

Acres _____
Units _____
Density _____

CITY ACTION SHEET

File # 6-81

Zone _____

Activity Report on fact find.
~~Phase~~ City Zoning & Dev. Code
Date Submitted _____
Date Mailed Out _____
Date Posted _____
Legal Ad Date _____
Date Neighbors Notified--
 Planning Commission _____

Date Neighbors Notified--
 City Council _____
Date CIC Legal Ad _____
Hearing Date--
 Planning Commission 1-27-81
Hearing Date--
 City Council _____
 Review Period-Return By _____

Review Agencies

Send

COUNTY ROAD DEPARTMENT
 MOUNTAIN BELL
 PUBLIC SERVICE COMPANY
 FIRE
 IRRIGATION _____
 DRAINAGE _____
 SEWER _____
 WATER (UTE, CLIFTON)
 FLOODPLAIN
 CITY ENGINEER

CITY UTILITIES
 CITY POLICE
 TRANSPORTATION ENGINEER
 PARKS AND RECREATION
 ENERGY OFFICE
 TECH REVIEW
 WATER AND POWER RESOURCES

Common Location _____

<u>Board</u>	<u>Date</u>	<u>Comments</u>
<u>CAPC</u>	<u>1-27-81</u>	
_____	_____	_____
_____	_____	_____
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Staff Comments

Original Documents
 Improvement Agreement
 Improvement Guarantee
 Covenants
 Development Schedule

City County Development Department

CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501
359 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

MEMORANDUM

TO: Grand Junction City Council
FROM: City Planning Staff
DATE: March 30, 1981 *Revised April 1, 1981*
RE: Proposed Grand Junction Zoning And Development Code

Planning Staff and Recommended Changes Submitted into the City Council Public Hearing April 1, 1981.

The following comments and recommendations are an overall staff recommendation report on the proposed code. Individual staff members may make separate recommendations based on their particular areas of concern.

CHAPTER ONE

Acceptable as written.

CHAPTER TWO

Acceptable as written.

CHAPTER THREE

Recommend that Chapter 3 be amended to comply with the Council's recently adopted "Goals, Objectives and Policies" statements as follows:

- 3-3-2C: Amend to read "UNDERTAKE NECESSARY CAPITAL IMPROVEMENTS WITH LOCAL FINANCIAL RESOURCES AND TO" apply for State and Federal assistance (grants, loans, services, technical information, etc.) as needed for City improvements.
- 3-4-2C: Amend to read "Establish and maintain a close working relationship with energy development businesses AND OTHER LARGER BUSINESS ENTERPRISES, in order that the necessary public infrastructure can be provided in advance of actual population expansion.
- 3-5-3C: Amend to read "New developments will meet REASONABLE air and water quality standards of the City, County, State and Federal Governments.
- 3-7-2H: Add "IN ADDITION, THE CITY ENCOURAGES THAT ELEMENTARY AND JUNIOR HIGH SCHOOLS ARE NOT LOCATED NEAR COMMERCIAL LAND USES."
- 3-8-2E: Change to "3-8-2F" Insert new paragraph "3-8-2E: ENCOURAGES THE UTILIZATION OF FRONTAGE ROADS ALONG ARTERIAL ROADS AND STREETS."
- 3-11-3A: Amend second sentence to read, "It is the policy of the city that large tracts of productive land IN THE STUDY AREA should not be developed for purposes other than agriculture unless the land is close to the urban core, and only when growth pressures would dictate that development of agriculture land should be allowed to occur."

4-5-F; Amend "16" to read "10".

4-2-1, 2, 3, 4, 5, 6, 7, 8 and 9: All Residential Zone Districts.

