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**PLANNING COMMISSION AGENDA
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, MARCH 26, 2024 - 5:30 PM
*Attend virtually: bit.ly/GJ-PC-3-26-24***

Call to Order - 5:30 PM

Consent Agenda

1. Minutes of Previous Meeting(s)

Regular Agenda

1. Consider Amendments to Title 21 Zoning and Development Code to Modify and Clarify Various Provisions Relating to Application Outreach Meetings, Extension of Approvals, Termination of Conditional Use Permits, Mixed-Use Downtown Dimensional Standards, Side Setbacks Abutting Residential in Mixed-Use and Industrial Zone Districts, Retail Sales in Industrial Zones, Dwelling Units - Single-Family Detached, Cottage Courts, and Tiny Homes as Uses, Home Occupations, and Density Measurements

Other Business

Adjournment

GRAND JUNCTION PLANNING COMMISSION
March 12, 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; Ken Scissors, Shanon Secrest, Melanie Duyvejonck, Sandra Weckerly, Kim Herek, and Keith Ehlers.

Also present were Jamie Beard (City Attorney), Niki Galehouse (Planning Supervisor), Jessica Johnsen (Senior Planner), Dave Thornton (Principal Planner), Tim Lehrbach (Senior Planner), Madeline Robinson (Planning Technician), and Jacob Kaplan (Planning Technician).

There were 11 members of the public in attendance, and 1 virtually.

CONSENT AGENDA

1. Approval of Minutes

Minutes of Previous Meeting(s) from February 13, 2024.

REGULAR AGENDA

1. Ferree ROW Vacation

VAC-2023-111

Consider a request by Monument Ridge Estates LLC., Lawrence Balerio, to vacate 0.32 acres of Ferree Drive right-of-way.

Staff Presentation

Jessica Johnsen, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Representative Kim Kerk with Kim Kerk Land Consulting provided additional context on the request and was available for questions.

Questions for staff and applicant

Chairman Teske asked for confirmation that the vacated land would be granted to the property owner to the West and wondered if they had expressed any concerns with the vacation. He also asked for confirmation on the City's intent to maintain a utility easement over the entirety of the vacated area.

Commissioner Weckerly asked how sight distance would be retained following the vacation.

Commissioner Ehlers asked about the timeline of the ROW vacation in reference to the development of Monument Ridge Estates. He also asked if there would be any issues with the

vacation process should the referenced streets in Monument Villas change names before the vacation was completed.

Kim Kerk provided an update on the progress of development for Monument Ridge Estates.

Public Hearing

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

There were no public comments.

The public comment period was closed at 5:50 p.m. on March 12, 2024.

Discussion

Motion and Vote

Commissioner Secrest made the following motion “Mr. Chairman, on the Ferree Drive – Public Right-Of-Way Vacation located north of Broadway (Hwy 340), on the southeastern portion of Ferree Drive, City file number VAC-2023-111, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact and conditions as listed in the staff report.”

Commissioner Ehlers seconded; motion passed 7-0.

2. Fire Station #7 Annexation

ANX-2023-740

Consider a request by the City of Grand Junction to zone 3.744 acres from County RSF-R (Residential Single Family Rural) to RM-8 (Residential Medium 8) located at 2351 H Road.

Staff Presentation

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

Questions for staff and applicant

Public Hearing

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

Dylan Frye called attention to the irrigation canal on the South side of the property.

The public comment period was closed at 6:02 p.m. on March 12, 2024.

Discussion

Motion and Vote

Commissioner Scissors made the following motion “Mr. Chairman, on the Zone of Annexation request for the property located at 2351 H Road, City file number ANX-2023-740, 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 Secest seconded; motion passed 7-0.

3. Monument Villas Comp Plan Amendment & Rezone CPA-2023-783 & RZN-2023-784

Consider a request by D&B Broadway Monument, LLC for a Comprehensive Plan Amendment for 4.23 acres from Commercial to Residential Medium (5.5 to 12 du/ac) and rezone the 4.23 acres from Mixed Use Neighborhood (MU– 1) to RM-8 (Residential Medium - 8).

Staff Presentation

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

Jeffrey Fleming with Colorado Land Advisor Ltd., expanded on the staff presentation and was available for questions.

Questions for staff and applicant

Public Hearing

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

There were no public comments.

The public comment period was closed at 6:28 p.m. on March 12, 2024.

Discussion

Discussion ensued about the minimum density requirements in the MU-1 zone district.

Commissioner Ehlers agreed with the staff that this area had not developed as a neighborhood center as projected in the 2010 Comp Plan so the rezone to strictly residential made sense.

Motion and Vote

Commissioner Scissors made the following motion “Mr. Chairman, on the Comprehensive Plan Amendment request for the property located at 2152 Broadway & 2155 Monument Lane, City file number CPA-2023-783, 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 Weckerly seconded; motion passed 7-0.

Commissioner Scissors made the following motion “Mr. Chairman, on the Rezone request for the property located at 2152 Broadway & 2155 Monument Lane, City file number RZN-2024-784, 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 and with the condition that City Council approves the Comprehensive Plan Land Use Map Amendment to Residential Medium.”

Commissioner Weckerly seconded; motion passed 7-0.

4. Lange Annexation **ANX-2023-754**

Consider a request by James N. Lange to zone 1.65 acres within the Lange Annexation to R-8 (Residential – 8 du/ac) located at 2908 Kennedy Avenue.

This item was rescheduled to a future meeting to be determined.

5. NAK Properties Rezone **RZN-2024-57**

Consider a request by NAK Property 2, LLC to rezone 0.43 acres from I-2 (Industrial General) to CG (Commercial General) located at 739 3rd Avenue.

Staff Presentation

Tim Lehrbach, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Applicant Nathan Krehbiel was present and available for questions.

Questions for staff

Public Hearing

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

There were no public comments.

The public comment period was closed at 6:50 p.m. on March 12, 2024.

Discussion

Commissioners expressed their appreciation for staff’s presentation and their agreement with the rezone request.

Motion and Vote

Commissioner Secret made the following motion “Mr. Chairman, on the rezone request for the property located at 739 3rd Avenue, City file number RZN-2024-57, I move that the Planning Commission forward a recommendation of approval to the City Council with the findings of fact as listed in the staff report.”

