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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, FEBRUARY 13, 2024 - 5:30 PM
Attend virtually: bit.ly/GJ-PC-2-13-24**

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider a request by Royce Carville, property owner, to zone 4.06 acres from R-8 (Residential 8) to MU-2 (Mixed Use) located at 640 24 ½ Road.
2. Consider Amendments to Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Withdrawn Applications, Public Notice Requirements, Planned Developments, Adding a Use for Public Parking, Accessory Dwelling Unit (ADU) Standards, Drive-Through Facility Standards, and Fence Standards; Consider an Amendment to Title 25 24 Road Corridor Design Standards Regarding Alternate Streets Requests for Widths of Pedestrian Walks; Consider Amendments to Title 22, Title 23, Title 24, Title 25, Title 26, and Title 27 to Update Zone District Titles to Reflect Revisions in the Adoption of the 2023 Zoning & Development Code.

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
January 23, 2024, 5:30 PM
MINUTES

The meeting of the Planning Commission was called to order at 5:31 p.m. by Chairman Teske.

Those present were Planning Commissioners; Shanon Secrest, Ken Scissors, Keith Ehlers, and Kim Herek (virtual).

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Dani Acosta Stine (Senior Planner), Dave Thornton (Principal Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 54 members of the public in attendance, and 2 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from January 9, 2024.

REGULAR AGENDA

1. Riverfront at Dos Rios ODP

PLD-2023-581

Consider a request by DR Land LLC, DR Townhomes LLC, Buena Vida HQ, LLC, and the City of Grand Junction to amend the Planned Development Zoning and Outline Development Plan (ODP) for the Riverfront at Dos Rios, located on the northeast bank of the Colorado River between Highway 50 and Hale Avenue.

Staff Presentation

Dani Acosta Stine, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Tess Williams with May Riegler provided a brief update on the status of the development and were available to answer questions.

Questions for staff

Commissioner Ehlers confirmed that the applicant was on board with the proposed amendments to the PD ordinance.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 5:58 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Scissors made the following motion “Chairman, on the request for the amendment to the Planned Development zone district and Outline Development Plan (ODP) for Riverfront at Dos Rios Located on the Northeast Bank of the Colorado River Between Highway 50 and Hale Avenue, City file number PLD-2023-581, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Secrest seconded; motion passed 6-0.

2. Aspire Residential Rezone

RZN-2024-12

Consider a request by Ken Co LLC to rezone 7.102 acres from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac).

Staff Presentation

Dave Thornton, Principal Planner, introduced exhibits into the record and provided a presentation regarding the request.

Questions for staff

Commissioner Ehlers asked if this development would require a traffic study to be completed.

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

There were no public comments.

The public comment period was closed at 6:12 p.m. on January 23, 2024.

Discussion

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Rezone requests for a 7.11 acre rezone from R-4 (Residential - 4 du/ac) to R-24 (Residential – 24 du/ac) located at 2651 Stacy Drive, a request by the owner Ken Co LLC and applicant Aspire Residential, City file number RZN-2024-12, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.”

Commissioner Ehlers seconded; motion passed 6-0.

3. **Vista 5 LLP Rezone**

RZN-2023-555

Consider a request by Vista 5, LLP to rezone 17.37 acres from R-1 (Residential – 1 du/ac) to R-5 (Residential – 5.5 du/ac) located at 2428 H Road.

Commissioner Secrest addressed the public requests for his recusal from this item. The other Commissioners stated they had no concerns over Commissioner Secrest hearing the item.

Staff Presentation

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

Nate Porter, owner of the parcel, provided some quotes by City Council members in support of development of affordable housing.

Ivan Geer with River City Consulting provided a presentation on the request and was available for questions.

Questions for staff

Public Hearing

The public comment period was opened at 5:00 p.m. on Tuesday, January 16, 2024, via www.GJSpeaks.org.

Bob Fuoco stated that in 2019, City Council zoned the parcel to R-1. He noted that the subject property is completely surrounded by Mesa County and is not contiguous with the Persigo district. He argued that this rezone would reduce available stock for low density development. He commented that the area is unsafe for pedestrian and bicycle traffic.

Donna Aubert raised concerns about the increased strain on Appleton Elementary School.

Jim Marshall spoke on the approval criteria for the rezone and gave his reasoning for disagreeing with City staff's findings.

Meryl Wyatt stated that affordable housing is not as beneficial in the long term as attainable housing. He stated that Grand Junction needs to build more housing at all densities.

Dan Komlo stated that all of the previous applications for this project had strong opposition from the neighboring residents. He stated that this rezone is inconsistent with the character of the area. He stated that there is a lack of safe pedestrian connections across I70.

Larry Tice stated his opposition to the increased density.

Christi Reece expressed her support for the rezone noting the communities need for higher density housing developments.

Shiloh White stated she was open to development of the parcel, but only at the R-1 density. She provided statistics on consumer preferences for housing. She noted that there are high density developments nearby, but that kind of development did not fit the character of this area. She argued that other boundaries already exist besides the Urban Development Boundary (UDB).

Pat Page noted that if all the parcels in the area developed as R-1, it would be a 1000% increase in the density of the area. He argued that this area had intrinsic value for the variety of housing options in Grand Junction.

Dave Zollner quoted one of the commissioners on their opinion of the development. He said that the UDB is not a good indicator for development and that proximity does not necessarily mean it matches the character. He stated his complaints about the flagpole annexation and public noticing. He argued that this development is not infill and provided context from the 2020 One Grand Junction Comprehensive Plan (2020 Comp Plan) to support his claims.

Tyler Mundy argued that R-5 is not low density. He brought up the current state of H Rd and that the development would not be accessible by a City street. He expressed that if H Rd is supposed to be a major thoroughfare, the 24 ½ and 25 Rd bridges should be improved as well.

Ed Butterfield stated that he moved to the Grand Junction due to the diversity of housing options.

Cynthia Komlo disagreed with the quotes provided by Nate Porter. She argued that affordable housing did not currently exist in the area and should not be developed there in the future.

Ivan Geer stated that the UDB was the extent of annexation for the City. He noted that enrollment was declining for schools.

Nate Porter clarified his definition of affordable vs. attainable housing, and that he had nothing to do with the rezone of the property in 2019.

Commissioner Ehlers clarified that City Council approved the rezone to R-1 before the adoption of the 2020 Comp Plan. He asked if the proposed designation of H Rd as an arterial road was under current traffic volumes or projected future volumes. He asked how the character and condition of the area had changed since the last time this project was presented to the Planning Commission. He asked if there were any roads, other than H Rd and 24 Rd, that were slated for improvement in the area.

The public comment period was closed at 7:34 p.m. on January 23, 2024.

Discussion

Commissioner Ehlers thanked the community members for their participation and quality of feedback and presentations they provided. He commented on his familiarity with the area. He provided some context on the delineation of the UDB and the importance of public input in its implementation. He noted that the R-1 zoning was not in alignment with the 2020 Comp Plan and that it is the owner's right to develop their property as they choose, provided it is in alignment with the 2020 Comp Plan.

Commissioner Duyvejonck thanked the community members for their participation and that their feedback was taken into consideration. She noted that the Commission's decision has to be based on future development and that it is easier to be proactive with development.

Commissioner Scissors thanked the community members for their participation. He noted that the Planning Commission was entertaining a request to rezone the property, not to amend the 2020 Comp Plan. He noted that the request aligned with the 2020 Comp Plan. He addressed his previous comment on compatibility of this development and that he still did not see it, but that there were adequate amenities and services presently available to accommodate the development.

Commissioner Secrest thanked the community members for their participation. He noted that what neighborhoods want and what the community wants aren't always in alignment and that the Commission needed to consider the 2020 Comp Plan first and foremost. He mentioned that what constitutes "affordable" is often subjective.

Commissioner Herek echoed the comments made by the other commissioners.

Motion and Vote

Commissioner Ehlers made the following motion "Mr. Chairman, on the Rezone request for the property located at 2428 H Road, City file number RZN-2023-555, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report."

Commissioner Secrest seconded; motion passed 6-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Scissors moved to adjourn the meeting.

The vote to adjourn was 6-0.

The meeting adjourned at 7:56 p.m.



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: February 13, 2024
Presented By: Jessica Johnsen, Senior Planner
Department: Community Development
Submitted By: Jessica Johnsen, Senior Planner

Information

SUBJECT:

Consider a request by Royce Carville, property owner, to zone 4.06 acres from R-8 (Residential 8) to MU-2 (Mixed Use) located at 640 24 ½ Road.

