

Chapter 17.08
DENSITY BONUSES

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17.08.010 PURPOSE. The purpose of Chapter 17.08 is to help implement portions of the Fruita Community Plan by providing for residential density bonuses in designated zones tied to the provision of community amenities. This Chapter is intended to promote compatibility between land uses, as well as predictability and fairness in the approvals process, consistent with the Fruita Community Plan.

17.08.020 APPLICABILITY. The provisions of Chapter 17.08 apply only when an applicant has requested a density bonus and only where the zone in which a project is located specifically authorizes residential densities exceeding the base density of the zone. Density bonuses granted under Chapter 17.08 may be combined with density transfers granted under Chapter 17.09, subject to the limitations of Chapter 17.09 (maximum transfer of one (1) dwelling unit per gross acre).

17.08.030 GENERAL PROVISIONS.

- A. Density bonus requests shall be submitted on forms provided by the Community Development Director and shall be accompanied by plans, exhibits, narrative, and other information as required by the Community Development Director, to sufficiently demonstrate compliance with the provisions of this Chapter.
- B. Density bonus applications shall be processed at the same time and using the same procedure as required for a Major Subdivision, Planned Unit Development, or Site Design Review, as applicable.
- C. Projects utilizing the provisions of this Chapter are not necessarily required to be processed as a Planned Unit Development; nor are they required to obtain development rights under Chapter 17.09 Transfer of Development Rights/Credits, except as provided in Section 17.08.040.
- D. The city decision-making body may preliminarily approve a density bonus, with final approval contingent upon the owner and city executing an Annexation Agreement, Subdivision or Development Improvement Agreement, PUD Guide, and/or other binding agreement as necessary to ensure compliance with this Title and other city requirements.

- E. Except as provided under Subsection D (preliminary approval) above, a density bonus approval shall be binding on the subject property and shall run with the land.
- F. The city’s decision-making body may approve, deny, or approve with conditions, density bonus applications filed in accordance with Chapter 17.08.

17.08.040 DENSITY BONUS MATRIX. The city’s decision-making body is authorized to grant density bonuses in accordance with the following point system. All densities are dwelling units per gross area, as defined in Chapter 17.03. The criteria for awarding density bonus points are provided in Section 17.08.050. No fractions of points are awarded.

Density Bonus Points Achieved*	RE	RR	SFR	CMU
None	1.0 DU/3.0 acres	1.0 DU/acre	2.0 DU/acre	2.0 DU/acre
6-12	1.0 DU/2.0 acres	2.0 DU/acre	3.0 DU/acre	3.0 DU/acre
13-25	Not applicable	Not applicable	Not applicable	4.0 DU/acre
26-38	Not applicable	Not applicable	Not applicable	5.0 DU/acre

*The first six (6) density bonus points for projects in the SFR and CMU zones must be achieved for Housing Variety, pursuant to Section 17.08.050A.

17.08.050 DENSITY BONUS CRITERIA. Density bonus points are awarded based on an application’s compliance with the approval criteria contained in the following table and text. The City Council may grant density bonuses in accordance with the following point system. A provision by an applicant for a density bonus point in one category cannot be used again for additional points in another category.

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
A. Housing Variety (18 points possible)	<p>Housing variety required with flexibility for small projects.</p> <p>Lot size – points for projects with range of lot sizes, including large lots.</p> <p>Housing choices – points for projects with “small housing types” that contribute to housing choice; points based on percentage (%) of “small” housing units (may be attached or detached units).</p> <p>Affordable housing – points for projects with deed-restricted affordable housing units.</p>
B. Context Sensitivity (8 points possible)	<p>Compliance with District Design standards required – no points (Chapter 17.11)</p> <p>Transition lot sizes to blend with abutting residential lots “feathering” – points for projects address lot-to-lot relationship.</p> <p>Transition building heights to blend with abutting residential structures – points for projects that address building-to-building relationship.</p> <p>Orient multifamily, attached single family and detached single family dwelling units to open space – points for multifamily attached single family and/or detached single family dwelling units with open space frontage</p> <p>Integrate shade features into design of buildings, parks, trails and open space areas – points based on quality of shade amenities.</p> <p>Incorporate mature trees and/or large rock outcroppings, as applicable, into site design – points based on quality of design.</p> <p>Incorporate historic or cultural resources into project – e.g., points for preserving historic farm structures and providing interpretative site.</p> <p>Utilize xeriscaping to conserve water and improve habitat.</p> <p>Fencing that avoids the ‘fence canyon’ affect along major roadways</p> <p>Recreational Vehicle Parking providing for multifamily, attached single family and/or small lot (<6,000 square feet) detached dwelling units to help avoid parking problems in higher density areas.</p>

