

Chapter 17.07
ZONE DISTRICTS - USES AND GENERAL REQUIREMENTS

Sections:

- 17.07.010** **Establishment of Zone Districts**
- 17.07.020** **Incorporation of Official Zoning Map**
- 17.07.030** **Zone District Boundaries**
- 17.07.040** **Application of Zone District Regulations**
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- 17.07.080** **Legal Non-Conforming Uses, Structures, and Lots**

17.07.010 ESTABLISHMENT OF ZONE DISTRICTS. To carry out the purposes of the Master Plan and the purposes and provisions of this Title 17, the incorporated area of the City of Fruita is hereby divided into the following zone districts for the purposes set forth below:

- A. Rural and Agricultural (RA). Purpose: The purpose of the Rural and Agricultural Zone District is to allow, rural and agricultural uses and to preserve, and enhance the rural character of the outlying areas of Fruita. This zone allows agricultural uses and low density residential development. The Rural Agricultural Zone has an allowable density of one (1) dwelling unit per three (3) gross acres and allows the use of individual sewage disposal septic systems.

- B. Rural Residential (RR). Purpose: The purpose of the Rural Residential Zone District is to allow low density residential, rural and agricultural uses as a transition between the Community Residential and Rural Agricultural Zone Districts. The Rural Residential Zone has an allowable density of one (1) unit per three (3) gross acres without City wastewater collection system, or one (1) unit per two (2) gross acres with a City wastewater collection system. However, if a sufficient number of development rights/credits are transferred pursuant to Chapter 17.09, a density of up to one (1) unit per one-half (.5) acre with wastewater collection service may be allowed.

- C. Community Residential (CR). Purpose: The purpose of the Community Residential Zone District is to allow single family homes and a limited number of duplexes for every single family house. Smaller front yard setbacks (15') and revised side yard setbacks will be allowed for houses that incorporate the concepts of "new urbanism"; i.e. place porches in the front and garages, car ports and parking areas in the rear half of the lot.

- D. Large Lot Residential (LLR). Purpose: The purpose of this zone district is to allow larger lot developments in the same areas as the Community Residential Zone District and the Rural Residential Zone District, and if developments utilize this zoning, to delete the requirement

for sidewalks on both sides of the street, as long as an alternate pedestrian pathway system is incorporated in the design of the development.

- E. South Fruita Residential (SFR). Purpose: Located south of Interstate Highway I-70, north of the Colorado River and east of the Tourist Commercial Design District, this zone district has an allowable density of two (2) units per gross acre. However, if a sufficient number of development rights/credits are transferred pursuant to Chapter 17.09, a density of up to four (4) units per gross acre may be allowed.
- F. Downtown Commercial/Residential Design District (DCRD) Purpose: This area includes the historic downtown area centered on Circle Park. Mixed-use development, such as commercial on the ground floor and residential on the second story is encouraged within this zone district. Multi-family housing units are encouraged adjacent to the commercial core to help create a vibrant downtown with more residents within walking distance. Design standards will apply to all new commercial construction and commercial remodels in keeping with the historic character of downtown. The Downtown Commercial/Residential Design District Zone District has an allowable density of four (4) units per gross acre. However, if a sufficient number of development rights/credits are transferred pursuant to Chapter 17.09, a density of up to eight (8) units per gross acre may be allowed.
- G. Monument Preservation (MP). Purpose: To encourage a recreational and environmental buffer between the Colorado National Monument and Bureau of Land Management lands and the planned unit development area with low intensity residential uses that preserve open space quality. Permitted uses include low intensity recreational amenities, open space and low intensity single family residential development that blends in with the existing natural character; maximum density of one (1) dwelling unit per five (5) gross acres.
- H. Tourist Commercial Design District (State Highway 340) (TCD). Purpose: Located south of Interstate I-70 along the State Highway 340 corridor, this developing commercial area is becoming a center for tourism. Special southwestern design standards have been incorporated for this area which are required for all new construction, as well as landscaping, trails and other amenities.
- I. Large Lot Commercial Design District (US 6) (LLCD). Purpose: This area extends along the US Highway 6 corridor from 16.5 Road to 20 Road. In order to mitigate the need for multiple driveways onto the highway and a potentially unattractive commercial strip, relatively large lots (at least two (2) acres) are required along with design and site planning standards, such as landscaping, frontage requirements, setback standards, and screening requirements.
- J. Limited Industrial and Research and Development (LIRD). Purpose: To encourage non-polluting industrial and research and development activities designed to meet acceptable

locally established standards for noise and odor impacts. Allowed uses include light industrial and manufacturing plants, research and development office parks, and food services for employees.

- K. River Corridor (Floodplain and Floodway Areas) (RC). Purpose: To encourage preserved flood plains and open space in compliance with the Federal Emergency Management Agency's Federal Flood Insurance Program along the Colorado River and other streams, washes, creeks and water courses within the City. Allowed uses include agricultural, passive recreation and trails, boat launches and a limited number of mobile concession stands selling refreshments and local products, or renting recreational equipment. Gravel pits are also allowed as a conditional use.
- L. Planned Unit Development (PUD). Purpose: The purpose of this zone district is to encourage high quality master planned residential communities with community facilities, neighborhood convenience commercial services and accessible and useable open space. Allowed uses include single family dwelling units, condominiums, town homes, and garden apartments; neighborhood convenience services such as grocery stores, small coffee shops, restaurants, cleaners, video rental stores, and professional service offices; and neighborhood parks, pocket parks, open space and trails. This zone also permits mobile home parks, mobile home subdivisions, and manufactured housing subdivisions.
- M. Community Services and Recreation (CSR). Purpose: To provide public and private recreational land, facilities, schools, fire stations, libraries, fairgrounds and other public and quasi-public lands and buildings. The district includes open space areas which are set aside to prevent environmental damage to sensitive areas and to limit development in areas that are unsuitable for development due to flooding or geologic hazards. The CSR Zone District includes public and homeowners association neighborhood and pocket parks, outdoor recreation facilities, open space corridors, environmental areas and are connected with other parks, trails and recreational facilities. This District helps implement the open space, trails and parks Chapter of the Fruita Community Plan 2020.