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

EXECUTIVE SUMMARY

The Applicant, Royce Carville, is requesting a rezone to MU-2 (Mixed Use Light Commercial) for approximately 4.06 acres of land located at 640 24 ½ Road. The zone district of MU-2 is consistent with the Mixed-Use Land Use category of the Comprehensive Plan. This application was filed and reviewed prior to the new Zoning and Development Code being adopted and is being evaluated under the 2010 Zoning and Development Code. The zoning district names are updated as the new code is now effective.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Applicant is requesting a zone district of MU-2 (Mixed Use Light Commercial). The property is currently zoned as RM-8 (Residential Medium 8). The proposed zone district of MU-2 is consistent with the Mixed-Use category of the Comprehensive Plan. The property owner is interested in preparing the property for future commercial development, which would be consistent with the scope and type of development envisioned by the Comprehensive Plan with a Mixed-Use land use designation.

Surrounding zoning is mostly RM-8 to the east and north, MU-2 (formerly C-1 & M-U) directly to the west across 24 ½ Road, and MU-2 (formerly M-U) directly to the south.

The subject property has a land use designation of Mixed Use. The Applicant is now requesting a rezone to MU-2

If the rezone application is approved and a development is subsequently proposed, it would be required to go through a formal review process for any future development on the site, likely in the form of a Major Site Plan Review.

NOTIFICATION REQUIREMENTS

A Neighborhood Meeting regarding the proposed rezone request was held at the site location, 640 24 ½ RD. on April 21st, 2023, in accordance with Section 21.02.080(e) of the Zoning and Development Code. Questions concerned the future development and the development process.

Notice was completed consistent with the provisions in Section 21.02.030(g) of the City's Zoning and Development Code. The subject property was posted with application signs on each street frontage on September 1, 2023, and an updated sign to meet 2023 Zoning & Development Code requirements was posted on February 1, 2024. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on February 2, 2024. The notice of the Planning Commission public hearing was published February 4, 2024 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between February 6 and February 12, 2024 through the GJSpeaks platform.

ANALYSIS

The criteria for review are set forth in Section 21.02.140(a) of the Zoning and Development Code, which provides that the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan and if the proposal meets one or more of the following rezone criteria as identified:

- (1) Subsequent events have invalidated the original premises and findings; and/or
Upon adoption of the 2020 Comprehensive Plan, the property and vicinity received a land use designation of Mixed Use. Under the 2020 Comprehensive Plan, the current zoning of RM-8 (Residential Medium 8) is not supported to implement the Mixed-Use land use designation. While the property is permitted to retain its RM-8 zoning and develop according to RM-8 development standards, the requested MU-2 (Mixed Use) district implements the Mixed-Use land use designation. Therefore, staff finds this criterion is met.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or
The area to the east of 24 ½ Road has maintained the general character of medium density residential, and a buffer of mixed-use zoning generally exists directly adjacent to 24 ½ Road south of this property. As 24 ½ Road has developed to the west, it is primarily non-residential development. As such, the 2020 Comprehensive Plan implements the lots directly east of 24 ½ Road as "Mixed Use" to provide a

buffer of mixed-use zoning adjacent to residential. The new F ½ Road improvements and roundabout will help separate the residential area to the North from the nonresidential areas. Therefore, staff finds that this criterion is met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and or

Ute Water and City sanitary sewer are available within the 24 ½ Road right-of-way to serve the property. The property can be served by Xcel Electric.

Fire Station #3 is located approximately 1.5 miles to the southeast. Pomona Elementary School is approximately 1.5 miles to the southeast, and Community Hospital is approximately 1.3 miles to the northwest. Directly south of this property and across 24 ½ Road to the south are other commercial retail centers. The available public and community facilities are adequate to serve the commercial uses allowed within the Mixed-Use district as anticipated to be developed. Therefore, staff finds that this criterion is met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate that proposed land use; and/or

There are other properties within a half-mile radius of the subject property that implement the Mixed-Use land use designation, many of which are vacant properties that could support commercial uses for infill development. There is generally suitably designated land zoned to accommodate the proposed land use within the area and broader community. Therefore, staff finds that this criterion is not met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Rezoning properties within the Mixed-Use land use designation from the RM-8 district to an implementing district supports the Comprehensive Plan goals of increasing mixed-use zoning and encouraging commercial development along 24 ½ Road. Additionally, developing businesses increases the availability of potential jobs and varying options for shopping, dining, and recreation to residents. The proposed rezone benefits the community by applying development standards for mixed use on the subject property, and by supporting the incremental development of 24 ½ Road. Therefore, staff finds that this criterion is met.

In addition to the above criteria, the City may rezone property if the proposed changes are consistent with the vision, goals, and policies of the Comprehensive Plan. The following provides an analysis of relevant sections of the Comprehensive Plan that support this request.

Implementing the Comprehensive Plan. The following narrative evaluates the proposed rezone to MU-2 (Mixed Use) under the principles, goals, and policies of the Comprehensive Plan:

- **Land Use Plan: Relationship to Existing Zoning**

Requests to rezone properties should be considered based on the Implementing Zone Districts assigned to each Land Use Designation. As a guide to future zoning changes, the Comprehensive Plan states that requests for zoning changes are required to implement the Comprehensive Plan. The 2020 Comprehensive Plan provides the subject property with a land use designation of Mixed Use. The proposed MU-2 zone district implements the Mixed-Use designation.

- **Plan Principle 3: Responsible and Managed Growth**

How We Will Get There

Encourage infill and redevelopment to leverage existing infrastructure.

Responsible and managed growth requires that growth occur where infrastructure already exists. Staff finds the request to be consistent with the following goals and policies of the Comprehensive Plan:

Where We are Today

The One Grand Junction Comprehensive Plan raises concerns about an increasing population that may be outpacing available services. The focus on growth has been infill and redevelopment that take advantage of existing infrastructure. Future growth will need to prioritize infill.

- **Plan Principle 3.1.b.: Intensification and Tiered Growth**

1. *Support the efficient use of existing public facilities and services by directing development to locations where it can meet and maintain the level of service targets as described in Chapter 3;*
2. *Servicing Growth. Prioritize development in the following locations (in order of priority). Periodically consider necessary updates to the Tiers.*

i. Tier 1: Urban Infill

The subject property is located within the Tier 1 – Urban Infill tier as identified on the City’s Growth Plan. Rezoning to MU-2 creates opportunities for more mixed-use development and mixed uses in an area that the 2020 Comprehensive Plan identifies as a priority for infill. Development of parcels located within Tier 1 will provide development opportunities while minimizing the impact on infrastructure and City services. Rezoning to MU-2 will help direct any potential future mixed-use development to an area that has adequate public infrastructure and amenities to accommodate that growth.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Carville Property Rezone, RZN-2023-482, rezoning one parcel totaling 4.06 acres from R-8 (Residential du/ac) to MU-2 (Mixed Use) for the property located at 640 24 ½ Road, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan; and
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria has been met.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Mr. Chairman, on the Carville Property Rezone request from an R-8 (Residential 8 du/ac) zone district to an MU-2 (Mixed Use) zone district for the 4.06 acre property located at 640 24 ½ Road., City File Number RZN-2023-482, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in this staff report.

Attachments

1. Exhibit 2 - Development Application
2. Exhibit 3 - Maps
3. Exhibit 4 - Neighborhood Meeting Notes
4. Exhibit 5 - Draft zoning ordinance

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation/Zone of Annexation

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation: _____ Existing Zoning: R8

Proposed Land Use Designation: _____ Proposed Zoning: MU

Property Information

Site Location: 640 24 1/2 Road Site Acreage: 30

Site Tax No(s): 2945-044-00-189 Site Zoning: R-8

Project Description:

Property Owner Information

Name: Royce Carville

Street Address: 1875 Deer Park

City/State/Zip: Grand Junction, CO 81507

Business Phone #: 970-985-0238

E-Mail: rjcarville@bresnan.net

Fax #: _____

Contact Person: Royce

Contact Phone #: same

Applicant Information

Name: _____

Street Address: _____

City/State/Zip: _____

Business Phone #: _____

E-Mail: _____

Fax #: _____

Contact Person: _____

Contact Phone #: _____

Representative Information

Name: Theresa Englbrecht

Street Address: 1015 N. 7th St.

