

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4744

AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION CODE OF ORDINANCES) REGARDING GROUP LIVING

Recitals:

City staff met with representatives who own and manage group living facilities in the community to discuss changing the group living provisions of the Zoning and Development Code.

Over the years since their enactment, the group living sections of the code have proven to be confusing, disorganized, duplicative, contradictory, difficult to apply and interpret evenly and fairly, and difficult for the public to use and understand. Some provisions now expose the City to potential liability under the Americans With Disabilities and the Fair Housing Acts.

Group living is a category of residential living that has increasing importance in our community. As baby boomers age and millennials find it increasingly difficult to afford traditional single family homes, and with a sharp rise in homelessness nation-wide, it becomes more important for zoning laws to accommodate new and innovative types of housing, while still protecting the values of good zoning and the character of neighborhoods. Colorado Mesa University has embraced "Greek life" and now has four affiliated fraternity/sorority organizations and seeks to increase that number over the next few years. These amendments allow such housing types, which have heretofore been prohibited, with regulations intended to protect residential neighborhoods from potential negative impacts.

Group living *facilities* comprise a special sub-category of group living that is characterized by the on-site provision of needed services and a home environment for those who may not be able to live on their own. Group living facilities provide important services in our community. The City's policy is to integrate these into residential neighborhoods (as required by law) but with development standards and registration requirements that will help mitigate neighborhood impacts.

The City Council finds that the amendments to the group living sections of the Zoning and Development Code were formulated in collaboration with community partners; that they help the City to comply with applicable federal law protecting individuals with disabilities from housing discrimination; that they help ensure that the City has adequate information regarding the location, services and neighborhood impacts of group living; and that they help ensure that the various types of group living are integrated into residential neighborhoods while preserving their residential character and mitigating potential neighborhood impacts of group living.

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 regarding group living.

The City Council further finds that the amendment is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Municipal Code.

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

Section 21.04.030(p) of the Zoning and Development Code is repealed and re-enacted as follows:

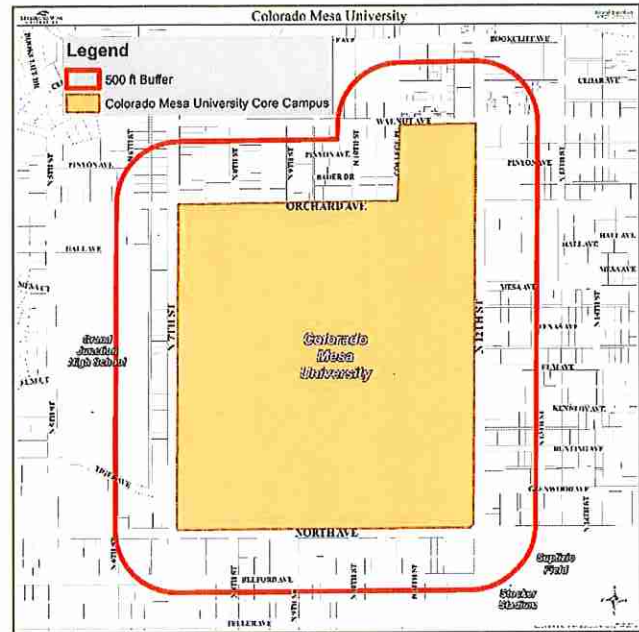
(p) Group Living.

It is a violation of this code for more than four unrelated persons to reside together in a single residential structure without a conditional use permit, unless permitted by the City as a fraternity/sorority, group living facility, rooming/boarding house or dormitory style living in accordance with the standards and requirements in this Section. "Related" means a person's child, stepchild, a foster child, or other descendant, spouse, aunt, uncle, niece, nephew, parent, grandparent, great grandparent, stepparent or foster parent. (See GJMC 21.10.020, "Group living," "family" and "household.") A household of more than four unrelated persons that is not a fraternity/sorority, group living facility or rooming/boarding house as defined herein is not allowed unless a conditional use permit has been approved.

