



**FRUITA CITY COUNCIL
OCTOBER 20, 2020
7:00 P.M.**

Public Link to Meeting

When: October 20, 2020 7:00 PM Mountain Time (US and Canada)

Topic: City Council Meeting – 10/20/2020

The link to join the meeting electronically will be posted on 10/20/20 prior to the meeting at www.fruita.org/covid19 under City Council meetings. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting.

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. AGENDA - ADOPT/AMEND**
- 4. PROCLAMATIONS AND PRESENTATIONS**
 - A. PROCLAMATION - Celebrating the 20th Anniversary of McInnis Canyons National Conservation Area to be accepted by Collin Ewing, Bureau of Land Management's National Conservation Area Manager, Greg Wolfgang, BLM Field Manager and Sarah McCall, Executive Director of the Colorado Canyons Association**
 - B. PROCLAMATION – Proclaiming October as “LGBTQ History Month” in the City of Fruita to be accepted by Mr. Xavier Saenz and Family**
- 5. PUBLIC PARTICIPATION**

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. **Please limit comments to a three-minute period.**
- 6. CONSENT AGENDA**

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. These items will be approved by a single motion of the Council. Members of the Council may ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

- A. MINUTES - A request to approve the minutes of the October 6, 2020 Regular (Virtual) City Council Meeting
- B. RESOLUTION 2020-41 – Setting a hearing date for December 15, 2020 to determine the eligibility of approximately 10.35 acres of property located at 1892 K Road to be annexed into the City of Fruita and to consider initiation of annexation procedures (*Skalla Annexation*)
- C. RESOLUTION 2020-42 - Setting a hearing date for December 15, 2020 to determine the eligibility of approximately 4.57 acres of property located at 1848 J Road to be annexed into the City of Fruita and to consider initiation of annexation procedures (*Grand Valley Estates 3 Annexation*)
- D. ORDINANCE 2020-06 – First Reading – An introduction of an Ordinance annexing approximately 10.35 acres of property located at 1892 K Road to be annexed into the City of Fruita for publication of public hearing on December 15, 2020 (*Skalla Annexation*)
- E. ORDINANCE 2020-07 – First Reading – An introduction of an Ordinance amending the official Zoning Map of the City of Fruita by zoning approximately 10.35 acres of property located at 1892 K Road to Community Residential for publication of public hearing on December 15, 2020 (*Skalla Zoning*)
- F. ORDINANCE 2020-08 - First Reading – An introduction of an Ordinance annexing approximately 4.57 acres of property located at 1848 J Road to be annexed into the City of Fruita for publication of public hearing on December 15, 2020 (*Grand Valley Estates 3 Annexation*)
- G. ORDINANCE 2020-09 – First Reading – An introduction of an Ordinance amending the official Zoning Map of the City of Fruita by zoning approximately 4.57 acres of property located at 1848 J Road to Community Residential for publication of public hearing on December 15, 2020 (*Grand Valley Estates 3 Zoning*)

7. PUBLIC HEARINGS

Public hearings are held to obtain input from the public on various items. Public hearings are either Legislative in nature or Quasi-Judicial in nature. **Public Input** is limited to 3 minutes per person. People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made. Each is described as follows:

- **LEGISLATIVE** – Legislative public hearings are held when the City Council is considering an item that establishes legislation such as an ordinance amending or establishing laws of the city. Interactions by members of the public with the City Council or individual members is permissible on items of a legislative nature.
- **ORDINANCES** - After introduction of an Ordinance (First Reading), a public hearing date is set and notice of the hearing is published in the newspaper. Staff presents the ordinance on Second Reading and the hearing is opened to the public for public input. After comments from the public, the Mayor will close the hearing and bring the Ordinance back to the City Council for discussion and potential action. The Council will make a motion to approve the Ordinance or take no action. In the event the ordinance is approved, it will become effective 30 days after adoption.
- **QUASI-JUDICIAL** – Quasi-judicial public hearings are held when the City Council is acting in a judicial or judge like manner and a person with a legitimate interest is entitled to an impartial decision made on the basis of information presented and laws in effect. Quasi-judicial hearings are commonly held for land use hearings and liquor license hearings. Since the City Council is acting in a fair and impartial manner, it is NOT permissible for City Council members to have any ex-parte communication (contact between the applicant, members of the public, or among other members of the City Council) outside of the Public Hearings and meetings on the subject application. The City Council must limit its consideration to matters which are placed into evidence and are part of the public record. Quasi-judicial hearings are held in the following manner:
 - 1) **Staff presentation** (15 minutes max) Staff will present the comments and reports received from review agencies and offer a recommendation.
 - 2) **Applicant Presentation** (15 minutes max) The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
 - 3) **Public Input** (limit of 3 minutes per person) Speakers must step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
 - 4) **The public hearing is closed to public comments.**
 - 5) **Questions from the Council.** After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
 - 6) **Make a motion.** A member of the City Council will make a motion on the issue.
 - 7) **Discussion on the motion.** The City Council may discuss the motion.
 - 8) **Vote.** The City Council will then vote on the motion.

8. ADMINISTRATIVE AGENDA

A. PRESENTATIONS - OUTSIDE AGENCY FUNDING UPDATES

- 1) Fruita Chamber of Commerce – *Kayla Brown, Executive Director*
- 2) Grand Junction Economic Partnership – *Robin Brown, Executive Director*

B. 2021 BUDGET PRESENTATIONS

- 1) Parks and Recreation Presentation – *Ture Nycum, Parks and Recreation Director*
- 2) Community Center Fund Presentation – *Tom Casal, Recreation Superintendent*

C. LAND USE CODE UPDATE – *Dan Caris, Planning & Development Director*

9. CITY MANAGER’S REPORT

10. COUNCIL REPORTS AND ACTIONS

11. ADJOURN

Proclamation

Celebrating the 20th Anniversary of McInnis Canyons National Conservation Area

WHEREAS, McInnis Canyons National Conservation Area was established by Public Law 106–353 on October 24, 2000, and was renamed in honor of Representative Scott McInnis by Public Law 108–400 on January 1, 2005; and

WHEREAS, McInnis Canyons National Conservation Area consists of approximately 123,430 acres of protected public land, including the 75,000-acre Black Ridge Canyon Wilderness; and

WHEREAS, McInnis Canyons National Conservation Area includes the second-highest concentration of natural arches in North America, internationally important paleontological resources, numerous pictograph and petroglyph sites, and world-class mountain biking and other recreational opportunities; and

WHEREAS, McInnis Canyons National Conservation Area provides many benefits to our residents from recreational pursuits to ranching to other multiple uses; and

WHEREAS, citizens and visitors to the City of Fruita enjoy the recreational, health, scenic and economic benefits from the McInnis Canyons National Conservation Area; and

WHEREAS, The McInnis Canyons National Conservation Area will observe the 20th Anniversary of its establishment on October 24, 2020 and will offer many special events and activities to promote McInnis Canyons National Conservation Area during the Fall of 2020.

THEREFORE, the City of Fruita hereby affirms the critical importance of McInnis Canyons National Conservation Area to the success and well-being of our community and adds our voice to the celebration of the 20th Anniversary of the McInnis Canyons National Conservation Area.

IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 20th day of October, 2020.

Joel Kincaid, Mayor of the City of Fruita

FRUITA PRIDE MONTH PROCLAMATION

WHEREAS, the city of the Fruita recognizes and proclaims the month of October 2020 as Lesbian, Gay, Bisexual, Transgender, Questioning and all other persons who identify under the LGBTQ+ umbrella as “LGBTQ Awareness Month” and

WHEREAS, the rainbow flag is recognized as the symbol of LGBTQ+ pride, inclusion, equality and support for social movements that advocate for LGBTQ+ people and

WHEREAS, all human beings are born equal and free in rights and dignity. LGBTQ+ individuals have had an immeasurable impact to the civic, cultural, and economic successes of our country; and

WHEREAS, the City of Fruita is committed to supporting the visibility, dignity and equality for LGBTQ+ people in our diverse community; and

WHEREAS, it is essential to acknowledge that the need for continued education and awareness will remain vital to end discrimination, and prejudice; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and the City of Fruita, Colorado calls upon the people of this municipality to embrace this principle and work to eliminate prejudice and discrimination everywhere it exists; and

WHEREAS, celebrating Pride Awareness Month influences awareness and provides support and advocacy for Fruita’s LGBTQ+ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance in the community and advance equal rights.

NOW, THEREFORE BE IT RESOLVED that The City of Fruita hereby proclaims the month of October 2020 as LGBTQ Awareness Month in support of the LGBTQ community.

IN WITNESS WHEREOF, I have hereunto set my hand and cause to be affixed the official seal of the City of Fruita this 20th day of October, 2020.

Joel Kincaid, Mayor of the City of Fruita



**FRUITA CITY COUNCIL
VIRTUAL MEETING
OCTOBER 6, 2020
7:00 P.M.**

1. CALL TO ORDER AND ROLL CALL

Mayor Kincaid called the regular meeting of the Fruita City Council to order at 7:00 p.m. The meeting was held with virtual access provided through Zoom.

2. PLEDGE OF ALLEGIANCE

The American Flag was displayed on the screen and the Pledge of Allegiance was recited.

Present via teleconference:

Mayor Joel Kincaid
Mayor Pro Tem Lori Buck
City Councilor Heather O'Brien
City Councilor Kyle Harvey
City Councilor Matthew Breman
City Councilor Karen Leonhart

Excused Absent:

None

Also present via teleconference:

City Manager Mike Bennett
Deputy City Clerk Deb Woods
Management Analyst Shannon Vassen
Arts and Culture Board Member Marian Heesaker
Fruita Chiropractic & Massage Owners Elizabeth and Jon Blaha
City of Fruita Code Compliance Officer Dave Oliver
Mind Springs Health Public Relations Manager Stephanie Keister
Mind Springs Foundation President and Mind Springs Health Executive Leadership Team Member Roger Sheffield
Slate Communications Marketing Specialist Anna Hrovat-Staedter
Slate Communications CEO Ryan Burke
Members of the public

3. AGENDA – ADOPT/AMEND

Mayor Kincaid asked if there had been any additions or amendments to the agenda. Deputy City Clerk Deb Woods confirmed that there were none.

- **COUNCILOR BREMAN MOVED TO ACCEPT THE AGENDA AS PROPOSED. COUNCILOR O'BRIEN SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

A. PRESENTATION – ARTS AND CULTURE BOARD MEMBER MARIAN HEESAHER PRESENTS AN UPDATE ON THE WELLSRING PROJECT AND THE 2020 ARTS IN SOCIETY GRANT THE BOARD RECEIVED FOR THE PROJECT

Arts and Culture Board Member Marian Heesaker delivered a PowerPoint presentation on the Wellspring Project, for which the Fruita Arts and Culture Board received a \$20,000 Arts in Society grant award. The Project will address *Water Use in the West* and will feature a seven-day summer camp for eighteen Fruita Middle School students the week of June 12 – 18, 2021.

Ms. Heesaker reviewed the various summer camp activities being planned to include a final project where students will spend three days working with three local artists to create a permanent exhibit(s). One possibility is that of creating a mural on the 75-foot bare wall at Highway 6 & 50 along the Riverfront Trail (after the board brings the idea back to the City Council for approval).

Ms. Heesaker also listed the names of the partnering agencies that she contacted and met with regarding the grant and the potential seven-day summer camp, which will be dependent on the status of the COVID-19 pandemic. She requested that Council members contact Parks and Recreation Director Ture Nycum for her email address if they had any additional ideas.

Mayor Kincaid requested an update on the project from the Arts and Culture Board as time gets closer to finalization of the grant award project and that Ms. Heesaker convey his thanks to all members of the board.

B. PROCLAMATION – PROCLAIMING OCTOBER 25 – 31, 2020 AS “MASSAGE THERAPY AWARENESS WEEK” IN THE CITY OF FRUITA TO BE ACCEPTED BY JON AND ELIZABETH BLAHA OF FRUITA CHIROPRACTIC AND MASSAGE

Councilor Leonhart read the Proclamation, which was accepted by Jon and Elizabeth Blaha of Fruita Chiropractic and Massage. The Blahas announced that they will be giving away a massage per day on their Facebook page during “Massage Therapy Week.”

C. PROCLAMATION – PROCLAIMING OCTOBER 2020 AS “NATIONAL CHIROPRACTIC HEALTH MONTH 2020” IN THE CITY OF FRUITA TO BE ACCEPTED BY JON AND ELIZABETH BLAHA OF FRUITA CHIROPRACTIC AND MASSAGE

Councilor Breman read the Proclamation, which was also accepted by Jon and Elizabeth Blaha of Fruita Chiropractic and Massage.

D. PROCLAMATION – PROCLAIMING OCTOBER 2020 AS “NATIONAL CODE COMPLIANCE MONTH” IN THE CITY OF FRUITA TO BE ACCEPTED BY DAVE OLIVER, CODE COMPLIANCE OFFICER FOR THE CITY OF FRUITA

Councilor Buck read the Proclamation, which was accepted by Fruita’s Code Compliance Officer Dave Oliver. Councilor Buck noted that Dave’s job was not an easy one (having done it herself in the past) and thanked him for what he does for the City.

E. PROCLAMATION – PROCLAIMING MONDAY, OCTOBER 12, 2020 AS “INDIGENOUS PEOPLES’ DAY” IN THE CITY OF FRUITA TO POTENTIALLY BE ACCEPTED BY A REPRESENTATIVE OF THE SOUTHERN UTE INDIAN TRIBE IN IGNACIO, COLORADO OR THE NATIVE AMERICAN STUDENT ALLIANCE (NASA) AT COLORADO MESA UNIVERSITY

Councilor Kreie read the Proclamation. He noted that he was unsuccessful in locating someone to accept it at this time.

F. PROCLAMATION – PROCLAIMING OCTOBER 4 – 10, 2020 AS “MENTAL ILLNESS AWARENESS WEEK” IN THE CITY OF FRUITA TO BE ACCEPTED BY A REPRESENTATIVE OF MIND SPRINGS HEALTH GRAND JUNCTION

Mayor Kincaid read the Proclamation, which was accepted by Mind Springs Foundation President Roger Sheffield on behalf of Mind Springs Health/West Springs Hospital, their partners in mental health care and all their private practitioners. He also acknowledged Sharon Raggio, CEO of Mind Springs Health and West Springs Hospital.

5. PUBLIC PARTICIPATION

There was no (virtual) public participation.

6. CONSENT AGENDA

- A. MINUTES - A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 15, 2020 REGULAR (VIRTUAL) CITY COUNCIL MEETING**
- B. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF DR. CHRIS TAGGART TO THE LIVABILITY COMMISSION FOR A THREE-YEAR TERM TO EXPIRE IN OCTOBER OF 2023**
- C. RESOLUTION 2020-39 – SUPPORTING AN APPLICATION FOR A COLORADO PARKS AND WILDLIFE NON-MOTORIZED PLANNING GRANT FOR THE DEVELOPMENT OF BIOLOGICAL STUDIES IN THE NORTH FRUITA DESERT**

D. RESOLUTION 2020-40 – ADOPTING THE 2020 REVISED MESA COUNTY, COLORADO MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Mayor Kincaid opened the public hearing on the Consent Agenda. After Shannon Vassen confirmed that there were no comments from the public, the Mayor directed the Council to either remove any of the above items for further discussion or make a motion to approve the Consent Agenda.

- **COUNCILOR KREIE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR LEONHART SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

A. LEGISLATIVE HEARINGS

1) ORDINANCE 2020-04 – SECOND READING – APPROVING AN ORDINANCE AMENDING SECTION 17.21, SUBDIVISION AND DEVELOPMENT IMPROVEMENTS AGREEMENTS OF TITLE 17, LAND USE CODE OF THE FRUITA MUNICIPAL CODE

City Planner Henry Hemphill gave staff's presentation. He explained the following changes to the Land Use Code that would occur should the Ordinance be adopted:

- The name "Improvements Agreement" would replace both "Subdivision Improvements Agreements" and "Development Improvements Agreements."
- The Performance Guarantee that is held by the City would increase to 125% (from 110%) of the cost of the construction of a development from the start of construction to completion to provide the City with less vulnerability and hold developers more accountable.
- Transfer of the authority to approve Improvements Agreements from the City Council to the City Manager or the Planning & Development Director
- Transfer of the authority to approve a "Certificate of Completion" (previously known as a "First Release of a Subdivision Improvements Agreement") from the City Council to the City Manager or the Planning & Development Director
- Transfer of the authority to approve a "Final Release of an (Subdivision) Improvements Agreement" from the City Council to the City Manager or the Planning Director
- The percentage of a financial guarantee that is required for the two-year warranty period of a development has been modified (depending on the total cost of construction) to align itself with some best practices and development standards of the Land Use Code and accountability measures.

This concluded staff's presentation.

Mayor Kincaid expressed concern about the Performance Guarantee percentage increase to 125% from 110% because he has already heard comments about how expensive it is to develop in Fruita.

Mr. Hemphill responded that the percentage of the Performance Guarantee goes down to 10% when the City does the "First Release" for any development between \$0 and \$500,000 for the cost of construction and then it tiers down after that. He said for between \$500,000 and \$750,000, the City holds 7.5% of the cost of construction and for any amount over that, the City holds 5% of the cost of construction.

Councilor Buck asked if staff had received any comments from developers about raising the Performance Guarantee percentage. Mr. Hemphill answered that staff had received no written comments from developers, but Planning & Development Director Caris stated that he had heard comments that developers are elated at the thought that they would not have to go before Council for approval of their Improvements Agreements and instead would only need administrative approval. He added that what staff was proposing aligns well with what other jurisdictions on the Western Slope are doing.

Councilor Leonhart asked if staff has any historical data about instances when the City had to finish a development that was not completed by a developer. Neither Mr. Hemphill or Caris could recall a situation in Fruita where funds being held had to be obtained to complete a development, but Mr. Caris recollected subdivisions located elsewhere that had fallen dormant or were foreclosed upon after portions of the infrastructure had been installed, so he feels that having the additional financial guarantee would only serve to protect the City even more in that eventuality.

Councilor O'Brien asked the other Council members how they felt about giving staff the authority to make the approval decisions that were being proposed rather than having developers go before the Council for approval.

Councilor Buck responded that Mr. Caris has done a very good job of making sure that development applications are complete before the Council even sees them, so she feels very comfortable that staff will have the ability to tie up any loose ends when it comes to Improvements Agreements between the City and developers.

Councilor O'Brien suggested that it really was not about the City having good staff, but rather that it was about the City having good systems in place.

Mayor Kincaid opened the public hearing on Ordinance 2020-04. Mr. Vassen confirmed that there were no comments from the public. The Mayor referred the matter back to the Council for any further questions or a motion.

- **COUNCILOR O'BRIEN MOVED TO APPROVE ORDINANCE 2020-04 AS PRESENTED BY STAFF. COUNCILOR BUCK SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

2) ORDINANCE 2020-05 – SECOND READING – APPROVING AN ORDINANCE AMENDING SECTION 17.47, VESTED RIGHTS, OF TITLE 17, LAND USE CODE OF THE FRUITA MUNICIPAL CODE.

City Planner Henry Hemphill gave staff's presentation. He stated that the amendment to the Land Use Code will allow staff to administratively approve a Vested Rights request in accordance with the associated type of development project, whether it be a Site Design Review, Minor Subdivision or Major Subdivision. The election of Vested Rights allows a development project up to three years to commence from the date of approval under the terms and conditions for which it was approved.

In addition, a Section in the Land Use Code currently has a separate way for a property owner or developer to request Vested Rights later in the development process. This was reviewed by the Land Use Code consultant and the City Attorney and it was decided that it is quite unusual for a developer to make a Vested Rights request halfway through a project, so that Section was eliminated. Staff has received no negative feedback on this change.

Another change to this Section of the Code is the addition of language that states that "forfeiture of Vested Rights is triggered by the failure of a developer to abide by the terms and conditions contained in the approval of the development project," which is very common language in other Land Use Codes throughout the state.

This concluded staff's presentation.

Mayor Kincaid opened the public hearing on Ordinance 2020-05. There was no public input. The Mayor asked the Council for comments, questions, or a motion.

- **COUNCILOR BUCK MOVED TO APPROVE ORDINANCE 2020-05 – SECOND READING – AN ORDINANCE AMENDING SECTION 17.47, VESTED RIGHTS, OF THE FRUITA LAND USE CODE. COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

8. ADMINISTRATIVE AGENDA

A. 2021 BUDGET PRESENTATIONS:

1) MARKETING STRATEGY FOR 2021 – SHANNON VASSEN, MANAGEMENT ANALYST

Management Analyst for the City of Fruita Shannon Vassen presented a PowerPoint slideshow on the 2021 Marketing and Promotions Budget. Anna Hrovat-Staedter, Marketing Specialist for Slate Communications and their CEO, Ryan Burke, were also in attendance remotely.

Mr. Vassen reported on the effect of the pandemic on the City's marketing in 2020, 2020 goals and successes and 2021 Budget highlights of the Marketing and Promotions Fund. Highlights of the 2021 Budget include:

- Projected revenues in 2021 of \$92,450 (37% decrease)
- YTD, lodging taxes are down 47% through July 2020 (due to COVID-19 and wildfires)
- Expenses of \$112,450
- Available funds of \$119,320 are estimated at the end of 2021 (down from \$139,320 at the end of 2020)

Mr. Vassen reviewed the funding for Special Events that were cancelled in 2020 due to COVID-19. The Fruita Tourism Advisory Council (FTAC) is recommending that the funds that were budgeted for these events in 2020 be rolled over into 2021. These include:

- Fat Tire Festival/18 Hours of Fruita (\$3,500)
- Fruita Fall Festival (\$3,000)
- Colorado Riverfront Concert Series (\$3,000)
- Mad Racing – Three Events (\$4,000)

The following applications were received for funding requests in 2021. The Fruita Tourism Advisory Council's (FTAC's) recommendation of distribution of monies for Special Events in 2021 is as follows:

- Fruita Farmers' Market (\$5,000 as requested)
- Rim Rock Rodeo (\$1,000 as requested)
- Mike the Headless Chicken Festival (\$4,000 as requested)
- Thursday Night Concert Series (\$4,000 as requested)

Other expenses in the 2021 Marketing and Promotions Fund include:

- \$7,000 for signs and banners improvements (I-70 billboard)
- \$2,000 budgeted for mini-grants
- \$2,500 for the Governor's Conference on Tourism
- \$3,000 to the Greater Grand Junction Sports Commission (for events such as the Rim Rock Marathon)

Mr. Vassen concluded his presentation by stating that even though tax revenues are projected to decrease in 2021, the FTAC requested that the advertising and promotion line item for Slate Communications be at \$65,000 to bolster 2021 marketing efforts (assuming the state will be welcoming in- and out-of-state travelers by then). He then turned the presentation over to Slate Communications' Marketing Specialist Anna Hrovat-Staedter.

Ms. Hrovat-Staedter gave Slate Communication's presentation on Fruita's Marketing Overview, which included acknowledgement of Fruita's #1 Kid-Friendly Outdoor Destination Award from

Elevation Magazine, statistics for the City's social media platforms and websites and 2020 marketing goals of the FTAC, which included:

- Increase economic activity in Fruita
- Convert efforts into visitations
- Build a sustainable and balanced tourism base
- Attract more families

Slate's marketing goal for 2021 is to "attract families seeking genuine adventures." Their tactics to accomplish this are prioritized as follows:

- Digital Marketing (flexible message, target key audience)
- Conversion Tracking (track behavior, understand economic impact)
- Storytelling (nurture & educate leads, showcase locals)
- Partnerships (expand peak season, connect with key markets)

This concluded Slate Communication's presentation.

2) PLANNING DEPARTMENT PRESENTATION – DAN CARIS, PLANNING & DEVELOPMENT DIRECTOR

Community (Planning &) Development Director Dan Caris presented his Department's 2021 Budget with a PowerPoint slideshow. He reviewed the department's mission, budget history, responsibilities, prior year accomplishments, and data specific to land development applications that were submitted and planning fees that were collected by City staff.

Goals of the Community Development Department include:

- Continuing to implement the *2019 Fruita in Motion: Plan Like a Local Comprehensive Plan*
- Updating the Fruita Land Use Code (it is the department's intention to use the Comprehensive Plan as a guiding document to ensure a seamless transition between policy documents)

In the upcoming year, the Community Development Department is going to track and audit the following items for the purpose of making sure that projects are moving forward:

- Checklists review
- Time of Review
- Application complete letters sent to applicants
- Review timeline for Final Plat process
- Council and hearing schedules

Mr. Caris stated that with the current health of the economy, staff is seeing sustained increases in the number of Land Development Applications for review and pre-application meetings.

As of September 30, 2020, the Community Development Department has reviewed a total of 21 Land Development Applications so far. 437 Planning Clearances and 55 new residential Planning Clearances have been issued so far in 2020.

Mr. Caris also reviewed lists of Residential Subdivisions as well as commercial development projects that were completed or are still in the process of being completed in the City in 2020. Mr. Caris said he feels really good about the new homes built in 2020 and is also optimistic about commercial development going into the future.

Planning fees collected in 2020 are as follows:

- 2020 YTD (Jan.-Aug. 12) =\$984,241.66
- 2019 Total =\$1,239,744.02

2021 Goals of the Community Development and Code Compliance Departments include:

- Land Use Code Update: in 2020, \$75,000 was transferred from the Contingency Account and the department also received a \$25,000 grant from the Department of Local Affairs (DOLA) that went toward the Department's 2020 Budget for the Land Use Code update.
- Code Compliance will be asked to assist in the upcoming Land Use Code Update.
- Code Compliance will continue to make connections with existing HOAs and will hold bi-annual workshops.
- A request for a truck in the Code Enforcement Budget will help the City's Code Compliance Officer while he is out in the field.

Mr. Caris stated that Code Compliance's 2021 Performance Measure will be to determine the length of time it will take to open and close cases.

Councilor Leonhart asked if the Community Development Department had any interests or needs in Information Technology (IT) in 2021. Mr. Caris responded that although his Department is looking to transition to an online permitting system for Land Development applications, it isn't feasible to look into implementing new technology until 2022 while the Land Use Code Update is being completed.

