

ORDINANCE 2018 - 11

AN ORDINANCE OF THE FRUITA CITY COUNCIL AMENDING CHAPTER 8, DENSITY BONUSES, CHAPTER 7, ZONING USES AND GENERAL REQUIREMENTS, OF TITLE 17, FRUITA LAND USE CODE, OF THE FRUITA MUNICIPAL CODE TO AMEND BONUS DENSITY

WHEREAS, Title 17 of the Fruita Municipal Code was amended in 2009 to incorporate the Bonus Density into the city’s development rules, and

WHEREAS, it has determined that the existing language in Chapter 17.08 does not result in proposed developments utilizing bonus density and therefore should be amended resulting in the need to amend Chapter 17.07, and

WHEREAS, it has been determined that the existing language in Chapter 17.08 is difficult to interpret and understood as a result of its complexity and subjectivity, and

WHEREAS, it has been determined that there is no need for bonus density in the Agriculture Residential (AR) zone or in the Rural Residential (RR) zone, and

WHEREAS, the Fruita Planning Commission held a public meeting on February 13, 2018, and recommended approval to the City Council regarding proposed amendments to Fruita’s Land Use Code to modify Chapter 8 and Chapter 7, and

WHEREAS, a public hearing was held before the City Council on April 3, 2018, regarding the proposed amendments to the city’s Land Use Code.

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

(Additions are shown in *italics* and deletions are shown in ~~strikethrough.~~)

Section 1. Chapter 8 of Title 17 of the Fruita Municipal Code is hereby amended as follows to delete the language as shown, with all other language in this Chapter remaining unchanged:

Chapter 17.08
DENSITY BONUSES

Sections:

17.08.010 Purpose *and Intent*

Sections:

17.08.010 Purpose *and Intent*

17.08.020 Applicability

- 17.08.030 General Provisions
- 17.08.040 Density Bonus ~~Matrix~~ Criteria
- 17.08.050 ~~Density Bonus Criteria~~ Development Standards

17.08.010 PURPOSE AND INTENT.

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



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.

17.08.030 GENERAL PROVISIONS.

- A. Density bonus requests shall be submitted on forms provided by the Community Development Director and shall be accompanied by plans, exhibits, narrative and other information as required by the Community Development Director, to sufficiently demonstrate compliance with the provisions of this Chapter.
- B. Density bonus applications shall be processed at the same time and using the same procedure as required for a Major Subdivision, Planned Unit Development, or Site Design Review, as applicable.
- C. Projects utilizing the provisions of this Chapter are not necessarily required to be processed as a Planned Unit Development.
- D. *City Council* ~~The city decision-making body~~ may preliminarily approve a density bonus, with final approval contingent upon the owner and city executing an Annexation Agreement, Subdivision or Development Improvement Agreement, PUD Guide and/or other binding agreement as necessary to ensure compliance with this Title and other city requirements.
- E. Except as provided under Subsection D (preliminary approval) above, a density

bonus approval shall be binding on the subject property and shall run with the land.

- F. *City Council* ~~The city's decision-making body~~ may approve, deny, or approve with conditions, density bonus applications filed in accordance with Chapter 17.08.

17.08.040 DENSITY BONUS MATRIX CRITERIA. ~~The City Council~~ *city's decision-making body* is authorized to grant density bonuses *up to a maximum of five (5) dwelling units per acre* in accordance with the following:

- A. *A maximum density of three (3) dwelling units per acre may be approved with a minimum of thirty (30) percent of the property designated as open space or common area.*
1. *The open space or common area must be adjacent and accessible to a minimum of fifty (50) percent of the lots.*
 2. *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.*
- B. *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:*
1. *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 an open space or common area.*
 2. *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.*
 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, 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.*

~~A.C. point system.~~ All densities are dwelling units per gross ~~area~~ *acre*, as defined in Chapter 17.03. ~~The criteria for awarding density bonus points are provided in Section 17.08.050. No fractions of points are awarded.~~

Density Bonus Points Achieved*	Zones			
<i>Density Bonus Criteria</i>	RE	RR	SFR	CMU
None <i>Base Density</i>	1.0 DU/3.0 acres	1.0 DU/acre	2.0 DU/acre	2.0 DU/acre
6-12 <i>30% Open Space</i>	1.0 DU/2.0 acres	2.0 DU/acre	3.0 DU/acre	3.0 DU/acre
13-25 <i>Orientation of dwelling units</i>	Not applicable	Not applicable	Not applicable	4.0 <i>1 additional DU/acre</i>
26-38 <i>Park strips/detached walks</i>	Not applicable	Not applicable	Not applicable	5.0-1 <i>additional DU/acre</i>
<i>Alley/shared drive access</i>			<i>Not applicable</i>	<i>1 additional DU/acre</i>
<i>Mix of housing types</i>			<i>Not applicable</i>	<i>1 additional DU/acre</i>

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

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

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.