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
C. Open Space (9 points possible)	<p>Compliance with minimum open space requirements – no points</p> <p>Provide more than the minimum open space requirement – points based on percentage (%) of open space.*</p> <p>Proximity of dwellings to open space – points based on percentage (%) of dwelling units in close proximity to open space.</p> <p>Provide recreation amenities appropriate to the site – points based on quality of recreation amenity and potential for public enjoyment of it.</p> <p>*Note: Density bonus is not in addition to impact fee credit. Public improvements and dedications that exceed impact fee requirements may receive a combination of density bonus points and impact fee credit, to be determined by the city decision-making body.</p>
D. Multi-Modal Transportation (11 points possible)	<p>Compliance with Subdivision standards and Design standards required – street connectivity and pedestrian ways required (no points)</p> <p>Complete streets required – sidewalks, park strips with street trees, bicycle lanes required on all major collector and arterial streets (no points). Points awarded for park strips with street trees on local and minor collector residential streets.</p> <p>Extending sidewalks “off-site” where gaps exist – points based on “extra” improvement beyond that which would be provided under standard code requirements.</p> <p>Traffic-calming features – to include intersection curb extensions, roundabouts, or other traffic control devices; points based on “extra” improvement beyond that which would be provided under standard code requirements.</p> <p>Pedestrian shelters with benches (rest area) on trails or at bus stop – points based on number and quality of rest areas.</p>

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
E. Location and Linkages (2 points possible)	<p>Flood fringe avoidance – a point for development that does not develop the flood fringe.</p> <p>Agricultural land conservation – a point for the purchase of development rights/credits</p> <p>School proximity – a point for projects that place dwellings in close proximity to an existing or planned public school.</p> <p>Habitat or wetlands conservations/restoration – a point for projects that conserve and/or restore wetlands or other habitat for native plant or animal species.</p>
F. Schools (2 points possible)	<p>School land dedication or school facility improvements that directly benefit the school attendance area in which the project is located.</p> <p>Density bonus is not in addition to impact fee credit. Public improvements or dedications that exceed impact fee requirement may receive a combination of density bonus points and impact fee credit, to be determined by the city decision-making body.</p>
G. Neighborhood Commercial Center (2 points possible)	<p>Neighborhood commercial centers – must be part of an “integrated” mixed-use community, subject to the applicable Special use standards under Section 17.07.070 and the Design Standards under Chapter 17.11. Development agreement required where the applicant requests a density bonus based on future provision of neighborhood commercial uses (i.e., reservation of land for future development).</p> <p>Contingency – If the proposed neighborhood commercial center site does not develop with commercial uses, future site development may be limited to two (2) units per gross acre.</p>

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
<p>H. Green Construction & Technology (4 points possible)</p>	<p>Construction activity pollution prevention – erosion and sediment control plan required.</p> <p>Green Technology*:</p> <ul style="list-style-type: none"> • Certified Green Building • Energy efficiency in buildings • Reduced water use • Reuse of Historic Buildings. See “Context Sensitivity” category • Minimize site disturbance through site design • Minimize site disturbance during construction • Storm water management • Heat island reduction • Solar orientation – See “Context Sensitivity” category • On-site energy generation or use of renewable energy • District heating and cooling • Infrastructure energy efficiency • Wastewater management • Recycled content in infrastructure • Construction waste management • Light pollution reduction <p>*The above options are based on the Green Construction & Technology component of the Leadership Through Energy and Environmental Design Neighborhood Development (LEED-ND) rating system. See code criteria that follow for details and options.</p>

Table 17.08.050	
Distribution of and Criteria for Density Bonus Points	
Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
I. Innovation in Design (2 points possible)	At the City Council's discretion, point(s) for other innovative design solutions that are not included in items A-H, above, may be awarded, consistent with the Fruita Community Plan.