3) POLICE DEPARTMENT PRESENTATION – DAVE KROUSE, CHIEF OF POLICE

Chief Dave Krouse gave staff's presentation on the Police Department Budget for 2021, which also included highlights of 2020. Highlights of the 2021 Budget overview include:

- There will be an approximate 7% decrease in the Grand Junction Regional Communications Center (911) fees in 2021 with the Public Safety Tax dollars still going toward 911 Center billing.
- Additional Public Safety Tax dollars will be earmarked for future personnel needs (Fruita PD requested an additional sworn officer this year).
- \$20,000 for body camera hardware

- \$20,000 for digital evidence management as the result of adding body cams
- \$3,000 for TASER replacements
- \$11,000 for Lexipol policy and training management service
- Replacement for Animal Control truck

Chief Krouse presented the 2021 goals and performance measures for each of the following:

- Police Administration
- School Resource Officer (SRO)
- Investigations Division
- Traffic and Patrol
- Support Services

Councilor Leonhart wanted to know how the City's Fleet Maintenance Program ties into the vehicles that are being requested by the Fruita PD.

City Manager Mike Bennett responded that staff does fully analyze requests for equipment. He explained that the City has a Capital Equipment Replacement Fund which is funded as a whole across all departments at a certain amount each year and includes any new types of vehicles that are not being replaced but which must be tracked for ongoing maintenance costs.

Mr. Bennett continued that Management Analyst Shannon Vassen established a process with the Public Works Department's Fleet Division to make sure that City vehicles are not being kept for too long and actually end up (unintentionally) costing the City more over time. Mr. Bennett added that Fleet Maintenance Supervisor David Wolfe has done a lot of studying on tracking hours and the life of equipment and vehicles. Mr. Wolfe has successfully utilized approaches of renting equipment instead of buying it (for the minimal amount of time it may be needed) and the selling of equipment on govdeals.com instead of hanging on to it.

Councilor O'Brien asked Chief Krouse what the Council's options are when it comes to the feral cat problem in Fruita and Mayor Kincaid suggested putting the discussion on a workshop agenda for future discussion. Mr. Bennett said he thought there were some programs that the City's Animal Control Officer has been testing out this year, but she is still working on creating some potential options and will bringing that information to the Council sometime in the next year. Chief Krouse added that there were a lot of different things that different communities do, and he thinks there just needs to be an evaluation of those along with an analysis of what the local resources are and meshing the two together.

Councilor Harvey stated that the Grand Valley Task Force has started the process of breaking off into subcommittees and one of those subcommittees is a law enforcement one that Chief Shoemaker and Sheriff Lewis are on. Councilor Harvey wondered if anyone had reached out to the Fruita PD about whether they will have a representative on the subcommittee. Chief Krouse responded that those conversations have taken place and that the first meeting of the subcommittee is scheduled for Thursday, October 8th and that either he or Lt. Nick Peck would be attending.

9. CITY MANAGER'S REPORT

City Manager Mike Bennett said staff had done a great job of providing updates already, so he didn't have anything to add.

10. COUNCIL REPORTS AND ACTIONS

COUNCILOR MATTHEW BREMAN

Matthew reported that the Grand Junction Economic Partnership (GJEP) would not be meeting until October 16th, so he had nothing to report yet.

COUNCILOR HEATHER O'BRIEN

Heather reported that she was unable to attend the last Planning Commission meeting but pointed out that staff had brought those (budget) discussions to the Council at this meeting. She added that the Parks and Recreation Advisory Board meeting has been delayed because they need a little more time for what they are planning to discuss.

COUNCILOR KYLE HARVEY

Kyle reported that the Historic Preservation Board met and the board has a bunch of new members, so they are reviewing a lot of the work that was done previously to assess historic buildings in the community. The board is also exploring which options they might have in terms of creating some sort of historic district to encourage people to take pride in some of the older homes and buildings in the downtown area. This project is in the beginning stages, so the board members are currently reading about historic districts and reevaluating where there are certain blocks that are of historic priority.

Kyle also reported on the group "Fruita for Equality," who had their first "Start the Conversation" event a few weeks earlier. The group has been reviewing the responses they received from that event in response to the question, "what does equality mean?" as well as sharing members' experiences they have had in the community and discussing how to move forward.

The group has decided that for the time being, they would like to offer a platform for continued conversation about bias and the ways that it occurs in society and our community. They will be working towards a Zoom event based upon Harvard University's Implicit Association Test, which is a test people take on their own to see what kind of biases they may already have. This will be followed by a number of Zoom conversations as another way of reflecting upon how to improve upon being better humans. The group is working on solidifying the dates for the events.

Kyle noted that the Grand Valley Task Force and the Arts and Culture Board meetings are forthcoming.

COUNCILOR KAREN LEONHART

Karen added to Kyle's report concerning "Fruita for Equality," saying that the questions that were at the "Start the Conversation" event have been put in a digital format so that the group can reach as diverse a group as possible. The members are interested in including it in the City Manager's

Weekly Information Update or perhaps putting a link on the City's website where people could respond to the questions.

Mike said that Shanachie Carroll had sent him the link and he had asked Shannon Vassen to include it in the Weekly Update and on the City's website.

Karen also reported that she attended the Museums of Western Colorado Board of Directors meeting. She had coffee with Executive Director Kaia Michaelis, who is going to give the annual update on Dinosaur Journey to the Fruita City Council on November 3rd.

Karen also stated that there was a great presentation on recycling at the latest Livability Commission meeting. The board will have the group "Fruita for Equality" present at their next meeting.

COUNCILOR LORI BUCK

Lori had nothing to report.

MAYOR JOEL KINCAID

Joel reported that Shannon Vassen has done a good job of keeping him up to date concerning the Fruita Tourism Advisory Council (FTAC) after he had to miss the last meeting because he was giving a speech at the Palisade Plunge kickoff event. The trail will not be done until the spring, but Joel said it will be great for the entire valley.

Joel also thanked Parks and Recreation Director Ture Nycum and his staff for their efforts at the annual cross-country meet at Snook's Bottom. He said the meet was only about 1/3 of the size of what it normally is due to the pandemic.

Joel noted that MAD Racing is included as a line item in the 2021 Budget for the Marketing and Promotions Fund but said that it was his understanding that MAD Racing is going out of business so he wondered if the \$4,000 budgeted for them was going to be put on hold or not. He asked if Shannon or Mike had contacted John Klish to see what his plans are for next year.

Heather (Councilor O'Brien) stated that Mr. Klish had closed the business and has gone into landscaping.

Joel requested that staff follow up and Mike said he would reach out to John.

With no further business before the Council, the meeting was adjourned at 8:59 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: RESOLUTION 2020-41, A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR DECEMBER 15, 2020 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES.

(SKALLA ANNEXATION, APPLICATION #2020-15)

BACKGROUND

The property owner of 1892 K Road, Fiddlers Grove LLC, submitted an application to annex and zone the property. Staff has reviewed this annexation request and finds that the property meets the city and state laws that must be met to find a property eligible for annexation.

The property has at least 1/6th of its perimeter contiguous with existing city limits and it is within the city's Urban Growth Boundary. Urban development exists on the west side of the property and is identified for urban development by the city's Master Plan.

This finding of eligibility is the first step in the annexation process. The second step is to annex the property and designate a city zoning district. The Planning Commission will be considering this annexation at their November 10, 2020, public hearing.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police protection and sewer service). The cost of providing services varies with each annexation. This Resolution is to set a hearing date to find the property eligible for annexation which does not create a fiscal impact.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure. This step in the annexation process simply finds the property eligible or ineligible for annexation.

Staff is continuing to review this annexation request to determine more clearly whether or not the annexation meets all of the city's goals and objectives.

OPTIONS AVAILABLE TO COUNCIL

1. Approve Resolution 2020-41, A Resolution of the Fruita City Council setting a hearing date for December 15, 2020 to determine the eligibility of approximately 10.35 acres of property located at 1892 K Road to be annexed into the city of Fruita and to consider initiation of annexation procedures.
2. Deny the Resolution.

RECOMMENDATION

Staff recommends that the Council approve Resolution 2020-41, A Resolution of the Fruita City Council setting a hearing date for December 15, 2020 to determine the eligibility of approximately 10.35 acres of property located at 1892 K Road to be annexed into the city of Fruita and to consider initiation of annexation procedures.

RESOLUTION 2020-41

A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR DECEMBER 15, 2020 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES.

WHEREAS, the City of Fruita has received a petition for annexation of property into the city limits of Fruita which is signed by 100% of the property owners of the property requested to be annexed, and

WHEREAS, the property to be annexed is described and shown on attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL to hold a public hearing on December 15, 2020 at 7:00 p.m., to determine if the real property described and shown on Exhibit A complies with Colorado Revised Statutes 31-12-104, 105 and 106 and is eligible for annexation and to consider the adoption of a Resolution to initiate procedures to annex said real property to the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 20th DAY OF OCTOBER 2020**

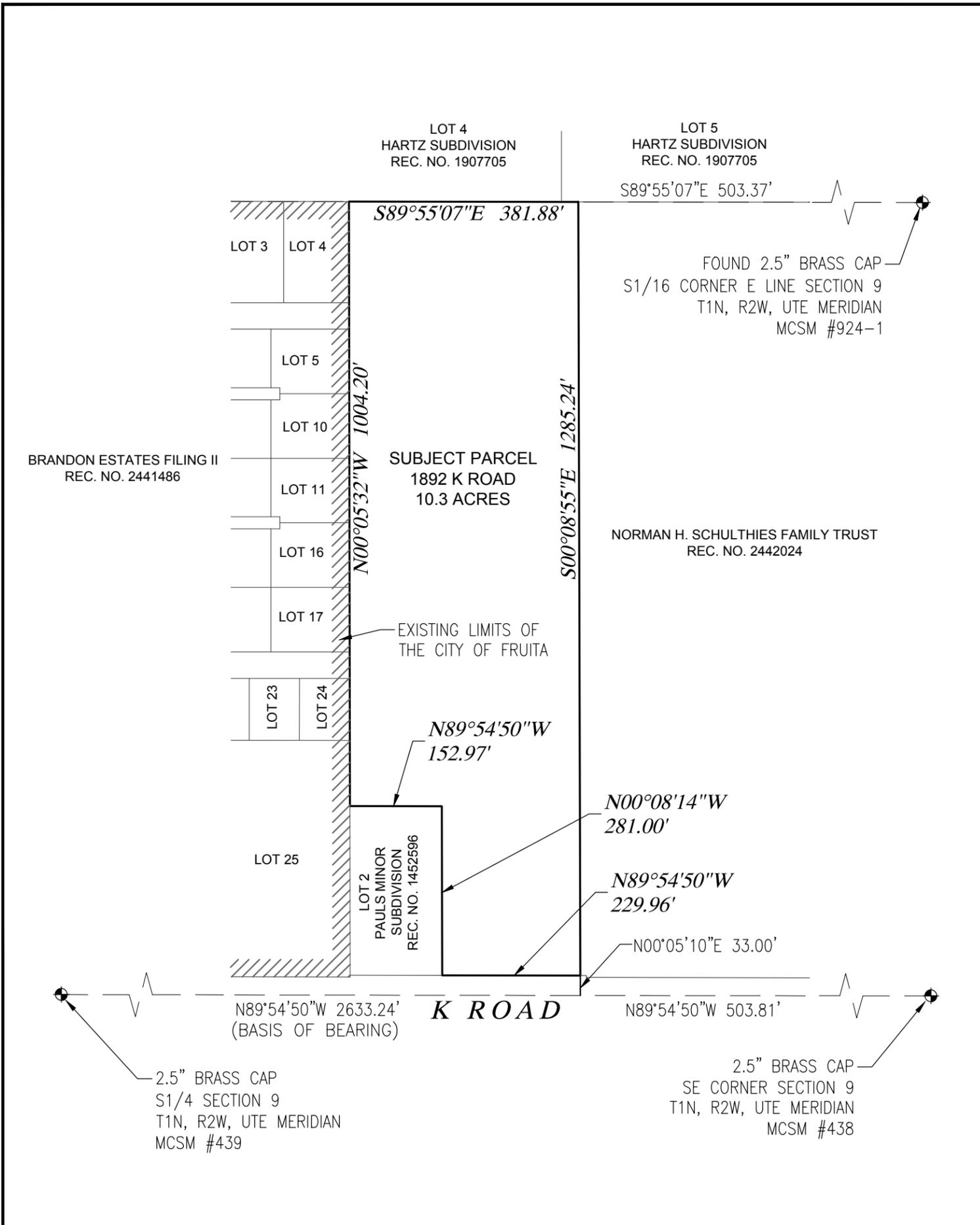
ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor

Exhibit A



PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SE1/4SE1/4 OF SECTION 9, T1N, R2W, UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, PAULS MINOR SUBDIVISION (REC. NO. 1452596) LESS THE EAST 10 FEET THEREOF.

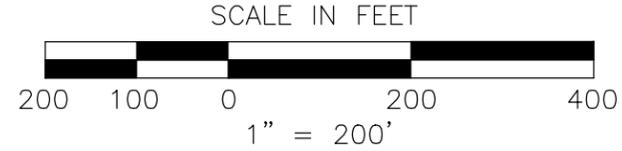
PARCEL CONTAINS 10.3 ACRES.

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- ADJOINER PROPERTY LINE
- EXISTING CITY LIMITS
- FOUND SURVEY CONTROL MONUMENT

TABLE OF ABBREVIATIONS

- MCSM - MESA COUNTY SURVEY MONUMENT
- N - NORTH
- S - SOUTH
- E - EAST
- W - WEST
- C - CENTER
- T - TOWNSHIP
- R - RANGE
- AC - ACRES
- REC. NO. - RECEPTION NUMBER



Rev. Date	Comment	By

VORTEX ENGINEERING, INC.
 CONSTRUCTION MANAGERS & SITE PLANNERS
 PROJECT MANAGERS
 CIVIL & CONSULTING ENGINEERS

961 Road Avenue
 Grand Junction, Colorado 81501
 Phone: (970) 245-9051
 Fax: (970) 245-7639

ALEXANDRE B. LHERITIER
 PROFESSIONAL LAND SURVEYOR
 COLORADO LICENSE No. 38464

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EXHIBIT

ANNEXATION EXHIBIT

SKALLA SUBDIVISION
 1892 K ROAD
 FRUITA, COLORADO 81521

SCALE: 1"=200'
 DATE: 09/01/2020
 PROJECT NO.: F20-070
 CADID: skalla annex exhibit.dwg

~SHEET~
A



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: RESOLUTION 2020-42, A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR DECEMBER 15, 2020 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES.

(GRAND VALLEY ESTATES 3 ANNEXATION, APPLICATION #2020-20)

BACKGROUND

The property owner of 1848 J Road, Grand Valley Estates Development LLC, submitted an application to annex and zone the property. Staff has reviewed this annexation request and finds that the property meets the city and state laws that must be met to find a property eligible for annexation.

The property has at least 1/6th of its perimeter contiguous with existing city limits and it is within the city's Urban Growth Boundary. Urban development exists on the west side of the property and is identified for urban development by the city's Master Plan.

This finding of eligibility is the first step in the annexation process. The second step is to annex the property and designate a city zoning district. The Planning Commission will be considering this annexation at their November 10, 2020, public hearing.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police protection and sewer service). The cost of providing services varies with each annexation. This Resolution is to set a hearing date to find the property eligible for annexation which does not create a fiscal impact.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure. This step in the annexation process simply finds the property eligible or ineligible for annexation.

Staff is continuing to review this annexation request to determine more clearly whether or not the annexation meets all of the city's goals and objectives.

OPTIONS AVAILABLE TO COUNCIL

1. Approve Resolution 2020-42, A Resolution of the Fruita City Council setting a hearing date for December 15, 2020 to determine the eligibility of approximately 4.57 acres of property located at 1848 J Road to be annexed into the city of Fruita and to consider initiation of annexation procedures.
2. Deny the Resolution.

RECOMMENDATION

Staff recommends that the Council approve Resolution 2020-42, A Resolution of the Fruita City Council setting a hearing date for December 15, 2020 to determine the eligibility of approximately 4.57 acres of property located at 1848 J Road to be annexed into the city of Fruita and to consider initiation of annexation procedures.

RESOLUTION 2020-42

A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR DECEMBER 15, 2020 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES.

WHEREAS, the City of Fruita has received a petition for annexation of property into the city limits of Fruita which is signed by 100% of the property owners of the property requested to be annexed, and

WHEREAS, the property to be annexed is described and shown on attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL to hold a public hearing on December 15, 2020 at 7:00 p.m., to determine if the real property described and shown on Exhibit A complies with Colorado Revised Statutes 31-12-104, 105 and 106 and is eligible for annexation and to consider the adoption of a Resolution to initiate procedures to annex said real property to the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 20th DAY OF OCTOBER 2020**

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor

Exhibit A

Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

TITLE CERTIFICATE

_____ does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in _____ free and clear of all liens, taxes, and encumbrances, except as follows:

NA

EXECUTED this ____ day of _____, 20____

Title Examiner

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, GRAND VALLEY ESTATES DEVELOPMENT CO LLC, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

PROPERTY DESCRIPTION:

A parcel of land as described at Reception Number 2327769 of the records in the office of the Mesa County Clerk and Recorder, situated in the southeast quarter of the southwest quarter of Section 16, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, said property being more particularly described as follows:

Commencing at a 3" brass cap marked COUNTY SURVEY MARKER NO. 584 for the south quarter corner of said section, whence a 3.25" aluminum cap marked PLS 18478, THOMPSON LANGFORD CORP for the west one-sixteenth corner on the south line of said Section 16 bears North 89°53'26" West with all bearings herein relative thereto, thence bearing North 89°53'26" West a distance of 30.00 feet to the Point of Beginning, thence North 89°53'26" West, a distance of 318.50 feet; thence North 00°00'37" West, a distance of 625.00 feet; thence South 89°53'26" East, a distance of 318.50 feet; thence South 00°00'36" East, a distance of 625.00 feet to the Point of Beginning, said parcel containing 199,063 square feet or 4.57 acres more or less.

have by these presents laid out and platted the same as shown hereon and designate the same as GRAND VALLEY ESTATES ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this ____ day of _____, 20____

Owner

Owner

STATE OF COLORADO)
COUNTY OF MESA) ss

This plat was acknowledged before me by _____

on this ____ day of _____, _____. My commission expires: _____

Witness my hand and seal _____ Notary Public

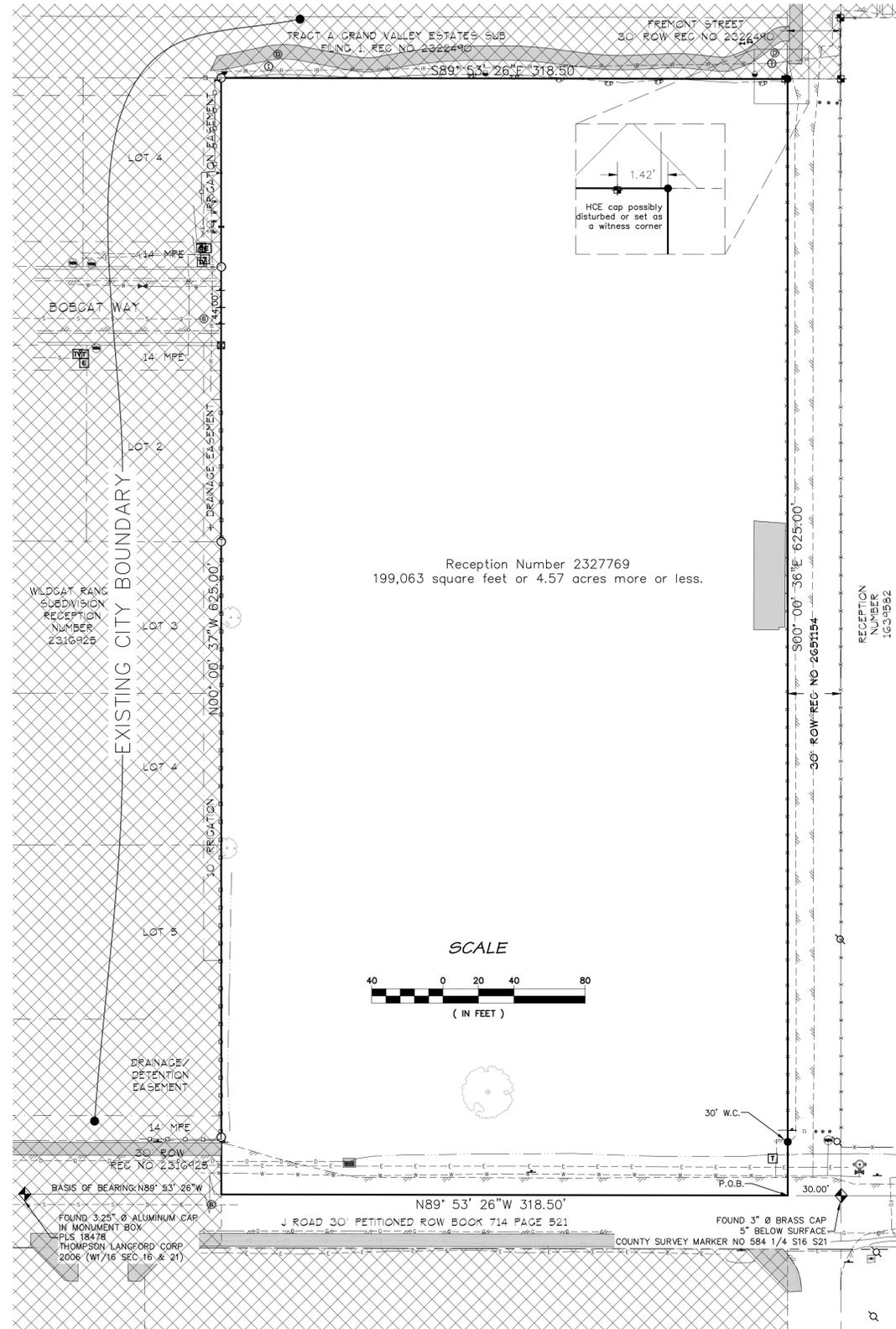
My commission expires _____

SURVEYOR'S CERTIFICATE

I, _____, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Plat have been monumented on the ground.

EXECUTED this ____ day of _____, 20____

Alec Thomas Registered Land Surveyor PLS 38274



PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the ____ day of _____, 20____.

Chairman

CITY COUNCIL CERTIFICATE

The City Council of the City of Fruita, Colorado, by Resolution Number _____, duly adopted on the ____ day of _____,

2020, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said property is eligible for annexation to the City of Fruita. The City Council of the City of Fruita, Colorado, by Ordinance Number _____, duly adopted on the ____ day of _____, 2020, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

Mayor

City Clerk

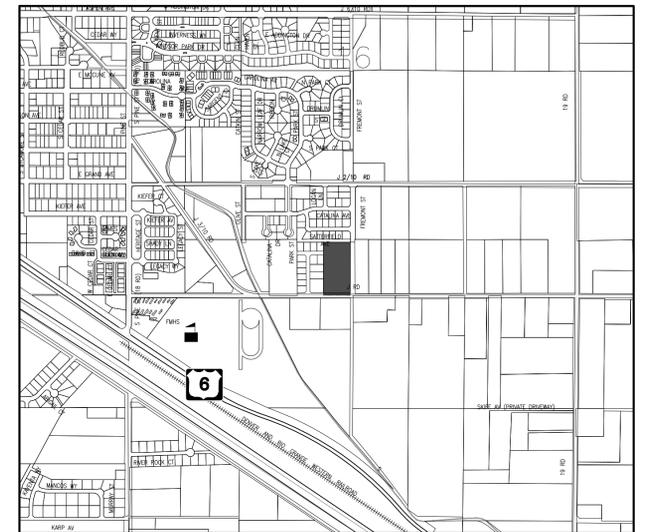
CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at ____ o'clock ____ M., on this ____ day of _____,

and was recorded at Reception No. _____, Fees _____.

By: _____
Clerk and Recorder

Deputy



VICINITY MAP 1:1000

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO



215 Pitkin Avenue, Unit 201 Grand Junction, CO 81501 Phone: 970.241.4722 Fax: 970.241.8841

Sheet 1 of 1	Date: 9/1/20	Job No. 1129-005
Surveyed: SLG	Drawn: AKT	Checked: TPJ
Drawing name: S:\PROJECTS\2019\0905 Grand Valley Estates FRUITA\DWG\129-005 ANNEXATION.ACT.dwg		



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: ORDINANCE 2020-06, FIRST READING – AN INTRODUCTION OF AN ORDINANCE ANNEXING APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

(SKALLA ANNEXATION, APPLICATION #2020-15)

BACKGROUND

Fiddlers Grove, LLC, the owner of 1892 K Road, has submitted an annexation application to the City of Fruita. The subject property contains approximately 10.35 acres and is located along the north side of K Road (Ottley Avenue) directly east of the Brandon Estates Subdivision, and southeast of the newly constructed Monument Ridge Elementary School. Currently, there is a single-family dwelling unit on the property.

Staff has reviewed this annexation request and finds that the property meets current State Statutes for annexation including the required 1/6th contiguity with existing City limits and it is within the City's Urban Growth Boundary.

The Planning Commission will review this annexation request at their November 10, 2020 public meeting.

Conditions of said annexation include:

1. Sanitary sewer service will need be extended to the subject property as acceptable by the City of Fruita.
2. Dedicate a 14-foot multi-purpose easement along Ottley Avenue (K Road).
3. Dedicate an additional 5 feet of right-of-way along Ottley Avenue (K Road).

Additional conditions may be placed on the annexation ordinance upon further review.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police

protection and sanitary sewer service). The cost of providing services varies with each annexation.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure.

It appears that this annexation meets both state requirements and local requirements as identified in the Land Use Code. The Land Use Code (along with other regulatory documents) implement the City's goals and policies as outlined in the city's Master Plan including the Fruita Community Plan.

OPTIONS AVAILABLE TO COUNCIL

1. Publish a synopsis of Ordinance 2020-06, An introduction of an Ordinance annexing approximately 10.35 acres of property located at 1892 K Road into the City of Fruita for publication of public hearing on December 15, 2020.
2. Deny Ordinance 2020-06

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

**PUBLISH A SYNOPSIS OF ORDINANCE 2020-06 ANNEXING
APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K
ROAD INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC
HEARING ON DECEMBER 15, 2020.**

ORDINANCE 2020-06

AN ORDINANCE ANNEXING APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD INTO THE CITY OF FRUITA

WHEREAS, the Fruita City Council finds that it is necessary to annex certain real property contiguous to the City of Fruita in order to:

1. Promote the public health, safety, and welfare of the community;
2. Insure efficient provision of municipal services and fair and equitable distribution of cost amongst those who use services provided by the community; and,
3. Provide for orderly growth of the community; and,

WHEREAS, the City Council adopted a Resolution finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

Section 1: The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A, and the Fruita City limits are hereby modified to reflect said annexation.

Section 2: Conditions of said annexation include:

1. Zoning of said property shall be established by future public hearing which will be held within ninety days (90) of the effective day of this ordinance.
2. Sanitary sewer service will need be extended to the subject property as acceptable by the City of Fruita.
3. Dedicate a 14-foot multi-purpose easement along Ottley Avenue (K Road).
4. Dedicate an additional 5 feet of right-of-way along Ottley Avenue (K Road).