17.07.020 INCORPORATION OF OFFICIAL ZONING MAP. The location and boundaries of the zone districts established by this Chapter are shown on the "Official Zoning Map" of the City of Fruita as updated from time to time by the Community Development Department. Said zoning map, together with all data shown thereon and all amendments thereto, is by reference hereby incorporated into this Chapter. The Official Zoning Map shall be identified by the signature of the Mayor and shall bear the date of adoption. Changes in zone districts shall be made only by amendment to this Chapter, and any such change shall be promptly entered on the Official Zoning Map, with an entry on the Map identifying the amending ordinance; or a revised or supplementary zoning map shall be prepared showing such changes. The Official Zoning Map shall be kept in the offices of the City Clerk or Community Development Director.

17.07.030 ZONE DISTRICT BOUNDARIES. Except where otherwise indicated, zone district boundaries shall follow municipal corporation limits, section lines, lot lines, center lines of water courses, and right-of-way center lines or extensions thereof. In unsubdivided land or where a zone district boundary divides a lot or parcel, the location of such boundary, unless indicated by dimensions, shall be determined by scale of the Official Zoning Map. Where a zone district boundary coincides with a right-of-way line and said right-of-way is subsequently abandoned, the zone district boundary shall then follow the center line of the former right-of-way. Land not part of public rights-of-way and which is not indicated as being in any zone district shall be considered to be included in the most restrictive adjacent zone district, even when such district is separated from the land in question by a public right-of-way.

17.07.040 APPLICATION OF ZONE DISTRICT REGULATIONS. Except as hereinafter provided, within the municipal boundaries of the City of Fruita:

- A. No building or structure shall be erected and no existing building or structure shall be moved, removed, altered or extended, nor shall any land, building or structure be used for any purpose or in any manner other than as provided among the uses listed in Section 17.07.050 and the zone district requirements and regulations for the district in which such land, building or structure is located.
- B. No building or structure shall be erected nor shall any existing building or structure be moved, removed, altered or extended, nor shall any open space surrounding any building or structure be encroached upon or reduced in any manner except in conformity with the lot area, lot coverage, setback and height provisions set forth in subsection 17.07.050(E) for the district in which such land, building or structure is located.
- C. No lot area, frontage, yard or other open space or parking space provided around any building or structure for purposes of compliance with provisions of this Title 17 shall be considered as providing lot area, frontage, yard or other open space for any other building or structure on the same lot or on any other lot.
- D. Uses permitted by this Chapter may also be subject to provisions of other applicable City, County, and State laws and regulations, and where the provisions of this Chapter impose a greater restriction than required by other land use regulations, the provisions of this Chapter shall govern.
- E. In their application and interpretation, the provisions of this Chapter shall be considered minimum requirements. Nothing herein shall impair the obligations of or interfere with private agreements or covenants in excess of the minimum requirements. Where this Chapter imposes a greater restriction than that imposed by existing contract, covenant or deed, the provisions of this Chapter shall control.

17.07.050 ZONE DISTRICT USES AND REQUIREMENTS. Except as hereinafter provided, within the municipal boundaries of the City of Fruita:

- A. All combinations of allowed uses and development standards may not be appropriate at a particular location within a zone district even if a use is designated as an allowed use in this Section. Any proposed land use must be compatible with the uses and site design of surrounding properties and meet the general performance standards set forth in Section 17.07.070. Therefore, any proposed change in use of a building, structure or lot must receive an approved planning clearance in accordance with Section 17.11.010. No planning clearance shall be approved unless the proposed land use is consistent with the intent and purposes of the Land Use Code and is compatible with land uses surrounding the site.
- B. A planning clearance for a change in use for a use designated as an allowed use may be approved administratively by the Community Development Director or referred to the Planning Commission for review at a public hearing.
- C. The following tables indicate allowed uses and conditional uses; the requirements for minimum lot area, minimum setbacks, maximum building height and maximum lot coverage in each of the zone districts. Uses and lot coverage requirements in planned unit developments are governed by Chapter 17.35 and the applicable PUD plan and control guide. Unless modified in an approved PUD plan/control guide, the regulations in this Land Use Code will apply.
- D. Schedule of Allowed and Conditional Uses in Zone Districts.

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USE/ZONE DISTRICT MATRIX TABLE

Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
RESIDENTIAL USES												
Household Living												
Business Residence	*	*	*	*	*	A	*	A	A	A	*	*
Rooming/Boarding House	*	*	*	*	*	C	*	C	*	*	*	*
Dwelling, Single-Family Attached	C	C	A	A	A	A	*	*	*	*	*	*
Dwelling, Single-Family Detached	A	A	A	A	A	A	A	*	*	*	A	*
Duplex	*	*	A	*	*	A	*	*	*	*	*	*
Dwelling, Multi-Family	*	*	A	*	*	A	*	*	*	*	*	*
Agricultural Labor Housing	C	*	*	*	*	*	*	*	*	*	*	*
Town Home	*	*	C	C	C	A	*	*	*	*	*	*
Manufactured Housing Park ¹	*	*	C	*	*	*	*	*	*	*	*	*
Mobile Home Park ¹	*	*	C	*	*	*	*	*	*	*	*	*
Manufactured Home ²	C	C	C	C	C	*	*	*	*	*	*	*
Mobile Home ¹	*	*	*	*	*	*	*	*	*	*	*	*
Accessory Dwelling Unit	A	A	A	A	A	A	A	*	*	*	*	*
Modular Home	C	C	C	C	C	C	C	C	C	C	C	*
Dwelling, Caretaker	A	*	*	*	*	A	*	A	A	A	*	*
Home Occupation												
Home Occupation	A	A	A	A	A	A	A	A	A	A	A	*
Group Living												
Small Group Living Facility/State Licensed	A	A	A	A	A	A	A	A	A	C	A	*

NOTES: ¹ Mobile homes and manufactured homes certified pursuant to the “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. § 5401, *et. seq.*, as amended or certified pursuant to Sections 24-32-701, *et. seq.*, C.R.S., are allowed in mobile home and manufactured home parks and subdivisions.
² Manufactured homes may be allowed on single lots in Fruita by conditional use permit only and shall not be allowed in subdivisions where they are prohibited by the subdivision’s covenants.

