, or whether such uses are or should be prohibited.

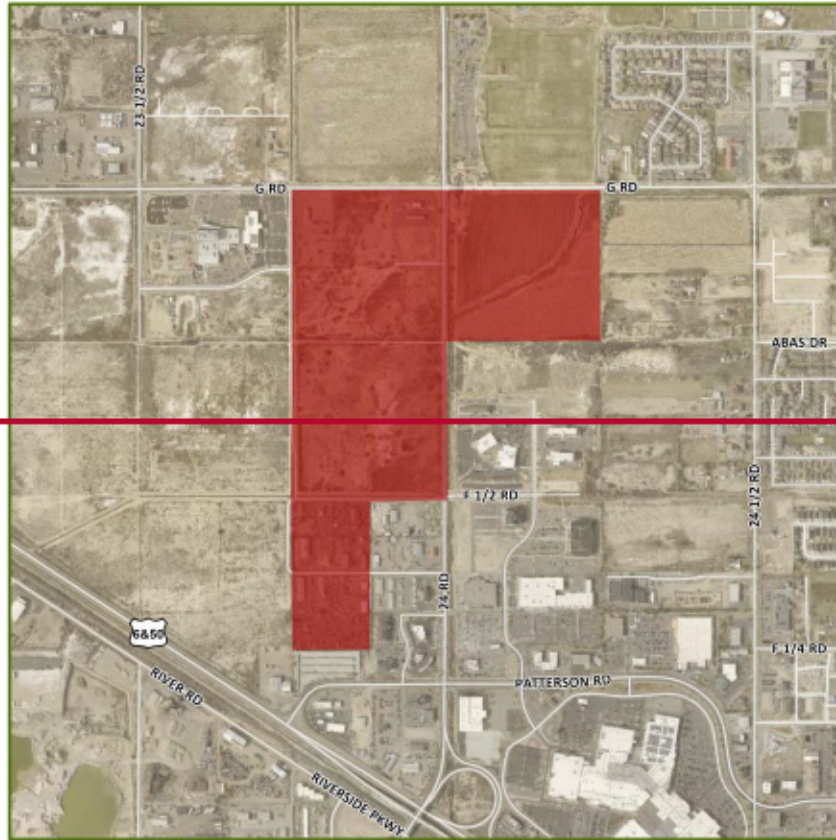
(A) Imposition of Moratorium

A moratorium period is hereby declared on all new establishments not in existence or the relocation of existing establishments as of March 5, 2023, constituting gaming arcades (aka skilled gaming businesses), slot machine(s), gambling device(s) and simulated gambling device(s) from the effective date of the ordinance codified in this subsection, March 5, 2023, for the period of 365 days to March 5, 2024 (inclusive), or until further action of the City Council ending, modifying or extending this moratorium, whichever occurs first. Such further action shall be taken accordingly by ordinance of the City Council. No applications pertaining to sales and use tax, amendments to the official zoning map, site development, liquor license, sign permit, building permit, any development permit, or renewal or transfer of any of the aforementioned shall be accepted for review by the City for the moratorium period as defined herein.

(B) Repeal

Subsection (d)(1)(vi) of this section is repealed effective March 5, 2024.

- (C) Drive-through lanes shall be set back at least 10 feet from a residentially zoned lot.
- (D) All drive-through facilities shall comply with the loading and stacking standards as set forth in TEDS (GJMC Title 29).
- ~~(E) In the 24 Road Corridor Overlay, drive throughs for restaurants and retail are allowed within the I-70 Regional Commercial and Mesa Mall character areas, but not in the 24 Road Business Commercial or Corridor Mixed Use and Multifamily character areas. Character area boundaries shown in Figure 04.04-1.~~



~~Figure 04.04-1 24 Road Corridor Overlay Character Areas~~

Drive Through

(E) Where drive-through windows or drive-up facilities, including but not limited to menu boards or speaker boxes, are allowed, they shall not be located between the facade of the building and the adjacent public right-of-way.

(ii) Electric Vehicle (EV) Charging Facility

- (A) EV charging facility spaces shall count toward the minimum off-street parking requirement and shall be located on the same lot as the principal use.
- (B) EV charging facility spaces shall be signed for the charging of electric vehicles only.

- (C) Persons shall not live, sleep, or housekeep in a recreational vehicle parked on a public street, a public or private parking lot, or any vacant lot.
- (D) Recreational or commercial vehicles shall not be parked on a public street or public or private parking lot for more than 72 consecutive hours.

(iv) Renewable Energy Facility, Accessory

(A) Accessory Solar Collectors

- a. Accessory solar collectors shall only be located in side or rear yards or on rooftops.
- b. If the solar collector is not flush with the roof the applicant shall minimize the visibility of the collector from a public street, park, open space, or golf course to the most reasonable extent possible without prohibiting the installation.
- c. Ground-mounted collectors are allowed as an accessory structure outside the setbacks.
- d. Ground-mounted accessory solar collectors shall not exceed the height of the principal structure on the lot or parcel.

(B) Accessor Wind Energy System

- a. An individual small wind system shall be set back from the property line and the principal structure at least 1.5 times the height of the turbine.
- b. In Mixed-Use and Commercial zone districts, accessory wind energy systems shall only be located in side or rear yards
- c. In Mixed-Use zone districts, an accessory wind energy system shall not exceed the maximum building height of the applicable zone district.
- d. In the I-1 and I-2 districts, an accessory wind energy system may exceed the maximum building height of the applicable zone district by 20 feet.

21.04.050 TEMPORARY USES AND STRUCTURES

(a) Purpose

The purpose of this section is to allow for a use to locate within the City on an occasional, temporary, or seasonal basis and ensure such use or activity is consistent with the intent and regulations of this Code.

(b) Temporary Parking Lots

- (1) Temporary parking lots are parking areas that 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.
- (2) A temporary parking lot:

~~(i) Is allowed only in MU-1, MU-2, MU-3, P-2, CG, I-OR, I-1, or I-2 zone districts and only if a site plan has been approved by the Director;~~

- ~~(ii)(i)~~ Shall be hard surfaced;
- ~~(iii)(ii)~~ Shall be graded for drainage;
- ~~(iv)(iii)~~ Shall be maintained in good condition free of weeds, dust, trash, and debris;
- ~~(v)(iv)~~ Shall be landscaped and screened along the perimeter of any abutting public street;
- ~~(vi)(v)~~ Parking spaces within a gravel lot shall be delineated with concrete “bumper blocks”;
and
- ~~(vii)(vi)~~ _____ May only be used for a total of 24 months unless a site plan for a permanent lot usage is approved. Parking lots as a permanent use are not allowed in MU-3.

(c) All Other Temporary Uses

(1) Applicability

- (i) This subsection shall apply to the following types of temporary uses and structures:
 - (A) Temporary buildings;
 - (B) Temporary display and sale of merchandise;
 - (C) Model homes, trailers, activities, and/or uses incidental to the construction of a building or group of buildings on the same or adjacent premises;
 - (D) Seasonal uses (e.g., fireworks stands, Christmas tree lots, and produce stands);
and
 - (E) Other uses that clearly are not associated with a holiday, the growing season, or a construction project may be considered for approval by the Director.
- (ii) Special events and activities conducted on public property, such as school sites and City parks, shall be exempt from the provisions of this Code, but shall comply with any guidelines, regulations and permitting process required by the authorizing agency.

(2) Compliance with this Code and Other Regulations

- (i) Prior to conducting or establishing a temporary use or temporary structure, approval of a Temporary Use Permit per GJMC 21.02.040(b) is required.
- (ii) Before a temporary use involving the sale of merchandise may begin, a sales tax license must be obtained from the City Finance Department. If not obtained, the Temporary Use Permit shall be revoked if issued or shall not be issued until licensure.
- (iii) Prior to the issuance of a Temporary Use Permit, the Director may require the applicant to post security with the City as required to cover expected costs of enforcement, monitoring, clean-up, and site restoration.

(3) Location

- (i) Structures and/or display of merchandise shall meet the minimum setback requirements for the zone district. Displays shall not interfere with the sight visibility triangle of the intersection of the curb line of any two streets or a driveway and a street. No personal property, including structures, and tents shall be located within the right-of-way.

- 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 funded and provided by the homeowners' association.
- 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.

(5) Shared Driveway (Autocourt)

(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 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) 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.

(iii) Access

- (A) No 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.

(iv) Design

- (A) Shared driveways shall be a minimum of 16 feet wide flowline to flowline and a maximum of 150 feet long.

- (6) These requirements shall be specified in the articles of incorporation or bylaws for a homeowners' association whenever the homeowners' association is assigned the responsibility of maintaining landscape areas.