City/State/Zip: Grand Junction, CO 81501

Business Phone #: 970-201-1899

E-Mail: theresa@brayandco.com


Fax #: _____

Contact Person: Theresa

Contact Phone #: same

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

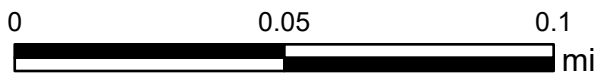
Signature of Person Completing the Application: 

Date: 7-24-23

Signature of Legal Property Owner: Royce J. Carville
Please print and sign

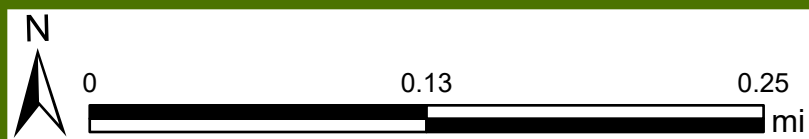
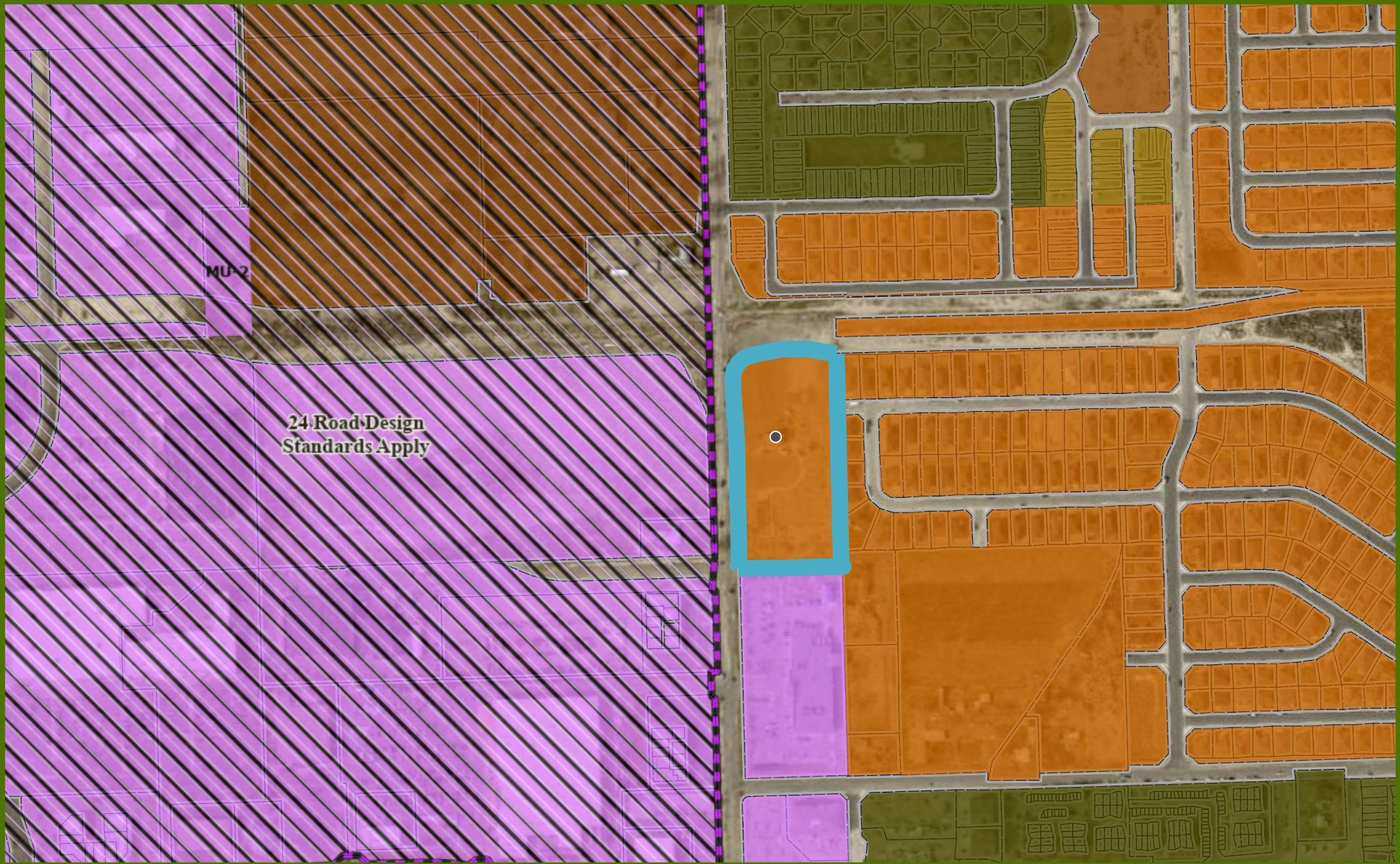
Date: 7/24/23

Site Map



Printed: 2/2/2024
1 inch equals 188 feet
Scale: 1:2,257
Packet Page 13

Zoning Map



Printed: 2/2/2024
1 inch equals 376 feet
Scale: 1:4,514
Packet Page 14

NEIGHBORHOOD MEETING

From: [Royce](#)
To: [Daniella Acosta](#)
Subject: Neighborhood Meeting at 640 24 1/2 Rd
Date: Tuesday, May 23, 2023 4:19:22 PM

HELD APRIL 21, 2023

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

Hello,

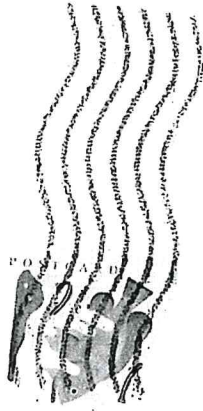
Thanks for reminding me about the meeting notes. On or about the 5th of April, I sent invites to approximately 120 neighbors to discuss the proposed zoning change at 640 24 1/2 Rd. The meeting was scheduled and began at 5:30 with one party at the meeting. Two other ladies showed up a bit later. One lady was a neighbor whose property was being acquired for the F 1/2 Rd project. The general concern from the two neighbors to the east was the additional traffic caused by the F 1/2 Rd Parkway project, which I assured them that I had no control over. I asked them what they would like to see developed on the property. The one suggestion that was given was a public park. There was considerable discussion with the City Planner, Dani Acosta, concerning future development and I think their questions and concerns were properly addressed. All in all, I would have to say our neighborhood meeting was pretty much a dud.

Cordially,

Royce Carville
970-985-0238
rjcarville@bresnan.net

GRAND JUNCTION CO BLS

07 APR 2023 PM 4 T



CITY OF GRAND JUNCTION
NICOLE GALEHOUSE
250 N 5TH ST
GRAND JUNCTION CO 81501



Dear Neighbor,

This letter is to inform you that a Neighborhood Meeting will be held regarding a proposed rezone from R-8 (Residential 8 du/ac) to MU (Mixed Use) located at 640 24 1/2 Rd.

In compliance with the Land Development Code requirements, a Neighborhood Meeting will be held prior to submitting a formal application to answer questions on the proposal or the rezone process.

The Neighborhood Meeting will be held on: Friday, April 21st, 2023 at 5:30 pm on site at: 640 24 1/2 Rd., Grand Junction, CO 81505.

Royce Carville
rjcarville@bresnan.net
970-985-0238

Dani Acosta
Senior Planner
City of Grand Junction
damiellaa@gjcity.or
970-256-4089

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING FROM R-8 (RESIDENTIAL - 8 DU/AC) TO MU-2 (MIXED USE) ZONE DISTRICT

**LOCATED AT 640 24 ½ ROAD
Tax Parcel No. 2945-044-00-189**

Recitals:

The property owner, Royce Carville, proposes a rezone from R-8 (Residential – 8 du/ac) to MU-2 (Mixed Use) on a total of 4.06-acres, located at 640 24 ½ Road.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of changing the zoning from R-8 (Residential – 8 du/ac) to MU-2 (Mixed Use) for the property, finding that it conforms to and is consistent with the Land Use Map designation of Mixed Use of the 2020 One Grand Junction Comprehensive Plan and the Comprehensive Plan’s goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that rezoning from R-8 (Residential – 8 du/ac) to MU-2 (Mixed Use) for the property, is consistent with the vision, intent, goals and policies of the Comprehensive Plan and has met one or more criteria for a Comprehensive Plan amendment, the City Council also finds that the MU-2 (Mixed Use) zone district, is consistent and is in conformance with the Comprehensive Plan and at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned MU-2 (Mixed Use) on the zoning map:

A parcel of land being a portion of the land as described in Reception Number 2353373 lying in the NW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado.
Said parcel of land contains 4.06 acres, more or less.