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
15TH DAY OF DECEMBER 2020.**

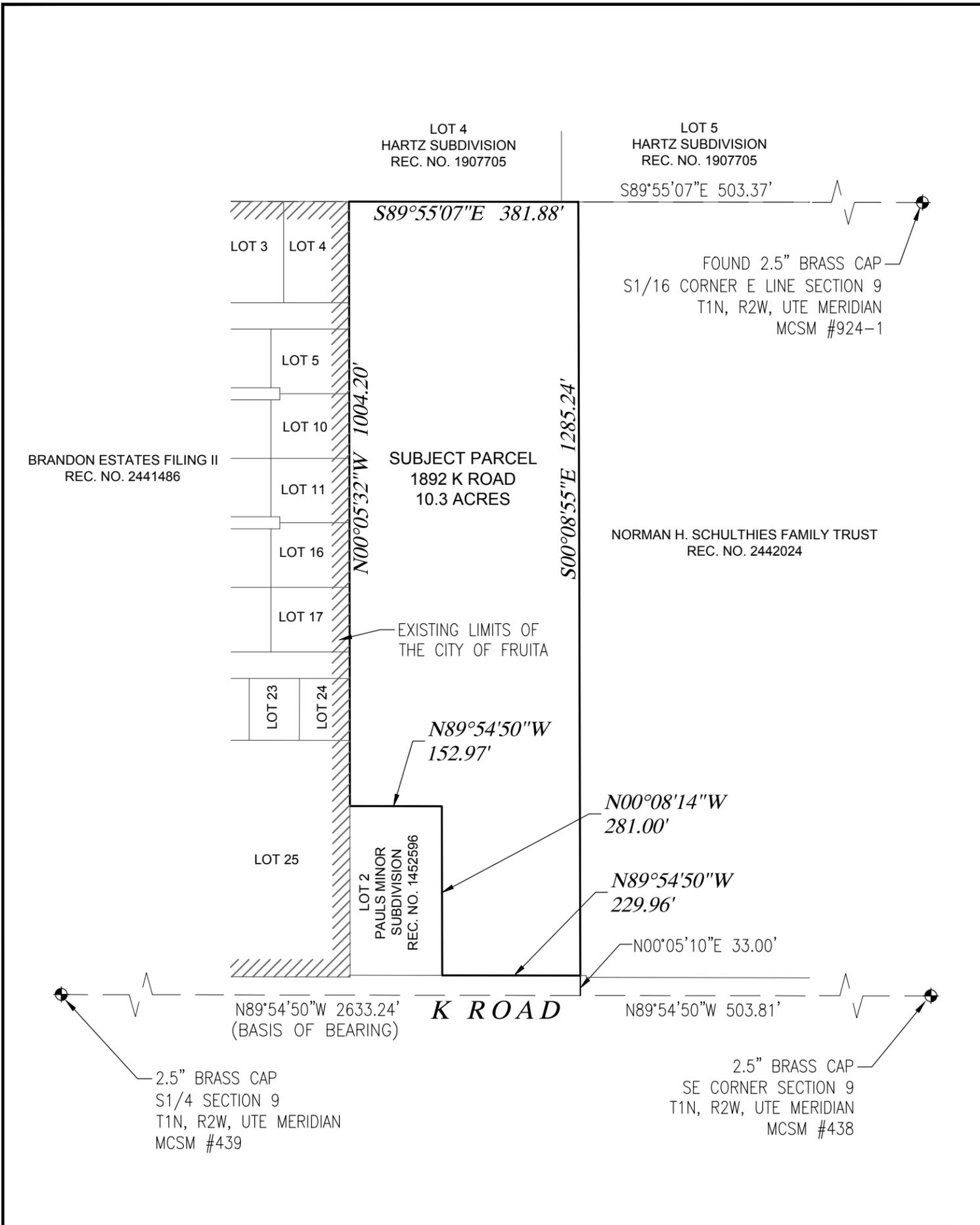
ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

Exhibit A



PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SE1/4SE1/4 OF SECTION 9, T1N, R2W, UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, PAULS MINOR SUBDIVISION (REC. NO. 1452596) LESS THE EAST 10 FEET THEREOF.

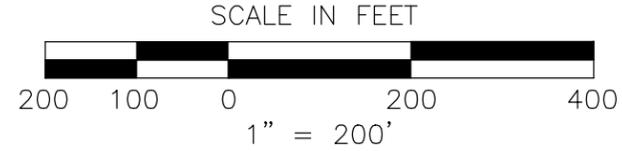
PARCEL CONTAINS 10.3 ACRES.

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- ADJOINER PROPERTY LINE
- EXISTING CITY LIMITS
- FOUND SURVEY CONTROL MONUMENT

TABLE OF ABBREVIATIONS

- MCSM - MESA COUNTY SURVEY MONUMENT
- N - NORTH
- S - SOUTH
- E - EAST
- W - WEST
- C - CENTER
- T - TOWNSHIP
- R - RANGE
- AC - ACRES
- REC. NO. - RECEPTION NUMBER



Rev. Date	Comment	By

VORTEX ENGINEERING, INC.
 CONSTRUCTION MANAGERS & SITE PLANNERS
 PROJECT MANAGERS
 CIVIL & CONSULTING ENGINEERS

961 Road Avenue
 Grand Junction, Colorado 81501
 Phone: (970) 245-9051
 Fax: (970) 245-7639

ALEXANDRE B. LHERITIER
 PROFESSIONAL LAND SURVEYOR
 COLORADO LICENSE No. 38464

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EXHIBIT

ANNEXATION EXHIBIT

SKALLA SUBDIVISION
 1892 K ROAD
 FRUITA, COLORADO 81521

SCALE: 1"=200'
 DATE: 09/01/2020
 PROJECT NO.: F20-070
 CADID: skalla annex exhibit.dwg

~SHEET~
A



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: ORDINANCE 2020-07, FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD TO A COMMUNITY RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

BACKGROUND

This application consists of zoning approximately 10.35 acres of property located at 1892 K Road to a Community Residential (CR) Zone as supported in the Fruita Comprehensive Plan. The subject property is currently zoned Agricultural Forestry – Transition (AFT) within Unincorporated Mesa County.

The property is located within the Urban Growth Boundary and is supported by the Future Land Use Map and the Fruita Comprehensive Plan to be incorporated into the City Limits.

The property owner is requesting a Community Residential (CR) zone. The first step in the process to zone a property that is not in the city limits, is annexation. Once the subject property has been annexed into the City Limits, zoning the property must take place within 90 days.

The Fruita Planning Commission will review this zoning application at their November 10, 2020 public meeting.

FISCAL IMPACT

There is no fiscal impact to the City of Fruita for zoning property.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This property is within the Urban Growth Boundary and is recommended through the Future Land Use Map contained in the Fruita Comprehensive Plan (The City's Master Plan) as being

zoned Community Residential.

OPTIONS AVAILABLE TO COUNCIL

1. Publish a synopsis of Ordinance 2020-07, an Ordinance amending the official zoning map of the City of Fruita by zoning approximately 10.35 acres of property located at 1892 K Road to a Community Residential zone for publication of public hearing on December 15, 2020.
2. Deny Ordinance 2020-07

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

PUBLISH A SYNOPSIS OF ORDINANCE 2020-07 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD TO A COMMUNITY RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

ORDINANCE 2020-07

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 10.35 ACRES OF PROPERTY LOCATED AT 1892 K ROAD TO A COMMUNITY RESIDENTIAL ZONE

WHEREAS, the subject property is shown and described in attached Exhibit A which was recently annexed to the City of Fruita by Ordinance, and

WHEREAS, newly annexed property must be zoned in accordance with applicable law, and

WHEREAS, a public hearing will be held by the City Council on December 15, 2020, for the annexation and zoning request, and

WHEREAS, the requested zone is consistent with the city's goals and policies including the city's Master Plan.

WHEREAS, the requested zone meets the approval criteria of Section 17.13.060 of the Fruita Land Use Code that must be considered for an Amendment to the Official Zoning Map (rezone).

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the Official Zoning Map adopted pursuant to Section 17.07.020 of the Fruita Land Use Code is hereby amended and that the subject property shown and described on the attached Exhibit A, containing approximately 10.35 acres, is hereby zoned Community Residential.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
15TH DAY OF DECEMBER 2020.**

ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A



PROPERTY LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SE1/4SE1/4 OF SECTION 9, T1N, R2W, UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO, BEING MORE CITY OF FRUITA, MESA COUNTY, COLORADO, BEING MORE MESA COUNTY, COLORADO, BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 1, PAULS MINOR SUBDIVISION (REC. NO. 1452596) LESS THE EAST 10 FEET THEREOF. PARCEL CONTAINS 10.3 ACRES.

PROPERTY ADDRESS: 1892 K ROAD. FRUITA, CO 81521.



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: ORDINANCE 2020-08, FIRST READING – AN INTRODUCTION OF AN ORDINANCE ANNEXING APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

(GRAND VALLEY ESTATES 3 ANNEXATION, APPLICATION #2020-20)

BACKGROUND

Grand Valley Estates Development, LLC, the owner of 1848 J Road, has submitted an annexation application to the City of Fruita. The subject property is approximately 4.57 acres and is located along the west side of 18 ½ Road (Fremont Street), south of the Grand Valley Estates Subdivision, east of the Wildcat Estates Subdivision and north of the Fruita 8/9 School. The property is currently vacant.

Staff has reviewed this annexation request and finds that the property meets current State Statutes for annexation including the required 1/6th contiguity with existing City limits and it is within the City's Urban Growth Boundary.

The Planning Commission will review this annexation request at their November 10, 2020 public meeting.

Conditions of said annexation include:

1. Sanitary sewer service will need be extended to the subject property as acceptable by the City of Fruita.
2. Dedicate a 14-foot multi-purpose easement along Wildcat Avenue (J Road).

Additional conditions may be placed on the annexation ordinance upon further review.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police

protection and sanitary sewer service). The cost of providing services varies with each annexation.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure.

It appears that this annexation meets both state requirements and local requirements as identified in the Land Use Code. The Land Use Code (along with other regulatory documents) implement the City's goals and policies as outlined in the city's Master Plan including the Fruita Community Plan.

OPTIONS AVAILABLE TO COUNCIL

1. Publish a synopsis of Ordinance 2020-08, An introduction of an Ordinance annexing approximately 4.57 acres of property located at 1848 J Road into the City of Fruita for publication of public hearing on December 15, 2020.
2. Deny Ordinance 2020-08

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

**PUBLISH A SYNOPSIS OF ORDINANCE 2020-08 ANNEXING
APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD
INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON
DECEMBER 15, 2020.**

ORDINANCE 2020-08

AN ORDINANCE ANNEXING APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD INTO THE CITY OF FRUITA

WHEREAS, the Fruita City Council finds that it is necessary to annex certain real property contiguous to the City of Fruita in order to:

1. Promote the public health, safety, and welfare of the community;
2. Insure efficient provision of municipal services and fair and equitable distribution of cost amongst those who use services provided by the community; and,
3. Provide for orderly growth of the community; and,

WHEREAS, the City Council adopted a Resolution finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

Section 1: The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A, and the Fruita City limits are hereby modified to reflect said annexation.

Section 2: Conditions of said annexation include:

1. Sanitary sewer service will need be extended to the subject property as acceptable by the City of Fruita.
2. Dedicate a 14-foot multi-purpose easement along Wildcat Avenue (J Road).
3. Zoning of said property shall be established by future public hearing which will be held within ninety days (90) of the effective day of this ordinance.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
15TH DAY OF DECEMBER 2020.**

ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

Exhibit A

Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

TITLE CERTIFICATE

_____ does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in _____ free and clear of all liens, taxes, and encumbrances, except as follows:

NA

EXECUTED this _____ day of _____, 20____

Title Examiner

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, GRAND VALLEY ESTATES DEVELOPMENT CO LLC, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

PROPERTY DESCRIPTION:

A parcel of land as described at Reception Number 2327769 of the records in the office of the Mesa County Clerk and Recorder, situated in the southeast quarter of the southwest quarter of Section 16, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, said property being more particularly described as follows:

Commencing at a 3" brass cap marked COUNTY SURVEY MARKER NO. 584 for the south quarter corner of said section, whence a 3.25" aluminum cap marked PLS 18478, THOMPSON LANGFORD CORP for the west one-sixteenth corner on the south line of said Section 16 bears North 89°53'26" West with all bearings herein relative thereto, thence bearing North 89°53'26" West a distance of 30.00 feet to the Point of Beginning, thence North 89°53'26" West, a distance of 318.50 feet; thence North 00°00'37" West, a distance of 625.00 feet; thence South 89°53'26" East, a distance of 318.50 feet; thence South 00°00'36" East, a distance of 625.00 feet to the Point of Beginning, said parcel containing 199,063 square feet or 4.57 acres more or less.

have by these presents laid out and platted the same as shown hereon and designate the same as GRAND VALLEY ESTATES ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this _____ day of _____, 20____

Owner

Owner

STATE OF COLORADO)
COUNTY OF MESA) ss

This plat was acknowledged before me by _____

on this _____ day of _____, _____ My commission expires: _____

Witness my hand and seal _____ Notary Public

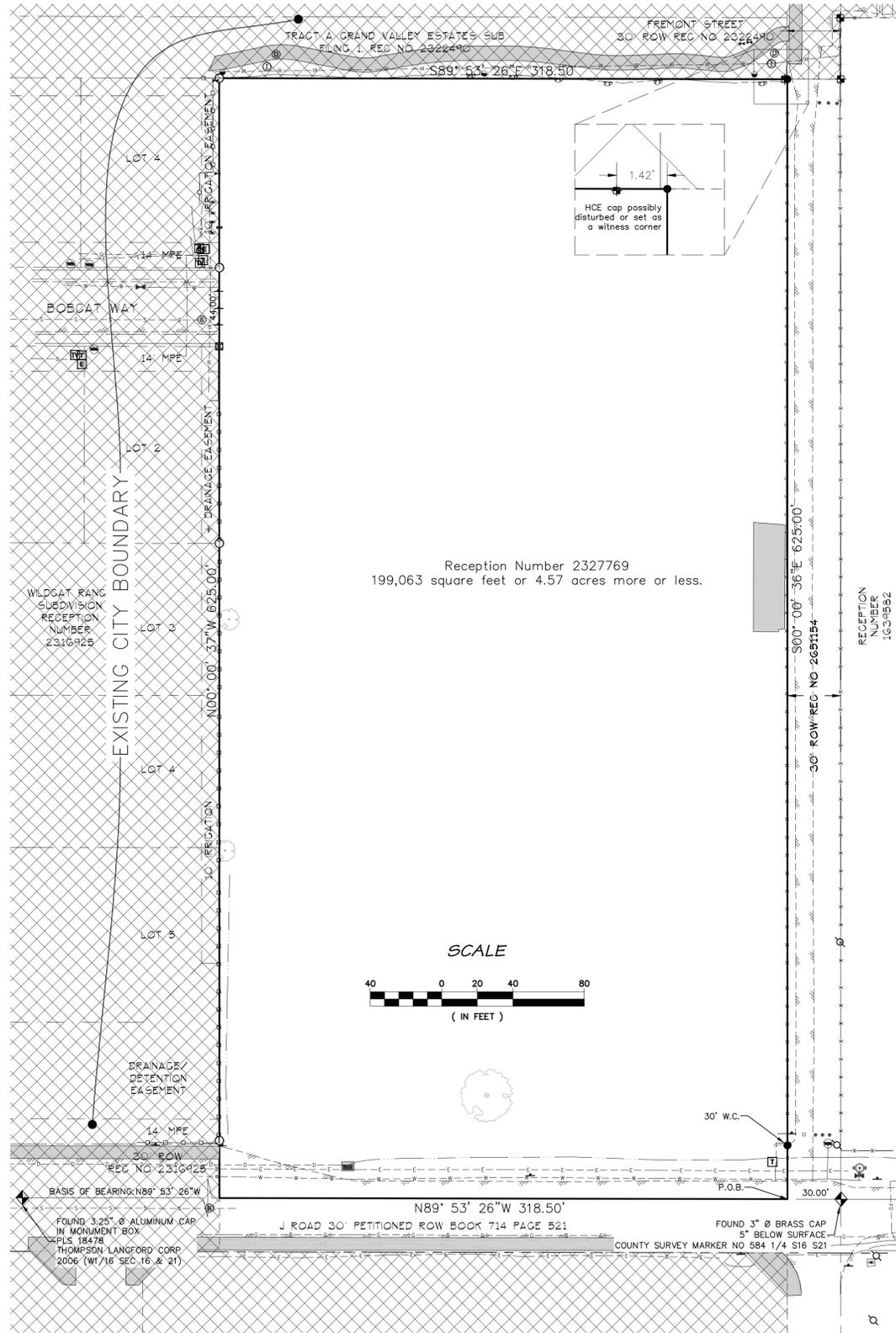
My commission expires _____

SURVEYOR'S CERTIFICATE

I, _____, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Plat have been monumented on the ground.

EXECUTED this _____ day of _____, 20____

Alec Thomas Registered Land Surveyor PLS 38274



PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the _____ day of _____, 20____.

Chairman

CITY COUNCIL CERTIFICATE

The City Council of the City of Fruita, Colorado, by Resolution Number _____, duly adopted on the ____ day of _____,

2020, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said property is eligible for annexation to the City of Fruita. The City Council of the City of Fruita, Colorado, by Ordinance Number _____, duly adopted on the ____ day of _____, 2020, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

Mayor

City Clerk

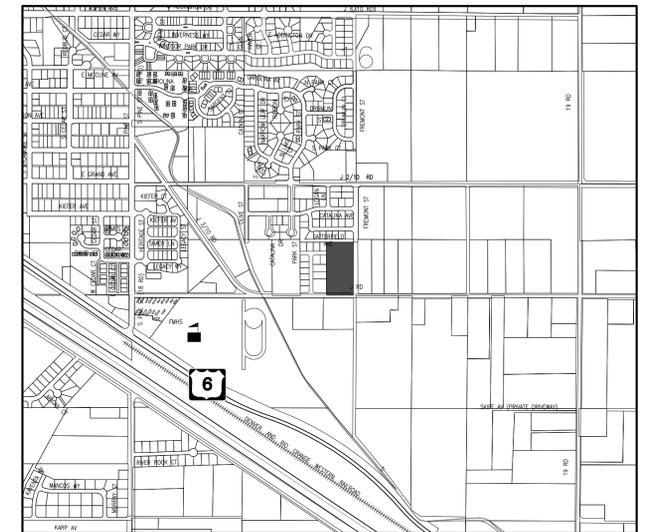
CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at ____ o'clock ____ M., on this _____ day of _____

and was recorded at Reception No. _____, Fees _____.

By: _____ Clerk and Recorder

Deputy



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO



215 Pitkin Avenue, Unit 201 Grand Junction, CO 81501 Phone: 970.241.4722 Fax: 970.241.8841

Sheet 1 of 1	Date: 9/1/20	Job No. 1129-005
Surveyed: SLG	Drawn: AKT	Checked: TPJ
Drawing name: S:\PROJECTS\2019\0905 Grand Valley Estates FRUITA\DWG\1129-005 ANNEXATION.ACT.dwg		



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: ORDINANCE 2020-09, FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO A COMMUNITY RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

BACKGROUND

This application consists of zoning approximately 4.57 acres of property located at 1848 J Road to a Community Residential (CR) Zone as supported in the Fruita Comprehensive Plan. The subject property is currently zoned Agricultural Forestry – Transition (AFT) within Unincorporated Mesa County.

The property is located within the Urban Growth Boundary and is supported by the Future Land Use Map and the Fruita Comprehensive Plan to be incorporated into the City Limits.

The property owner is requesting a Community Residential (CR) zone. The first step in the process to zone a property that is not in the city limits, is annexation. Once the subject property has been annexed into the City Limits, zoning the property must take place within 90 days.

The Fruita Planning Commission will review this zoning application at their November 10, 2020 public meeting.

FISCAL IMPACT

There is no fiscal impact to the City of Fruita for zoning property.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This property is within the Urban Growth Boundary and is recommended through the Future Land Use Map contained in the Fruita Comprehensive Plan (The City's Master Plan) as being

zoned Community Residential.

OPTIONS AVAILABLE TO COUNCIL

1. Publish a synopsis of Ordinance 2020-09, an Ordinance amending the official zoning map of the City of Fruita by zoning approximately 4.57 acres of property located at 1848 J Road to a Community Residential zone for publication of public hearing on December 15, 2020.
2. Deny Ordinance 2020-09

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

PUBLISH A SYNOPSIS OF ORDINANCE 2020-09 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO A COMMUNITY RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 15, 2020.

ORDINANCE 2020-09

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO A COMMUNITY RESIDENTIAL ZONE

WHEREAS, the subject property is shown and described in attached Exhibit A which was recently annexed to the City of Fruita by Ordinance, and

WHEREAS, newly annexed property must be zoned in accordance with applicable law, and

WHEREAS, a public hearing will be held by the City Council on December 15, 2020, for the annexation and zoning request, and

WHEREAS, the requested zone is consistent with the city's goals and policies including the city's Master Plan.

WHEREAS, the requested zone meets the approval criteria of Section 17.13.060 of the Fruita Land Use Code that must be considered for an Amendment to the Official Zoning Map (rezone).

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the Official Zoning Map adopted pursuant to Section 17.07.020 of the Fruita Land Use Code is hereby amended and that the subject property shown and described on the attached Exhibit A, containing approximately 4.57 acres, is hereby zoned Community Residential.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
15TH DAY OF DECEMBER 2020.**

ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A



PROPERTY LEGAL DESCRIPTION:

Beginning at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 16, Township 1 North, Range 2 West of the Ute Meridian,
thence West 348.5 feet,
thence North 625 feet,
thence East 348.5 feet,
thence South 625 feet to the Point of Beginning; EXCEPTING THEREFROM the East 30 feet thereof as conveyed to the County of Mesa in Warranty Deed recorded April 15, 2013 in Book 5459 at Page 151 under Reception No. 2651154,
County of Mesa, State of Colorado.

PROPERTY ADDRESS: 1848 J ROAD. FRUITA, CO 81521.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR/CITY CLERK
DATE: OCTOBER 20, 2020
RE: 2021 BUDGET PRESENTATIONS – OUTSIDE AGENCY FUNDING REQUESTS - **FRUITA CHAMBER OF COMMERCE** AND GRAND JUNCTION ECONOMIC PARTNERSHIP

BACKGROUND

The City of Fruita is deviating from its past Outside Agency Funding policy and procedures. The intent of the policy was to formalize the process and establish procedures and evaluation criteria for funding requests. The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit to the Fruita community. We have followed this process for 5 years but find that there have not been new requests and the City continues to fund the same requests every year. In lieu of requesting applications, we have instead requested that these agencies make a presentation updating the City Council on their current year activities and proposed plans for the following year as they relate to the City of Fruita funding.

The following Outside Agency funding contributions are included in the General Fund in the 2021 Draft Budget.

- Fruita Chamber of Commerce - \$25,000
- Grand Junction Economic Partnership - \$7,500
- One Riverfront - \$4,200
- Mesa Land Trust - \$8,900

At the October 20, 2020 meeting, both the Grand Junction Economic Partnership and the Fruita Area Chamber of Commerce will provide presentations to the City Council. It is anticipated that One Riverfront and Mesa Land Trust will present to the City Council at future meetings.

FISCAL IMPACT

Funding of outside agency requests does have a fiscal impact on the City. The Draft 2021 Budget has \$45,600 allocated towards outside agency funding requests.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit the Fruita community.

RECOMMENDATION:

These agenda items are for informational and discussion purposes. No action is necessary unless the Council desires to amend the proposed 2021 Budget.

Outside Funding Request – City of Fruita

Fruita Area Chamber of Commerce

The Fruita Area Chamber of Commerce staff and Board of Directors thanks you for taking our funding request into consideration for the 2021 fiscal year. We are asking for \$25,000 for the 2021 Operating Budget. We are a key economic driver in the Western Slope - as the Valley continues to grow and expand, so does our organization. The FACC will continue to grow with our community and increase valuable benefits for our members and local businesses throughout the Grand Valley. The FACC will continue to host and support a variety of family-friendly events that directly contribute to our local economy as well as fostering the relationships we build by being supportive advocates in our community.

The year 2020 has posed many challenges in our local community and our Nation as a whole. The FACC worked tirelessly during the pandemic and spent countless hours putting together relevant resources and funding information for our local business community to support not only Fruita area businesses, but the entire Grand Valley's economy. For the first time ever, the FACC partnered with the Grand Junction and Palisade Chambers to offer joint webinar presentations that provided valuable and timely resources for local businesses impacted by the COVID-19 crisis.

The FACC acted as a partner to City of Fruita to disseminate information during the 2020 COVID-19 crisis. We helped promote the City of Fruita's Small Business Emergency Assistance Fund and acted as a liaison between local businesses, the City, and Business Incubator to help make funds accessible to businesses Grand-Valley wide. The FACC helped promote the City's outdoor seating project with the CARES Funding through in person discussions with local businesses, a webinar presentation to our members and community with City Planning and Development Manager, as well as showcasing all the positive outcomes the City of Fruita has been able to implement on our monthly Fruita Roots Community Affairs Podcast regarding the Be Well, Be Fruita campaign. We value our close relationship with the City of Fruita and will continue to compliment the mission, and vision of what makes Fruita an amazing place to live, work and play.

In a year filled with cancelled events, the Fruita Chamber worked with our local Health Department and community to adapt and overcome by successfully hosting the Fruita Farmers Market, Supper on Southside, Fruita's Brew Festival, and Dinner Downtown to support our community and local businesses. The FACC frequently has residents and out of town visitors who look to the Chamber for resources and upcoming events. The FACC will continue to be a partner and advocate for the City of Fruita in all aspects of economic development and the cultivation of a healthy and vibrant community.



October 14, 2020

Fruita City Council
325 E. Aspen Street
Fruita, Co 81521

Re: Fruita Chamber of Commerce 2021 Budget

Mayor Kincaid and members of the City Council,

Please accept this letter as affirmation that the Fruita Area Chamber of Commerce has never been in such good hands and the funding assistance by the City of Fruita needs to continue. It is Family Health West's honor to be part of such of an amazing community and supporter of such a strong Chamber of Commerce. The work Executive Director Kayla Brown and her team has done since the short time she's been at the helm is clearly outstanding and unprecedented. Her devotion and the devotion of the Chamber Board of Directors to support our businesses can be seen not only in the increase of sales tax revenue but in the events she's held to increase their exposure and business revenues.

