

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5218

AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING APPLICATION OUTREACH MEETINGS, EXTENSION OF APPROVALS, TERMINATION OF CONDITIONAL USE PERMITS, MIXED-USE DOWNTOWN DIMENSIONAL STANDARDS, SIDE SETBACKS ABUTTING RESIDENTIAL IN MIXED-USE AND INDUSTRIAL ZONE DISTRICTS, RETAIL SALES IN INDUSTRIAL ZONES, SINGLE-FAMILY RESIDENTIAL, COTTAGE COURTS, AND TINY HOMES AS USES, HOME OCCUPATIONS, AND DENSITY MEASUREMENTS

Recitals

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

When the Zoning & Development Code was repealed and replaced on December 20, 2023, it was anticipated that there would be necessary revisions to provide clarity and alleviate practical issues with implementation. Staff has identified several items that were amended which inadvertently conflict with standard practice, have challenges with implementation of new practice, or could use additional clarification. These amendments address seven different sections within the 2023 Zoning & Development Code.

In addition, in the general course of usage of the Zoning & Development Code, certain items have come to light that also necessitate amendments to create additional clarity within the document. These revisions are of a similar nature and scope as those associated with the adoption of the 2023 Zoning & Development Code. These amendments address four different sections within the 2023 Zoning & Development Code.

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.

After public notice and public hearing, the Grand Junction City Council finds that the amendments to the Zoning & Development Code implement the vision and goals of the Comprehensive Plan and that the amendments provided in this Ordinance are responsive to the community's desires, encourage orderly development of real property in the City, and otherwise advance and protect the public health, safety, and welfare of the City and its residents.

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

The following sections of the zoning and development code (Title 21 of the Grand Junction Municipal Code) are amended as follows (deletions ~~struck through~~, added language underlined):

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21.02.030 COMMONLY APPLICABLE PROCEDURES

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(c) Application Outreach Meetings

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(5) Procedures

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(ii) Meeting Content and Conduct

- (A) At the meeting, the applicant shall present a concept plan, describe project impacts, describe ways to mitigate impacts, facilitate a discussion, and answer questions during the meeting. A concept plan is not required at a NCM for comprehensive plan amendments, code text amendment, zone of annexation and/or rezones.
- (B) The concept plan shall, at a minimum, delineate access to the site, internal circulation, the range of density of the entire property or the maximum intensity (square footage and stories for all buildings).

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(j) Lapsing and Extension of Approvals

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(2) Extension of Approval Term

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(ii) Permit or Administrative Approval

- (A) Unless otherwise stated in a permit or specific procedure for an administrative approval, the Director may extend the validity of the permit or approval for up to 180 more days if the applicant proves they can complete the project in conformance with ~~currently adopted codes and policies~~ the approved plan set.

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21.02.040 ADMINISTRATIVE APPLICATIONS

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(l) Subdivision, Major

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(4) Preliminary Subdivision Plan

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(C) Review Criteria

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(ii) Lapsing and Extension of Approvals

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(D) The applicant shall plat the entire property included in the Preliminary Subdivision Plan within six years of the initial plan approval date. After six years, approval of unplatted portions of the Preliminary Subdivision Plan shall be considered void unless an extension is requested and approved by the decision-making body. One extension of 12 months may be granted by the Director so long as the Preliminary Subdivision Plan is consistent with the Comprehensive Plan and current zoning requirements approved plan set, unless the Director determines that any currently adopted requirements of current codes, laws or regulations are necessary for public health, safety, and welfare. The Director may approve an extension of the approved plan set with the amendment(s) determined necessary or deny the extension. Additional extensions may be granted by the Planning Commission so long as the plan is consistent with the Comprehensive Plan and current zoning requirements approved plan set and the plan set has been amended as determined necessary by the Director for public health, safety, and welfare purposes.