21.07.040 PRESERVATION OF SIGNIFICANT TREES

- (a) This section applies to the following:
- (1) New residential, mixed-use, and commercial development;
 - (2) Redevelopment as follows:
 - (i) Preservation is required for all lots in MU-3
 - (ii) Preservation is required for lots larger than one acre in all other zone districts unless otherwise exempt.
 - (3) All development in Industrial zone districts is exempt from this section.
- (b) Existing landscape features such as escarpments, large trees or stands, heavy vegetative cover, ponds, and bluffs shall be identified by the applicant as part of the development review process.
- (1) This identification shall include a surveyed inventory of significant trees. Prior to undertaking a survey, an applicant may have a landscape professional view the site and determine whether there are any potential significant trees on the site. If there are no potentially significant trees on the site, the applicant may request the Director waive the survey requirement.
 - (2) Any significant tree to be preserved during development shall be identified on the proposed landscaping plan.
- (c) All trees, except those identified as 'excluded' on the Suitable Plants List, that meet all of the following criteria as determined by a certified arborist shall be considered significant:
- (1) Are 15 inches or larger in DBH;
 - (2) Are in fair or better condition;
 - (3) Are free from irreparable structural defects; and
 - (4) Are not infested with a disease or pestilence that threatens the good health of other trees.
- (d) Preservation Required
- (1) Where significant trees exist on a property, at least one and no less than 30 percent of significant trees shall be preserved during development.
 - (i) Significant trees may be preserved in individual lots or private common areas.
 - (ii) Significant trees may also be preserved in land dedicated for public use while still credited to the site tree preservation requirement. Where the value of the land dedication does not meet the minimum assessment requirement of GJMC 21.05.030(a), the valuation of the significant tree shall not be considered separately from or added to the assessment total.
 - ~~(4)~~(2) If the 30 percent minimum preservation requirement impedes the proposed Primary Development of a site, then the Director may grant a 10 percent adjustment of the

minimum setbacks, lot size, parking lot interior landscaping, and parking count requirements, or allow the use of cluster development.

~~(2)(3)~~ Furthermore, the City Forester may adjust the drip line protection standards described in (6)(i) of this section so to allow for additional flexibility for the development to occur around the identified significant trees.

~~(3)(4)~~ If the provisions in subsections (2) and (3) do not provide a viable means of development the site with the preservation of the minimum required significant trees then, at the developer's discretion, the developer may remove significant trees present on the site. Tree replacement shall be required for all significant trees removed on a property at the following ratios:

Percent of Trees Preserved	Tree Replacement Ratio
Minimum 30% preservation	3 caliper in. per 5 in. DBH [1]
Above 30% minimum	1 caliper in. per 3 in. DBH [2]
Significant trees damaged or killed during construction	3 caliper in. per 5 in. DBH [1]
Notes: [1] If developer cannot replace trees on-site, they may pay a fee-in-lieu according to GJMC 21.07.040(f). [2] See GJMC 21.7.90(f) for credit applied to preserved trees.21.01.010(a)(1).	

(e) Replacement of Significant Trees

Replacement trees may be planted in individual lots and private common areas.

~~(0) Significant trees may be included in individual lots or private common areas.~~

~~(0) Significant trees may also be included in land dedicated for public use while still credited to the site tree preservation requirement. Where the value of the land dedication does not meet the minimum assessment requirement of GJMC 21.05.030(a), the valuation of the significant tree shall not be considered separately from or added to the assessment total.~~

~~(h)(f)~~ Fee-in-Lieu

The fee in-lieu shall be based on the value of the required replacement tree(s) not planted on site, along with the total cost of installation. The City shall use this payment to purchase the required replacement trees not planted on-site and plant them on nearby public property.

~~(i)(g)~~ Features to be preserved shall be protected throughout site development. No person shall kill or damage a landscape feature required to be preserved by this section. The developer shall protect trees from compaction.

- (1) During construction, existing plant material to be preserved shall be enclosed by a temporary fence at least five feet outside the canopy dripline. In no case shall vehicles be parked, or materials or equipment be stored or stockpiled within the enclosed area.
- (2) Irrigation shall be provided to trees preserved during construction of sufficient quantity to ensure their health and survival.

- 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.

Church

Any structure or building for public worship.

Crane Game

An amusement machine that, upon insertion of a coin, bill, token, or similar object, allows the player to use one or more buttons, joysticks, or other controls to maneuver a crane or claw over a nonmonetary prize, toy, or novelty, none of which shall have a cost to the arcade of more than twenty-five dollars per item, and then, using the crane or claw, to attempt to retrieve the prize, toy, or novelty for the player.

Gambling Device

Any device, machine, paraphernalia, or equipment that is used or usable in the playing phases of any professional gambling activity, whether that activity consists of gambling between persons or gambling by a person involving the playing of a machine; except that the term does not include a crane game.

Gaming Arcade

Gaming arcade (aka skilled gaming business) means any business location, including a private club, that is owned, leased, or otherwise possessed, in whole or in part, by a person or by that person's partners, affiliates, subsidiaries, agents, or contractors which features (i) slot machine(s), (ii) gambling device(s), (iii) simulated gambling device(s), or (iv) any mechanical, electrical, video, electronic, or other device, contrivance or machine which after insertion or conveyance of a coin, debit card, credit card, cash, token or similar object or upon payment of any required consideration whatsoever by a player, is available to be played or operated, and which, whether by reason of the skill of the player or application of the element of chance, or both, may deliver or entitle the player operating the machine to receive monetary compensation and/or redeemable game credits, or any other thing of value. This definition expressly includes 'fish game' 'fish game table' 'fish game gambling table' however denominated that consists of a tabletop electronic display with one or more stations featuring buttons, joysticks, or other control(s) that delivers to the player cash, cash premiums, redeemable game credits or any other thing of value for successful play, whether the redeemable payout is made from the machine, another machine, or from an employee of the business. This definition expressly excludes any business location which features bona fide amusement devices that pay nothing of value, cannot be adjusted to pay anything of value, provide only unredeemable free games, or provide only tickets redeemable for nonmonetary prizes consisting of toys or novelties of nominal value; crane games; BINGO operations; coin-operated music machines; or any bona fide amusement device authorized within restaurants by C.R.S 44-3-103(47).

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.

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.

Simulated Gambling Device

A mechanically or electronically operated machine, network, system, program, or device that is used by an entrant and that displays simulated gambling displays on a screen or other mechanism at a business location, including a private club, that is owned, leased, or otherwise possessed, in whole or in part, by a person conducting the game or by that person's partners, affiliates, subsidiaries, agents, or contractors; except that the term does not include bona fide amusement devices, as authorized in C.R.S. 44-3-103 (47), that pay nothing of value and cannot be adjusted to pay anything of value. "Simulated gambling device" includes:

- (I) A video poker game or any other kind of video card game;
- (II) A video bingo game;
- (III) A video craps game;
- (IV) A video keno game;
- (V) A video lotto game;
- (VI) A video 102 roulette game;
- (VII) A pot-of-gold;
- (VIII) An eight-liner;
- (IX) A video game based on or involving the random or chance matching of different pictures, words, numbers, or 104 symbols;
- (X) An electronic gaming machine, including a personal computer of any size 105 or configuration that performs any of the functions of an electronic gaming machine; and
- (XI) A slot machine, where results are determined by reason of the skill of the player or the application of the element of chance, or both, as provided by Article XVIII, § 9(4)(c) of

the Colorado constitution; and (XII) A device that functions as, or simulates the play of, a slot machine, where results are determined by reason of the skill of the player or the application of the element of chance, or both, as provided by Article XVIII, § 9(4)(c) of the Colorado constitution.

“Simulated gambling device” does not include any parimutuel totalizator equipment that is used for pari-mutuel wagering on live or simulcast racing events and that has been approved by the director of the division of racing events for entities authorized and licensed under article 32 of title 44 of the Colorado Revised Statutes.

Slot Machine

Any mechanical, electrical, video, electronic, or other device, contrivance, or machine which, after insertion of a coin, token, or similar object, or upon payment of any required consideration whatsoever by a player, is available to be played or operated, and which, whether by reason of the skill of the player or application of the element of chance, or both, may deliver or entitle the player operating the machine to receive cash premiums, merchandise, tokens, redeemable game credits, or any other thing of value other than unredeemable free games, whether the payoff is made automatically from the machines or in any other manner; except that the term does not include a crane game or vintage slot machine models introduced on the market in 1984, does not contain component parts manufactured in 1984 or thereafter and is not used for gambling purposes or limited gaming purposes.

Adverse Impact

A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-tract property or facilities.

Aggrieved Person

A person having suffered actual loss or injury or being exposed to potential loss or injury to legitimate interests including, but not limited to, business, economic, aesthetic, governmental, recreational, or conservation interests.

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

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

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

November 7, 2023

Grant Junction City Council
250 N. 5th St.
Grand Jct., CO 81501

Dear City Council,

I am writing this letter on behalf of the Parks and Recreation Advisory Board (PRAB) regarding proposed changes to the Open Space Dedication and Fee In-Lieu Policy that is currently being offered by the Zoning and Development Code Update Committee. This matter was addressed at our regular PRAB meeting on 11/2/23.