Commissioner Scissors seconded; motion passed 7-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Weckerly moved to adjourn the meeting.

The vote to adjourn was 7-0.

The meeting adjourned at 6:53 p.m.

DRAFT



Grand Junction Planning Commission

Regular Session

Item #1.

Meeting Date: March 26, 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 Application Outreach Meetings, Extension of Approvals, Termination of Conditional Use Permits, Mixed-Use Downtown Dimensional Standards, Side Setbacks Abutting Residential in Mixed-Use and Industrial Zone Districts, Retail Sales in Industrial Zones, Dwelling Units - Single-Family Detached, Cottage Courts, and Tiny Homes as Uses, Home Occupations, and Density Measurements

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, have challenges with implementation of new practice, or could use additional clarification. The proposed amendments address seven subject matters of the Code.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code. These amendments address four different sections within 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, have challenges with implementation of new practice, or could use additional clarification. The proposed amendments address seven subject matters of the Code and are identified as update revisions in the sections that follow.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code. These amendments address four different sections within the 2023 Zoning & Development Code and are identified as general revisions in the sections that follow.

GJMC 21.02.030(c)(5)(iii) Application Outreach Meetings, Meeting Content (Update)

The requirement for content at a Neighborhood Outreach Meeting is not appropriate when the meeting is being held for public hearing items where the requested change is that of land use or zoning, as a concept plan is not a requirement for these application types. In fact, it is discouraged for an applicant to include this information. A land use or zoning change should be broad, as the approval does not include development authorization and the broad range of allowed uses within the requested category or zone should be considered. This revision removes the requirement for a concept plan to be provided at the outreach meeting.

GJMC 21.02.030(j)(2)(ii) Extension of Approval Term, Permit or Administrative Approval; GJMC 21.02.040(l)(4)(ii)(D) Subdivision, Major, Lapsing and Extension of Approvals (General)

The adopted code language regarding extensions for administrative permits and subdivisions is carryover language from the previous code, but in light of the repeal and replace of the Zoning & Development Code, this standard could create difficulties. Updating the language to reflect conformance with the approved plan set instead of currently adopted codes allows the project to maintain approval for an additional 6 months for administrative approvals or 12 months for subdivisions without the need to re-enter the review process.

GJMC 21.02.050(g)(3) Conditional Use and Special Dimensional Permit Amendment, Termination, or Revocation, Preliminary Criteria and (5) Review Procedures (General)

The provision which allows for termination of a CUP has only one criteria for approval, which is that the use is now an allowed use in the current zone district. This came up recently as to why this would need to go to public hearing if this is the standard for review. This revision amends the review procedures to allow the termination of a CUP to be reviewed and decided on by the Director. In addition, this proposal adds in that a CUP may be terminated if it can be shown that the use has ceased to exist.

GJMC 21.03.060(e) Mixed-Use Downtown (MU-3), Dimensions (Update)

The dimensional use tables in the Mixed-Use Districts generally refer to the residential districts for uses that are designed for residential use only and provide the applicant with 1-2 options to provide flexibility. However, given that the Mixed-Use Downtown (MU-3) zone district does not allow for single-family uses and that its character is generally different within the downtown realm, it has already come up as an issue that multifamily uses would not be able to utilize the 0-foot setbacks afforded to other structures that would also have to go through the site plan review process. This amendment removes the requirement for residential uses to use greater setbacks than other uses within the MU-3 district.

GJMC 21.03.060-070 Mixed-Use & Industrial Zone Districts, Dimensions (General)

In the dimensional standards tables within the mixed-use and industrial zone districts there is a line within the setbacks that applies to 'side abutting residential.' The absence of specificity regarding 'residential' leaves question as to whether it is intended to apply to residential uses or zone districts.

The impact of this provision could be significant depending on the application. Only applying this provision to residential zone districts essentially creates a buffer around the zone district of 10 feet where it abuts residential zones. However, applying it to residential uses accounts for the impacts between properties within the zone district and increases compatibility between residential and nonresidential uses.

Discussion at the Planning Commission workshop centered around the intent of the districts and the increased allowance of uses within the mixed-use districts. The proposed revision removes the setback requirement abutting residential in favor of the primary mixed-use or industrial zone district.

GJMC 21.03.070(e-f) Industrial Districts, Use Limits; GJMC 21.04.020(e) Principal Use Table; Accessory Use Table, Retail Sales and Service (Update)

It has come to light that the Principal Use Table in the adopted code allows retail sales, of all scales, in both the Light Industrial (I-1) & General Industrial (I-2) zone districts. This conflicts with the provision in the dimensional standards tables for the zone districts which limits retail sales area to a max of 10% of GFA, 5,000 sf per lot or parcel.

The proposed revisions remove all 'Retail Sales and Service' categories from both the I-1 and I-2 zone districts in the Principal Use Table and add 'Retail Sales and Service, Small' as an allowed use in the Accessory Use Table, consistent with the dimensional

standards tables.

GJMC 21.03.080(c)(3), Public Parks and Open Space, Dimensions; GJMC 21.04.020(e) Principal Use Table, Dwelling Unit, Single-Family (Update)

This item adds a single-family detached dwelling unit as an allowed use in the P-1 (Public Parks & Open Space) zone district, similar to what was formerly allowed in the CSR (Community Services & Recreation) zone district. While the general intent is to preserve open spaces, there are some circumstances where placement of a single home may be appropriate. This use was eliminated with the adoption of the 2023 ZDC as the CSR district was split in two, with one district focused on strictly open space and the other on properties with structures.

It also adds dimensional standards to the P-1 zone district that are comparable to those provided in the previous CSR district. However, it is important to note that the CSR district encompassed both the P-1 and P-2 zone districts, so the standards there were applicable to civic facilities as well. The proposed standards for the P-1 district are adjusted to be context-sensitive for a single-family detached dwelling unit on its own.