KEY:

- * - Means not allowed
- A - Means allowed in the indicated zone, subject to compatibility with surrounding land uses and supplementary zoning regulations and standards with an approved planning clearance issued by the City of Fruita and approved Planning Clearance for a Building Permit issued by the Mesa county Building Department.
- C - Allowed by conditional use permit only. Conditional use permits are granted by the City Council and the City Planning Commission based on an application, public hearing and in accordance with conditions set forth by the Planning Commission and City Council (see conditional use Section 17.11.030 of these regulations).

RA	Rural Agricultural	DCRD	Downtown Commercial/Residential Design District
RC	River Corridor	MP	Monument Preservation
RR	Rural Residential	TCD	Tourist Commercial Design District (State Hwy. 340)
CR	Community Residential	LLCD	Large Lot Commercial Design District
LLR	Large Lot Residential	LIRD	Limited Industrial and Research and Development
SFR	South Fruita Residential	CSR	Community Services Recreation

Planned Unit Development (PUD) Zone uses are specified in each PUD plan/control guide.

USE/ZONE DISTRICT MATRIX TABLE												
Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
RESIDENTIAL USES												
Group Living												
Large Group Living Facility/Group	*	*	C	*	*	C	*	*	*	*	*	*
Unlimited Group Living Facility	*	*	*	*	*	C	*	*	*	*	*	*
INSTITUTIONAL & CIVIC												
Colleges and Vocational Schools												
Colleges and Universities	*	*	C	*	C	C	*	*	C	C	*	C
Vocational, Technical & Trade	*	*	C	*	C	A	*	A	A	A	*	C
All Other Education Institutions	*	*	C	*	C	A	*	A	A	A	*	C
Community Service												
Public Buildings	C	C	C	C	C	A	C	A	A	A	C	C
Cultural												
Museum, Art Galleries, Opera Houses,	C	C	C	C	C	A	C	A	A	C	C	C
Day Care												
Home-Based Daycare, Family Foster Home	A	A	A	A	A	A	A	C	C	C	C	*
Childcare Facility, Nursery School	C	C	C	C	C	A	C	A	A	C	C	*
Detention Facilities												
Jails, Honor Camps, Reformatories, Detention	*	*	*	*	*	*	*	*	C	C	*	C
Community Corrections Facility	*	*	*	*	*	*	*	*	C	C	*	C
Hospital/Clinic												
Medical and Dental Clinics	*	*	*	*	*	A	*	A	A	C	*	C
Counseling Centers (nonresidential)	*	*	*	*	*	A	*	A	A	A	*	C
Hospital/Mental Hospital	*	*	*	*	*	C	*	C	C	C	*	C
Physical and Mental Rehabilitation (resident)	*	*	*	*	*	A	*	A	A	C	*	C
All Other	*	*	*	*	*	C	*	C	C	C	*	*

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INSTITUTIONAL & CIVIC												
Parks and Open Space												
Cemetery	A	A	A	A	A	A	A	A	A	A	A	A
Golf Course	A	A	A	A	A	A	A	A	A	A	A	A
Campground, Primitive	C	*	*	*	*	*	*	C	C	*	C	C
Golf Driving Ranges	C	C	C	C	C	C	C	C	C	C	C	C
Parks, Lakes, Reservoirs, Greenways	A	A	A	A	A	A	A	A	A	A	A	A
All Other	C	C	C	C	C	C	C	C	C	C	C	A
Religious Assembly/Church												
All	A	A	A	A	A	A	A	A	A	A	A	A
Funeral Homes/Mortuaries/Crematories												
All	*	*	*	*	*	C	*	C	C	C	*	*
Safety Services												
Public Safety and Emergency Response	C	C	C	C	C	C	C	C	C	C	C	A
Schools												
Boarding Schools	C	C	C	C	C	C	C	C	C	C	C	C
Elementary Schools	A	A	A	A	A	A	A	A	A	A	A	A
Secondary Schools	A	A	A	A	A	A	A	A	A	A	A	A
Utility, Basic												
Utility Service Facilities, (Underground)	A	A	A	A	A	A	A	A	A	A	A	A
All Other Utility, Basic	C	C	C	C	C	C	C	C	C	C	C	A
Utility Corridors												
Transmission Lines (above ground)	C	C	C	C	C	C	C	C	C	C	C	A
Transmission Lines (under ground)	C	C	C	C	C	C	C	C	C	C	C	A

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INSTITUTIONAL & CIVIC												
Utility Corridors												
Utility Treatment, Production or Service	*	*	*	*	*	C	*	C	C	C	*	*
All Other	C	C	C	C	C	C	C	C	C	C	C	*
COMMERCIAL												
Entertainment Event, Major												
Indoor Facilities	*	*	*	*	*	A	C	A	A	C	C	C
Outdoor Facilities	*	*	*	*	*	A	C	A	A	C	C	C
Lodging												
Hotels and Motels, Lodges, Transient	*	*	*	*	*	A	*	A	A	A	*	*
Bed and Breakfast (1-3 guest rooms)	C	C	C	C	C	A	C	A	A	C	C	*
Bed and Breakfast (4-5 guest rooms)	C	C	C	C	C	A	C	A	C	C	C	*
Office												
General Offices	*	*	*	*	*	A	*	A	A	A	*	A
Office with Drive-In Facilities	*	*	*	*	*	C	*	A	A	A	*	A
Parking, Commercial												
All	*	*	*	*	*	A	*	A	A	A	*	A
Recreation and Entertainment, Outdoor												
Recreational Vehicle Parks, Resorts and	C	*	*	*	*	*	C	C	C	*	C	C
Resort Cabins and Lodges	C	*	*	*	*	*	C	C	C	*	C	C
Swimming Pools, Community	C	C	C	C	C	C	C	C	C	C	C	A
Shooting Ranges, Outdoor	*	*	*	*	*	*	*	*	*	C	C	C
Amusement Park	*	*	*	*	*	*	*	C	C	*	*	C
Drive-In Theater	*	*	*	*	*	*	*	C	C	*	*	C

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*Adopted 4/6/04
Effective 5/6/04*