21.02.050 APPLICATIONS REQUIRING A PUBLIC HEARING

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(g) Conditional Use and Special Dimensional Permit Amendment, Termination, or Revocation

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(3) Preliminary Criteria

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(B) Grounds for Termination

The permit holder shall show that the use is an allowed use in the zone district in which it is now established or that the use has ceased to exist.

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(5) Review Procedures

(A) All applications for amendment, or revocation, or termination of a Conditional Use or Special Dimensional Permit shall be processed in the same manner and based on the same review criteria as a new request for a Conditional Use or Special Dimensional Permit.

(B) All applications for termination of a Conditional Use Permit shall be reviewed and decided on by the Director.

(BC) Any person or entity, other than the City, seeking to amend, terminate, or revoke an approved Conditional Use or Special Dimensional Permit shall pay a fee in the amount established for an original application for a Conditional Use or Special Dimensional Permit.

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21.03.060 MIXED-USE DISTRICTS

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(c) Mixed-Use Neighborhood (MU-1)

(1) Intent

The MU-1 district is intended to provide low intensity, neighborhood service, office, and limited retail uses that can include second residential uses and are compatible with adjacent residential neighborhoods. Development should be compatible and complementary in scale and appearance to a residential environment. MU-1 is appropriate as indicated in **Error! Reference source not found..**

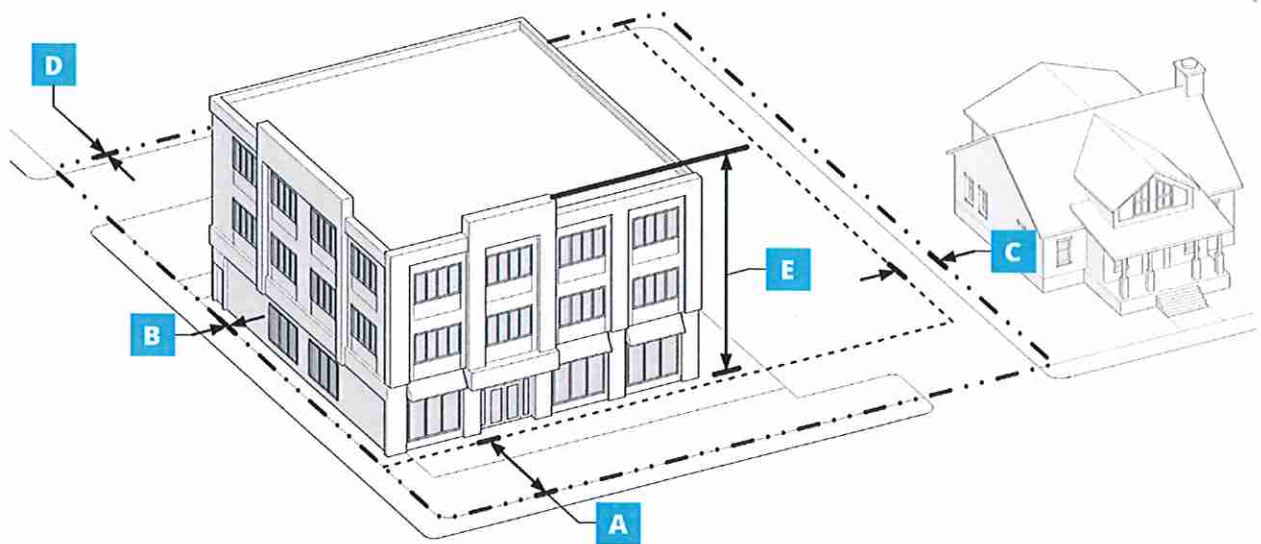
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-1 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-1.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-1 provided here.



Lot Standards	
Residential Standards	
Applicable district standards [1]	RM-8 or RM-12
Minimum Density	8 du/acre
Mixed-Use Lot Standards	
Lot Area (min, ft)	4,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	70
Parking, Loading, Service	
Access and Location	Side or Rear
Use Limits	
Outdoor uses are not allowed on residential-only lots	
Notes: [1] Either district may be chosen at rezoning; the chosen district shall be applied consistently.	