(1) Fraternities and Sororities.

(i) Definition. A fraternity or sorority is a place of residence that is operated by a nationally or locally chartered membership organization and is used, occupied and maintained as living and dining quarters for its members who are enrolled in an accredited college or university or other accredited educational institution and which is recognized and subject to controls by such educational institution.

(ii) A fraternity or sorority is allowed only within the core campus of Colorado Mesa University or within 500 feet of the boundary of the core campus, and only in those zone districts so designated in the Use Table, Section 21.04.010. The core campus is that area situated south of Orchard Avenue, west of North 12th Street, north of North Avenue and east of North 7th Street, and that area north of Orchard Avenue, west of 12th Street, south of Walnut Avenue, and east of College Place, and is depicted to the right. The limitations, standards and requirements of this section 21.04.030(p)(1) do not apply to a fraternity or sorority located entirely within the core campus.



(iii) A fraternity or sorority may exceed the maximum residential density of the applicable zone district so long as the standards described in this subsection (p)(1) are met.

(iv) Standards for fraternity/sorority.

(A) Parking. Off-street parking shall be provided according to the parking table in Section 21.06.050(c).

(B) Each residential structure shall provide a minimum of 100 square feet per occupant. Regardless of square footage, the number of residential occupants shall not exceed 35.

(C) No more than four beds in a single room.

(D) Buffering & Screening. Each property line abutting a right-of-way, open/undeveloped tract or another property that is not used as a fraternity or sorority, shall have, at a minimum, a 6' solid fence and an 8' wide landscaped strip located inside the fence.

(v) Process.

(A) Neighborhood meeting. Prior to establishing a fraternity or sorority, the

applicant shall give mailed notice to property owners and homeowners' associations within 1,000 feet of the proposed fraternity or sorority and shall hold a neighborhood meeting for those owners/associations. In all other respects the neighborhood meeting and notice shall comply with Section 21.02.080(e).

(B) Decision and appeal. The Director shall approve, approve with conditions, or deny an application for a fraternity or sorority based on the standards and requirements of the Code. Within 10 days of the Director's decision, an individual aggrieved by the Director's decision may appeal the Director's approval or denial of an application or a condition imposed by the Director to the Zoning Board of Appeals. Appeals shall be in writing and perfected in accordance with Chapter 21.02.210(c) GJMC.

(vi) Annual registration required. A fraternity or sorority shall register with the City annually; that is, once every 12 calendar months. No person shall own, operate or manage a fraternity or sorority unless the facility is registered with the City. Annual registration shall include:

- (A) Proof that the fraternity or sorority is recognized and in good standing with an accredited school, university or college;
- (B) Proof that the fraternity or sorority is affiliated and in good standing with a nationally or locally chartered fraternal membership organization;
- (C) Documentation that the fraternity or sorority has complied with the applicable City, State and other building, fire, health and safety codes as well as all applicable requirements of the zone district in which the fraternity or sorority is located;
- (D) Statement that the only administrative activities conducted on the premises are those of the fraternal organization sponsored, conducted or related to the fraternity or sorority;
- (E) Documentation that the fraternity or sorority complies with the applicable parking requirements, as demonstrated by accurate graphic depiction of parking lot(s), and/or copies of parking agreements, leases or licenses;
- (F) Documentation that the maximum number of residents allowed is not exceeded, as demonstrated by the total square feet of the living areas, the number of residents, the number of sleeping rooms and the number of beds; and

(G) The total number of calls for police or emergency services to the premises within the previous year.

(vii) A fraternity or sorority that does not meet the standards and registration requirements of this subsection is subject to revocation of land use permit, abatement, prosecution and/or other enforcement as provided in this Code.

(viii) A fraternity or sorority is subject to and shall permit annual inspection by the building department, fire department and Code Enforcement division to ensure compliance with applicable standards.