INTRODUCED on first reading this ____ day of _____ 2024 and ordered published in pamphlet form.

ADOPTED on second reading this ____ day of _____ 2024 and ordered published in pamphlet form.

Anna M. Stout
President of the Council

ATTEST:

City Clerk

DRAFT



Grand Junction Planning Commission

Regular Session

Item #2.

Meeting Date: February 13, 2024
Presented By: Niki Galehouse, Planning Supervisor
Department: Community Development
Submitted By: Niki Galehouse, Planning Supervisor

Information

SUBJECT:

Consider Amendments to Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Withdrawn Applications, Public Notice Requirements, Planned Developments, Adding a Use for Public Parking, Accessory Dwelling Unit (ADU) Standards, Drive-Through Facility Standards, and Fence Standards; Consider an Amendment to Title 25 24 Road Corridor Design Standards Regarding Alternate Streets Requests for Widths of Pedestrian Walks; Consider Amendments to Title 22, Title 23, Title 24, Title 25, Title 26, and Title 27 to Update Zone District Titles to Reflect Revisions in the Adoption of the 2023 Zoning & Development Code.

RECOMMENDATION:

Staff recommends approval of this request.

EXECUTIVE SUMMARY:

When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice or could use additional clarification. The proposed amendments address eight different sections of the Code and add applicable definitions as needed. In addition, there is an amendment proposed which updates all references to legacy zone districts to new zone districts as adopted in the 2023 Zoning & Development Code.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

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. When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice or could use additional clarification. The proposed amendments address eight different sections of the Code and add applicable definitions as needed, which are outlined in the following sections.

GJMC 21.02.030(f)(1) Withdrawn Applications

The 2023 Zoning & Development Code revised language to disallow the withdrawal of an application after public notice had been published. The Code now requires Planning Commission or City Council authority to approve such a request. This language is believed to be an oversight, as it also includes a reference to 'Board of Adjustment,' which does not exist in Grand Junction. Staff appreciates the additional clarity provided by the subsection (i) of the new language but has revised this to reflect the previous code language and practice regarding withdrawal of applications.

21.02.030(g)(3) Public Notice

The public notice language in the 2023 Zoning and Development Code provides general information for content that significantly exceeds the standard of what has been put on property signs historically. Among other things, an applicant's address, email, and phone number now must be posted on property signs. Where a representative is involved, this may not be cause for concern, but often an applicant is a private property owner working without a representative. Asking them to put their personal information in the paper and on postcards going out to neighbors seems excessive. Accordingly, the requirements for posting an applicant's address, email, and phone number are being eliminated.

The next portion of the revisions to this section brings the property sign posting language requirements back to what is currently included and has been demonstrated to be effective.

The final portion of the revisions separates out the procedural requirements for mailed notice and property sign postings for administrative applications and those that require a public hearing. The previous code language and what has been included in the revised code refer to the public hearing for timing requirements. These notices are also given for administrative applications, so the proposed revisions provide applicable procedures for these types of submittals to ensure there are clear standards to follow. The revisions also now require an applicant to submit proof that a sign has been posted at least 15 calendar days prior to any approval being granted for an administrative approval or prior to a hearing being scheduled for a hearing item.

GJMC 21.02.050(i) Planned Development (Repeal of 21.03.0100)

The Planned Development standards are located in two different locations within the code. The proposed revisions consolidate these into one location. In addition, some of the language regarding interpretation and lapsed PDs, in light of the transition of zone districts in the new code, were unclear. The proposed revisions are designed to provide greater clarity around how the PD provisions are treated where legacy zone districts are referred to.

GJMC 21.04.020(e) Public Parking, Use Table

There is a need to establish clear use parameters around public parking, whether for surface lots or parking structures. This conversation was brought up briefly during conversations with the Code Committee, but these were sidelined to allow for discussion to focus on commercial parking lots in the downtown area. Nearing adoption, staff realized that the issue of public parking was not resolved. The proposed revisions add a use category to allow for this as well as an associated definition.

GJMC 21.04.040(e)(1)(i) Accessory Dwelling Unit (ADU) Standards

The proposed revisions to the ADU standards address an issue raised whereby the current regulations are clear that there may not be two detached ADUs, but are unclear about whether there can be two attached ADUs. The revision adds in the phrase 'at least' to the clause requiring an ADU to be attached to the principal dwelling unit for there to be two ADUs on a property, indicating that both may be attached. Subsections a. and b. have also been combined to reduce redundancy.

GJMC 21.04.040(e)(2)(i) Drive-Through Facility Standards

It was raised as a concern nearing code adoption that the language surrounding the location of drive-throughs on a site with multiple frontages was unclear. The adopted code defines façade as "the front exterior wall of a building" and regulations in Section 21.14.010(c), Lot and Site Measurements, allow for flexibility where there are multiple frontages: "When a lot fronts on more than one public street, one side shall be designated by the property owner or applicant as the front. This will be used for the purposes of determining setbacks, street orientation, and other similar measurements. Where a lot abuts more than two public streets, the applicant and Director will determine location of front and identification of other sides for setback purposes based on existing or anticipated site context" (emphasis added). The proposed revision clarifies this language for ease of use.

GJMC 21.05.090 Fences

Fence standards are being reviewed for several different components. First, it has come to staff's attention recently that there are no material standards within the downtown core, as defined in Chapter 24, and at the request of the Downtown Development Authority, this revision adds in these standards.

Second, there has been some confusion over the provision in subsection (4) here surrounding the Director's approval for materials at security facilities. This revision seeks to provide clarity, which is related to the type of facilities that present some form of clear and present danger to the general public.

Definitions have been added to support these revisions.

24 Road Corridor Pedestrian Walk Standard

While many of the requirements of the 24 Road Corridor are intended to be very specific and not allow flexibility, the standard requiring pedestrian walks that include a bicycle lane to be 10 feet or wider has come up as an issue on a recent development project for affordable housing. The project proposed an 8-foot multiuse path, which in other situations could be approved with an Alternate Streets Request. This revision allows the same flexibility in the 24 Road Corridor overlay.

Overlay Cleanup

This amendment updates all references to legacy zone districts to new zone districts as adopted in the 2023 Zoning & Development Code within the overlay districts, Titles 22 through 27.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.030(g). Notice of the public hearing was published on February 4, 2024 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between February 6 and February 12, 2024 through the GJSpeaks platform.

ANALYSIS

The criteria for review are set forth in Section 21.02.050(d) of the Zoning and Development Code, which provides that the City may approve an amendment to the text of the Code if the applicant can demonstrate evidence proving each of the following criteria:

(A) Consistency with Comprehensive Plan

The proposed Code Text Amendment is generally consistent with applicable provisions of the Comprehensive Plan.

The proposed amendments to the 2023 Zoning & Development Code, Title 25, and the revisions to the overlay districts are generally consistent with the Comprehensive Plan. Plan Principle 11 seeks to create effective government through Strategy 3.c., which encourages the evaluation of existing practices and systems to find opportunities for improvement of outcomes. The proposed revisions are the result of a constant evaluation of existing practices and regulations and seek to provide resolution and excellent customer service. Staff finds this criterion has been met.

(B) Consistency with Zoning and Development Code Standards

The proposed Code Text Amendment is consistent with and does not conflict with or contradict other provisions of this Code.

The proposed amendments to the 2023 Zoning & Development Code, Title 25, and the revisions to the overlay districts are consistent with the rest of the provisions in the Code and do not create any conflicts with other provisions in the Code. Staff finds this criterion has been met.

(C) Specific Reasons

The proposed Code Text Amendment shall meet at least one of the following specific reasons:

The proposed amendments to the 2023 Zoning & Development Code, Title 25, and the revisions to the overlay districts all meet specific reasons identified in this criterion for review. Each amendment is identified with its appropriate reason below.

- a. To address trends in development or regulatory practices;
Public Parking, Use Table: The addition of the Public Parking use category **responds to a practice** whereby public entities provide parking facilities in strategic locations to respond to areas of high demand and allow for highest and best use of valuable land. This use category allows for this to fall cleanly into the use category without any need for interpretation of how this use is permitted.

- b. To expand, modify, or add requirements for development in general or to address specific development issues;
Accessory Dwelling Unit (ADU) Standards: The amendment to the ADU standards **modifies requirements** to address a specific development issue that has been raised regarding the interpretation of how many attached accessory dwelling units are permitted, providing clarity for the general user.