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0
C	Side Abutting Residential	5
D	Rear	10
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side Abutting Residential	5
	Rear	0
Height (max, ft)		
E	Height	40
Gross Floor Area (max, sf)		
	Retail	15,000
	Office	30,000

(d) Mixed-Use Corridor (MU-2)

(1) Intent

The MU-2 district is intended to accommodate commercial, employment, multifamily, and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. Commercial uses in the MU-2 district may be somewhat larger in scale and more flexible than the MU-1 district, including more auto-oriented uses such as gas stations. While ground stories along streets are intended for commercial uses, the upper stories are appropriate for residential and/or office uses. MU-2 is appropriate as indicated in **Error! Reference source not found..**

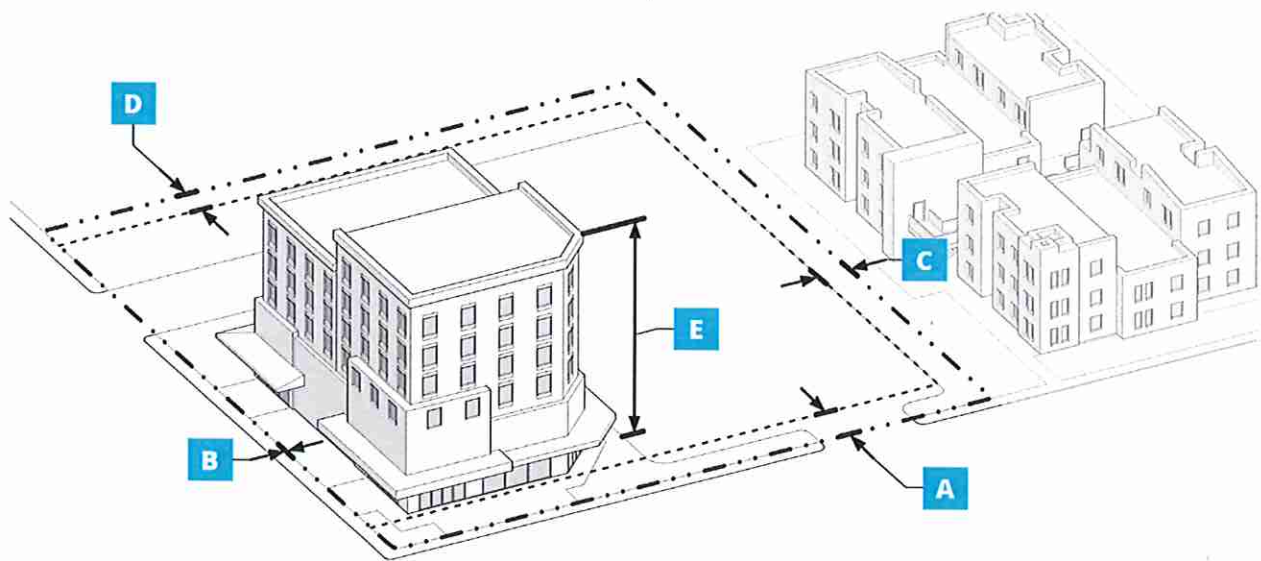
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-2 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-2.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-2 provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16 or RH-24
Minimum Density	16 du/acre

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0

Lot Standards	
Mixed-Use Lot Standards	
Lot Area (min, ft)	20,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	100
Parking, Loading, Service	
Access and Location: Alley where available, otherwise side or rear	
Notes: [1] 0 feet for a lot on an alley.	

Building Standards		
C	Side-Abutting Residential	40
D	Rear	10 [1]
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side-Abutting Residential	5
	Rear	10
Height (max, ft)		
E	Height	65
Use Limits		
Outdoor storage is not allowed within the front setback.		

