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**PLANNING COMMISSION SPECIAL WORKSHOP AGENDA
PLANNING LARGE CONFERENCE ROOM
CITY HALL, 250 N 5TH STREET
WEDNESDAY, MARCH 22, 2023 - 5:30 PM
*Attend virtually: bit.ly/GJPCW***

Call to Order - 5:30 PM

Other Business

1. Zoning & Development Code: Public Hearing Draft

Adjournment



Grand Junction Planning Commission

Workshop Session

Item #1.

Meeting Date: March 22, 2023

Presented By: Felix Landry, Planning Supervisor, Elizabeth Garvin, Gabby Hart

Department: Community Development

Submitted By: Felix Landry, Planning Supervisor

Information

SUBJECT:

Zoning & Development Code: Public Hearing Draft

RECOMMENDATION:

EXECUTIVE SUMMARY:

After receiving comments and feedback on all 3 Modules of the updated draft code, the project team incorporated the feedback from the public, the Zoning & Development Code Committee, Planning Commission, and City Council into a consolidated draft of the new code. The consolidated draft will go through another round of review before edits are made for the draft of the code that will be posted for the public hearing.

The City hired Clarion Associates to work on updating the City's Zoning and Development Regulations, Title 21 of the Grand Junction Municipal Code. This effort will work toward three primary goals:

- Update the City's development regulations to better implement the City's vision and goals as described in the 2020 One Grand Junction Comprehensive Plan
- Achieve greater simplicity, efficiency, consistency, and legal effectiveness in the code language
- Identify opportunities to facilitate the development of affordable and attainable housing

The project team will present the major changes in the consolidated draft for discussion.

BACKGROUND OR DETAILED INFORMATION:

We will continue to discuss remaining issues in the Code Update Project, specifically: Undergrounding Utilities, EV Charging, and any others Commissioners would like to discuss.

All three modules of the code have been presented to the public, the Zoning & Development Code Committee, City Council, and the Planning Commission for review over the last 7 months. The project team has received a substantial amount of feedback and have incorporated the feedback into a consolidated draft. The consolidated draft represents an opportunity to see the code in a comprehensive format, and make comments before posting a draft of the updated code for public hearing. Some of the major discussion items updated in the consolidated draft include, but are not limited to:

- Off Street Parking & Bicycle Parking
- Electric Vehicle Charging
- The Principle Use Table
- Residential Use Types
- Bulk standards, including minimum setbacks
- Open Space Requirements
- Outdoor Lighting
- Rezoning Review Criteria
- Multi Family Design Standards

SUGGESTED MOTION:

Discussion only

Attachments

1. GJZDC DCC Follow Up Issues Memo.2 020923

Grand Junction Zoning and Development Code Update on Drafting Discussion Issues | February 2023



This memo provides an update on the drafting discussion issues identified by the Development Code Committee during the review of all three modules. This memo is designed to accompany distribution of the Staff Review Consolidated Draft in preparation for DCC discussion of these issues.

1. Module 1: Administration and Procedures

A. Neighborhood Meetings (Sec. 21.02.030(c))

The Z&DC update originally proposed expanding the requirement for mandatory neighborhood meetings. The DCC believes that the current approach is working and does not need to be expanded. No change has been made to the current approach.

Both the DCC and Planning Commission identified a secondary problem with neighborhood meetings. Community members don't always understand the difference between (1) neighborhood meetings where resident input can impact the design of the project, and (2) neighborhood meetings where the application is shared for informational purposes but approval is administrative so the application only needs meet the terms of the Code. The draft Z&DC updates the neighborhood meetings section to identify two types of meetings: Neighborhood Comment Meetings (NCM) and Proposed Development Information Meetings (PDIM).

B. Rezoning Review Criteria (Sec. 21.02.050(d))

The proposed updated rezoning review criteria did not go far enough to modernize the process and more clearly link proposed rezonings to compliance with the One Grand Junction Comprehensive Plan. Additionally, the first draft of Module 1 proposed a criterion linked to the impact of a zoning change on housing that both the DCC and City staff thought could be handled better elsewhere.

Revised language:

The Planning Commission shall consider and recommend and the City Council shall consider the rezoning application through a balancing of the following criteria:

- Is the proposed rezoning consistent with the adopted comprehensive plan and the plan's future Land Use Plan and map?
- Does the proposed rezoning directly implement at least three goals of the adopted comprehensive plan?
- Can development pursuant to the proposed rezoning be undertaken consistently with the adopted circulation plan?
- Would the proposed rezoning be in opposition to any of the goals of the adopted comprehensive plan?

