

# Table of Contents

File 1990-0018

Name: Text Amendments for 1990

	<b>S c a n n e d</b>	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some instances, not all entries designated to be scanned by the department are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been provided.</p> <p>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</p> <p>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</p>
X	X	<b>Table of Contents</b>
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		<b>*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)</b>
<b><u>DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:</u></b>		
X	X	Action Sheet
X	X	Development Summary
X		Development Applications – for various sections
X	X	Planning Commission Minutes - ** - 5/1/90, 10/9/90, 10/15/90, 11/6/90, 12/4/90
X	X	City Council Minutes - ** - 5/16/90, 10/17/90, 11/7/90, 12/19/90
X		Legal Ads –4/24/90, 5/9/90
X	X	Ordinance No. 2395, 2447, 2457, 2477, 2496, 2499, 2501 - **
X		Public Meeting Agenda – 5/1/90, 11/6/90, 12/4/90
X	X	Letter from Karl Metzner to Harvey Gorby re: Ordinance Regulating adult entertainment establishments – Planning Commission recommended approval 10/15/90
X		Memo from Karl Metzner to Jim Shanks re: Report on Text Amendments – 5/9/90
X	X	Letter from A.W. Moss to Planning Commissers re: suggestion that text for veterinary clinics be amended – 3/29/90

March 29, 1990

City of Grand Junction  
Planning Commission  
City Hall  
Grand Junction, CO

Commissioners:

This is to suggest that you amend the text of the Use Zone Matrix to allow indoor Veterinary Clinics in B1 Zone.

In view of the fact that both Medical Doctors and Doctors of Veterinary Medicine are professional people offering different yet similar medical service to the community, there appears to be justification for offering each of these professional groups the opportunity to provide such service from the same or similarly located facilities.

We have recently consulted several Medical Doctors to get their opinion on this matter. We have found no objection as long as only small animals are treated indoors and no animals are boarded on the zoned property.

Dr. Stephan Ludwig MD who is located in the same complex as Dr. Bob Marquis DVM has found no problem with the fact that both occupy different offices in the same building.

sincerely,



A. W. Moss  
7th and Bookcliff Corp.  
304 W. Main Street  
Grand Junction, CO.



Grand Junction Planning Department  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(303) 244-1430

DATE: May 9, 1990  
TO: Jim Shanks  
FROM: Karl Metzner  
RE: Code Amendments

**REPORT ON TEXT AMENDMENTS FOR  
COUNCIL CONSIDERATION**

1. **Amending Section 4-3-4 to permit animal clinics (indoor only) as a Special Use in the B-1 zone.**

The Planning Department was asked to consider allowing indoor animal clinics in the B-1 zone by Mr. A. W. Moss. Staff reviewed the types of other uses permitted in the B-1 zone and discussed the request with the Planning Commission. Review of the uses and locations of the B-1 zones revealed that similar types of uses are currently permitted, and that this use would be acceptable in most B-1 locations. Planning Commission felt that review in excess of that required for a building permit was needed and recommends this use be permitted as a special use. Where appropriate, staff can refer a special use to the Planning Commission for hearing.

2. **Amending Section 4-6-2G.**

This section contains unclear language regarding the discontinuance of a conditional use for over one year, which invalidates the permit. During review of the amended clarifying language, the City Attorney suggested that some type of notification and ability to request extension should be added. The amended language allows seven days after receipt of certified mail notification for an owner to request the Planning Commission's consideration of an extension.

**3. Amending Chapter 12 (Definitions) and Section 5-1-9F.**

The current definition of home occupation requires that it be conducted within the principle structure. Under this restriction, a home occupation could be conducted in a garage attached to a house but not in one which was detached. Within the standards and restrictions governing home occupations this provision does not appear necessary. In several cases individuals have built breezeways to connect house and garage so that they could be considered attached. Since the provision has no relationship to impact, we amended the definition to refer to principle use instead of structure.

In order to clarify the types of uses which are, and are not, considered appropriate for a home occupation, a paragraph (F) was added to 5-1-9. This paragraph lists examples of acceptable and unacceptable home occupations based on the restrictions and criteria established in the rest of Section 5-1-9.

