

**Chapter 7  
DEVELOPMENT STANDARDS**

The standards in this Chapter apply to all new development unless otherwise stated.

**§7.1 | Off-Street Parking**

7.1.1 | General

A. Applicability

1. New Development

The off-street parking standards of this section apply to all new buildings and uses.

2. Expansions and Alterations

The off-street parking standards of this section apply when an existing structure or use is expanded or enlarged. Additional off-street parking spaces will be required only to serve the enlarged or expanded area, not the entire building or use, provided that in all cases the number of off-street parking spaces provided for the entire use (preexisting plus expansion) must equal at least seventy-five percent (75%) of minimum ratio established in Section 7.1.2.

B. No Reduction Below Minimums

Existing parking spaces may not be reduced below the minimum requirements established in this Section. Any change in use or manner of operation that increases applicable off-street parking requirements will be deemed a violation of this Land Development Code unless parking spaces are provided in accordance with this Section.

7.1.2 | Minimum Required Off-Street Parking

The following Off-Street Parking Schedule establishes the minimum number of off-street parking spaces to be provided for the use categories described in this Land Development Code. Unless the applicable standard addresses employee parking, additional off-street parking spaces shall be provided to meet the projected demand for employee parking. The Bicycle Parking requirements shall apply only within the Urban Zoning Districts.

Minimum Required Off-Street Parking

Use Categories	Specific Uses	Minimum Number of Spaces (See Section 7.1.3 for Measurement Rules)	
		Vehicle Spaces	Bicycle Spaces See The Handbook for Standards
Residential			
Group Living	Boarding/Rooming Houses	1 per rooming unit	N/A
	Dormitories/Fraternities/ Sororities	1 per 2 beds	0.5 per unit
	Nursing Homes	1 per 4 beds + 1 per each 3 employees	N/A
	Other Group Living	1 per 4 beds	N/A
Household Living	Single-Family and Duplex	3 accessible (max. 2 tandem) spaces per dwelling unit	N/A
	Multi-Family	2.2 per unit	0.5 per unit

Use Categories	Specific Uses	Minimum Number of Spaces (See Section 7.1.3 for Measurement Rules)	
		Vehicle Spaces	Bicycle Spaces See The Handbook for Standards
College		1 per 2 students	1 per 5 vehicle spaces
Community Services	Community Center	1 per 250 square feet or 1 per 4 patrons, whichever results in more spaces	1 per 20 vehicle spaces
Day Care		1.5 per employee + drop-off/pick-up area	N/A
Hospital		1 per 2 beds + 1 per employee	1 per 20 vehicle spaces
Parks and Open Areas	Golf Course	6 spaces per hole	N/A
	All Other	20 spaces per athletic field or ball diamond or whichever results in more spaces	1 per 10 vehicle 1 per 4 seats
Religious Institutions		1 per 3 seats	1 per 20 vehicle spaces
Safety Service		1 per employee	N/A
Schools	Elementary and Junior Highs	2 per classroom	1 per 10 students
	High Schools	1 per 4 students	1 per 20 students
Utilities, Basic		1 per employee	N/A
<b>Commercial</b>			
Office		1 per 300 square feet	1 per 10 vehicle spaces
Recreation and Entertainment, Outdoor	Driving Range	1 per tee	N/A
	Minor Entertainment Events	1 per 2 customers + space for musicians and servers at the events	N/A
	Miniature Golf	2 per hole	N/A
Retail Sales and Service	Bars/Nightclubs	1 per 2 persons	1 per 10 vehicle spaces
	Banks (Branch and Drive-In)	1 per 300 square feet + required stacking spaces for drive-through	1 per 10 vehicle spaces
	Bowling Alleys	4 per lane	1 per 10 vehicle spaces
	Clubs/Lodges	1 per 3 persons	1 per 20 vehicle spaces
	Convenience Store	1 per 100 square feet	1 per 10 vehicle spaces
	Hotels/Motels	1 per room + 75 percent of spaces required for other associated uses (e.g., restaurants, bars, office, meeting areas)	N/A
	Funeral Home/Mortuary	1 per 4 seats	N/A

Use Categories	Specific Uses	Minimum Number of Spaces (See Section 7.1.3 for Measurement Rules)	
		Vehicle Spaces	Bicycle Spaces See The Handbook for Standards
Retail Sales and Service	Restaurants	1 per 3 seats	1 per 20 vehicle spaces
	Shopping Centers Less than 15,000 sq. ft.	1 per 200 square feet	1 per 20 vehicle spaces
	15,000 to 400,00 sq. ft.	1 per 250 square feet	
	400,000 to 600,000 sq. ft.	1 per 225 square feet	
	600,000 + sq. ft.	1 per 200 square feet	
	With Theater	add 1 per 4 seats	
	Theaters	1 per 4 seats	1 per 20 vehicle spaces
	Vehicle Sales	spaces equal to 10 percent of vehicle display area	N/A
	Other Retail Sales, High Volume, Stand-Alone (e.g., supermarkets, clothing and department stores, shopping complexes, hardware building supplies, and similar uses)	1 per 200 square feet (includes employee parking)	1 per 10 vehicle spaces
Other Retail Sales, Low Volume, Stand-Alone (e.g., appliance sales, repair shops and similar uses)	1 per 400 square feet (includes employee parking)	1 per 20 vehicle spaces	
Other Service Business, Stand-Alone (e.g., beauty/barber shops, frozen food lockers, laundries, and similar uses)	1 per 300 square feet (includes employee parking)	1 per 20 vehicle spaces	
Self-Service Storage		1 per 8 storage units	N/A
Vehicle Repair		2 per service bay + 1 per employee	N/A
Vehicle Service, Limited	Car Wash, Self-Service	3 per bay	N/A
	Car Wash, Full-Service	10 per bay	N/A
	Service Stations	4 per service bay + required stacking spaces	N/A
	Other Limited Vehicle Service	2 per service bay + 1 per employee	N/A