GJMC 21.04.020(e) Principal Use Table, Tiny Home (Update)

It was recently questioned whether the use of a Tiny Home, per the State definition, could be permitted as an accessory dwelling unit (ADU). Because the use is identified on its own in the Principal Use Table and not in the Accessory Use Table, the code as written does not contemplate the use of Tiny Homes as accessory structures. This was almost certainly an oversight that staff would like to correct. This revision removes Tiny Home from the Principal Use Table and amends the definition to clarify that a Tiny Home may be either a single-family dwelling unit or an ADU.

GJMC 21.04.020(e) Principal Use Table, Cottage Court (Update)

The Public, Civic, and Institutional Campus (P-2) zone district is intended to provide housing in support of other civic uses. It came to staff's attention that a Cottage Court use was not permitted here and this revision adds the use.

GJMC 21.04.040(e)(2)(iii)(B)(f) Accessory Use-Specific Standards, Prohibited Home Occupations (Update)

The previous code allowed for beauty shops and seamstress uses, essentially low-volume personal services, to be home occupations provided they met the remaining performance standards. The removal of this allowance and prohibition on all personal services created quite a few nonconformities throughout the City. This revision addresses this and continues to allow similar uses as home occupations.

GJMC 21.14.010(a)(1-2) Measurements, Maximum Residential Density; Minimum Residential Density (General)

The provisions for calculation of minimum and maximum density as written provide the calculation for actual density. The proposed revisions correct this and revise for how to calculate the minimum and maximum required. The revision also includes a provision to account for how density is rounded, which accounts for whole units. To meet

minimum density, a partial unit must be rounded up to a whole unit. Conversely, to not exceed maximum density, a partial unit must be rounded down.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.030(g). Notice of the public hearing was published on March 17, 2024 in the Grand Junction Daily Sentinel. An online hearing with opportunity for public comment was held between March 19 and March 25, 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 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 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 and Development Code (ZDC) 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;
Side Setback Abutting Residential: This amendment **modifies requirements** in the code to address shifting priorities in regulatory practices by removing the

side setback abutting residential in mixed-use and industrial zone districts. As the nonresidential zone districts have become increasingly mixed-use as opposed to commercial, the regulatory considerations for treating residential uses within the mixed-use zone districts are less significant. Additionally, for the industrial zone districts, there is increasing desire to encourage these areas to develop as industrial, thus also encouraging the removal of the side setback abutting residential requirement.

- b. To expand, modify, or add requirements for development in general or to address specific development issues;

Mixed-Use Downtown Dimensional Standards: The amendment to the Mixed-Use Downtown dimensional standards **modifies requirements** to address a specific development issue that has been raised regarding the difficulty of developing multifamily within the MU-3 zone district if the RH-16 dimensional standards must be applied. While it makes sense to apply residential bulk standards to a residential-only site where single-family uses are allowed or where there are different compatibilities to consider in the higher intensity mixed-use districts, the Downtown district has a different character and does not allow single-family dwelling units. A multifamily structure in this zone district does not have a different impact than a commercial structure and does not necessitate greater setbacks for compatibility reasons.

Personal Service Home Occupation: The amendment to the home occupation regulations **modifies requirements** to correct an inadvertent change in the 2023 ZDC update which removed the personal service use from being permitted as a home occupation. The personal service use, when meeting the additional home occupation standards, is an appropriate use.

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

Retail Sales in Industrial Zones: This amendment **modifies zone districts** to remove 'Retail Sales and Service' at all sizes as allowed uses within the Principal Use Table within the Industrial Light (I-1) and Industrial General (I-2) zone districts. It also adds the 'Retail Sales and Service, Small' as an allowed use in the Accessory Use Table, clarifying that this use is intended to be supplemental to the primary industrial uses that may occur within a principal structure within the industrial zone districts. This brings the use tables into consistency with the Dimensional Standards Tables, which limit retail sales to a max of 10% of the structure or 5,000 sf.

Single-Family Detached Dwelling Unit, Principal Use Table: The amendment to the Public Parks and Open Space (P-1) zone district **modifies the zone district** to allow for a use, single-family detached dwelling unit, that was previously allowed in the old code and was inadvertently removed in the 2023 update.

Tiny Home Dwelling Unit, Principal Use Table: The amendment to the tiny home dwelling unit use **modifies zone districts** to remove a use in order to provide clarity about how the use may be used throughout the zone districts. The inclusion of the use in the table, but exclusion in other areas of the code implies that it may only be used as a principal structure, not as an accessory dwelling unit. The removal here and revision to the definition ensures that tiny homes may be used as either a principal use or an accessory dwelling unit.

Cottage Court Dwelling Unit, Principal Use Table: The amendment to the Public, Civic, and Institutional Campus **modifies the zone district** to allow for an additional use type which allows greater flexibility for potential residential development. The cottage court dwelling unit use has the potential to provide greater compatibility with surrounding residential zone districts and the exclusion in this zone district was unintentional in the 2023 ZDC update.

- d. To clarify or modify procedures for processing development applications.
Application Outreach Meeting Content: This code provision is being amended to **modify procedures** for processing applications that were added to the City of Grand Junction Code that are not in alignment with current or desired practice. The inclusion of a concept plan at a rezone or comprehensive plan level is a superfluous requirement that exceeds the standards for review of the hearing item.

Extension of Approvals: The amendments to the treatment of requests for extensions of approvals **modify procedures** to allow for these to be completed based on existing approvals. This would remove the requirement for the project to re-enter the review system to obtain a modest extension to complete the project.

Termination of Conditional Use Permit (CUP): The amendments to the Termination of a Conditional Use Permit provisions of the Code **modify procedures** to create a process that is more logical and streamlined. If the review criteria to terminate a CUP is that it is either terminated (new language) or an allowed use, this is a very straightforward review that should not require a public hearing process and may be completed administratively by the Director.

Density Measurement Calculations: The amendments to the density measurements **clarify requirements** to ensure that these calculations are being done in an accurate manner. The previous code language, which was carried forward into the 2023 ZDC, calculates actual density, not minimum and maximum density, which is what is intended. The amendment allows for this section to provide an accurate expectation for an applicant.

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:

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.