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COMMERCIAL												
Recreation and Entertainment, Outdoor												
Miniature Golf	*	*	*	*	*	A	*	A	A	*	*	A
Riding Academy, Roping or Equestrian Area	C	C	C	C	C	*	C	C	C	*	C	C
Recreation and Entertainment, Indoor												
Zoo	*	*	*	*	*	*	*	C	C	*	C	C
All Other Outdoor Commercial Recreation	C	C	*	C	C	C	C	A	A	A	A	A
Health Club	*	*	C	*	*	A	*	A	A	A	*	A
Movie Theater	*	*	*	*	*	A	*	A	A	A	*	A
Skating Rink	*	*	*	*	*	A	*	A	A	C	*	A
Arcade	*	*	*	*	*	A	*	A	A	C	*	A
Shooting Ranges, Indoor	*	*	*	*	*	*	*	C	C	C	*	C
All Other Indoor Recreation	*	*	*	*	*	A	*	A	A	C	*	A
Retail Sales and Service												
Sexually Oriented Businesses	*	*	*	*	*	*	*	*	C	*	*	*
Alcohol Sales, Retail	*	*	*	*	*	A	*	A	A	*	*	*
Retail Sales and Service												
Bar/Nightclub	*	*	*	*	*	C	*	C	C	*	*	*
Animal Clinic/Hospital/Boarding/Sales,	*	*	*	*	*	C	*	C	C	C	*	*
Animal Clinic/Hospital/Boarding/Sales,	*	*	*	*	*	C	*	C	C	C	*	*
Contractors and Trade Shops, Indoor	*	*	*	*	*	C	*	C	A	A	*	*
Contractors and Trade Shops, Outdoor	*	*	*	*	*	C	*	C	A	A	*	*
Delivery and Dispatch Services (Vehicles on-	*	*	*	*	*	C	*	C	A	A	*	*
Drive-In Facilities (Restaurants Retail)	*	*	*	*	*	C	*	A	A	*	*	*

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COMMERCIAL												
Retail Sales and Service												
Food Service, Catering	*	*	*	*	*	A	*	A	A	A	*	*
Food Service, Restaurant (Including alcohol	*	*	*	*	*	A	*	A	A	A	*	A
Food Service, Restaurant (Not including	*	*	*	*	*	A	*	A	A	A	*	A
Farm Implement /Equipment Sales/Service	*	*	*	*	*	A	*	A	A	A	*	*
Flea Market	*	*	*	*	*	C	*	C	C	*	*	*
Feed Store	*	*	*	*	*	C	*	C	A	A	*	*
Fuel Sales, Automotive/Appliance	*	*	*	*	*	A	*	A	A	A	*	*
Fuel Sales, Heavy Vehicle	*	*	*	*	*	A	*	A	A	A	*	*
General Retail Sales, Indoor Operations,	*	*	*	*	*	A	*	A	A	A	*	*
General Retail Sales, Outdoor Operations,	*	*	*	*	*	A	*	A	A	A	*	*
Nursery/Greenhouse	*	*	*	*	*	A	*	A	A	A	*	A
Manufactured Building Sales and Service	*	*	*	*	*	C	*	C	A	C	*	*
Rental, Home Oriented, Indoor	*	*	*	*	*	A	*	A	A	A	*	*
Rental, Heavy Equipment, Outdoor	*	*	*	*	*	A	*	A	A	A	*	*
Repair, Small Appliance	*	*	*	*	*	A	*	A	A	A	*	*
Repair, Large Appliance	*	*	*	*	*	A	*	A	A	A	*	*
Personal Services	*	*	*	*	*	A	*	A	A	A	*	*
All Other Retail Sales and Service	*	*	*	*	*	A	*	A	A	A	*	*

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*Adopted 4/6/04
Effective 5/6/04*

USE/ZONE DISTRICT MATRIX TABLE												
Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
COMMERCIAL												
Self Service Storage												
Mini Warehouse/Self Service Storage Facility	*	*	*	*	*	C	*	C	A	A	*	*
Vehicle Repair												
Auto and Light Truck Mechanical Repair	*	*	*	*	*	C	*	A	A	A	*	*
Body Shop	*	*	*	*	*	C	*	A	A	A	*	*
Truck Stop/Travel Plaza/Truck Parking Area	*	*	*	*	*	*	*	C	C	C	*	*
Tire Recapping and Storage	*	*	*	*	*	*	*	C	C	C	*	*
All Other Vehicle Repair	*	*	*	*	*	C	*	A	A	A	*	*
Vehicle Service, Limited												
Car Wash	*	*	*	*	*	C	*	A	A	A	*	*
Gasoline Service Station	*	*	*	*	*	C	*	A	A	A	*	*
Quick Lube	*	*	*	*	*	C	*	A	A	A	*	*
All Other Vehicle Service, Limited	*	*	*	*	*	C	*	A	A	A	*	*
INDUSTRIAL												
Manufacturing and Production - Indoor Operations and Storage												
Assembly	*	*	*	*	*	*	*	*	A	A	*	*
Food Products	*	*	*	*	*	*	*	*	A	A	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	A	A	*	*
Manufacturing and Production - Indoor Operations With Outdoor Storage												
Assembly	*	*	*	*	*	*	*	*	*	A	*	*
Food Products	*	*	*	*	*	*	*	*	*	A	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	*	A	*	*

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USE/ZONE DISTRICT MATRIX TABLE

Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
INDUSTRIAL												
Outdoor Operations and Storage												
Assembly	*	*	*	*	*	*	*	*	*	A	*	*
Food Products	*	*	*	*	*	*	*	*	*	A	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	*	A	*	*
All Other Industrial Service	*	*	*	*	*	*	*	*	*	A	*	*
Junk Yard												
Junk Yard	*	*	*	*	*	*	*	C	C	C	*	*
Impound Lot												
Impound Lot	*	*	*	*	*	C	*	C	C	C	*	*
Heavy Equipment Storage/Pipe Storage												
All	*	*	*	*	*	*	*	*	C	C	*	*
Warehouse and Freight Movement												
Indoor Operations, Storage and Loading	*	*	*	*	*	*	*	C	A	A	*	A
Warehouse and Freight Movement												
Indoor Storage with Outdoor Loading Docks	*	*	*	*	*	C	*	C	A	A	*	A
Outside Storage or Loading	*	*	*	*	*	*	*	*	C	A	*	A
Gas or Petroleum Storage	*	*	*	*	*	*	*	*	C	C	*	C
Sand or Gravel Storage	*	*	*	*	*	*	*	*	C	C	*	C
All Other	*	*	*	*	*	*	*	*	C	A	*	*
Waste Related Uses												
Non-Hazardous Waste Transfer	*	*	*	*	*	*	*	*	C	C	*	C
Medical/Hazardous Waste Transfer Station	*	*	*	*	*	*	*	*	C	C	*	C
Solid Waste Disposal Sites	*	*	*	*	*	*	*	*	*	C	*	C