(ix) Validity. A land use approval or permit for a fraternity or sorority is valid for a period of 12 months, with renewal by the Director upon a review of the facility's annual registration as described in subsection (vii) above and a finding that:

(A) The fraternity or sorority is recognized and in good standing with an accredited school, university or college;

(B) The fraternity or sorority is affiliated and in good standing with a nationally or locally chartered fraternal membership organization;

(C) The fraternity or sorority is in compliance with applicable City, State and other building, fire, health and safety codes as well as all applicable requirements of the zone district in which the fraternity or sorority is located;

(D) The only administrative activities conducted on the premises are those of the fraternal organization sponsored, conducted or related to the fraternity or sorority;

(E) The fraternity or sorority complies with the parking requirements of this code;

(F) The maximum number of residents allowed is not exceeded; and

(G) The facility has not adversely affected the neighborhood. A facility is considered to have an adverse effect on a neighborhood if one or more of the following are shown:

a. Public and private services such as street, sewers, water and/or utility systems are burdened by the facility, to the extent that usage exceeds that normally associated with such a use or in the particular neighborhood;

b. The facility unreasonably interferes with the peace, quiet and

dignity of the neighborhood;

c. The facility creates, imposes, aggravates or leads to inadequate, impractical, unsafe or unhealthy conditions; or

d. The facility is found to be dangerous or unsafe due to an increased number of police or emergency visits, or to a single criminal act by a resident involving serious bodily injury or extensive property damage, or to an increased number of incidences of criminal acts by residents of the facility involving bodily injury or property damage.

(x) Within 10 days of the Director's renewal, non-renewal or condition of renewal, an individual aggrieved by the Director's decision may appeal to the Director to the Zoning Board of Appeals. Appeals shall be in writing and perfected in accordance with Chapter 21.02.210(c) GJMC.

(2) Group Living Facility.

(i) Definitions.

(A) A *group living facility* is a residential housekeeping unit for five or more unrelated persons receiving public or private supervision, care, support or treatment on-site. A community corrections facility is not a group living facility and thus is not allowed in a residential zone. A facility providing temporary lodging for less than 30 days for any one person is not a group living facility, but is considered either lodging (see retail sales and service categories) or a shelter (see community service categories) and treated as such.

(B) An *unlimited group living facility* is a group living facility with 17 or more residents.

(C) A *large group living facility* is a group living facility with 10 to 16 residents.

(D) A *small group living facility* is a group living facility with five to nine residents.

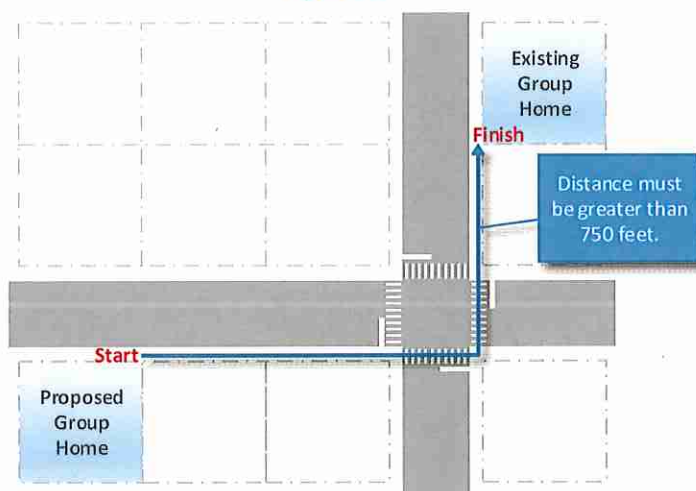
(ii) Standards.

(A) Spacing requirement. A group living facility in the R-R, R-1, R-2, R-4, R-5 or R-8 zone shall be at least 750 feet from every other group living facility in any such zone district. There is no spacing requirement where either one of the two group living facilities being measured against one another is in a zone district not listed in this paragraph. The separation distance shall be measured

in the following manner:

Computed by direct measurement from the nearest property line of the land used for a group living facility to the nearest property line of an existing group living facility, using the most direct route of public pedestrian access, measured as a person would walk along public right-of-way, with right angles at crossings and with the observance of traffic regulations and traffic signals (see Fig. 1); except that a group living facility shall not be located adjacent to another even if by such route the distance is greater than 750 feet.

