

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2927

AMENDING THE ZONING AND DEVELOPMENT CODE OF THE CITY OF GRAND JUNCTION INCLUDING SECTIONS 4-3-4 USE/ZONE MATRIX, 4-8-2 SPECIFIC CRITERIA MATRIX, 5-1-4 VEHICULAR TRAFFIC AREAS, 5-4-15 LANDSCAPE STANDARDS, AND 5-5-1 OFF-STREET PARKING, AS THEY RELATE TO CHURCHES AND OTHER NONRESIDENTIAL USES AND ADDING SECTION 5-4-17 CHURCHES IN RESIDENTIAL ZONES

RECITALS:

Section 4-3-4 of the Zoning and Development Code refers to the Use/Zone Matrix for Residential and Nonresidential Zone Districts. Currently this Section does not allow churches as a use by right in any zone. On the contrary churches require Special or Conditional Use Permits. Whereas the City Council and Planning Commission have found that churches should be allowed uses in commercial and business zones and in all residential zones, with some exceptions, the Use/Zone Matrix shall be amended accordingly.

Section 4-8-2 requires that staff make a finding that churches are needed on a community-wide basis before approving a Special or Conditional Use Permit for them. Since there are no formulas used by staff to measure the number or location of churches based upon population and since churches are nonprofit in nature and must locate in areas where land is relatively inexpensive and within reasonable proximity to their congregations, this criteria should be deleted from the Specific Criteria Matrix.

Section 5-1-4 requires on site vehicular traffic areas to be paved except for uses in single family zones. The intent of the ordinance was to require paving for all uses except single family homes. The ordinance is being changed to reflect that intent.

Section 5-1-4B requires vehicular traffic areas to be screened with a solid wall or fence when abutting a residential use or zone. The amendment allows flexibility to screen with any combination of fences, walls, berms or landscaping as long as the same screening effect is obtained.

Section 5-4-15A governs landscaping standards in all zones except single family. These standards should apply to churches, as well as other nonresidential uses, that locate in single family residential zones. The amendment changes the standard to all zones with the rationale being that there is no required landscaping for single family homes.

Section 5-5-1F.1 refers to required landscaping for parking lots in excess of 50 spaces which is more substantial than lots with less than 50 spaces. When this section was written it excluded parking lots with exactly 50 spaces. This amendment rectifies that oversight.

Section 5-4-17 is added to the Zoning and Development Code to guide the location of churches in residential zones in the city through levels of review based on seating capacity and location of churches on arterial and collector streets. Design standards are also imposed to provide compatibility between churches and adjacent residential uses.

The City of Grand Junction Planning Commission forwarded a recommendation of approval of these proposed text amendments at their May 14, 1996 hearing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That section 4-3-4 USE/ZONE MATRIX of the Zoning and Development Code is hereby amended as follows:

4-3-4 USE/ZONE MATRIX, RESIDENTIAL ZONE DISTRICTS

Designate churches as "A*" (allowed uses) in the RSF-R, RSF-1, RSF-2, RSF-4, RSF-5, RSF-8, RMF-16, RMF-32 and RMF-64 residential zones with the following note:

A*(7) Churches must comply with Section 5-4-17. Churches with maximum seating capacity greater than 300 may require Special Use Permits. See Section 5-4-17 for more information.@

4-3-4 USE/ZONE MATRIX, NON-RESIDENTIAL ZONE DISTRICTS

Designate churches as "A" (allowed uses) in B-1, B-2, B-3, C-1, C-2 and H.O. zones. Designate churches as "C" (conditional uses) in I-1 zones.

That section 4-8-2 SPECIFIC CRITERIA MATRIX of the Zoning and Development Code is hereby amended as follows:

Delete the, "**Is there a need for the facility on a community-wide basis?**" criteria from the matrix as it applies to Churches, Schools, Vo-tech Schools and Boarding Schools.

That section 5-1-4 VEHICULAR TRAFFIC AREAS of the Zoning and Development Code is hereby amended to read as follows:

A5-1-4 VEHICULAR TRAFFIC AREAS - All on-site vehicular traffic areas except for single family dwellings shall comply with the following requirements:@

Section B is hereby amended to read as follows:

- AB. Such areas shall be screened in order to minimize disturbance to occupants of adjacent residential buildings. Each boundary line directly abutting a residential use or zone shall be screened with any combination of walls, fences, berms, or landscaping, so long as the screen is at least four feet in height and provides year-round screening. Fences and walls shall be subject to provisions of Section 5-1-5 "Fences."A

That section 5-4-15 LANDSCAPING STANDARDS of the Zoning and Development Code is hereby amended to read as follows:

5-4-15 LANDSCAPING STANDARDS

- AA. **For all zones**, required landscaping areas shall contain one tree for each increment...@.

