

ORDINANCE 2010-08

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF FRUITA AND ZONING NEWLY ANNEXED PROPERTY THEREIN TO COMMUNITY MIXED USE AND PLANNED UNIT DEVELOPMENT (PEREGRINE VILLAGE, PROJECT #2010-01)

WHEREAS, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2010-07, and

WHEREAS, newly annexed property must be zoned, and

WHEREAS, Ben Carnes, the owner of the subject property, submitted an application for annexation of property on November 4, 2009, with a request for a Community Mixed Use zone on approximately 135.7 acres of land and a Planned Unit Development zone on approximately 51.4 acres of land, and

WHEREAS, the property is presently zoned Agriculture Forestry Transitional (AFT) in Mesa County and the Fruita Master Plan supports the requested zones.

THE CITY OF FRUITA HEREBY ORDAINS:

Section 1: The Official Zoning Map for the City of Fruita, adopted pursuant to the Land Use Code, is hereby amended and the real property described and shown on Exhibits A through F, attached hereto and incorporated herein, containing approximately 187 acres is hereby given a Community Mixed Use zone on approximately 135.7 acres of land and a Planned Unit Development zone on approximately 51.4 acres of land.

Section 2: The Planned Unit Development zones shall be governed by the Planned Unit Development Guide attached hereto and incorporated herein as Exhibit G. The Planned Unit Development Guide must be signed by the property owner to signify approval. In the event that the property owner does not sign the Planned Unit Development Guide by June 7, 2010, this Ordinance shall be null and void and of no effect.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 6th DAY OF APRIL, 2010**

ATTEST:

City of Fruita


City Clerk

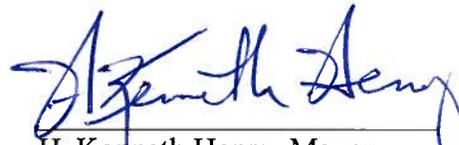

H. Kenneth Henry, Mayor

EXHIBIT A

LEGAL DESCRIPTION
ORDINANCE 2010-08
Peregrine Village (South PUD)

A PARCEL OF LAND SITUATED IN THE NW 1/4, NE 1/4 AND SW 1/4, SECTION 7, T.1N., R.2W., UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 2.5 INCH ALUMINUM CAP AT SOUTH 1/4 CORNER OF SAID SECTION 7, S89°29'35"W ALONG THE SOUTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 7, 687.20 FEET TO THE POINT OF BEGINNING;

THENCE S89°24'59"W ALONG THE SAID SOUTH LINE, 16.76 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 6 & 50;

THENCE N56°53'09"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 723.24 FEET;

THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND RUNNING N13°21'22"E, 945.71 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NE 1/4 SW 1/4 OF SAID SECTION 7;

THENCE N89°32'22"E ALONG SAID SOUTH LINE, 140.00 FEET;

THENCE N00°20'16"W, 300.00 FEET;

THENCE N00°00'00"W, 400.00 FEET;

THENCE N00°00'00"E, 370.00 FEET;

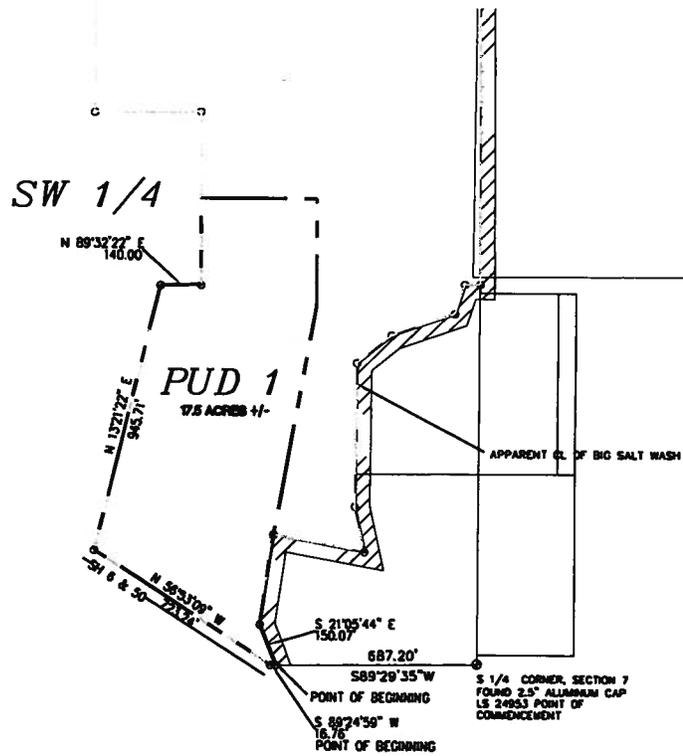
THENCE S10°15'03"W, 807.29 FEET;

THENCE S08°07'28"W, 314.94 FEET;

THENCE S21°05'44"E, 150.07 FEET TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 7 TO THE POINT OF BEGINNING

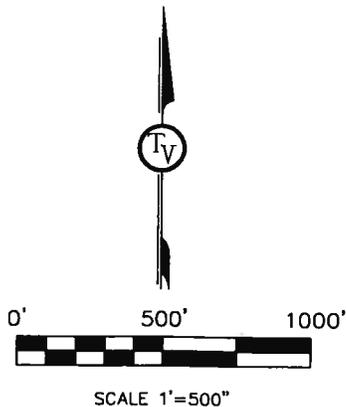
SAID PARCEL CONTAINS 17.5 ACRES, MORE OR LESS.