(e) Mixed-Use Downtown (MU-3)

(1) Intent

The MU-3 Downtown district is intended to provide highly walkable downtown retail, service, office, lodging, and mixed uses with ground story storefronts and upper story residential, lodging, and office uses. Downtown Grand Junction is intended to be attractive to both residents and visitors and should include active public spaces and a range of community amenities. The scale of new development and redevelopment can be larger than current structures but must incorporate transitions between larger and smaller structures. Retaining the historic character of Downtown is an important priority to balance with the consideration of new and redevelopment. MU-3 is appropriate as indicated in **Error! Reference source not found..**

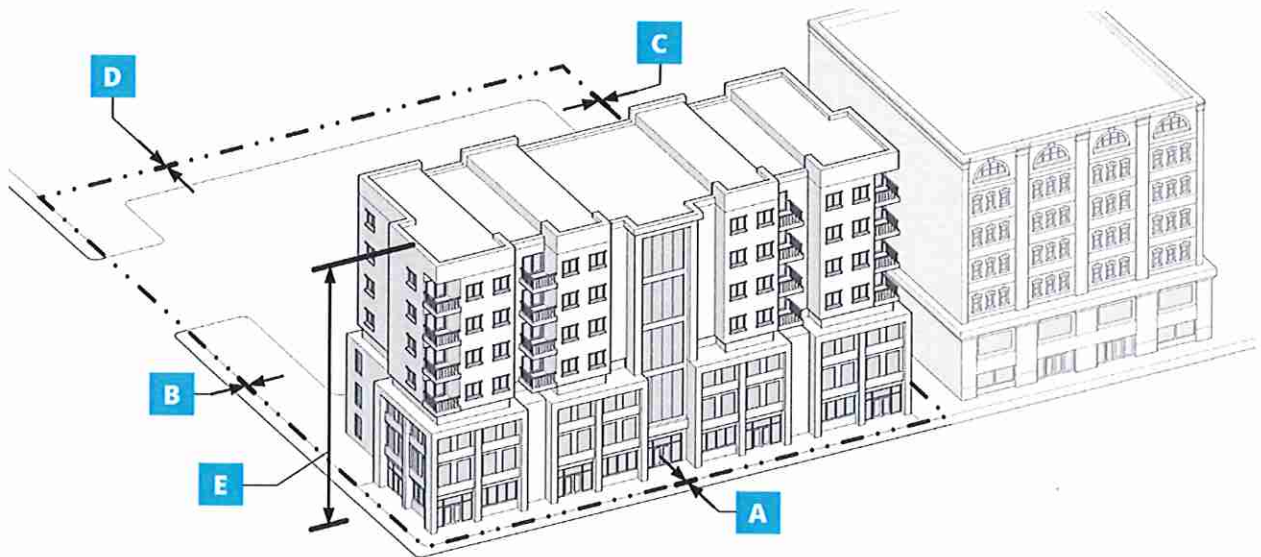
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the MU-3 zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here. Residential development shall comply with the density standards provided for MU-3.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for MU-3 provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	0

Lot Standards	
Minimum Density	8 du/acre
Mixed-Use Lot Standards	
Lot Area (min, ft)	n/a
Lot Width (min, ft)	n/a
Lot Coverage (max, %)	100
Parking, Loading, Service	
Access: Alley where available, otherwise side or rear	
Location: Side or Rear	

Building Standards		
B	Side	0
C	Side-Abutting Residential	0
D	Rear	0
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side-Abutting Residential	0
	Rear	0
Height (max, ft)		
E	Height	80

(4) District Specific Standards

(i) Parking Location

- (A) When parking, either commercial or private, is the principal use on a lot there shall be a 30-foot front setback to the edge of the parking area.
- (B) When parking, either commercial or private, is an accessory use on a lot, there shall be at least a six-foot front setback to the edge of the parking area.

(ii) Open Space

Applications for multifamily or mixed-use developments in an MU-3 zone district shall be required to pay the in-lieu fee, as determined in GJMC **Error! Reference source not found.**, rather than provide a land dedication.