Drive-Through Facility Standards: During the adoption of the 2023 Zoning & Development Code, it became clear that the language in this section of the Code was difficult to understand and that multiple sections of Code had to be visited to get a full picture of the correct interpretation. This amendment **modifies requirements** in the language to provide clarity.
Fences: The amendment to the fence standards modifies requirements to address a specific development issue regarding the lack of design standards for fencing within the Downtown Core.
24 Road Corridor Pedestrian Walk Standards: The amendment to the 24 Road Corridor **modifies requirements** to allow for flexibility within a district that does not currently allow for an alternate process, which is otherwise allowed Citywide.

- c. To add, modify or expand zone districts; or

- d. To clarify or modify procedures for processing development applications.

Withdrawn Applications: This code provision is being amended to **modify procedures** for processing applications that were inadvertently added to the City of Grand Junction Code but that are not in alignment with current or desired practice.

Public Notice Requirements: The amendments to the public notice requirements **clarify and modify procedures** to allow for a logical application of notice practice. They remove the requirement for an applicant’s personal information to be posted broadly and consolidate the information required to be provided on posted property signs.

Planned Developments: The amendments to the Planned Development sections of the Code **clarify requirements**, consolidating them into one location to provide for a more user-friendly document. Within the revisions there are also several provisions that are clarified further for how they are applicable with the adoption of the 2023 Zoning & Development Code.

Overlay Cleanup: The amendments to the overlay districts **clarify requirements**, removing any references to legacy districts that no longer exist.

Staff finds this criterion has been met.

RECOMMENDATION AND FINDINGS OF FACT

After reviewing the proposed amendments, the following findings of fact have been made:

1. In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, the proposed text amendments to Title 21 are consistent with the Comprehensive Plan and the Zoning & Development Code Standards and meet at least one of the specific reasons outlined.
2. In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, the proposed text amendment to Title 25 is consistent with the Comprehensive Plan and the Zoning & Development Code Standards and meet at least one of the specific reasons outlined.
3. In accordance with Section 21.02.050(d) of the Grand Junction Zoning and Development Code, the proposed text amendments to Title 22, Title 23, Title 24, Title 25, Title 26, and Title 27 are consistent with the Comprehensive Plan and the Zoning & Development Code Standards and meet at least one of the specific reasons outlined.

Therefore, Staff recommends approval of this request.

SUGGESTED MOTION:

Mr. Chairman, on the request to amend Title 21 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-54, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Mr. Chairman, on the request to amend Title 25 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-54, I move that the

Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Mr. Chairman, on the request to amend Title 22, Title 23, Title 24, Title 25, Title 26, and Title 27 Zoning and Development Code of the Grand Junction Municipal Code, City file number ZCA-2024-54, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Attachments

- 1. ZDC (Title 21) Amendments Q1 Draft Ordinance
- 2. Title 25 Amendment Draft Ordinance
- 3. Zone District Reference in Overlays Cleanup Draft Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING WITHDRAWN APPLICATIONS, PUBLIC NOTICE REQUIREMENTS, PLANNED DEVELOPMENTS, ADDING A USE FOR PUBLIC PARKING, ACCESSORY DWELLING UNIT (ADU) STANDARDS, DRIVE-THROUGH FACILITY STANDARDS, AND FENCE STANDARDS

Recitals

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice or could use additional clarification. The amendments address seven different sections within the 2023 Zoning & Development Code.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed amendments.

After public notice and public hearing, the Grand Junction City Council finds that the amendments to the Zoning & Development Code implement the vision and goals of the Comprehensive Plan and that the amendments provided in this Ordinance are responsive to the community's desires, encourage orderly development of real property in the City, and otherwise advance and protect the public health, safety, and welfare of the City and its residents.

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

The following sections of the zoning and development code (Title 21 of the Grand Junction Municipal Code) are amended as follows (deletions ~~struck through~~, added language underlined):

...

21.02.030 COMMONLY APPLICABLE PROCEDURES

...

(f) Complete Applications with Changed Status

(1) Withdrawn Application

(i) ~~Prior to Public Notice~~

(Ai) An applicant may withdraw an application by providing written notice to the Director of the applicant's intent to withdraw. After such withdrawal, no further City action on the application shall take place.

(ii) Fees will not be refunded for a withdrawn application.

(iii) For any application requiring a public hearing, the applicant may request in writing that the application be withdrawn before the hearing is opened. An applicant may ask to withdraw after the hearing is opened, but the decision-making body will decide whether or not to approve the request.

~~(Biv) A rezone application may be withdrawn at any time prior to the publication of the legal advertisement for the first public hearing. A withdrawn rezone application may be refiled after a 120-day waiting period.~~

~~(Cv) To re-initiate review, the applicant shall re-submit the application with a new application fee payment, and the application shall in all respects be treated as a new application for purposes of review and scheduling.~~

(ii) ~~Following Public Notice~~

~~(A) No application may be amended or modified after the legal advertising has been published.~~

~~(B) After legal notice for the Planning Commission or Board of Adjustment has been published, a request for withdrawal shall be submitted in writing to the Director at least 24 hours prior to the first or only public hearing.~~

~~(C) Once a Planning Commission meeting or hearing has been opened, the Planning Commission may allow withdrawal of an application by a majority vote of the members present.~~

~~(D) After the Planning Commission hearing or for any application that is decided by the City Council without Planning Commission review, a request for withdrawal shall be submitted to the Director and may only be submitted by the property owner or authorized agent, as listed on the application. The City Council shall have exclusive authority to act on any request for withdrawal after notice of the public hearing has been published.~~

...

(g) Public Notice and Public Hearing Requirements

...

(3) Public Notice

...

(iii) Content

(A) Required notices, ~~except for property signs, whether by publication or written,~~ shall meet the general requirements of notice provided by the City and provide the following information:

(A) ~~a.~~ a. Address or location of the property subject to the application and the name, ~~address, email, and telephone number~~ of the applicant or the applicant's agent;

(B) ~~b.~~ b. Date, time, and place of the public hearing;

(C) ~~c.~~ c. Description of the nature, scope, and purpose of the application or proposal including a description of the development plan and, where appropriate, the classification or change sought;

(D) ~~d.~~ d. Notification about where the public may view the application; and

(E) ~~e.~~ e. State that the public may appear at the public hearing.

(F) ~~f.~~ f. Contact information for arranging participation in the public hearings for individuals with hearing, speech, or vision impairment.

(B) Property signs shall include the following information:

a. Application Number

b. City website

c. City phone number

...

(vi) Mailed Notice

...

(C) All mailed notices must be sent at least 10 days before a public hearing or within 15 business days from receipt of a complete application for administrative applications.

...

(vii) Property Sign

(A) The City shall prepare and the applicant shall post signs giving notice of the application. At least one sign shall be posted on each street frontage of the property.

(B) For administrative applications, signs shall be posted as follows:

a. Each sign shall be posted within 15 business days from receipt of a complete application.

b. The applicant shall maintain the sign on the property until the project has received approval per 21.02.030(h)(2)(i) or has been withdrawn by the applicant.

c. The applicant shall be required to provide proof that the property sign has been posted for a minimum of 15 calendar days prior to issuance of any approval pursuant to GJMC 21.02.030(h).

~~(AC) For applications requiring a public hearing, The City shall prepare and the applicant shall post signs including the information described in GJMC 21.02.030(g)(3)(iii) signs shall be posted as follows:~~

~~a. At least one sign shall be posted on each street frontage of the property.~~

~~b_a. Each sign shall be posted at least 10 calendar days before the initial public hearing and remain posted until the day after the final hearing.~~

b. The applicant shall be required to provide proof that the property sign has been posted for a minimum of 15 calendar days prior to the scheduling of a public hearing.

~~(B) c. The applicant shall maintain the sign on the property until the day after the final public hearing. If the decision-making body continues the meeting or public hearing at which the application is being considered to a later date, or if the decision-making body decides to consider the application at any time other than that specified on the notification signs, the Director shall update the existing signs with the new date.~~

...

21.02.050 APPLICATIONS REQUIRING A PUBLIC HEARING

...

(i) Planned Development

(1) Purpose

The planned development (PD) district is intended to apply to mixed-use or unique single use projects to provide design flexibility not available through strict application and interpretation of the standards established in this Code. Modifications to applicable base zone districts may be permitted as ~~described in Chapter 21.03.0100 and the approved modifications are~~ and made applicable to the subject property through the PD rezoning process.