This Chamber rose to heights most chambers aspire to achieve during these turbulent times. Just imagine what is in store once this pandemic has passed and the Chamber can further excel to a "new normal." However, they cannot do it without the City's continued support and financial assistance.

I clearly don't need to tell you how awesome Fruita is. The collaboration and relationship between the City and Chamber is unique and sets an example to other communities and chambers that such a partnership only breeds success for all, but especially to the local businesses. Because of this collaboration, Fruita is what Fruita is.

I strongly encourage the financial support from the City of Fruita remains for many years to come. Perhaps consider a bit more, so they can further reach and exceed the collaborative goals for this tremendous community we call home.

In Good Health,

A handwritten signature in blue ink that reads "Stacey Mascarenas".

Stacey Mascarenas
Director of Communication
Public Relations and Real Estate

A Monthly Newspaper Focusing on Adults 50+



October 15, 2020

To: The City of Fruita Council Members

For the past 2 ½ years I have had the privilege to serve as an Ambassador for the Fruita Chamber of Commerce. The BEACON SENIOR NEWS has been a long standing member of the Chamber as well.

As an Ambassador, I am proud to serve a chamber that is passionate and committed to helping business members excel in growing their businesses and make an economic dent in the Fruita community and the surrounding area. With the newly appointed Executive Director, Kayla Brown and her staff, the Fruita Chamber excels at providing numerous networking opportunities for members to reach potential clients and connect local businesses with other area businesses and professionals.

I have enjoyed my work as an ambassador and being a part of promoting new memberships for the chamber. The new membership growth continues to climb as a result of the outstanding services provided by the this chamber.

If I may be of further assistance, please contact me at your earliest convenience.

Debra Romaniec
Advertising Executive
970-632-2367 – office
debra@beaconseniornews.com

Fruita Area Chamber of Commerce

PROFIT AND LOSS

January - December 2019

	TOTAL
Income	
Event Income**	149,760.91
Member Dues & Fees**	94,320.00
Other Income**	11,375.00
Total Income	\$255,455.91
GROSS PROFIT	\$255,455.91
Expenses	
Bank Charges/Credit Card Fees**	2,412.51
Employee related benefits**	1,326.23
Event Expenses**	117,794.21
Insurance**	2,388.00
Marketing & Advertising**	3,921.07
Membership Benefits**	3,535.79
Office Technology**	13,856.62
Operations/Office General**	1,870.41
Postage**	790.70
Professional fees**	3,313.55
Total Operations/Office General**	5,974.66
Other Expenses**	5,202.24
Board Expenses**	873.52
Scholarship Program**	1,500.00
Shop Fruita Gift Certificates**	0.00
Total Other Expenses**	7,575.76
Payroll Expenses**	0.00
Payroll Processing Fee**	1,817.07
Payroll Taxes**	12,216.95
Staff Salary & Wages**	89,511.30
Workmans' Comp Insurance**	419.59
Total Payroll Expenses**	103,964.91
Subscriptions & Dues **	195.00
Unapplied Cash Bill Payment Expense	0.00
Total Expenses	\$262,944.76
NET OPERATING INCOME	\$ -7,488.85
Other Income	
Interest Income	342.46
Total Other Income	\$342.46
Other Expenses	
Depreciation Expense	1,080.80
Donations**	50.00
Total Other Expenses	\$1,130.80
NET OTHER INCOME	\$ -788.34
NET INCOME	\$ -8,277.19

Fruita Area Chamber of Commerce

BALANCE SHEET

As of December 31, 2019

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Alpine FFF Checking	0.00
Alpine Operating Account	2,652.05
Edward Jones Money Market	9,899.74
Grand Valley Bank - Shop Fruita	920.00
Petty Cash	52.00
US BANK - FFM	1,027.19
Western Rockies FCU - SSM	1,003.48
Total Bank Accounts	\$15,554.46
Accounts Receivable	
Fall Festival AR	0.00
Farmer's Market AR	0.00
Member Receivables	0.00
Total Accounts Receivable	\$0.00
Other Current Assets	
Certificates of Deposit	0.00
Alpine Bank #33647	0.00
Alpine Bank #39401	0.00
Alpine Bank #40151	0.00
ANB 3-Year CD 1902315	0.00
Bank of the West #853146 (Matures 9/24/20; 2.10%, 16 mo.)	10,118.91
Grand Valley Bank #6406 (Matures 8/12/20, 2.175%, 13 mo.)	10,091.65
Total Certificates of Deposit	20,210.56
Inventory Asset-1	0.00
Undeposited Funds	0.00
Total Other Current Assets	\$20,210.56
Total Current Assets	\$35,765.02
Fixed Assets	
Accum. Depreciation	-29,735.00
Festival Fencing	2,000.00
Furniture & Fixtures	27,735.00
Total Fixed Assets	\$0.00
Other Assets	
Note Receivable	0.00
Total Other Assets	\$0.00
TOTAL ASSETS	\$35,765.02

Fruita Area Chamber of Commerce

BALANCE SHEET

As of December 31, 2019

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	0.00
Total Accounts Payable	\$0.00
Credit Cards	
Alpine Bank Credit Card	784.78
Total Credit Cards	\$784.78
Other Current Liabilities	
Colorado Department of Revenue Payable	0.00
Sales Tax Payable	
FFF Sales Tax Payable	0.00
Total Sales Tax Payable	0.00
Total Colorado Department of Revenue Payable	0.00
Due to (from) FFF	0.00
Due to (from) FFM	0.00
Sales Tax Agency Payable	0.00
Shop Fruita Liability	0.00
Total Other Current Liabilities	\$0.00
Total Current Liabilities	\$784.78
Total Liabilities	\$784.78
Equity	
Fall Festival Fund Transfers	0.00
Fund Balance	43,257.43
Opening Bal Equity	0.00
Net Income	-8,277.19
Total Equity	\$34,980.24
TOTAL LIABILITIES AND EQUITY	\$35,765.02



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR/CITY CLERK
DATE: OCTOBER 20, 2020
RE: 2021 BUDGET PRESENTATIONS – OUTSIDE AGENCY FUNDING REQUESTS - FRUITA CHAMBER OF COMMERCE AND **GRAND JUNCTION ECONOMIC PARTNERSHIP**

BACKGROUND

The City of Fruita is deviating from its past Outside Agency Funding policy and procedures. The intent of the policy was to formalize the process and establish procedures and evaluation criteria for funding requests. The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit to the Fruita community. We have followed this process for 5 years but find that there have not been new requests and the City continues to fund the same requests every year. In lieu of requesting applications, we have instead requested that these agencies make a presentation updating the City Council on their current year activities and proposed plans for the following year as they relate to the City of Fruita funding.

The following Outside Agency funding contributions are included in the General Fund in the 2021 Draft Budget.

- Fruita Chamber of Commerce - \$25,000
- Grand Junction Economic Partnership - \$7,500
- One Riverfront - \$4,200
- Mesa Land Trust - \$8,900

At the October 20, 2020 meeting, both the Grand Junction Economic Partnership and the Fruita Area Chamber of Commerce will provide presentations to the City Council. It is anticipated that One Riverfront and Mesa Land Trust will present to the City Council at future meetings.

FISCAL IMPACT

Funding of outside agency requests does have a fiscal impact on the City. The Draft 2021 Budget has \$45,600 allocated towards outside agency funding requests.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit the Fruita community.

RECOMMENDATION:

These agenda items are for informational and discussion purposes. No action is necessary unless the Council desires to amend the proposed 2021 Budget.

October 6, 2020

Fruita City Council
Attn: Mike Bennett
325 E. Aspen Ave, Suite 155
Fruita, CO 81521

To the City Council,

Thank you for your continued investment in GJEP. Despite a global pandemic, Mesa County continues to outperform other areas of the state and nation- both in terms of our COVID rate and our economy.

We had an exciting end to 2019 with the announcement that FHE was approved for the Rural Jump Start Tax Incentive for their expansion. FHE was the first local business expansion to qualify for the program and we were thrilled to see job growth in the City of Fruita.

2020 started out strong with the exciting announcement that Canfield Bikes would relocate from Washington state to Fruita, Colorado. GJEP supported the City of Fruita in that effort and we were thrilled to provide a jobs incentive that would help offset some of Canfield Bike's relocation costs.

This year, we created a new position to deal with the increase in interest from real estate developers. In January, Micah Adams was hired as our Real Estate Development Manager to become our subject matter expert on our commercial real estate market. We've included Fruita properties in multiple prospect referrals- most specifically the Fruita Business Park. Our largest prospect to date is a lithium-ion battery manufacturer that we received through an RFP process. We were recently notified that we've made it to the second round of cities being considered and that they are most interested in the Fruita Business Park location. We will keep you updated on that prospect.

The lack of warehouse and office infrastructure continues to be the largest impediment to companies relocating to Fruita, however, we do expect that the private sector will meet that demand as our population continues to grow in a post-COVID world. Our economy is more diversified than ever and we continue to see positive trends across Mesa County despite the global pandemic as a result of the hard work done over the past five years by leadership across the valley.

The City of Fruita is a committed partner to GJEP and we look forward to continued success. As your economic development agency, we're requesting an increase in funding to \$10,000 for 2021 so we can better serve your needs. Feel free to reach out to me at 970-245-4332 with any questions.

Thank you for your consideration.



Robin Brown
Executive Director



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: MARGARET SELL, FINANCE DIRECTOR/CITY CLERK

DATE: OCTOBER 20, 2020

RE: 2021 BUDGET PRESENTATIONS – OUTSIDE AGENCY FUNDING REQUESTS - FRUITA CHAMBER OF COMMERCE AND GRAND JUNCTION ECONOMIC PARTNERSHIP

BACKGROUND

The City of Fruita is deviating from its past Outside Agency Funding policy and procedures. The intent of the policy was to formalize the process and establish procedures and evaluation criteria for funding requests. The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit to the Fruita community. We have followed this process for 5 years but find that there have not been new requests and the City continues to fund the same requests every year. In lieu of requesting applications, we have instead requested that these agencies make a presentation updating the City Council on their current year activities and proposed plans for the following year as they relate to the City of Fruita funding.

The following Outside Agency funding contributions are included in the General Fund in the 2021 Draft Budget.

- Fruita Chamber of Commerce - \$25,000
- Grand Junction Economic Partnership - \$7,500
- One Riverfront - \$4,200
- Mesa Land Trust - \$8,900

At the October 20, 2020 meeting, both the Grand Junction Economic Partnership and the Fruita Area Chamber of Commerce will provide presentations to the City Council. It is anticipated that One Riverfront and Mesa Land Trust will present to the City Council at future meetings.

FISCAL IMPACT

Funding of outside agency requests does have a fiscal impact on the City. The Draft 2021 Budget has \$45,600 allocated towards outside agency funding requests.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The purpose of funding outside agency requests is to supplement community service programs that provide a public purpose and benefit the Fruita community.

RECOMMENDATION:

These agenda items are for informational and discussion purposes. No action is necessary unless the Council desires to amend the proposed 2021 Budget.



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA MAYOR AND CITY COUNCIL
FROM: MARGARET SELL, CITY CLERK/FINANCE DIRECTOR
DATE: OCTOBER 20, 2020
RE: 2021 BUDGET PRESENTATIONS

BACKGROUND

A draft copy of the 2021 Proposed Budget was presented to the City Council at the Workshop on September 29, 2020. The draft 2021 Budget document can be found online at the City's website at:

https://www.fruita.org/sites/default/files/fileattachments/administration/page/251/2021_budget_without_page_numbers.pdf

Budget presentations will be made on the following components of the 2021 Budget at the October 20, 2020 City Council Meeting:

- Parks and Recreation Department – Ture Nycum, Parks and Recreation Director
- Community Center Fund – Tom Casal, Recreation Superintendent

FISCAL IMPACT

The Budget is the primary fiscal document for allocation of resources for the provision of services to the community for the upcoming 2021 fiscal year and, as a result, has significant fiscal impact.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The Annual Budget provides the work program and fiscal plan for the City of Fruita for the 2021 fiscal year. Efforts have been made in preparation of the budget to provide the necessary financial resources to accomplish the goals and objectives of the City as they have defined over time through input from the City Council and the public.

OPTIONS AVAILABLE TO THE COUNCIL

This item is for informational purposes and to obtain feedback and comments on the proposed 2021 budget. No action is required at this time.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: OCTOBER 20, 2020

RE: LAND USE CODE UPDATE

BACKGROUND

Staff and Design Workshop met with the Working Group on October 1st to discuss the items within the City Council packet that you have received for this meeting. Additionally, Staff and the Planning Commission held a workshop on October 13th to discuss these same items. Modifications based on the feedback from both the Working Group and the Planning Commission have been made and are represented within these documents.

The purpose of this meeting is to discuss the proposed changes and answer any questions the Council might have. This will allow Staff and Design Workshop the opportunity to make necessary changes before moving forward with scheduled public hearing dates.

These proposed changes to the zoning and density bonus chapters are extensive in some areas, and very minor in others. The Design Workshop team has created a series of handouts to help explain the different changes, and how they implement key statements from the Comprehensive Plan. These are attached to this memo and follow the same simple format – text on the left identifies existing requirements, text in the middle outlines the key policy statements from the Comprehensive Plan, and text on the right illustrates the proposed zone district requirements. These sheets can be used as a general guide as you read through the proposed code language.

Also included in the packet are clean versions and a track changes version of the code language. The zone district chapter has been reformatted in its entirety, and the density bonus chapter has been greatly simplified. These changes resulted in a somewhat complex set of track changes, so we recommend reading through the clean version with the handout first, followed by the detailed track changes. You will also notice comments in the document, which are intended to explain certain changes, or highlight discussion areas.

What code changes are included:

There are a few high-level changes we want to highlight:

1. The General Commercial (GC) zone district has been divided into 2 new zone districts – the C1 and the C2 zones. This is consistent with the statements in the Comprehensive Plan to create different zone districts for the 6/50 and I-70 areas that are currently GC.
2. A new Neighborhood Commercial Overlay is proposed for the area surrounding the DMU core area. This overlay would allow additional commercial uses but does not propose changes to dimensions.
3. The Residential zone districts have been simplified, moving from seven (7) currently to five (5). This is a result of combining larger lot and agricultural zone districts to reflect statements in the Comprehensive Plan.
4. The Density Bonus Chapter has been simplified to focus on measurable and clearer criteria.

Additionally, general formatting updates have been incorporated to reflect current best practices for code updates. Purpose statements have been updated throughout to incorporate the language found in the Land Use Chapter of the Comprehensive Plan, and each zone district has been reorganized to include relevant dimensional information with the purpose statements. A general handout showing this approach is also included with this packet.

Attachments:

- A. Residential Zone District Framework handout
- B. Commercial Zone District Framework handout
- C. Density Bonus Framework handout
- D. Diagram Framework handout
- E. Density Bonus redline changes
- F. Density Bonus clean changes
- G. Zoning code redline changes
- H. Zoning code clean changes

City of Fruita Land Use Code

Proposed Residential Zoning District Changes

DRAFT: 15 October 2020

Zoning District

Tile Key



Existing Code Districts & Allowances

AR Agriculture Residential

10 AC/DU | SF-D
3 AC | SF-A, MaH, GH-S

RE Rural Estate

3 AC/DU | SF-D
2 AC | SF-A, MaH, MH, GH-S

RR Rural Residential

1 DU/AC | SF-D/A
20,000 SF | MaH, MH, GH-S

LL Large Lot Residential

3 DU/AC | SF-D/A
10,000 SF | MaH, MH, GH-S

SFR South Fruita Residential

2 DU/AC | SF-D/A, GH-S
7,000 SF | MaH, MH

CR Community Residential

N/A | SF-D/A, D, MF, GH-S
7,000 SF | MaH, MH, GH-L

MP Monument Preservation

1 DU/2AC | SF-D
2 AC | MaH, MH, GH-S

Comprehensive Plan Recommendations

Action 2.A: Adopt the land use categories from this plan into the Land Use Code and rezone accordingly.

Rural residential:

- Retain rural character outside of Fruita's city limit
- Transitional area between increased development and open and resource lands
- Agriculture is encouraged
- Recommended gross density of 1 DU/5-10 acres
- Clustering-type developments are not encouraged in this land use category

Residential South of I-70

Largely built-out; will remain at 1-4 DU/acre density.

Residential North of I-70

Neighborhoods in this areas can be developed up to 8 DU/acre in order to incentivize developers to provide amenities such as parks and trail connections and different types of housing

Intended to be a low-density area that is compatible with the surrounding lands of the Colorado National Monument. The intent is to preserve open space and for recreational uses with low-density residential development.

Proposed New Code Districts & Allowances

RE Rural Estate

3 AC/DU | SF-D, MH, MaH, GH
2 AC | SF-A

LL Large Lot Residential

3 DU/AC | SF-D, MaH, MH GH-S
10,000 sf | SF-A, GH-L

SFR South Fruita Residential

4 DU/AC | SF-D/A, GH-S
7,000 SF | MaH, MH

CR Community Residential

6 DU/AC | SF-D/A, D, MF, GH-S
7,000 SF | MaH, MH, GH-L

MP Monument Preservation

1 DU/2AC | SF-D
2 AC | MaH, MH, GH-S

City of Fruita Land Use Code

Proposed Commercial Zoning District Changes

DRAFT: 15 October 2020

Zoning District

Tile Key

Zoning District Abbreviation	GC	General Commercial	Zoning District
Max. Gross Residential Density	12 DU/AC		Allowed Uses
Min. Lot Area	5,000 SF	MF, O, FS, R, I, M	Conditional Uses
Max. Structure Height	35 FT	GH, PS, H, CU	

Existing Code Districts & Allowances

GC **General Commercial**

N/A
5K - 7K
35 FT

MF, O, FS, R, I, M
GH, PS, H, CU

DMU **Downtown Mixed Use**

12 DU/AC
VARIES
35/70 FT*

SF, MF, O, FS, R
GH, PS, H, CU, P

*70 Feet for residential over commercial

New Code Element

A new district overlay will provide opportunities for commercial uses in residential neighborhoods beyond the downtown area.

Comprehensive Plan Recommendations

Action 5.A Update the Land Use Code to divide General Commercial into two commercial zones, one that is appropriate for the State Highway 6&50 corridor and one that is appropriate for South Fruita.

Policy 2.D Promote commercial infill especially in the Downtown and C-1 zones. Encourage buildings to have higher lot coverages, attractive street frontages, and safe bicycle and pedestrian access.

Action 3.B Amend the Land Use Code to only allow three to four story buildings (down from five) and only in particular Downtown Subareas.

Policy 2.A Advocate for design flexibility in building heights and densities for infill parcels in the Downtown land use area. Allow for different

Policy 3.D Consider a Downtown overlay that would expand compatible commercial uses beyond the downtown along the street corridors of Aspen, Cherry, Pabor, and Maple.

Proposed New Code Districts & Allowances

C1 **State Highway Commercial**

VARIES
5,000 SF
35 FT

MF, O, FS, R, I, M
GH, PS, H, CU

C2 **South Fruita Commercial**

VARIES
5,000 SF
35 FT

MF, O, FS, R, I, M
GH, PS, H, CU

DM-C **Downtown Mixed Use (Core)**

N/A
2,500 SF
4 stories

SF, MF, O, FS, R
GH, PS, H, CU, P

DM-O **Downtown Mixed Use (Outer)**

12 DU/AC
VARIES
3 stories

SF, MF, O, FS, R
GH, PS, H, CU, P

NCO **Neighborhood Comm. Overlay**

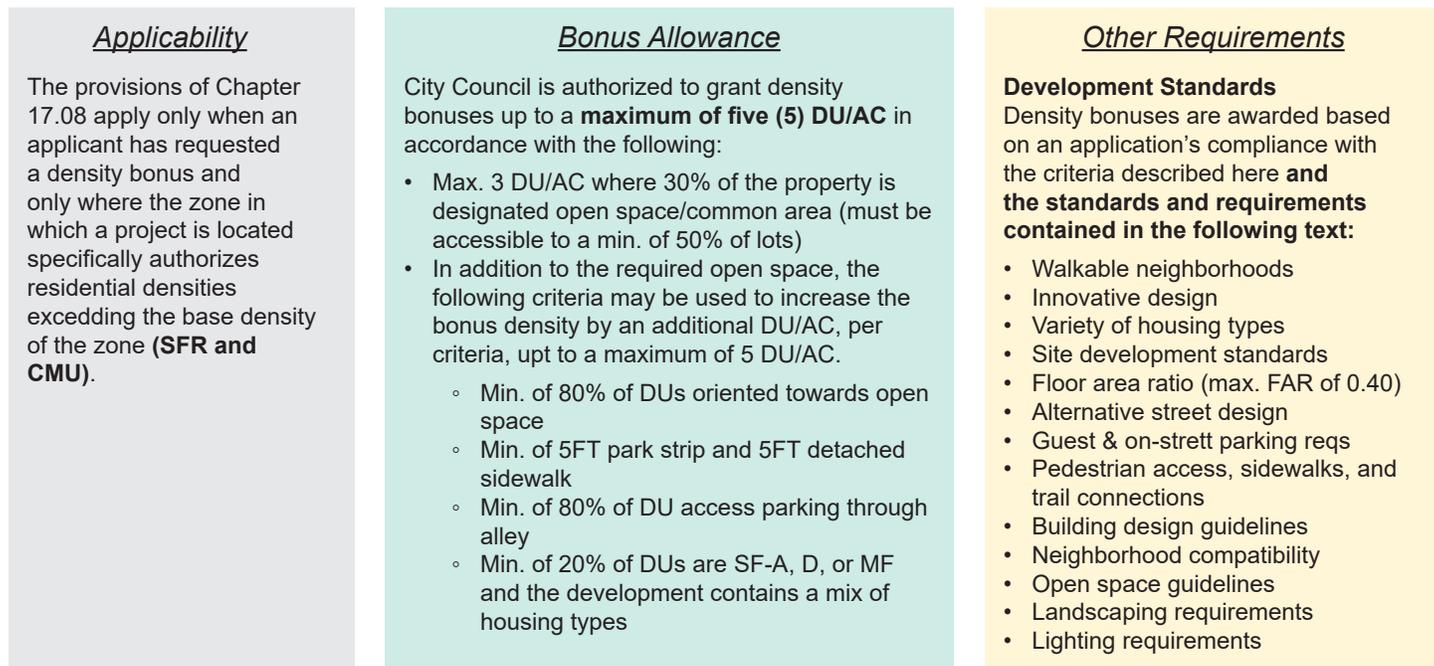
VARIES
VARIES
VARIES

O, R, FS

Land Use Key

MF Multifamily	I Industrial Service	H Hospital
O General Office	M Manufacturing/Processing	CU College/University
FS Food Service	GH Group Home	P Parking
R General Retail Sales	PS Public Safety	

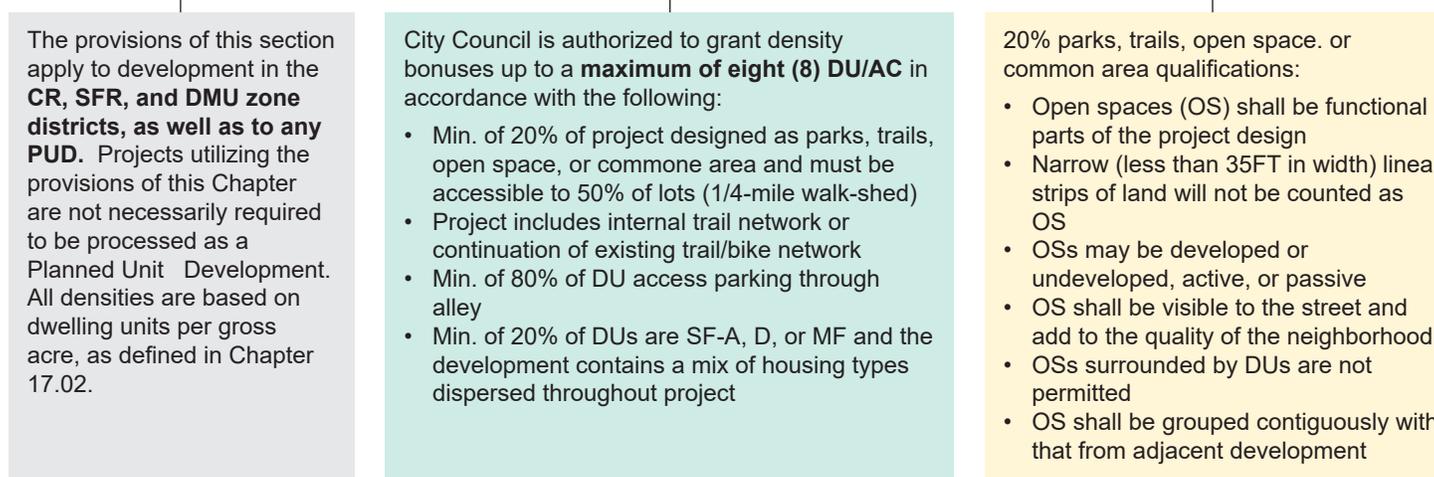
Existing Code Density Bonus Provisions



Comprehensive Plan Recommendation

Rather than a complex bonus density program to get up to the maximum allowed density, the new Land Use Code should outline the requirements so that **up to 8 units/acre can be done as a use-by-right.**

Proposed Code Density Bonus Provisions



Existing Density Bonus Criteria

	SFR	CMU
Base density	2.0 DU/AC	2.0 DU/AC
30% open space	+1 DU/AC	+1 DU/AC
Orientation of DUs	N/A	+1 DU/AC
Park strips/sidewalks	N/A	+1 DU/AC
Alley parking access	N/A	+1 DU/AC
Mix of housing types	N/A	+1 DU/AC
Maximum density	5.0 DU/AC	5.0 DU/AC



Proposed Density Bonus Criteria

	CR	SFR
Base density	6.0 DU/AC	3.0 DU/AC
20% open space	+1 DU/AC	+1 DU/AC
Bike + trail connections	+1 DU/AC	+1 DU/AC
Alley parking access	+1 DU/AC	N/A
Mix of housing types	+1 DU/AC	N/A
Maximum density	8.0 DU/AC	5.0 DU/AC

Proposed Methodology

As one of the desired outcomes of this land use code revision is a code that is clearer and more approachable to Fruita residents, Design Workshop proposes a graphic approach that is explanatory, stylistically uniform, and consistent throughout the code document. Understanding the budget limitations relative to this task and the advantages of devising a system that is flexible to future code revisions and updates, Design Workshop proposes illustrating key *concepts*, rather than specific code *provisions*. This approach will enable the code graphics to survive beyond future changes to districts and dimensions in the code language while prioritizing user comprehension of code policies.