(f) Commercial General (CG)

(1) Intent

The CG zone district is intended for auto-oriented retail commercial and commercial services, wholesale, and warehouse-facilities. This district allows outdoor storage and limited outdoor operations. In some areas of the community, CG accommodates truck traffic. This district is intended to be located along corridors where proximity to residential and walkable mixed-use development is limited. CG is appropriate as indicated in **Error! Reference source not found..**

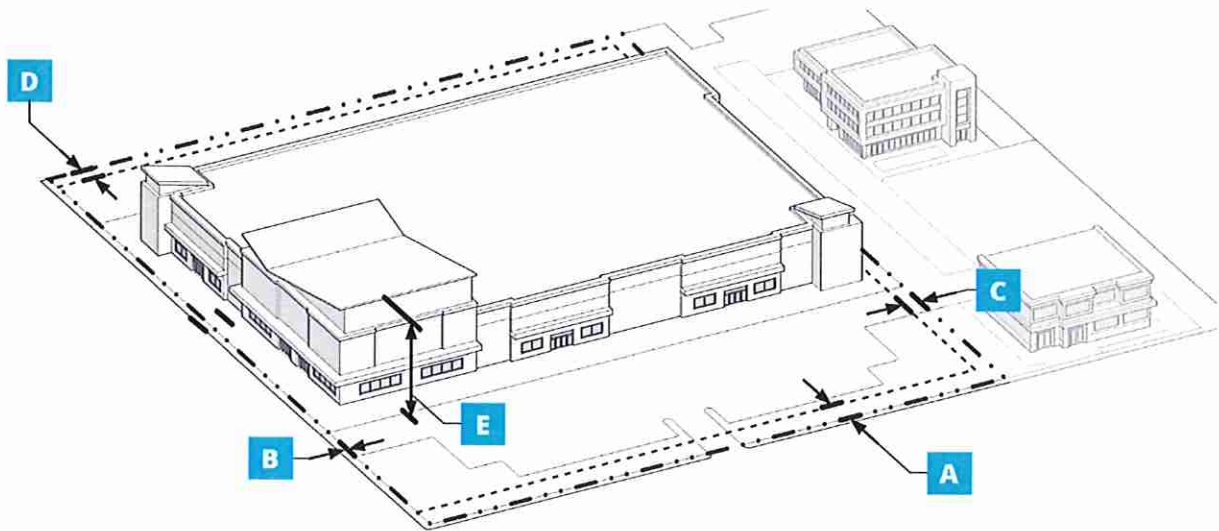
(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

(i) The following dimensions apply in the CG zone district as follows:

- (A) Structures that are designed for residential use only shall comply with the dimensional standards of the Residential zone district referenced here.
- (B) Structures that are either mixed-use or nonresidential shall comply with the dimensional standards for CG provided here.



Lot Standards	
Residential Standards	
Applicable district standards	RH-16
Minimum Density	n/a
Mixed-Use Lot Standards	
Lot Area (min, ft)	20,000
Lot Width (min, ft)	50
Lot Coverage (max, %)	100

Building Standards		
Setbacks: Principal Structure (min)		
A	Front	15
B	Side	0
C	Side Abutting Residential	40
D	Rear	10 [1]
Setbacks: Accessory Structure (min)		
	Front	25

Lot Standards

Parking, Loading, Service

Access: Alley where available, otherwise side or rear

Building Standards

	Side	0
	Side-Abutting Residential	5
	Rear	10

Height (max, ft)

E	Height	65
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Use Limits

Outdoor uses are not allowed in a front setback.

Notes: [1] 0' for lot on an alley

21.03.070 INDUSTRIAL DISTRICTS

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(d) Industrial/Office Park, Retired (I-OR)

(1) Intent

The Industrial/Office zone district has been retired from future use. Property that is zoned I-O as of the Effective Date shall be permitted to continue as conforming to this Code but rezoning any additional areas to I-OR is prohibited. The intent of the I-OR zone district is to provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses.