(2) Applicability

(i) PD zoning is applicable to parcels of 10 acres or greater.

(ii) PD zoning may not be used to provide a site-specific solution to a single issue that can be resolved through a more appropriate administrative means.

(3) Residential Density

PD zoning shall not be used to increase the density of the base zone districts. Rezoning is the appropriate process to request a density increase.

(2) Required Approvals

Planned Development applications are reviewed through a two-step process, both of which are described below:

(i) Outline Development Plan

(ii) Final Development Plan

(3) Outline Development Plan (ODP)

(i) Applicability

An outline development plan is required for all PD applications.

(ii) Purpose and Content

(A) The purpose of an ODP is to demonstrate conformance with the Comprehensive Plan, identify applicable base zone districts and requested adjustment to applicable standards, and coordination of improvements within and among individually platted parcels, sections, or phases of a development prior to the approval of a Final Plat.

(B) An ODP shall include a site plan that identifies the base zoning established for the entire property or for each phase designated for development.

(C) An applicant may file an ODP with a Final Development Plan (FDP) for all or a portion of the property, as determined by the Director at the Pre-Application Meeting.

(iii) Review Procedures

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

(A) Site plan review and approval (pursuant to GJMC 21.02.040(k)) can occur either before or after the approval of ODP by the City Council. In either case, the applicant shall submit a site sketch, as described in the Submittal Standards for Improvements and Development (SSID) manual, showing sufficient detail to enable the Planning Commission and City Council to review and make findings on the ODP review criteria.

(B) The Planning Commission or City Council can request additional information from the applicant if it deems the site sketch is insufficient to enable it to make a on the criteria. In any subsequent site plan review, the Director shall ensure and determine that all mitigating/enhancing site features approved or made conditions of approval by the City Council are depicted on the approved site plan.

(C) An applicant may file an ODP with a final development plan for all or a portion of the property, as determined by the Director at the Pre-Application Meeting.

(iv) Public Notice and Public Hearing Requirements

The ODP application shall be scheduled for public hearings before the Planning Commission and City Council and shall be noticed pursuant to GJMC 21.02.030(g).

(v) Review Criteria for ODP

The Planning Commission shall review and recommend, and the City Council shall review and decide on an ODP based on demonstrated conformance with all of the following criteria:

(A) The Comprehensive Plan, Grand Junction Circulation Plan and other adopted plans and policies;

(B) The applicable corridor guidelines and other overlay districts in GJMC Titles 23, 24 and 25;

(C) The rezoning criteria provided in GJMC 21.02.050(d);

(D) The ODP ~~meets the planned development requirements of GJMC 21.03.0100 and~~ specifically shows the following requirements of a planned development:

a. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;

b. Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

c. Appropriate screening and buffering of adjacent property, uses, and structures shall be provided;

d. An appropriate range of density for the entire property or for each development pod/area to be developed;

e. An appropriate set of base zone district standards for the entire property or for each development pod/area to be developed; ~~and~~

f. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed;

g. Any requested adjustments to the standards of the base zone district(s) and/or other applicable standards such as landscaping, uses, or parking shall be identified both by location on the site plan and in an accompanying narrative summary; and

h. An appropriate community benefit shall be described through the application narrative, which incorporates at least one of the following:

1. The PD protects, preserves, and/or manages areas of significant natural resources beyond the requirements of the base zoning regulations;

2. The general arrangement of proposed uses in the PD better integrates future development into the surrounding neighborhood, either through more compatible street layout, architectural styles, and housing types, or by providing better transitions between the surrounding neighborhood and the PD with compatible development or open space buffers;

3. Areas of open space, their intended levels of use, and their relationship to other proposed uses in the PD provide enhanced opportunities for community gathering areas;

4. The PD features outstanding site design and construction, such as best management practices for on-site storm water management, green building materials, and/or water and energy efficiency;

5. Site design in the PD will create a diverse neighborhood with a mix of housing choices; or

6. The PD features enhanced opportunities for walkability or transit ridership, including separated parking bays, off street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.

(vi) Creation of Overlay Zone District

The PD zone district creates an overlay district that reflects adjustments made to applicable base zone districts as stated in the PD zoning ordinance. Where the PD is silent as to a development term or requirement, the requirements of the applicable base zone district or this Code shall apply.

(vi) Post-Decision Actions

(A) Modification or Amendment

The ODP amendment process is provided in GJMC 21.02.050(i)(5).

(B) Lapsing and Extension of Approvals

- a. The effective period of the ODP/phasing schedule shall be determined concurrently with ODP approval.
- b. The ODP/phasing schedule shall be subject to the validity provisions GJMC 21.02.050(i)(7).
- c. The ODP/phasing schedule may be extended by the City Council per GJMC 21.02.050(i)(8).

(4) Final Development Plan (FDP)

(i) Applicability

(A) Following approval of an ODP, a subsequent final development plan approval shall be required before any development activity occurs. The plan and the plat ensure consistency with the approved ODP and specific development and construction requirements of various adopted codes.

(B) Unless specified otherwise at the time of ODP approval, if the form of ODP approval was a subdivision plan, a Final Plat may be approved and recorded prior to FDP approval for individual lots.

(ii) Review Procedures

(A) Applications for a Final Development Plan shall meet the common review procedures for administrative applications in GJMC 21.02.040(b), with the following modifications:

(B) A portion of the land area within the approved ODP may be approved for FDP.

(iii) Public Notice and Public Hearing Requirements

Notice of a Final Development Plan is not required unless the Planning Commission elects to take final action. In such instances, notice shall be provided in the same manner and form as is required with an ODP.

(iv) Review Criteria

The Director, or the Planning Commission if applicable, shall review and decide on the application for FDP in light of the following additional criteria:

- (A) The approved ODP, if applicable;
- (B) The approved PD rezoning ordinance, if applicable;
- (C) The Submittal Standards for Improvements and Development, Transportation Engineering Design Standards (GJMC Title 29), and Stormwater Management Manual (GJMC Title 28) manuals and all other applicable development and construction codes, ordinances, and policies;
- (D) The applicable site plan review criteria in GJMC 21.02.040(k); and
- (E) The applicable Final Plat review criteria in GJMC 21.02.040(l)(5).

(v) Post-Decision Actions

(A) Improvements and Recordation

- a. The Final Plat shall be recorded pursuant to GJMC 21.02.040(l)(5)(ii)(F)b.
- b. Except as provided herein, before the plan and plat are recorded by the Director, all applicants shall be required to complete, to the satisfaction of the Director, all street, sanitary, and other public improvements, as well as lot improvements on the individual lots of the subdivision as required by this Code. The required improvements shall be those specified in the approved Construction Plans as per GJMC 21.05.020(c); or
- c. As a condition of final plan and plat approval, the City shall require the applicant to enter into a development improvements agreement and post a guarantee for the completion of all required improvements as per GJMC 21.05.020(c)(2).

(B) Contractual Agreement

- a. Approval of a PD allows the development and use of a parcel of land under certain, specific conditions. Conditions of approval shall be filed with the Director in the review process.
- b. No use of the parcel, nor construction, modification, or alteration of any use or structures within a PD project shall be permitted unless such construction,

modification or use complies with the terms and conditions of an approved final development plan.

c. Each subsequent owner and entity created by the developer, such as property owners' associations or an architectural review committee, shall comply with the terms and conditions of approval. The developer shall set forth the conditions of approval within covenants. Such covenants shall be recorded with the final approved plan and plat.

(C) Transfer of Ownership

No person shall sell, convey, or transfer ownership of any property or any portion thereof within a PD zone until such person has informed the buyer of the property's status with respect to the PD process and conditions of approval. The City shall bear no liability for misrepresentation of terms and conditions of an existing approval.

(D) Planned Development Zone Designation

The Director shall designate each approved PD on the Official Zoning Map.

(5) Amendment to Approved Plans

(i) Planned Development Rezoning Ordinance

The use, density, dimensional, and base zone district standards contained in an approved PD rezoning ordinance may be amended only as follows, unless specified otherwise in the rezoning ordinance:

(A) No use may be established that is not permitted in the PD without amending the rezoning ordinance through the rezoning process. Uses may be transferred between development pods/areas to be developed through an amendment to the ODP provided the overall density for the entire PD is not exceeded;

(B) The maximum and minimum density for the entire PD shall not be exceeded without amending the rezoning ordinance through the rezoning process. Density/intensity may be transferred between development pods/areas to be developed unless explicitly prohibited by the ODP approval; and

(C) The dimensional and base zone district standards may not be amended for the PD or a development pod/area to be developed without amending the PD rezoning ordinance through the rezoning process.