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-2024-123, 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 Q2 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 APPLICATION OUTREACH MEETINGS, EXTENSION OF APPROVALS, TERMINATION OF CONDITIONAL USE PERMITS, MIXED-USE DOWNTOWN DIMENSIONAL STANDARDS, SIDE SETBACKS ABUTTING RESIDENTIAL IN MIXED-USE AND INDUSTRIAL ZONE DISTRICTS, RETAIL SALES IN INDUSTRIAL ZONES, SINGLE-FAMILY RESIDENTIAL, COTTAGE COURTS, AND TINY HOMES AS USES, HOME OCCUPATIONS, AND DENSITY MEASUREMENTS

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, have challenges with implementation of new practice, or could use additional clarification. These amendments address seven different sections within the 2023 Zoning & Development Code.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code. These amendments address four 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

...

(c) Application Outreach Meetings

...

(5) Procedures

...

(ii) Meeting Content and Conduct

- (A) At the meeting, the applicant shall present a concept plan, describe project impacts, describe ways to mitigate impacts, facilitate a discussion, and answer questions during the meeting. A concept plan is not required at a NCM for comprehensive plan amendments, code text amendment, zone of annexation and/or rezones.
- (B) The concept plan shall, at a minimum, delineate access to the site, internal circulation, the range of density of the entire property or the maximum intensity (square footage and stories for all buildings).

...

(j) Lapsing and Extension of Approvals

...

(2) Extension of Approval Term

...

(ii) Permit or Administrative Approval

- (A) Unless otherwise stated in a permit or specific procedure for an administrative approval, the Director may extend the validity of the permit or approval for up to 180 more days if the applicant proves they can complete the project in conformance with currently adopted codes and policies the approved plan set.

...

21.02.040 ADMINISTRATIVE APPLICATIONS

...

(l) Subdivision, Major

...

(4) Preliminary Subdivision Plan

...

(C) Review Criteria

...

(ii) Lapsing and Extension of Approvals

...

(D) The applicant shall plat the entire property included in the Preliminary Subdivision Plan within six years of the initial plan approval date. After six years, approval of unplatted portions of the Preliminary Subdivision Plan shall be considered void unless an extension is requested and approved by the decision-making body. One extension of 12 months may be granted by the Director so long as the Preliminary Subdivision Plan is consistent with the Comprehensive Plan and current zoning requirements approved plan set, unless the Director determines that any currently adopted requirements of current codes, laws or regulations are necessary for public health, safety, and welfare. The Director may approve an extension of the approved plan set with the amendment(s) determined necessary or deny the extension. Additional extensions may be granted by the Planning Commission so long as the plan is consistent with the Comprehensive Plan and current zoning requirements approved plan set and the plan set has been amended as determined necessary by the Director for public health, safety, and welfare purposes.

21.02.050 APPLICATIONS REQUIRING A PUBLIC HEARING

...

(g) Conditional Use and Special Dimensional Permit Amendment, Termination, or Revocation

...

(3) Preliminary Criteria

...

(B) Grounds for Termination

The permit holder shall show that the use is an allowed use in the zone district in which it is now established or that the use has ceased to exist.

...

(5) Review Procedures

(A) All applications for amendment, or revocation, or termination of a Conditional Use or Special Dimensional Permit shall be processed in the same manner and based on the same review criteria as a new request for a Conditional Use or Special Dimensional Permit.

(B) All applications for termination of a Conditional Use Permit shall be reviewed and decided on by the Director.

(BC) Any person or entity, other than the City, seeking to amend, terminate, or revoke an approved Conditional Use or Special Dimensional Permit shall pay a fee in the amount established for an original application for a Conditional Use or Special Dimensional Permit.

...

21.03.060 MIXED-USE DISTRICTS

...

(c) Mixed-Use Neighborhood (MU-1)

(1) Intent

The MU-1 district is intended to provide low intensity, neighborhood service, office, and limited retail uses that can include second residential uses and are compatible with adjacent residential neighborhoods. Development should be compatible and complementary in scale and appearance to a residential environment. MU-1 is appropriate as indicated in **Error! Reference source not found..**

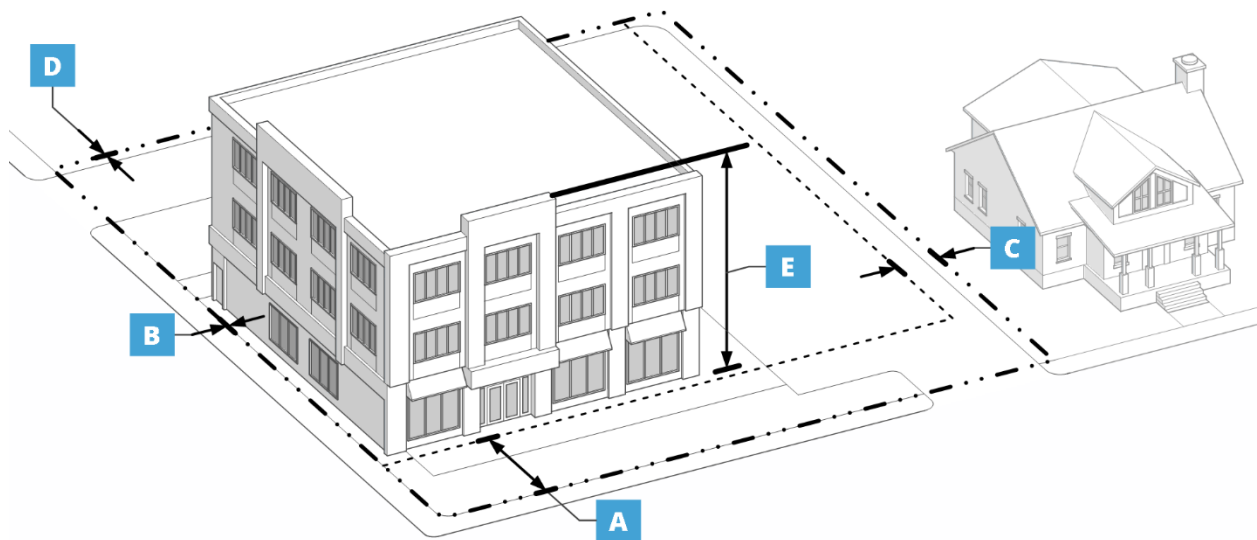
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-1 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-1.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-1 provided here.