Graphic Components

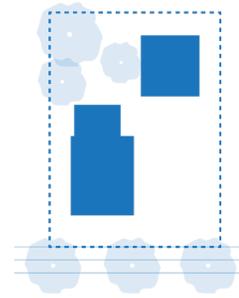
Design Workshop proposes developing a toolbox of graphic components that represent typical parcels, structures, and other elements. These components are intended to showcase generic development types and features and are not meant to communicate specific design ideas.



Single Family - SM
Elevation



Townhouse - SM
Elevation



Single Family - SM
Plan



Townhouse - SM
Plan

Aggregation & Diagramming

When describing key concepts like minimum setbacks, allowable densities, and open space requirements, components can be assembled to represent typical conditions and highlighted over to visually explain requirements. Diagramming will use consistent colors and graphic elements.

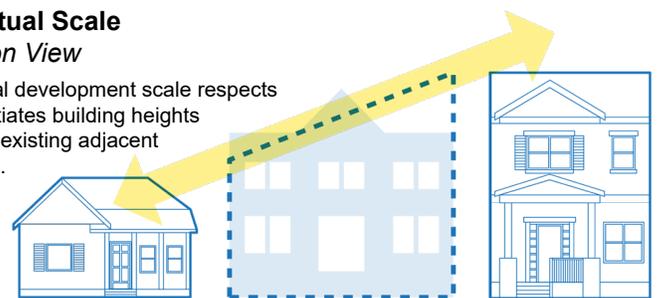


Architectural Articulation
Elevation View

To create visual diversity within neighborhoods, architectural articulation like porches, bay windows, overhangs, and pediments are encouraged.

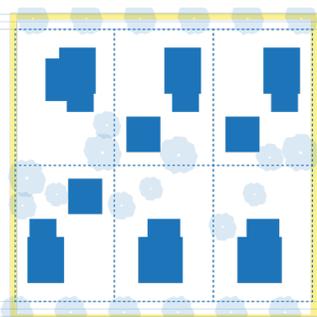
Contextual Scale
Elevation View

Contextual development scale respects and negotiates building heights based on existing adjacent structures.

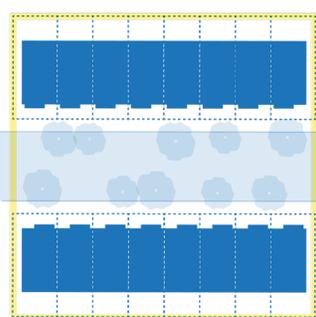


Density Explained

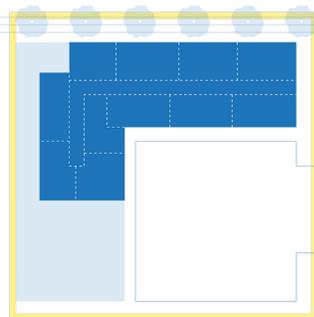
Different residential development types yield significantly different overall densities. Each yellow square is one acre.



Single Family Homes at 6 DU/ac
Plan View



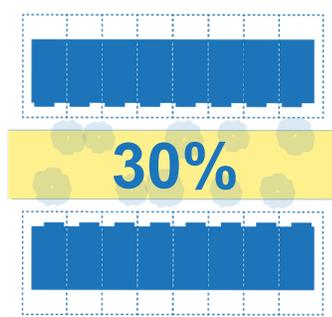
Townhouses at 16 DU/ac
Plan View



Multifamily Building at 24 DU/ac
Plan View

Open Space Requirement

One possible configuration of a 30% open space requirement.



Townhouse Development
Plan View

Chapter 17.08-03.012
DENSITY BONUSES

Sections:

- ~~17.08.010 Purpose and Intent~~
- ~~17.08.020 Applicability~~
- ~~17.08.030 General Provisions~~
- ~~17.08.040 Density Bonus Criteria~~
- ~~17.08.050 Development Standards~~

17.038.0120 PURPOSE AND INTENT Density

Bonuses.

- ~~A. Purpose Generally. The purpose of Chapter 17.08 this Section 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/benefits. 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 Comprehensive Plan. This Section~~
- ~~B. provides opportunities for regulatory development incentives that allow applicants to absorb the costs of public benefits or amenities that are more costly to deliver in response to applicants providing community benefits beyond those described herein as the baseline standards, encouraging applicants to deliver those amenities without incurring unreasonable economic costs, or driving up housing or consumer costs. Intent. The intent of this Chapter is to provide options and standards that promote and encourage innovative design that emphasize walkable neighborhoods that are pedestrian in scale and character, integrating open space or common area, detached sidewalks, park strips and tree lined streets and offer a variety of housing types.~~

~~A.~~



~~Applicability. The provisions of this section apply to development in the CR, and SFR zone districts,~~

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as well as to any PUD. Projects utilizing the provisions of this Chapter are not necessarily required to be processed as a Planned-Unit Development.

B. All densities are based on dwelling units per gross acre, as defined in Chapter 17.02.

~~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.~~

~~Process. 17.08.030 GENERAL PROVISIONS.~~

~~F. 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.~~

~~H. 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.~~

~~I. Projects utilizing the provisions of this Chapter are not necessarily required to be processed as a Planned-Unit Development.~~

~~L. City Council 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.~~

~~M. 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.~~

~~C. City Council may approve, deny, or approve with conditions, density-bonus applications filed in accordance with Chapter 17.08.~~

~~O. Criteria.~~

~~17.08.040 DENSITY BONUS CRITERIA. City Council is authorized to grant density bonuses up to a maximum of five (5) eight (8) dwelling units per acre in accordance with the following:~~

~~D.~~

Density Bonus Criteria		
	CR	SFR
Base Density	6.0 DU/acre	4.0 DU/acre
Maximum Density	8.0 DU/acre	5.0 DU/acre
20% Open Space	1 additional DU/acre	1 additional DU/acre
Bike and Trail Connections	1 additional DU/acre	1 additional DU/acre
Alley/shared drive access	1 additional DU/acre	Not applicable
Mix of housing types	1 additional DU/acre	Not applicable

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~~A. A maximum density of three (3) dwelling units per acre may be approved with a minimum of thirty-two (2030) percent of the property project designated as parks, trails, open space or common area.~~

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~~1. The open space or common area must be easily adjacent and accessible to a minimum of fifty (50) percent of the lots, by being located within a 1/4 mile walking shed, and providing a safe sidewalk or trail connection to the space. A conservation easement, or other form acceptable to the City Attorney, shall be required with the first phase or first filling of the subdivision to ensure the space is permanently designated as an open area.~~

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~~a. Open space and common areas shall be a functional part of the project design rather than residual land that is "left over" with no recreational, aesthetic or design importance.~~

~~b. Narrow (less than thirty-five (35) feet in width) linear strips of land should not be counted toward the open space or common area requirement.~~

~~c. Open space or common areas may be developed or undeveloped, active or passive. Areas and may include stormwater detention and retention basins if the design of the basin is integral to the open space or common area, is separately managed by the association, and is at a grade of 15% or less. In addition, washes, streams or other natural features should be included and incorporated into open space or common area.~~

~~d. Open space or common areas shall be visible from the street and add to the quality of the neighborhood and shall be accessible to all dwelling units within the development. Open space and common area surrounded by dwelling units with no access to an adjacent street is prohibited.~~

~~e. Open space or common areas may contain private recreation amenities including but not limited to: plazas, courtyards, community garden, basketball/tennis/pickleball courts, clubhouses or community greenhouses.~~

~~f. Open space or common areas shall be grouped contiguously with open space or common areas from adjacent developments, where possible.~~

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~~The project includes an internal trail network, a continuation of an existing trail network, or the continuation of a bike lane system internal to the project and along adjoining rights-of-way. The bike and trail amenities must be at least 500 feet of linear length to qualify for this bonus. On-site trails and/or sidewalks shall be extended to existing off-site trails, sidewalks or parks if the extension is less than two hundred~~

~~2. (200) feet in length. An easement, or other form acceptable to the City Attorney, shall be required with the first phase or first filling of the subdivision to ensure the space is permanently designated as a trail.~~

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~~a. Walkways, trails and other forms of pedestrian access shall form an interconnected system serving as access to open space, common area~~

and other pedestrian destinations.

3.

5. For purposes of this Chapter, adjacent means open space or common area that is located along the entirety of at least one lot line of each adjoining lot and accessible means the resident of the lot or unit must be able to safely and conveniently step onto the open space or common area from the lot or unit.

A. In addition to the required open space, the following criteria may be used to increase the bonus density by an additional dwelling unit per acre, per criteria, up to a maximum five (5) dwelling units per acre:

8. A minimum of eighty (80) percent of the proposed dwelling units are oriented towards open space or common area. For purposes of this Chapter, oriented means that the primary entrance of the dwelling unit faces toward

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~~an open space or common area.~~

~~11. A minimum five (5) foot wide park strip and five (5) foot wide detached sidewalk are located on both sides of all proposed streets. Upon approval of City Council, park strips may be applied toward the open space or common area requirement.~~

~~13.3. Access to required parking and/or garages of a minimum of eighty (80) percent of the proposed dwelling units is by alley or shared drive. For purposes of this Chapter Section, a shared drive must serve a minimum of four (4) dwelling units.~~

~~14.4. A mix of housing types are proposed with a minimum of twenty (20) percent of the dwelling units being single-family attached, duplexes and/or multi-family units. The unit types shall be dispersed within the development, and a site plan shall be recorded to ensure that the final buildout reflects representations in the density bonus review.~~

~~B. All densities are dwelling units per gross acre, as defined in Chapter 17.03.~~

Density Bonus Criteria	Zones	
	SFR	CMU
Base Density	2.0 DU/acre	2.0 DU/acre
30% Open Space	3.0 DU/acre	3.0 DU/acre
Orientation of dwelling units	Not applicable	1 additional DU/acre
Park strips/detached walks	Not applicable	1 additional DU/acre
Alley/shared drive access	Not applicable	1 additional DU/acre
Mix of housing types	Not applicable	1 additional DU/acre

~~**17.08.050 DEVELOPMENT STANDARDS.** Density bonuses are awarded based on an application's compliance with the above criteria and the standards and requirements contained in the following text and illustrations:~~

~~A. General Standards.~~

~~1. Walkable Neighborhood.~~

~~a. Pedestrian friendly street design which may include but is not limited to: interconnected pedestrian network of sidewalks and trails, reduced front yard setbacks; tree lined streets; garages and parking accessed by alleys or shared drives; narrow, slow speed streets; etc.~~



2. Innovative Urban Design.

- a. Emphasis on aesthetics, human comfort and creating a sense of place.
- b. Human scale architecture.
- c. Easily accessible open space or common area.
- d. Dwelling units oriented toward open space or common area.



3. Variety of Housing Types.

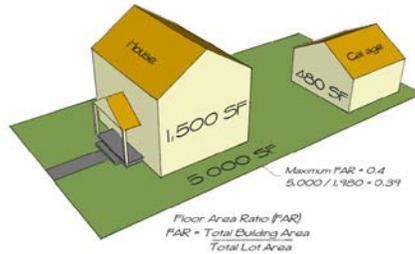
- a. A variety of housing types including: single family detached, single family attached, duplexes and multi family dwellings.



B. Site Development Standards. In addition to those requirements contained in Title 17 Land Use Code, the following design standards are applicable to new developments utilizing bonus density:

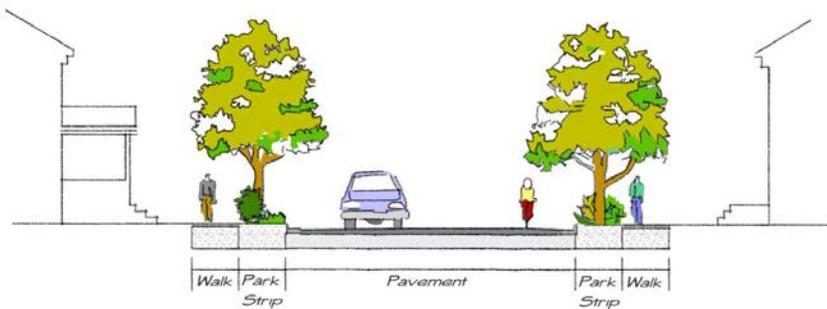
1. Floor Area Ratio:

- a. ~~The maximum floor area ratio shall be 0.40. The floor area ratio is calculated by dividing the gross building area (including all accessory structures but excluding uncovered patios and decks) by the gross lot area.~~



2. Streets:

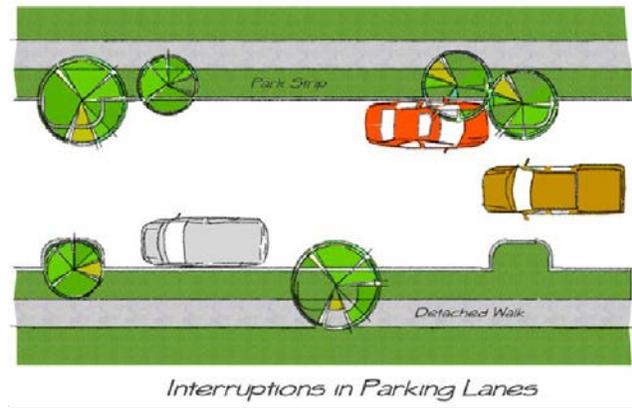
- a. ~~Alternative street designs are encouraged and may be approved where the design is found to be consistent with the intent of this Chapter and consistent with the health, safety and welfare of pedestrians and vehicles.~~



- a. ~~Traffic calming techniques shall be incorporated into street designs.~~

3. Parking:

- a. ~~Guest parking shall be provided at a ratio of .5 parking space per unit when on-street parking is limited or nonexistent. Guest parking spaces shall be accessible to everyone and conveniently located within the project.~~
- b. ~~If on-street parking is proposed, the use of planting areas interposed within the parking lanes is encouraged.~~



~~4. Pedestrian Access, Sidewalks and Trails:~~

~~a. Projects shall include an interconnected pedestrian circulation system utilizing both sidewalks and trails as an integral part of the project connecting streets, dwelling units, open space and common area. Disheartening~~

~~ba. On site trails and/or sidewalks shall be extended to existing off site trails, sidewalks or parks if the extension is less than two hundred (200) feet in length.~~

~~5. Building Design~~

~~a. Building design within the project should be architecturally varied but complementary.~~

~~b. Individual units should incorporate design features to assure high quality, distinctive design and a cohesive variety within the project.~~

~~c. Building facades should have offsets, particularly above the first floor, to reduce the appearance of building mass and bulk.~~

~~d. Roof elements should be varied to create a comfortable human scale.~~

~~e. Garages~~

~~1) Garages may be attached or detached but must be consistent and compatible with the architecture and materials of the individual dwelling unit.~~

~~2) The appearance of attached garages should be minimized by limiting garage doors to no more than fifty (50) percent of the linear front elevation of any unit. The use of two single car garage doors as opposed to a double garage door or similar design is encouraged to reduce the visual scale of the garage.~~

~~3) Driveway cuts on the public street shall be minimized to preserve landscaping and on-street parking.~~

~~6. Neighborhood Compatibility. New developments should integrate existing neighborhood patterns of adjacent developments with respect to building scale, massing and orientation.~~

~~7. Open Space/Common Areas~~

~~a Open space and common areas shall be a functional part of the project design rather than residual land that is "left over" with no recreational, aesthetic or design importance.~~

~~ba Narrow (less than thirty-five (35) feet in width) linear strips of land should not be counted toward the open space or common area requirement.~~

~~ca Open space or common areas may be developed or undevelopable, active or passive and may include stormwater detention and retention basins if design of the basin is integral to the open space or common area. In addition, washes, streams or other natural features should be included and incorporated into open space or common area.~~

~~da Open space or common areas shall be visible from the street and add to the quality of the neighborhood and shall be accessible to all dwelling units within the development. Open space and common area surrounded by dwelling units with no access to an adjacent street is prohibited.~~

~~ea Open space or common areas may contain private recreation amenities including but not limited to: plazas, courtyards, community garden, basketball/tennis/pickleball courts, clubhouses or community greenhouses.~~

~~fa Walkways, trails and other forms of pedestrian access shall form an interconnected system serving as access to open space, common area and other pedestrian destinations.~~

~~ga Open space or common areas shall be grouped contiguously with open space or common areas from adjacent developments.~~

~~8. Landscaping~~

~~a Landscape Buffer~~

~~1) A landscape buffer shall be a minimum of thirty-five (35) feet in width and left in its natural state or improved.~~

~~b Tree and Landscape Feature Preservation~~

~~1) Existing trees and other natural landscape features should be~~

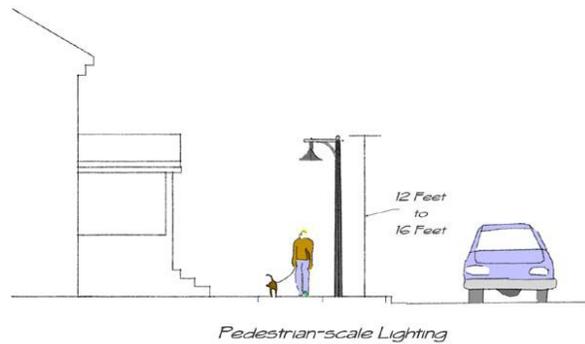
~~preserved and incorporated into the design of the project.~~

~~e. Park Strips~~

- ~~1) Park strips must be a minimum of five (5) feet in width and contain, in aggregate, at least one (1) tree for every forty (40) feet of street frontage.~~
- ~~2) 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.~~

~~9. Lighting~~

- ~~a. Street lighting should be provided along all streets. Generally more, smaller lights, as opposed to fewer, high intensity lights, should be used.~~
- ~~b. Street lights should be installed on both sides of the street at intervals no greater than seventy five (75) feet.~~
- ~~c. Decorative light posts are recommended for free standing lights and lighting should be low in height to complement the human scale.~~



~~C. Modification of Standards:~~

- ~~1. For development projects requesting a density bonus, City Council may consider modification of one or more of the following standards:~~
 - ~~a. Minimum lot sizes and/or dimensions;~~
 - ~~b. Maximum floor area ratio;~~
 - ~~c. Minimum lot setbacks;~~
 - ~~d. Maximum lot coverage;~~

~~e — On-site parking standards;~~

~~f — Minimum building separation requirements; and/or~~

~~g — Street standards.~~

~~2. — A request for modification of standards shall be submitted in conjunction with the bonus density application and shall identify the modifications being requested and shall include an explanation of what exceptional conditions, practical difficulties, or unnecessary hardships exist that require the modifications. The request shall also address how the modifications are beneficial to the public good, are in compliance with the Comprehensive Plan and meet the purpose and intent of this Chapter.~~

Chapter 17.03.012

DENSITY BONUSES

17.03.012 Density Bonuses.

- A. **Generally.** The purpose of this Section 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 benefits. This Chapter is intended to promote compatibility between land uses, as well as predictability and fairness in the approvals process, consistent with the Fruita Comprehensive Plan. This Section provides opportunities for development incentives in response to applicants providing community benefits beyond those described herein as baseline standards, encouraging applicants to deliver those amenities without incurring unreasonable economic costs, or driving up housing or consumer costs.
- B. **Applicability.** The provisions of this section apply to development in the CR, and SFR zone districts, as well as to any PUD. Projects utilizing the provisions of this Chapter are not necessarily required to be processed as a Planned Unit Development. All densities are based on dwelling units per gross acre, as defined in Chapter 17.02.
- C. **Process.** 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. City Council 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. City Council may approve, deny, or approve with conditions, density bonus applications filed in accordance with Chapter 17.08.
- D. **Criteria.** City Council is authorized to grant density bonuses up to a maximum of eight (8) dwelling units per acre in accordance with the following:

Density Bonus Criteria			
		CR	SFR
Base Density		6.0 DU/acre	4.0 DU/acre
Maximum Density		8.0 DU/acre	5.0 DU/acre
20% Open Space		1 additional DU/acre	1 additional DU/acre
Bike and Trail Connections		1 additional DU/acre	1 additional DU/acre
Alley/shared drive access		1 additional DU/acre	Not applicable
Mix of housing types		1 additional DU/acre	Not applicable

1. A minimum of twenty (20) percent of the project designated as parks, trails, open space or common area. The open space or common area must be easily accessible to a minimum of fifty (50) percent of the lots, by being located within a ¼ mile walking shed, and providing a safe sidewalk or trail connection to the space. A conservation easement, or other form acceptable to the City Attorney, shall be required with the first phase or first filling of the subdivision to ensure the space is permanently designated as an open area.
 - a. Open space and common areas shall be a functional part of the project design rather than residual land that is “left over” with no recreational, aesthetic or design importance.
 - b. Narrow (less than thirty-five (35) feet in width) linear strips of land should not be counted toward the open space or common area requirement.
 - c. Open space or common areas may be developed or undeveloped, active or passive. Areas may include stormwater detention and retention basins if the design of the basin is integral to the open space or common area, is separately managed by the association, and is at a grade of 15% or less. In addition, washes, streams or other natural features should be included and incorporated into open space or common area.
 - d. Open space or common areas shall be visible from the street and add to the quality of the neighborhood and shall be accessible to all dwelling units within the development. Open space and common area surrounded by dwelling units with no access to an adjacent street is prohibited.
 - e. Open space or common areas may contain private recreation amenities including but not limited to: plazas, courtyards, community garden, basketball/tennis/pickleball courts, clubhouses or community greenhouses.
 - f. Open space or common areas shall be grouped contiguously with open space or common areas from adjacent developments, where possible.
2. The project includes an internal trail network, a continuation of an existing trail network, or the continuation of a bike lane system internal to the project and along adjoining rights-of-way. The bike and trail amenities must be at least 500 feet of linear length to qualify for this bonus. On-site trails and/or sidewalks shall be extended to existing off-site trails, sidewalks or parks if the extension is less than two hundred (200) feet in length. An easement, or other form acceptable to the City Attorney, shall be required with the first phase or first filling of the subdivision to ensure the space is permanently designated as a trail.
 - a. Walkways, trails and other forms of pedestrian access shall form an interconnected system serving as access to open space, common area and other pedestrian destinations.

3. Access to required parking and/or garages of a minimum of eighty (80) percent of the proposed dwelling units is by alley or shared drive. For purposes of this Section, a shared drive must serve a minimum of four (4) dwelling units.
4. A mix of housing types are proposed with a minimum of twenty (20) percent of the dwelling units being single- family attached, duplexes and/or multi- family units. The unit types shall be dispersed within the development, and a site plan shall be recorded to ensure that the final buildout reflects representations in the density bonus review.

TITLE 17 LAND USE CODE

Chapter 17.027

ZONING DISTRICTS-USES AND GENERAL REQUIREMENTS

17.02.010 Generally

- ~~17.027.0101~~ **Zone Establishment of Zones**~~Districts Established~~
- ~~17.027.0120~~ **Incorporation of Official Zone Districting Map**
- ~~17.027.0130~~ **Zoning Names**~~Residential Zone Districts~~
- ~~17.027.0140~~ **Zoning Boundaries**~~Commercial and Mixed-Use Zone Districts~~
- ~~17.027.0150~~ **Application of Zoning Regulations**~~Industrial Zone Districts~~
- ~~17.027.0160~~ **Zoning Uses and Requirements**~~Special Zone Districts~~
- ~~17.027.0170~~ **Supplemental Zoning Regulations and Standards**~~Overlay Zone Districts~~
- ~~17.027.0180~~ **Land Use Compatibility Criteria**~~Planned Unit Developments~~
- ~~17.027.0190~~ **Legal Non-Conforming Uses, Structures, and Lots**~~Future Land Use Districts~~
- ~~17.027.0200~~ **Legal Non-Conforming Uses, Structures, and Lots**~~Land Uses~~

17.02.010 GENERALLY. In order to ensure that all development is consistent with the goals and objectives of the Fruita Comprehensive Plan and this Chapter, it is necessary and proper to establish a series of Zone Districts to ensure that each permitted and conditional use is compatible with surrounding land uses, is served by adequate public facilities and is consistent with the natural environment and natural resources surrounding the city.

- A. Unless expressly exempted, all regulations ~~Uses permitted by in this Title~~Chapter is also may be subject to provisions of other applicable city, county, or state laws and regulations, and where the provisions of this TitleChapter impose a greater restriction than required by other land use regulations, the provisions of this Title shall govern.
- B. In their application and interpretation, the provisions of this TitleChapter 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 Title imposes a greater restriction than that imposed by existing contract, covenant or deed, the provisions of this Title shall control.
- C. District graphics depicting basic dimensional requirements shall be used for reference only. Dimensions shall be measured as defined in text of this Title, including exceptions, development standards, and definitions for terms of measurement (height, setbacks, lot, etc.).

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~~17.027.0110 ESTABLISHMENT OF ZONES~~ZONE DISTRICTS ESTABLISHED. ~~To carry out the purposes of the Master Plan and the purposes and provisions of this Title, the incorporated area of the City of Fruita is hereby divided into the following zones for the purposes set forth below:~~The City of Fruita is hereby divided into several zones.

- A. Base Zone Districts. Base zone districts are established initially by the adoption of the City's Official Zone District Map and subsequently approved through a rezoning (see Section 17.***). Such approval authorizes the full range of development allowed by the standards applicable to the base zone district.
- B. Overlay Zone Districts. Overlay zone districts are established initially by the adoption of the City's Official Zone District Map and subsequently approved through a rezoning (see Section 17.***). These zones are superimposed over one or more underlying Base Zone Districts or Planned Unit Development Zone Districts.

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C. Planned Unit Development Districts. Planned Unit Development (PUD) districts are established by the City's approval of a PUD rezoning (see Section 17.***). Development in a PUD district is subject to the standards included in or referenced in an approved PUD Plan.

D. Future Land Use Districts. Future Land Use Districts are intended for lands not currently within City limits, but will be used to coordinate planning activities with the County and for annexations.

A. Agricultural Residential (AR). The purpose of the AR zone is to allow low density rural residential and agricultural uses, to preserve and enhance the rural character of the outlying areas of Fruita, and discourage inappropriate or premature urban development.

B. Rural Estate (RE). The purpose of the RE zone is to preserve the natural and agricultural landscape as a transition between the Rural Residential (RR) zone, AR zone, and the community separator through minimum requirements and incentives for rural land preservation and clustered residential lots.

C. Rural Residential Estate (RER). The purpose of the RER zone is to allow low density residential uses compatible with rural areas.

D. Community Residential (CR). The purpose of the CR zone is to allow for moderate density detached single family residential neighborhoods with the inclusion of other housing types such as attached dwelling units (e.g. apartments and townhouses).

E. Large Lot Residential (LLR). The purpose of the LLR zone is to allow larger lot developments in the same areas as the CR zone and other areas as appropriate.