A. Housing Variety (18 points possible)

1. Lot size/land area variety – Choose one of the following options:

Criteria	Bonus Points
a) At least ten (10) percent of lots or land area per unit in the project are at least twenty (20) percent larger than the project's median lot or land area per unit size.	3
b) At least twenty (20) percent of lots or land area per unit in the project are at least twenty (20) percent larger than the project's median lot or land area per unit size.	6
c) At least thirty (30) percent of lots or land area per unit in the project are at least twenty (20) percent larger than the project's median lot or land area per unit size.	9

Percentages are rounded down to closest whole ten (10) percent; no partial points.

2. Housing choices – Choose one of the following options:

Criteria	Bonus Points
a) At least ten (10) percent of the dwelling units in the project consist of "small housing types".	3
b) At least twenty (20) percent of the dwelling units in the project consist of "small housing types".	6
c) At least thirty (30) percent of the dwelling units in the project consist of "small housing types".	9

Small housing types are dwelling units (including apartment units) that individually contain less than 1,750 square feet of floor area, including garages or covered parking areas. Percentages are rounded down to closest whole ten (10) percent; no partial points.

3. Affordable housing – Choose one of the following options:

Criteria	Bonus Points
a) At least fifteen (15) percent of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below the Mesa County area median income.	6
b) At least ten (10) percent of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below eighty (80) percent of Mesa County area median income.	6
c) At least five (5) percent of the dwelling units in the project reserved for qualifying buyers or renters with incomes at or below sixty (60) percent of Mesa County area median income.	6

Income levels determined based on household size and other factors, in accordance with the most current Mesa County Housing Authority or U.S. Department of Housing and Urban Development criteria. Housing must be deed-restricted to provide for the requisite affordability. Percentages are rounded down to closest whole ten (10) percent; no partial points. Development Agreement required.

B. Context-Sensitivity (8 points possible)

1. Compliance with Design Standards required – no points for compliance with Chapter 17.11.
2. Transition lot sizes to blend with abutting residential lots (“feathering”). Two (2) points may be awarded for maintaining lot sizes for all lots on the perimeter of the project that are not less than eighty (80) percent of the size of abutting lots in an existing platted subdivision. The feathering provision does not apply where the abutting lots or parcels that can reasonably be subdivided in the future; nor does it apply where the lands are separated by more than one hundred (100) feet by a street right-of-way, open space, or similar feature.
3. Transition building heights to blend with abutting residential structures. Two (2) points may be awarded for stepping-down building heights on the perimeter of the project. This criterion applies to new dwellings placed within forty (40) feet of existing single-family dwellings, and is met when no portion of the new dwelling(s) exceeds the height of the existing dwelling(s) by more than eight (8) feet.
4. Orient multifamily, attached single family and/or small lot (<6,000 square feet) detached dwelling units to open space. One (1) point may be awarded if no less than fifty (50) percent of the perimeter of the required open space area(s) within a subdivision has multifamily, attached



Example of townhomes oriented to open space

single family or small lot detached single-family dwelling units placed adjacent to it. Two points may be awarded if no less than seventy-five (75) percent of the open space meets this requirement. For purposes of this subsection, “adjacent” means fronting onto or directly across a street or alley from the subject open space area. Where dwellings front onto an open space, each dwelling unit must have an individual entrance or an unenclosed porch that overlooks the open space.