Lot Standards	
Residential Standards	
Applicable district standards [1]	RM-8 or RM-12
Minimum Density	8 du/acre
Mixed-Use Lot Standards	
Lot Area (min, ft)	4,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	70
Parking, Loading, Service	
Access and Location	Side or Rear
Use Limits	
Outdoor uses are not allowed on residential-only lots	
Notes: [1] Either district may be chosen at rezoning; the chosen district shall be applied consistently.	

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0
C	Side-Abutting Residential	5
D	Rear	10
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side-Abutting Residential	5
	Rear	0
Height (max, ft)		
E	Height	40
Gross Floor Area (max, sf)		
	Retail	15,000
	Office	30,000

(d) Mixed-Use Corridor (MU-2)

(1) Intent

The MU-2 district is intended to accommodate commercial, employment, multifamily, and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. Commercial uses in the MU-2 district may be somewhat larger in scale and more flexible than the MU-1 district, including more auto-oriented uses such as gas stations. While ground stories along streets are intended for commercial uses, the upper stories are appropriate for residential and/or office uses. MU-2 is appropriate as indicated in **Error! Reference source not found..**

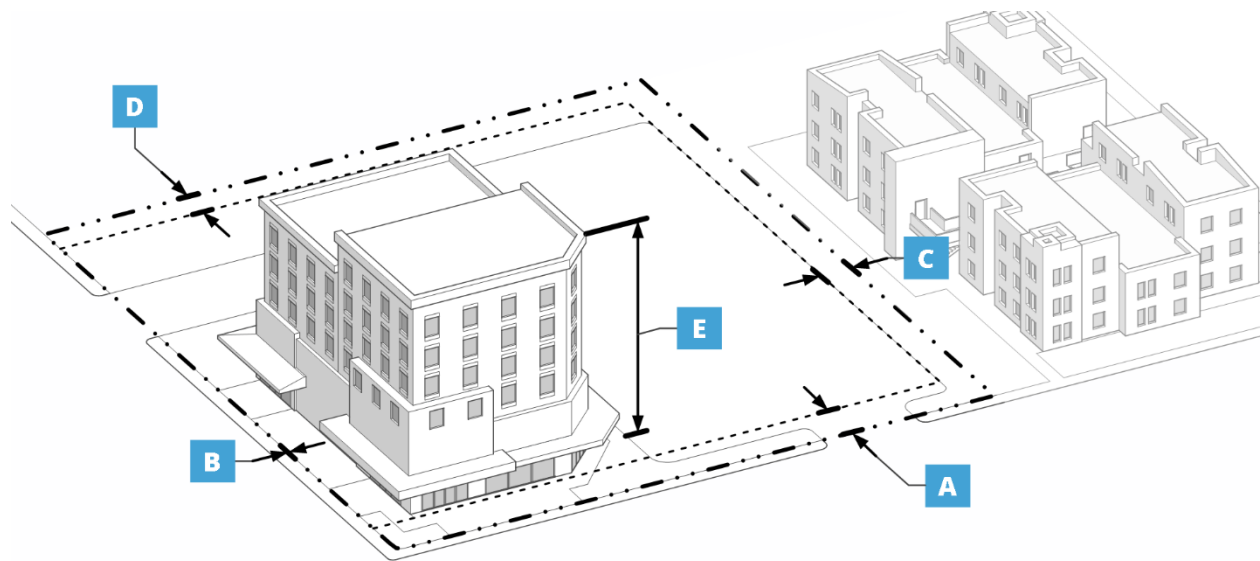
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-2 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-2.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-2 provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16 or RH-24
Minimum Density	16 du/acre

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0

Lot Standards	
Mixed-Use Lot Standards	
Lot Area (min, ft)	20,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	100
Parking, Loading, Service	
Access and Location: Alley where available, otherwise side or rear	
Notes: [1] 0 feet for a lot on an alley.	

Building Standards		
C	Side Abutting Residential	10
D	Rear	10 [1]
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side Abutting Residential	5
	Rear	10
Height (max, ft)		
E	Height	65
Use Limits		
Outdoor storage is not allowed within the front setback.		

(e) Mixed-Use Downtown (MU-3)

(1) Intent

The MU-3 Downtown district is intended to provide highly walkable downtown retail, service, office, lodging, and mixed uses with ground story storefronts and upper story residential, lodging, and office uses. Downtown Grand Junction is intended to be attractive to both residents and visitors and should include active public spaces and a range of community amenities. The scale of new development and redevelopment can be larger than current structures but must incorporate transitions between larger and smaller structures. Retaining the historic character of Downtown is an important priority to balance with the consideration of new and redevelopment. MU-3 is appropriate as indicated in **Error! Reference source not found..**

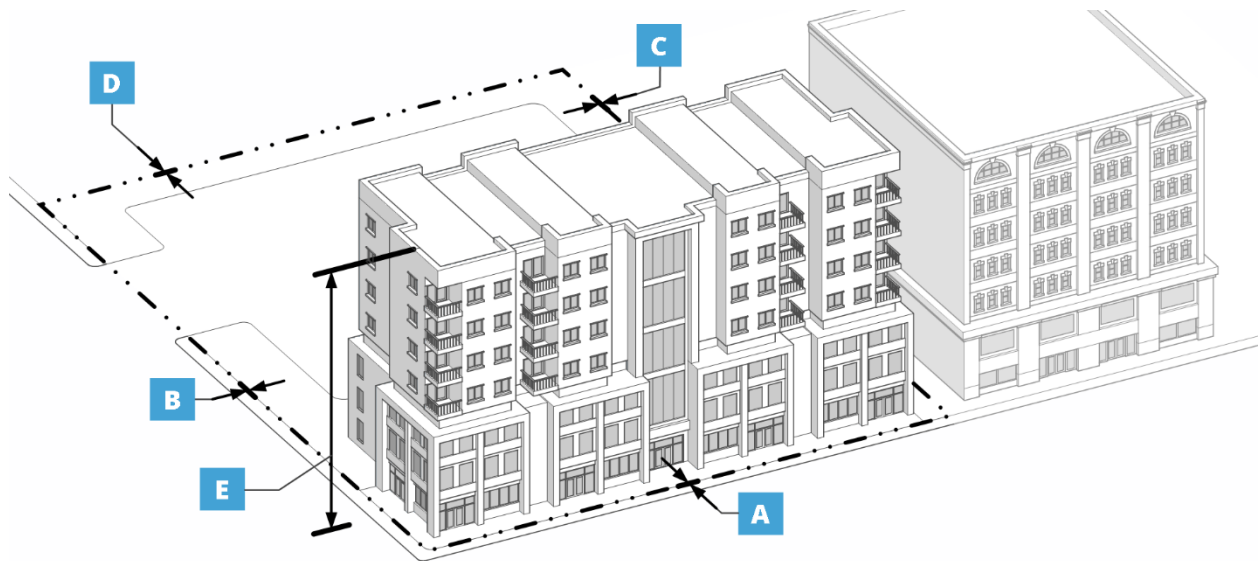
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-3 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-3.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-3 provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16
Minimum Density	8 du/acre