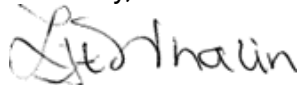
The PRAB had several concerns about this proposal, and ultimately unanimously voted to express our preference for keeping the policy as is with the addition of the language proposed by the consultant, Clarion Associates. PRAB believes the planning department should retain the authority to select a land dedication for open space because that allows the city to work with developers to place parks in developing neighborhoods in underserved areas, and in alignment with the Parks Recreation and Open Space (PROS) Master Plan. In cases where a fee in lieu is more appropriate, that may then also be pursued.

The proposed change risks creating areas of our community without sufficient parks or open space, and further risks creating parks or open space in undesirable places based on developer preference rather than public need. If the policy is changed, it would likely force the city to purchase land for parks, which could be not only cumbersome, but also expensive, and could create spaces that are not integrated in neighborhoods, or not in alignment with the PROS Plan.

The proposed guidelines and the City Council's role in approving land dedications in a public hearing protect the interests of all parties. Without this in place, developers might be tempted to favor more homesites and increased profit over dedicating land for publicly needed parks or open space, even though such spaces might increase the value of the rest of their project. We believe sufficient parks and open space are in the best interest of developers, whose projects are thereby more attractive to potential homebuyers. PRAB also expressed concerns that developers from outside the area might not have the same commitment to the community, including parks and open space that local developers might have.

PRAB believes the current process has created a system whereby the city and developers negotiate to create thoughtfully placed and well-integrated parks in areas where they are most needed. PRAB recommends these systems continue with the added clarity of the proposed guidelines from the consultants.

Sincerely,



Lisa Whalin, LPC
Chairperson for PRAB

Stephen Hillard
887 25 Road
Grand Junction, Colorado 81505

To: The Grand Junction Planning Commission

Date: October 20, 2023

Re: Zoning and Development Code Update

The Grand Junction North Neighborhood group (GJN) is an assembly of several hundred interested citizens of the City and the County who wish to provide input to the process of development, especially as it affects areas north of I-70. GJN has provided extensive testimony and written commentary to the City and County over the past six years.

We offer these comments with respect to two related issues under review as part of the City's Zoning and Development Code Update process (ZDCU). The issues are as follows:

- (1) Retirement of the R-E, R-1 and R-2 zoning categories, and
- (2) Standards for rezoning applications.

The City's stated purpose for updating these matters is so that City officials and the public will "know exactly what is required for approval and help insure consistent treatment."

The specific proposals, however, achieve just the opposite. They evidence a significant bias toward confusing generalization and densification of land use. This will likely increase the frequency and success of appeals. They are, in short, administrative shortcuts that negatively effect both "knowing exactly" what is required and consistency of treatment.

Here are the reasons why:

- I. "Retirement" of R-E, R-1 and R-2 zoning categories is misleading.

These categories represent around 8% of all zoned land in the City. As such they are a substantial and important category of land status.

As applied in the proposed ZDC Update, the term “retired” reasonably connotes that something is no longer valid or useful, that it is to be disregarded or eliminated, etc. We respectfully commend that this is confusing and goes too far. Coupled with other wording in the ZDCU, there appears to be an unspoken and unjustified bias toward upzoning. Nor is this just an argument about semantics.

Properties with the subject zoning designations do not have second-class status. For all purposes, present and future, they have the full entitlement of land status protections, subject only to limits on new zoning and rezoning. Nonetheless, this “second-class status” is already showing up in the City’s presentations about zoning.

Thus in considering a rezoning, this “retired” status should not suggest that there has been a “change of circumstances” or any other factor that should operate to compel the rezoning. As presently worded, the ZDCU suggests otherwise: that the scales for rezoning should be weighed toward elimination of this land status. There should be no bias toward intensification of use save those defined elsewhere in the code.

To correct this likely confusion, and to insure exactness and neutrality in the rezoning process, we suggest adding a clarifying definition:

“Retired. A zoning district that remains valid for all purposes, present and future, except that it is unavailable as a designation for new zoning or rezoning. Retired status shall not be considered as a factor supporting higher density rezoning.”

II. The Proposed Rezoning Standards Under 21.02.050 are Inexact, Confusing, and Void for Vagueness.

Amendments to the ZDC and rezoning are critical actions by the City. They should be closely governed by code language that, as the City has already recognized (see above), is sufficiently detailed so that officials

“know exactly what is required for approval” and that “help insure consistent treatment.”

Exercise of those powers by the City deserves to be governed by standards that have real, objective meaning rather than inexact, short-cut wording that over time will certainly generate uncertainty and inconsistency.

The original ZDCU proposal preserved a set of standards that had real, objective meaning so that applicants, the City, reviewing courts, and, most important, the public, knew what they meant and could apply them consistently.

Something happened after that. The current proposal inexplicably jettisons these standards for remarkably vague and confusing language. Language that offers neither exactness nor consistency of application. See Exhibit A.

For example, what does the term “generally consistent” mean? As a tool for the exercise of governmental actions that potentially effect every parcel of land in the City, it is the epitome of inexactness. The public deserves better.

This proposal also falls far short of administrative law principles and invites, in its lack of definition, both inconsistency and spot-zoning.

Even worse, the proposed rezoning language exposes this critical part of the code to appeal and judicial reversal under the “void for vagueness” doctrine and related principles of due process. The basic rule, recognized in hundreds of decisions regarding municipal law, is summarized in the case of Grayned v. City of Rockford, 408, U.S. 104 (1972):

“[I]f arbitrary and discriminatory enforcement is, to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters . . . for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application.”

The Comprehensive Plan, as to which a proposed rezoning must be “generally consistent” is a complex document which, depending on the version and the appendices and maps, is 123 pages long, and is often itself vague in its language. That compounds the problem of “general consistency” (vague) with the Comprehensive Plan (also vague). Even the areas in the Comprehensive Plan that arguably touch on rezoning considerations (with lots of room for confusion there) number scores of pages that are themselves full of vagaries.

Just to add a further consideration, the vagueness problem is a two-edged sword. Many courts, upon finding a zoning regulation vague, will automatically grant rezoning relief to the landowner. That may sound fine until the landowner asks for something beyond what anyone in the city could support. It’s a problem of don’t enact bad laws because they will someday come back to bite the city.

Accordingly, we respectfully commend to the Planning Commission that it reject the short-cuts and intrinsic bias noted above, and adopt code formulations that allow officials to “know exactly what is required for approval and help insure consistent treatment.”

Respectfully submitted,



Stephen Hillard

(l) Rezoning

(1) Purpose

The purpose of this section is to establish the procedure and requirements for requested amendments to the Zoning Map.

(2) Authority to Initiate

Amendments to the Zoning Map may be proposed by property owners, the City, the Planning Commission, or City Council in order to add, modify or expand zone districts.

(3) Review Procedures

Applications for Rezoning shall meet the common review procedures for major development applications in GJMC 21.02.050(b), with the following modifications:

(i) Public Notice and Hearing Requirements

- (A) The application for Rezoning shall be scheduled for public hearings before the Planning Commission and City Council and shall be noticed pursuant to GJMC 21.02.030(g).
- (B) The Planning Commission or City Council may add additional property to be considered for a Rezoning if such additional property is identified in the notice.

(ii) Review Criteria

An applicant for Rezoning has the burden of producing evidence that proves each of the following criteria:

(A) Consistency

The proposed zoning is generally consistent with applicable provisions of the Comprehensive Plan.

(B) Development Patterns

The proposed zoning will result in logical and orderly development pattern(s).

(C) Benefits

The community or area, as decided by the reviewing body, derives an overall benefit(s) from the proposed zoning.

(4) Lapsing and Extension of Approvals

Approved Rezoning do not expire.

Common Procedures for Major Development Applications

- 1
- General Meeting or Pre-Application Meeting**
Sec. 21.02.030(b)
- 2
- Application Submittal & Review**
Sec. 21.02.030(d)(f)
- 3
- Complete Applications with Changed Status**
Sec. 21.02.030(f)
- 4
- Public Notice | Sec. 21.02.030(g)**
- 5
- Planning Commission Recommendation or Decision**
Sec. 21.02.030(h)
- 6
- City Council Decision**
Sec. 21.02.030(h)
- 7
- Post-Decision Actions**
Sec. 21.02.030(i)

Exhibit A

**Grand Junction Zoning and Development Code
Planning & Zoning Commission Drafting Alternatives**



This memo summarizes the drafting alternatives requested by the Planning & Zoning Commission at their October 24 workshop. The issues are organized by location within the Z&DC.

Contents

1. Allow drive-throughs in all areas of the 24 Road Corridor Overlay..... 1

 A. DCC Recommendation - Included in Adoption Version 1

 B. Staff Recommendation and P&ZC Discussed Version..... 2

 C. Consultant Team Recommendation 4

2. Allow the applicant, rather than the Community Development Director, to decide whether to dedicate land or pay a fee-in-lieu. 4

 A. Current Process 4

 B. DCC Recommendation – Included in the Adoption Version 4

 C. Staff Recommendation 6

 D. Consultant Recommendation..... 6

1. Allow drive-throughs in all areas of the 24 Road Corridor Overlay.

A. DCC Recommendation - Included in Adoption Version

The Z&DC adoption version shows Restaurant Drive-Through Facilities as an allowed use anywhere in MU-2.