The following optional criteria have been included in the consolidated draft subject to further discussion:

- Would the proposed rezoning hinder the reasonable future extension of infrastructure or utilities over the long term?

- Whether and to what extent would the proposed rezoning result in significantly adverse impacts on the natural environment, including, but not limited to: water conservation and quality, air quality, noise impacts, stormwater management, mapped wildlife habitat areas, mapped wetlands, and the natural functioning of the environment?

C. Updated Planned Development Procedure (Sec. 21.02.050(i))

The DCC did not have an opportunity to review the PD procedures in Module 1. The updated PD design standards in Module 2 clarified that planned development applications must include an identified base zone district for each area of the PD and that PD modifications are made to the standards of the base districts.

The procedural issue with PDs is found in current Section 21.02.150(f), Lapse of Plan. A PD that is not completed in accordance with the approved development schedule is deemed to have lapsed and all approved plans for incomplete portions of the PD are considered null and void. The goal of deeming the approved plans lapsed is to stop development in an aged PD or incomplete “shell” PD where development may no longer be compliant with the comprehensive plan.

New PDs. Under the updated Z&DC (2023 Code), only PDs that are less than 85% complete as of the end date of the development schedule will lapse. The lapse will be made applicable to the approved Final Development Plan and/or site plan for whatever phases of the PD are not complete. The PD modifications approved with the PD ordinance will be eliminated and the remainder of the site will need to be developed according to the standards of the base zone districts.

Existing PDs. Some older PDs may have bulks standards (dimensional) but not complete base zone districts. Lapsing all approved plans for these projects may render the site undevelopable without rezoning. Interpretation standards have been added to help both the City and the property owner address aged/shell PDs. The approved PD ordinance and ODP will remain in place, and the FDP and/or site plan will be deemed lapsed. The City may determine through the reapplication process that the property requires rezoning prior to any additional development.

Lapsed PDs. Following adoption of the new Z&DC, Planning staff and the City Attorney’s Office will explore options for addressing PDs that have already lapsed.

New standards have also been added to allow development schedule extension administratively and to specifically allow longer extensions in circumstances that affect construction, such as a recession.

Planning staff and the City Attorney’s Office are still reviewing the new provisions.

2. Module 2: Zone Districts and Uses

A. Front and Street Side Setback Dimensions (Sec. 21.03.050)

The DCC had a few discussions about the appropriate depth for front and street side setbacks. The DCC recommended changing setbacks along public right-of-way to 15 feet to reflect depth of the required multiuse easement (plus a little extra). This change has been made in residential zone districts.

A second DCC discussion focused on which side of the lot should be identified as the lot “front.” The Z&DC specifies that the shortest frontage should be the front of the lot, but with the setback change discussed above, the recommendation was to allow the developer to identify the front of the lot. The draft has been changed in Section 21.09.040(a) to reflect this.

B. Retain C-2 District (Sec. 21.03.060(f))

The DCC discussed whether to change the current C-2 district to mixed-use, identifying concerns about allowing residential development in areas with heavy commercial/light industrial uses. Staff agreed with this concern. The MU-5 district has been deleted and C-2 has been renamed CG with any changes from the current C-2 district noted accordingly.

3. Module 3: Development Standards

A. Undergrounding Utilities (Sec. 21.05.020(c)(3))

The DCC identified cost issues caused by the requirement to underground utilities as an impediment to development, particularly for redevelopment parcels with existing utility lines. The Z&DC consolidated draft includes the most recent draft standards for undergrounding utilities that originated from the Development Roundtable. The DCC generally agreed that the standards in the Development Roundtable draft are an improvement from the previous standards. Some DCC members requested additional changes to the requirements. Because the Development Roundtable version reflects the most recent conversation on the topic, that version will remain in the Z&DC. It can be revised later through further discussions with the Development Roundtable.

B. Trails (Sec. 21.05.030(c))

The DCC identified the trail construction requirement as a cost that imposes a particular burden on smaller subdivisions. In Sec. 21.05.030 Open Space Dedication, the Code requires residential subdivisions with “10 or more lots or dwelling units [to] dedicate 10 percent of the gross acreage of the property or the equivalent of 10 percent of the value of the property.” Trails are required to be constructed in addition to the 10% dedication/fee requirement. The Code currently provides relief to subdivisions with 10 or more lots, allowing the applicant to claim a trail construction offset against the open space fee:

“If a trail(s) is constructed in addition to the construction of required sidewalks, then the owner may request an offset for the cost of construction of the trail(s) against the project’s open space fee in an amount not to exceed the total open space fee.”