Figure 1



(B) The group living facility must comply with the applicable City, State and other building, fire, health and safety codes as well as all applicable requirements and development standards applicable to the zone district in which the group living facility is to be located except as modified in this subsection.

(C) For a group living facility in a residential zone, the architectural design of the group living facility must be residential in character, and the performance standards of the R-O zone district must be met (see Section 21.03.070(a)), except that if the zone district is R-12, R-16 or R-24, the R-O zone district standards shall not apply.

(D) Density and minimum lot area. Group living facilities are allowed in residential zones as specified in the zone/use table in Section 21.04.010, and must not exceed maximum density for the zone district, with density of the facility calculated as four beds equal one dwelling unit. The site must contain

at least 500 square feet per resident, except where a multifamily structure is being converted to a group living facility, in which case the minimum adequate lot area shall be in accordance with the requirements of the zone district.

(E) Accessory uses. Accessory uses authorized with a group living facility are on-site recreational facilities, parking of vehicles for visitors, occupants and staff, and staff housing. The Director may approve other accessory uses that will have substantially similar impacts. Only the administrative activities of the person or organization operating the facility shall be conducted at the facility. No office or other space in the facility or on the site may be leased or used for activities unrelated to the group living facility.

(F) Parking. The group living facility must meet the requirements established for group living in Section 21.06.050(c).

(G) A group living facility located in a commercial or mixed use zone district shall meet the performance standards of the applicable zone district.

(H) A group living facility in a residential zone may provide services to non-residents, but only up to the total number of residents permitted in the facility. For example, if there are nine residents at a group living facility that is allowed to have 16 residents, no more than seven non-residents may use the services the facility provides at any one given time. This restriction does not apply in non-residential zones.

(iii) Validity. A land use permit/approval for a group living facility is valid for a period of 12 months, subject to renewal by the Director upon review of the facility's annual registration as described in subsection (vi) below. The permit/approval is specific to a maximum number of residents and specifically permitted accessory use(s); if the applicant wants to increase these, a new permit is required.

(iv) Process.

(A) Neighborhood meeting. Prior to establishing a new group living facility (whether a new structure or conversion of existing building(s)) the applicant shall give mailed notice to and hold a neighborhood meeting with property owners within 1,000 feet of the group living facility.

a. At the meeting, the applicant shall describe the proposed land use, including buildings, site, accessory uses and structures, residents served, and on-site services.

b. The neighborhood meeting shall be held at a location convenient

to the neighborhood.

c. If a neighborhood meeting is required because of some other aspect of the development application, then only one neighborhood meeting is necessary, which shall be conducted in accordance with the more restrictive standards.

(B) Special review. An application for a group living facility for adult or juvenile offenders, defined as persons who have committed a crime or are accused of having committed a crime and are housed at the facility for that reason, shall be reviewed as follows:

a. The Mesa County Juvenile Community Corrections Board shall conduct the review, if the facility houses juvenile offenders or the Adult Community Corrections Board if the facility houses adult offenders. If the facility houses a combination of adult and juvenile offenders, the facility shall be reviewed by the Juvenile Board if there are a greater number of juveniles residing in the facility or and, if there are a greater number of adults than juveniles residing in the facility, by the Adult Board.

b. The review shall include but not necessarily be limited to criteria established by the Board and adopted by the City. Criteria shall be established and maintained by the Board and shall be based upon researched factors that have been demonstrated to be correlative to risk to the community, community expectations, prudent land use practices and legal standards. Before any criteria being used by the Board, the City shall review and adopt such criteria.

c. It is the responsibility of the group living facility that is being reviewed to provide to the Board with complete and accurate information regarding the types of offenders, the number of offenders, the average length of placements and responses to the other Board-established criteria.

d. The Board shall make a recommendation to the Director to approve, deny or approve with conditions the land use application for the facility. The Board shall take into consideration the interests of the community in light of the criteria established by the Board and approved by the City.