Table 21.04-2: Accessory Use Table
A = Allowed Use C = Conditional Use

Zone Districts	R-R	R-ER	R-1R	R-2R	RL-4	RL-5	RM-8	RM-12	RH-16	RH-24	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	Use-Specific Standards
Commercial Uses																				
Agri-business	C	C																C	C	
Animal Agriculture	A/C	A/C	A/C													A/C	A/C	A/C	A/C	21.04.030(d)(2)
Drive-Through Facility																				
Office											C	A	A	A	A	A			A	21.04.040(e)(2)(i)
Restaurant												A	A	A		A				21.04.040(e)(2)(i)
Retail											C	A	A	A		A				21.04.040(e)(2)(i)

The use-specific standards referenced in the right-side column provide the following:

(2) Commercial Uses

(i) Drive-Through Facility

- (A) All drive-through facilities shall be designed and located to avoid impairing pedestrian mobility to or from the principal structure or creating risks to pedestrian safety.
 - (B) Drive-through facilities shall be clearly signed and marked to provide efficient flow through the facility.
-
- (C) Drive-through lanes shall be set back at least 10 feet from a residentially zoned lot.
 - (D) All drive-through facilities shall comply with the loading and stacking standards as set forth in TEDS (GJMC Title 29).

B. Staff Recommendation and P&Z Discussed Version

Staff has recommended that at a minimum, retail and restaurant drive-through uses not be permitted within the Corridor Mixed Use and Multifamily character areas, but ideally not within both of those and the 24 Road Business Commercial character area. This approach would be implemented through the same accessory use permissions as shown in Table 21.04-2 and the following addition to the use-specific standards:

- (E) In the 24 Road Corridor Overlay, drive-throughs for restaurants and retail are allowed within the I-70 Regional Commercial and Mesa Mall character areas, but not in the 24 Road Business Commercial or Corridor Mixed-Use and Multifamily character areas. Character area boundaries shown in Figure 04.4-1.

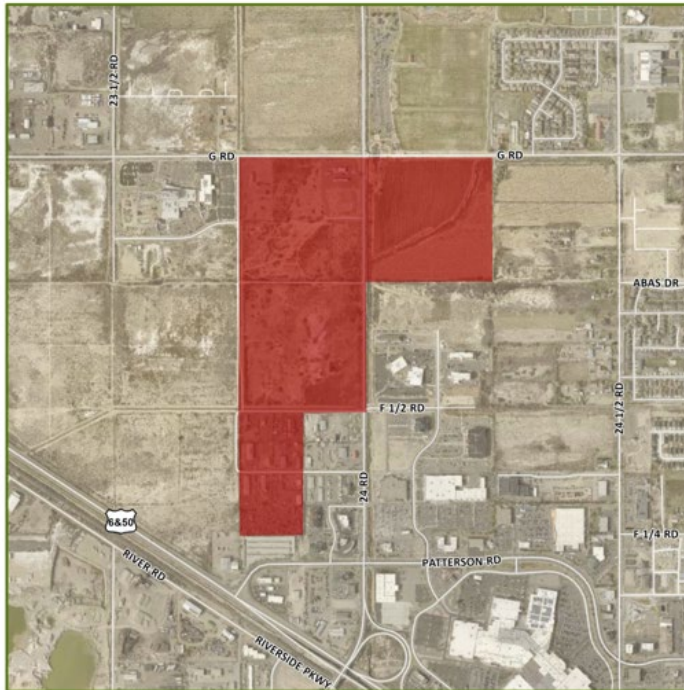
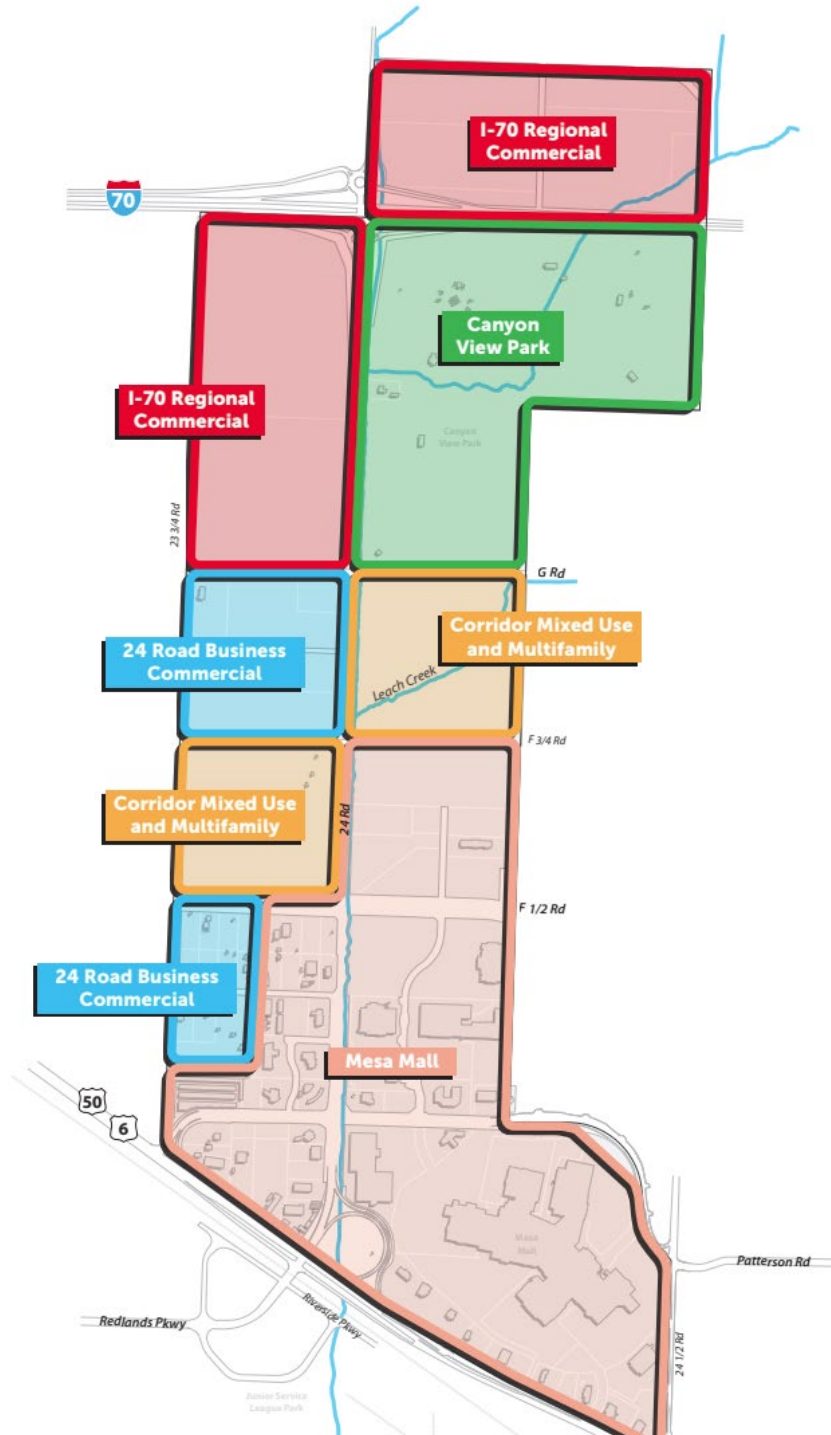


Figure 04.4-1 24 Road Corridor Overlay Character Areas

The character area boundaries would need to be adjusted based on which areas will be allowed to have restaurant drive-throughs. The map shown in Figure 04.4-1 prohibits restaurant drive-throughs in both the Corridor Mixed Use and Multifamily subareas and the 24 Road Business Commercial areas. Here is a copy of the subarea map from One Grand Junction for review:

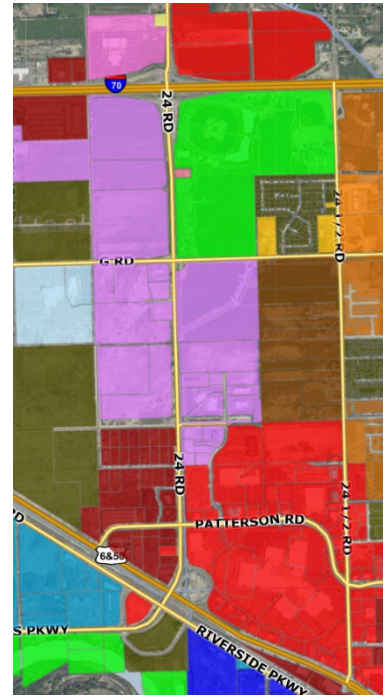


C. Consultant Team Recommendation

The consultant team has recommended maintaining the current prohibition on retail and restaurant drive-throughs in the MU district in the 24 Road Corridor Overlay. Keeping this prohibition in place would require adding a map of the current MU zone district boundaries (shown in purple in the map to the right) to the Z&DC.