Smaller subdivisions, here defined as fewer than 10 dwellings or lots, are not required to provide the 10% open space dedication/fee, which is a cost savings, but are required to dedicate and construct any required trails that are planned to cross the property. Unlike larger subdivision, the open space fee offset is not available to smaller subdivisions.

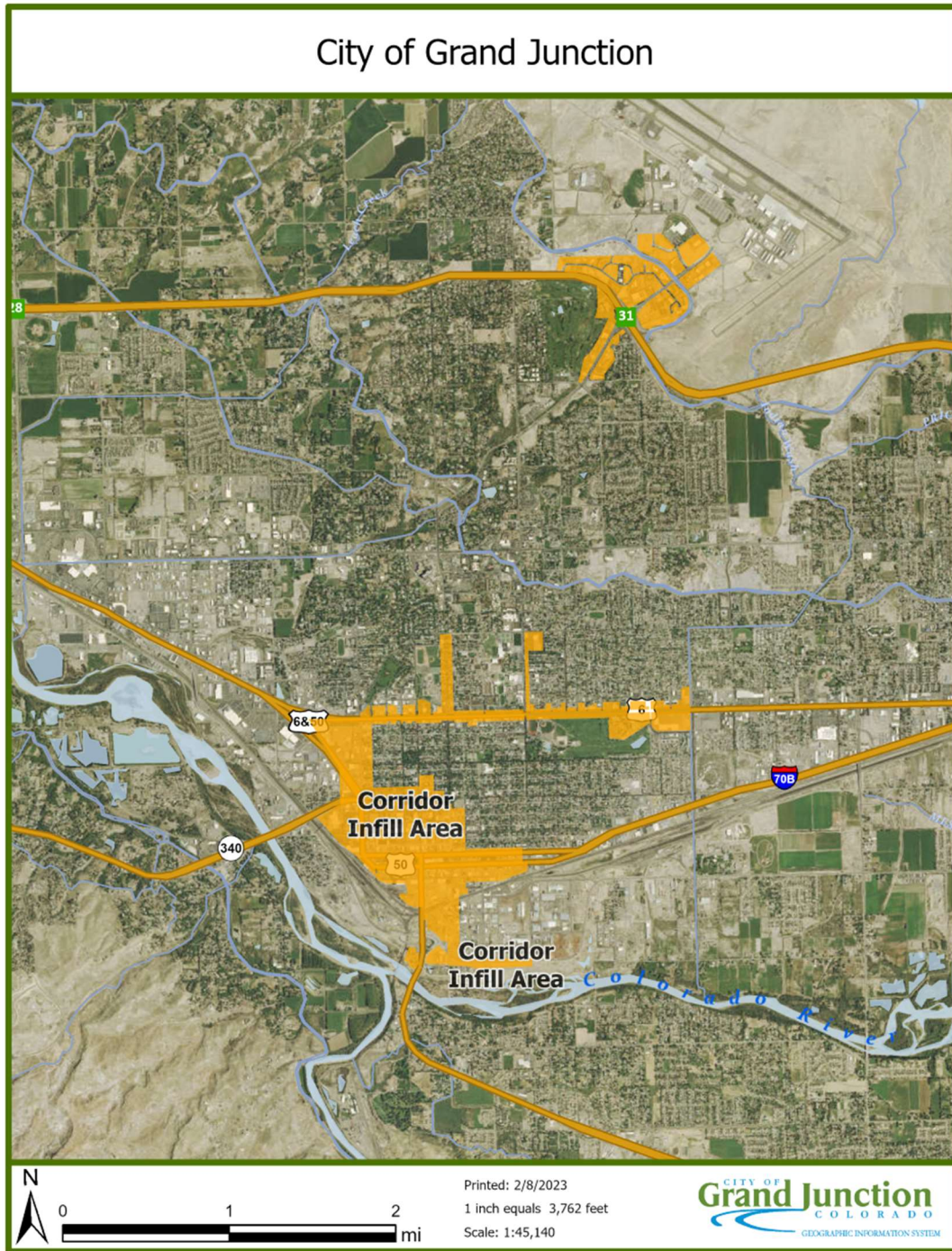
Staff is exploring the possibility of allowing Transportation Impact Fee (TCP) credit to those small subdivisions not eligible for open space fee offset, but that are required to both pay a TCP fee and provide trail construction. This change will not happen within the Z&DC update but will require an update to the nexus study that is the legal basis for fee calculation.