EXHIBIT B
LOCATION MAP
ORDINANCE 2010-08
Peregrine Village (South PUD)



LEGEND

- FOUND SURVEY MONUMENT AS NOTED AND SHOWN HEREON
- ////// EXISTING TOWN BOUNDARY
- EXISTING BOUNDARY
- PROPOSED BOUNDARY



TITLE: PEREGRINE VILLAGE OVERALL		OWNER: AMSG, INC	
LOCATION: NW 1/4, NE 1/4 AND SW 1/4 OF SEC. 7, T.1N., R.2W., UTE MERIDIAN. COUNTY OF MESA, STATE OF COLORADO PUD 1 CONTAINS 17.5 ACRES			
SCALE: 1" = 500'	DATE: 12-03-09	09-06	ANNEX-SURVEY.dwg

EXHIBIT C

LEGAL DESCRIPTION
ORDINANCE 2010-08
Peregrine Village (North PUD)

A PARCEL OF LAND SITUATED IN THE NW 1/4, NE 1/4 AND SW 1/4, SECTION 7, T.1N., R.2W., UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND MESA COUNTY SURVEY MARKER FOR THE CENTER 1/4 OF SAID SECTION 7, N00°01'03"E ALONG THE EAST LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 7, 2643.04 FEET TO THE POINT OF BEGINNING;

THENCE S89°41'02"W, ALONG THE NORTH LINE OF THE SE 1/4 NE 1/4 OF SAID SECTION 7, 542.54 FEET;

THENCE N00°02'19"W, 1292.22 FEET TO A PROPERTY CORNER OF PARCEL #2697-072-00-061;

THENCE N00°02'19"W CONTINUING THE WEST LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 7 AND ALONG THE WEST LINE OF PARCEL 2 AS DESCRIBED BY A PLAT RECORDED IN BOOK 18 AT PAGE 86 OF THE MESA COUNTY RECORDS ALONG A LINE 536.81 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF L ROAD;

THENCE N89°44'47"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF L ROAD, 543.83 FEET;

THENCE N89°42'00"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF L ROAD, 1200.32 FEET;

THENCE S00°00'00"W, 650.00 FEET;

