

ORDINANCE NO. 3956

AN ORDINANCE AMENDING SECTIONS 3.2 and 3.4.C. OF THE ZONING AND DEVELOPMENT CODE

Recitals

An amendment to the text of the Growth Plan was recently approved that eliminated restrictions on maximum residential density in mixed-use and residential density developments in the downtown area.

For purposes of the change to the Growth Plan the “Downtown area” was generally regarded as the area currently zoned Downtown Business B-2. Thus, the proposed amendments to the Zoning and Development Code pertaining to the B-2 zone district are intended to implement the policy change in the Growth Plan.

In addition to the amendment to the residential density in the downtown area, it is appropriate to make adjustments to other Code requirements in the B-2 zone district to allow for and promote well-designed, functional urban developments. The majority of the other Code requirements such as landscaping and the provision of open space contemplate developments more suburban in character. Similar to the 24 unit per acre cap on residential density, such requirements are viewed as impediments to creating a downtown urban fabric.

The Grand Junction Planning Commission, at its hearing on July 25, 2006 reviewed the proposed Zoning and Development Code amendments and determined them consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED TO READ AS FOLLOWS:

B-2: Downtown Business

- Purpose.** To provide concentrated downtown retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The B-2 District promotes the vitality of the Downtown Commercial Core Area as provided by the GROWTH PLAN. Thus, pedestrian circulation is encouraged

B-2 Summary	
Primary Uses	Offices, Retail, Civic, Government, Services, Residential
Max. Intensity	8.0 FAR, No max residential density
Min. Density	8 units/acre

as are common parking areas. This district implements the *commercial* future land use classification of the GROWTH PLAN.

2. **Authorized Uses.** Table 3.5 lists the authorized Uses in the B-2 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following Intensity/Density provisions shall apply:
 - a. There shall be no maximum gross density within the B-2 zone district.
 - b. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 8.0; and
 - c. Minimum net density shall not be less than eight (8) dwellings per acre if the only uses are residential. Minimum density shall not apply to mixed use developments.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.**
 - a. **Landscaping.** Landscaping requirements may be waived by the Director for any property fronting on White Avenue, Rood Avenue, Main Street, Colorado Avenue, or Ute Avenue between 1st Street and 8th Street if street-scaping exists or will be provided in the right-of-way.
 - b. **Service Entrances.** Service entrances, service yards and loading areas shall be located only in the rear or side yard. In a B-2 District a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).
 - c. **Mixed Use.** There shall be no maximum residential density for Mixed Use projects in a B-2 zone district.
 - d. **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure, except for automotive display lots, which shall require approval of a Conditional Use Permit. Portable display of retail merchandise may be permitted subject to this Code.

6. **Open Space.**

- a. **Public Parks and Open Space Fee.** The owner of any residential or mixed use project in a B-2 zone district shall be subject to the required Parks Impact Fee .
- b. **Open Space Requirement.** Multifamily or mixed use developments in a B-2 zone district shall not be subject to the open space requirement of Section 6.3.B.7; but shall be required to pay 10% of the value of the raw land of the property as determined in Section 6.3.B.

Also, the following amendment is proposed to revise note 7 in Table 3.2, Zoning and Dimensional Standards.

7. Setbacks may be reduced to zero feet (0') by the Director.

Introduced on first reading this 2nd day of August, 2006 and ordered published.

Adopted on second reading this 16th day of August, 2006.

/s/: James J. Doody
Mayor

ATTEST:

/s/: Stephanie Tuin
City Clerk