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USE/ZONE DISTRICT MATRIX TABLE

Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
INDUSTRIAL												
Waste Related Uses												
Recycling Collection Points	*	*	*	*	*	*	*	*	C	C	*	C
All Other Waste Related/Recycling Center	*	*	*	*	*	*	*	*	*	C	*	C
Wholesale Sales												
Wholesale Business (No highly flammable	*	*	*	*	*	C	*	C	A	A	*	*
Agri Business	*	*	C	*	*	C	*	C	C	C	*	*
All Other Wholesale Uses	*	*	*	*	*	C	*	C	C	C	*	*
OTHER												
Agricultural												
Animals Agricultural; Confinement	*	*	*	*	*	*	*	*	C	C	*	C
Dairy	*	*	*	*	*	*	*	*	*	C	*	C
Confined Animal Feeding Operation, Feedlot	*	*	*	*	*	*	*	*	*	C	*	C
Farm and Ranch Guidelines												
Forestry, Commercial	*	*	*	*	*	*	*	C	C	A	C	*
Pasture, Commercial	C	*	*	*	*	*	C	A	A	A	C	C
Winery	C	C	*	*	*	*	C	C	C	A	C	C
All Other Agriculture	A	A	*	*	*	*	A	*	*	A	A	C
Aviation or Surface Passenger												
Airports/Heliports	*	*	*	*	*	*	*	C	C	C	C	C
Bus/Commuter Stops	A	A	A	A	A	A	A	A	A	A	A	A
Bus/Railroad Depot	*	*	*	*	*	C	*	A	A	A	*	A
Helipads	*	*	*	*	*	*	*	C	C	C	C	C
All Other Aviation or Surface Passenger	*	*	*	*	*	*	*	C	C	C	C	C

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USE/ZONE DISTRICT MATRIX TABLE

Specific Use Type	Residential and Mixed Use Districts							Non-Residential Districts				
	RA	RR	CR	LLR	SFR	DCRD	MP	TCD	LLCD	LIRD	RC	CSR
OTHER												
Mining												
Oil or Gas Drilling	C	*	*	*	*	*	C	*	*	C	C	C
Sand or Gravel Extraction or Processing	*	*	*	*	*	*	C	*	C	C	C	C
All Other Mining, Extraction	*	*	*	*	*	*	C	*	C	C	C	C
Telecommunications Facilities												
Telecommunications Facilities, Towers and	C	C	C	C	C	C	C	C	C	C	C	C

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- E. Uses Not Itemized in Use/Zone Matrix Table. When a use is proposed and no zone district specifically allows for such use under the Use/Zone Matrix Table above, the applicant may request a determination of a zone district or districts in which the use may be allowed. The applicant shall submit a written request and a site plan drawn to scale which illustrates the particular use proposed. The site plan shall depict all improvements and structures necessary to accommodate the proposed use. Such request shall follow the procedures and public notice requirements as set forth for zoning amendments in Section 17.11.070 of this Chapter. Following the recommendation of the Planning Commission, the City Council may permit such request upon the finding of the following:
1. Such use is appropriate to the physiographic and general environmental character of the zone district to which it is added;
 2. Such use does not create any more hazard to, or alteration of, the natural environment than the minimum amount normally resulting from the other uses permitted in the zone district to which it is added;
 3. Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences or more traffic hazards than the minimum amount normally resulting from the other uses permitted in the zone district to which it is added;
 4. Such use is compatible with the uses existing and permitted in the zone district to which it is added; and
 5. Such use is in conformance with the goals, policies and Master Plan of the City and the purposes of this Title.

When any use has been added as an allowed use or conditional use in any zone district in accordance with this subsection, such use shall be deemed to be listed in the Use/Zone Matrix Table, and shall be added thereto in the published text of the table at the first convenient opportunity.

F. Schedule of Height/Bulk/Location Requirements in Zone Districts:

ZONE DISTRICT	MINIMUM LOT AREA	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD	*MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE
Rural Agriculture (RA)	3 acres	50' FPL	50'	50'	35'/25'	20%
Rural Residential (RR)	2 acres/DU (TDR receiving areas)	25'	10'	20'	35'/25'	10%
Community Residential (CR)	1 DU/ 7,000 sf single family	25'	8'/3'	15'/3'	35'/16' ***	80%
Community Residential (CR)(New Urbanism)(see definition below)	1 DU/7,000 sf single family	15'	10' on one side and 5' on other side; 3' for accessory structures	15'/3'	35'/16' ***	90%
Community Residential (CR)(Multi-Family) (1)	7,000 sf/DU multi-family	25'	8'/3'	15'	35'/16' ***	80%
Community Residential (CR)(Duplex) (2)	5,000 sq. ft./DU	25'	8'/3'	15'	35'/16' ***	80%
Large Lot Residential (LLR)	10,000 sq. ft./DU	25'	10'	20'	35'/16' ***	30%
South Fruita Residential (SFR)	.5 acres (TDR receiving area)	25'	10'	15'	35'/16' ***	
Downtown Commercial/ Residential Design (DCRD) (Historic Downtown)	7,000 sq. ft. 7,000 sq. ft./DU (TDR receiving area)	0	0	0	35'/25'	90%
Downtown Commercial Residential Design(DCRD) (Non-Historic Downtown)	7,000 sq. ft. 7,000 sq. ft./DU	25'	8'	15'	35'/25'	80%
Monument Preservation (MP)	5 acres	50'	50'	50'	25'/25'	90%
	20,000 sq.	40'	10'	20'/0'	35'/25'	90%