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	0
B	Side	0

Lot Standards	
Mixed-Use Lot Standards	
Lot Area (min, ft)	n/a
Lot Width (min, ft)	n/a
Lot Coverage (max, %)	100
Parking, Loading, Service	
Access: Alley where available, otherwise side or rear	
Location: Side or Rear	

Building Standards		
C	Side Abutting Residential	0
D	Rear	0
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side Abutting Residential	0
	Rear	0
Height (max, ft)		
E	Height	80

(4) District Specific Standards

(i) Parking Location

- (A) When parking, either commercial or private, is the principal use on a lot there shall be a 30-foot front setback to the edge of the parking area.
- (B) When parking, either commercial or private, is an accessory use on a lot, there shall be at least a six-foot front setback to the edge of the parking area.

(ii) Open Space

Applications for multifamily or mixed-use developments in an MU-3 zone district shall be required to pay the in-lieu fee, as determined in GJMC **Error! Reference source not found.**, rather than provide a land dedication.

(f) Commercial General (CG)

(1) Intent

The CG zone district is intended for auto-oriented retail commercial and commercial services, wholesale, and warehouse-facilities. This district allows outdoor storage and limited outdoor operations. In some areas of the community, CG accommodates truck traffic. This district is intended to be located along corridors where proximity to residential and walkable mixed-use development is limited. CG is appropriate as indicated in **Error! Reference source not found..**

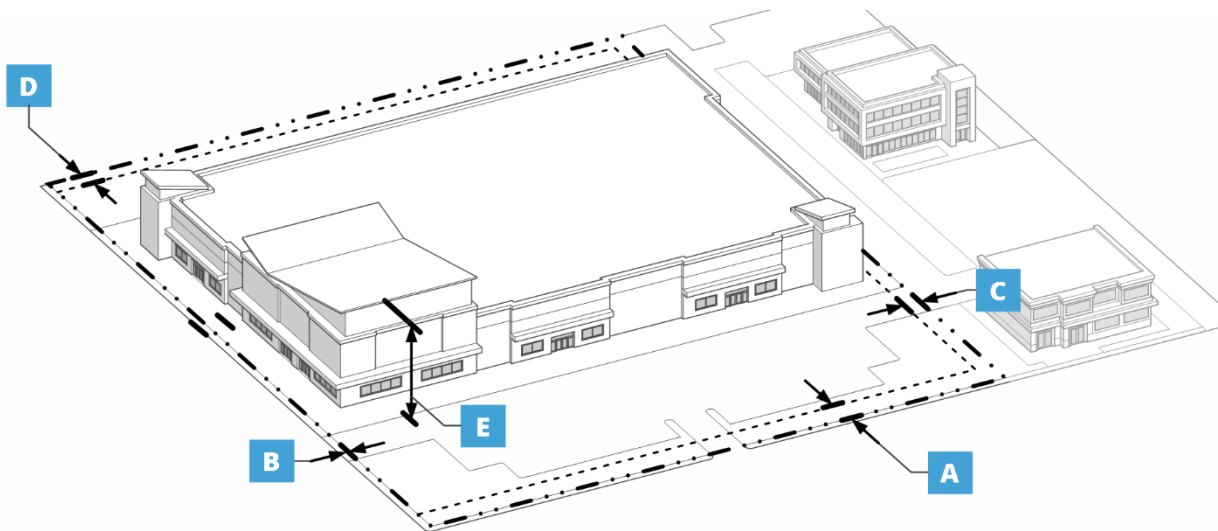
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the CG zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for CG provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16
Minimum Density	n/a
Mixed-Use Lot Standards	
Lot Area (min, ft)	20,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	100

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0
C	Side Abutting Residential	10
D	Rear	10 [1]
Setbacks: Accessory Structure (min)		
	Front	25

Lot Standards	
Parking, Loading, Service	
Access: Alley where available, otherwise side or rear	

Building Standards		
	Side	0
	Side Abutting Residential	5
	Rear	10
Height (max, ft)		
E	Height	65
Use Limits		
Outdoor uses are not allowed in a front setback.		
Notes: [1] 0' for lot on an alley		

21.03.070 INDUSTRIAL DISTRICTS

...

(d) Industrial/Office Park, Retired (I-OR)

(1) Intent

The Industrial/Office zone district has been retired from future use. Property that is zoned I-O as of the Effective Date shall be permitted to continue as conforming to this Code but rezoning any additional areas to I-OR is prohibited. The intent of the I-OR zone district is to provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

(2) Uses and Dimensions

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

The following dimensions apply in the I-OR zone district:

Lot Standards	
Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100%
Use Limits	
Retail sales area max: 10% GFA of principal structure, <u>and no more than 5,000 sf per any lot or parcel</u>	

Building Standards		
Setbacks: Principal Structure (min)		
	Front	15
	Side	0
	Side Abutting Residential	10
	Rear	10
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side Abutting Residential	5
	Rear	10
Height (max, ft)		
	Height	65

(3) District Specific Standards

- (i) Outdoor storage and permanent display areas may be located beside or behind the principal structure. Site plan approval is required for lots with double or triple frontage where the side and rear yards will be used for permanent display areas.
- (ii) Portable display of retail merchandise may be permitted as provided in GJMC **Error! Reference source not found..**

