

## Grand Junction Zoning and Development Code Module 2: Zone Districts and Uses | October 2022

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This memo provides an overview of the Z&DC updates made in Module 2: Zone Districts and Uses. This memo is designed accompany distribution of the public review draft of Module 2.



### A. Z&DC Update Project Summary

#### 1. Project Goals

- Update the City's regulations to better reflect the goals and policies described in the 2020 One Grand Junction Comprehensive Plan, especially those Key Principles related to Responsible and Managed Growth and Strong Neighborhoods and Housing Choices.
- Achieve a higher level of efficiency, consistency, and simplicity.
- Identify constraints and opportunities for affordable and attainable housing, consistent with those identified in the City's recently adopted Housing Strategies.

A portion of the funding for the Z&DC update project is being provided through an Innovative Housing Strategies Planning Grant from the Colorado Department of Local Affairs (DOLA). The grant is intended to help communities understand their housing needs and adopt policy and regulatory strategies aimed at promoting the development of affordable housing.

#### 2. Understanding and Implementing Relevant City Plans and Policies

This project is guided primarily by the One Grand Junction Comprehensive Plan (2020) and the Grand Junction Housing Strategy (2021).

#### 3. Code Assessment and Annotated Outline

The updated Z&DC organization and key revisions are described in the [Code Assessment](#), available on the City's website.

### B. Development Code Committee Input

The role of the Development Code Committee in the draft review phase of the Z&DC update is to:

- Assist with the technical review of the draft Code;
- Provide local knowledge and specialized expertise of specific development topics; and
- Identify policy-level issues for Project Team to discuss with elected and appointed officials.

To help focus the DCC on key issues in each draft module, questions have been provided following the Summary of Changes section. Members of the DCC are not expected to provide specific edits to the draft and, to help the group work as a whole, are also not encouraged to raise specific edits to the draft as part of DCC meetings.

If there are concepts or topics that DCC members would like to discuss at their meeting, in addition to the topics identified in the questions below, **please summarize them before the meeting** and email them to Felix Landry so they can be distributed to the rest of the DCC members prior to the meeting.

If members of the DCC wish to submit suggested edits, please do so separately from the DCC meeting. Feel free to submit suggested edits through the City website or to [ZoningCodeUpdate@gjcity.org](mailto:ZoningCodeUpdate@gjcity.org).

## C. Summary of Changes in Module 2: Zone Districts and Uses

### 1. Contents

Module 2: Zone Districts and Uses, includes the following chapters:

- Chapter 21.03: Zone Districts and Dimensional Standards
- Chapter 21.04: Use Standards
- Chapter 21.14: Measurements and Definitions updated for the chapters in this Module.

Module 1: Administration and Procedures, *reviewed in September 2022* and available on the City website, included the following chapters:

- Chapter 21.01: General Provisions
- Chapter 21.02: Administration and Procedures
- Chapter 21.12: Nonconformities
- Chapter 21.13: Violations and Enforcement
- Chapter 21.14: Measurements and Definitions

### 2. General Code Reading Instructions

Z&DC content has been edited into more “plain” language, but regulatory drafting still has some legal quirks. If you are unsure of a phrase or term, check the definitions.

When the Z&DC refers to “Director” it also includes Community Development staff, the actual Director is not required to do all of the specific tasks identified in the Code.

The Z&DC is being drafted in three modules, each containing a number of chapters. Earlier chapters may be missing cross-references or information available in later chapters. The missing cross-references are marked as <> [Name of Section] and will be filled-in as part of a later draft.

Formatting issues, while unintended, may exist in this draft. While the drafting goal is to minimize these issues, they will all be addressed as the draft is revised.

### 3. Summary of Updates

The following updates were made in each chapter. *\*Note: This module is subject to additional revisions based on ongoing review by the Community Development Department and City Attorney's Office.*

#### a. All Chapters

1. Added more detailed table of contents and page headers/footers to make information easier to find.
2. Graphics, tables, and flow charts added to summarize information where helpful as a quick reference.

3. Content that is not relevant to the chapter has been moved to a different location where a Code user is more likely to find it.
4. Cross-references have been added or updated unless the section being cross-referenced is in a later draft.
5. References to building code and legal requirements removed.
6. Zone district and/or use-specific procedures, submissions, or administrative requirements moved to Chapter 21.02: Administration and Procedures or collected for the creation of an administrative manual.