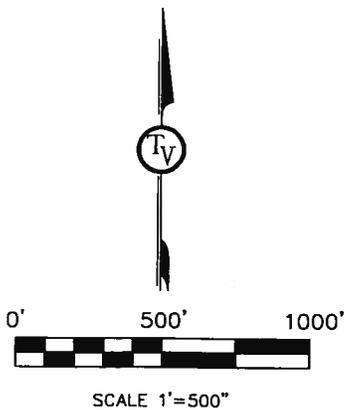
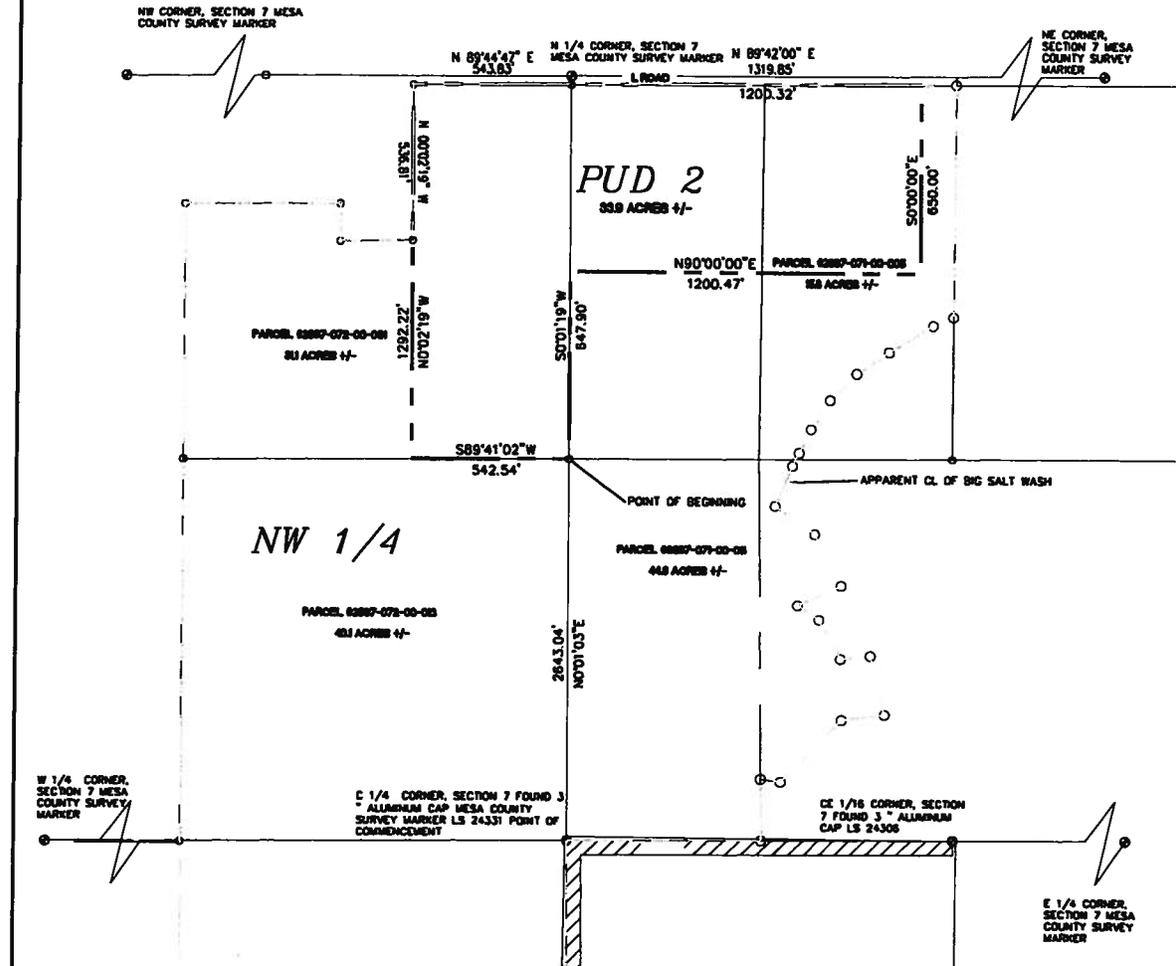
THENCE N00°00'00"E, 1200.47 FEET;

THENCE S00°01'09"W ALONG THE EAST LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 7, 647.90 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 33.9 ACRES, MORE OR LESS.

EXHIBIT D

LOCATION MAP ORDINANCE 2010-08 Peregrine Village (North PUD)



LEGEND

- FOUND SURVEY MONUMENT AS NOTED AND SHOWN HEREON
- ▨ EXISTING TOWN BOUNDARY
- EXISTING BOUNDARY
- - - PROPOSED BOUNDARY

TITLE: PEREGRINE VILLAGE OVERALL	OWNER: AMSG, INC
LOCATION: NW 1/4, NE 1/4 AND SW 1/4 OF SEC. 7, T.1N., R.2W., UTE MERIDIAN. COUNTY OF MESA, STATE OF COLORADO PUD 2 CONTAINS 33.9 ACRES	
SCALE: 1" = 500'	DATE: 12-03-09
	09-06
	ANNEX-SURVEY.dwg

EXHIBIT E

LEGAL DESCRIPTION ORDINANCE 2010-08 Peregrine Village (CMU zone)

PROPERTY DESCRIPTION PARCEL CMU

A PARCEL OF LAND SITUATED IN THE NW 1/4, NE 1/4 AND SW 1/4, SECTION 7, T.1N., R.2W., UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND MESA COUNTY SURVEY MARKER FOR THE CENTER 1/4 OF SAID SECTION 7, S00°11'27"E ALONG THE EAST LINE OF THE NE 1/4 SW 1/4 OF SAID SECTION 7, 1321.39 FEET TO A SET MESA COUNTY SURVEY MARKER FOR THE CENTER-SOUTH 1/16 CORNER OF SAID SECTION 7;

THENCE S89°57'08"W, ALONG THE SOUTH LINE OF THE NE 1/4 SW 1/4 OF SAID SECTION 7, 52.94 FEET TO THE APPARENT CENTERLINE OF THE BIG SALT WASH;

THENCE ALONG SAID APPARENT CENTERLINE THE FOLLOWING SIX (6) COURSES: 1) S17°37'19"W, 107.02 FEET; 2) S70°15'51"W, 226.69 FEET; 3) S50°31'53"W, 152.07 FEET; 4) S00°31'32"W, 498.15 FEET; 5) S12°10'11"E, 160.46 FEET; 6) N79°27'50"W, 318.12 FEET;

THENCE N10°15'03"E, 807.29 FEET;

THENCE N00°00'00"E, 370.00 FEET;

THENCE N00°00'00"W, 400.00 FEET;