Use Categories	Specific Uses	Minimum Number of Spaces (See Section 7.1.3 for Measurement Rules)	
		Vehicle Spaces	Bicycle Spaces See The Handbook for Standards
Industrial			
Industrial Service		1.1 per employee	1 per 20 vehicle spaces
Manufacturing and Production		1.1 per employee	1 per 20 vehicle spaces
Warehouse and Freight Movement		1 per 1.5 employees, or 1,000 square feet, whichever results in more spaces	1 per 20 vehicle spaces
Waste-Related Use		1.1 per employee	1 per 20 vehicle spaces
Wholesale Sales		1.1 per employee	1 per 20 vehicle spaces
Other			
Agriculture		None	N/A
Aviation, Surface Passenger Terminals		1 per employee + spaces required to satisfy projected peak parking needs	N/A
Detention Facilities		1.1 per employee	N/A
Mining		1 per employee	N/A
Telecommunications Facilities		None	N/A

### 7.1.3 | Rules for Computing Parking Requirements

The following rules apply when computing off-street parking requirements.

- A. **Multiple Uses**  
Lots containing more than one use must provide parking in an amount equal to the total of the requirements for all uses.
- B. **Fractions**  
When measurements of the number of required spaces result in a fractional number, any fraction of  $\frac{1}{2}$  or less will be rounded down to the next lower whole number, and any fraction of more than  $\frac{1}{2}$  will be rounded up to the next higher whole number.
- C. **Area Measurements**  
Unless otherwise specifically noted, all square footage-based parking standards shall be computed on the basis of gross floor area.
- D. **Employment and Occupancy-Based Standards**  
For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

E. Unlisted Uses

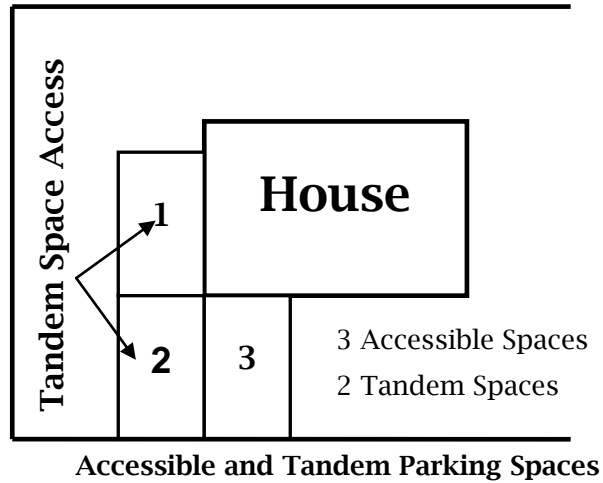
Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Planning Director shall apply the off-street parking standard specified for the listed use that is most similar to the proposed use, or require a parking study in accordance with the parking study requirements of Section 7.1.4.

7.1.4 | Parking Studies

Parking studies shall be submitted by the applicant to establish off-street parking standards for uses that have not been assigned a specific off-street parking standard under this Section. A parking study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Public Works Department and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations and shall be prepared by a Registered Professional Engineer.

A. Review by Public Works Department

The Public Works Department shall review the parking study and any other traffic engineering/planning data relevant to the establishment of an appropriate off-street parking standard for the uses on the site plan. After reviewing the parking study, the Public Works Department shall establish a minimum off-street parking standard for the proposed uses on the site plan.



B. Appeals

Appeals of the Public Works Department's decision shall be taken to the Board of County Commissioners in accordance with the procedures of Section 3.15.

7.1.5 | Location of Required Parking Spaces

Except as expressly allowed in this section, required off-street parking spaces must be located on the same lot or parcel as the principal use. No off-street parking shall be allowed within required street setbacks, except that parking for single-family and duplex dwellings may be located in driveways.

7.1.6 | Accessible Parking for Physically Handicapped Persons

A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located, and reserved for use by persons with physical disabilities.

A. Number of Spaces

The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling the overall off-street parking standards.

Minimum Handicap Accessible Parking Space Determination Table			
Total Parking Spaces Provided	Minimum Number of Accessible Spaces	Minimum Number of Van-Accessible Spaces	Minimum Number of Car-Accessible Spaces
1-25	1	1	0
26-50	2	1	1
51-75	3	1	2
76-100	4	1	3
101-150	5	1	4
151-200	6	1	5
201-300	7	1	6
301-400	8	1	7
401-500	9	2	7
501-1000	2% of total spaces	1 out of every 8 accessible spaces	7 out of every 8 accessible spaces
Over 1000	20 + 1 per each 100 spaces over 1000		

**B. Minimum Dimensions**

All parking spaces reserved for persons with disabilities shall comply with the parking space dimensional standards of Section 7.1.7, provided that access aisles shall be provided immediately adjacent to such spaces, as follows:

1. **Car-Accessible Spaces**

Car-accessible spaces shall have at least a five (5) foot wide access aisle located adjacent to the designated parking space.