(2) Uses and Dimensions

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

The following dimensions apply in the I-OR zone district:

Lot Standards	
Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100%
Use Limits	
Retail sales area max: 10% GFA of principal structure, and no more than 5,000 sf per any lot or parcel	

Building Standards		
Setbacks: Principal Structure (min)		
	Front	15
	Side	0
	Side-Abutting Residential	10
	Rear	10
Setbacks: Accessory Structure (min)		
	Front	25
	Side	0
	Side-Abutting Residential	5
	Rear	10
Height (max, ft)		
	Height	65

(3) District Specific Standards

- (i) Outdoor storage and permanent display areas may be located beside or behind the principal structure. Site plan approval is required for lots with double or triple frontage where the side and rear yards will be used for permanent display areas.
- (ii) Portable display of retail merchandise may be permitted as provided in GJMC **Error! Reference source not found..**

(e) Industrial Light (I-1)

(1) Intent

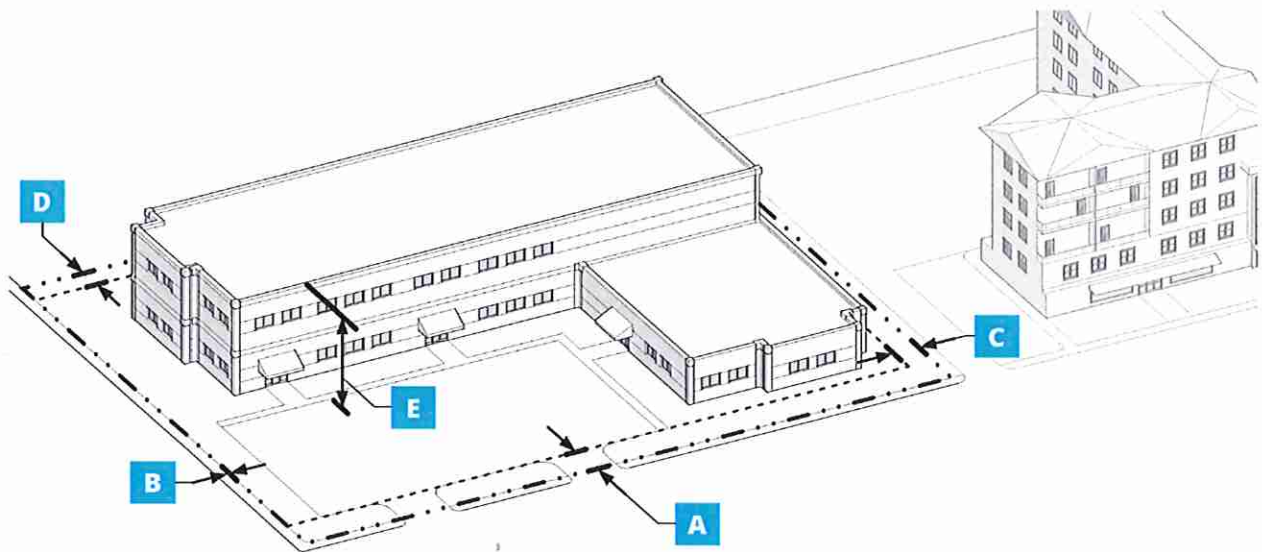
To provide for areas of light fabrication, manufacturing, technology, and industrial uses with limited, accessory commercial uses, all of which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 is appropriate as indicated in **Error! Reference source not found.:** Comprehensive Plan Implementation.

(2) Uses

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found..**

(3) Dimensions

The following dimensions apply in the I-1 zone district:



Lot Standards

Lot Standards

Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100

Use Limits

Retail sales area max: 10% GFA of principal structure, and no more than 5,000 sf per any lot or parcel

Outdoor uses are not allowed in a front setback.