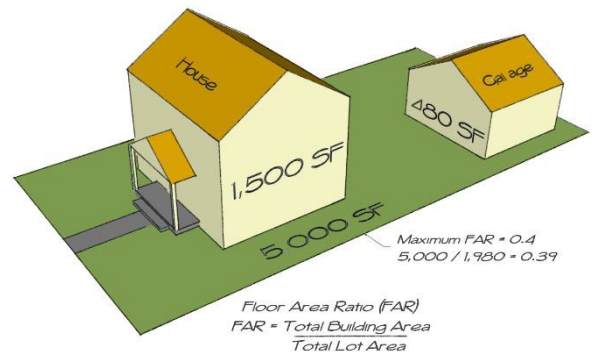
- a. *A variety of housing types including; single-family detached, single-family attached, duplexes and multi-family dwellings.*



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.*

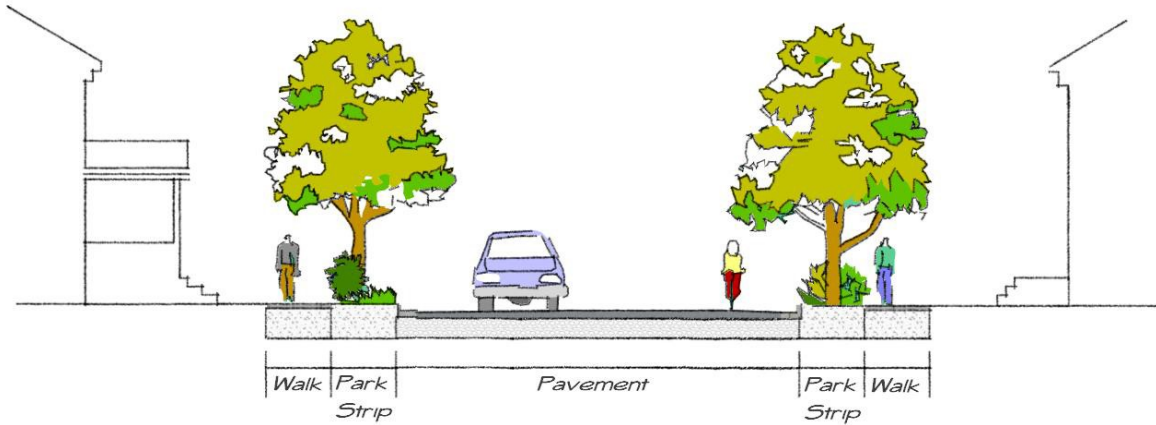
1. Floor Area Ratio.

- 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.*

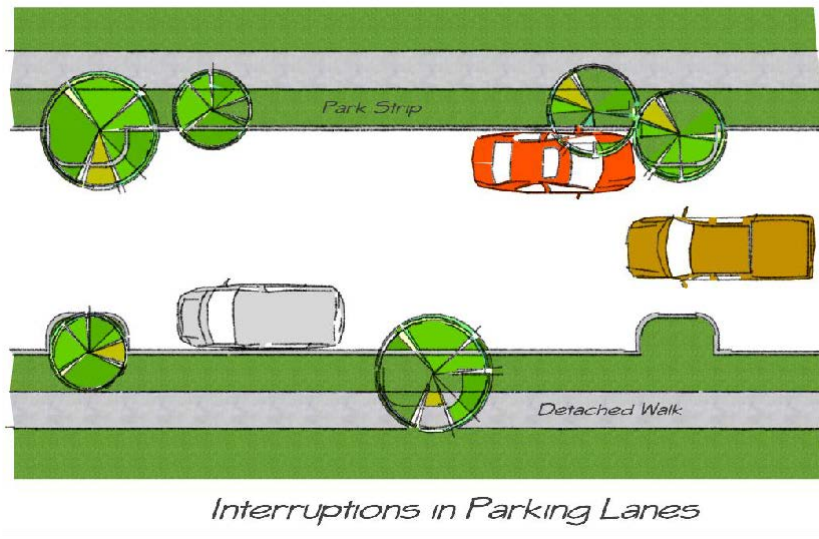


b. *Traffic calming techniques shall be incorporated into street designs.*

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 is an integral part of the project connecting streets, dwelling units, open space and common area. Disheartening*

b. *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.*
- 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 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.*
- 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. 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.*
- g. 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