2. **Van-Accessible Spaces**

Van-accessible spaces shall have at least an eight (8) foot wide access aisle located adjacent to the designated parking space.

**C. Location of Spaces**

Required spaces for persons with disabilities shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path.

**D. Signs and Marking**

Required spaces for persons with disabilities shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs shall be posted directly in front of the parking space at a height of no less than forty-two (42) inches and no more than seventy-two (72) inches above pavement level.

**7.1.7 | Parking Area Layout and Design**

**A. Parking Area Dimensions**

The dimensions of required off-street parking areas shall comply with standards shown in the following Parking Dimensions Table, unless otherwise specifically stated. Parking spaces provided in excess of required minimums may be designated as compact parking spaces, with a minimum stall width of eight feet and a minimum stall depth of sixteen and a half (16.5) feet. Compact parking spaces shall be clearly identified by signs or pavement markings.

Parking Dimension Table			
Parking Angle	Stall Width (feet)	Stall Depth (feet)	Aisle Width (feet)
0°	8.0	22.0	12
30°	9.0	18.0	11
	9.5	18.0	11
	10.0	20.0	11
45°	8.5		13

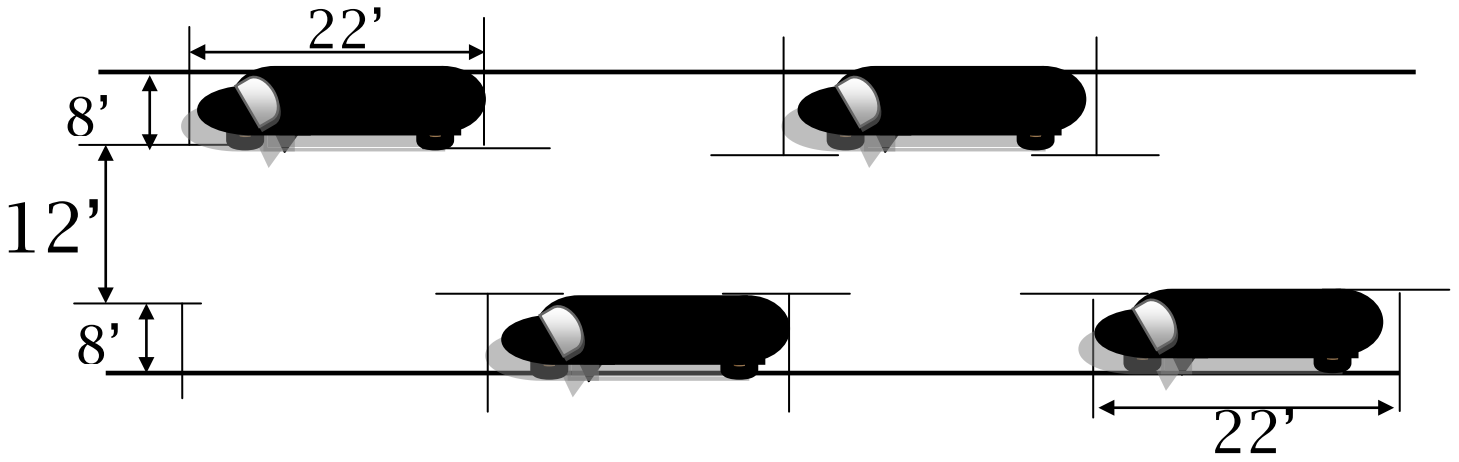
Parking Dimension Table			
Parking Angle	Stall Width (feet)	Stall Depth (feet)	Aisle Width (feet)
	9.0	20.0	12
	9.5		15
60°	8.5	21.0	18
	9.0		16
	9.5		15
75°	8.5	19.5	25
	9.0		23
	9.5		22
90°	8.5	18.5	28
	9.0		25
	9.5		24

- B. Protective Curbing
 

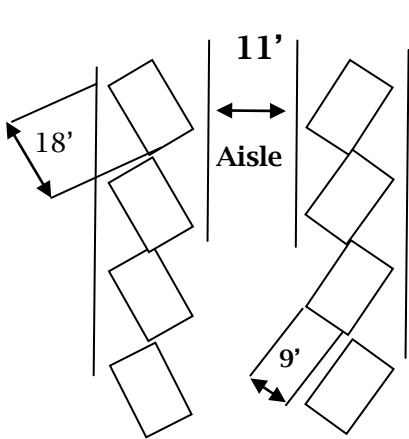
Parking spaces abutting an exterior street lot line of a parcel shall be provided with bumper blocks or curbing to prevent vehicle overhang into the public right of way or over any sidewalk. Vehicles may not overhang landscape areas more than twenty-four inches (24").
  
- C. Paving and Striping
  - 1. All required off-street parking areas within the Urban Zoning Districts shall be striped and paved with concrete, asphalt, pavers, or other material approved by the Planning Director. Within Rural Communities, parking areas with more than five (5) spaces shall be paved and striped. Landscaping is required for all paved parking lots per Section 7.2.
  - 2. In the Rural Zoning Districts, dust suppression shall be required for all non-paved off-street parking areas located within the Grand Valley Airshed. Plans shall be prepared by a Professional Engineer hired by the applicant, and shall provide for adequate parking, drainage and traffic circulation.
  
- D. Circulation
 

All required off-street parking areas shall be designed to provide safe, efficient circulation for vehicles and pedestrians.