(C) Decision and appeal.

a. The Director shall approve, approve with conditions, or deny an application for a group living facility, except as provided in subsection(b)

below, based on the standards and requirements of the Code. Within 10 days of the Director's decision, a person aggrieved by the Director's decision may appeal the Director's approval or denial of an application or a condition imposed by the Director to the Zoning Board of Appeals. Appeals shall be in writing and perfected in accordance with Chapter 21.02.210(c) GJMC.

b. The Director shall not render a decision on an application, notwithstanding a recommendation from the Juvenile and/or Adult Corrections Board(s), for a group living facility that houses one or more sex offenders, as defined by State law. The Planning Commission shall determine any such application. In addition to the other criteria provided herein, the Planning Commission shall consider whether the proposed owner/operator has established by clear and convincing evidence that the facility will not adversely impact the neighborhood and/or its residents. An appeal from a Planning Commission decision made under this subsection shall be in accordance with Rule 106 of the Colorado Rules of Civil Procedure.

(v) Registration required. A group living facility shall register with the City annually; that is, once every 12 calendar months. No person shall own, operate or manage any group living facility unless the facility is registered with the City. A group living facility for adult or juvenile offenders shall also submit all registration documentation to the Juvenile and/or Adult Corrections Board for review in accordance with subsection §21.04.030(p)(2)(iv)(B) above. A group living facility that fails to register or does not meet the registration requirements may be denied renewal, abated, prosecuted and/or otherwise subject to enforcement action under this Code. Annual registration shall include:

(A) Proof that the group living facility has a valid Colorado license, if any is required by State law, and documentation showing that the facility complies with the requirements of the State license. In the event there is a conflict between a City and a State requirement for the facility, the more stringent rule shall apply;

(B) Documentation showing that the group living facility has complied with the applicable City, State and other building, fire, health and safety codes as well as all applicable requirements of the zone district in which the group living facility is located;

(C) Documentation showing that the group living facility complies with the parking requirements of this code;

(D) Documentation showing that the maximum number of residents allowed is not exceeded;

(E) For a group living facility housing adult or juvenile offenders, all documentation necessary for review by the Juvenile and/or Adult Corrections Board(s) in accordance with subsection (iv)(B) above;

(F) Documentation showing that any and all conditions of the initial land use permit/approval are met;

(G) Description of the administrative or other activities that occur on at the facility, including number of staff and general duties of each staff member;

(H) Description and documentation of any changes to the site or structure(s) made since the prior registration.

(vi) Renewal. The Director may renew the land use approval for a group living facility upon an annual registration of the facility if the Director finds that the registration requirements have been met and that the facility has not adversely affected the neighborhood. A facility is considered to have an adverse effect on a neighborhood if one or more of the following are shown:

(A) Public and private services such as street, sewers, water and/or utility systems are burdened by the group living facility, to the extent that usage exceeds that normally associated with such a use or in the particular neighborhood;

(B) The group living facility unreasonably interferes with the peace, quiet and dignity of the neighborhood;

(C) The group living facility creates, imposes, aggravates or leads to inadequate, impractical, unsafe or unhealthy conditions; or

(D) The group living facility is found to be dangerous or unsafe due to an increased number of police or emergency visits, or to a single criminal act by a resident involving serious bodily injury or extensive property damage, or to an increased number of incidences of criminal acts by residents of the facility involving bodily injury or property damage.

(E) When considering whether an adverse impact exists, the Director shall consider the following:

a. Whether the impact is real or perceived based upon stereotypes of the population served by the group living facility;

- b. The existence of alarms and/or fences in and of itself shall not constitute a safety issue which would be an adverse impact; or
- c. Whether complaints and/or police calls regarding the group living facility have been founded or unfounded.