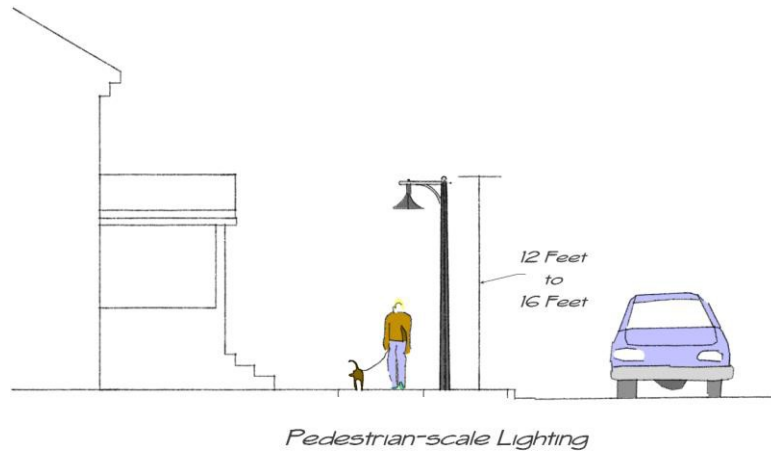
- 1) Existing trees and other natural landscape features should be preserved and incorporated into the design of the project.*

c. 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.

1.2. 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.

Table 17.08.050	
Distribution of and Criteria for Density Bonus Points	
Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
	<p>Housing variety required with flexibility for small projects.</p> <p>Lot size — points for projects with range of lot sizes, including</p>

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

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

A. Housing Variety (18 points possible)

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

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

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

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

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

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

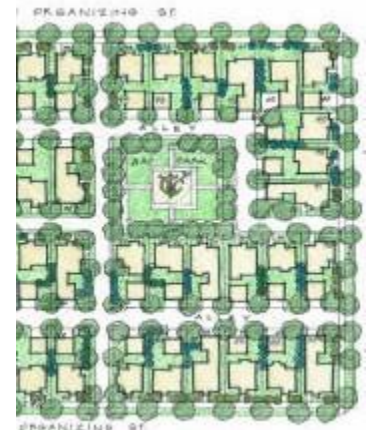
3. ~~Affordable housing~~ Choose one of the following options:

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

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

B. Context Sensitivity (8 points possible)

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



Example of townhomes oriented to open space

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

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

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

C. ~~Open Space (9 points possible)~~

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

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

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

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

Multi Modal Transportation (11 points possible)

~~Compliance with Subdivision standards and District Design standards required. Street connectivity and pedestrian ways necessitated by the proposed development are required (no points).~~

~~Complete streets required. Bicycle lanes, and park strips with street trees are required on all major collector and arterial streets (no points).~~

4. Multi-modal amenities. Points may be awarded cumulatively as follows:

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

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

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

D. Location and Linkages (2 points possible)

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

1. ~~Floodplain avoidance. One (1) point possible for not developing in the one-hundred (100) year floodplain.~~
2. ~~School proximity. One (1) point possible for project that places at least fifty (50) percent of its dwellings within one-quarter (1/4) mile of an existing or planned public school; measured as shortest distance following existing and planned public streets and trails.~~
3. ~~Habitat or wetlands conservation/restoration. One (1) point is possible for a project that conserves and/or restores a wetland or other habitat for native plant or animal species, as recommended by the Colorado Division of Wildlife.~~

E. Schools (2 points possible)

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

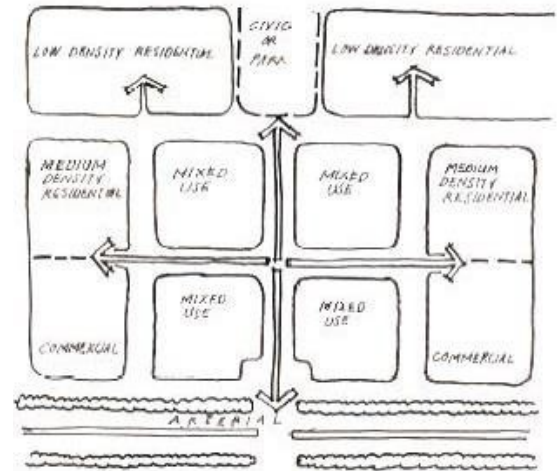


Proximity to schools

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

G. Neighborhood Commercial Center (2 points possible)

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



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

commercial uses, future residential development of the site may be limited to two (2) units per gross acre.

