

CITY OF GRAND JUNCTION

ORDINANCE NO. 4366

AN ORDINANCE AMENDING SECTION 2.2 D.2. AND SECTION 4.3 L. OF THE ZONING AND DEVELOPMENT CODE REGARDING TEMPORARY LOW-TRAFFIC STORAGE YARDS

RECITALS:

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan are being implemented.

The City of Grand Junction wishes to amend and update Section 2.2 D.2. and Section 4.3 L. of the Code to permit temporary low-traffic storage yards in the C-2 (General Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial) zone districts.

The City Council finds that the request to amend the Code is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further the goals and policies of the Growth Plan and recommended approval of the proposed revisions to the Zoning and Development Code.

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

Amend Section 2.2 D.2. as follows [beginning with subsection (12)]:

- (12) A temporary low-traffic storage yard may be permitted in a C-2, I-1, or I-2 zone district for up to one (1) year from the date of issuance. One (1) extension of one (1) year may be granted by the Director upon showing of good cause. Any additional extensions may be granted by the Planning Commission. The Planning Commission must find good cause for granting an extension(s).
- (13) All other temporary uses shall not exceed 120 calendar days and shall not be allowed until a minimum of thirty (30) calendar days have passed since any previous temporary use on the parcel or lot.

- (14) Prior to the issuance of a temporary use permit, the Director may require the applicant to post security with the City as required to cover expected costs of enforcement, monitoring, clean-up and site restoration.

Amend Section 4.3 L. as follows:

L. Temporary Uses and Structures.

1. The temporary use permit is a mechanism by which the City may allow a use to locate within the City on a temporary basis and by which seasonal or transient uses may also be allowed.
2. Prior to conducting or establishing a temporary use or temporary structure, approval of a temporary use permit by the Public Works and Planning Department is required.
3. Any allowed use or structure in nonresidential zones may be approved for a temporary use permit, provided that:
 - a. The allowance of a temporary use and/or temporary structure shall not be detrimental to the public health, safety and general welfare. The use shall be consistent with the purpose and intent of this Code and the specific zoning district in which it will be located and the use shall be compatible in intensity, characteristics and appearance with existing land uses in the immediate vicinity of the temporary use.
 - b. Factors such as location, noise, odor, light, dust control and hours of operation may be specifically considered when determining compatibility;
 - c. The location and/or intensity of the temporary use and/or temporary structure is such that adverse effects on adjacent parcels will be minimized, as determined by the Director; and
 - d. Erosion, sedimentation, and other pollution of surface and subsurface water is adequately controlled; and
 - e. Particular attention shall be given to the type and volume of traffic generated and/or the impact that the temporary use/temporary structure will have on traffic circulation in the neighborhood. The Director shall determine that increased traffic does not unduly impact the neighborhood. A finding that traffic does unduly impact the neighborhood shall be a basis for denial of a permit.

Introduced for first reading on this 15th day of June 2009.

PASSED and ADOPTED this 29th day of June 2009.

ATTEST:

/s/ Bruce Hill
President of City Council

/s/ Stephanie Tuin
City Clerk