**4. Amending Section 4-3-4 (Use / Zone Matrix)**

Since its adoption in 1981, the matrix has established "Outside Sale of Retail Goods" as requiring a special use permit. "Outside Sale of Retail Goods" is defined as the sale of small items which are readily loaded, unloaded, and moved by car or truck (i.e. tapestries, pictures, throw rugs, produce, etc.) Vendors selling these items typically set up in large parking lots during the daylight hours. The special use permit provision has never been enforced for several reasons. There has never been staff time available to track vendors, especially since many will rotate between several locations. The special use process is longer than most vendors remain in town. There has never been a complaint or concern about these vendors. We had some concern about multiple vendors in one location, but these situations are now covered by our flea market provisions. This amendment would change "Outside Sale of Retail Goods" to an allowed use only in those zones where it is currently a special use. Any potential concerns we have identified (i.e. obstructing traffic) are covered by other existing regulations.

MEMORANDUM

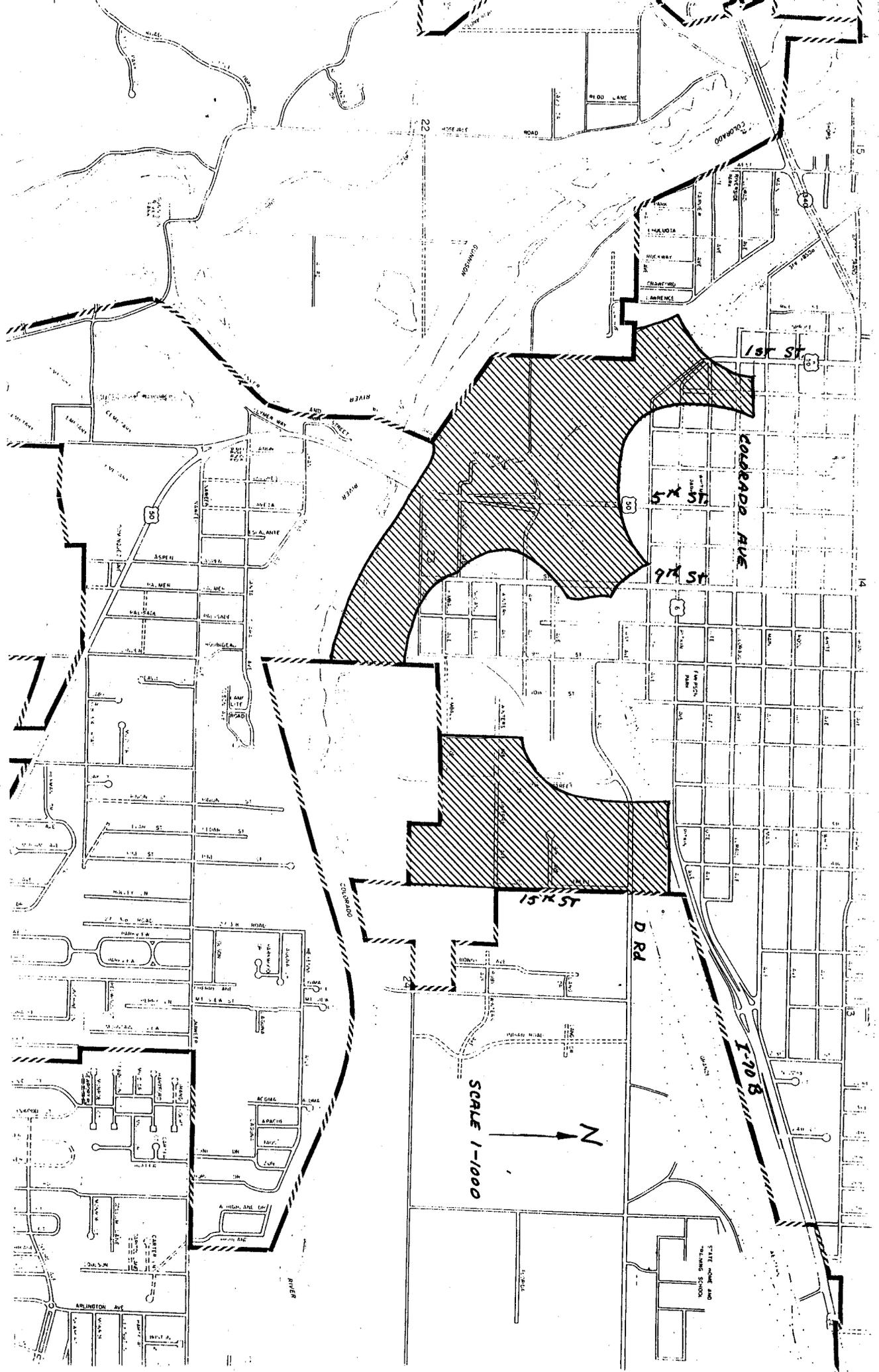
TO: Harvey Gorby, Police Department  
FROM: Karl Metzner, Community Development Department  
DATE: October 15, 1990  
RE: Ordinance Regulating Adult Entertainment Establishments