(ii) Outline Development Plan

The approved Outline Development Plan may be amended only by the same process by which it was approved, except for minor amendments. Unless the adopted PD rezoning ordinance provides otherwise, the approved Outline Development Plan may be amended as follows:

(A) Minor Amendments

a. Permitted Amendments

The Director may approve the following amendments for individual lots within the area covered by an outline development plan provided all standards in the adopted PD rezoning ordinance are met:

1. Decreases in density so long as the character of the site is maintained;
2. Changes in dimensional standards of up to 10 percent so long as the character of the site is maintained;
3. Changes in the location and type of landscaping and/or screening so long as the character and intent of the original design are maintained;
4. Changes in the orientation or location of parking areas and vehicular and pedestrian circulation areas so long as the effectiveness and character of the overall site circulation, parking and parking lot screening are maintained;
5. The reorientation, but not complete relocation, of major structures so long as the character of the site is maintained; and
6. Simple subdivision.

b. Minor Amendment Review Process

Minor amendments shall be reviewed and decided on by the Director based on the review criteria that the amendment shall not represent a significant change in any of the agreed upon deviations from the default standards.

(B) Major Amendments.

All other amendments to the ODP shall be reviewed by the Director and Planning Commission using the same process and criteria used for ODP review and approval. Final decision shall be made by City Council.

(6) Planned Developments Approved Under Prior Codes

(i) Intent

The City's intent is to continue to allow the development PDs approved under prior codes, determining that they remain valid under this Code subject to the lapse provisions of GJMC 21.02.050(i)(7). To give effect to this intent, interpretation may be required to fully describe applicable terms and requirements and to avoid the continuance of shell PDs that cannot be fully implemented or developed.

(ii) Interpretation

PDs approved under prior codes shall be interpreted as follows:

(A) Planned Developments that predate this Code shall be narrowly interpreted and are limited to the specified terms of approval.

~~(B) Planned Developments that refer to zone districts not included in this Code shall be interpreted or applied according to the 2010 Code (or earlier) requirements. The base~~

zone district of an active Planned Development shall be interpreted and applied according to the code (2010 or earlier) under which it was adopted.

(C) If the Planned Development approval is silent as to a term or requirement, the most closely similar provision of this 2023 Code shall be applied. For example, if a Planned Development does not specify a process for amendment, the process for amending Planned Development approvals in GJMC 21.02.050(i)(5) will be used.

(D) Where a base zone district(s) was not specified in the Planned Development approval, the Director shall interpret and apply a zone district(s) from this Code that most closely reflects the PD's dimensional and use standards.

(E) Where this Code changes a generally applicable standard, such as updates to ADU or outdoor lighting standards, the updated generally applicable standards are also applicable to approved PDs unless the PD was approved with a specific standard(s) regulating the same topic.

(7) Lapse of Plan

If a single-phase Planned Development is less than 75 percent completed, as measured in terms of residential unit count or approved total mixed-use or nonresidential structure footprint, or a multiphase Planned Development is less than 75 percent complete in terms of residential unit count, total structure footprint, or total phases, as specified in the ODP approval, as of the end date of the approved development schedule, a lapse of the ODP as applied to the incomplete lots or parcels shall be deemed to have occurred.

(i) If the PD was approved with base zone districts, future development may proceed in compliance with the requirements of the base zone districts and this Code, but any approved PD modifications shall be lapsed.

(A) If the PD was approved with a base zone district that is identified as a legacy zone district in Table 21.03-1, the requirements shall be in accordance with those of the updated zone district identified in the Table.

(ii) If the PD was not approved with base zone districts, the Director may determine the appropriate base zone districts and future development may proceed in compliance with the requirements of the base zone districts.

(8) Development Schedule Extension

(i) An applicant may request an extension of the development schedule as follows:

(A) The Director may extend the schedule one time for up to one year.

(B) The applicant may request a PD development schedule review from the City Council at any point prior to the end date of the schedule.

(ii) The Director may extend the development schedule timeframe for up to three years in the event of any of the following:

- (A) A national or regional economic recession,
- (B) A national or regional health emergency, or
- (C) National or regional events in or outside of the United States that impact the general price or availability of labor or materials by more than 20 percent.

(iii) The maximum allowed cumulative extension period is five years. Any PD that has not been completed within this extension timeframe may be resubmitted as a new application or shall be subject to GJMC 21.02.050(i)(7), above.

...

21.03.0100 — PLANNED DEVELOPMENT

(a) Purpose and Community Benefits

The planned development (PD) district is intended to apply to mixed-use or unique single-use projects to provide design flexibility not available through strict application and interpretation of the standards established in GJMC Chapter 21.05. The purpose of the PD overlay zone is to provide design flexibility that promotes the goals and strategies of the Comprehensive Plan and that incorporates at least one of the following community benefits:

- (1) The PD protects, preserves, and/or manages areas of significant natural resources beyond the requirements of the base zoning regulations;
- (2) The general arrangement of proposed uses in the PD better integrates future development into the surrounding neighborhood, either through more compatible street layout, architectural styles, and housing types, or by providing better transitions between the surrounding neighborhood and the PD with compatible development or open space buffers;
- (3) Areas of open space, their intended levels of use, and their relationship to other proposed uses in the PD provide enhanced opportunities for community gathering areas;
- (4) The PD features outstanding site design and construction; such as; best management practices for on-site storm water management, green building materials, and/or water and energy efficiency;
- (5) Site design in the PD will create a diverse neighborhood with a mix of housing choices; or
- (6) The PD features enhanced opportunities for walkability or transit ridership, including separated parking bays, off-street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.

(b) Applicability

- (1) PD zoning is applicable to parcels of 10 acres or greater.
- (2) PD zoning may not be used to provide a site-specific solution to a single issue that can be resolved through a more appropriate administrative means.

(c) Creation of Overlay Zone District

The PD zone district creates an overlay district that reflects adjustments made to applicable base zone districts as stated in the PD zoning ordinance. Where the PD is silent as to a development term or requirement, the requirements of the applicable base zone district or this Code shall apply.

(d) Customization

(1) Modifications to Base Zone Districts

(i) A PD overlay is established through the identification of applicable base zone district(s) that are modified according to specific adjustments approved through the PD review and approval process.

(ii) Requested adjustments to the standards of the base zone district(s) and/or other applicable standards such as landscaping, uses, or parking shall be identified both by location on the site plan and in an accompanying narrative summary.

(2) Residential Density

A PD shall not be used to increase the density of the base zone districts. Rezoning is the appropriate process to request a density increase.

(3) Community Benefit

All PD projects are required to provide a community benefit. The application narrative shall also describe the community benefits provided through PD approval, based on the list of community benefits described above.

...

21.04.020 PRINCIPAL USE TABLE

...

(e) Use Table

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	..	MU-1	MU-2	MU-3	CG	IO-R	I-1	I-2	P-1	P-2	..
...	...										
Community and Cultural Facilities											
Parking, Public	...	A	A	A	A	A	A	A	A	A	
...											

...

21.04.040 ACCESSORY USES AND STRUCTURES

...

(e) Accessory Use-Specific Standards

(1) Residential Uses

(i) Accessory Dwelling Unit

...

(A) Maximum Number of ADUs

a. A lot with one single-family detached dwelling or a single-family attached dwelling with two units in the structure may have two ADUs if at least one of the ADUs is attached to the principal dwelling unit (e.g., attic, basement, carriage house, etc.).

~~b. A single-family attached dwelling unit with two units may have two ADUs if one of the ADUs is attached to the principal dwelling unit (e.g., attic, basement, carriage house, etc.).~~

~~eb. A duplex dwelling unit may have no more than one ADU on the lot.~~

...

(2) Commercial Uses

(i) Drive-Through Facility

...

~~(E) Where d Drive-through windows, or drive-up facilities, including but not limited to menu boards, or speaker boxes, and drive-through lanes are allowed, they shall not be located between the façade designated front of the building pursuant to Section 21.14.010(c)(iii) and the adjacent public right-of-way.~~

...

21.05.090 FENCES

...

(c) Fence Materials.

(1) Fences and walls shall be constructed of materials approved by the Director.

(2) Acceptable materials include wire, wrought iron, plastic, wood, and other materials with a similar look.