All proposed minimum front yard setbacks seem excessive. In the existing zoning ordinance, the setbacks for minor arterials and collectors allow structures too close to high traffic volume streets. Recommend the following minimum front setbacks for all Residential Zone Districts:

- (P) Principal Arterial.....75
- (M) Minor Arterial.....65
- (C) Collector.....50
- (L) Local.....45

Also, in all Residential Zone Districts, minimum frontyard setbacks, delete "K" from "(Also see 5-1-7K)"

4-2-10 B-1 and 4-2-11 B2: All proposed minimum front yard setbacks seem excessive. Recommend existing B-1 and B-2 setbacks be used.

- "P - 65
- M - 55
- C - 45
- L - 40"

4-2-12 B-3: Odd numbers will be hard to work with for Minor Arterial and Collector minimum front yard setbacks. Recommend existing B-3 minimum front yard setbacks be used.

- "P - 65
- M - 45
- C - 35
- L - 25"

Recommend maximum height of structure be increased from "65 feet" to "105 feet."

4-2-13 C-1 and 4-2-14 C-2: All proposed minimum front yard setbacks seem excessive, however, some existing setbacks seem too minimal. Recommend the following minimum front yard setbacks.

- "P - 55
- M - 45
- C - 40
- L - 25"

3-12-2A: Delete "SELF-SUPPORTING"

CHAPTER FOUR

4-2-1 : Do not delete "URBAN AREAS" in first sentence.

4-2-2 : Typing of the recommended proposal erred in the deletion of the following zone district. Insert:

RSF-5 (Residential Single Family - approximately five units per acre)
This zone is intended to provide for higher density single family development within urban areas. Development of this density should be provided with complete urban services and facilities.

Bulk Requirements are as follows:

- A. Minimum lot area.....6,500 sq. ft.
- B. Minimum street frontage.....20 ft.
- C. Maximum height of structures.....32 ft.
- D. Minimum lot width (at structure site for principal structure).....60 ft.
- E. Minimum side yard setback
 - Principal structure.....5 ft.
 - Accessory structures.....3 ft.
(on rear 1/2 of parcel)
- F. Minimum rear yard setback
 - Principal structure.....25 ft.
 - Accessory structures.....10 ft.
- G. Minimum front yard setback (from centerline of right-of-way)
(Also see 5-1-7K)
 - Principal arterial.....75 ft.
 - Minor arterial.....65 ft.
 - Collector.....50 ft.
 - Local.....~~40~~⁴⁵ ft.
- H. Maximum coverage of lot by structures.....35%
- I. Maximum units per gross acre.....5
- J. Also see General Regulations for regulations applicable in all Zone Districts, Definitions, and Use/Zone Matrix. It is recommended that specific application of these regulations be discussed with the Staff.

4-2-8 RMF 32

This is the transfer zone from R-2. The density is similar to the R-2 but the impact has changed since the zone no longer limits buildings to fourplex but allows full scale apartment buildings. By putting parcels together, large apartment buildings can go in what is otherwise a duplex - fourplex area. Perhaps it would be advisable to limit the number of units per structure.

4-5-3 Residential Sub-Unit - See also definition

This proposal would result in some increases in density in the single family zones. Enforcement of the homeowner occupancy would be extremely difficult to enforce. While the proposal would allow a more efficient use of land, it could also create some undesirable impacts on existing single family neighborhoods (e.g. more parking required, more vehicle trips, more demand on services and facilities). The effect on the neighborhood would be that of a duplex. Can the restriction of owner-occupied units be upheld legally?

4-2-15 I-1 and 4-2-16 I-2: All proposed minimum front yard setbacks seem excessive, however, some existing setbacks seem too minimal. Recommend the following minimum front yard setbacks.

"P - 55

M - 45

C - 35

L - 25"

4-3-4: Use Matrix, F 4-3-4 Use/Zone Matrix add title "ZONE DISTRICTS" over appropriate column.

Recommend that Multi-family Residential be an allowed use (A) in the B-1 zone and a conditional (C) in the B-3 zone.