Attached is the proposed ordinance regulating the location of adult entertainment establishments within the City. The Planning Commission has recommended approval, and the ordinance will be considered by the City Council on October 17, 1990.

I have also included three maps. The diagonal striped pattern shows the general areas meeting the zoning and distance requirements for adult establishments. These areas were generated by scaling from a 1 inch - 1,000 foot scale city map and should be considered general and approximate only.

Please let me know if you have any questions regarding this information.

/bp



1st St

COLORADO AVE

5th St

9th St

15th St

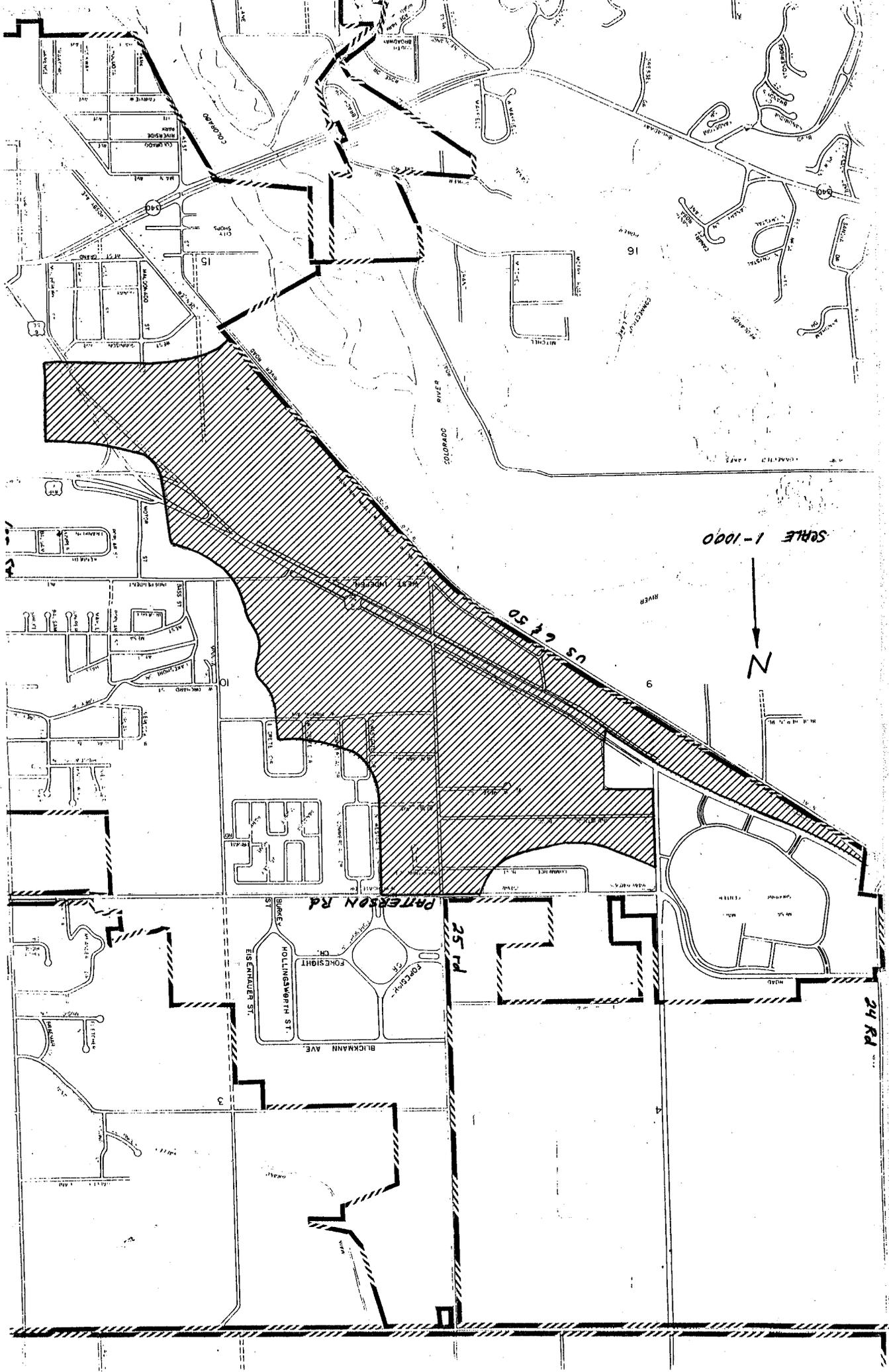
D RD

I-90 B

SCALE 1-1000

N

STATE ROAD AND  
SCHOOL SCHOOL



SCALE 1-1000



US 2450

24 Rd

25th Rd

Patterson Rd

HOLLINGSWORTH ST

FORESIGHT

BICKMANN AVE

EISENHAUER ST

BURNEX ST

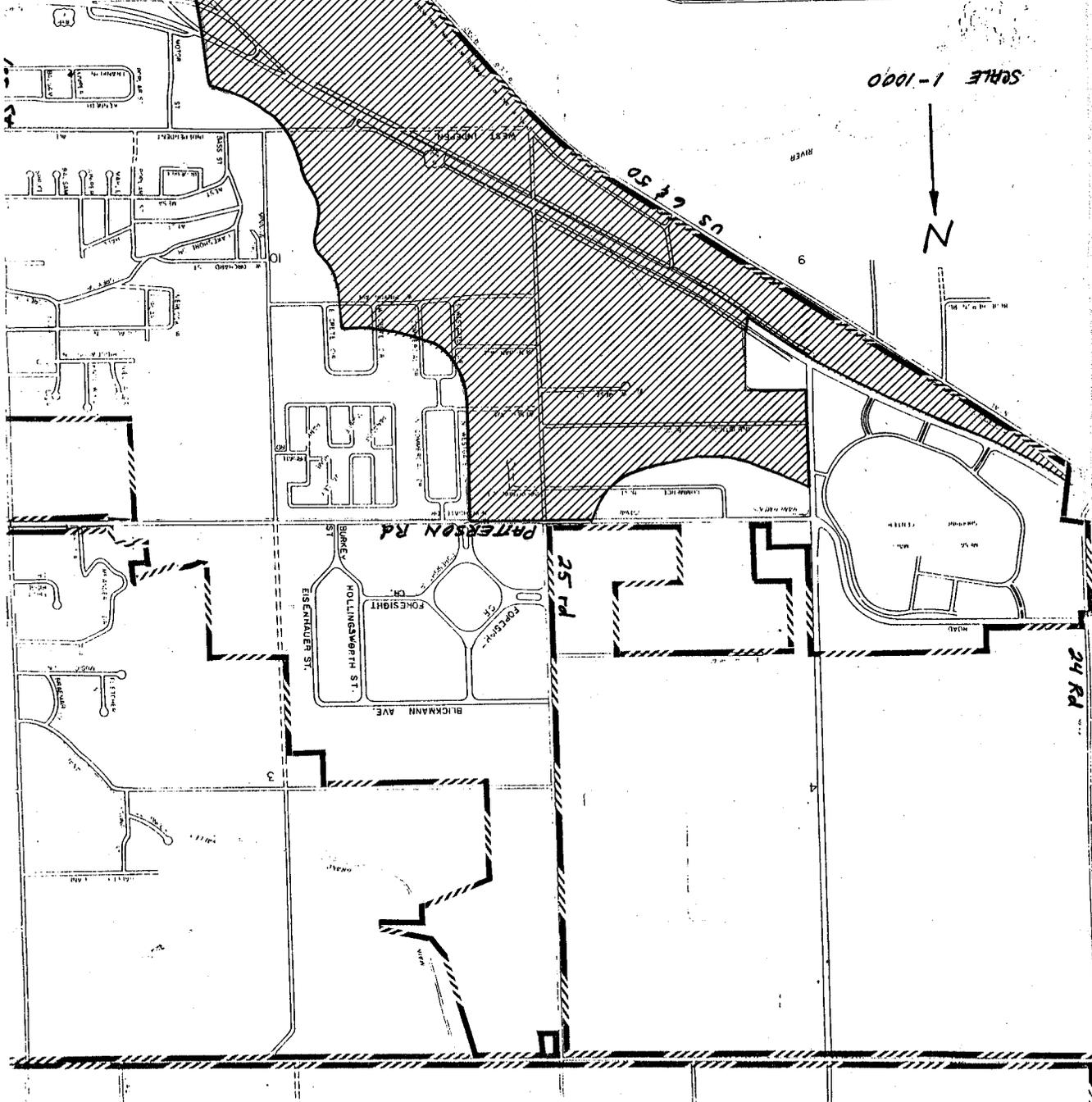
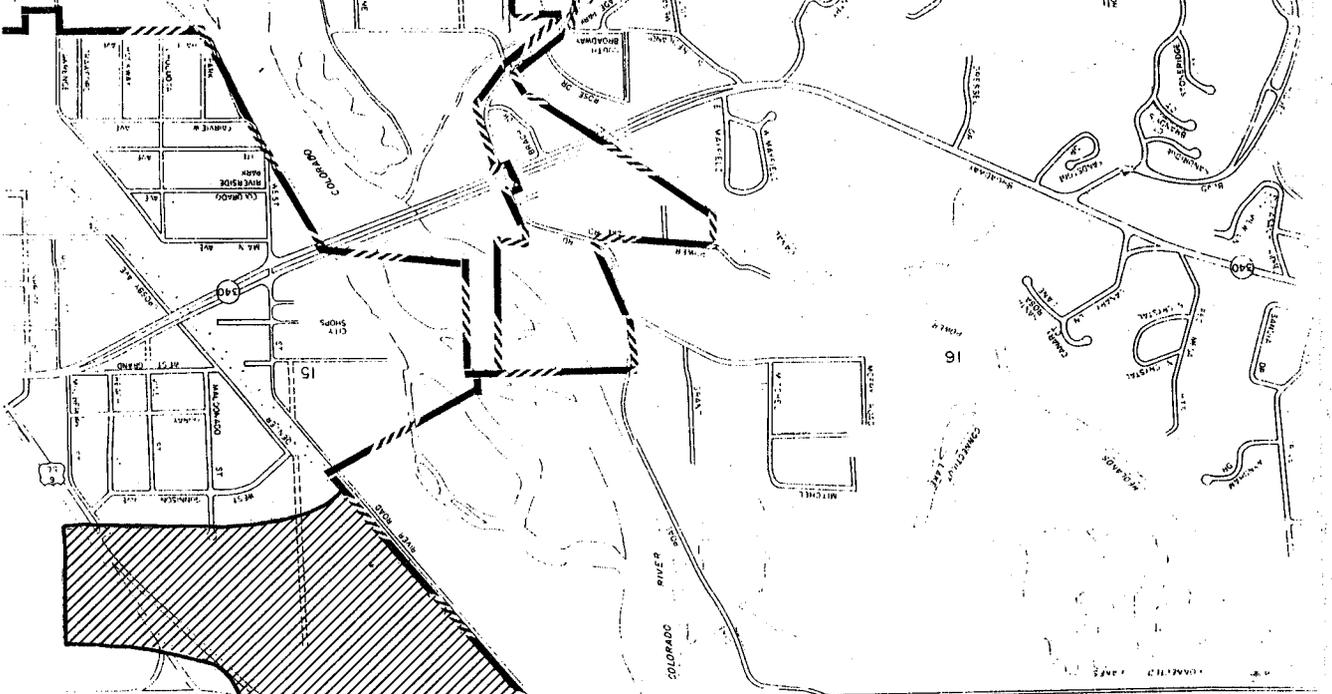
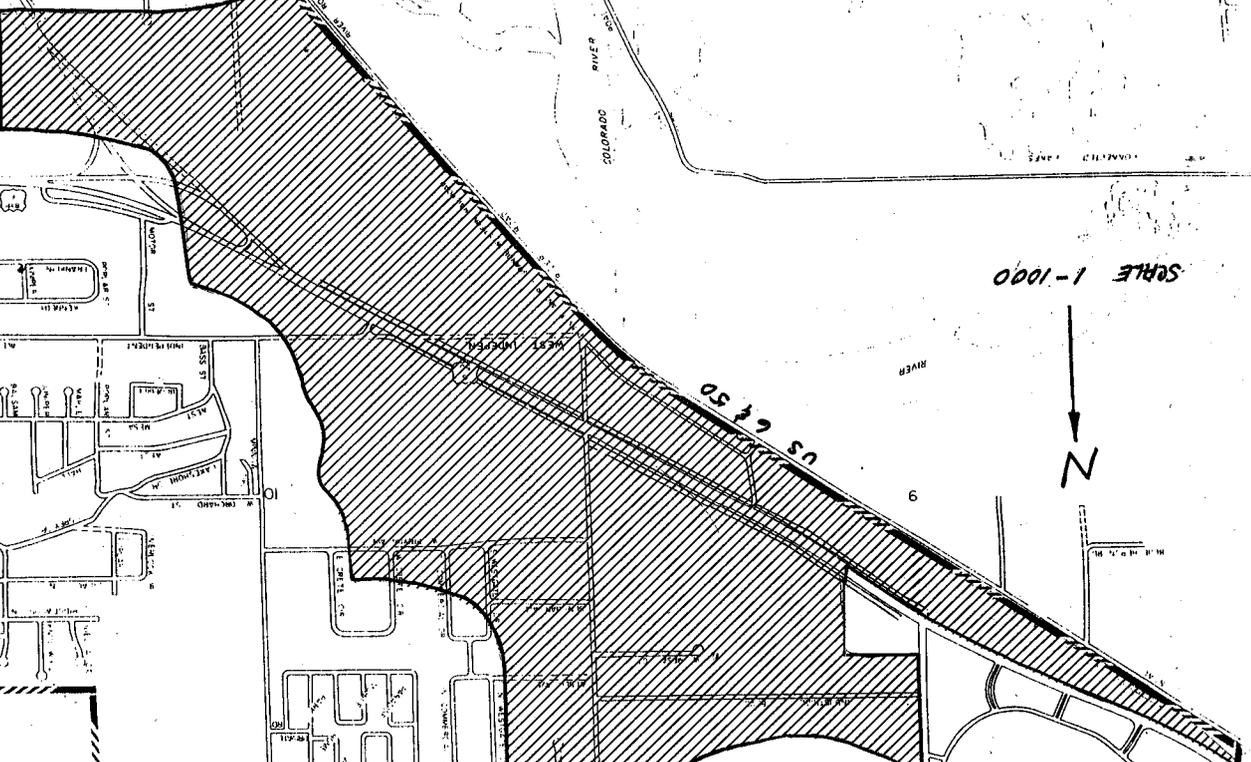
RIVER