H. Green Construction & Technology (4 points possible)

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

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

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

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

I. Innovation in Design (2 points possible)

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

Chapter 17.08
DENSITY BONUSES

Sections:

17.08.010 Purpose *and Intent*

Sections:

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

17.08.010 PURPOSE AND INTENT.

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

- B. *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.*



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.

17.08.030 GENERAL PROVISIONS.

- G. 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.
- J. *City Council* ~~The city decision-making body~~ may preliminarily approve a density bonus, with final approval contingent upon the owner and city executing an Annexation Agreement, Subdivision or Development Improvement Agreement, PUD Guide and/or other binding agreement as necessary to ensure compliance with this Title and other city requirements.
- K. 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.

- L. *City Council* ~~The city's decision-making body~~ may approve, deny, or approve with conditions, density bonus applications filed in accordance with Chapter 17.08.

17.08.040 DENSITY BONUS MATRIX CRITERIA. ~~The City Council city's decision-making body~~ is authorized to grant density bonuses *up to a maximum of five (5) dwelling units per acre* in accordance with the following:

- C. *A maximum density of three (3) dwelling units per acre may be approved with a minimum of thirty (30) percent of the property designated as open space or common area.*
1. *The open space or common area must be adjacent and accessible to a minimum of fifty (50) percent of the lots.*
 2. *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.*
- D. *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:*
1. *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 an open space or common area.*
 2. *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.*
 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, 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.*

~~A.C. point system.~~ All densities are dwelling units per gross ~~area~~ acre, as defined in Chapter 17.03. ~~The criteria for awarding density bonus points are provided in Section 17.08.050. No fractions of points are awarded.~~

Density Bonus Points Achieved*	Zones			
Density Bonus Criteria	RE	RR	SFR	CMU
None Base Density	1.0 DU/3.0 acres	1.0 DU/acre	2.0 DU/acre	2.0 DU/acre
6-12 30% Open Space	1.0 DU/2.0 acres	2.0 DU/acre	3.0 DU/acre	3.0 DU/acre
13-25 Orientation of dwelling units	Not applicable	Not applicable	Not applicable	4.0 1 additional DU/acre
26-38 Park strips/detached walks	Not applicable	Not applicable	Not applicable	5.0-1 1 additional DU/acre
Alley/shared drive access			Not applicable	1 additional DU/acre
Mix of housing types			Not applicable	1 additional DU/acre

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

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

D. 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.

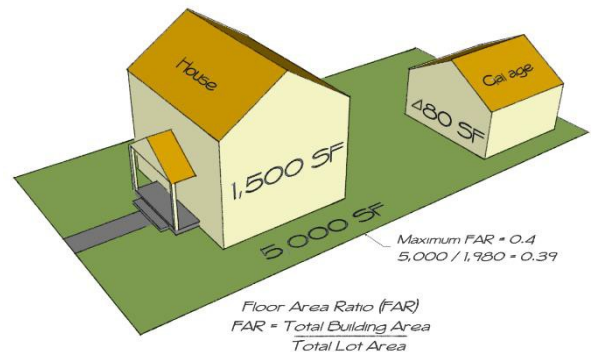
- a. *A variety of housing types including; single-family detached, single-family attached, duplexes and multi-family dwellings.*