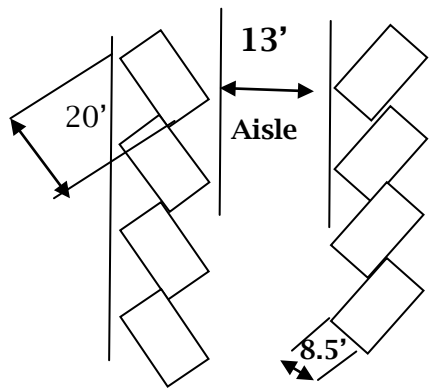
  - 1. Traffic Islands
    - a. Traffic Islands are required at the ends of all rows of parking.
    - b. Traffic islands shall have a minimum dimension of eight and one half feet (8.5') and contain a minimum of one hundred fifty (150) square feet, exclusive of curbing.
    - c. No more than fifteen (15) spaces may be placed in a row without an island.
    - d. Traffic islands must be landscaped per the requirements of Section 7.2. Parking lot design is subject to the Flexible Landscape Point System.
  - 2. Circulation Routes
    - a. When a parking area exceeds one hundred twenty (120) spaces, it shall be divided into two (2) or more sub-areas by an internal landscaped street.
    - b. When an individual parking area is adjacent to another individual parking area, the design shall accommodate a cross-connection between them if possible.



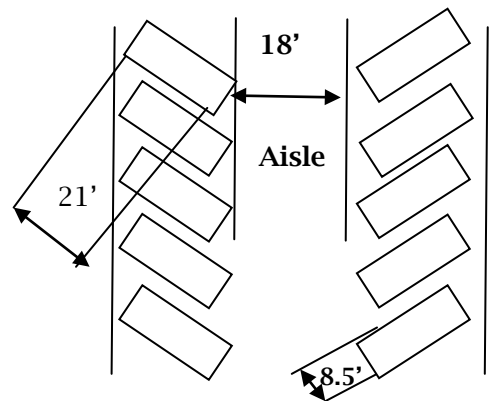
Zero (0) Degree Parking | Paralleled Parking



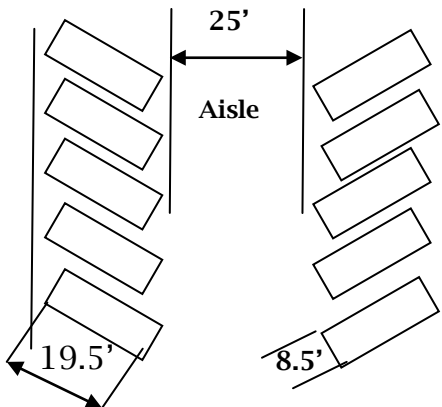
30 Degree Parking



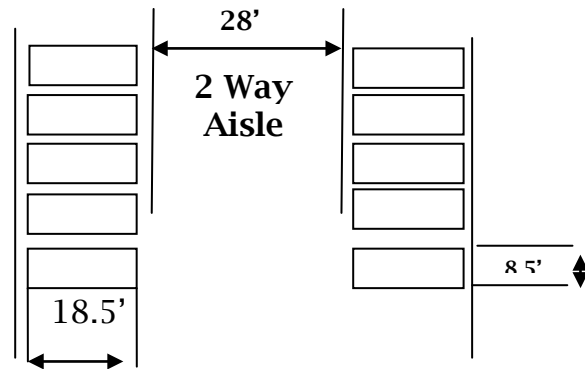
45 Degree Parking



60 Degree Parking



75 Degree Parking



Perpendicular  
90 Degree Parking

# Parking Area Layout Design

**NOTE:** These drawings are not to scale.



7.1.8 | Stacking Spaces for Drive-Through

In addition to meeting the off-street parking requirements of this section, drive-through facilities shall comply with the following minimum stacking space standards.

A. Stacking Space Schedule

The minimum number of stacking spaces required shall be as follows.

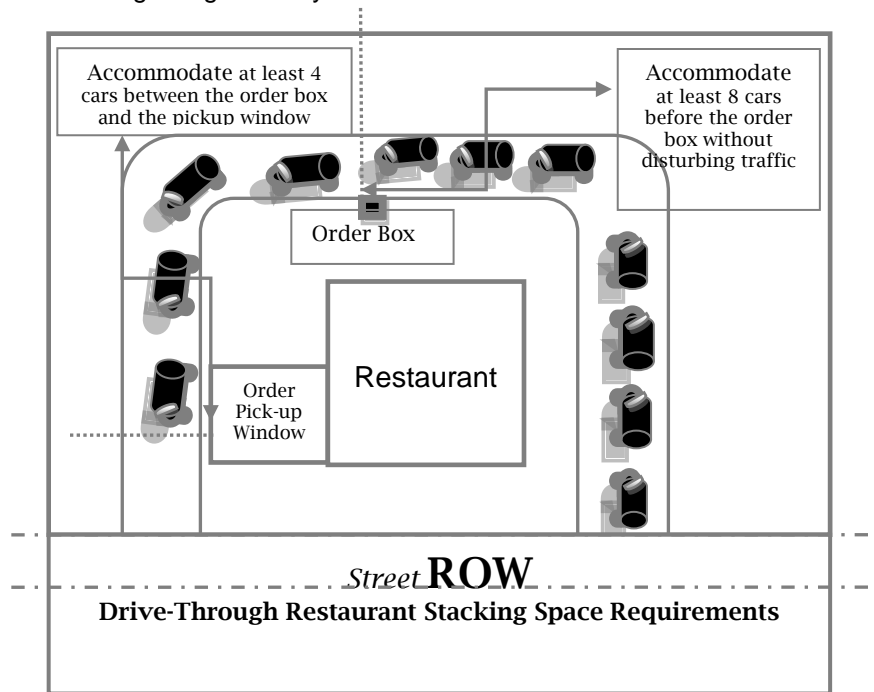
Use Type	Minimum Spaces	Measured From
Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller Machine
Restaurant drive-through	8	Order Box
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Other	Determined by Public Works Department based on Traffic Study	
Gasoline pump island	30 feet from each end of pump island	