In determining whether an adverse impact exists, the Director may rely on comments received by the residents of the neighborhood or other interested persons in making the decision whether to renew, renew with conditions, or non-renew the permit upon annual registration. The Director shall not be required to research the comment or otherwise investigate the motive of the commenting parties unless the Director relies on that information when making the decision.

(F) The Director may modify the land use permit/approval upon renewal (or renew with conditions) by limiting the number of residents and/or by limiting accessory uses if the Director finds that the neighborhood is adversely impacted by the number of residents or intensity or number of accessory uses occurring on the site.

(G) The Director shall issue a decision within 30 days of receiving a complete registration application from the facility; if a registration application is incomplete, the Director shall notify the registrant of the deficiencies and the time period to cure. If the Director does not issue a decision within 30 days of receiving a complete registration application, the registration shall be deemed renewed for the next year.

(H) Within 10 days of the Director's decision, an individual aggrieved by the decision may appeal the renewal, non-renewal or condition of renewal to the Zoning Board of Appeals. Appeals shall be in writing and perfected in accordance with Chapter 21.02.210(c) GJMC.

(3) Rooming/boarding house.

(i) Definition. A rooming/boarding house is a single dwelling unit where a live-in or on-site owner provides lodging to others in three or more rooms, with or without meals, for compensation. "Compensation" may include money, services or other things of value. A boarding and rooming house differs from a rental house in that the owner lives on-site and rents out sleeping rooms and may provide common access to other areas of the house. A rooming/boarding house differs from a group living facility in that the residents do not receive care, treatment or assistance with daily living at the facility.

(ii) Standards.

(A) The rooming/boarding house must comply with the applicable City, State and other building, fire, health and safety codes as well as all applicable requirements and development standards applicable to the zone district in which the boarding and rooming house is to be located, except as modified in this subsection.

(B) Density. A rooming/boarding house is allowed as shown in the Use Table in Section 21.04.010. In a residential zone the rooming/boarding house must not exceed maximum density for the zone, with density calculated as two rented rooms equal one dwelling unit.

(C) The rooming/boarding house site shall contain at least 500 square feet for each resident or room/suite, whichever is greater.

(D) The rooming/boarding house must meet the parking standards established in Section 21.06.050(c) of this Code.

(iii) Neighborhood meeting and notice. Prior to establishing a new rooming/boarding house (including conversion of an existing building or buildings), the applicant shall give mailed notice to and hold a meeting inviting owners of property within 1,000 feet of the proposed facility.

(A) At the meeting, the applicant shall describe the facility and its proposed uses.

(B) The neighborhood meeting shall be held at a location convenient to the neighborhood.

(C) If a neighborhood meeting is required because of a development application then only one neighborhood meeting, conducted in accordance with the more restrictive or higher standards, shall be necessary.

(4) Other group living. Other types of group living, such as but not limited to dormitory style living, may be permitted as provided in the zone/use table (Section 21.04.010). Allowed density shall be as applicable to the zone district, with density calculated at 2 beds = 1 dwelling unit. Off-street parking shall be provided in accordance with the parking table in Section 21.06.050(c).

Section 21.02.060 (Summary of authority) is amended as follows:

21.02.060 Summary of authority. The following table summarizes the review, decision-making and appeal authority provided under this zoning and development code.

Sec.	Procedure	Planning City			
		Director	Commission	Council	ZBOA
R = Review D = Decision A = Appeal					
21.02.070	Administrative development permit, all administrative permits not listed herein	D	A		
21.02.070	Subdivision	D		A	
21.04.030(p)(2)	Group living facility (*except where a conditional use permit is required, see Conditional Use Permit, below)	D*			A*
21.04.030(p)(2)(vii)(C)(II)	Group living facility – sex offenders		D		
21.04.030(p)(1)	Fraternity or sorority	D			A
21.02.090	Vacation of plat without public right-of-way or easement	R	D	A	
21.02.090	Vacation of plat with public right-of-way or easement	R	R	D	
21.02.100	Vacation of public right-of-way or easement	R	R	D	
21.02.110	Conditional use permit	R	D	A	
21.02.120	Special permit	R	R	D	
21.02.120	Administrative changes to Comprehensive Plan	D		A	
21.02.130	Comprehensive Plan amendment	R	R	D	
21.02.140	Code amendment and rezoning	R	R	D	
21.02.150	Planned development	R	R	D	
21.02.160	Annexation	R		D	
21.02.170	Vested property rights	R	R	D	
21.02.180	Revocable permit – Landscaping and irrigation	D		A	
21.02.180	Revocable permit	R		D	