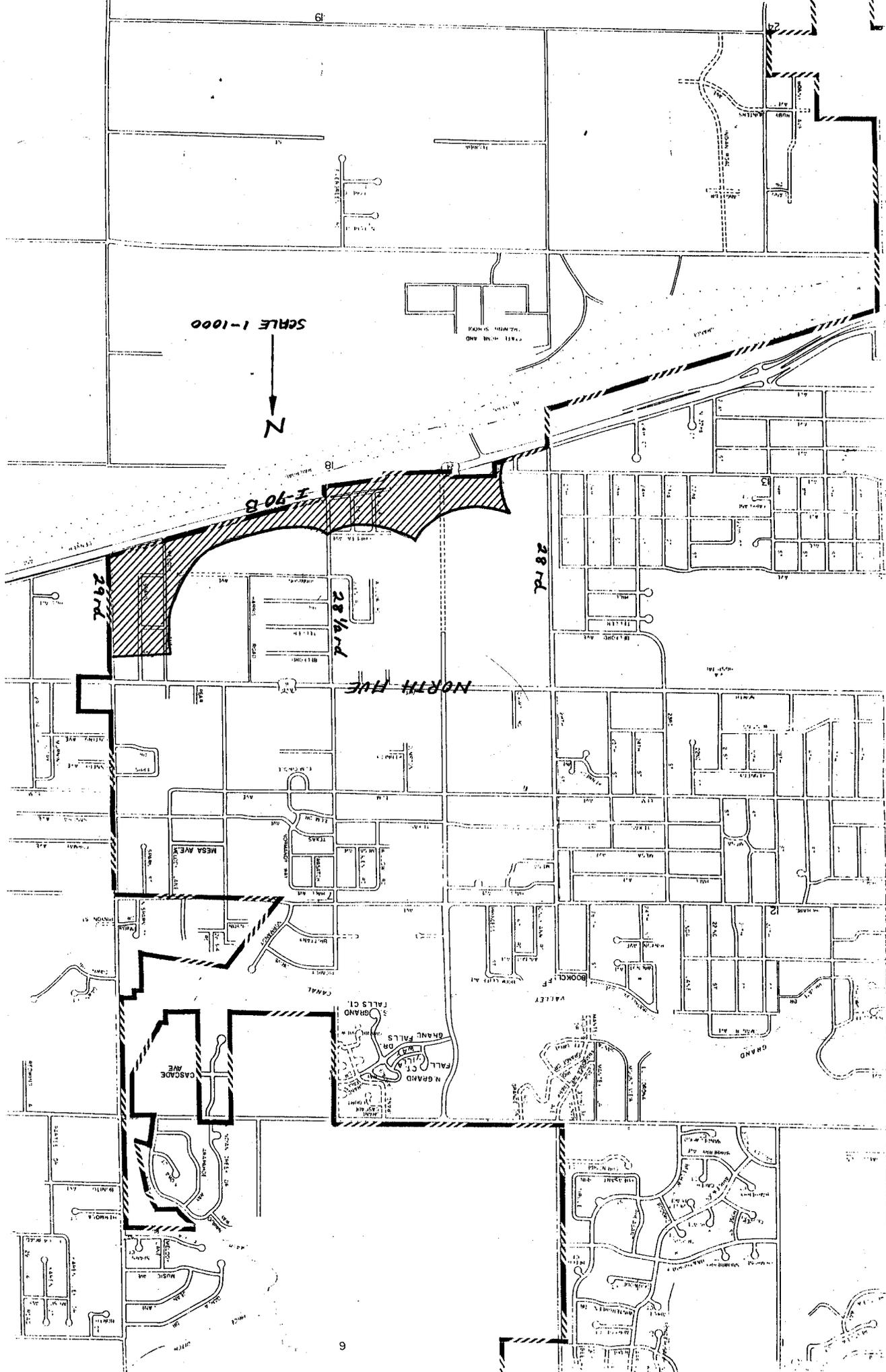
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16