A minimum four-vehicle (4) queue from the pick-up window to the order box shall be provided.

B. Design and Layout

Stacking spaces shall be subject to the following design and layout standards.

- Stacking spaces shall be a minimum of eight feet by twenty-five (25) feet in size.
- Stacking spaces shall be designed so to not impede on-site and off-site traffic movements or movements into or out of parking spaces.
- Stacking spaces shall be separated from other internal driveways and pedestrian circulation areas by raised medians, as deemed necessary by the Public Works Department for traffic movement or safety.



7.1.9 | Alternative Parking Plans

An Alternative Parking Plan represents a specific proposal to meet vehicle parking and transportation access needs by means other than providing parking spaces on-site in accordance with the off-street parking schedule of Section 7.1.2. Applicants who wish to provide fewer off-street parking spaces than required pursuant to Section 7.1.2 must secure approval of an Alternative Parking Plan.

A. Procedures

1. Small Reductions

Alternative Parking Plans that propose a reduction of no more than twenty-five percent (25%) or twenty-five percent (25%) parking spaces shall be reviewed in accordance with the Administrative Adjustment procedures of Section 3.11, except that the Decision-Making Body shall take action in accordance with the Eligible Alternatives and Approval Criteria of this section. An attested copy of an approved Alternative Parking Plan must be recorded with the County Clerk and Recorder on forms made available in the Planning Department.

2. Large Reductions

Alternative Parking Plans that propose a reduction of more than twenty-five percent (25%) or more than twenty-five percent (25%) off-street parking spaces require review and action in accordance with the Conditional Use Permit procedures of Section 3.8, except that the Decision-Making Body shall take action in accordance with the Eligible Alternatives and Approval Criteria of this section. An attested copy of an approved Alternative Parking Plan must be recorded with the County Clerk and Recorder on forms made available in the Planning Department.

B. Enforcement

Every Alternative Parking Plan shall include a description of the means by which an applicant will satisfy the off-street parking requirements of this section in the event that the Alternative Parking arrangement is not adequately serving the parking and access needs of the subject property. If the County makes a determination of inadequate service, the alternative parking plan shall be revoked and the use shall provide off-street parking spaces in accordance with Section 7.1.2.

C. Eligible Alternatives and Approval Criteria

A number of specific alternatives are described in this subsection. Decision makers are, however, authorized to consider and approve *any* alternative to providing off-street parking spaces on the site of the subject development, if the applicant demonstrates to the satisfaction of the decision-making body that the proposed plan will do at least as good of job protecting surrounding neighborhoods, maintaining traffic circulation patterns and promoting quality urban design that strict compliance with otherwise applicable off-street parking standards would yield.

1. Bicycle Parking

Decision makers may authorize a reduction in the number of required off-street parking spaces for nonresidential developments or uses that provide bicycle parking and make special provisions to accommodate bicyclists. Examples of accommodations include bicycle lockers, employee shower facilities and dressing areas for employees.

2. Valet Parking

Decision makers may authorize valet parking as a means of satisfying otherwise applicable off-street parking standards, provided that the following conditions are met:

- a. an automobile shall be retrievable from its parking space with the movement of a maximum of two (2) additional vehicles; and
- b. the decision maker determines that the valet parking will not cause interference with the public use of streets or ways, or imperil the public safety.

3. Transportation Demand Management

Decision makers may authorize a reduction in the number of required off-street parking spaces for developments or uses that institute and commit to maintain a transportation management program, in accordance with the standards of this Section.

a. Required Study

The applicant must submit a study approved by the Public Works Department that clearly indicates the types of transportation management activities and measures proposed.

b. Transportation Demand Management

The following measures serve as a guide to eligible transportation management activities. Applicants are encouraged to use any transportation demand management techniques or studies adopted by the Grand Junction/Mesa County MPO as references. There is, however, no limitation on the types of transportation management activities for which reductions may be granted from otherwise required off-street parking ratios.