(e) Industrial Light (I-1)

(1) Intent

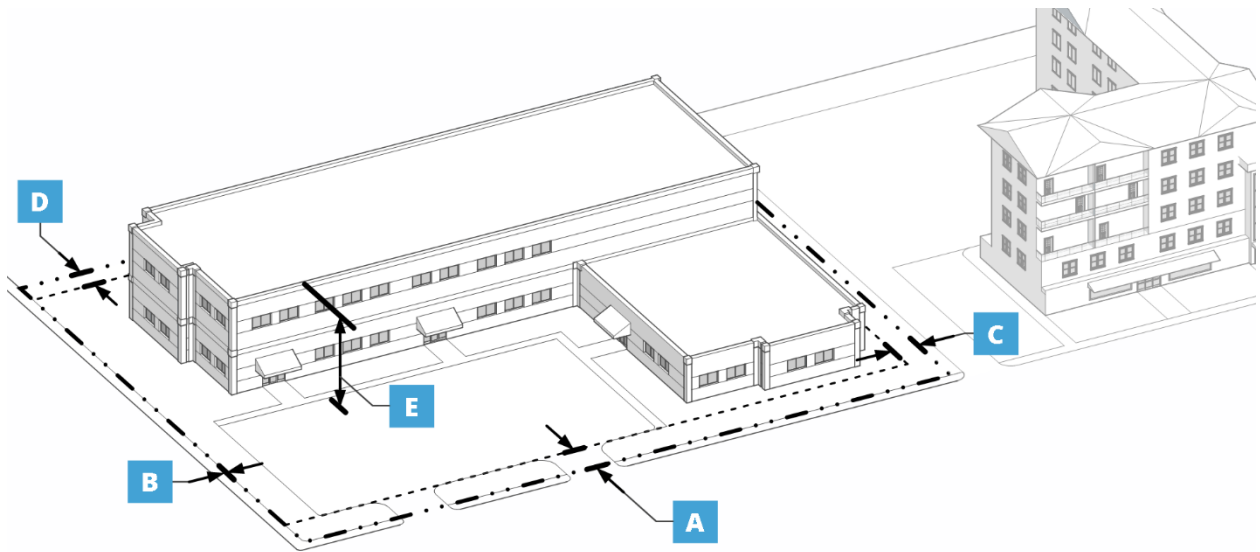
To provide for areas of light fabrication, manufacturing, technology, and industrial uses with limited, accessory commercial uses, all of which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 is appropriate as indicated in **Error! Reference source not found.:** Comprehensive Plan Implementation.

(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

The following dimensions apply in the I-1 zone district:



Lot Standards	
Lot Standards	
Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100
Use Limits	
Retail sales area max: 10% GFA of principal structure, and no more than 5,000 sf per any lot or parcel	
Outdoor uses are not allowed in a front setback.	

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0
C	Side Abutting Residential	40
D	Rear	10
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side Abutting Residential	5
	Rear	10

Lot Standards

Building Standards

Height (max, ft)

E	Height	50
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(f) Industrial General (I-2)

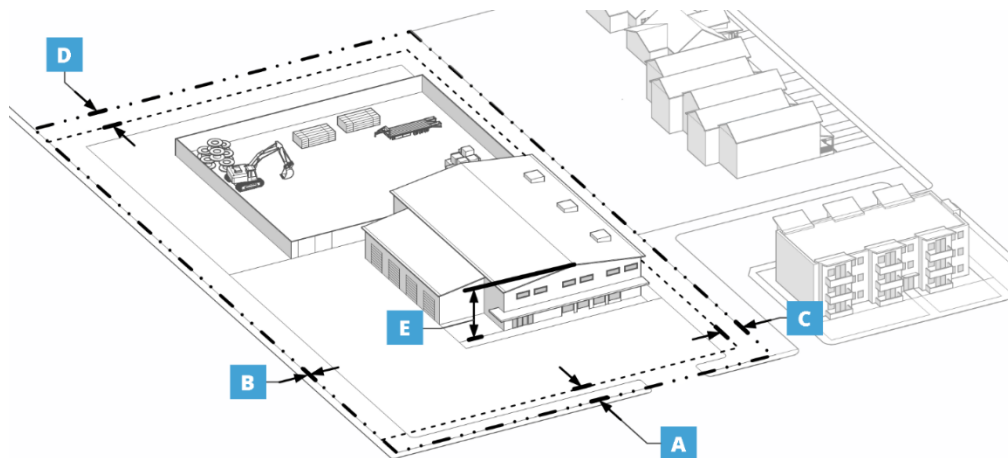
(1) Intent

I-2 is intended to provide areas for the accommodation of normal operations of heavy and concentrated fabrication, manufacturing, technology, and industrial uses and associated outdoor activities and storage. I-2 zone districts shall have easy semi-tractor trailer access to the state and federal highway system and/or railroads and the availability of adequate public services, utilities, and facilities. I-2 is appropriate as indicated in **Error! Reference source not found..**

(2) Uses and Dimensions

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found.**

The following dimensions apply in the I-2 zone district:



Lot Standards

Lot Standards

Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100

Use Limits

Retail sales area max: 10% GFA of principal structure, and no more than 5,000 sf per any lot or parcel.

Outdoor uses are not allowed in a front setback.