21.02.190	Institutional and civic facility master plans	R	R	D	
21.02.200	Variance	R			D

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	M-BP	I-O	I-1	I-2	MX-	Std.
	Agricultural Labor Housing	A															A							
	Manufactured Housing Park						C	C	C															21.04.030(f)
	All Other Housing Household Living						A	A	A															
Home Occupation	Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A						21.04.040(g)
Group Living – residential occupancy of a structure by a group of people who do not meet the definition of “Household Living”	Small Group Living Facility	A	A	A	A	A	A	A	A	A	A	A	A	C	C			C	A					21.04.030(p) & 21.04.020(b)
	Large Group Living Facility						A	A	A	A	A	A	A	⊖	⊖			A	⊖	A				21.04.030(p) & 21.04.020(b)
	Unlimited Group Living Facility								A	⊖	A	A	A	A	⊖	⊖			A	⊖	A			21.04.030(p) & 21.04.020(b)
	Fraternities/ Sororities*						A*	A*	A*	A*	A*	A*												21.04.020(p)(1) * location restricted; see 21.04.020(p)(1)(ii)
	Rooming/Boarding House							A	A	A	A	A	A	A	A									21.04.030(p)(3)

Key: A = Allowed; C = Conditional; Blank Cell = Not Permitted

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	O	I-1	I-2	MX-	Std.	
	Other Group Living (e.g., dormitory style living)						C	C	A	A	A	A	A	A	A			A	A						21.04.020(b) 21.04.030(p)(4)

All other provisions of the Use Table shall remain in full force and effect.

Section 21.04.020(b) (group living) is amended as follows (additions underlined, deletions struck through):

(b) Group Living.

(1) Characteristics. Group living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of household living. *A group living facility* is type of group living characterized by the provision of training, treatment, supervision or other professional support or care and who receive care, training, treatment, supervision or other support from caregivers or staff-on site. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a typical family. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be either a form of lodging (see the retail sales and service categories) or a temporary shelter (see and community service categories). Generally, group living structures have a common eating area for residents, but a common eating area by itself, without other care, treatment, supervision or other professional or health support services being provided on site, does not indicate a group living facility (a multifamily residential facility, such as apartments, may, for example, have a common eating area).

(2) Accessory Uses. Accessory uses commonly associated with group living are recreational facilities and parking of vehicles for occupants and staff.

(3) Examples. The group living category is further broken down into the following ~~specific uses~~ subcategories:

(i) Fraternity or sorority - a place of residence that is operated by a nationally or locally chartered membership organization and is used, occupied and maintained as living and dining quarters for its members who are enrolled in an accredited college or university or other accredited educational institution and which is recognized and subject to controls by such educational institution.

(ii) Unlimited group living facility – a group living facility with 17 or more-residents;

(iii) Large group living facility – a group living facility with 10 to 16 residents;

(iv) Small group living facility – a group living facility with 5 to 9 residents.

(v) Boarding and rooming house -- a single dwelling unit where a live-in or on-site owner provides lodging to others in three or more rooms, with or without meals, for compensation in the form of rent, "room and board," or in kind services.

(vi) Other group living. Other group living includes dwelling units in a multi-unit complex shared by unrelated persons who have access to and common use of some living and eating areas and areas and facilities for the preparation and serving of food within the dwelling unit, and may include, by way of example and not limitation, dormitory-style living.