If the City wants to explore changing this requirement, the 24 Road Corridor Subarea Plan should be amended first, with specific exploration of the impact of allowing restaurant drive-throughs, followed by appropriate changes to the Z&DC.

Making this change in the Z&DC adoption version would mean updating Table 21.04-2 as follows. No changes to the use-specific standards would be needed; the Code Committee version would be used.



2. Allow the applicant, rather than the Community Development Director, to decide whether to dedicate land or pay a fee-in-lieu.

A. Current Process

Residential development of 10 or more lots of dwelling units requires dedication of 10% of the gross acreage of the property or the equivalent 10% of the value of the property. The existing code reads as follows: "The decision as to whether to accept money or land as required by this section shall be made by the Director." Procedurally, when a property of larger size is being proposed for residential development, Planning staff will discuss with Parks and Engineering if there is a need for open space in the area (eg. Parkland, drainage, enhancements to trail corridors). If it is determined that there is no public benefit/need, the Director conveys to the applicant in the initial phases of project scoping that the City will accept a fee-in-lieu payment instead of land dedication. If land is needed to implement the City's Parks and Recreation Space (PROS) plan, for example, staff will discuss this with the developer and work together to identify an appropriate location for the land dedication to occur.

B. DCC Recommendation – Included in the Adoption Version

The Development Code Committee's recommendation is included in the Z&DC adoption version:

21.05.030 PARKS, OPEN SPACE, AND TRAILS

(a) Open Space Dedication or Payment of Fee in-Lieu

(1) Applicability

- (i) The owner of any residential development, being developed in full or incrementally, of 10 or more lots or 10 or more 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 as a fee in-lieu of dedication.
 - (A) The ~~Director~~ applicant shall decide whether to ~~request the dedicate land or to pay a fee in-lieu or a land dedication.~~
 - (B) ~~If a land dedication is preferred by the City, the Director shall work with the applicant to determine an appropriate location on the property. If the land offered for dedication by the applicant is not acceptable to the City, the applicant shall may either negotiate with the Director or pay a fee-in-lieu instead.~~
- (ii) Private open space and/or a private recreational area(s) in any development, or an outdoor living area(s) required in a multifamily development, shall not satisfy this open space dedication requirement.

(2) Calculation of Fee In-Lieu

- (i) To calculate the fee in-lieu, the owner shall have the property appraised by a Colorado certified appraiser. The appraiser shall value the total acreage of the property notwithstanding the fact that the owner may develop or propose to develop the

property in filings or phases. The applicant is responsible for all costs of the appraisal and report.

- (ii) The Appraisal Report shall be in a Summary Appraisal Report form as prescribed by the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP). The Appraisal Report shall be provided by the Applicant to the City, as a public record, for the City to review, and if it accepts the Appraisal Report, determine fair market value of the property and to otherwise determine compliance with this section.

(3) Dedication and/or Fee Payment

- (i) ~~If the Director decides that land shall be dedicated, then the Director shall make a written recommendation to City Council.~~ If the land ~~to offered for~~ dedicated has open space or recreational value, the Parks and Recreation Advisory Board shall ~~also~~ provide a written recommendation. The City Council may accept the dedication of land so long as the land dedicated to the City is at least 10 percent of gross acreage or is found to provide adequate public benefit. If the dedication is less than 10 percent of the gross acreage, the owner shall have the gross acreage appraised per GJMC 21.05.030(a)(2) to calculate the difference in value between the land dedication and value of the gross acreage. The owner shall pay the difference in calculation to equal the value of 10 percent of gross acreage.
- (ii) For subdivisions, the land dedication or open space fee is required and payable at the time of platting. For any other project(s), the fee is due at the time of Planning Clearance.

C. Staff Recommendation

The Z&DC Staff Report states that:

“[t]his represents a significant shift in both policy and administration as it relates to open space dedication. Comprehensive Plan Principle 7, Goal 1, Strategy c recommends ‘actively pursuing opportunities to acquire and retain open space, trails, and drainages that support the implementation of an interconnected network within the urbanizing area of the city, consistent with adopted City plans.’”

Concerns surrounding this shift include that dedications will not be proffered unless the land is unusable and the City will lose its ability to use the land dedication process to obtain land which implements the vision of the Parks and Recreation Open Space Master Plan.

In discussions with Planning Commission regarding the shift in open space dedication procedures, it was requested that options be provided to guide decision-making. The consultant team put together a document outlining the DCC, staff, and consultant team recommendations, which was then brought to the Parks and Recreation Advisory Board (PRAB) for their input. The difference between the staff and consultant team recommendations is the establishment of dedication standards that better describe property that is appropriate for donation, reflecting the concerns of both parties. During the discussion with PRAB, the board members offered further refinement to these criteria, clarifying considerations about the proximity to the nearest park, relativity to the PROS plan, and whether the presence of easements should preclude property from consideration. With this additional input and refinement from PRAB, staff therefore finds it appropriate to shift its recommendation to support the inclusion of these criteria in alignment with the consultant team recommendation.

D. Consultant Recommendation

The consultant team recommends that the City maintain the current dedication determination process that is led by the Director. Decision-making about property that is appropriate for dedication, however, should be guided by new review criteria.

Both sides of this discussion are concerned about the impact on other priorities of the land chosen for dedication. Changing the process to allow the developer to determine what area of the parcel should be dedicated may result in the City being offered property that is unsuitable for park development because of location, topography, or constraints. Leaving the process as is may allow the City to request dedication of property that is important to the development design concept and potentially the overall value of the project.

While the consultant team recommends keeping the current process, this process should be clarified by the establishment of dedication standards that better describe property that is appropriate for donation reflecting the concerns of both parties. This might include, for example, standards that guide the land selection process by exploring any or all of the following:

- a. Size of the area to be dedicated is sufficient for the type of park proposed and suitable for City maintenance;
- b. Availability of sufficient flat surface to provide usable park or open space, or suitable open space is provided to preserve:

- (i) Unique landforms or natural areas;
 - (ii) Fish or wildlife habitat;
 - (iii) Cultural, historic, or archeological areas;
 - (iv) Outdoor recreation areas; or
 - (v) Unique vegetative areas and significant trees;
- c. Area proposed for dedication is free of easements and natural hazards;
 - d. Location of the dedication on the site and proximity to public access; and
 - e. Area proposed for dedication is not critical to the overall project design.

E. Planning Commission Workshop – November 9, 2023

At the Planning Commission workshop on November 9, 2023, there was discussion regarding the recommendations presented in this memo. The draft language below is the result of those discussions:

The area proposed for dedication is not critical to the overall project design, *as determined by the applicant*. **If this can be met, the land proposed for dedication shall meet some or all of the following criteria:**

- A. The proposed land can implement the design criteria of the PROS plan and can be maintained by the City;
- B. Availability of sufficient flat surface to provide usable park or open space, or suitable open space is provided to preserve **one of the following, if located on the site:**
 - (i) Unique landforms or natural areas;
 - (ii) Fish or wildlife habitat;
 - (iii) Cultural, historic, or archeological areas;
 - (iv) Outdoor recreation areas; or
 - (v) Unique vegetative areas and significant trees;
- C. Area proposed for dedication is free of easements and natural hazards (**x-ref definition**); and
- D. The location of the dedication on the site is proximate to public access.

To: Grand Junction **Planning Commission**

Date: 10 November 2023

From: Dave Zollner

RE: **'Retirement' of R-1 and R-2 Zones** – to be heard at 11/14/23 PC meeting

“... the Comp Plan Committee eliminated them”

The Zoning and Development Code is not the will of the people. Despite much rhetoric that the 2020 One GJ Comprehensive Plan is the result of citizen input, at least one aspect is an inside job to eliminate reasonable diversity of zoning, and historical and compatible land uses.

The source of this thought of eliminating R-1 and R-2 was very elusive, even after extensive contact with the Community Development. But finally Ivan Geer of the Comprehensive Plan Advisory Committee volunteered the source of this elimination: R-1 and R-2 “... the Comp Plan Committee eliminated them” he volunteered at a community Zoom meeting on 17 August 2023.

Please see attached background letter to the City of GJ dated 19 April 2023.

I encourage the GJ Planning Commission to specifically **reject the 'retirement' ... the “elimination” of R-1 and R-2** as NOT the will of the people, and as not good land development as it eliminates reasonable diversity of land use.

To the City of Grand Junction

19 April 2023

**Planning Department
Zoning & Development Code Committee**

We, the undersigned, call attention to and protest the discard of the significant and convincing public input given in the various public meetings in 2019 for the development of the 2020 Comprehensive Plan, most specifically now proposed for **Code Table 21.03:**

The discard of the R-E, R-1, and R-2 zone districts.

The four large public meetings held that year had significant public turnout [we estimate at 250-350 people] and clearly spoke to the desire of the majority to retain a respect for transition of land use and for limited semi-rural characteristics balanced with urban needs.