5. Integrate shade features into design. One or two (1-2) points may be awarded for incorporating shade features. For example, outdoor seating areas for incorporating shade features. For example, outdoor seating areas adjacent to civic buildings and trails, and within parks and other open space areas should contain canopies, pergolas, or other features as appropriate. Shade features must provide shade on not less than ten (10) percent of the development’s total open space area excluding public street right-of-ways and parking areas; shade trees may be counted toward up to seventy-five (75) percent of the required shade coverage area. For purposes of this section, 12:00 noon on the summer solstice date shall be used for determining shade coverage. For newly planted trees, shade canopies shall be based on typical growth habit within five (5) years of planting. The number of points awarded is based on the quality of the shade feature(s) and the context in which it is provided: one (1) point possible for shade features on private open space and two (2) points possible for public open space shade features.
6. Incorporate mature trees and/or large rock outcroppings. One or two (1-2) points may be awarded for incorporating mature trees or unique rock outcroppings into the site design. The number of points awarded is based on the quality of the natural feature(s) and the context in which it is provided: one (1) point possible for preserving trees/rock outcroppings on private open space and two (2) points possible for public open space.
7. Historic or cultural resources. One or two (1-2) points may be awarded for incorporating historically or culturally significant resources into the site design. The number of points awarded is based on the quality of the resource and the context in which it is provided: two (2) points possible for preserving resources that are listed or are eligible to be listed on a local, state, or national register of historic landmarks; one (1) point possible for other resources, as deemed appropriate by the city decision-making body.
8. Xeriscaping. One (1) point may be awarded for landscape plans that utilize drought-tolerant (xeriscape) plant and ground cover materials to conserve water and improve native habitat. One (1) point possible where the landscape plans rely exclusively on plants that are indigenous to the high desert area of Western Colorado. (See also, Water Efficiency and Storm Water Management under subsection H.)

9. Fencing. One (1) point may be awarded for prohibiting fencing over four (4) feet tall adjacent to collector and arterial roadways, including properties separated from the collector and arterial streets by a landscaped out lot not less than ten (10) feet in width.
10. Recreational Vehicle Parking. One (1) point may be awarded for providing a separate space for recreational vehicle parking in subdivisions incorporating multifamily, attached single family and/or small lot (<6,000 square feet) detached dwelling units. A separate parking area at least ten (10) feet wide by thirty (30) feet long must be provided for every two (2) dwelling units of this type in the subdivision.

C. Open Space (9 points possible)

1. Compliance with minimum requirements. All projects must comply with the minimum requirements of Chapter 17.19 Public Dedications and Impact Fees, and Chapter 17.29 Parks, Open Space and Trails. No points.
2. Exceed minimum requirements. Up to nine (9) points may be awarded to projects that reserve and improve open space/parkland. Points may be awarded cumulatively under one or more of the following options:

OPEN SPACE	
Criteria	Bonus Points
a) Project exceeds minimum park/open space dedication and improvement requirements of Chapter 17.19 and Chapter 17.29. One (1) point for every ten (10) percent above minimum requirement, up to thirty (30) percent or three (3) points.*	1-3
b) At least one park at least two (2) acres in size is located within one-quarter (1/4) mile of all residents of a proposed subdivision; measured as shortest distance following existing and planned public streets and trails.	1
c) Project contains trail improvements, as required, under Chapter 17.29. No points for providing trail. d) One (1) point possible when trail is provided to connect to an existing or city planned trail or park and project exceeds minimum park/open space requirements under Chapter 17.29. Up to two (2) additional points possible for extending trail off-site and connecting it to an adjacent public street, trail, or park: one (1) point for each one hundred fifty (150) feet the trail is extended. Distances are rounded down to closest 100-foot increment; no partial points.*	1-3
e) Buffering between proposed development and any environmental resource (e.g., washes, wetlands, or similar resources) exceeds by at least thirty-five (35) feet the minimum buffers identified by the Fruita Community Plan and in Chapter 29 of this Title.	1

OPEN SPACE	
Criteria	Bonus Points
f) Project contains private recreation amenity in addition to required public open space/park areas. One (1) point for improving at least two (2) percent of the total site with private recreation amenities. May be unenclosed, as in a plaza, shared courtyard, community garden, or rooftop garden; or enclosed, as in a swimming pool, clubhouse, or community greenhouse.	1

*Percentages and distances are rounded down to closest ten (10) percent (a) or two (2) percent (f) increment, as applicable, and to closest 100-foot increment (e); no partial points. Density bonus is not in addition to impact fee credit. Public improvements or dedications that exceed impact fee requirement may receive a combination of density bonus points and impact fee credit, to be determined by the city decision-making body.