E. 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.*

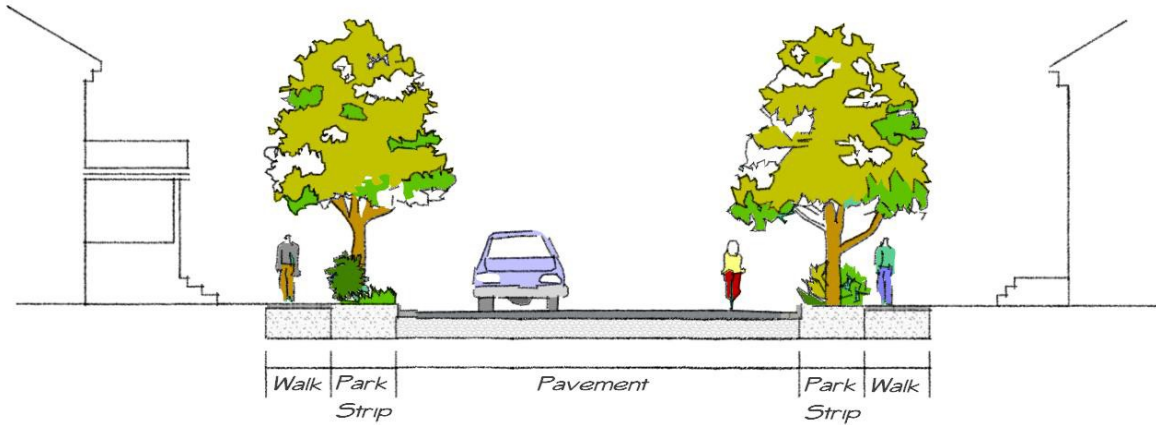
1. Floor Area Ratio.

- 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.*

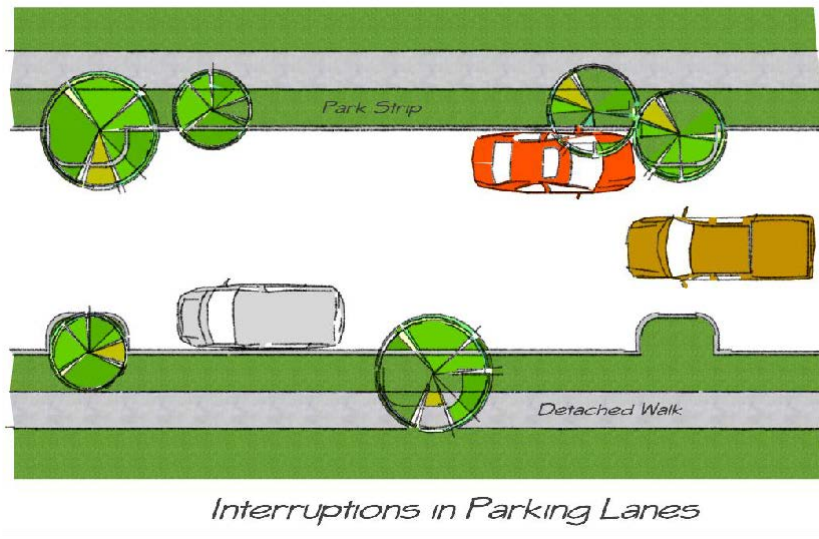


b. *Traffic calming techniques shall be incorporated into street designs.*

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 is an integral part of the project connecting streets, dwelling units, open space and common area. Disheartening*

b. *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.*
- 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 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.*
- 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.

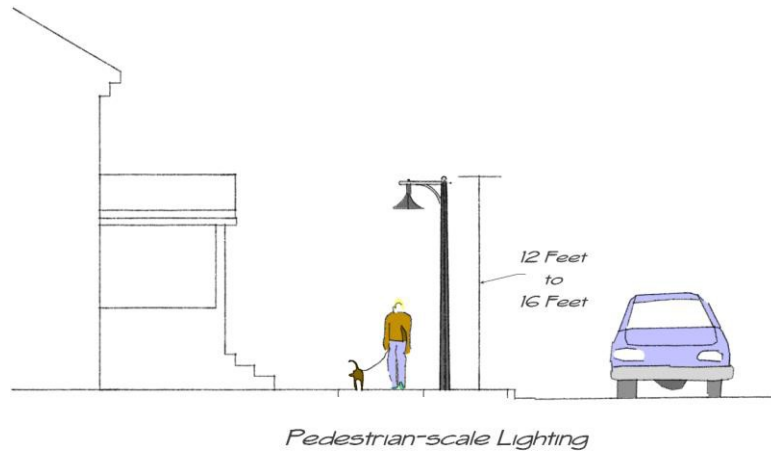
- e. Open space or common areas may contain private recreation amenities including but not limited to: plazas, courtyards, community garden, basketball/tennis/pickleball courts, clubhouses or community greenhouses.*
- f. Walkways, trails and other forms of pedestrian access shall form an interconnected system serving as access to open space, common area and other pedestrian destinations.*
- g. 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.*
- c. 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.*



F. 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.

1.2. 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.