At no time was it made apparent at these meetings that the City was seeking to discard these zoning districts above. This discard now includes redefining "Low Density" to exclude these zone districts by including higher density districts ... we suggest a misnomer.

And the most specific large public input was at the Avalon Theater in late 2019 having overflow of citizens, and was the most useful and practical for effective input of the citizens because it used dozens of 3' x 4' Land Use maps that those citizens marked up with their concerns and desires. Later that evening in the review of those maps by the facilitator, it was clear that the super-majority of those in attendance were specifically concerned about this very issue: protecting appropriate large lot area development.

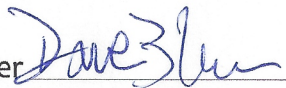
In short, sometime in the Plan process after 2019 ... the will of the people was discarded. Subsequent pandemic 'Zoom' meetings don't hold a candle to the input of and motivation by people who take the time to physically attend, let alone the significantly reduced opportunity of effective communication of an online meeting with large numbers of people.

This 'retirement' of ... this discarding of any opportunity for even the slightest retention of the history of Grand Junction with a few true "low density" parcels was not then, in 2019, nor is now, the will of the majority of the people.

Please consider removing the retirement of these Zoning districts from Code Table 21.03 before it becomes 'etched in stone' with the proposed approval.

Sincerely,

Dave Zollner



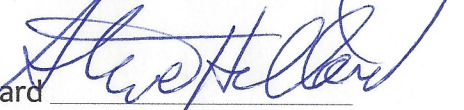
Bob Fuoco



Dan Komlo



Steve Hillard



Niki Galehouse

From: Jarad M.H. Usher <jarad@jusher.com>
Sent: Tuesday, November 14, 2023 5:24 AM
To: Niki Galehouse; Zoning Code Update
Subject: MU Zoning updates

**** - EXTERNAL SENDER. Only open links and attachments from known senders. DO NOT provide sensitive information. Check email for threats per risk training. - ****

Dear Members,

We own the land on the southeast corner of 24 & G, from G to the hotel. We would have liked to speak at the public, but due to the last minute notice and prior engagements we are unable to attend.

We strongly oppose disallowing drive thrus on our property along 24 rd. The the hard work, diverse expertise and local knowledge of the DCC should be listened to. Being a property so close to I70 and Canyon View sports complex this targeted limitation will severely devalue our property. Below are more important points to consider:

- Many restaurants are moving to a drive thru business model. Examples include Chipotle, Qdoba, CAVA Mediterranean Grill, Panera Bread, all coffee shops to name a few.
- Drive thru restaurants are key component to diversifying your tenant base in a successful development.
- Drive thru restaurants are affordable and stay in business through economic bad times and good. They were a staple during the pandemic and still are.
- Most restaurants have pick up and delivery now. This is basically a less efficient drive thru.
- There are gas stations, car washes, drive thru banks and pharmacies along 24rd already. Targeting our property specifically doesn't make sense.
- People coming off of I70 and Canyon View would have to drive unnecessarily further to get the food they want. Families and children teams could walk rather than drive at all from Canyon View in-between during or after games.
- Drive thrus would be a small component of any development anyway.
- Disallowing drive thrus would be eliminating some of the properties highest and best use devaluing it severely. All while allowing drive thrus everywhere else.

Please understand and listen to the deep expertise assembled on the DCC and the many other voices speaking out against this.

Thank you,

Jarad M.H. Usher
jarad@jusher.com
mobile: 775 770 8796

GRAND JUNCTION PLANNING COMMISSION
November 14, 2023, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:33 p.m. by Chairman Teske.

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

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Kris Ashbeck (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 22 members of the public in attendance, and 3 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from October 10, 2023.

2. Orchard Estates Easement Vacation

VAC-2023-567

Consider a Request by Ruckman Holdings LLC, Terry Ruckman, to Vacate a Portion of a Public Utility Easement Located within the Orchard View Way Right-of-Way.

Commissioner Secrest Moved to approve the item.

Commissioner Ehlers seconded; motion passed 7-0.

REGULAR AGENDA

1. Zoning and Development Code Update – GJMC Title 21

ZCA-2023-172

Consider a Repeal of the 2010 Title 21 Zoning and Development Code and Adoption of the 2023 Zoning and Development Code; Consider Transitioning Zone Districts on the Official Zoning Map in Accordance with the 2023 Zoning and Development Code.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Elizabeth Garvin and Gabby Hart, consultants with Clarion and Associates, expanded on Mrs. Galehouse's presentation.

Kevin Bray, a member of the Zoning and Development Code Committee, gave a presentation and spoke on behalf of the committee.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, November 7, 2023, via www.GJSpeaks.org.

Dave Zollner spoke against the retirement of the R-1 and R-2 zone districts. He argued that retirement of these districts would reduce housing options.

Bob Fuoco agreed with Mr. Zollner.

Will Findlay with PRAB provided context about the discussions around the revisions to the Open Space requirements.

Larry Tyson agreed with Mr. Zollner and Mr. Fuoco.

Hogan Peterson commented that while the code revisions were not unanimously agreed on, they did achieve a broad degree of consensus. He expressed concerns about the additional documents because they conflicted with the recommendations of the Zoning Code Committee.

Shiloh White stated that the retiring of the R-E, R-1, and R-2 zoning was counterproductive to the goal of increasing housing options. She provided housing statistics and argued that while the zones would not be immediately removed, it would be easier for developer to rezone to higher density moving forward.

Mike Wall with Wall Development Group spoke on the criticality of drive-thrus on retail redevelopment. He noted that many traditionally “sit-down” restaurants were starting to include drive-thrus to capture a larger customer base.

Doug Poppe with Equity Ventures recommending creating design standards for analysis of compatibility of drive-thru uses along the 24 Road corridor.

Ron Abeloe suggested changes for the language in the open space dedications pertaining to easements being allowed in parks and the economic goals of the developer when determining which land would be dedicated. He agreed with Mr. Wall and Mr. Poppe on the drive-thru standards for 24 Road. He argued in favor of the changes to downtown parking requirements and utilities undergrounding.

Mike Foster spoke in opposition of the drive-thru regulations on 24 Road. He argued in favor of the reduced requirements for undergrounding utilities.

The public comment period was closed at 7:16 p.m. on November 14, 2023.

Commissioner Weckerly clarified that if a property currently existed as R-E, R-1, or R-2, it could be further developed as such, but if it was annexed it would need to be zoned to a higher density

as outlined in the Comprehensive Plan. She noted that these retired zones were already prohibited in the Comprehensive Plan and that the code update was just bringing the code into alignment with the Comp Plan. She asked who would be impacted if they approved the retirement of the R-1 and R-2 zone districts.

Conversation ensued about the 24 Road overlay, site access and restrictions around drive thrus, the impact of the overlay on the affected property owners, and the existing overlay and its implementation.

Commissioner Ehlers asked about size requirements for parks.

The public hearing was closed at 7:43pm on November 14, 2023.

Discussion

Commissioner Ehlers suggested placing the most controversial items on an adjacent issues list and creating a separate committee to assess those items prior to bringing the code changes to City Council.

Chairman Teske asked if there was discussion about formation of an adjacent issues committee at the November 13, 2023 City Council workshop.

Commissioner Scissors agreed with Commissioner Ehlers that there should be more outreach and input from the owners along 24 Road to ensure their voices would be heard prior to making a decision. He also asked for clarification of “adjacent issues”.

Commissioner Secret asked for clarification on how code revisions could take place after adoption.

Conversation ensued about amending any suggested motions to include formation of an adjacent issues committee, CUPs for drive-thrus along the 24 Road corridor, parking in the downtown area, and Open Space designations.

Motion and Vote

Commissioner Weckerly made the following motion “Mr. Chairman, on the request to repeal and replace the 2010 Title 21 Zoning and Development Code of the Grand Junction Municipal Code as amended, City file number ZCA-2023-172, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report. This is a motion to adopt the draft as presented tonight. Additionally, we recommend formation of a post-adoption advisory committee to further discuss the adjacent issues.”

Commissioner Ehlers amended the motion with “The ongoing committee should be an advisory committee from local expertise as well as relevant city personnel and resources to address the adjacent issues because we had scope limitation issues previously.”

Commissioner Secrest seconded; motion passed 5-2.

Commissioner Weckerly made the following motion “Mr. Chairman, I move that the Planning Commission forward a recommendation of approval to City Council to incorporate the proposed revisions in Exhibit 8 – Addendum to the Adoption Draft into the Zoning and Development Code prior to final adoption.”

Commissioner Secrest seconded; motion passed 7-0.

Commissioner Weckerly made the following motion “Mr. Chairman, on the request to transition zone districts on the Official Zoning Map in accordance with the 2023 Zoning and Development Code, City file number ZCA-2023-172, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.”

Commissioner Scissors seconded; motion passed 7-0.

Commissioner Weckerly made the following motion “Mr. Chairman, I move that we move issues B & C from Exhibit 6, specifically drive-throughs on 24 Road and open space dedication process to the adjacent issues list to be discussed by a future committee.”