COLORADO

COLORADO RIVER





Amending Section 4-6-2 of the Grand Junction Zoning and Development Code to revise paragraph G to read as follows:

G. A conditional use shall remain valid as long as the permitted use is maintained and operated in compliance with the terms and conditions of the approval. A conditional use that is discontinued for one year or longer for whatever reason is not valid. If the Administrator believes that a conditional use has been discontinued for more than one year, he shall send written notice of invalidity to the owner of record of the property on which the use was located. Within seven days of the mailing of such notice the owner may request in writing a hearing before the Planning Commission to consider an extension of the permit. If no such request is made, the permit shall be considered revoked.

*by certified  
mail*

*→ receipt of*

Amending Chapter 12 of the Grand Junction Zoning and Development Code to revise the definition of Home Occupation to read as follows:

**HOME OCCUPATION**

A vocational activity conducted within a structure as an accessory use on a residentially zoned property, secondary to the principle use of the property for residential purposes, and meeting the requirements of this Code (see Sections 5-1-9 and 4-3-4).

Original  
Do NOT Remove  
from Office

#18 90

Amending Section 5-1-9 of the Grand Junction Zoning and Development Code to add a new Section (F) reading as follows:

5-1-9F A home occupation shall be operated and maintained to not interfere with the peace, quiet and dignity of the neighborhood. The following are examples of uses which would be acceptable as home occupations: low volume office (insurance, realty), beauty shop, seamstress, instruction (as limited in paragraph C), arts & crafts, wordprocessing and other computer applications, door to door sales.

Under normal operating procedures the following types of uses would not be acceptable as home occupations: medical/dental office, motor vehicle repair, restoration or conversion, engine repair, medical/cosmetic facilities for animals, machine shop/metal working.

Original  
Do NOT Remove  
From Office

# 18 90

Amending Section 4-3-4 of the Grand Junction Zoning and Development Code to permit animal clinics (indoor only) as a Special Use in the B-1 (Limited Business Zone).