4-8-2: Specific Criteria Matrix, F4-9-2 Top of Page - Change "Specific" to "Special"

4-9-2: Typing of the recommended proposal erred in the deletion of the following sub-section. Insert:

"4-9-2 Expansion

- A. A nonconforming residential use shall not be expanded in scope or area.
- B. A nonconforming business, commercial or industrial use may be expanded when:
 - 1. Structural expansion shall not exceed fifty percent of existing floor area of the structure.
 - 2. An expansion of land area shall not exceed one hundred percent of the existing land area and the expansion is used only to provide for off-street parking (See General Regulations - Parking and Loading 5-5).
- C. Application for expansion shall be submitted to the Department in writing with a site plan showing the existing uses and detailing the type and amount of the proposed expansion and the names and addresses of all adjacent property owners within two hundred feet of the project.
- D. Upon receipt of the application the Department shall post the property with notification of the proposed expansion. If protests are received within twenty days of the posting from thirty-five percent or more of the owners of property within the two hundred foot limit, the requested expansion shall require processing in accordance with conditional use procedures, requirements and criteria."

CHAPTER FIVE

5-1-7: Incorrectly numbered 5-2-7.

- 5-1-7C: This paragraph increases the minimum front yard setback from 15' to 20'. Staff supports this increase. The 15' minimum does not provide enough driveway room in front of a garage without blocking the sidewalk.
- 5-1-7G: Amend last sentence to read, "That portion of carports which intrude into the required setback shall remain open." Delete remainder of sentence.
- 5-1-9A.2: First sentence, delete, "or in a detached accessory building." Third sentence delete, "and accessory buildings."
- 5-1-9A.6: Delete second sentence. The sentence is unnecessary since all complaints are investigated by the Department.
- 5-3-3 : No street classification is proposed by this document. This also affects the front yard setbacks for all Zone Districts since they are based on street classifications. Existing classifications are inadequate as it does not address all streets in the city. New classifications are needed.
- 5-4-4B: First sentence delete, "or community". Delete second sentence.
- 5-4-4C: Delete second sentence.
- 5-4-4D: Delete second sentence.
- 5-4-4F: Delete entirely.
- 5-4-9C: Amend to read: "Access to extractive use operations shall require approval by the City Engineer."
- 5-4-10 C & D: Delete "and treatment facilities".
- 5-4-10F: Amend last sentence to read..."", trunk or feeder lines may be allowed."
- 5-4-10H: Delete, "This requirement and Governing Body discretion is covered in 5-4-11.
- 5-4-10I: Change to 5-4-10H.
- 5-4-12A.3: First sentence, delete "as built".
- 5-5-1.12: Add "\/CHURCHES
- 5-6-6C: Last sentence, change "may" to "shall"
- 5-6-11: Add, "(SEE ALSO 5-4-11)"
- 5-7-5C: First sentence, delete, "within 5 years after effective date of this code" and replace with...."BY MAY 1, 1984, AS PER ORDINANCE #1617 EFFECTIVE APRIL 24, 1976".
- 5-7-6C: Delete first sentence. Second sentence, delete, "in excess of ten square feet, or an illuminated sign of any size".
- 5-7-7B.6: a. Add after "building" the phrase..."", BUT MAY NOT PROJECT BEYOND THE BACK OF CURB."
- 5-10-3B.1: Change "permitted" to "FENCED"

CHAPTER 6

6-1-2 : Delete second sentence.

6-1-2B: Delete.

6-1-3 : Delete, "This requirement is in 6-10-1 as referenced in 6-1-2A.

6-5-1B: Second line change "of" to "OR"

6-10-1A.1: Add "(SEE ALSO 5-1-7J)".

6-10-1C: Second Sentence, change "shall the resubdivision meet all..." to "SHOULD the resubdivision meet all..."

CHAPTER 7

Acceptable as written.

CHAPTER 8

Acceptable as written.

CHAPTER 9

9-3-6 : Delete, "other than a single family residence".

CHAPTER 10

10-1-B.26: Amend first sentence to read, "There are exceptional conditions NOT CREATED BY THE APPLICANT creating an undue..."