Table 17.08.050	
Distribution of and Criteria for Density Bonus Points	
Categories (58 Points Possible)	Criteria Summary only. See text following table for code criteria.
	<p>Housing variety required with flexibility for small projects.</p> <p>Lot size — points for projects with range of lot sizes, including</p>

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

Table 17.08.050

Distribution of and Criteria for Density Bonus Points

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

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

F. Housing Variety (18 points possible)

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

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

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

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

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

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

3. ~~**Affordable housing**— Choose one of the following options:~~

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

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

G. Context Sensitivity (8 points possible)

1. ~~Compliance with Design Standards required— no points for compliance— with Chapter 17.11.~~

2. ~~Transition lot sizes to blend with abutting residential lots (“feathering”). Two (2) points may be awarded for maintaining lot sizes for all lots on the perimeter of the project that are not less than eighty (80) percent of the size of abutting lots in an existing platted subdivision. The feathering provision does not apply where the abutting lots or parcels that can reasonably be subdivided in the future; nor does it apply where the lands are separated by more than one hundred (100) feet by a street right of way, open space, or similar feature.~~

3. ~~Transition building heights to blend with abutting residential structures. Two (2) points may be awarded for stepping down building heights on the perimeter of the project. This criterion applies to new dwellings placed within forty (40) feet of existing single-family dwellings, and is met when no portion of the new dwelling(s) exceeds the height of the existing dwelling(s) by more than eight (8) feet.~~

4. ~~Orient multifamily, attached single family and/or small lot (<6,000 square feet) detached dwelling units to open space. One (1) point may be awarded if no less than fifty (50) percent of the perimeter of the required open space area(s) within a subdivision has multifamily, attached~~



Example of townhomes oriented to open space

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

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

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

H. ~~Open Space (9 points possible)~~

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

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

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

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

Multi Modal Transportation (11 points possible)

~~Compliance with Subdivision standards and District Design standards required. Street connectivity and pedestrian ways necessitated by the proposed development are required (no points).~~

~~Complete streets required. Bicycle lanes, and park strips with street trees are required on all major collector and arterial streets (no points).~~

6. Multi-modal amenities. Points may be awarded cumulatively as follows:

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

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

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

I. Location and Linkages (2 points possible)

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

1. ~~Floodplain avoidance. One (1) point possible for not developing in the one-hundred (100) year floodplain.~~
2. ~~School proximity. One (1) point possible for project that places at least fifty (50) percent of its dwellings within one quarter (1/4) mile of an existing or planned public school; measured as shortest distance following existing and planned public streets and trails.~~
3. ~~Habitat or wetlands conservation/restoration. One (1) point is possible for a project that conserves and/or restores a wetland or other habitat for native plant or animal species, as recommended by the Colorado Division of Wildlife.~~

J. Schools (2 points possible)

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

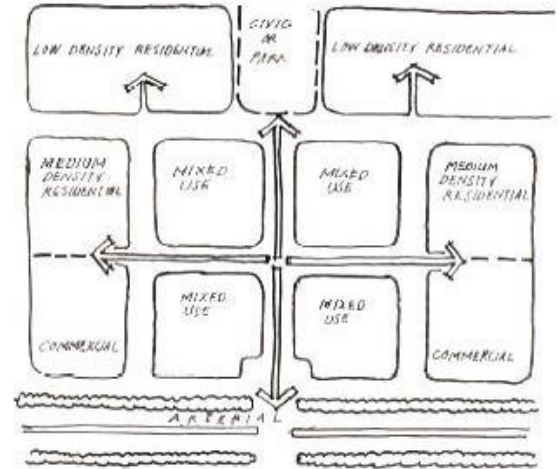


Proximity to schools

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

J. Neighborhood Commercial Center (2 points possible)

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



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

commercial uses, future residential development of the site may be limited to two (2) units per gross acre.

K. Green Construction & Technology (4 points possible)

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

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

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

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

L. Innovation in Design (2 points possible)

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

Section 2. Chapter 7 of Title 17 of the Fruita Municipal Code is hereby amended as follows to delete the language as shown:

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 ***
Agriculture Residential (AR)	10 acres/DU	3 acres	50'	50'	50'	35'	20%
Rural Estate (RE)	3 acres/DU, or 2 acres/DU	2 acres	25'	10'	20'	35'	20%
Rural Residential (RR)	1 DU/acre or 2 DU/acre	20,000 sf	25'	10'	20'	35'	20%

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
 _____ DAY OF _____, 2018.**

ATTEST:

City of Fruita

 City Clerk

 Lori Buck, Mayor