Original  
Do NOT Remove  
From Office

# 18 90

# development summary



File # 18-90 Name Text Amendment Date 12/04/90

PROJECT LOCATION: N/A

**PROJECT DESCRIPTION:**

A request to amend Section 5-11-3.A.4. the Use/Compatibility Matrix under "Land Use" by removing churches from the line that includes "Schools, Churches, Hospitals, Libraries" and adding "Churches" as a separate category with the following designations:

	<u>Area of Influence</u>	<u>Critical Zone</u>	<u>Clear Zone</u>
Churches	C	S	I

**REVIEW SUMMARY (Major Concerns)**

POLICIES COMPLIANCE	YES NO *		TECHNICAL REQUIREMENTS	SATISFIED NOT SATISFIED *	
	YES	NO *		SATISFIED	NOT SATISFIED *
Complies with adopted policies <u>N/A</u>			Streets/Rights-Of Way <u>N/A</u>		
Complies with adopted criteria <u>N/A</u>			Water/Sewer <u>N/A</u>		
Meets guidelines of Comprehensive Plan			Irrigation/Drainage <u>N/A</u>		
			Landscaping/Screening <u>N/A</u>		
			Other: _____		

\* See explanation below

Research into this text amendment was initiated when it was discovered that the proposed First Presbyterian Church, at the northeast corner of 27 1/2 Road and Cortland Avenue, was within the Walker Field Airport Critical Zone. According to Section 5-11-3.A.4. churches are an incompatible use in the Critical Zone. However, a Conditional Use Permit was granted for the church in 1986. Research into the basis for the regulation revealed that the delineation and restriction of the Critical Zone were locally imposed and not mandated by federal regulation through the FAA. The reason for the local restriction was based strictly on noise factors and not safety. By requiring a Special Use review for churches, the potential noise problems can be mitigated through architectural design.

**STATUS & RECOMMENDATIONS:**

**Planning Commission Action**

Planning Commission recommended approval. Vote 5-0.

# development summary



File # 18-90 Name Text Amendment 1990 Date 11/06/90

PROJECT LOCATION: n/a

PROJECT DESCRIPTION:

The proposed addition to the Zoning & Development Code Section 2-2-2.G.18. requiring a development review fee of \$50.00 for a resubdivision request.

## REVIEW SUMMARY (Major Concerns)

POLICIES COMPLIANCE	YES NO *		TECHNICAL REQUIREMENTS		SATISFIED	NOT SATISFIED *
Complies with adopted policies	X		Streets/Rights Of Way	n/a		
Complies with adopted criteria n/a			Water/Sewer	n/a		
Meets guidelines of Comprehensive Plan n/a			Irrigation/Drainage	n/a		
			Landscaping/Screening	n/a		
			Other: _____			

\* See explanation below

## STATUS & RECOMMENDATIONS:

There is currently not a fee listed in the Code for the resubdivision process. We have, however, been charging \$50.00 which is a standard fee for other administrative review processes.

### Planning Commission Action

Planning Commission recommended approval. (4-0)

*cic 11/21/90 - Approved*

# development summary



File # 18-90 Name Text Amendments Date 05/01/90

PROJECT LOCATION: N/A

## PROJECT DESCRIPTION:

Amend the Zoning and Development Code to : 1) Require notice prior to invalidating a Conditional Use approval; 2) Revise definition of Home Occupation to allow the use of a detached structure; 3) Add examples of acceptable and nonacceptable home occupations; 4) Permit indoor animal clinics as a Special Use in the B-1 Zone; 5) Change use category "Outside Sale of Retail Goods" from Special to Allowed Use in B-2, B-3, C-1, C-2, I-1, and PZ zones.

## REVIEW SUMMARY (Major Concerns)

POLICIES COMPLIANCE	YES	NO *	TECHNICAL REQUIREMENTS	
			SATISFIED	NOT SATISFIED *
Complies with adopted policies	N/A		Streets/Rights Of Way	N/A
Complies with adopted criteria	X		Water/Sewer	N/A
Meets guidelines of Comprehensive Plan	N/A		Irrigation/Drainage	N/A
			Landscaping/Screening	N/A
			Other: _____	

\* See explanation below

## STATUS & RECOMMENDATIONS:

No comments or objections have been received.

Planning Commission Action

Approved (6-0)