All other parts of Section 21.04.020 shall remain in full force and effect.

The table in Section 21.06.050(c) (parking table) is amended to add a row for the specific use of "Fraternities/Sororities" requiring a minimum of 1.5 parking spaces for each

sleeping room plus 1.5 spaces for every 4 active non-resident members of the fraternity/sorority plus 1 space for every 3 staff employed at the facility, and to add a row for “Boarding and Rooming House” requiring a minimum of 1 space for each rented room plus two spaces, and to add a row for “Other Group Living (e.g., dormitory style living)” requiring 0.8 parking spaces per bed, as shown in the table excerpt below (additions underlined):

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF VEHICLE SPACES
RESIDENTIAL		
Group Living	Nursing Homes; Assisted Living Facility; Treatment Facility; Group Living Facilities	1 per 4 beds + 1 per each 3 employees
	Fraternities / Sororities	1.5 spaces for each sleeping room plus 1.5 spaces for every 4 active non-resident members of the fraternity/sorority plus 1 space for every 3 staff employed at the facility.
	Boarding and Rooming House	1 space for each room available for rent plus 2 spaces
	Other Group Living (e.g., dormitory style living)	0.8 parking spaces per bed
Household Living	Business Residence	1 per residence + business parking
	Bed and Breakfast	1 per guest room + 2 spaces for owner's portion
	Accessory Dwelling Unit	1 per unit
	Single-Family, Two-Family	2 per unit
	Multifamily – 1 bedroom	1.25 per unit
	Multifamily – 2 bedroom	1.5 per unit
	Multifamily – 3+ bedroom	2 per unit

The following definitions of Section 21.10.020 (Terms defined) are added / amended as follows:

Rooming/boarding house means a building containing a single dwelling unit and three or more rooms where lodging is provided, with or without meals, for compensation. “Compensation” may include money, services or other things of value. A rooming/boarding house differs from a group living facility in that a boarding and rooming house does not have staff and its residents do not receive care, treatment or assistance with daily living at the facility. For purposes of this definition receiving compensation in the form of rent or “room and board” does not render someone “staff;” staff is compensated by a salary or rate of pay based upon hours worked or work accomplished.

Family foster home means a home which receives one to four children for regular full-time care in a family home.

Foster child means a child who receives regular full-time care by a family in a family home.

Foster family means a family that provides regular full-time care to a foster child in the family home.

Foster parent means an adult who provides regular full-time care to a foster child in the family home.

Fraternity or sorority means a place of residence other than a hotel, rooming or boarding house or dormitory that is operated by a nationally or locally chartered membership organization and is used, occupied and maintained as living and dining quarters for its members who are enrolled in an accredited college or university or other accredited educational institution and which is recognized and subject to controls by such educational institution.

Group living facility, large means a group living facility with 10 to 16 residents.

Group living facility, small means a group living facility with up to 9 residents.

Group living facility, unlimited means a group living facility with 17 or more residents.

Group living, other means housing where unrelated persons live together in a single dwelling unit in a multi-unit complex with common access to and common use of some living and eating areas and areas and facilities for the preparation and serving of food within the dwelling unit; and may include, by way of example and not limitation, dormitory-style living.


Household or household living means a family, or a group of not more than four unrelated persons, living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

All other definitions in Section 21.10.020 shall remain in full force and effect.

Introduced on first reading this 15th day of March, 2017 and ordered published in pamphlet form.

Adopted on second reading this 5th day of April, 2017 and ordered published in pamphlet form.

ATTEST:



City Clerk

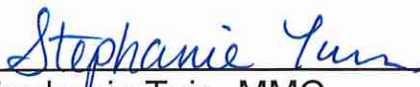


Mayor

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4744 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 15th day of March, 2017 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 5th day of April, 2017, at which Ordinance No. 4744 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 10th day of April, 2017.



Stephanie Tuin, MMC
City Clerk

Published: March 17, 2017
Published: April 7, 2017
Effective: May 7, 2017