	MINIMUM	MINIMUM	MINIMUM	MINIMUM	*MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE
ZONE DISTRICT	LOT AREA	FRONT YARD	SIDE YARD	REAR YARD		
Tourist Commercial Design (TCD)	ft.					
Large Lot Commercial Design (LLCD)	2 acres	40'	10'	20'	35'/25'	60%
Planned Unit Development (PUD)	**	**	**	**	35'	60%
Limited Industrial/ Research and Development (LIRD)	10,000 sq. ft.	40'	20'	20'	35'	30%
River Corridor (RC)	5 acres	50'	50'	50'	35'/25'	5%

- 1 All multi-family units must be attached. No detached units will be allowed on a single parcel of land.
- 2 One duplex on a lot of 10,000 sq. ft. or more may be allowed in the Community Residential Zone District for every ten (10) single family homes on lots of 7,000 sq. ft. or more.
- / Indicates setbacks or height limitations for accessory buildings on the rear half of the lot.
- * See Building Height Definition in Chapter 17.03.
- ** PUD Minimum land area for a PUD is 5 acres. Setbacks are defined in the PUD plan/control guide.
- *** An accessory dwelling unit located on the second story of a garage shall not exceed 25' in height.

NEW URBANISM: Dwellings built under this standard must have a front porch which is at least ten feet (10') long by eight feet (8') wide and must have a garage, carport or parking area located in the rear half of the lot.

GARAGE SETBACK: Residential garages in all zones shall have a minimum 25' front yard setback..

WASTEWATER REQUIREMENTS: All new developments with a density of less than one (1) dwelling unit per three (3) gross acres are required to connect to the City's wastewater collection and treatment system. All existing septic systems on parcels of less than three (3) gross acres that require repair or replacement, or are part of a larger development plan, and are within four hundred feet (400') of the existing City wastewater collection system, as measured to the closest property line, shall connect to the City system.

17.07.060 SUPPLEMENTAL ZONING REGULATIONS AND STANDARDS. In addition to regulations contained elsewhere in this Title, the use of land and buildings in all zone districts shall be governed by the following:

- D. Accessory Uses. The Use/Zone Matrix Table classifies different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use in the table and the former use (i) constitutes an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the principal use.
- E. Height, Bulk and Location of Accessory Structures. In residential zone districts excluding the Rural Residential (RR) and Rural and Agricultural (RA) Zone Districts, accessory structure shall not exceed sixteen feet (16') in height, shall not exceed thirty percent (30%) of the principal structure in bulk (defined as enclosed floor space), and shall be located on the rear half of the lot. Provided, however, such height, bulk and

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location restrictions shall not apply to an accessory dwelling unit, as defined in Section 17.03.005. An accessory dwelling unit located on the second story of a garage shall not exceed twenty-five feet (25') in height.

F. Buildings, Mobile Homes, Modular Homes and Manufactured Homes. A building may be located in any zone district where such buildings are permitted. Mobile homes, modular homes and manufactured homes, as defined in Chapter 17.03, may be located only where expressly permitted by Chapter 17.07 of this Title.

G. Storage of Motor Vehicles and Building Materials in Yards; Derelict or Abandoned Automobiles.

1. No portion of any required front yard, or side yard on the street side of a corner lot, shall be used for the permanent storage of a motor vehicle, trailer, airplane, boat (or parts of any of the foregoing), recreational vehicles, travel trailers, campers or building materials, Permanent storage, as used in this subsection, means the location of the above mentioned items for more than a consecutive period of forty-eight (48) hours in the required front or side yard.

2. It shall be unlawful to store or otherwise have, maintain or allow on a single parcel of land in the City of Fruita (or on contiguous parcels under the same, or substantially the same, ownership) more than one (1) non-farm vehicle not having current Colorado license plates or registration unless the vehicle is in an approved junkyard or other similar use where vehicle storage is permitted. There shall be no limit on the number of active or serviceable agricultural vehicles on a parcel of land, regardless of whether such vehicles have current registration or license plates; however, the restrictions of one (1) vehicle per parcel of land shall apply to agricultural vehicles which are clearly abandoned or which are not in their present condition suitable for active agricultural use.

E. Wood Burning Stoves, Fireplaces, Gas Log Fireplaces and Pellet Stoves.

1. Purpose: Air pollution in the Fruita area has become an issue of concern and has been documented by the Mesa County Health Department and the Grand Valley Air Quality Commission. It has been found that a major contributor to the air pollution problem in the Grand Valley is the widespread use of wood stoves and fire places which do not have air pollution control devices.

2. Devices Prohibited: New dwellings and remodeled portions of existing structures shall not contain wood burning stoves, fireplaces, coal burning or similar heating devices not approved by the U.S. Environmental Protection Agency (EPA).

3. Devices Allowed: Only EPA approved natural gas fireplaces, EPA approved wood-pellet burning stoves, and EPA approved wood burning stoves and fireplaces shall be allowed in new or remodeled structures.

F. Requirements Concerning Construction of Fences. The purpose of this Section is to insure fences erected within the City do not impede traffic safety, conform to established codes, and impose no deleterious effect on any neighborhood and to insure that no hedge, shrub, tree or other obstruction is maintained or placed in such a way to constitute a traffic hazard. Each person, firm or organization erecting fences in the City shall procure a planning clearance, request appropriate inspections and shall conform to the following requirements:

1. No fence, wall or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained in such location upon any lot or property in a manner constituting a traffic hazard because of obstruction of view. "The City of Fruita Tree Ordinance" and "Mesa County Standard Specification for Road and Bridge Construction" shall be used as the criteria for determining view obstruction.
2. There shall be no fence erected which exceeds six feet (6') in height unless otherwise agreed to in writing by all adjacent property owners.
3. Except as set forth in subsection (4) below, no fence shall extend beyond any structure or building toward the front property line of the building site which exceeds forty-eight inches (48") in height and if said fence is of solid construction or is otherwise opaque in nature, said fence may not exceed thirty inches (30") in height.
4. On corner lots solid fences which exceed forty-eight inches (48") in height may be constructed beyond a structure or building toward the frontage of the building site that does not contain the driveway, but only to the front setback line, and in all cases only to the height and extent to which the sight distance at intersections standard is met pursuant to the Mesa County Standard Specification for Road and Bridge Construction. All other setback requirements of the applicable zone district must also be met. This provision applies to both front yard setbacks of a corner lot.
5. Subsections (2),(3), and (4) shall not apply in any area of the City zoned Limited Industrial and Research and Development (LIRD), Rural Residential (RR), or

Rural and Agricultural (RA) except that any fences that are in these zone districts and are opaque in nature must meet traffic safety and sight visibility requirements.