**b. Chapter 21.023: Zone Districts and Dimensional Standards**

1. 21.02.010 Updated purpose statements to better reflect City goals and policies expressed in One Grand Junction and related plans and policies.
2. 21.03.030(b) Aligned zone districts with One Grand Junction future Land Use Plan.
3. 21.03.040 Consolidated dimensional standard rules and exceptions, moved measurable standards to applicable zone districts, reviewed and cleaned-up exceptions for clarity, moved dimensional measurement rules to 21.14: Measurements and Definitions, zero lot line and cluster development standards moved into Residential Setback Adjustments section.
4. All zone districts: A new measurement has been added for a street side setback. This is the non-front side of a corner lot. In districts with smaller lots, the street side setback will typically be less than the front setback and will be adjustable to align with adjacent side yard or front yard setbacks through the contextual setback process, allowing setbacks and structures to be aligned along a street.
5. The R-E and R-1 districts have been retired. This means that any property currently zoned R-E or R-1 will continue to be conforming to the Code but rezoning to R-E or R-1 will not be allowed. This idea is further explored in the Questions for Discussion, No.1, below.
6. Many of the current mixed-use districts include a variety of site, structure, and use related standards, such as performance standards, site design standards, architectural considerations. Most of these standards will be relocated into the appropriate development standards (e.g., site and structure, parking, performance standards) to reduce repetition and so the standards in the individual zone districts can be included in the comprehensive revisions to the development standards.
7. A full line-up of mixed-use districts has been established to replace the current business, commercial, mixed-use, and form-based districts.
8. The current CSR district has been split into a civic and institutional mixed-use district or a public parks and open space district.
9. The Planned Development district has been updated as described below in Questions for Discussion, No. 4.

**c. Chapter 21.04: Use Standards**

1. Table 21.04-1: Principal Use Table:
  - i. Revised to reflect the new and renamed zone district listed in Chapter 21.03 with current zone district conversion included for reference when applicable.

- ii. Uses organized based on use intensity, beginning with less intense residential uses, then moving into public, civic, and institutional uses, then commercial, and ending with more intense industrial uses.
- iii. Revised to move away from current approach that lists both broad use categories as well as some individual use types within those categories and eliminated the need for “All Other” catchall uses. The characteristics, examples, exceptions and accessory uses of current use categories have been incorporated within or used to inform the new use-specific standards and definitions.
- iv. Includes existing, consolidated, and new use types. When determining use permissions in the new zone districts, the existing permissions in the related existing districts were carried forward, unless otherwise noted.
- v. Color-coded to indicate where new uses have been added and where use permissions have changed from current.
- vi. New or consolidated uses include, but are not limited to: cottage court dwelling, triplex or fourplex dwelling, government service facility, urban agriculture, artisan industrial, and recycling collection facility.
- vii. Each use category and use type has a definition in Chapter 21.14.

## 2. Use-Specific Standards:

- i. Revised to follow the same intensity-based organization as the Principal Use Table.
- ii. The standards should be reviewed simultaneously with the Principal Use Table and definitions.
- iii. All requirements related to elements of site and building design that will be addressed in the development standards in Module 3 (e.g., building form, parking, and landscaping) have been removed from the use-specific standards and will be included in Chapter 21.05.
- iv. New standards for outdoor storage as a principal use.
- v. Several uses have been updated to remove procedural content, including specific criteria for approval, that will be incorporated into Chapter 21.02, Administration and Procedures at the time of Consolidated Draft.

## 3. Accessory Uses:

- i. Clarified the type of accessory structures that are exempt from the current size limitation (75% of the square footage of the principal structure).
- ii. Revised the accessory structure design requirements to add objective criteria for determining compatibility between the accessory and principal structures.
- iii. Includes a new Table 21.04-2 Accessory Use Table that follows the same approach in organization and color-coding as the Principal Use Table. The use-specific standards following the table should be reviewed simultaneously with the Accessory Use Table and definitions.

- iv. New accessory uses include: drive-through facilities (currently addressed in principal uses), electric vehicle charging facilities, and renewable energy facilities (e.g., solar collectors).
- v. Each use type has a definition in Chapter 21.14.

#### 4. Temporary Uses:

Generally carried forward with minimal revisions, but new applicability section clarifies the types of temporary uses and structures that are required to meet the standards.

#### d. **Chapter 21.14: Measurements and Definitions**

This module includes the second draft of the Measurement and Definitions chapter. The current definitions and measurement instructions have been carried forward and are being updated as needed with each Module. Any definitions or measurements included in other sections of the Z&DC will be moved to this chapter during the drafting process.

### D. Questions for Discussion

#### 1. **Zone District Consolidation and Retirement**

In an effort to reduce the amount of future rural development in the City, the One Grand Junction Comprehensive Plan does not identify the current R-E, R-1, and R-2 districts as needed for plan implementation. When existing zone districts are determined to be no longer necessary, there are two common approaches that can be taken to a code update. First, the districts can be “retired.” This means that the district regulations are carried forward in the new code but future rezoning to that district is prohibited. Second, the districts can be consolidated into other districts that will better implement the comprehensive plan. This is done by determining which districts to consolidate and creating a set of standards that both reflect the plan and minimize the creation of nonconformities. To accomplish the latter, the standards from the more permissive district are usually carried forward.