- (1) **Posting and Distribution of Information**  
The distribution and posting of information from transit agencies and other sources of alternative transportation may be cause for a reduction in otherwise applicable off-street parking requirements.
  - (2) **Transportation Coordinator**  
The appointment of a Transportation Coordinator with responsibility for disseminating information on ride-sharing and other transportation options may be cause for a reduction in otherwise applicable off-street parking requirements. In addition to acting as liaisons, Transportation Coordinators shall be available to attend meetings and training sessions with the County or transit providers.
  - (3) **Off-Peak Work Hours**  
Employers that institute off-peak work schedules, allowing employees to arrive at times other than the peak morning commute period, may be eligible for a reduction in otherwise applicable off-street parking requirements. The peak morning commute period is defined as 7:00–9:00 a.m.
  - (4) **Preferential Parking**  
The provision of specially marked spaces for each registered car pool and van pool may be cause for a reduction in otherwise applicable off-street parking requirements.
  - (5) **Financial Incentives**  
The provision of cash or in-kind financial incentives for employees commuting by car pool, van pool and transit may be cause for a reduction in otherwise applicable parking requirements.
4. **Off-Site Parking**  
Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if approved as part of an Alternative Parking Plan and if the off-site parking complies with the all of following standards.
- a. **Ineligible Activities**  
Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.
  - b. **Location**  
No off-site parking space may be located more than three hundred (300) feet from the primary entrance of the use served. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than eighty (80) feet, unless a grade-separated pedestrian walkway, other traffic control, or safety device is provided.
  - c. **Zoning Classification**  
Off-site parking areas require the same or a more intensive zoning classification than required for the use served.
  - d. **Agreement for Off-Site Parking**  
In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement with a minimum term of ten (10) years shall be required. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recordation on forms made available in the Planning Department. Recordation of the agreement must take place before issuance of a building permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Section 7.1.2

5. **Shared Parking**

Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of an Alternative Parking Plan and if the shared parking complies with the all of following standards.

  - a. **Location**

Shared parking spaces must be located within three hundred (300) feet of the primary entrance of all uses served.
  - b. **Zoning Classification**

Shared parking areas require the same or a more intensive zoning classification than required for the use served.
  - c. **Shared Parking Study**

Those wishing to use shared parking as a means of satisfying off-street parking requirements shall submit an analysis to the Public Works Department that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the Public Works Department. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.
  - d. **Agreement for Shared Parking**

A shared parking plan will be enforced through written agreement among all owners of record. The agreement must have a minimum term of ten (10) years. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recordation on forms made available in the Planning Department. Recordation of the agreement must take place before issuance of a building permit for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Section 7.1.2.
6. **Recordation of Approved Plans**

An attested copy of an approved Alternative Parking Plan must be recorded with the County Clerk and Recorder on forms made available in the Planning Department. An Alternative Parking Plan may be amended by following the same procedure required for the original approval.
7. **Violations**

Violations of an approved Alternative Parking Plan constitute a violation of the Land Development Code and will be subject to the enforcement and penalty provisions of Chapter 11.

#### §7.2 | Landscaping and Buffering

Landscape plans must be prepared by Landscape Architects, licensed in the State of Colorado per the "Landscape Architects Professional Licensing Act", Colorado Statute Title 12, Article 45.

Where requirements conflict, the standard that more specifically describes an area applies. If two requirements are equally specific, then the more stringent of the two requirements applies. In no case would requirements be considered additive.

##### 7.2.1 | Urban Zoning Districts, Rural Communities, and Permitted Uses

This Section 7.2 applies to all new development and Site Plan reviews within the Urban Zoning Districts and all Rural Communities, and for non-residential development along State Highways or arterial roads. Conditional Use Permits may be subject to this section as deemed appropriate by the Planning Director. Development within the Clifton/Fruitvale area or the County's six rural communities (Mack, Loma, Whitewater, Gateway, Mesa, and Powderhorn) or any other planned area shall be required to be consistent with the appropriate adopted area or neighborhood plan's general objectives and design guidelines and

standards related to landscaping unique to each community. If there is no adopted plan, or if the adopted area or neighborhood plan does not provide specific guidance regarding landscape, the minimum standards of this Section 7.2 shall apply. All required landscaping is subject to this Section 7.2, to be used in conjunction with the Flexible Landscape Point System set forth in Section 7.2.1.B. One or more landscape point charts may apply. *The Mesa County [Landscape Handbook](#)* contains helpful information, resources, and graphic illustrations.

A. Landscaping Requirement

Stabilization, including revegetation and/or mulching, is required in all areas disturbed as part of any development project and may be subject to State stormwater regulations.

1. Street and Road Frontage

Street trees and plantings shall be required for all new development in order to reduce heat, dust, and glare, and the need for cooling or heating of buildings; to help clean and oxygenate the air; reduce road noise; to develop continuity between developments; to provide visual cues to access points; and to enhance the appearance of the public streets. Consideration should be given to urban density, historic or vernacular character of the location, continuity with native vegetation and the natural landscape, and with the ability to provide water for irrigation. With the exception of single-family and two-family residential site plans, the street setback and front yard shall be suitably landscaped in accordance with Table 7.2.B and shall be subject to application of the Flexible Landscape Point System. All design and development shall preserve, insofar as it is reasonable, the natural terrain, natural drainage, existing topsoil, and non-noxious trees and other appropriate vegetation.

2. Parking Lots

The purpose of landscape in parking lots is to define parking areas, provide shade to cool pavement, mitigate the view of cars and pavement, help direct traffic flow, provide continuity to streetscapes, obtain the environmental benefits of increased planting, and reduce and control stormwater runoff.