6. Fences may be built over the property line of an adjoining property owner only if the property owner agrees in writing.
 7. Prior to construction of a fence, a planning clearance shall be obtained from the Community Development Department.
 8. Fence requirements and approvals contained within applicable covenants, conditions and restrictions, as recorded in the records of the Mesa County Clerk and Recorder may be more restrictive, but may not be less restrictive, than the provisions of this Title.
 9. All gates wider than four feet (4') clear opening, and all gates used for vehicle access to a rear or side yard shall be located adjacent to the driveway/garage access. This provision applies to all lots including corner lots.
- G. 1. Lot Width - Established Lots. Where an individual lot was held in separate ownership from adjoining properties or was platted and recorded as of November 13, 1967 and has less area and or less width than required in this Chapter, such a lot may be occupied according to the permitted uses provided for the zone district in which the lot is located, providing the lot area is approved by the Community Development Director and meets the minimum standards of the International Building Code and Mesa County Health Code (if individual sewage disposals systems are proposed).
2. All residential lots, including cul-de-sac lots, shall have a minimum street frontage width of twenty-eight feet (28') exclusive of areas set aside for utility pedestal installations, except for flag lots where recorded access easements for shared driveways provide a minimum street frontage width of twenty-eight feet (28') inclusive of utility pedestal installations servicing both lots.
- H. Utility Facilities. Electric substations, telephone switching facilities and similar limited impact facilities of a public utility shall be permitted to occupy an area smaller than that provided for in these regulations provided such facilities are properly screened and buffered from surrounding properties and the street.

I. Applicable Design Standards And Specifications.

1. Street, Road and Bridge Standards. The publication entitled "Mesa County Road and Bridge Standards" shall apply to developments in all zone districts, except that standards and specifications published by the Colorado Department of Transportation shall apply to all State highways in all zone districts.
2. Drainage and Storm Water Management. The publication entitled, "City of Fruita Stormwater Management Master Plan (June 1998)" shall apply to developments in all zone districts.
3. Buildings. All buildings in all zone districts shall comply with the latest edition of the building codes including fire, electrical, mechanical and plumbing codes) adopted pursuant to Title 15 of the Fruita Municipal Code.
4. Design Standards and Construction Specifications. All other construction and development in all zone districts shall comply with the publication entitled, "Design Standards and Construction Specifications," issued by the City of Fruita.
5. Conflicting Provisions. When conflicts exist between adopted codes and standards, or between adopted codes and standards and project specific "approved for construction" drawings and specifications, the following hierarchy shall apply. Unless superseded by State or federal law, project specific "approved for construction" drawings and specifications shall control, followed by written criteria, or specifications published by other entities. Where local City of Fruita documents are silent, the most stringent external standard or specification shall apply. Codes, standards and specifications published by the Colorado Department of Transportation shall always take precedence within State highway rights-of-way.

J. Industrial, Manufacturing, and Commercial Standards. The following performance standards will apply to uses in the Tourist Commercial Design (TCD) and Limited Industrial and Research and Development (LIRD) Zones.

11. A development shall have its primary vehicular access from a secondary street or road which is industrial or commercial in character and is capable of handling industrial traffic both in terms of weight and traffic engineering standards (street width, turning radius, etc).
2. The storage of oils, chemicals, wastewater and other liquid contaminants must be stored and contained in structures approved by the U.S. Environmental Protection

Agency (EPA) and the Colorado Department of Public Health and Environment to prevent them from leaking or draining into the ground water, streams, creeks, or other water bodies.

3. All repair, painting and body work activities, including the storage of refuse and vehicle parts must take place within an enclosed structure.
4. Industrial developments shall be part of an office or industrial park.
5. Projects with twenty-five (25) or more employees must be adjacent to an arterial street or highway.
6. Industrial developments are encouraged to be located adjacent to a railroad line or spur.
7. Each industrial development must have a well developed pedestrian/bicycle transportation component as well as adequate automobile and truck access.
8. Each industrial and commercial development must have adequate loading space, loading docks for trucks and clear access to the loading docks, and service areas.
9. Each business, commercial, and industrial development must have adequate fire flow, fire hydrants, protection devices, fire lanes and an emergency contingency plan as reviewed and approved by the Lower Valley Fire Protection District.
10. Each business, commercial, and industrial project is encouraged to reduce non-renewable energy sources through the use of alternative, clean energy sources and energy conservation measures.
11. Air Emissions. Each commercial and industrial development is required to obtain an air emissions permit from the Colorado Department of Public Health and Environment and the Mesa County Health Department. No industry or commercial establishment may commence operations until such permits are granted. Air emissions must be kept within or below allowable standards for Mesa County (EPA non-attainment area).
12. Storm Water. Each business, commercial, and industrial development is required to meet or exceed the standards of the Colorado Department of Public Health and Environment and the U.S. Department of Environmental Protection Agency with regard to water pollution control and storm water control and storm water management.