Commissioner Scissors seconded; motion passed 6-1.

2. Comp Plan Amendment – Chapter 3: Land Use Designation **CPA-2023-177**

An Ordinance Amending the One Grand Junction Comprehensive Plan with Revised Zone Districts to be Consistent with the Zoning & Development Code Update.

Staff Presentation

Niki Galehouse, Planning Supervisor, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Chairman Teske asked for clarification as to why staff believed Criterion 1 had not been met.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, November 7, 2023, via www.GJSpeaks.org.

There were no comments from the public or from online attendees.

The public comment period was closed at 9:07 p.m. on November 14, 2023.

Discussion

No discussion occurred between the commissioners.

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on the One Grand Junction Comprehensive Plan Amendment, City file number CPA-2023-177, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and condition as listed in the staff report.”

Commissioner Scissors seconded; motion passed 7-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.
The vote to adjourn was 7-0.

The meeting adjourned at 9:09 p.m.

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE REPEALING THE 2010 ZONING AND DEVELOPMENT CODE AND ADOPTING THE 2023 ZONING AND DEVELOPMENT CODE

Recitals

On December 16, 2020, the Grand Junction City Council adopted the 2020 One Grand Junction Comprehensive Plan (Plan). To implement the Vision and Goals of the Comprehensive Plan, the Zoning and Development Code (Code) needed to be updated. The City's Code is dated and cannot fully implement the new Comprehensive Plan.

With input from community stakeholders, staff and City Council, the proposed Zoning and Development Code has been updated and revised to ensure that it will implement the new Comprehensive Plan.

After public notice and public hearing as required by the Charter and Ordinances of the City, the Grand Junction Planning Commission recommended approval of the proposed 2023 Zoning and Development for the following reasons:

The request is consistent with the goals and policies of the Comprehensive Plan. The proposed updated Zoning and Development Code will help implement the vision, goals, and strategies of the Comprehensive Plan.

After public notice and public hearing before the Grand Junction City Council, the City Council hereby finds and determines that the proposed 2023 Zoning and Development Code will implement the vision, goals, and strategies of the Comprehensive Plan and should be adopted.

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

The 2010 Zoning and Development Code is hereby repealed.

The updated Zoning and Development Code, also known as the 2023 Zoning and Development Code, attached hereto and incorporated by reference as if fully set forth, is hereby adopted.

INTRODUCED on first reading the 17th day of November, 2023 and ordered published in pamphlet form.

PASSED and **ADOPTED** on second reading the 6th day of December, 2023 and ordered published in pamphlet form.

ATTEST:

Anna M. Stout
President of the City Council

Amy Phillips
City Clerk

DRAFT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

AN ORDINANCE RETIRING THE RESIDENTIAL – ESTATE (R-E), RESIDENTIAL – 1 (R-1), RESIDENTIAL – 2 (R-2), AND INDUSTRIAL/OFFICE PARK (I-O) ZONE DISTRICTS AND TRANSITIONING ALL OTHER ZONE DISTRICTS ACCORDING TO TABLE 21.03-1 OF THE 2023 ZONING AND DEVELOPMENT CODE

Recitals

On December 16, 2020, the Grand Junction City Council adopted Ordinance No. 4971, approving the 2020 One Grand Junction Comprehensive Plan (Plan). To implement the Vision and Goals of the Comprehensive Plan, the Zoning and Development Code (Code) needed to be updated. The City's Code is dated and cannot fully implement the new Comprehensive Plan.

With input from community stakeholders, staff and City Council, the proposed Zoning and Development Code has been updated and revised to ensure that it will implement the new Comprehensive Plan.

As part of the Zoning and Development Code update, a new list of Zone Districts has been established which implements the Comprehensive Plan, expands opportunities for a wider mix of uses, and consolidates existing districts based on similarities. The implementation of the Zoning and Development Code update necessitates that the legacy districts be retired or transitioned with the updated district titles. These changes will be reflected on the Official Zoning Map maintained jointly by the City Community Development Department and the City Information Technology Department.

Hence, the City Planning Commission and City staff recommend that City Council adopt the Zone District transitions as outlined in Table 21.03-1: Zone District Summary in the 2023 Zoning and Development Code subject to the condition that Ordinance No. ____ amending the City of Grand Junction Zoning and Development Code is adopted by City Council.

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

Zone Districts on the Official Zoning Map are transitioned as follows:

Table 21. Error! No text of specified style in document.-1: Zone Districts Summary

Legacy Districts	Updated District Titles
Residential	
R-R: Residential – Rural	Residential – Rural, R-R
R-E: Residential – Estate	Residential – Estate Retired, R-ER
R-1: Residential – 1	Residential 1 Retired, R-1R
R-2: Residential – 2	Residential 2 Retired, R-2R
R-4: Residential – 4	Residential Low 4, RL-4
R-5: Residential – 5	Residential Low 5, RL-5
R-8: Residential – 8	Residential Medium 8, RM-8
R-12: Residential – 12	Residential Medium 12, RM-12
R-16: Residential – 16	Residential High 16, RH-16
R-24: Residential – 24	Residential High 24, RH-24
Mixed-Use Commercial	
R-O: Residential – Office	Mixed-Use Neighborhood, MU-1
B-1: Neighborhood Business	[Combined with R-O into MU-1]
B-2: Downtown Business	Mixed-Use Downtown, MU-3
M-U: Mixed Use	Mixed-Use Light Commercial, MU-2
C-1: Light Commercial	[Combined with M-U into MU-2]
BP: Business Park Mixed-Use	[Combined with M-U into MU-2]
C-2 General Commercial	Commercial General, CG
MXR: Mixed Use Residential	[Combined with Residential Districts]
MXG: Mixed Use General	[Combined with closest MU district]
MXS: Mixed Use Shopfront	[Combined with closest MU district]
MXOC: Mixed Use Opportunity Corridor	[Combined with MU-2]
Industrial	
I-O: Industrial/Office Park	Industrial/Office Park Retired, I-OR
I-1: Light Industrial	Industrial Light, I-1
I-2: General Industrial	Industrial General, I-2
Public, Parks, and Open Space	
CSR: Community Services and Recreation (Parks and Open Space only)	Public Parks and Open Space, P-1
CSR: Community Services and Recreation (Public, Civic and Institutional Facilities)	Public, Civic, and Institutional Campus, P-2
Planned Development	
PD: Planned Development	Planned Development, PD

All properties within City limits shall be redesignated according Table 21.03-1 and will henceforth have a zoning designation established in the 2023 Zoning and Development Code.

INTRODUCED on first reading the 17th day of November, 2023 and ordered published in pamphlet form.

PASSED and **ADOPTED** on second reading the 6th day of December, 2023 and ordered published in pamphlet form.

ATTEST:

Anna M. Stout
President of the City Council

Amy Phillips
City Clerk



Grand Junction City Council

Workshop Session

Item #1.b.

Meeting Date: December 4, 2023
Presented By: Ken Sherbenou, Parks and Recreation Director
Department: Parks and Recreation
Submitted By: Ken Sherbenou

Information

SUBJECT:

Community Recreation Center Design Update

EXECUTIVE SUMMARY:

On November 16, 2023, City Council adopted the 2022 Grand Junction Community Recreation Center (CRC) Plan. This plan is the blueprint for the CRC that was the basis for the April 4, 2023, ballot proposal to fund the facility. With voter approval, the City has proceeded in earnest to implement the 2022 plan. Council has been updated and engaged with regular workshop updates throughout the project including most recently at the September 18 workshop.

This December 4 update will highlight the schematic design package, review cost estimates from the project's construction manager/general contractor, FCI Constructors, and generally update the Council on the evolving progress. Following this update, the project will move into design development and then construction documents, leading to an anticipated breaking of ground at Matchett Park in mid-2024.

BACKGROUND OR DETAILED INFORMATION:

The week of September 18 involved significant community engagement, which continues to drive the project. This included meetings with the Parks and Recreation Advisory Board (which are now happening monthly just like in the 2022 CRC Planning process), focus groups, a well-attended public forum and a virtual recording of the plan presentation that has been made available on EngageGJ.org. These meetings, along with all public input to date, have informed plans and continue to drive design decisions that will directly affect operations and service.

Architect Barker-Rinker-Seacat, who is leading the architectural and engineering group including local architect Chamberlin, a pool designer, landscape architect and the full array of engineering trades, will provide a brief presentation summarizing progress in

the past two months. Construction Manager, General Contractor FCI Constructors will also be present to aid in the presentation and answer questions.

The full 2022 CRC plan was included in the September 18 agenda documentation. For this workshop, excerpts from the schematic design are included as a part of this agenda documentation.

FISCAL IMPACT:

N/A

SUGGESTED ACTION:

This item is for discussion purposes only.