- When an area provides non-residential parking for five (5) cars or less, the applicant shall provide appropriate screening meeting the requirements of Tables 7.2.A and 7.2.B, adequate to block headlights and soften visual impact.
  - When an area provides parking spaces for six (6) or more cars, it shall be subject to Table 7.2.A and 7.2.B and the design options within the Flexible Landscape Point System, Chart B. No single parking area shall exceed one hundred twenty (120) spaces unless divided into two (2) or more sub-areas by an internal aisle with landscaping on both sides.
- a. Perimeter Parking Lot Screening
- Perimeter parking lot planting strips are required per Table 7.2.B. These shall include a wall, fence, planter, earthen berm, plant material or a combination of such elements. Topography and adjacent uses shall be taken into account to determine the most effective means of screening. When utilities conflict with required planting strips, the applicant shall propose an alternate solution; in no case will a planting requirement be waived. Site design that places parking lots to the rear or side of site rather than along the street frontage will be rewarded within the Flexible Landscape Point System, Chart B.
- b. Interior Landscape Islands
- Interior landscape islands shall be required as set forth in Table 7.2.A.

**Table 7.2.A Interior Parking Lot Island Requirements**

WHERE REQUIRED	MINIMUM SIZE	NOTES
<p>At end of all rows of parking. No more than 15 cars in a row between islands.</p>	<p>8.5' Minimum dimension  150 square feet minimum area: permeable surface excluding curb</p>	<ol style="list-style-type: none"> <li>1. Curb required.</li> <li>2. For the purpose of the tree requirement, interior landscape islands are defined as those surrounded on more than 2 sides by parking or parking lot circulation.</li> <li>3. May be designed to accommodate storm water collection.</li> <li>4. Plant materials no greater than 4' in height allowed, except deciduous trees. Shrubs shall be maintained at 30" or lower where visibility of oncoming vehicles is a concern. Large Tree canopy shall be maintained no lower than 6' above grade.</li> <li>5. For planting requirements and options see Flexible Point System Chart B</li> </ol>

3. Common Open Space

The intent of common open space is to provide useable neighborhood outdoor space, promote compact urban form, to screen, buffer, and/or transition between contrasting land uses, and in general enhance the quality of the urban environment. When appropriate, open space as an element of the urban environment, should contribute to the preservation of the County's natural features, especially hillsides and natural drainages. Open space, as required per Section 7.5.2, shall be subject to the Flexible Landscape Point System, Chart C. Areas designated within development as common open space, or that are to be maintained jointly or by a property owners association, such as stormwater detention facilities, entrance features, and parks/trails shall be subject to the Flexible Landscape Point System.

4. Public Right-of-Way

- a. All new development adjacent to any urban public right-of-way shall propose an appropriate combination of tree, shrub, and groundcover design for the space between the edge of pavement/back of curb and the property line. Right-of-way plantings will not be counted as any part of the tree and shrub requirement unless otherwise noted in the Flexible Landscape Point System.
- b. Plant materials within the required visibility zone shall be no greater than thirty inches (30") high when mature.
- c. No tree with a mature size larger than six inches (6") in caliper shall be planted in the public right-of-way within six feet (6') of the edge of pavement/back of curb.
- d. A three foot (3') clear space shall be maintained around the circumference of fire hydrants. Design of landscaped beds should accommodate access and maintenance of utility facilities.

5. Buffer, Landscape Strip, and Screening

The purpose of buffers and screening is to mitigate the view, lighting, noise, heat, and odor impacts of vehicles, pavement, and higher intensity uses. All types of buffering, planting strips, and screening between differing land uses and activities shall be accomplished by separation and by combinations of opaque fences or walls and plant material, and shall be subject to

Table 7.2.B and the design options within the Flexible Landscape Point System. Planting dense stands of evergreen trees, canopy shade trees, ornamental trees and shrubs will soften the impact between uses. Integrating plantings into the architectural theme of buildings and their outdoor spaces to lessen differences in architecture or mitigate building scale is encouraged.

**Table 7.2.B Buffer, Landscape Strip, & Screening Requirements**

In all cases, **NEW DEVELOPMENT** is responsible for providing the following:

<b>WHERE &amp; WHEN REQUIRED ADJACENT TO (Land Use/Zoning):</b>		<b>BASELINE REQUIREMENTS</b> For Design and Planting Options see Flexible Landscape Point System	<b>EXCEPTIONS &amp; NOTES</b>	<b>SUBJECT TO</b>
<b>Residential Subdivision</b>	<b>Street or Right-of-Way</b>	Where <b>rear and side lots abut street frontage:</b> 10' Landscaped Strip with Structural Screen. Structural Screen options are found within the Flexible Landscape Point System Chart A. The design must be completed in coordination with utility providers.	Single family/two (2) family residential homes are exempt from any landscape requirement.	Flexible Points Chart A
<b>Parking Lot</b> including vehicular circulation lanes	<b>Any Use</b>	<b>6' Landscaped Strip</b> between parking lot and adjacent property	All new parking lots are subject to a minimum 6' landscaped strip unless more restrictive buffer requirements herein apply. Cross connections between parking lots are required where possible.	Section 7.2.1, Flexible Points Chart B
<b>Parking Lot</b>	<b>Street or Right-of-Way</b>	<b>10' Landscaped Strip</b> , behind the public right-of-way for the entire frontage with minimum design height of 30"	Access driveways are deducted from the linear footage of the frontage. Sight triangle must be clear of visual obstructions taller than 30".	Section 7.2.1, Flexible Points Chart B
<b>Industrial or High Impact Commercial</b> (with outdoor storage OR requiring Level 2 or higher Transportation Impact Study)	<b>Residential or Institutional</b>	<b>20' Landscaped Buffer with Structural Screen</b> of a length sufficient to render compatibility problems no longer significant. Planting shall be oriented to the benefit of the new development. Structural screen and design options are found within the Flexible Landscape Point System Chart E. Loading docks must be set back a minimum of 50' from any property line (20' buffer is within the 50' setback).	If lower intensity property is developed last, the 20' buffer is waived but the structural screen must be built.	Flexible Points Chart E
<b>Multi-story Multi-family Residential</b> (Greater than 40' in height)	<b>Single Family Residential Subdivision</b>	<b>20' Landscaped Buffer</b> of a length sufficient to render compatibility problems no longer significant. Third floor and higher must be architecturally stepped back a minimum of 5' per floor.	If Single-Family property is developed last, the 20' buffer is waived.	Flexible Points Chart E
<b>Low Impact Commercial</b> (requiring Level 1 TIS)	<b>Residential or Institutional</b>	<b>10' Landscaped Strip with a Structural Screen</b> of a length sufficient to render compatibility problems no longer significant. Planting shall be oriented to the benefit of the developer. Structural screen options are found within the Flexible Landscape Point System Chart E.	If lower intensity property is developed last, the 10' buffer is waived but the structural screen must be built.	Flexible Points Chart E
<b>Outdoor storage &amp; trash collection areas</b> including low volume delivery receiving areas	<b>Any Use</b>	<b>6' Landscaped Strip with a Structural Screen</b> surrounding the designated area. Planting shall be oriented to the public side. Structural screen options are found within the Flexible Landscape Point System Chart E.	Loading docks or receiving areas that accept tractor-trailers or large box trucks are subject to more restrictive requirements herein.	Section 7.4, Flexible Points Chart E