10-1-1B: Add - 3. Appeal for Variance of Sign Regulation.

The Board may grant a variance from the provisions or requirements of the Sign Regulation only where all of the following criteria are satisfied:

- a. The literal interpretation and strict applications of the Sign Regulation would cause undue and unnecessary hardship to the sign owner because of unique or unusual conditions pertaining to the specific building or property in question, and
- b. The grant of the variance would not be materially detrimental to the property owners in the vicinity, and
- c. The unusual conditions applying to the specific property do not apply generally to other properties in the City (and County), and
- d. The granting of the variance will not be contrary to the general objective of moderating the size, number, and obtrusive placement of signs and the reduction of clutter.

In granting a variance, the Board may attach conditions regarding the location, character and other features of the proposed sign as necessary to carry out the intent and purpose of the Sign Regulations.

Add - 4. Appeal for variance of Floodplain Regulations, Geological and Wildfire Hazard Regulations.

In appeals to the Board regarding administrative decision, the Board's scope of review shall be limited to determining if the decision is in accordance with the intents and requirements of the applicable regulation. The Board is not empowered to allow a use specifically prohibited within the applicable regulations.

10-1-2A: Amend to read, "There is hereby created a Zoning and Development Code Board of Appeals. The Board shall consist of nine voting members, and advisory non-voting members, (see 10-1-2A.1 and 2), appointed by the City Council. Each member shall serve a term of three years. Initial first appointments shall serve as follows: Three appointees shall serve three years, three shall serve two years and three shall serve one year. Non-voting members shall have all powers, rights, duties, and responsibilities of voting members except the right to cast a vote upon any motion before the Board. The non-voting members will provide information, alternatives and effects related to an application.

Add 1. Two non-voting members shall be appointed to hear appeals by an applicant affected by an administrative decision made pursuant to the Sign Regulations of this Code. The non-voting members shall be advisory to the Board of Appeals. (See also 10-1-2B,1)

Add 2. Two non-voting members shall be appointed to hear appeals by an applicant affected by an administrative decision made pursuant to the Floodplain Regulations, Geological, or Wildfire Hazard Regulations of this Code. The non-voting members shall be advisory to the Board of Appeals. (See also 10-1-2B.2)

10-1-2B: Add 1. Of the two non-voting advisory members for Sign Regulations appeals, one shall be actively employed in or by the sign industry and the other shall be principally interested in environmental beautification or betterment.

Add 2. Of the two non-voting advisory members for Floodplain Regulations, Geological and Wildfire Hazards Regulations appeals, one shall be a hydrologist and the other shall be a geologist.

10-2: Delete.

10-3: Delete.

10-4: Change to 10-2.

CHAPTER 11
Acceptable as written.

CHAPTER 12
Acceptable as written.

CHAPTER 13

Title - Amend to read "Definitions AND LIMITATIONS"

HEIGHT OR STRUCTURES Amend to read - "height OF Structures"

HOME OCCUPATION Amend to read "A use for commercial or business activity CUSTOMARILY found in a DWELLING and incidental and secondary to the principal use of the unit for residential purposes."

NONCONFORMING First sentence, delete "bulk requirements"

PUBLIC NOTICE Amend - "official newspaper of the county" to read "official newspaper of the city". Delete - "four square feet in area".

RETAINING WALL Amend to read - "A manmade barrier constructed for the purpose of stabilizing natural grade, retarding erosion, or terracing a parcel or site. If a retaining wall EXCEEDING FOUR FEET IN HEIGHT, with or without a fence, is placed within the required principal structure setback area or exceeds six feet on any other part of the property, written consent of the owners of property abutting the proposed location of the wall shall be required."

Last sentence, delete "appropriate".

Add - "Retaining walls constructed below original ground level shall not require abutting property owners consent."

YARD - FRONT Amend to read - "... lot between a ROAD right-of way or..."