F. South Fruita Residential (SFR). The purpose of the SFR zone is to allow a variety of low to moderate density residential areas compatible with existing low density development, the Colorado National Monument and the Colorado River.

G. Downtown Mixed Use (DMU). The purpose of the DMU zone is to maintain and enhance downtown as a vibrant, pedestrian oriented commercial and residential area and as the civic heart of the community. Mixed use development, such as commercial on the ground floor and residential above the ground floor is encouraged within this zone. The intent of this zone with regard to housing is to allow existing residential uses and provide housing options within walking distance of commercial and civic uses without compromising the integrity of the downtown commercial core.

H. Community Mixed Use (CMU). The purpose of the CMU zone is to establish walkable neighborhoods that are residential in scale and character, integrating a variety of housing, open spaces, and community services.

I. Monument Preservation (MP). The MP zone is intended to provide a recreational and environmental buffer between the Colorado National Monument and Bureau of Land Management lands, and urban development with low intensity uses that preserve open space quality.

J. General Commercial (GC). The GC zone is intended to accommodate commercial development in appropriate areas with appropriate access, landscaping, frontage improvements, setbacks, screening and multi-modal access and connectivity.

K. Industrial (I). The purpose of the I zone is to encourage non polluting industrial and research and development activities designed to meet acceptable state and locally established standards for noise, dust, effluent (e.g., sewage pre-treatment), odor, and other impacts typically associated with

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Commented [JG2]: Rural Residential Estate is renamed Rural Estate

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17.07.050 APPLICATION OF ZONING REGULATIONS. Except as hereinafter provided, within the municipal boundaries of the City of Fruita:

~~A.D.~~ No building or structure shall be erected or placed 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 17.07.060(F) (Land Use/Zoning Table) and the zoning requirements and regulations for the zone in which such land, building or structure is located.

~~B.E.~~ No building or structure shall be erected or placed nor shall any existing building or structure be moved, removed, altered, replaced 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 17.07.060(I) (Density and Dimensional Standards Table) for the zone in which such land, building or structure is located.

~~C.F.~~ 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 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.A.~~ Uses permitted by this Title also may be subject to provisions of other applicable city, county, or state laws and regulations, and where the provisions of this Title impose a greater restriction than required by other land use regulations, the provisions of this Title shall govern.

~~A.~~ In their application and interpretation, the provisions of this Title 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 Title imposes a greater restriction than that imposed by existing contract, covenant or deed, the provisions of this Title shall control.

~~F.G.~~ For developments without access to the city's sanitary sewer system (farther than four hundred [400] feet away), the minimum lot size is required to be no less than three (3) acres. Larger lots may be required for certain non-residential land uses.

Commented [JG4]: Need to find a place for these.

Commented [JG5]: No more than 1 septic on a parcel to be incorporated in general requirements.

17.02.013 RESIDENTIAL ZONE DISTRICTS.

Residential zone districts are established to provide for a variety of neighborhoods in a range of densities to accommodate the different character areas of the City. These are considered Base Zone Districts.

~~N.A.~~ Rural Estate (RE). The purpose of the RE zone is to allow low density residential uses compatible with rural areas. Areas in this zone district serve as a transition between open and resource lands and increased development in the City. Cluster developments are not encouraged in this zone district, and city sewer is not typically provided due to the low density nature of the development.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE **
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Rural Estate (RE)	1 DU/3 acres	2 acres	30'	10'	30'	35'	20%
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3. On properties that are used mainly for agricultural uses in the Agricultural Residential (AR) and Rural Estate (RE) zones any structures used mainly for agricultural purposes (e.g., silos and barns) are exempt from the height limits for structures.

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Q.B. Community Residential (CR). The purpose of the CR zone is to allow for moderate density detached single-family residential neighborhoods with the inclusion of other housing types such as attached dwelling units (e.g. apartments and townhouses). Innovative neighborhood design is encouraged in this zone district to provide opportunities for housing diversity. This area is served by public utility infrastructure and is appropriate for density of 4-8 du per acre.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

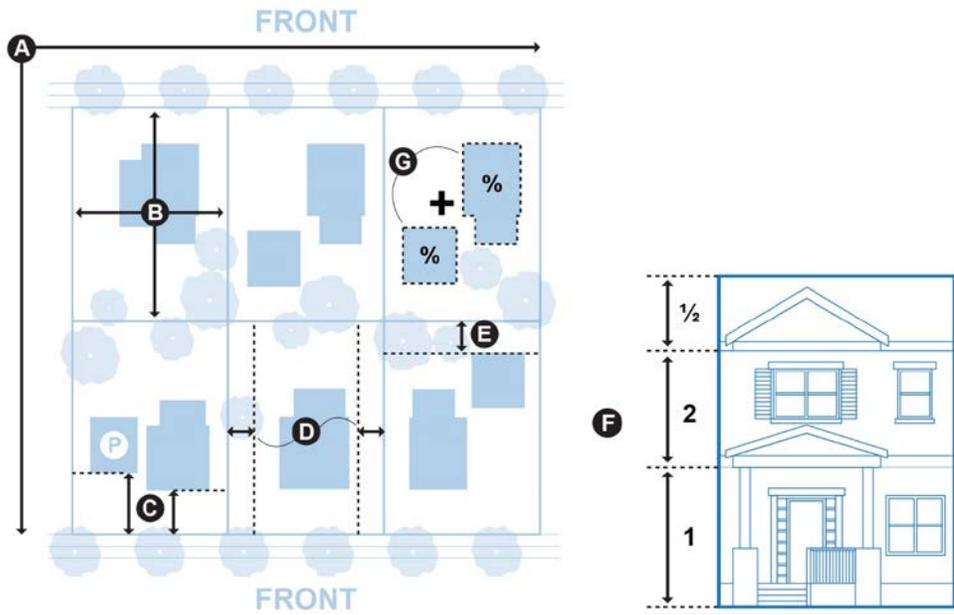
ZONE DISTRICT	MAX RES. DENSITY (GROSS) (A)	MIN LOT AREA (B)	MIN FRONT/ STREET YARD (C)	MIN SIDE YARD (D)	MIN REAR YARD (E)	MAX STRUCTURE HEIGHT* (G)	MAX LOT COVERAGE *** (F)
Community Residential (CR)**	6 DU/acre by right 8 DU/acre thru Density Bonus	7,000 sf	25' for garage openings; 20' for elevations other than garage opening; except 15' for buildings	16' total; 5'/3' min. except 0' where common wall or zero-lot line dev. allowed	15'/3'	35'/16'	60%

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C. Large Lot Residential (LLR). The purpose of the LLR zone is to allow larger lot developments in the same areas as the CR zone and other areas as appropriate. Areas in this zone district are typically served by public utility infrastructure, and a density of 2-4 du per acre is appropriate.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

<u>ZONE DISTRICT</u>	<u>MAX RES. DENSITY (GROSS)</u>	<u>MIN LOT AREA</u>	<u>MIN FRONT/ STREET YARD</u>	<u>MIN SIDE YARD</u>	<u>MIN REAR YARD</u>	<u>MAX STRUCTURE HEIGHT*</u>	<u>MAX LOT COVERAGE ***</u>
<u>Large Lot Residential (LLR)</u>	<u>3 DU/acre by right 4 DU/acre thru Density Bonus</u>	<u>10,000 sf</u>	<u>25'</u>	<u>10'/5'</u>	<u>15'/3'</u>	<u>35'/16'</u>	<u>40%</u>

D. South Fruita Residential (SFR). The purpose of the SFR zone is to allow a variety of low to moderate density residential areas compatible with existing low density development, the Colorado National Monument and the Colorado River. Due to its location near the Colorado River and in the 100-year flood plain, the area is most suitable to a density of 2-5 du per acre.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

<u>ZONE DISTRICT</u>	<u>MAX RES. DENSITY (GROSS)</u>	<u>MIN LOT AREA</u>	<u>MIN FRONT/ STREET YARD</u>	<u>MIN SIDE YARD</u>	<u>MIN REAR YARD</u>	<u>MAX STRUCTURE HEIGHT*</u>	<u>MAX LOT COVERAGE ***</u>
<u>South Fruita Residential (SFR)</u>	<u>4 DU/acre by right</u> <u>5 DU/acre thru</u>	<u>7,000 sf</u>	<u>25'</u>	<u>10'/5'</u>	<u>15'/5'</u>	<u>35'/16'</u>	<u>50%</u>

E. Monument Preservation (MP). The MP zone is intended to provide a recreational and environmental buffer between the Colorado National Monument and Bureau of Land Management lands, and urban development with low intensity uses that preserve open space quality. This zone district should be limited to areas immediately adjacent to the Colorado National Monument. Environmentally constrained lands are not appropriate for this zone district.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

<u>ZONE DISTRICT</u>	<u>MAX RES. DENSITY (GROSS)</u>	<u>MIN LOT AREA</u>	<u>MIN FRONT/ STREET YARD</u>	<u>MIN SIDE YARD</u>	<u>MIN REAR YARD</u>	<u>MAX STRUCTURE HEIGHT*</u>	<u>MAX LOT COVERAGE ***</u>
<u>Monument Preservation (MP)</u>	<u>1 DU/2 acres</u>	<u>2 acres</u>	<u>25'</u>	<u>50'</u>	<u>20'/10'</u>	<u>35'/25'</u>	<u>20%</u>

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Section 17.07.060 (1)

DENSITY AND DIMENSIONAL STANDARDS TABLE

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT²	MAX L.O.F. COVERAGE³
Agriculture Residential (AR)				50'	50'		
Rural Estate (RE)	3 acres/1 DU/3 acres, or 2 acres/1 DU/2 acres	2 acres	25'	40'	20'	35'	20%
Rural Residential (RR)	1 DU/acre or 2 DU/acre		25'	40'		35'	20%
Community Residential (CR) ^{1,2}	No Specific Standards ^{3,4} 6 DU/acre	7,000-sf	25' for garage openings; 20' for elevations other than garage opening; except 15' for buildings with alley access only or 15' for unenclosed front porches covering at least 30% of front elevation with a 6' minimum depth with the garage or parking area on the rear half of the lot	16' total; 5 2/3' min. except 0' where common wall or zero lot line dev. allowed	15' 3"	35' 16"	560%
Large Lot Residential (LLR)	3 DU/acre	10,000-sf	25'	40' 5"	15' 3"	35' 16"	40%
South Fringe Residential (SFR)	42 DU/acre, or 3 DU/acre	7,000-sf	25'	40' 5"	15' 5"	35' 16"	450%

* Accessory buildings can be up to the maximum height limit for the zone when located within the primary building setbacks.

** One duplex unit or two unit attached single family on a lot or land area of at least ten thousand (10,000) square feet in size is permitted for each ten (10) single family detached units in the same subdivision

One triplex or three unit attached single family on a lot at least fifteen thousand (15,000) square feet in size for each fifteen (15) single family detached units in the same subdivision

One four plex or four unit attached single family on a lot of at least twenty thousand

(20,000) square feet in size for each twenty (20) single family detached units in the same subdivision

For the purposes of these attached housing calculations, single family detached units cannot be counted more than once for determining permitted attached housing units.

17.02.014 COMMERCIAL AND MIXED-USE ZONE DISTRICTS.

Commercial and Mixed-Use zone districts are established to provide for a variety of commercial areas suited to the difference neighborhoods and commercial needs if the city. The intent of these zones is to consolidate complimentary commercial uses in areas or nodes that are served by roads and sidewalks. These are considered Base Zone Districts.

A. **Downtown Mixed Use (DMU).** The purpose of the DMU zone is to maintain and enhance downtown as a vibrant, pedestrian-oriented commercial and residential area and –as the civic heart of the community.– Mixed–use development, such as commercial on the ground floor and residential above the ground floor is encouraged within this zone. The intent of this zone with regard to housing is to allow existing residential uses and provide housing options within walking distance of commercial and civic uses without compromising the integrity of the downtown commercial core.

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MIN/MA X LOT COVERAGE ***
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<p>Downtown Mixed Use (DMU) – Core (as designated in the Fruita Community Plan - south of Pabor Avenue and west of Elm Street)****</p>	<p>12 DU/acre N/A</p>	<p>2,500 sf</p>	<p>0', or as required per building code</p>	<p>0', or as required per building code</p>	<p>0', or as required per building code</p>	<p>Primary: 4 stories; At least 2 upper stories must be residential; Ground story floor-to-ceiling heights shall not exceed 15 feet. All stories above the ground story shall not exceed a floor-to-ceiling height of 11 feet.</p> <p>Accessory: 25 feet (35'-25'); or 5 stories for DU's above Commercial</p>	<p>50% minimum 90% maximum</p>
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Downtown Mixed Use (DMU) – Outside Core	12 DU/acre by right	5,000 sf, except 6,000 sf corner lot; 7,500 sf duplex; 10,000 sf multi-family; 2,500 sf per each townhouse unit	25' for garage openings; 20' for elevations other than garage openings; except 0' for non-residential or mixed-use buildings, 15' for buildings with alley access only, and 15' for buildings with unenclosed front porches covering at least 30% of front elevation with a 6' minimum depth with the garage or parking area on the rear half of the lot	15' total; 5'3" min.; except 0' where common wall or zero-lot line dev. allowed	15'3"; except 0' where common wall or zero-lot line dev. allowed	<p>Primary: 3 stories; At least 1 upper stories must be residential; Ground story floor-to-ceiling heights shall not exceed 15 feet. All stories above the ground story shall not exceed a floor-to-ceiling height of 11 feet.</p> <p>Accessory: 16 feet 3 1/2' - 16'</p>	<p>Formatted Table</p> <p>Maximum 35%; or 60% for mixed use buildings and lots with parking on rear 1/2 of lot and front porches on at least 30% of front elevation with a 6' minimum depth</p>
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~~B. Community Mixed Use (CMU). The purpose of the CMU zone is to establish walkable neighborhoods that are residential in scale and character, integrating a variety of housing, open spaces, and community services.~~

Commented [JG8]: Converted to C1 and C2

~~Section 17.07.060 (I)~~

~~DENSITY AND DIMENSIONAL STANDARDS TABLE~~

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT²	MAX LOT COVERAGE ^{2,3}
Community Mixed Use— Commercial Development, including Mixed Use Buildings	2 DU/acre or up to 56 DU/acre	5,000 sf, 6,000 sf corner lots				35'/25'; or 58'-4 stories for DU's above Commercial	680%

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Community Mixed-Use Residential Development, not including Mixed-Use Buildings	2 DU/acre, or up to 56 DU/acre	5,000 sf, except 6,000 sf corner lot; 7,500 sf duplex; 10,000 sf multi-family; 2,500 sf per each attached townhouse unit	25' for garage openings; 20' for elevations other than garage opening; 15' for buildings with alley access, and 15' for buildings with an enclosed front porches covering at least 30% of front elevation with a 6' minimum depth with the garage or parking area on the rear half of the lot	16' total; 5'/3' min.; except 0' where common wall or zero-lot line dev. allowed	15'/3'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	35%; or 60% for lots with parking on rear 1/2 of lot and front porches on at least 30% of front elevation with a 6' minimum depth
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~~A. Non Residential Uses in Community Mixed Use Zones. In addition to the requirements of Chapter 17.11, Design Standards, Non Residential Uses in the CMU zone are regulated as follows:~~

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- ~~a. Commercial uses that individually do not exceed a gross floor area of two thousand five hundred (2,500) square feet per commercial center are permitted;~~
- ~~b. Commercial uses that individually exceed a gross floor area of two thousand five hundred (2,500) square feet per use, and commercial centers that exceed a total of twenty five thousand (25,000) square feet for all uses in the center, may be allowed subject to Conditional Use Permit approval. For the purpose of this Section, a "commercial center" is defined as the aggregate of all commercial uses located within six hundred (600) feet of one another, regardless of property ownership. Uses not under the same ownership, or separated from one another by a street, driveway, right-of-way, easement, open space or other feature, are still considered to be in the same center if located within six hundred (600) feet of one another;~~
- ~~c. A new commercial use shall not be permitted where it would be located within one-half (1/2) mile of an existing or city approved commercial use that is also zoned CMU. This provision does not apply to commercial uses existing or proposed in the GC, DMU, or I zones.~~
- ~~d. Compliance with the Supplemental Zoning Regulations under Section 17.07.070 and Design Standards under Chapter 17.11 is required.~~

C.B. Commercial-1 (C-1). General Commercial (GC). The GC-C-1 zone is intended for land uses that are compatible with the future vision for the State Highway 6/50 Corridor. The area is appropriate for local-serving businesses such as restaurants, retail stores, and services. Multi-family residential uses are encouraged in this zone. Development should

have to accommodate commercial development in appropriate areas with appropriate access, landscaping, frontage improvements, setbacks, screening and multi-modal access and connectivity.

1. insert graphic, to include a key that would be incorporated into the table.
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
General Commercial (GC) Commercial-1 (C-1) Non-residential development	Not Applicable	5,000 sf	0'	10'/5'; except 0' where common wall or zero-lot line dev. allowed	20'/5'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	98%
Commercial-1 (C-1) General Commercial (GC) Multi-family residential development	Max density dictated by land area size per dwelling unit 12 DU/acre Minimum Unit Size: 500 sf	7,000-5,000 sf per dwelling unit	0'	10'/5' except 0' where common wall or zero-lot line dev. allowed	20'/20' except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%

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C. Commercial-2 (C-2). The C-2 zone is intended to accommodate commercial development in appropriate areas with appropriate access, landscaping, frontage improvements, setbacks, screening and multi-modal access and connectivity. This zone district provides allowances for uses and dimensions that are larger in scale than those allowed downtown. This area has good access to I-70, and is appropriate for uses that serve residents, tourists, an pass-through traffic. Parcel sizes are larger than in the downtown and C-1 zone district, and are may accommodate more parking.

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2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
<u>Commercial-2(C-2)General Commercial (GC)</u> Non-residential development	Not Applicable	5,000 sf	0'	10'/5'; except 0' where common wall or zero-lot line dev. allowed	20'/5'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%
<u>Commercial-2(C-2)General Commercial (GC)</u> Multi-family residential development	Max density dictated by land-area size per dwelling unit 12 DU/acre Minimum Unit Size: 500 sf	57,000 sf per dwelling unit	0'	10'/5' except 0' where common wall or zero-lot line dev. allowed	20'/20' except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%

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17.02.015 INDUSTRIAL ZONE DISTRICTS.

The Industrial zone district is established ~~Industrial (I)~~. The purpose of the I zone is to encourage non-polluting industrial and research and development activities designed to meet acceptable state and locally established standards for noise, dust, effluent (e.g., sewage pre-treatment), odor, and other impacts typically associated with industrial uses. These are considered Base Zone Districts.

A:

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2. Dimensional and Other Standards

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Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Industrial (I)	Not Applicable	10,000 sf	20'	20'/10'; except 0' where common wall or zero-lot line dev. allowed	20'/10' except 0' where common wall or zero-lot line dev. allowed	50'/70'	80%

17.02.016 GOVERNMENT ZONE DISTRICTS.

Special zone districts provide opportunities for community facilities as well as preservation of critical open spaces and habitats. These are considered Base Zone Districts.

A. Community Services and Recreation (CSR). The purpose of the CSR zone is to provide public and private recreational land, facilities, schools, fire stations, libraries, fairgrounds and other public and quasi-public lands and buildings. The zone 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 may be applied to parks, outdoor recreation facilities, open space corridors, environmental areas, trails, recreational facilities, and similar areas. The CSR zone helps implement the open space, trails and parks policies of the city’s Master Plan.

1. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Community Services Recreational (CSR)	No Specific Standards						

* Accessory buildings can be up to the maximum height limit for the zone when located within the primary building setbacks.

*** Lot coverage requirements do not apply to townhouses or condominiums, which instead are determined through the subdivision process.

**** All lots shall have access from the street.

~~**17.770 SUPPLEMENTAL ZONING REGULATIONS AND STANDARDS.**~~

17.02. 017 OVERLAY ZONE DISTRICTS.

Overlay zone districts are superimposed over portions of one or more underlying base zone districts or PUD districts in order to supplement that regulations with additional standards that address area-specific conditions, features, or plans.

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A. Neighborhood Commercial Overlay (NCO). The Neighborhood Commercial Overlay

provides for additional commercial businesses in certain portions of the DMU and CMU Zone Districts. This overlay is intended to enable small-scale businesses that fit in the neighborhood context, by allowing a diversity of business uses.

1. Dimensional and Other Standards

Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

<u>ZONE DISTRICT</u>	<u>MAX RES. DENSIT</u>	<u>MIN LOT AREA</u>	<u>MIN FRONT/ STREET YARD</u>	<u>MIN SIDE YARD</u>	<u>MIN REAR YARD</u>	<u>MAX STRUCTURE HEIGHT*</u>	<u>MAX LOT COVERAGE ***</u>
<u>Neighborhood Commercial Overlay (NCO) (running from Otley on the north, Maple on the east, Little Salt Wash on the west, and Hwy 6 on the south)</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>	<u>Same as Base Zone</u>

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17.02.018 PLANNED UNIT DEVELOPMENTS

Planned Unit Developments (PUDs) are created to allow maximum flexibility in uses and dimensions in exchange for community benefits by designing quality developments that could not be achieved by strict adherence to the requirements of this Title. PUDs shall be approved pursuant to the requirements in Section 17.***.

A. Modification of Development Standards.

1. At the time of zoning a PUD, the City Council may modify the specifications, standards, or requirements of this Title. The PUD approval shall indicate which standards are being modified, and any standard not listed as being modified shall be assumed to use that of the Base Zone District or Overlay Zone District.
2. At the time of zoning a PUD, the City Council may modify the permitted and prohibited uses. If uses are not modified, the uses in a PUD shall comply with those of the Base Zone District and Overlay Zone District.

17.02.019 FUTURE LAND USE DISTRICTS

Future Land Use Districts are created established as a planning tool to address the City's three-mile planning area.

A. Future Land Use (FLU). The purpose of the FLU zone is to enable planning for future annexations and to coordinate development pressures and planning needs with Mesa County. Development parameters are intended to support large lots and agricultural uses. allow low density residential uses compatible with rural areas.

1. insert graphic, to include a key that would be incorporated into the table.
2. Dimensional and Other Standards

<u>Section 17.07.060 (I)</u>							
<u>DENSITY AND DIMENSIONAL STANDARDS TABLE</u>							
<u>ZONE DISTRICT</u>	<u>MAX RES. DENSITY (GROSS)</u>	<u>MIN LOT AREA</u>	<u>MIN FRONT/ STREET YARD</u>	<u>MIN SIDE YARD</u>	<u>MIN REAR YARD</u>	<u>MAX STRUCTURE HEIGHT*</u>	<u>MAX LOT COVERAGE ***</u>
Future Land Use (FLU)	<u>1 DU/4 acres</u>	<u>4 acres</u>	<u>30'</u>	<u>10'</u>	<u>30'</u>	<u>35'</u>	<u>20%</u>

4. On properties that are used mainly for agricultural uses in, any structures used mainly for agricultural purposes (e.g., silos and barns) are exempt from the height limits for structures.

17.02.20 LAND USES

This section identifies the land uses allowed in the City of Fruita. All uses are subject to the dimensional standards in each zone district, any regulations established by the zone district, and regulations applicable to the use, and the development standards.

Commented [JG10]: Needs citations.

A. ~~17.07.060 ZONING USES AND REQUIREMENTS.~~ All combinations of allowed uses and development standards may not be appropriate at a particular location within a zone, 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 design standards set forth in this Title.

B.—

C. ~~Administrative Approvals. Administrative approvals include: Planning Clearances including Planning Clearances for a change in use to a use that is designated as allowed outright under Section 17.07.060; home occupations; Minor Subdivisions; Site Design Review (with no Adjustment); Temporary Use Permits; Sign Permits, and; final plats (not including subdivision improvements agreements).~~

D. ~~Public Hearing required for some Planning Clearances. Where the proposed use is~~

~~designated a Conditional Use, or a use requiring Site Design Review with Adjustment, or is not itemized in the Use/Zone Matrix under Section 17.07.060 and is not deemed by the Community Development Director to be similar to an allowed use, the Director shall refer the land use request to public hearings, pursuant to Section 17.05.070.~~

- ~~E. Unlisted Uses. The list of permitted uses is broad and comprehensive. However, it is impossible to contemplate every possible use or new use that may exist in the future. To ensure the fair administration of this Chapter as it relates to uses that are not listed in the Use Table, this subsection outlines the procedure to determine if the use is permitted, requires a Conditional Use approval, or is not allowed.~~
- ~~B. When a use is not listed in the Use Table or the Use Table does not reflect recent changes, the Director shall determine if the proposed use is permitted, conditional, or not allowed. The Director shall use a nationally accepted land use classification manual, such as the North American Industry Classification System (“NAICS”), American Planning Association or Land-Based Classification Standards LBCS Tables. Any appeal of the Directors determination of a zone district boundary shall be heard by the City Council per Section 17.***.~~

~~F.C. Schedule of Allowed Uses. The Land Use/Zone Table in subsection F below indicates Allowed Uses and Conditional Uses. Definitions and examples of those uses are contained in Chapters 17.03 and 17.04. Tables specifying allowable development densities and the requirements for minimum lot area, minimum setbacks, maximum building height and maximum lot coverage in each of the zones is ~~subsection F below~~ listed in the individual zone district tables earlier in this Chapter.~~

Commented [JG11]: Need to update reference

~~G.D. Key to Allowed Uses. Uses may be allowed outright, allowed conditionally, or allowed subject to special use standards, as follows:~~

* - Means not allowed

A - Means allowed outright in the indicated zone, subject to compatibility with surrounding properties, per Section 17.07.080, and special and supplementary zoning regulations and standards.

C - Allowed by Conditional Use Permit only. (See Conditional Use Permit Section 17.13.040).

