



Grand Junction Planning Commission

Regular Session

Item #5.

Meeting Date: May 12, 2020

Presented By: Kristen Ashbeck, Principal Planner/CDBG Admin

Department: Community Development

Submitted By: Kristen Ashbeck

Information

SUBJECT:

Consider a request by the City of Grand Junction to amend Title 21 of the Grand Junction Municipal Code regarding requirements for Neighborhood Meetings

RECOMMENDATION:

Staff recommends approval of the request.

EXECUTIVE SUMMARY:

Staff proposes to clarify requirements for a neighborhood meeting prior to a development application which is an ongoing planning process or of little consequence to neighboring properties but that remains useful in achieving the intended purpose of a neighborhood meeting.

BACKGROUND OR DETAILED INFORMATION:

BACKGROUND

The Zoning and Development Code requires an applicant to conduct a neighborhood meeting pertaining to a proposed development. A neighborhood meeting is required to occur no more than six months prior to the submittal of an application and is intended to help produce a better project through dialogue between the developer and neighboring property owners prior to the submittal of a development application. A neighborhood meeting is also intended to provide information about the project so that neighbors may gauge potential impacts and engage in a dialogue about mitigation of potential impacts. The Zoning and Development Code identifies the certain types of proposed development for which neighborhood meetings are required before an application is submitted, whether approved administratively or whether the item

requires final action by the Planning Commission and/or City Council. Section 21.02.070 addresses the requirement for administrative development permits and Section 21.02.080 addresses the requirement for permits that involve a public hearing/action by Planning Commission and/or City Council. The Planning Commission discussed this topic at its February 20, 2020 workshop and directed staff to proceed with the following proposed changes.

Neighborhood Meetings for Administrative Review Applications

Presently, for proposed development applications that are reviewed and approved administratively the code (21.02.070) provides that a neighborhood meeting be required prior to a submittal of an application for any subdivision except for simple subdivisions (creating only 1 new lot) and major site plan applications. The purpose of a neighborhood meeting makes sense when a project is proposed on vacant property, redevelops an existing site or adds more density or intensity of use to a neighborhood. In these instances it is staff's belief that it is both appropriate and essential to give neighbors the opportunity to learn about a project and to ask questions and provide comments prior to submittal of a land use application.

Staff also believes it does not make sense to hold a neighborhood meeting in instances where a neighborhood meeting was initially conducted for the overall proposed development such as a new subdivision but not when the already approved project is moving forward on implementing the approved plan through various stages of a project. A recent example is the Granite Falls Subdivision off South Camp Road. A neighborhood meeting was held prior to the submittal of the preliminary plan whereby neighbors attended and expressed comments regarding the project. The preliminary plan was then refined, submitted and ultimately approved by staff. The project has continued to be constructed consistent with its approved preliminary plan and is now moving forward with its third filing. As currently written, the Code would require that prior to the filing of each final plat, a neighborhood meeting would be held. However, the final plat is required to be consistent with the approved preliminary plan, so in effect, a neighborhood meeting is required but any new comments submitted would be unable to be utilized/incorporated if they were inconsistent with the approved preliminary plan; thereby creating an ineffective neighborhood meeting. To modify this section, staff is proposing to add language in Section 21.02.070(a)(2)(iv) that provides an exception for final plans for continuous phases/filings of a subdivision to not require a neighborhood meeting. The proposed exception to a neighborhood meeting in this instance is as follows:

(iii) Continuous phases and/or filings of an approved Preliminary Subdivision Plan

A second exception proposed to be added to the Neighborhood Meeting section is the exemption for a subdivision application to be required to hold a neighborhood meeting if the proposed subdivision was presented as part of a previous neighborhood meeting.

This instance frequently occurs when a property owner requests rezone of a property and, if approved, follows shortly thereafter with submittal of a subdivision application. It is required for a neighborhood meeting to be held prior to the submittal of a rezone application and it is commonplace for an applicant to also present and discuss the proposed future subdivision plans at the time of the neighborhood meeting. Requiring a second neighborhood meeting is generally perceived by staff as redundant so long as significant amount of time has not passed between the completion of a rezone and the filing of a subdivision application. The neighbors would continue to receive mailed notice that a subdivision application had been submitted for review. The proposed code modification is as follows:

(iv) Subdivision applications for which a neighborhood meeting was held for a concurrent application such as a rezone so long as information about the proposed subdivision was presented at a neighborhood meeting. The concurrent application must have been considered in a public hearing no more than 180 days prior to the subdivision application submittal.

The last exception for a Neighborhood Meeting is the need for clarification related to section 21.02.150(c) pertaining to a Final Development Plan for a Planned Development. Like the previous discussion about the preliminary and final plans, Outline Development Plan applications require a neighborhood meeting, but it is unclear for the final plan (that is equivalent to platting all or part of an ODP). The addition of the following section works to clarify this portion of the Code:

(v) An application for subdivision that is being filed as a Final Development Plan consistent with Section 21.02.150(c).

Neighborhood Meetings for Applications Requiring Public Hearing

In the case of development applications that require a public hearing/action by Planning Commission and/or City Council, Section 21.02.080 is presently silent on the specific types of applications for which a neighborhood meeting is required. The code simply lists neighborhood meetings as a requirement for all applications/permits requiring a public hearing. Similar to the discussion above, the requirement for a neighborhood meeting works to implement the purpose of the neighborhood meeting for most land use applications that require a public hearing, however, there are minor applications that require a proposal be reviewed at a public hearing but that have little, if any, impact on a neighborhood; in particular a proposal to vacate an easement on a property. In this instance, staff does not believe a neighborhood meeting would produce a better project or provide reasonable changes as vacation of public easement are generally technical details related specifically to City infrastructure and utilities. To modify this section, staff is proposing to add language in Section 21.02.100 that provides a neighborhood meeting is not required for an easement vacation application, as follows:

21.02.100(e) A Neighborhood Meeting is not required prior to application for the vacation of an easement.

NOTIFICATION REQUIREMENTS

Notice was completed as required by Section 21.02.080(g). Notice of the public hearing was published on May 5, 2020 in the Grand Junction Daily Sentinel.

ANALYSIS

In accordance with Section 21.02.140(c), a proposed text amendment shall address in writing the reasons for the proposed amendment. There are no specific criteria for review because a code amendment is a legislative act and within the discretion of the City Council to amend the Code with a recommendation from the Planning Commission. Reasons for the proposed amendments are provided in the Background section of this report.

STAFF RECOMMENDATION AND FINDINGS OF FACT

Staff finds that the proposed amendments to the Zoning and Development Code are useful in reducing process redundancy and clarify and modify procedures to be consistent with the purposes of this section.

Therefore, Staff recommends approval of the request.

SUGGESTED MOTION:

Madam Chair, on the Zoning and Development Code Amendments, ZCA-2020-173, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact as listed in the staff report.

Attachments

1. Neighborhood Meetings Proposed Ordinance