13. Wastewater. Industrial pretreatment may be required for industries with certain liquid wastes as defined by the Colorado Department of Public Health and Environment and the US Environmental Protection Agency. All businesses and industries shall meet or exceed the requirements of the Fruita Municipal Code.
 14. Dust, Noise, Odor. Each business, commercial, and industrial development is required to meet or exceed the standards for dust, noise and odor as adopted by the Mesa County Health Department, State law, the Colorado Department of Public Health and Environment and the U.S. Environmental Protection Agency.
- K. Street Lighting Standards. All new development shall be required to install street lights in accordance with recommendations of the review agencies and following Xcel Energy's and/or Grand Valley Power Company's standards for street light placement in urban areas.
- L. New Outdoor Lighting. The following regulations shall apply to all new outdoor lighting, including street lighting and outdoor lighting in new residential, commercial and industrial projects:
1. All fixtures shall be fully shielded. For purposes of this subsection, fully shielded shall mean fixtures constructed so that light rays emitted are projected below, and not above, the horizontal plane of the fixture.
 2. Lighting shall be downcast and so placed as to prevent the light rays or illumination therefrom being cast beyond property lines.
 3. All metal halide and fluorescent fixtures shall be filtered with glass, acrylic or translucent enclosures.
 4. Only high pressure sodium (HPS), low pressure sodium (LPS) or incandescent fixtures shall be permitted in commercial and multi-family residential parking areas. In addition, the level of illumination shall be consistent with minimum industry standards adopted by the Illuminating Engineering Society.
 5. Incandescent lights shall be one hundred (100) watts and less per fixture. Fluorescent lights shall be forty (40) watts and less per fixture. Gas fired fixtures and lights used for holiday decorations are exempt from the requirements of this subsection.

17.07.070 GENERAL PERFORMANCE STANDARDS. Every development and change in land use in the City of Fruita must meet the following performance standards. The Community Development Department staff shall evaluate each project and score it. The Planning Commission and City Council shall also refer to the scoring sheet in their approval, approval with conditions, or denial of the proposal.

		GENERAL DEVELOPMENT PERFORMANCE STANDARDS ALL ZONE DISTRICTS
A		NEIGHBORHOOD IMPACT
	1	Is the project compatible with surrounding land uses?
	2	Is the project's scale, height & bulk of buildings consistent with that of the surrounding development?
	3	Does the project comply with City of Fruita historic preservation design standards if the building is on the State or national register of historic places?
	4	If the project is a multi-family development is it within 1/4 mile of a neighborhood commercial area and a City or School District 51 Community park/playground?
B		TRANSPORTATION AND TRAFFIC
	1	Is the project consistent with the City of Fruita street standards?
	2	Does the project have an adequate pedestrian bicycle network?
	3	Is the proposed street network and street standards consistent with the City of Fruita Street Classification map and the capacity of the street system to accommodate the development?
	4	
C		WASTEWATER
	1	Will the project connect to the City of Fruita wastewater system?
	2	If the wastewater connection involves over sizing does the developer propose a recapture agreement or an assessment district?
	3	Will the project discharge other than domestic wastewater?
D		WATER
	1	Does the project have adequate fire flow as determined by the Lower Valley Fire Protection District?
	2	Does the project have sufficient domestic water to serve the proposed development?
	3	
E		DRAINAGE
	1	Does the project meet the City of Fruita Drainage Standards as defined in the City of Fruita Design Standards for new construction?
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		GENERAL DEVELOPMENT PERFORMANCE STANDARDS ALL ZONE DISTRICTS
	2	Does the project comply with the Grand Junction Drainage District standards if it is on or adjacent to their drainage systems?
	3	If the drainage system requires over-sizing does the developer propose a recapture agreement or assessment district?
F		FLOOD HAZARD
	1	Does the project adequately address potential Federal Emergency Management Agency regulations and flood hazards and meet the City's flood control regulations?
G		IRRIGATION
	1	Does the project provide adequate irrigation water for the proposal including shares of water, method of delivery to each lot and method of draining water from each lot?
H		FIRE PROTECTION
	1	Does the project have adequate fire flow as determined by the Lower Valley Fire Dept. & does it meet the other requirements of the fire department with regard to access, cul-de-sac radius, etc.?
I		HISTORIC PRESERVATION
	1	Does the project involve the demolition, remodel or reconstruction of a structure or site that is on the national or State register of historic places or eligible for nomination to either of these registers?
J		NOISE, DUST, ODOR
	1	Does the project comply with federal and State air emission standards?
	2	Does the project comply with State noise statutes?
	3	Does the project minimize disturbance of the natural ground cover, or replacement of the natural ground cover with alternative ground cover or pavement?
	4	Have erosion, sedimentation, and weed controls been proposed during and after construction?
K		NATURAL FEATURES AND ENVIRONMENTAL PROTECTION
	1	Does the proposal preserve natural features to the largest extent possible including exiting trees, natural vegetation, hills, rock out croppings, bluffs, stream and washes, river flood plains, wetlands, etc.?

17.07.080 LEGAL NON-CONFORMING USES, STRUCTURES, AND LOTS. Any use, structure, or lot in existence and lawful at the time of adoption of this Title or any subsequent amendment hereto, which is not in conformance with the provisions of this Title or amendment, shall be considered a legal non-conforming use, structure or lot and may continue in existence, pursuant to the following:

- A. A legal non-conforming use may be extended throughout the same building, provided no structural alteration of such building is made for the purpose of such extension.
- B. A legal non-conforming use shall not be changed to any other use except a conforming use.
- C. Whenever a legal non-conforming use of land or a building has been discontinued for a continuous period of one (1) year, future use of the land or building shall be in conformance with the provisions of this Title.
- D. A building which does not meet the setback, height or other site requirements of this Chapter may be repaired, maintained, or extended, provided any such extension is in full compliance with all provisions of this Chapter.
- E. A structure containing a non-conforming use which has been damaged by fire or other causes to an extent not exceeding fifty percent (50%) of its assumed market value on the day before the calamity may be restored in conformance with the City's building codes, provided such work is commenced within one (1) year of the calamity, and such non-conforming use can be continued. If the building is damaged to the extent of more than fifty percent (50%) of assumed market value, the non-conforming use must be discontinued. Assumed market value shall be determined by multiplying the most recent assessed value of the damaged property by four (4).
- F. An individual lot which does not meet the minimum lot area requirement for the zone district in which it is located shall be considered a legal non-conforming lot, and any building situated on such lot shall be considered a legal non-conforming building, subject to the provisions of this Section. Such legal non-conforming lot may be used for construction of a building allowed in the zone district, provided all other zone district regulations, including but not limited to setbacks, are met.
- G. When a parcel containing a non-conforming use or structure is annexed to the City, said use or structure shall be considered a legal non-conforming use or structure if said use or structure was permitted under Mesa County Zoning Regulations at the time of annexation, subject to any conditions imposed by Mesa County prior to annexation.

H. Mobile homes shall be subject to the provisions of this Code on the date they are removed from their pad or foundation.