THENCE N00°20'16"W, 300.00 FEET;

THENCE S89°32'22"W, 363.00 FEET TO A POINT ON THE WEST LINE OF THE NE 1/4 SW 1/4 OF SAID SECTION 7;

THENCE N00°20'16"W ALONG SAID WEST LINE, 721.59 FEET;

THENCE N00°05'10"E ALONG THE WEST LINE OF THE NE 1/4 SW 1/4, 1324.51 FEET;

THENCE N00°02'19"W ALONG THE WEST LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 7 AND ALONG THE WEST LINE OF PARCEL 2 AS DESCRIBED BY A PLAT RECORDED IN BOOK 18 AT PAGE 86 OF THE MESA COUNTY RECORDS, 882.31 FEET;

THENCE N89°44'47"E ALONG A LINE OF SAID PARCEL 2, 530.19 FEET;

THENCE S00°02'19"E CONTINUING ALONG A LINE OF SAID PARCEL 2, 129.00 FEET;

THENCE N89°02'56"E CONTINUING ALONG A LINE OF SAID PARCEL 2, 246.28 FEET;

THENCE S00°02'19"E, 1292.22 FEET TO A PROPERTY CORNER OF PARCEL #2697-072-00-061;

THENCE N89°41'02"E, ALONG THE NORTH LINE OF THE SE 1/4 NE 1/4 OF SAID SECTION 7, 542.54 FEET;

THENCE N00°01'09"E ALONG THE EAST LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 7, 647.90 FEET;

THENCE N00°00'00"E, 1200.47 FEET;

THENCE N00°00'00"E, 650.00 FEET;

THENCE N89°42'00"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF L ROAD, 119.87 FEET TO A POINT ON THE EAST LINE OF THE NW 1/4 NE 1/4 OF SAID SECTION 7;

THENCE S00°21'32"W ALONG THE SAID EAST LINE OF THE NW 1/4 NE 1/4, 799.56 FEET, MORE OR LESS, TO THE APPARENT CENTERLINE OF THE BIG SALT WASH;

THENCE ALONG SAID APPARENT CENTERLINE THE FOLLOWING EIGHTEEN (18) COURSES: 1) S66°58'54"W, 76.34 FEET; 2) S58°39'10"W, 177.68 FEET; 3) S56°04'11"W, 134.02 FEET; 4) S45°11'39"W, 130.22 FEET; 5) S33°10'50"W, 120.60 FEET; 6) S26°22'34"W, 92.04 FEET; 7) S26°23'20"W, 50.86 FEET; 8) S22°46'12"W, 150.59 FEET; 9) S54°29'46"E, 166.63 FEET; 10) S27°48'33"E, 201.58 FEET; 11) S65°25'04"W, 166.27 FEET; 12) S56°07'38"E, 89.44 FEET; 13) S29°15'14"E, 155.02 FEET; 14) N83°36'02"E, 102.55 FEET; 15) S13°50'22"E, 210.45 FEET; 16) S82°53'51"W, 148.88 FEET; 17) S44°16'53"W, 300.57 FEET; 18) N81°51'48"W, 67.34 FEET TO A POINT ON THE EAST LINE OF THE W 1/2 SW 1/4 NE 1/4 OF SAID SECTION 7;

THENCE S00°32'30"E ALONG THE SAID EAST LINE, 67.34 FEET TO THE SE CORNER OF THE SAID W 1/2 SW 1/4 NE 1/4 OD SECTION 7;

THENCE S89°40'05"W ALONG THE SOUTH LINE OF SAID W 1/2 SW 1/4 NW 1/4, 660.81 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 135.7 ACRES, MORE OR LESS.

EXHIBIT F

LOCATION MAP ORDINANCE 2010-08 Peregrine Village (CMU zone)