(i) Fences within the Downtown Core shall only be wrought iron, PVC vinyl, or wood.

(3) Unacceptable materials that are visible include glass, tires, razor wire and concertina wire, or unconventional salvaged materials or similar materials. Electric fencing shall be allowed to contain large animals.

(4) The Director may approve materials for security facilities or critical facilities.

...

21.14.020 DEFINITIONS

...

Critical Facility

A structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired.

...

Parking, Public

A municipal site which does not fall within the boundaries of a street and which is reserved for the benefit of and accessible to the general public exclusively for the parking of vehicles, with or without payment.

...

Secure Facility

A county, city and county, or municipal jail or a nonstate-owned prison facility, or similar operation.

...

INTRODUCED on first reading this 21st day of February 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 6th day of March 2024 and ordered published in pamphlet form.

ATTEST:

Anna M. Stout
President of the City Council

Amy Phillips
City Clerk

1
2 **CITY OF GRAND JUNCTION, COLORADO**

3 **ORDINANCE NO. _____**

4 **AN ORDINANCE AMENDING TITLE 25 24 ROAD CORRIDOR DESIGN STANDARDS**
5 **REGARDING ALTERNATE STREETS REQUESTS FOR WIDTHS OF PEDESTRIAN**
6 **WALKS**

7 Recitals

8 The City Council desires to maintain effective zoning and development regulations that
9 implement the vision and goals of the Comprehensive Plan while being flexible and
10 responsive to the community's desires and market conditions and has directed that the
11 Code be reviewed and amended as necessary.

12 One such amendment is necessary which fell outside the scope of the adoption of the
13 2023 Zoning & Development Code. While many of the requirements of the 24 Road
14 Corridor are intended to be very specific and not allow flexibility, the standard requiring
15 pedestrian walks that include a bicycle lane to be 10 feet or wider has come as an issue
16 that could be resolved through existing standard practices. This amendment allows for
17 flexibility in design requirements within the 24 Road Corridor through the use of an
18 Alternate Streets Request, an established, routine process that is available in all other
19 areas of the City.

20 After public notice and public hearing as required by the Grand Junction Zoning and
21 Development Code, the Grand Junction Planning Commission recommended approval
22 of the proposed amendments.

23 After public notice and public hearing, the Grand Junction City Council finds that the
24 amendment to Title 25 implements the vision and goals of the Comprehensive Plan and
25 that the amendment provided in this Ordinance is responsive to the community's desires,
26 encourages orderly development of real property in the City, and otherwise advances and
27 protects the public health, safety, and welfare of the City and its residents.

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

30 **The following sections of the zoning and development code (Title 21 of the Grand**
31 **Junction Municipal Code) be amended as follows (deletions struck through, added**
32 **language underlined):**

33 ...

34 [25.02.110 Sidewalks \(24 Road Corridor\)](#)

35 ...

36 (e) Pedestrian walks incorporating bicycle lanes shall be not less than 10 feet in width, unless otherwise
37 approved by an Alternate Streets Request.

38 ...

39
40 **INTRODUCED** on first reading this 21st day of February 2024 and ordered published in
41 pamphlet form.

42 **ADOPTED** on second reading this 6th day of March 2024 and ordered published in pamphlet
43 form.

44

45 ATTEST:

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Anna M. Stout

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President of the City Council

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51 Amy Phillips

52 City Clerk

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1
2 **CITY OF GRAND JUNCTION, COLORADO**

3 **ORDINANCE NO. _____**

4 **AN ORDINANCE TO UPDATE ZONE DISTRICTS TO REFLECT REVISIONS IN THE**
5 **ADOPTION OF THE 2023 ZONING & DEVELOPMENT CODE BY AMENDING TITLE**
6 **22, TITLE 23, TITLE 24, TITLE 25, TITLE 26, AND TITLE 27 .**

7 Recitals

8 The City Council desires to maintain effective zoning and development regulations that
9 implement the vision and goals of the Comprehensive Plan while being flexible and
10 responsive to the community’s desires and market conditions and has directed that the
11 Code be reviewed and amended as necessary.

12 When the Zoning & Development Code was repealed and replaced on December 20,
13 2023, it was anticipated that there would be necessary revisions to provide clarity and
14 alleviate practical issues with implementation. As part of this adoption, a new list of Zone
15 Districts has been established which implements the Comprehensive Plan, expands
16 opportunities for a wider mix of uses, and consolidates existing districts based on
17 similarities. The implementation of the Zoning and Development Code update
18 necessitates that the legacy districts be retired or transitioned with the updated district
19 titles. This amendment updates all references to legacy zone districts to new zone
20 districts as adopted in the 2023 Zoning & Development Code.

21 After public notice and public hearing as required by the Grand Junction Zoning and
22 Development Code, the Grand Junction Planning Commission recommended approval
23 of the proposed amendments.

24 After public notice and public hearing, the Grand Junction City Council finds that the
25 amendment to Title 25 implements the vision and goals of the Comprehensive Plan and
26 that the amendment provided in this Ordinance is responsive to the community’s desires,
27 encourages orderly development of real property in the City, and otherwise advances and
28 protects the public health, safety, and welfare of the City and its residents.

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

31 **Any references within Title 22, Title 23, Title 24, Title 25, Title, 26, and Title 27 to a**
32 **Legacy District as identified in Table 21.03-1 below be replaced with the appropriate**
33 **Updated District Title as identified in the same table.**

Table 21. Error! No text of specified style in document.-1: Zone Districts Summary		
Legacy Districts	Updated District Titles	Section
Residential		

Table 21. Error! No text of specified style in document.-1: Zone Districts Summary		
Legacy Districts	Updated District Titles	Section
R-R: Residential – Rural	Residential – Rural, R-R	Error! Reference source not found.
R-E: Residential – Estate	Residential – Estate Retired, R-ER	Error! Reference source not found.
R-1: Residential – 1	Residential 1 Retired, R-1R	Error! Reference source not found.
R-2: Residential – 2	Residential 2 Retired, R-2R	Error! Reference source not found.
R-4: Residential – 4	Residential Low 4, RL-4	Error! Reference source not found.
R-5: Residential – 5	Residential Low 5, RL-5	Error! Reference source not found.
R-8: Residential – 8	Residential Medium 8, RM-8	Error! Reference source not found.
R-12: Residential – 12	Residential Medium 12, RM-12	Error! Reference source not found.
R-16: Residential – 16	Residential High 16, RH-16	Error! Reference source not found.
R-24: Residential – 24	Residential High 24, RH-24	Error! Reference source not found.
Mixed-Use Commercial		
R-O: Residential – Office	Mixed-Use Neighborhood, MU-1	Error! Reference source not found.
B-1: Neighborhood Business	[Combined with R-O into MU-1]	
B-2: Downtown Business	Mixed-Use Downtown, MU-3	Error! Reference source not found.
M-U: Mixed Use	Mixed-Use Light Commercial, MU-2	Error! Reference source not found.

Table 21. Error! No text of specified style in document.-1: Zone Districts Summary		
Legacy Districts	Updated District Titles	Section
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	Error! Reference source not found.
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	Error! Reference source not found.
I-1: Light Industrial	Industrial Light, I-1	Error! Reference source not found.
I-2: General Industrial	Industrial General, I-2	Error! Reference source not found.
Public, Parks, and Open Space		
CSR: Community Services and Recreation (Parks and Open Space only)	Public Parks and Open Space, P-1	Error! Reference source not found.
CSR: Community Services and Recreation (Public, Civic and Institutional Facilities)	Public, Civic, and Institutional Campus, P-2	Error! Reference source not found.
Planned Development		
PD: Planned Development	Planned Development, PD	Error! Reference source not found.
Overlay		
AE: Airport Environs Overlay	Airport Environs Overlay, AE	Error! Reference source not found.
H Road/Northwest Area	H Road/Northwest Area	GJMC Title 22
North Avenue Overlay	North Avenue Overlay	GJMC Title 23
Greater Downtown Overlay	Greater Downtown Overlay	GJMC Title 24

Table 21. Error! No text of specified style in document.-1: Zone Districts Summary		
Legacy Districts	Updated District Titles	Section
24 Road Corridor Standards	24 Road Corridor Standards	GJMC Title 25
North Seventh Avenue Historic Residential District	North Seventh Avenue Historic Residential District	GJMC Title 26
Horizon Drive District Overlay	Horizon Drive District Overlay	GJMC Title 27

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