Attachments

1. GJCRC SD-Report - FINAL.pdf, excerpts updated 5

BUILDING PROGRAM



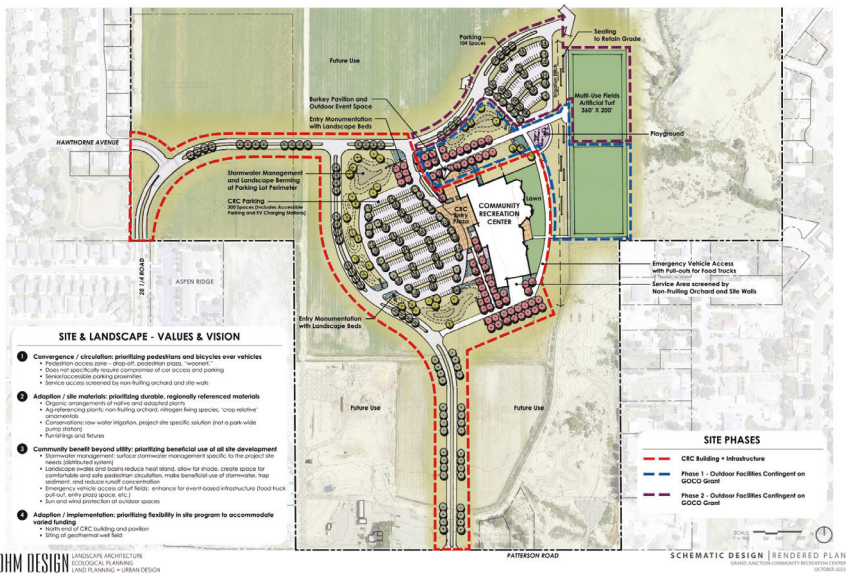
PROGRAM REVIEW

FEASIBILITY STUDY PROGRAM - 2022

Administration	3011	Aquatics Support	608
Lobby and Support Spaces	4607	Natorium	20433
Mechanical Room	384	4 Lane Lap Pool	
Locker Spaces	2575	6000 SF Leisure Pool	
Universal Changing Rooms	1895	Water Slide	
		Therapy Pool	
		Large Spa	
Child Watch	1185	Pool Equipment	2483
Teen / Game Lounge	585	Pool Storage	1149
Senior Lounge	761		
Multi-Purpose with Catering Kitchen	2902	Total SF	83,103
Party / Activity Rooms	848		
Gym – 3 Middle School Courts	19961		
Elevated Walk /Jog Track	5292		
8,000 SF Fitness & Weights	8925		
(2) 30-35 Person Group Fitness	4680		
10-12 Person Climbing Wall	819		

PROGRAM ADJUSTMENTS

EXISTING PROGRAM ADDITIONS	SF ADD	
Corridor Space Increase	5500	Added corridor width to accommodate cueing in front of activity areas and create community interactivity space
Mechanical Room	250	Additional Space for geothermal equipment
Multi-Purpose with Catering Kitchen	1700	Added seating capacity to 150 and stage / classroom
Natorium	6200	Added two lanes 2 lap pool, wave ball amenity pool, separated zero depth pool
Pool Equipment	2483	Additional equipment needed for pool area adds
Total SF	15,350	
NEW PROGRAM AREAS	SF ADD	
Partner Therapy Space	2900	New private therapy space
Partner Therapy Space Corridor	545	Added corridor for circulation to therapy space
Small Group Fitness	1292	Additional Fitness Room to provide more class options
Total SF	4,737	
CURRENT BUILDING SF	SF TOTALS	
Feasibility Study Program SF	83,103	
Program Additions	15,350	
New Program Areas	4,737	
Revised Total SF	103,190	



Entry Plaza



Playground



Outdoor Event Space and Burkey Pavilion



Stormwater Detention



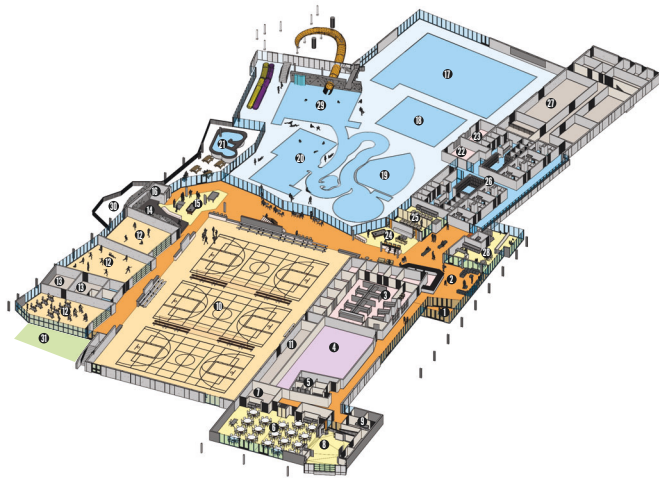
DM DESIGN LANDSCAPE ARCHITECTURE
ECOLOGICAL PLANNING
LAND PLANNING • URBAN DESIGN

SCHEMATIC DESIGN | IMAGERY
LANDSCAPE ARCHITECTURE
LAND PLANNING • URBAN DESIGN
BARKER RINKER SEACAT ARCHITECTURE • CITY OF GRAND JUNCTION, CO • OCTOBER 6, 2023 11

AXONOMETRIC
MAIN LEVEL

KEY

- 1 VESTIBULE
- 2 LOBBY + CONTROL DESK
- 3 ADMINISTRATION
- 4 THERAPY PARTNER
- 5 RESTROOMS
- 6 COMMUNITY ROOMS
- 7 STORAGE
- 8 STAGE/CLASSROOM
- 9 KITCHEN
- 10 GYMNASIUM
- 11 GYM STORAGE
- 12 GROUP FITNESS
- 13 STORAGE
- 14 CLIMBING WALL
- 15 TEEN ROOM
- 16 ELEVATOR
- 17 LAP POOL
- 18 WELLNESS POOL
- 19 ZERO DEPTH POOL
- 20 LEISURE POOL
- 21 SPA POOL
- 22 GUARD ROOM
- 23 AQUATICS OFFICE
- 24 SENIOR LOUNGE
- 25 PARTY ROOM
- 26 LOCKER ROOM
- 27 MAINTENANCE / STORAGE/ MECH
- 28 CHILD WATCH
- 29 SLIDE PLUNGE + AQUATIC CLIMBING POOL
- 30 OUTDOOR BOULDERING
- 31 OUTDOOR FITNESS

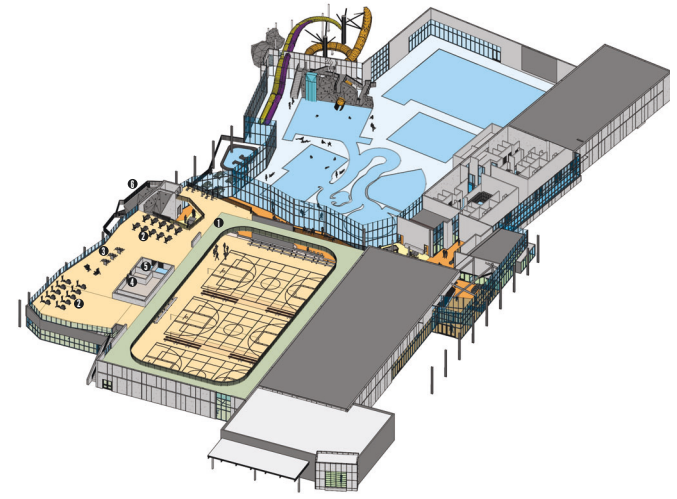


AXONOMETRIC

MEZZANINE LEVEL

KEY

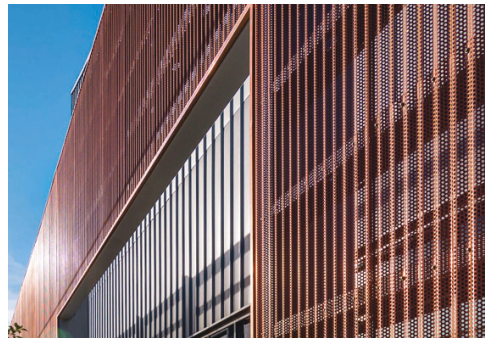
- 1 TRACK
- 2 OPEN FITNESS - CARDIO EQUIPMENT
- 3 OPEN FITNESS - FREE WEIGHTS
- 4 STORAGE/ELEC
- 5 RESTROOM
- 6 OUTDOOR CLIMBING WALL



PRECEDENTS
EXTERIOR



FACETED
34 SCHEMATIC DESIGN • BARKER RINKER SEACAT ARCHITECTURE • CITY OF GRAND JUNCTION, CO



BARKER RINKER SEACAT ARCHITECTURE • CITY OF GRAND JUNCTION, CO • OCTOBER 6, 2023 35

EXTERIOR RENDERING

EAST ELEVATION - FITNESS
WEST ELEVATION - BUILDING ENTRY
NORTH ELEVATION - COMMUNITY ROOM PATIO



EXTERIOR RENDERING

EAST ELEVATION - NATATORIUM & FITNESS
WEST ELEVATION - BUILDING ENTRY



EAST



WEST