D. Multi-Modal Transportation (11 points possible)

1. Compliance with Subdivision standards and District Design standards required. Street connectivity and pedestrian ways necessitated by the proposed development are required (no points).
2. Complete streets required. Bicycle lanes, and park strips with street trees are required on all major collector and arterial streets (no points).
3. Multi-modal amenities. Points may be awarded cumulatively as follows:

MULTI-MODAL TRANSPORTATION	
Criteria	Bonus Points
a) Park strips and street trees on local residential streets. One (1) point possible where twenty (20) percent of a project's total street frontage (counting both sides of all streets) contains street trees in park strips; two (2) points possible for thirty (30) percent of frontage with amenities; three (3) points for forty (40) percent; four (4) points for fifty (50) percent; five (5) points for sixty (60) percent; and six (6) points for sixty-five (65) percent or more. Park strips must be no less than five (5) feet in width and contain, in aggregate, at least one (1) tree for every forty (40) feet of street frontage. Trees may be grouped or clustered for compatibility with the overall site design, and need not be spaced at regular intervals of forty (40) feet.*	1-6
b) Off-site sidewalk extension. Up to three (3) points possible for extending a street sidewalk off-site and connecting it to an adjacent sidewalk, public street, trail, or park: one (1) point for each one hundred fifty (150) feet the sidewalk is extended. Distances are rounded down to closest 100-foot increment; no partial points.*	1-3

MULTI-MODAL TRANSPORTATION	
Criteria	Bonus Points
c) Traffic-calming features. Up to six (6) points possible for providing traffic-calming features. Features may include but are not limited to intersection curb extensions, roundabouts, traffic circles, T-intersection, curvilinear street, skinny street (<30' curb-to-curb with parking on both sides), woonerfs (pedestrian streets), enhanced pedestrian crossings (e.g., pavers or stamped concrete inlay), and other traffic control devices as approved by the city. One (1) point possible for first street where traffic calming feature(s) employed for the full length of street; additional point possible for each additional street, provided the street must be at least four hundred (400) feet in length to be eligible for points.*	1-6
d) Pedestrian shelters with benches (rest area). One (1) point is possible for providing a covered bus waiting area at identified bus stops or at least two (2) trailside rest areas for pedestrians.	1

***Note:** Density bonus is not in addition to impact fee credit. Public improvements or dedications that exceed impact fee requirement may receive a combination of density bonus points and impact fee credit, to be determined by the city decision-making body.

E. Location and Linkages (2 points possible)

A total of two (2) points are possible selecting from the following options:

1. Floodplain avoidance. One (1) point possible for not developing in the one hundred (100) year floodplain.
2. Agricultural land conservation. One (1) point possible where project involves purchase of development rights/credits under Chapter 17.09; the density bonus point is in addition to any development credit/right transferred to the subject site under Chapter 17.09.
3. School proximity. One (1) point possible for project that places at least fifty (50) percent of its dwellings within one-quarter (1/4) mile of an existing or planned public school; measured as shortest distance following existing and planned public streets and trails.
4. Habitat or wetlands conservation/restoration. One (1) point is possible for a project that conserves and/or restores a wetland or other habitat for native plant or animal species, as recommended by the Colorado Division of Wildlife.

F. Schools (2 points possible)

Two (2) points possible for dedicating land for a school or contributing to school facility improvements that directly benefit the school

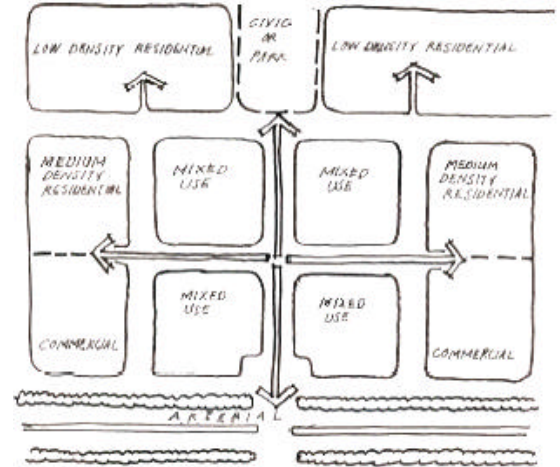


Proximity to schools

attendance area in which the project is located. Density bonus is not in addition to School Land Dedication fee credit. Public improvements that exceed School Land Dedication fee requirement may receive a combination of density bonus points and impact fee credit, to be determined by the city decision-making body.