~~H.E. Key to Zones:~~

AR Agricultural Residential	DMU	Downtown Mixed Use	
MP	Monument Preservation	RR Rural Residential	
CR	Community Residential	GC	General Commercial
LLR	Large Lot Residential	I	Industrial
RE	Rural Estate	CSR	Community Services and Recreation
SFR	South Fruita Residential	CMU	Community Mixed Use

FLU Future Land Use NCO Neighborhood Commercial Overlay

~~Planned Unit Development (PUD) zone uses are specified in each PUD Guide.~~

**Section 17.07.060
(F)02.023**

LAND USE/ZONING TABLE

	AR	RE	RR&LLR	CR	CMU ¹	SFR	DMU	MP	GC-C-1	C-2	I	CSR	NCCO	ELU
RESIDENTIAL														
Household Living														
Business Residence	±	*	*	±C	A	*	A	*	A	A	A	*	△	*
Dwelling, Single-Family Attached	€	C	A	A ²	A	A	A	*	*	*	*	*	△	△
Dwelling, Single-Family Detached	△	A	A	A	A	A	A	A	*	*	*	*	△	△
Duplex	±	±C	*	A ²	A	*	A	*	*	*	*	*	△	C
Dwelling, Multi-Family	±	*	*	A ²	A	*	A	*	A	A	*	*	△	*
Manufactured Housing Park (See Chapters 23 & 25)	±	*	*	C	C	*	*	*	*	*	*	*	-	-
Mobile Home Park (See Chapters 23 & 25)	±	*	*	C	C	*	*	*	*	*	*	*	-	-
Manufactured Home (See Chapter 23)	€	△	€A	€A	C	C	C	C	*	*	*	*	*	*
Mobile Home (See Chapter 23)	±	△	€A	€A	C	C	C	C	*	*	*	*	*	*
Accessory Dwelling Unit (See Section 17.07.070.C)	△	A	A	A	A	A	A	A	*	*	*	*	△	△
Dwelling, Caretaker	△	*	*	*	*	*	*	*	A	A	A	*	△	△
Home Occupation	Home Occupations are permitted as accessory to any permitted residential use, subject to the Home Occupation standards in Section 17.07.070 (B)													
Cultivation of Medical Marijuana by Patients and Caregivers in Residential Dwelling Units.	Medical Marijuana cultivation is permitted as accessory to any permitted residential use, subject to the supplemental standards of Section 17.07.070 (X)(1)													
Child Care Home, Daycare Home	△	A	A	A	A	A	A	A	A	A	A	*	△	*
Group Living														
Small Group Homes	€	C	€A	A	A	A	A	C	A	A	*	*	△	*
Large Group Homes	±	*	*	C	C	*	C	*	C	C	*	*	C	*
INSTITUTIONAL & CIVIC														
Community Service & Government Offices														
Public Building Uses	€	C	C	C	C	C	A	C	A	A	A	A	△	*
Museum, Art Galleries, Opera Houses	€	C	C	C	C	C	A	C	A	A	C	A	△	*
Public Safety and Emergency Response Services	€	C	C	C	C	C	C	C	C	C	C	A	△	*
Other Community Services	€	C	C	C	C	C	A	C	A	A	C	C	△	*
Daycare/Child Care														
Daycare Center	€	C	C	C	C	C	A	C	A	A	*	*	△	*
Child Care Center	€	C	C	C	C	C	A	C	A	A	*	*	△	*
Detention Facilities														
Jails, Honor Camps, Reformatories, Detention Center	±	*	*	*	*	*	*	*	C	C	C	C	-	-
Community Corrections Facility	±	*	*	*	*	*	*	*	C	C	C	C	-	-

Commented [JG12]: For later, what uses need to be updated?

Commented [JG13R12]: Softer land uses.

Section 17.02.02307.060 (F)

LAND USE/ZONING TABLE

	AR	RE	RR&LLR	CR	CMU ¹	SFR	DMU	MP	CC C-1	C-2	I	CSR	NCO	FLU
INSTITUTIONAL & CIVIC														
Medical Centers														
Medical and Dental Clinics	≡	*	*	*	C	*	A	*	A	A	A	C	A	*
Counseling Centers (nonresidential)	≡	*	*	*	*	*	A	*	A	A	A	C	C	*
Hospital/Mental Hospital	≡	*	*	*	*	*	C	*	C	C	C	C	*	*
Physical and Mental Rehabilitation (resident)	≡	*	*	*	*	*	C	*	C	C	C	C	*	*
All Other	≡	*	*	*	*	*	C	*	C	C	C	*	*	*
Parks & Open Space Areas														
Cemetery	A	A	A	A	C	A	A	A	A	A	A	A	C	*
Golf Course or Golf Driving Range	C	C	C	C	C	C	*	C	A	A	A	A	*	*
Campground, Primitive (See Chapter 27)	C	*	*	*	*	*	*	C	C	C	*	C	*	*
Parks, Lakes, Reservoirs, Greenways, Trails	A	A	A	A	A	A	A	A	A	A	A	A	A	*
Other	C	C	C	C	C	C	C	C	C	C	C	A	C	*
Religious Institutions/Places of Worship														
All	A	A	A	A	A	A	A	A	A	A	A	A	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	A	*
Utility Treatment, Production or Service Facility	≡	*	*	*	*	*	C	*	C	C	C	C	*	*
All Other Utility, Basic	C	C	C	C	C	C	C	C	C	C	C	A	C	*
Utility Corridors														
Transmission Lines (above ground)	C	C	C	C	C	C	C	C	C	C	C	A	C	*
Transmission Lines (underground)	C	C	C	C	C	C	C	C	C	C	C	A	C	*
All Other	C	C	C	C	C	C	C	C	C	C	C	C	C	*
COMMERCIAL														
College, Trade & Vocational Schools														
Colleges and Universities	≡	*	*	C	C	C	C	*	C	C	C	C	C	*
Vocational, Technical & Trade	≡	*	*	C	C	C	A	*	A	A	A	C	C	*
All Other Education Institutions	≡	*	*	C	C	C	A	*	A	A	A	C	C	*
Entertainment Event, Major														
Indoor Facilities	≡	*	*	*	C	*	A	C	A	A	C	C	C	*
Outdoor Facilities	≡	*	*	*	C	*	A	C	A	A	C	C	C	*

**Section
17.02.02307-060 (F)**

LAND USE/ZONING TABLE

	AR	RE	RR& LLR	CR	CMU ¹	SFR	DMU	MP	GE C-1	C-2	I	CSR	NCO	FLU
COMMERCIAL														
Office														
General Offices	±	*	*	*	A	*	A	*	A	A	A	*	A	*
Office with Drive-in Facilities	±	*	*	*	C	*	C	*	A	A	A	*	C	±
Parking, Commercial														
All, when not accessory to a permitted use	±	*	*	*	C	*	C	*	A	A	A	A	C	±
Recreation & Entertainment, Outdoor														
Camgrounds & Recreational Vehicle Parks (See Chapter 27)	C	*	*	*	*	*	*	C	C	C	C	C	C	±
Swimming Pools, Community	±	C	C	C	C	C	C	C	C	C	C	A	C	±
Shooting Ranges, Outdoor	±	*	*	*	*	*	*	*	*	*	C	C	C	±
Amusement Park	±	*	*	*	*	*	*	*	C	C	*	C	C	±
Drive-in Theater	±	*	*	*	*	*	*	*	C	C	*	C	C	±
Miniature Golf	±	*	*	*	C	*	A	C	A	A	*	A	C	±
Riding Academy, Roping or Equestrian Area	±	C	C	C	C	C	*	C	C	C	*	C	C	±
Zoo	±	*	*	*	*	*	*	C	C	C	*	C	C	±
All other Outdoor Commercial Recreation	±	C	C	*	C	C	C	C	A	A	A	A	C	±
Recreation & Entertainment, Indoor														
Health Club	±	*	*	C	C	*	A	*	A	A	A	A	C	±
Movie Theater	±	*	*	*	*	*	A	*	A	A	A	*	C	±
Skating Rink	±	*	*	*	C	*	A	*	A	A	A	A	C	±
Arcade	±	*	*	*	C	*	A	*	A	A	A	*	C	±
Shooting Ranges, Indoor	±	*	*	*	*	*	*	*	C	C	A	C	C	±
All Other Indoor Recreation	±	*	*	*	C	*	A	*	A	A	A	A	C	±
Retail Sales & Service														
Alcohol Sales, Retail	±	*	*	*	C	*	A	*	A	A	A	*	C	±
Animal Clinic/Hospital/Boarding/Sales, Indoor (See Chapter 6.28 of the Municipal Code)	±	C	*	*	C	*	A	C	A	A	A	*	C	±
Animal Clinic/Hospital/Boarding/Sales, Outdoor (See Chapter 6.28 of the Municipal Code)	±	C	*	*	*	*	C	C	C	C	C	*	C	±
Bar/Nightclub	±	*	*	*	C	*	A	*	A	A	A	*	C	±
Bed and Breakfast (1-4 guest rooms) See Section 17.07.070 (A)	±	C	C	C	C	C	A	C	A	A	*	*	A	±
Bed and Breakfast (4+ Guest rooms)	±	*	*	*	*	*	A	C	A	A	A	*	C	±

Section
17.02.02307-060 (F)

LAND USE/ZONING TABLE

	AR	RE	RR& LLR	CR	CMU ¹	SFR	DMU ¹	MP	GC ¹	C-2 -1	I	CSR	NCO	FLU
COMMERCIAL														
Retail Sales & Service (Continued)														
Medical Marijuana Cultivation by Patients and Primary Caregivers in Non-Residential Units	*	*	*	*	*	*	*	*	C	C	C	*	*	*
See Section 17.07.070(U)(2)														
Medical Marijuana Optional Premises Cultivation Operations	*	*	*	*	*	*	*	*	*	*	*	*	*	*
See Section 17.07.070(U)(3)														
All Other Retail Sales and Service	*	*	*	*	C	*	A	*	A	A	A	*	C	*
Storage/Self Service Storage														
Mini Warehouse/Self Service Storage Facility	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Outdoor Storage (Vehicles, Equip. Etc.)	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Vehicle Repair, Except Quick Vehicle Servicing														
Auto and Light Truck Mechanical Repair Shop	*	*	*	*	*	*	C	*	A	A	A	*	*	*
Body Shop	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Truck Stop/Travel Plaza/Truck Parking Area	*	*	*	*	*	*	*	*	C	C	C	*	*	*
Tire Recapping and Storage	*	*	*	*	*	*	*	*	C	C	C	*	*	*
All Other Vehicle Repair, Limited	*	*	*	*	*	*	C	*	A	A	A	*	*	*
Vehicle Service, Limited: Quick Vehicle Servicing														
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														
Indoor Operations or Storage														
Industrial Service	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Assembly	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Food Products	*	*	*	*	*	*	*	*	A	A	A	*	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	A	A	A	*	*	*
All Other	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Outdoor Operations or Storage														
Industrial Service	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Assembly	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Food Products	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	C	C	A	*	*	*
All Other	*	*	*	*	*	*	*	*	C	C	C	*	*	*

**Section
17.02.02307-060 (F)**

LAND USE/ZONING TABLE

	AR	RE	RR& LLR	CR	CMU ¹	SFR	DMU	MP	GC C-1	C-2	I	CSR	NCO	FLU
INDUSTRIAL														
Junk Yard														
Junk Yard (See Municipal Code Chapter 5.24)	*	*	*	*	*	*	*	*	*	*	C	*	*	*
Impound Lot														
Impound Lot	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Warehouse, Freight Movement & Distribution														
Indoor Operations, Storage and Loading	*	*	*	*	*	*	C	*	A	A	A	*	*	*
Indoor Storage with Outdoor Loading Docks	*	*	*	*	*	*	C	*	A	A	A	*	*	*
Outside Storage or Loading	*	*	*	*	*	*	*	*	C	C	A	*	*	*
Gas or Petroleum Storage	*	*	*	*	*	*	*	*	C	C	C	*	*	*
Sand or Gravel Storage	*	*	*	*	*	*	*	*	C	C	A	*	*	*
All Others	*	*	*	*	*	*	*	*	C	C	C	*	*	*
Waste Related Uses														
Non-Hazardous Waste Transfer	*	*	*	*	*	*	*	*	C	C	C	*	*	*
Medical/Hazardous Waste Transfer Station	*	*	*	*	*	*	*	*	C	C	C	*	*	*
Solid Waste Disposal Sites	*	*	*	*	*	*	*	*	*	*	C	*	*	*
Recycling Collection Points	*	*	*	*	*	*	*	*	C	C	C	C	*	*
All Other Waste Related/Recycling Center	*	*	*	*	*	*	*	*	*	*	C	C	*	*
Wholesale Sales														
Wholesale Business (No highly flammable materials/liquids)	*	*	*	*	*	*	C	*	A	A	A	*	*	*
Agri Business Wholesaling	C	C	C	*	*	*	C	*	C	C	C	*	*	A
All Other Wholesale Uses	*	*	*	*	*	*	C	*	C	C	C	*	*	*
Agricultural														
Animals Agricultural; Confinement	C	C	*	*	*	*	*	*	*	*	C	C	*	A
Dairy	C	C	*	*	*	*	*	*	*	*	C	C	*	A
Winery	C	C	*	*	*	*	C	C	C	C	A	C	*	A
Confined Animal Feeding Operation, Feedlot	C	C	*	*	*	*	*	*	*	*	C	*	*	A
Forestry/Silviculture, Commercial	C	C	*	*	*	*	*	*	C	C	A	*	*	A
Pasture, Commercial	A	A	*	*	*	*	*	C	A	A	A	A	*	A
All Other Agriculture	A	A	*	*	*	*	*	A	*	*	A	A	*	A

Section 17.02.02307.060 (F)

LAND USE/ZONING TABLE

	AR	RE	RR&LLR	CR	CMU ¹	SFR	DMU	MP	GC-C-1	C-2	I	CSR	NCO	FLU
INDUSTRIAL														
Aviation or Surface Passenger														
Airports/Heliports	*	*	*	*	*	*	*	*	C	C	C	C	*	*
Bus/Commuter Stops	A	A	A	A	A	A	A	A	A	A	A	A	A	*
Bus/Railroad Depot	*	*	*	*	C	*	C	*	A	A	A	A	C	*
Helipads	*	*	*	*	*	*	*	*	C	C	C	C	*	*
All Other Aviation or Surface Passenger Terminal	*	*	*	*	C	*	C	*	C	C	C	C	C	*
Mining (See Chapter 31)														
Oil or Gas Drilling	C	*	*	*	*	*	*	C	*	*	C	*	*	*
Sand or Gravel Extraction or Processing	C	*	*	*	*	*	*	C	C	C	C	*	*	*
All Other Mining, Extraction	*	*	*	*	*	*	*	C	C	C	C	*	*	*
Telecommunications Facilities														
Telecommunications Facilities, Towers and Support Structures	C	C	C	C	C	C	C	C	C	C	C	C	C	C

¹ Non-residential uses in the CMU zone are subject to the supplemental zoning district standards in Section 17.07.070 (J).

² Duplex, multi-family and attached single family developments in the CR zone are permitted only as a percentage of a detached single family residential development. See the Density and Dimensional Standards Table in Section 17.07.060(I).

G. Uses Not Itemized in Land Use/Zoning Table. When a use is proposed and no zone allows for such use under the Land Use/Zoning Table above, the applicant may request from the Community Development Department a determination of a zone in which the use may be allowed. The applicant shall submit a written request, which describes the particular use proposed. The use may be deemed an Allowed Use or a Conditional Use upon the finding of the following:

1. Such use is appropriate to the physiographic and general environmental character of the zone to which it is added;
2. Such use does not create any more hazards to, or alteration of, the natural environment than the minimum amount normally resulting from the other permitted uses, or uses conditionally allowed, in the zone to which it is added, as applicable;

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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 to which it is added;
4. Such use is generally consistent with the uses existing and permitted in the zone 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.

H. Schedule of Density/Height/Bulk/Location Requirements in Zones.

1. The following standards apply to all uses and development, except as modified pursuant to Chapter 17.11 Design Standards or Chapter 17.17 Planned Unit Developments.
2. Maximum density may not be achievable on every lot or parcel, as the development must conform to applicable setbacks, coverage, parking, drainage, public improvements, landscaping and other code requirements including density bonus requirements.
3. Connection to the city's wastewater collection and treatment system is required for all single-family residential lots smaller than three (3) acres in size. Larger lots may be required for multi-family and non-residential developments that do not connect to the city's wastewater collection and treatment system. All uses with existing individual sewage disposal systems that require repair or replacement, or are part of a larger development plan and are within four hundred (400) feet of the existing city wastewater collection system, as measured to the closest property line, shall connect to the city system. All property to be annexed with existing land uses using individual sewage disposal systems must connect to the city wastewater collection system if they are within four hundred (400) feet or will be within four hundred (400) feet of a city wastewater collection system once the development to be annexed is completed.
4. Standards containing a slash (x/y) indicate standards for primary buildings (x) and accessory buildings (y).
5. Structures, lots, and land uses lawfully established prior to the effective date of this Code may continue pursuant to Section 17.07.090.

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TITLE 17 LAND USE CODE

Chapter 17.02

ZONING DISTRICTS

- 17.02.010** **Generally**
- 17.02.011** **Zone Districts Established**
- 17.02.012** **Official Zone District Map**
- 17.02.013** **Residential Zone Districts**
- 17.02.014** **Commercial and Mixed-Use Zone Districts**
- 17.02.015** **Industrial Zone Districts**
- 17.02.016** **Special Zone Districts**
- 17.02.017** **Overlay Zone Districts**
- 17.02.018** **Planned Unit Developments**
- 17.02.019** **Future Land Use Districts**
- 17.02.020** **Land Uses**

17.02.010 GENERALLY. In order to ensure that all development is consistent with the goals and objectives of the Fruita Comprehensive Plan and this Chapter, it is necessary and proper to establish a series of Zone Districts to ensure that each permitted and conditional use is compatible with surrounding land uses, is served by adequate public facilities and is consistent with the natural environment and natural resources surrounding the city.

- A. Unless expressly exempted, all regulations in this Chapter is subject to provisions of other applicable city, county, or 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 Title shall govern.
- B. 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 Title imposes a greater restriction than that imposed by existing contract, covenant or deed, the provisions of this Title shall control.
- C. District graphics depicting basic dimensional requirements shall be used for reference only. Dimensions shall be measured as defined in text of this Title, including exceptions, development standards, and definitions for terms of measurement (height, setbacks, lot, etc.).

17.02.011 ZONE DISTRICTS ESTABLISHED. The City of Fruita is hereby divided into several zones.

- A. Base Zone Districts. Base zone districts are established initially by the adoption of the City’s Official Zone District Map and subsequently approved through a rezoning (see Section 17.***). Such approval authorizes the full range of development allowed by the standards applicable to the base zone district.
- B. Overlay Zone Districts. Overlay zone districts are established initially by the adoption of the City’s Official Zone District Map and subsequently approved through a rezoning (see Section 17.***). These zones are superimposed over one or more underlying Base Zone Districts or Planned Unit Development Zone Districts.
- C. Planned Unit Development Districts. Planned Unit Development (PUD) districts are established by the City’s approval of a PUD rezoning (see Section 17.***). Development in a PUD district is subject to the standards included in or referenced in an approved PUD Plan.

D. Future Land Use Districts. Future Land Use Districts are intended for lands not currently within City limits, but will be used to coordinate planning activities with the County and for annexations.

17.02.012 OFFICIAL ZONE DISTRICT MAP. The location and boundaries of the zones established by this Chapter are shown on the "Official Zone District Map" of the City of Fruita. Said Official Zoning Map, together with all data shown thereon and all amendments thereto, is, by reference, hereby incorporated into this Chapter. Changes in zones shall be made according to the requirements of this Title.

A. **Zone District Boundaries.** Except where otherwise indicated, zoning boundaries shall follow municipal corporation limits, section lines, lot lines, centerlines of watercourses, and right-of-way centerlines or extensions thereof.

1. In unsubdivided land or where a zoning 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.
2. Where a zoning boundary coincides with a right-of-way line and said right-of-way is subsequently abandoned, the zoning boundary shall then follow the zoning of the property to which the vacated right-of-way is connected.
3. Land not part of public rights-of-way and which is not indicated as being in any zoning boundary shall be considered to be included in the most restrictive abutting zone, even when such zone is separated from the land in question by a public right-of-way.
4. When any parcel of land contains more than one Base Zone District, the more restrictive requirements shall apply.

B. Boundary Clarifications. When there is a discrepancy on the Map or the Map does not reflect recent changes, the Director shall determine the zone district boundary. Any appeal of the Director's determination of a zone district boundary shall be heard by the City Council per Section 17.***.

17.07.050 APPLICATION OF ZONING REGULATIONS. Except as hereinafter provided, within the municipal boundaries of the City of Fruita:

- D. No building or structure shall be erected or placed 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 17.07.060(F) (Land Use/Zoning Table) and the zoning requirements and regulations for the zone in which such land, building or structure is located.
- E. No building or structure shall be erected or placed nor shall any existing building or structure be moved, removed, altered, replaced 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 17.07.060(I) (Density and Dimensional Standards Table) for the zone in which such land, building or structure is located.
- F. 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 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.
- G. For developments without access to the city's sanitary sewer system (farther than four hundred [400] feet away), the minimum lot size is required to be no less than three (3) acres. Larger lots may be required for certain non-residential landuses.

17.02.013 RESIDENTIAL ZONE DISTRICTS.

Residential zone districts are established to provide for a variety of neighborhoods in a range of densities to accommodate the different character areas of the City. These are considered Base Zone Districts.

- A. Rural Estate (RE). The purpose of the RE zone is to allow low density residential uses compatible with rural areas. Areas in this zone district serve as a transition between open and resource lands and increased development in the City. Cluster developments are not encouraged in this zone district, and city sewer is not typically provided due to the low density nature of the development.
 - 1. [insert graphic, to include a key that would be incorporated into the table.]
 - 2. Dimensional and Other Standards

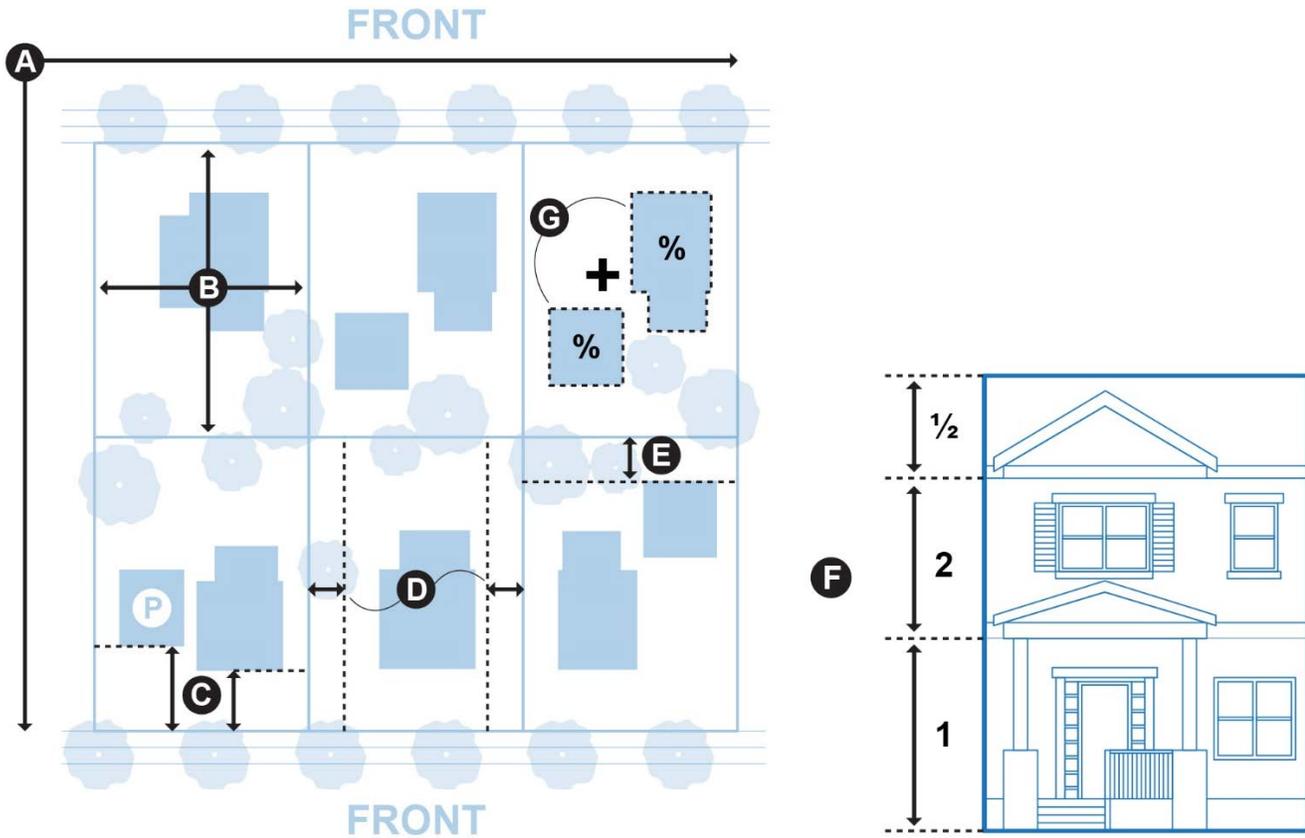
Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Rural Estate (RE)	1 DU/3 acres	2 acres	30'	10'	30'	35'	20%

- 3. On properties that are used mainly for agricultural uses in the Rural Estate (RE) zone any structures used mainly for agricultural purposes (e.g., silos and barns) are exempt from the height limits for structures.

- B. Community Residential (CR). The purpose of the CR zone is to allow for moderate density detached single-family residential neighborhoods with the inclusion of other housing types such as attached dwelling units (e.g. apartments and townhouses). Innovative neighborhood design is encouraged in this zone district to provide opportunities for housing diversity. This area is served by public utility infrastructure and is appropriate for density of 4-8 du per acre.
 - 1. [insert graphic, to include a key that would be incorporated into the table.]
 - 2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS) (A)	MIN LOT AREA (B)	MIN FRONT/ STREET YARD (C)	MIN SIDE YARD (D)	MIN REAR YARD (E)	MAX STRUCTURE HEIGHT* (G)	MAX LOT COVERAGE *** (F)

Community Residential (CR)**	6 DU/acre by right 8 DU/acre thru Density Bonus	7,000 sf	25' for garage openings; 20' for elevations other than garage opening; except 15' for buildings	16' total; 5'3/4' min. except 0' where common wall or zero-lot line dev. allowed	15'3/4'	35'16'	60%
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C. Large Lot Residential (LLR). The purpose of the LLR zone is to allow larger lot developments in the same areas as the CR zone and other areas as appropriate. Areas in this zone district are typically served by public utility infrastructure, and a density of 2-4 du per acre is appropriate.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***

Large Lot Residential (LLR)	3 DU/acre by right 4 DU/acre thru Density Bonus	10,000 sf	25'	10'/5'	15'/3'	35'/16'	40%
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D. South Fruita Residential (SFR). The purpose of the SFR zone is to allow a variety of low to moderate density residential areas compatible with existing low density development, the Colorado National Monument and the Colorado River. Due to its location near the Colorado River and in the 100-year flood plain, the area is most suitable to a density of 2-5 du per acre.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
South Fruita Residential (SFR)	4 DU/acre by right 5 DU/acre thru	7,000 sf	25'	10'/5'	15'/5'	35'/16'	50%

E. Monument Preservation (MP). The MP zone is intended to provide a recreational and environmental buffer between the Colorado National Monument and Bureau of Land Management lands, and urban development with low intensity uses that preserve open space quality. This zone district should be limited to areas immediately adjacent to the Colorado National Monument. Environmentally constrained lands are not appropriate for this zone district.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Monument Preservation (MP)	1 DU/2 acres	2 acres	25'	50'	20'/10'	35'/25'	20%

* Accessory buildings can be up to the maximum height limit for the zone when located within the primary building setbacks.