Building Standards

Setbacks: Principal Structure (min)

A	Front	15
B	Side	0
C	Side Abutting Residential	40
D	Rear	10

Setbacks: Accessory Structure (min)

	Front	25
	Side	0
	Side Abutting Residential	5
	Rear	10

Lot Standards

Building Standards

Height (max, ft)

E	Height	50
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(f) Industrial General (I-2)

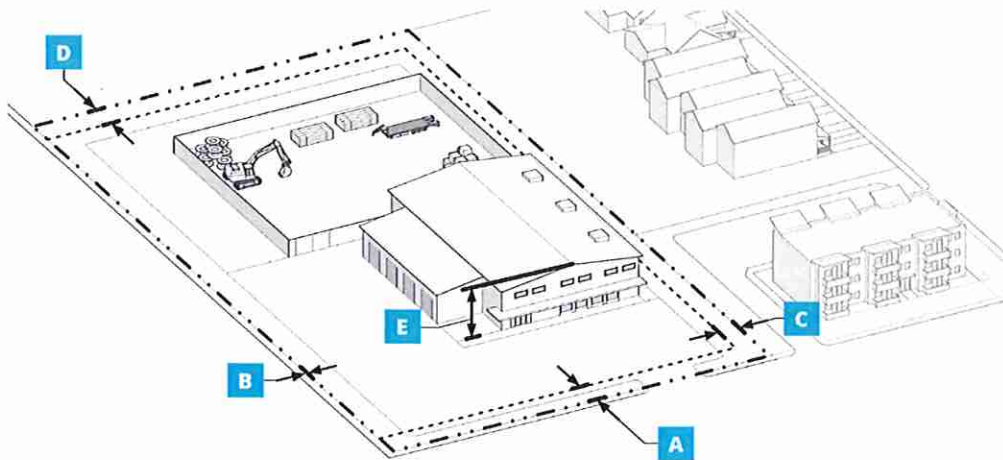
(1) Intent

I-2 is intended to provide areas for the accommodation of normal operations of heavy and concentrated fabrication, manufacturing, technology, and industrial uses and associated outdoor activities and storage. I-2 zone districts shall have easy semi-tractor trailer access to the state and federal highway system and/or railroads and the availability of adequate public services, utilities, and facilities. I-2 is appropriate as indicated in **Error! Reference source not found.**

(2) Uses and Dimensions

Permitted principal and accessory uses are identified in GJMC **Error! Reference source not found.**

The following dimensions apply in the I-2 zone district:



Lot Standards

Lot Standards

Lot Area (min, ft)	1 acre
Lot Width (min, ft)	100
Lot Coverage (max, %)	100

Use Limits

Retail sales area max: 10% GFA of principal structure, and no more than 5,000 sf per any lot or parcel.

Outdoor uses are not allowed in a front setback.

Building Standards

Setbacks: Principal Structure (min)

A	Front	15
B	Side	0
C	Side Abutting Residential	10
D	Rear	10

Setbacks: Accessory Structure (min)

	Front	25
	Side	0
	Side Abutting Residential	5

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21.04.040 ACCESSORY USES AND STRUCTURES

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(d) Accessory Use Table

Table 21.04-2: Accessory Use Table A= Allowed Use C= Conditional Use For accessory use regulations, see Table 21.04-2 in Section 21.04.040											
Zone Districts	...	MU-1	MU-2	MU-3	CG	IO-R	I-1	I-2	P-1	P-2	Use-Specific Standards
Industrial Uses											
...											
Retail Sales and Service, Small							A	A			
...											

...

21.04.040 ACCESSORY USES AND STRUCTURES

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(e) Accessory Use-Specific Standards

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(2) Commercial Uses

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(iii) Home Occupation, Daycare or Other

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(B) Prohibited Home Occupations

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- f. Personal services, except low-volume operations, such as a beauty shop and seamstress.

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21.14.010 MEASUREMENTS

(a) Density/Intensity

The following measurements shall apply to all maximum and minimum density calculations for zoning and land use classifications, unless otherwise indicated.