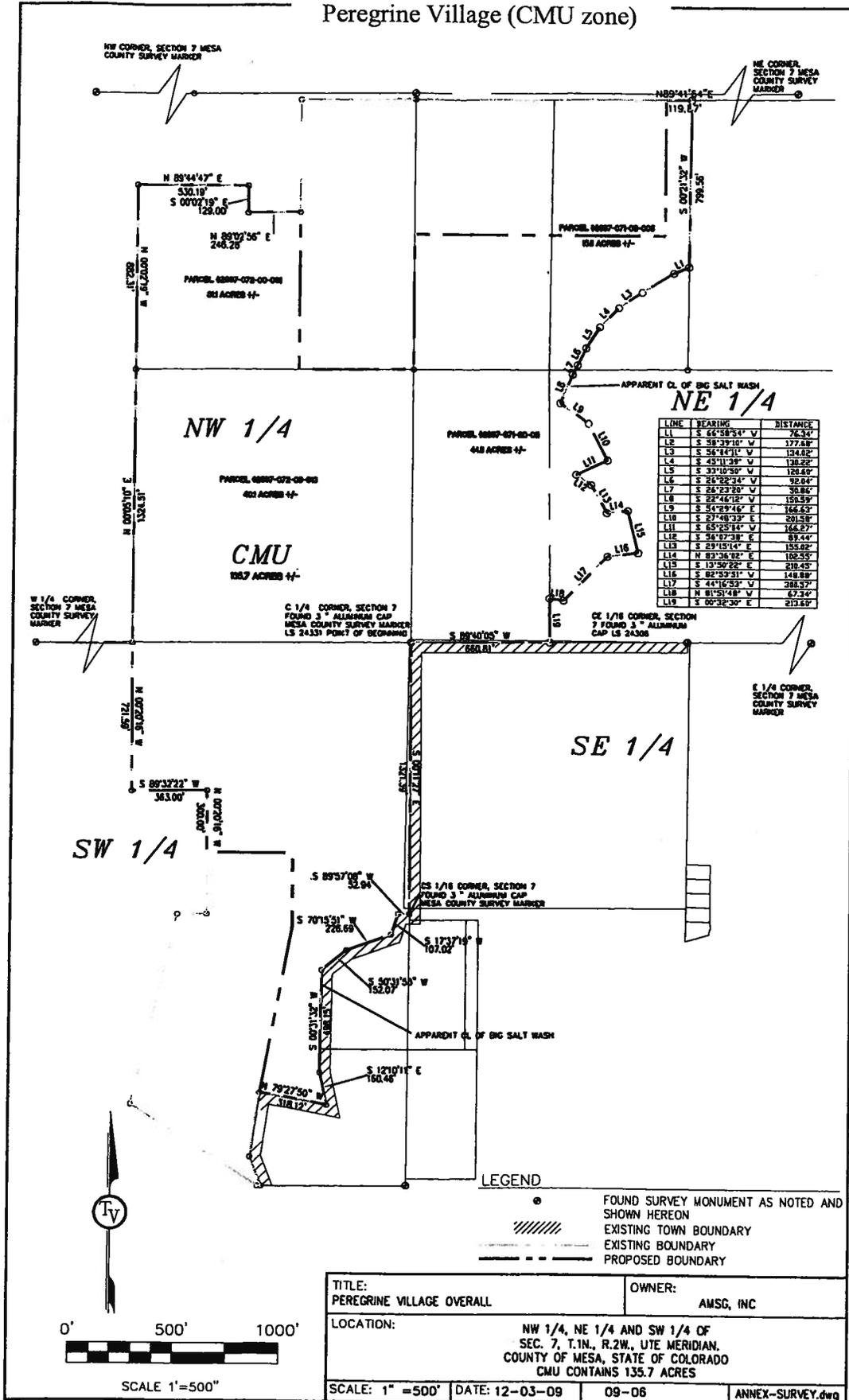


EXHIBIT G
Ordinance 2010-08

PEREGRINE VILLAGE
PLANNED UNIT DEVELOPMENT GUIDE

THIS DEVELOPMENT GUIDE is entered into this 6th day of April, 2010, by and between the CITY OF FRUITA, COLORADO, a Colorado municipal corporation, whose address is 325 E. Aspen Ave, Fruita, Colorado, 81521, (the "City") and BEN E. CARNES, whose address is 831 Elberta Drive, Fruita, Colorado 81521 (the "Developer").

SECTION 1
SUMMARY OF STANDARDS

1.1 Guiding Principles. All buildings shall strive to support traditional neighborhood development defined as a compact, mixed use neighborhood where residential, commercial and civic buildings are within close proximity to each other. Once approved, the Guide becomes a governing document for land use and dimensional limitations on the Property. The City of Fruita Municipal Code shall prevail in the event that this Guide is silent to a particular standard;

- Buildings shall be oriented to the street with parking generally located behind. Where dedicated parking areas lie within the line of sight of the Street, screening will be provided in the form of Landscape Berms, Masonry Walls, Fences, Landscaping or other screenings.
- Walkways along public travel ways shall be planted with shade trees as described in this Guide.
- Landscaped areas shall be planted as to reduce the need for supplemental irrigation.
- Buildings shall conform to requirements of the Municipal Code with the exceptions as identified in this PUD Guide, understanding that in no way does this PUD Guide vary the health and safety requirements contained in Title 8, requirements concerning public peace morals and welfare contained in Chapter 9, requirements concerning public improvements contained in Title 12, requirements concerning water and wastewater service contained in Title 13, or the requirements of the city's building codes as set forth in Title 15.
- Parking areas shall incorporate landscaped islands at a rate of a minimum of 20% above requirements of Chapter 17.39.070.G-1 of the Fruita Land Use Code.
- Bicycle Rack spaces shall be provided at a rate of 110% of spaces required in Chapter 17.39.030.A of the Fruita Land Use Code.
- Pedestrian/Bicycle Trails shall connect to the City Pedestrian/Bicycle Trails system forming a continuous access to inter and intra parcel trail systems within the project.
- Sidewalks and trails that are open to the public shall be a minimum of 5 feet in width, and connect building entrances to the adjacent public sidewalk and associated parking areas unless additional width is required by the Land Use Code.