C. Off-Street Parking

1. Reductions to Minimum Parking Requirements (Sec. 21.08.010(c)(1) and Table 21.08-2)

The draft Z&DC includes extensive recommended reductions to minimum parking requirements. The DCC also had discussions about moving away from minimum parking requirements to a more market-driven parking approach that relies on the professional experience of the development community to

make parking determinations. Staff and the consultant team discussed locations where market-driven parking would provide a beneficial change for both developers and the City and propose and the Code reflects eliminating minimum parking requirements in the City's Corridor Infill Areas, shown on this map [Grand Junction [Development Maps](#)]:



2. Bicycle Parking and Storage (Sec. 21.08.020)

There was some DCC discussion about whether bicycle parking should be a required component of a site's overall parking requirement. The primary concern was the cost of providing space and the bike rack. The City also received input from local bicycle organizations about the need for additional bicycle parking. The consolidated draft still includes required bicycle parking based on standards recommended by the Association of Pedestrian and Bicycle Professionals (APBP).

3. Electric Vehicle (EV) Charging (Sec. 21.08.030)

The public review draft of Module 3 introduced a discussion about requiring the provision of EV charging stations through one of three regulatory options: EV-Capable (install electrical panel capacity and conduit), EV-Ready (install full circuit), or EV-Installed (install EV charging station). The DCC shared a general preference for leaving decisions about providing EV charging capability to the developer/property owner. The DCC also had a short side discussion about whether the newly adopted 2018 International Energy Conservation Code (IECC) requires EV charging capability, but these changes appear to be included in the 2021 IECC instead. The P&ZC generally shared the preference for developer decision, but also explored a requirement to provide EV-Capable parking for multifamily units. The discussion at these meetings also focused on the potential additional cost burden to developers.

The City Council discussed EV charging stations and had a general preference for requiring EV-Capable parking in the updated Z&DC, with the potential for additional changes following completion of the current EV parking planning process.

Additional research indicates that the cost of EV charging at either the Capable or Ready level is significantly less expensive when done with building construction rather than as a retrofit. An excellent summary is provided by the Southwest Energy Efficient Project (SWEET)¹, detailing that EV-Capable installed during new construction can save \$2,040 - \$4,635 per space, a different of \$10,000 - 23,175 over 5 spaces or \$20,400 - \$46,350 over 10 spaces. The consolidated draft has been revised to require 15% of the required off-street parking for multifamily and mixed-use structures (residential parking only) be installed as EV-Capable.

D. Outdoor Lighting (Sec. 21.11.050)

One Grand Junction and community input about the importance of Dark Sky lighting standards led to the addition light "temperature" requirements, as measured by the Kelvin scale. The International Dark Sky Association (IDSA) recommends lighting with a color temperature of no more than 3,000 Kelvin. There was some concern on the DCC and P&Z that 3,000 Kelvin is not effective (not cool/blue) enough to provide nighttime safety where needed. The draft has been revised to allow the Director to approve lighting up to 5,000 Kelvin for public safety reasons.

¹ EV Infrastructure Building Codes: Adoption Toolkit (<https://www.swenergy.org/transportation/electric-vehicles/building-codes>)

4. Z&DC Adjacent Issues

The following issues and processes have come up multiple times in DCC discussion but are not controlled by the Z&DC. These issues are being identified here for additional consideration by the City.

A. Authorizing Additional Impact Fee Credits

Members of the DCC have requested that the City review the current impact fees and explore opportunities for additional credits to help reduce the overall cost of development.

B. Building Code, Fire Code, and TEDS

Members of the DCC have raised concerns about delays in application processing time caused by building and fire code review and delays caused by TEDS review.

C. Application Processing Time/City Review Comments

Members of the DCC have discussed delays in application processing and receipt of City staff comments regarding application content. The Planning staff, City Attorney's Office, and consultant team have considered these comments and identified some potential changes that could be made application requirements and the application process that would help ensure the submission of a complete and sufficient application that is ready for prompt City review. These changes will be explored further following adoption of the updated Z&DC.

D. Cost of Construction and Site Features Relative to Creation of Affordable Housing

Members of the DCC have expressed concerns about the impact of new development requirements in the updated Z&DC on the cost of housing. In addition to some modest new requirements in the Z&DC that were included to implement One Grand Junction, there have also been significant reductions to development requirements and lot dimensional requirements along with expansions to permitted uses. Planning staff and the consultant team are preparing a summary of these changes for DCC and City review.