The M2 draft includes the following updates:

- a. The R-E and R-1 zone districts have been retired.
- b. R-2 has been carried forward, renamed Residential Low 2 (RL-2) and not retired (yet).
- c. The form-based districts (MXR, MXG, MXS, and MXOC – cumulatively accounting for 0.28% of current zoning by land area in Grand Junction) have been consolidated into closely similar residential or mixed-use base districts.

Removing R-E and R-1 leaves a fairly large minimum lot size gap between R-R at 5 acres per dwelling unit and RL-2 at 15,000 square feet per dwelling unit. In addition to retiring R-E and R-1, the project team has discussed two consolidation options: (1) rolling the existing R-E, R-1, and R-2 into RL-4, making the smallest “in town” lot size 7,000 square feet, and (2) rolling existing R-E and R-1 into RL-2, making the smallest “in town” lot size 15,000 square feet. For reference, these districts are currently applied as follows:

- R-E: 0.66% of all zoned land in Grand Junction
- R-1: 2.28% of all zoned land in Grand Junction
- R-2: 4.95% of all zoned land in Grand Junction.

We are looking for community feedback about how to make this change in a way to accomplish plan goals and address property owner (and neighbor) expectations. Here is a summary of the options:

- Leave R-E, R-1, and R-2 in the Code as retired zone districts.
- Retire some of the districts and consolidate some combination of districts, such as “leave R-E and combine R-1 into R-2 (now RL-2).” Consider amending One Grand Junction to include RL-2.
- Consolidate R-E, R-1, and R-2 into R-4 (now RL-4).

## 2. Lot Frontage Measurement

In the current Code, some zone districts have a minimum lot frontage measurement, some have a minimum street frontage measurement, and some lots are designed as exceptions to either, such as flag lots. All current zone districts also have a minimum lot width measurement, which is measured at the required front setback. (Note: the setback is the distance from the front property line that has to remain open and free from development. Usually, the front yard is the space between the property line and the front setback). Most of the zone districts do not have large front setback measurements, typically somewhere between 15 and 20 feet. We think that the lot frontage measurement may not be needed in this case, but we are interested to hear from the community.

## 3. Multifamily Open Space, Dedication, Fee In-Lieu

The Code currently contains this requirement:

*Multifamily or mixed-use developments shall be required to pay 10 percent of the value of the raw land of the property as determined in GJMC <> [Open Space Dedication].*

This looks like a provision that may have originally been intended to require the creation of open space on a site with multifamily buildings, where there might not otherwise be outdoor play or recreation space reserved on-site. This is a common design requirement in communities that have multifamily design standards. Without knowing the full history of the requirement, it appears to have evolved into a fee requirement, which could have been possible because the City did not want accept dedication of a number of really small lots that would be expensive to maintain.

The issue that the project team would like to discuss is whether this requirement be revised again to require the provision of open space on the site and allow that space to be privately maintained. In some communities, open space on a multifamily site is held privately, subject to maintenance requirements, and not deeded to the local government. We would like feedback about whether the City should require a certain amount of on-site private or public open space for multifamily dwelling projects, and move away from this as the payment of a fee.

## 4. Planned Development

Section 21.03.110, Planned Development has been revised to link the PD process to base zone districts that are “customized” as part of the PD review and approval. Applicants are still allowed to request a wide variety of changes to the base zone district regulations but this change will ensure that standards are in place when PD terms have not been specified. Additionally, the use of a PD to change the density of a base zone district has been prohibited and the list of required community benefits has been updated to add more specificity about what a community benefit needs to provide. We would like to discuss these changes in more depth with the community.

## 5. Accessory Dwelling Units (ADUs) and Short-Term Rentals (STRs)

These two uses are moving forward separately for early adoption and will be consolidated with the Code update next year.

## 6. Administrative Permit with Notice (APN)

Returning to the Module 1 conversation about public hearing notice versus public information notice, we have done some further research and found communities that have a development review process that allows for notice (and sometimes comment) to be provided for applications that are subject to administrative review and approval. There are a few uses in the current code that require a neighborhood meeting, such as fraternities and sororities, and we would like to discuss whether to move these uses and some other approvals to an Administrative Permit with Notice process. In general, any use or application that is required to use the APN process would have a requirement that notice about the project be sent to surrounding property owners who would have a short time frame to submit comments to the City. The approval would still focus on compliance with this Code, but the Director could ask additional questions of the applicant based on comments submitted if they raised issues about potential compliance.

## 7. Readability and Understanding

- Did you find Module 2 readable and understandable?
- Do you have suggestions for making the Z&DC more accessible to all Code users?