- Buildings shall be placed on or within 14' to a build-to-line on the STREETSIDE property line except as provided for in Section 17.11.030.B.2 of the Fruita Land Use Code.
- Buildings located on Corner Lots should address both STREETSIDE (s) that they face.
- Shops and businesses shall have access directly from the STREETSIDE sidewalk.

1.2 Architectural Standards; All Buildings Regardless of Use. All buildings shall follow the design standards contained in Section 17.11.030 of the Fruita Land Use Code with the following exceptions/requirements:

Building Walls (Exterior)

- Entries and Facades
 - The architectural features, materials, and the articulation of a façade of a building shall be continued on all sides visible from a public street.
 - Residential or Mixed Use Buildings; Porches, pent roofs (small eaves-like projection from the façade of a building between floors and has a single straight slope), roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences.
 - Structures on opposite sides of the same street should follow similar design guidelines. This provision shall not apply to buildings bordering civic uses.
- Walls;
 - Residential or Mixed Use Buildings; Wall openings shall be “no more squat than square” (i.e. must be taller than wide).
 - Except for Single Family Attached or Detached Dwelling Units, Commercial Office Buildings, or Mixed Use Building residential access points, wall openings shall not span vertically more than one storey
 - In All Buildings Wall materials shall be consistent horizontally (i.e. joints between different materials must be horizontal and continue around corners) except for towers, chimneys, piers and decorative applications.
- Brick, Block and Stone
 - Must be properly detailed and in appropriate load-bearing proportions
- Siding
 - Siding shall not be aluminum except as identified elsewhere in this guide.
- Stucco (cementitious finish)
 - Smooth or sand finish only

ROOFS Where Clearly Visible From The Street

- Materials
 - Concrete (faux clay)
 - Tile: barrel or flat roman
 - Slate, equivalent synthetic or better
 - Standing Seam
 - Architectural grade asphalt
- Pitch Configurations and Techniques
 - Residential and Mixed Use Buildings
 - Simple hip and gable roofs shall be symmetrically pitched between 6:12 and 10:12
 - Shed roofs, subordinate and attached to the primary structure, shall be pitched between 4:12 and 7:12.
 - Flat roofs if used shall have a minimum eighteen (18) inch parapet, gambrel, or mansard extension on the street-side.
 - Exclusively Commercial Office Buildings: The following roof styles are allowed..
 - Arched Roof
 - Barrel-arched
 - Catenary
 - Conical
 - Cut Roof
 - Domical
 - Outshot
 - Pyramidal
 - Flat roof
 - Open rooftop - a flat roof with balustrade
 - Ridged
 - Pitched or gabled
 - Asian traditional style
 - Crow-stepped gable (also called corbie step) gable
 - Dutch gable – a hybrid of hipped and gable
 - Shaped gable
 - Salt-box
 - Saddleback – a gabled roof atop a tower
 - Hip roof
 - Half-hipped
 - Mansard –
 - Gambrel –
 - Bell-cast – as a mansard, but with the shallow slope below the steeper slope
 - pavilion
 - Skillion roof single-sloped, lean to, or shed roof

- cat-slide
 - Lean-to
- Overhang Residential and Mixed Use Buildings
 - Eaves must overhang at least 18” on the primary structure.
 - Rakes (gable end) must overhang at least 12”.
 - Eaves and rakes on accessory buildings, dormers, and other smaller structures must overhang at least 8”.
 - Open eaves and simple classical soffits and fascia are allowed.
 - Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof (except for gable end rakes).
 - Cornices and soffits may be a combination of vinyl, wood, and/or metal.
 - Timber eaves and Balcony brackets must be a minimum of 5.5” in dimension.
 - Cornices and Other Features for all buildings regardless of use
 - Skylights and roof vents are permitted only on the roof plane opposite the primary STREET.
 - Buildings may vary from the exact prescriptions of these standards as long as this is not perceptible from the STREET. Specific roof and cornice features permitted include:
 - So-called “mansard” or “gambrel” roofs: flat roof platform behind partial roof slope
 - Alternate imitation clay tile materials, such as fiberglass.

WINDOWS AND DOORS; Windows and doors must be simple in both design and placement.

Residential or Mixed Use Buildings:

- Standards: Residential or Mixed Use Buildings Where Clearly visible from the STREET
 - Materials
 - Window glass must be clear, with light transmission at the ground storey at least 90% and 75% for the upper storey(s).
 - Window screens shall be black or gray
 - Screen frames shall match window frame material or dark anodized
 - Windows should be divided by mullions into multiple panes of glass.
 - Configurations and Techniques
 - For Residential or Mixed Use Buildings; Openings for windows, windowpanes, and doors shall be “no more

squat than square" (i.e. must be taller than wide).
Transom windows are not included in the measurements of this requirement.