(I) Maximum Residential Density

- (i) "Maximum residential density" means the number calculated by dividing the total number of dwelling units or residential lots, multiplying the maximum allowed number of units per acre defined by the zone district by the gross acreage expressed in square feet or acres of the development property.
- (ii) Maximum residential density is rounded down to the nearest dwelling unit per acre.

(iii) Gross land area includes the entire parcel or property at the time a development application is filed.

~~(A) The "gross residential density" is calculated the same as maximum residential density.~~

~~(BA) In the R-4 through R-24 zone districts, for the purpose of calculating density on parcels smaller than five acres, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area. The area of the right-of-way shall not be included to determine compliance with the minimum lot area requirements.~~

~~(CB) In RH-16 and RH-24, for purpose of calculating density on any parcel, one-half of the land area of all adjoining rights-of-way may be included in the gross lot area.~~

(2) Minimum Residential Density

(i) This calculation applies to the term "net minimum residential density" as used in this Code. "Minimum residential density" means the number calculated by ~~dividing the total number of dwelling units or residential lots~~ multiplying the minimum required number of units per acre defined by the zone district by the net developable land area of the development parcel. "Net developable land area" means all portions of the parcel at the time a development application is filed, minus the following if they are to be left as open space:

(A) Floodways and floodplains;

(B) As defined by the Clean Water Act: wetlands, surface waters, stream, and river channels, banks, and corridors;

(C) Slopes of greater than 30 percent or other areas of unstable soils that are not suitable for development;

(D) Clear zone districts and critical zone districts;

(E) Open space or recreation areas to be dedicated to a public agency or to a private entity approved by the Director to perpetually maintain the open space;

(F) Ridgeline setback areas in excess of any required setbacks;

(G) Areas of geologic hazards; and

(H) Other areas that, in the opinion of the body reviewing the development, are similarly unsuitable for development.

(ii) Minimum residential density is rounded up to the next dwelling unit per acre.

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21.14.020 DEFINITIONS

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Density, Maximum

~~Maximum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the gross acreage expressed in square feet or acres of the development property. Gross land area includes all of the parcel or property at the time an application is filed. The "gross residential density" is calculated the same as maximum residential density.~~

Density, Minimum

This calculation shall apply to the term “net minimum residential density” as used in this Code. Minimum residential density means the number calculated by dividing the total number of dwelling units or residential lots by the net developable land area of the development parcel.

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Dwelling, Single-Family Detached

A residential building designed for use and occupancy by no more than one family and is not attached to any other dwelling or building by any means (except an approved accessory dwelling unit), on a single lot. Manufactured homes and tiny homes shall be considered single-family detached dwellings.

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Dwelling, Tiny Home

A structure that:

1. Is permanently constructed on a vehicle chassis;
2. Is designed for long-term residency;
3. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
4. Is not self-propelled; and
5. Has a square footage of not more than 400 square feet.

In order to meet this definition, a tiny home must be built to the International Residential Code as adopted by the Building Codes & Standards program within the Division of Housing. Colorado tiny homes will receive a metal plate insignia that certifies the tiny home is built to the codes and standards of the program. This use does not include manufactured homes, recreational park trailers, or recreational vehicles.

A Tiny Home may be a single-family detached dwelling unit or an accessory dwelling unit.

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INTRODUCED on first reading this 17th day of April 2024 and ordered published in pamphlet form.

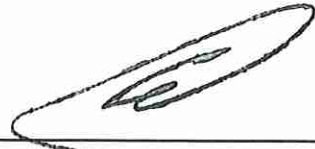
ADOPTED on second reading this 1st day of May 2024 and ordered published in pamphlet form.

ATTEST:



Amy Phillips

City Clerk



Abram Herman


President of the City Council



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5218 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 17th day of April 2024 and 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 1st day of May 2024, at which Ordinance No. 5218 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 3rd day of May 2024.



Deputy City Clerk

Published: April 19, 2024
Published: May 03, 2024
Effective: June 02, 2024