Building Standards

Setbacks: Principal Structure (min)

A	Front	15
B	Side	0
C	Side Abutting Residential	40
D	Rear	10

Setbacks: Accessory Structure (min)

	Front	25
	Side	0
	Side Abutting Residential	5

Lot Standards		Building Standards	
	Rear		10
Height (max, ft)			
E	Height		50

21.03.080 PUBLIC, PARKS, AND OPEN SPACE DISTRICTS

(c) Public Parks and Open Space (P-1)

(1) Intent

The P-1 district is intended to protect and preserve open spaces that are held in either public or private ownership. P-1 districts may include parks, open spaces, trails, wetlands, floodplains, environmentally sensitive areas, and unique habitats and landscapes. P-1 is appropriate as indicated in **Error! Reference source not found..**

(2) Uses

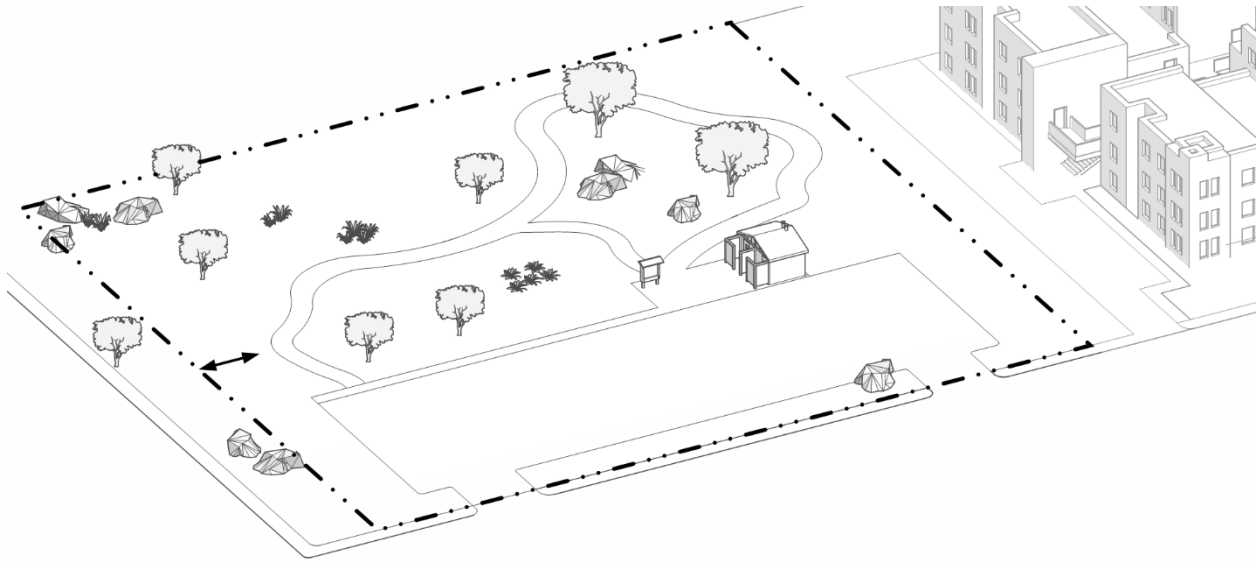
Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the P-1 zone district as follows:

(A) To preserve access to clean air, pure water, natural recreation areas, and scenic natural beauty, the subdivision and development of land is restricted in P-1 districts. P-1 development shall be reviewed through GJMC **Error! Reference source not found.**, except the development of a single-family detached dwelling unit shall be reviewed through the issuance of a Planning Clearance.

(B) The following dimensions apply to the development of a single-family detached dwelling unit:



Lot Standards	
Dimensions (min, length ft or area sf)	
Lot area	1 acre
Lot width	100
Lot frontage	None
Cul-de-sac	30
Maximum Number of Dwelling Units	
Single-Family Detached	1
Lot Coverage (max, %)	
Lot coverage	20

Building Standards	
Setback: Principal Structure (min, ft)	
Front	20
Street Side	15
Side	15
Rear	30
Setback: Accessory Structure (min, ft)	
Front	25
Side	20
	3
Rear	10
Height (max, ft)	
Height	35

Notes: See **Error! Reference source not found.** for setback adjustments

(4) District Specific Standards

All buildings constructed in any P-1 district must be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this Code.

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	Use-Specific Standards
Residential Uses											
Household Living											
Dwelling, Single-Family Detached		A							A	A	
Dwelling, Tiny Home		A								A	
...											
Dwelling, Cottage Court										A	
...	...										
Retail Sales											
...											
Retail Sales and Service, Small	...	A	A	A	A		A*	*			*Table 21.04-2
Retail Sales and Service, Medium	...		A	A	A		A				
Retail Sales and Service, Large	...		A		A		A	A			
Retail Sales and Service, Big Box	...		A		A		A	A			
...											

...

21.04.040 ACCESSORY USES AND STRUCTURES

...

(d) Accessory Use Table

Table 21.04-2: Accessory 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	Use-Specific Standards
Industrial Uses											
...											

Retail Sales and Service, Small							<u>A</u>	<u>A</u>			
...											

...

21.04.040 ACCESSORY USES AND STRUCTURES

...

(e) Accessory Use-Specific Standards

...

(2) Commercial Uses

...

(iii) Home Occupation, Daycare or Other

...

(B) Prohibited Home Occupations

...

- f. Personal services, except low-volume operations, such as a beauty shop and seamstress.

...

21.14.010 MEASUREMENTS

(a) Density/Intensity

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

(1) Maximum Residential Density

- (i) ~~“Maximum residential density” means the number calculated by dividing the total number of dwelling units or residential lots, multiplying the maximum allowed number of units per acre defined by the zone district by the gross acreage expressed in square feet or acres of the development property.~~

- (ii) Maximum residential density is rounded down to the nearest dwelling unit per acre.

- (iii) Gross land area includes the entire parcel or property at the time a development application is filed.

~~(A) The “gross residential density” is calculated the same as maximum residential density.~~

~~(BA)~~ In the R-4 through R-24 zone districts, for the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.

~~(CB)~~ In RH-16 and RH-24, for purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.

(2) Minimum Residential Density

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

...

21.14.020 DEFINITIONS

...

Density, Maximum

~~Maximum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the gross acreage expressed in square feet or acres of the development property. Gross land area includes all of the parcel or property at the time an application is filed. The “gross residential density” is calculated the same as maximum residential density.~~

Density, Minimum

~~This calculation shall apply to the term “net minimum residential density” as used in this Code. Minimum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the net developable land area of the development parcel.~~

...

Dwelling, Single-Family Detached

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 and tiny homes shall be considered single-family detached dwellings.

...

Dwelling, Tiny Home

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.

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.

A Tiny Home may be a single-family detached dwelling unit or an accessory dwelling unit.

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INTRODUCED on first reading this 3rd day of April 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 17th day of April 2024 and ordered published in pamphlet form.

ATTEST:

Anna M. Stout

President of the City Council

Amy Phillips

City Clerk