G. Neighborhood Commercial Center (2 points possible)

Two (2) points are possible for developing a neighborhood commercial center as part of an integrated mixed-use community. For the purpose of this subsection, “integrated” means the commercial center is located within six hundred (600) feet of a residential use developed (or approved for development) at a density of not less than five (5) units per gross acre. Additionally, the commercial center must be located within one-quarter (1/4) mile of an existing or city planned park at least four (4) acres in size; measured as the shortest distance following existing and planned public streets and trails. (See also, Special Use standards in Section 17.07.070 and District Design Standards in Chapter 17.11.) A development agreement is required when the applicant requests a density bonus based on future provision of neighborhood commercial uses (i.e., reservation of land for future development). If the proposed neighborhood commercial center site does not develop with commercial uses, future residential development of the site may be limited to two (2) units per gross acre.



Commercial center concept, where "mixed-use" indicates live-work uses or attached/small lot (<6,000 square foot lot) housing in proximity to commercial

H. Green Construction & Technology (4 points possible)

1. Construction activity pollution prevention. An Erosion and Sediment Control (ESC) Plan is required (no points). The ESC Plan shall conform to the erosion and sedimentation requirements of the EPA Construction General Permit (current edition) or local erosion and sedimentation control standards and codes, whichever is more stringent. Additionally, Post Construction Storm Water Management is required. Post Construction Storm Water Management Best Practices must be implemented in accordance with local and state storm water requirements (no points).
2. Green technology. Up to four (4) points possible for demonstrating consistency with selected provisions of the Green Construction & Technology (GCT) component of the Leadership Through Energy and Environmental Design Neighborhood Development (LEED-ND) rating system. Density bonus points may be awarded for projects that demonstrate certification potential under LEED-ND; however,

certification is not required. No points awarded for meeting LEED-ND standards if those standards are already standard local, state or federal requirements. The city decision-making body may allow alternate rating systems it deems equivalent to LEED-ND. The city may also require the applicant to enter into a Development Agreement where density bonus points are awarded under this Section.

Green Construction & Technology Criteria. One (1) density point possible for meeting the minimum criteria (one LEED-ND point) on four (4) of the following LEED-ND credits; two (2) density bonus points possible for meeting the minimum criteria (one LEED-ND point) on eight (8) or more of the LEED-ND credits; three (3) density bonus points possible for meeting the minimum criteria (one LEED-ND point) on twelve (12) or more of the LEED-ND credits; four (4) density bonus points possible for meeting the minimum criteria (one LEED-ND point) on 16:

- a. Certified Green Buildings (GCT Credit 1)
- b. Energy efficiency in buildings (GCT Credit 2)
- c. Reduced water use (GCT Credit 3)
- d. Reuse of Historic Buildings. (GCT Credit 5) – See also, “Context Sensitive” category above.
- e. Minimize site disturbance through site design (GCT Credit 6)
- f. Minimize site disturbance during construction (GCT Credit 7)
- g. Storm water management (GCT Credit 9)
- h. Heat island reduction (GCT Credit 10)
- i. Solar orientation (GCT Credit 11)
- j. On-site energy generation or use of renewable energy (GCT Credit 12)
- k. District heating and cooling (GCT Credit 14)
- l. Infrastructure energy efficiency (GCT Credit 15)
- m. Wastewater management (GCT Credit 16)
- n. Recycled content in infrastructure (GCT Credit 17)
- o. Construction waste management (GCT Credit 19)
- p. Light pollution prevention (i.e., lighting consistent with dark sky best practices) required (GCT Credit 20)

I. Innovation in Design (2 points possible)

At the City Council’s discretion, one or two (1-2) points may be awarded for other innovative design solutions that are not included in items A-H, above, consistent with the policies and objectives of the Fruita Community Plan.