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17.02.014 COMMERCIAL AND MIXED-USE ZONE DISTRICTS.

Commercial and Mixed-Use zone districts are established to provide for a variety of commercial areas suited to the difference neighborhoods and commercial needs if the city. The intent of these zones is to consolidate complimentary commercial uses in areas or nodes that are served by roads and sidewalks. These are considered Base Zone Districts.

A. Downtown Mixed Use (DMU). The purpose of the DMU zone is to maintain and enhance downtown as a vibrant, pedestrian-oriented commercial and residential area and as the civic heart of the community. Mixed-use development, such as commercial on the ground floor and residential above the ground floor is encouraged within this zone. The intent of this zone with regard to housing is to allow existing residential uses and provide housing options within walking distance of commercial and civic uses without compromising the integrity of the downtown commercial core.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MIN/MAX LOT COVERAGE ***

<p>Downtown Mixed Use (DMU) – Core (as designated in the Fruita Community Plan - south of Pabor Avenue and west of Elm Street)****</p>	<p>N/A</p>	<p>2,500 sf</p>	<p>0', or as required per building code</p>	<p>0', or as required per building code</p>	<p>0', or as required per building code</p>	<p>Primary: 4 stories; At least 2 upper stories must be residential; Ground story floor-to-ceiling heights shall not exceed 15 feet. All stories above the ground story shall not exceed a floor-to-ceiling height of 11 feet. Accessory: 25 feet</p>	<p>50% minimum 90% maximum</p>
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Downtown Mixed Use (DMU) – Outside Core	12 DU/acre by right	5,000 sf, except 6,000 sf corner lot; 7,500 sf duplex; 10,000 sf multi-family; 2,500 sf per each townhouse unit	25' for garage openings; 20' for elevations other than garage openings; except 0' for non-residential or mixed-use buildings, 15' for buildings with alley access only, and 15' for buildings with unenclosed front porches covering at least 30% of front elevation with a 6' minimum depth with the garage or parking area on the rear half of the lot	15' total; 5'3" min.; except 0' where common wall or zero-lot line dev. allowed	15'3"; except 0' where common wall or zero-lot line dev. allowed	Primary: 3 stories; At least 1 upper stories must be residential; Ground story floor-to-ceiling heights shall not exceed 15 feet. All stories above the ground story shall not exceed a floor-to-ceiling height of 11 feet. Access ory: 16 feet	Maximum 35%; or 60% for mixed use buildings and lots with parking on rear 1/2 of lot and front porches on at least 30% of front elevation with a 6' minimum depth
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B. Commercial-1 (C-1). The C-1 zone is intended for land uses that are compatible with the future vision for the State Highway 6/50 Corridor. The area is appropriate for local-serving businesses such as restaurants, retail stores, and services. Multi-family residential uses are encouraged in this zone. Development should have appropriate access, landscaping, frontage improvements, setbacks, screening and multi-modal access and connectivity.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***

Commercial-1 (C-1) Non-residential development	Not Applicable	5,000 sf	0'	10'/5'; except 0' where common wall or zero-lot line dev. allowed	20'/5'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	90%
Commercial-1 (C-1) Multi-family residential development	12 DU/acre Minimum Unit Size: 500 sf	5,000 sf per dwelling unit	0'	10'/5'; except 0' where common wall or zero-lot line dev. allowed	20'/20'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%

C. Commercial-2 (C-2). The C-2 zone is intended to accommodate commercial development in appropriate areas with appropriate access, landscaping, frontage improvements, setbacks, screening and multi-modal access and connectivity. This zone district provides allowances for uses and dimensions that are larger in scale than those allowed downtown. This area has good access to I-70, and is appropriate for uses that serve residents, tourists, an pass-through traffic. Parcel sizes are larger than in the downtown and C-1 zone district, and are may accommodate more parking.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Commercial-2 (C-2)) Non-residential development	Not Applicable	5,000 sf	0'	10'/5'; except 0' where common wall or zero-lot line dev. allowed	20'/5'; except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%

Commercial-2 (C-2) Multi-family residential development	12 DU/acre Minimum Unit Size: 500 sf	5,000 sf per dwelling unit	0'	10'/5' except 0' where common wall or zero-lot line dev. allowed	20'/20' except 0' where common wall or zero-lot line dev. allowed	35'/25'	80%
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17.02.015 INDUSTRIAL ZONE DISTRICTS.

The Industrial zone district is established to encourage non-polluting industrial and research and development activities designed to meet acceptable state and locally established standards for noise, dust, effluent (e.g., sewage pre-treatment), odor, and other impacts typically associated with industrial uses. These are considered Base Zone Districts.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Industrial (I)	Not Applicable	10,000 sf	20'	20'/10'; except 0' where common wall or zero-lot line dev. allowed	20'/10' except 0' where common wall or zero-lot line dev. allowed	50'/70'	80%

17.02.016 GOVERNMENT ZONE DISTRICTS.

Special zone districts provide opportunities for community facilities as well as preservation of critical open spaces and habitats. These are considered Base Zone Districts.

- A. Community Services and Recreation (CSR). The purpose of the CSR zone is to provide public and private recreational land, facilities, schools, fire stations, libraries, fairgrounds and other public and quasi-public lands and buildings. The zone 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 may be applied to parks, outdoor recreation facilities, open space corridors, environmental areas, trails, recreational facilities, and similar areas. The CSR zone helps implement the open space, trails and

park policies of the city's Master Plan.

1. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Community Services Recreational (CSR)	No Specific Standards						

* Accessory buildings can be up to the maximum height limit for the zone when located within the primary building setbacks.

*** Lot coverage requirements do not apply to townhouses or condominiums, which instead are determined through the subdivision process.

**** All lots shall have access from the street.

17.02.017 OVERLAY ZONE DISTRICTS.

Overlay zone districts are superimposed over portions of one or more underlying base zone districts or PUD districts in order to supplement that regulations with additional standards that address area-specific conditions, features, or plans.

A. Neighborhood Commercial Overlay (NCO). The Neighborhood Commercial Overlay provides for additional commercial businesses in certain portions of the DMU and CMU Zone Districts. This overlay is intended to enable small-scale businesses that fit in the neighborhood context, by allowing a diversity of business uses.

1. Dimensional and Other Standards

Section 17.07.060 (I)							
DENSITY AND DIMENSIONAL STANDARDS TABLE							
ZONE DISTRICT	MAX RES. DENSIT	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***

Neighborhood Commercial Overlay (NCO) (running from Ottley on the north, Maple on the east, Little Salt Wash on the west, and Hwy 6 on the south)	Same as Base Zone						
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17.02.018 PLANNED UNIT DEVELOPMENTS

Planned Unit Developments (PUDs) are created to allow maximum flexibility in uses and dimensions in exchange for community benefits by designing quality developments that could not be achieved by strict adherence to the requirements of this Title. PUDs shall be approved pursuant to the requirements in Section 17.***.

A. Modification of Development Standards.

1. At the time of zoning a PUD, the City Council may modify the specifications, standards, or requirements of this Title. The PUD approval shall indicate which standards are being modified, and any standard not listed as being modified shall be assumed to use that of the Base Zone District or Overlay Zone District.
2. At the time of zoning a PUD, the City Council may modify the permitted and prohibited uses. If uses are not modified, the uses in a PUD shall comply with those of the Base Zone District and Overlay Zone District.

17.02.019 FUTURE LAND USE DISTRICTS

Future Land Use Districts are created established as a planning tool to address the City’s three-mile planning area.

A. Future Land Use (FLU)). The purpose of the FLU zone is to enable planning for future annexations and to coordinate development pressures and planning needs with Mesa County. Development parameters are intended to support large lots and agricultural uses. allow low density residential uses compatible with rural areas.

1. [insert graphic, to include a key that would be incorporated into the table.]
2. Dimensional and Other Standards

Section 17.07.060 (I)

DENSITY AND DIMENSIONAL STANDARDS TABLE

ZONE DISTRICT	MAX RES. DENSITY (GROSS)	MIN LOT AREA	MIN FRONT/ STREET YARD	MIN SIDE YARD	MIN REAR YARD	MAX STRUCTURE HEIGHT*	MAX LOT COVERAGE ***
Future Land Use (FLU)	1 DU/4 acres	4 acres	30'	10'	30'	35'	20%

4. On properties that are used mainly for agricultural uses in, any structures used mainly for agricultural purposes (e.g., silos and barns) are exempt from the height limits for structures.

17.02.20 LAND USES

This section identifies the land uses allowed in the City of Fruita. All uses are subject to the dimensional standards in each zone district, any regulations established by the zone district, and regulations applicable to the use, and the development standards.

- A. All combinations of allowed uses and development standards may not be appropriate at a particular location within a zone, 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 design standards set forth in this Title.

- B. Unlisted Uses. The list of permitted uses is broad and comprehensive. However, it is impossible to contemplate every possible use or new use that may exist in the future. To ensure the fair administration of this Chapter as it relates to uses that are not listed in the Use Table, this subsection outlines the procedure to determine if the use is permitted, requires a Conditional Use approval, or is not allowed. When a use is not listed in the Use Table or the Use Table does not reflect recent changes, the Director shall determine if the proposed use is permitted, conditional, or not allowed. The Director shall use a nationally accepted land use classification manual, such as the North American Industry Classification System (“NAICS”), American Planning Association or Land-Based Classification Standards LBCS Tables. Any appeal of the Directors determination of a zone district boundary shall be heard by the City Council per Section 17.***.

- C. Schedule of Allowed Uses. The Land Use/Zone Table in subsection F below indicates Allowed Uses and Conditional Uses. Definitions and examples of those uses are contained in Chapters 17.03 and 17.04. Tables specifying allowable development densities and the requirements for minimum lot area, minimum setbacks, maximum building height and maximum lot coverage in each of the zones is listed in the individual zone district tables earlier in this Chapter.

- D. Key to Allowed Uses. Uses may be allowed outright, allowed conditionally, or allowed

subject to special use standards, as follows:

* - Means not allowed

A - Means allowed outright in the indicated zone, subject to compatibility with surrounding properties, per Section 17.07.080, and special and supplementary zoning regulations and standards.

C - Allowed by Conditional Use Permit only. (See Conditional Use Permit Section 17.13.040).

E. Key to Zones:

MP	Monument Preservation	DMU	Downtown Mixed Use
CR	Community Residential	GC	General Commercial
LLR	Large Lot Residential	I	Industrial
RE	Rural Estate	CSR	Community Services and Recreation
SFR	South Fruita Residential	CMU	Community Mixed Use
FLU	Future Land Use	NCO	Neighborhood Commercial Overlay

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	C-1	C-2	I	CSR	NCO	FLU	
RESIDENTIAL														
Household Living														
Business Residence	*	*	C	A	*	A	*	A	A	A	*	A	*	
Dwelling, Single-Family Attached	C	A	A ²	A	A	A	*	*	*	*	*	A	A	
Dwelling, Single-Family Detached	A	A	A	A	A	A	A	*	*	*	*	A	A	
Duplex	C	*	A ²	A	*	A	*	*	*	*	*	A	C	
Dwelling, Multi-Family	*	*	A ²	A	*	A	*	A	A	*	*	A	*	
Manufactured Housing Park (See Chapters 23 & 25)	*	*	C	C	*	*	*	*	*	*	*	*	*	
Mobile Home Park (See Chapters 23 & 25)	*	*	C	C	*	*	*	*	*	*	*	*	*	
Manufactured Home (See Chapter 23)	A	A	A	C	C	C	C	*	*	*	*	*	*	
Mobile Home (See Chapter 23)	A	A	A	C	C	C	C	*	*	*	*	*	*	
Accessory Dwelling Unit (See Section 17.07.070.C)	A	A	A	A	A	A	A	*	*	*	*	A	A	
Dwelling, Caretaker	*	*	*	*	*	*	*	A	A	A	*	A	A	
Home Occupation	Home Occupations are permitted as accessory to any permitted residential use, subject to the Home Occupation standards in Section 17.07.070 (B)													
Cultivation of Medical Marijuana by Patients and Caregivers in Residential Dwelling Units.	Medical Marijuana cultivation is permitted as accessory to any permitted residential use, subject to the supplemental standards of Section 17.07.070 (X)(1)													
Child Care Home, Daycare Home	A	A	A	A	A	A	A	A	A	A	*	A	*	
Group Living														
Small Group Homes	C	A	A	A	A	A	C	A	A	*	*	A	*	
Large Group Homes	*	*	C	C	*	C	*	C	C	*	*	C	*	
INSTITUTIONAL & CIVIC														
Community Service & Government Offices														
Public Building Uses	C	C	C	C	C	A	C	A	A	A	A	A	*	
Museum, Art Galleries, Opera Houses	C	C	C	C	C	A	C	A	A	C	A	A	*	
Public Safety and Emergency Response Services	C	C	C	C	C	C	C	C	C	C	A	A	*	
Other Community Services	C	C	C	C	C	A	C	A	A	C	C	A	*	
Daycare/Child Care														
Daycare Center	C	C	C	C	C	A	C	A	A	*	*	A	*	
Child Care Center	C	C	C	C	C	A	C	A	A	*	*	A	*	
Detention Facilities														
Jails, Honor Camps, Reformatories, Detention Center	*	*	*	*	*	*	*	C	C	C	C	*	*	
Community Corrections Facility	*	*	*	*	*	*	*	C	C	C	C	*	*	

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	C-1	C-2	I	CSR	NCO	FLU	
INSTITUTIONAL & CIVIC														
Medical Centers														
Medical and Dental Clinics	*	*	*	C	*	A	*	A	A	A	C	A	*	
Counseling Centers (nonresidential)	*	*	*	*	*	A	*	A	A	A	C	C	*	
Hospital/Mental Hospital	*	*	*	*	*	C	*	C	C	C	C	*	*	
Physical and Mental Rehabilitation (resident)	*	*	*	*	*	C	*	C	C	C	C	*	*	
All Other	*	*	*	*	*	C	*	C	C	C	*	*	*	
Parks & Open Space Areas														
Cemetery	A	A	A	C	A	A	A	A	A	A	A	C	*	
Golf Course or Golf Driving Range	C	C	C	C	C	*	C	A	A	A	A	*	*	
Campground, Primitive (See Chapter 27)	*	*	*	*	*	*	C	C	C	*	C	*	*	
Parks, Lakes, Reservoirs, Greenways, Trails	A	A	A	A	A	A	A	A	A	A	A	A	*	
Other	C	C	C	C	C	C	C	C	C	C	A	C	*	
Religious Institutions/Places of Worship														
All	A	A	A	A	A	A	A	A	A	A	A	A	*	
Schools														
Boarding Schools	C	C	C	C	C	C	C	C	C	*	C	C	*	
Elementary Schools	A	A	A	A	A	A	A	A	A	*	A	A	*	
Secondary Schools	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	*	
Utility Treatment, Production or Service Facility	*	*	*	*	*	C	*	C	C	C	C	*	*	
All Other Utility, Basic	C	C	C	C	C	C	C	C	C	C	A	C	*	
Utility Corridors														
Transmission Lines (above ground)	C	C	C	C	C	C	C	C	C	C	A	C	*	
Transmission Lines (underground)	C	C	C	C	C	C	C	C	C	C	A	C	*	
All Other	C	C	C	C	C	C	C	C	C	C	C	C	*	
COMMERCIAL														
College, Trade & Vocational Schools														
Colleges and Universities	*	*	C	C	C	C	*	C	C	C	C	C	*	
Vocational, Technical & Trade	*	*	C	C	C	A	*	A	A	A	C	C	*	
All Other Education Institutions	*	*	C	C	C	A	*	A	A	A	C	C	*	
Entertainment Event, Major														
Indoor Facilities	*	*	*	C	*	A	C	A	A	C	C	C	*	
Outdoor Facilities	*	*	*	C	*	A	C	A	A	C	C	C	*	

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	C-1	C-2	I	CSR	NCO	FLU
COMMERCIAL													
Office													
General Offices	*	*	*	A	*	A	*	A	A	A	*	A	*
Office with Drive-in Facilities	*	*	*	C	*	C	*	A	A	A	*	C	*
Parking, Commercial													
All, when not accessory to a permitted use	*	*	*	C	*	C	*	A	A	A	A	C	*
Recreation & Entertainment, Outdoor													
Campgrounds & Recreational Vehicle Parks (See Chapter 27)	*	*	*	*	*	*	*	C	C	C	C	*	*
Swimming Pools, Community	C	C	C	C	C	C	C	C	C	C	A	C	*
Shooting Ranges, Outdoor	*	*	*	*	*	*	*	*	*	C	C	*	*
Amusement Park	*	*	*	*	*	*	*	C	C	*	C	*	*
Drive-in Theater	*	*	*	*	*	*	*	C	C	*	C	*	*
Miniature Golf	*	*	*	C	*	A	C	A	A	*	A	*	*
Riding Academy, Roping or Equestrian Area	C	C	C	C	C	*	C	C	C	*	C	*	*
Zoo	*	*	*	*	*	*	C	C	C	*	C	*	*
All other Outdoor Commercial Recreation	C	C	*	C	C	C	C	A	A	A	A	C	*
Recreation & Entertainment, Indoor													
Health Club	*	*	C	C	*	A	*	A	A	A	A	C	*
Movie Theater	*	*	*	*	*	A	*	A	A	A	*	*	*
Skating Rink	*	*	*	C	*	A	*	A	A	A	A	*	*
Arcade	*	*	*	C	*	A	*	A	A	A	*	*	*
Shooting Ranges, Indoor	*	*	*	*	*	*	*	C	C	A	C	*	*
All Other Indoor Recreation	*	*	*	C	*	A	*	A	A	A	A	C	*
Retail Sales & Service													
Alcohol Sales, Retail	*	*	*	C	*	A	*	A	A	A	*	C	*
Animal Clinic/Hospital/Boarding/Sales, Indoor (See Chapter 6.28 of the Municipal Code)	C	*	*	C	*	A	C	A	A	A	*	C	*
Animal Clinic/Hospital/Boarding/Sales, Outdoor (See Chapter 6.28 of the Municipal Code)	C	*	*	*	*	C	C	C	C	C	*	C	*
Bar/Nightclub	*	*	*	C	*	A	*	A	A	A	*	C	*
Bed and Breakfast (1-4 guest rooms) See Section 17.07.070 (A)	C	C	C	C	C	A	C	A	A	*	*	A	*
Bed and Breakfast (4+ Guest rooms)	*	*	*	*	*	A	C	A	A	A	*	C	*

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	c-1	C-2	I	CSR	NCO	FLU
COMMERCIAL													
Retail Sales & Service (Continued)													
Medical Marijuana Cultivation by Patients and Primary Caregivers in Non-Residential Units See Section 17.07.070(U)(2)	*	*	*	*	*	*	*	C	C	C	*	*	*
Medical Marijuana Optional Premises Cultivation Operations See Section 17.07.070(U)(3)	*	*	*	*	*	*	*	*	*	*	*	*	*
All Other Retail Sales and Service	*	*	*	C	*	A	*	A	A	A	*	C	*
Storage/Self Service Storage													
Mini Warehouse/Self Service Storage Facility	*	*	*	*	*	*	*	A	A	A	*	*	*
Outdoor Storage (Vehicles, Equip. Etc.)	*	*	*	*	*	*	*	A	A	A	*	*	*
Vehicle Repair, Except Quick Vehicle Servicing													
Auto and Light Truck Mechanical Repair Shop	*	*	*	*	*	*	C	*	A	A	A	*	*
Body Shop	*	*	*	*	*	*	*	*	A	A	A	*	*
Truck Stop/Travel Plaza/Truck Parking Area	*	*	*	*	*	*	*	*	C	C	C	*	*
Tire Recapping and Storage	*	*	*	*	*	*	*	*	C	C	C	*	*
All Other Vehicle Repair, Limited	*	*	*	*	*	*	C	*	A	A	A	*	*
Vehicle Service, Limited: Quick Vehicle Servicing													
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													
Indoor Operations or Storage													
Industrial Service	*	*	*	*	*	*	*	*	A	A	A	*	*
Assembly	*	*	*	*	*	*	*	*	A	A	A	*	*
Food Products	*	*	*	*	*	*	*	*	A	A	A	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	A	A	A	*	*
All Other	*	*	*	*	*	*	*	*	C	C	A	*	*
Outdoor Operations or Storage													
Industrial Service	*	*	*	*	*	*	*	*	C	C	A	*	*
Assembly	*	*	*	*	*	*	*	*	C	C	A	*	*
Food Products	*	*	*	*	*	*	*	*	C	C	A	*	*
Manufacturing/Processing	*	*	*	*	*	*	*	*	C	C	A	*	*
All Other	*	*	*	*	*	*	*	*	C	C	C	*	*

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	C-1	C-2	I	CSR	NCO	FLU
INDUSTRIAL													
Junk Yard													
Junk Yard (See Municipal Code Chapter 5.24)	*	*	*	*	*	*	*	*	*	C	*	*	*
Impound Lot													
Impound Lot	*	*	*	*	*	*	*	C	C	A	*	*	*
Warehouse, Freight Movement & Distribution													
Indoor Operations, Storage and Loading	*	*	*	*	*	C	*	A	A	A	*	*	*
Indoor Storage with Outdoor Loading Docks	*	*	*	*	*	C	*	A	A	A	*	*	*
Outside Storage or Loading	*	*	*	*	*	*	*	C	C	A	*	*	*
Gas or Petroleum Storage	*	*	*	*	*	*	*	C	C	C	*	*	*
Sand or Gravel Storage	*	*	*	*	*	*	*	C	C	A	*	*	*
All Others	*	*	*	*	*	*	*	C	C	C	*	*	*
Waste Related Uses													
Non-Hazardous Waste Transfer	*	*	*	*	*	*	*	C	C	C	*	*	*
Medical/Hazardous Waste Transfer Station	*	*	*	*	*	*	*	C	C	C	*	*	*
Solid Waste Disposal Sites	*	*	*	*	*	*	*	*	*	C	*	*	*
Recycling Collection Points	*	*	*	*	*	*	*	C	C	C	C	*	*
All Other Waste Related/Recycling Center	*	*	*	*	*	*	*	*	*	C	C	*	*
Wholesale Sales													
Wholesale Business (No highly flammable materials/liquids)	*	*	*	*	*	C	*	A	A	A	*	*	*
Agri Business Wholesaling	C	C	*	*	*	C	*	C	C	C	*	*	A
All Other Wholesale Uses	*	*	*	*	*	C	*	C	C	C	*	*	*
Agricultural													
Animals Agricultural; Confinement	C	*	*	*	*	*	*	*	*	C	C	*	A
Dairy	C	*	*	*	*	*	*	*	*	C	C	*	A
Winery	C	*	*	*	*	C	C	C	C	A	C	*	A
Confined Animal Feeding Operation, Feedlot	C	*	*	*	*	*	*	*	*	C	*	*	A
Forestry/Silviculture, Commercial	C	*	*	*	*	*	*	C	C	A	*	*	A
Pasture, Commercial	A	*	*	*	*	*	*	C	A	A	A	*	A
All Other Agriculture	A	*	*	*	*	*	*	A	*	A	A	*	A

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LAND USE TABLE

	RE	LLR	CR	CMU ¹	SFR	DMU	MP	C-1	C-2	I	CSR	NCO	FLU	
INDUSTRIAL														
Aviation or Surface Passenger														
Airports/Heliports	*	*	*	*	*	*	*	C	C	C	C	*	*	
Bus/Commuter Stops	A	A	A	A	A	A	A	A	A	A	A	A	*	
Bus/Railroad Depot	*	*	*	C	*	C	*	A	A	A	A	C	*	
Helipads	*	*	*	*	*	*	*	C	C	C	C	*	*	
All Other Aviation or Surface Passenger Terminal	*	*	*	C	*	C	*	C	C	C	C	C	*	
Mining (See Chapter 31)														
Oil or Gas Drilling	*	*	*	*	*	*	C	*	*	C	*	*	*	
Sand or Gravel Extraction or Processing	*	*	*	*	*	*	C	C	C	C	*	*	*	
All Other Mining, Extraction	*	*	*	*	*	*	C	C	C	C	*	*	*	
Telecommunications Facilities														
Telecommunications Facilities, Towers and Support Structures	C	C	C	C	C	C	C	C	C	C	C	C	C	

¹ Non-residential uses in the CMU zone are subject to the supplemental zoning district standards in Section 17.07.070 (J).

G. Uses Not Itemized in Land Use/Zoning Table. When a use is proposed and no zone allows for such use under the Land Use/Zoning Table above, the applicant may request from the Community Development Department a determination of a zone in which the use may be allowed. The applicant shall submit a written request, which describes the particular use proposed. The use may be deemed an Allowed Use or a Conditional Use upon the finding of the following:

1. Such use is appropriate to the physiographic and general environmental character of the zone to which it is added;
2. Such use does not create any more hazards to, or alteration of, the natural environment than the minimum amount normally resulting from the other permitted uses, or uses conditionally allowed, in the zone to which it is added, as applicable;

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 to which it is added;
4. Such use is generally consistent with the uses existing and permitted in the zone 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.

H. Schedule of Density/Height/Bulk/Location Requirements in Zones.

1. The following standards apply to all uses and development, except as modified pursuant to Chapter 17.11 Design Standards or Chapter 17.17 Planned Unit Developments.
2. Maximum density may not be achievable on every lot or parcel, as the development must conform to applicable setbacks, coverage, parking, drainage, public improvements, landscaping and other code requirements including density bonus requirements.
3. Connection to the city's wastewater collection and treatment system is required for all single-family residential lots smaller than three (3) acres in size. Larger lots may be required for multi-family and non-residential developments that do not connect to the city's wastewater collection and treatment system. All uses with existing individual sewage disposal systems that require repair or replacement, or are part of a larger development plan and are within four hundred (400) feet of the existing city wastewater collection system, as measured to the closest property line, shall connect to the city system. All property to be annexed with existing land uses using individual sewage disposal systems must connect to the city wastewater collection system if they are within four hundred (400) feet or will be within four hundred (400) feet of a city wastewater collection system once the development to be annexed is completed.
4. Standards containing a slash (x/y) indicate standards for primary buildings (x) and accessory buildings (y).
5. Structures, lots, and land uses lawfully established prior to the effective date of this Code may continue pursuant to Section 17.07.090.