- Windows may be ganged horizontally (maximum 3 per group) if subdivided by a mullion that is at least 7" wide.
- For Residential or Mixed Use Buildings; Windows shall be no closer than 30" to building corners.
- If used, Exterior shutters shall be sized and mounted appropriately for the window (1/2 the width), even if inoperable.
- Upper-storey windows:
 - For Residential or Mixed Use Buildings: Double-hung, single-hung, awning, and casement windows.
 - For Residential or Mixed Use Buildings: Minimum 2-over-1 double-hung, single-hung sash configurations.
 - For Residential or Mixed Use Buildings: panes of glass no larger than 36" vertical by 20" horizontal (except for the bottom sash in a 2-over-1 configuration).
- Mixed Use Shop-front Retail (ground floor) windows and doors:
 - Single panes of glass not longer than 6' height by 4' width.
 - Ground floor Retail windows shall not be made opaque by window treatments (excepting automatic or manually operable sunscreen devices within the conditioned space, or manufactured as an integral component of the window unit, and shall allow a minimum 60% of surface view into the building (to at least a 20' depth)
- Doors:
 - Except for Single Family Attach or Detached, Exclusively Commercial Office buildings, and Mixed use buildings at points of residential access: Double-height entryways are not allowed.
 - Shop-fronts may extend up to 12" beyond the building façade toward the STREET.
 - Doors shall not be recessed more than 3' behind the shop-front windows and, in any case, shall have a clear view to a 45-degree angle past the perpendicular from each side of the door.

LIGHTING AND MECHANICAL EQUIPMENT: Street lighting design shall meet the minimum standards developed by the local Power Company, the City, and the following:

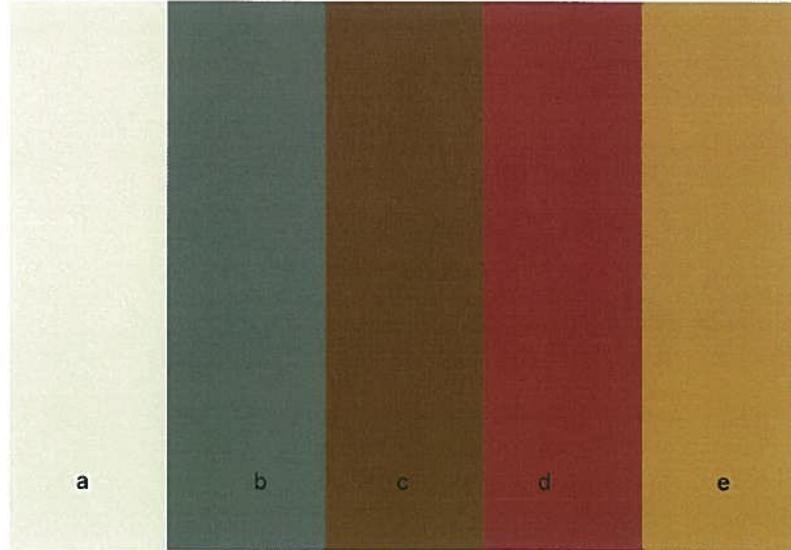
- **STANDARDS: LIGHTING**

- STREET lighting: lights located between 9' and 15' above grade with a maximum average spacing (per block face) of 60' on center and located on STREET TREE ALIGNMENT LINE on each side of the STREET and travel lanes.
- At the front of the building, exterior lights shall be mounted between 6' and 15' above grade.
- Lighting elements shall be incandescent, metal halide, or halogen only. No HID or fluorescent light (excepting compact fluorescent bulbs, which screw into standard sockets) may be used on the exterior of buildings.
- Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other lots, the STREET, or direct light out of the Peregrine Village property.
- Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting).
- Lighting of the site shall be of a design and height and shall be located so as to illuminate only the lot. An exterior lighting plan must be approved by the City.
- No flashing, traveling, animated, or intermittent lighting shall be visible from the exterior of any building whether such lighting is of temporary or of long-term duration. Also, the operation of search lights and other upward-directed and moving lights used to promote business activity is strictly prohibited.
- Parking lot light fixtures shall be equipped with fixture cutoffs and/or are optically controlled for light spillover and glare beyond the boundary of the development
- Outdoor Fixtures shall be oriented and shielded to prevent direct illumination above the horizontal surface passing through the fixture.
- Outdoor lighting shall be energy efficient, metal halide/high pressure sodium/or similar sources.

COLORS Intent and Guidelines: Exterior wall colors should reflect the traditional materials and techniques of the Historic Downtown Fruita with simple configurations favored over complexity and ostentation in construction and detailing, they are also necessary in color selection.