That section 5-5-1F.1 of the Zoning and Development Code is hereby amended to read as follows:

- A1. When a parking facility provides parking spaces for more than fifteen (15) cars but less than fifty-one (51) cars, at least five percent (5%) of the total area of the parking lot shall be used for landscaping. Part of this area may be required to include shade trees.@

That section 5-4-17 is hereby added to the Zoning and Development Code to read as follows:

5-4-17 CHURCHES IN RESIDENTIAL ZONE DISTRICTS

Purpose - This section sets minimum standards for churches in residential zones for new construction and expansions of, or changes to, existing uses. These requirements shall apply at the time of the site plan review process.

For purposes of this section, maximum seating capacity shall be based upon the seating capacity in the largest assembly area of the principal structure. Calculation of maximum seating capacity shall include the rostrum, choir seats, fixed seating and overflow seating area(s). Seating capacity assumes one person per chair or other type of seat or one person per eighteen (18) lineal inches of pew space. (See Section 5-5 for parking requirement.)

A. Special Use Permits Required

1. Churches with a maximum seating capacity of up to 300 and churches with a maximum seating capacity of 301 to 600 which are located on a parcel or lot abutting a Principal or Minor Arterial or Collector street, as identified on the

City's Streets Classification Map, are allowed uses in all residential zone districts.

2. Churches with a maximum seating capacity of 301 to 600 require a Special Use Permit if not located on a parcel or lot abutting a Principal or Minor Arterial, or Collector street, as identified on the City's Streets Classification Map.
3. Churches with a maximum seating capacity greater than 600 require a Special Use Permit in all residential zone districts.
4. Notwithstanding 1 through 3 above, churches in Planned Residential zones must comply with the provisions of Chapter 7, Planned Developments and any and all requirements of general applicability as specified in the Zoning and Development Code.
5. Notwithstanding 1 through 4 above, Churches in Airport Critical Zones or Clear Zones must comply with Section 5-11, Land Use Regulation for Land Around Airports and any and all requirements of general applicability as specified in the Zoning and Development Code.

B. Churches in all residential zones shall comply with the following development standards:

1. Parking shall not be allowed in the required front yard setback.
2. The front yard setback shall be landscaped in accordance with Section 5-4-15. This area shall be counted towards the percentage of gross land area to be landscaped in multi-family zones.
3. A minimum fifteen (15) foot side yard setback, or as required in the zone district, whichever is greater, shall be required for the principal structure. A minimum five (5) foot side yard setback, or as required in the zone district, whichever is greater, shall be required for accessory structures on the rear half of the parcel. require, will provide more aesthetic separation between differing uses.
4. Where parking lots containing fewer than 51 spaces extend into required side and rear yard setbacks abutting a residential use or zone, a minimum five (5) foot wide landscaped area shall be provided along the property line or other appropriate location to minimize glare from lights associated with parking areas onto abutting properties. This area shall be landscaped as follows:
 - a. at least one (1) tree for each forty (40) linear feet or fraction thereof.

- b. at least forty (40) percent of the landscaped area shall contain shrubs in accordance with the requirements of Section 5-4-15.
5. Parking lots containing more than 50 spaces shall comply with Section 5-5-1F.2.
6. Required side and rear yard setbacks adjacent to a property line abutting a residential use or zone, where such setbacks are not encroached upon by a parking lot, shall be landscaped in accordance with Section 5-4-15.
7. All trash containers shall be screened by a six (6) foot high sight obscuring fence or wall.
8. Churches shall comply with all other applicable requirements of the Zoning and Development Code, the Code of Ordinances and any and all other regulations that may apply. Requirements of Section 5-4-17B may be exceeded for churches requiring Special Use Permits and churches in Planned Residential zones.

Introduced on first reading this 15th day of May, 1996.

PASSED and ADOPTED on second reading this 5th day of June, 1996.

/s/ Linda Afman

Mayor

ATTEST:

/s/ Stephanie Nye

City Clerk