- **COLORS**

- Where clearly visible from the STREET



ARCHITECTURAL BASIC PALETTE
SHADES AND VARIATIONS ARE ALLOWED

- RGB values:

- A: R=246, G=235, B=207

- B: R=107, G=122, B=101

- C: R= 94, G= 57, B= 2

- D: R=130, G= 41, B= 27

- E: R=186, G= 140, B= 63

- Materials

- Building Wall Colors

- Colors chosen for the building exteriors should be taken from the Peregrine Village Property color palette.
 - Brick shall approximate the color of bricks made from regional clays.
 - Primary colors shall not be used for building walls unless they are muted in tone
 - Neon colors are not allowed.

- Roof Colors

- Natural colors (i.e. terra cotta for clay or ersatz clay) tiles

- Trim Colors

- For windows, soffits, cornices, moldings, etc.: whites or dark saturated cool colors (greens, blues), or bronze. Aluminum windows, screen frames, etc. shall be bronze anodized.
 - Schemes may have no more than two trim colors.

- Entry doors are permitted a greater color latitude (including reds), subject to Architectural Review Committee approval.
- Brick and stone may be left their natural color.
- Configurations
 - Schemes with building walls of more than one color are discouraged except where materials are different, such as when a decorative stucco door surround is used, or there is a transition between surface materials. Where different wall materials allow two-tone schemes, similar colors and tones are recommended. Sharply contrasting colors shall not be used (e.g., red-green blue-yellow).

**MINIMUM STANDARDS
THE STREETScape**

- Each street shall have a canopy of shade trees (STREET TREE). In addition to individual landscape plans to be made as part of any Approved Site Plan. STREET TREES shall be planted along the STREET ALIGNMENT LINE at an average spacing not greater than 30 feet on center (measured per block face). At planting, trees shall be at least 3 inches in diameter (at chest height), and at least twelve (12) feet in overall height. Tree selection to be approved by the City. Trees should be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete.

PARKING REQUIREMENTS. Parking areas for shared or community use should be encouraged.

In addition:

- All off-street parking, except for bicycles, shall be located at the rear or side of a building. If located at the side, screening shall be provided as specified in section 3.1.
- A parking lot or garage may not be adjacent to or opposite a street intersection.
- Service access should provide a direct route to service and loading dock areas, while avoiding movement through parking areas.
- Paving which reduces impervious surfaces through the use of interlocking pavers, or porous asphalt, is encouraged for areas such as remote parking lots and parking areas for periodic uses.

Architectural Review Approval. A letter of approval by The Peregrine Village Design Review Board must accompany all applications for approval of commercial signs, non-residential buildings and mixed use buildings.

LAND USES

A. The Subject Property will be developed with uses as permitted in the General Commercial zone as per the Land Use Code in effect as of 02-02-2010 in the same manner as Chapter 17.07.060F of the Land Use Code with the exception that single family residential land uses will be permitted with the same density and dimensional standards as permitted/required for multi-family housing in the General Commercial zone and with the following land uses prohibited:

- Jails, Honor Camps, Reformatories, Detention Center
- Community Corrections Facility
- Cemetery
- Campground, Primitive
- Funeral Homes/Mortuaries/Crematories
- Recreational Vehicle Parks, Resorts, and Campgrounds
- Shooting Ranges, Outdoor
- Drive-in Theater
- Shooting Ranges, Indoor
- Sexually Oriented Businesses
- Animal Clinic/Hospital/Boarding/Sales, Outdoor
- Delivery and Dispatch Services (Vehicles on-site)
- Farm Implement/Equipment Sales/Service
- Fuel Sales, Heavy Vehicle
- Manufactured Building Sales and Service
- Rental, Heavy Equipment, Outdoor Display/Storage
- Truck Stop/Travel Plaza/Truck Parking Area
- Medical Marijuana Stores of any description
- Industrial operations which include outdoor operations and/or outdoor storage
- Junk yards
- Warehousing and Freight with outdoor storage and/or loading
- Gas, Petroleum, Sand or Gravel storage
- Non-Hazardous Waste Transfer
- Medical/Hazardous Waste Transfer Stations

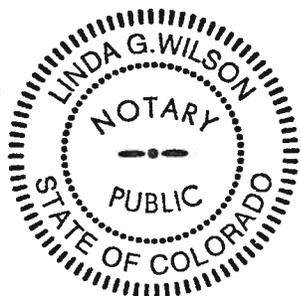
Ben E. Carnes
Ben E. Carnes, Property Owner

Notary Public

STATE OF COLORADO)
) §
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 27th day of APRIL, 2010, by Ben E. Carnes.

WITNESS my hand and official seal.
My commission expires: 08-21-13



Linda G. Wilson
Notary Public