**Table 7.2.B Buffer, Landscape Strip, & Screening Requirements**

In all cases, **NEW DEVELOPMENT** is responsible for providing the following:

Alternative Solutions: in consideration of extraordinary lot size, configuration, topography, or circumstance	Applicant to make a proposal that meets the intent of this Section.		Planning Director's approval
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**One or more situations above may apply to any project.** The widths of all landscaped strips may vary so long as the average width meets the stated width requirement, and the intent of the Code is met. In no case shall a planting bed be less than three feet (3') in any dimension.

**B. Flexible Landscape Points System**

The Flexible Landscape Points System is required to be used in conjunction with Tables 7.2.A-C, and provides guidance and flexibility related to planting and design options for a variety of project types. Some projects will require more than one chart, and minimum points from each chart shall be achieved. Up to twenty (20) points earned over the minimum on any chart may be credited towards another chart, with the exception of Chart F, which can only receive up to 10 points from another chart.

**Chart A:** Residential Subdivisions of five (5) or more units (Street Frontage only)

**Chart B:** Parking lot of six (6) parking spaces or more

**Chart C:** Common Open Space as required by Section 7.5.2

**Chart D:** Detention facilities

**Chart E:** Buffer, per Table 7.2.B.

**Chart F:** Dry Landscapes; to be used in conjunction with other charts



**CHART A: RESIDENTIAL STREET FRONTAGE OPTIONS**

For Residential Subdivisions of five (5) or more units when rear and side lots abut public right-of-way

**MUST EARN 75 POINTS USING ANY COMBINATION OF ITEMS 1-8; MINIMUMS NOTED**

Dry landscapes with no irrigation water must earn 35 points from items 1-4 plus Chart F minimum. Refer to Chart F for dry landscaping requirement.

Tables 7.2.B and 7.2.C requirements apply, with options available herein.

**1. Preservation of existing vegetation on site (Minimum 0 points, Maximum 20 points)**

Preservation of Healthy Existing Trees 3-6" Caliper, excluding noxious	2 per tree
Preservation of Healthy Existing Trees 7" Caliper & larger, excluding noxious	5 per tree
Preservation of Significant Vegetated Areas other than trees, excluding noxious	5

**NOTE A:** Must demonstrate adequate protection of existing trees.

**NOTE B:** For this purpose, noxious trees include all those listed as noxious or discouraged by Mesa County or the State of Colorado, as found in The Handbook.

**2. Structural Screens: Fence-Wall-Edge (Minimum 0 points, Maximum 60 points)**

REQUIRED PER TABLE 7.2.B. All qualify as structural screens per Table 7.2.B. A fence or wall can only be counted on one chart.

5-6' Privacy Fence, at least 75% of frontage	5
5-6' Wall, at least 75% of frontage	20
Upgrade of Wall or Fence: undulating or with bump-outs; may encroach on multi-purpose easement by up to 4' to allow design flexibility	10
Upgrade of Wall or Fence: Decorative Pilasters or Features added to the entire length	10
4' Fence or Lower and/or Open Rail, with continuous plantings	15
Berm used with planting, fence, or wall with minimum combined design height of 6'	10

**3. Sidewalk-Path (Minimum 0 points, Maximum 30 points)**

REQUIRED: Refer to Mesa County Road and Bridge Specifications for minimum requirements. Where sidewalks exceed right-of-way width, they shall be incorporated into the required landscape strip.

6' or wider, attached	5
6' or wider, detached (at least 5' from back of curb, parallel or meandering)	15
Pavement upgrades: i.e. textures or colors as approved	10

**4. Width of Required Landscape Strip (Minimum 0 points, Maximum 40 points)**

REQUIRED PER TABLE 7.2.B: 10' Landscape Strip

For each additional 1' width provided (beyond baseline 10')	5 for each foot (up to 40 points max)
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**5. Trees (Minimum 10 points, Maximum 20 points)**

Medium Tree, 1 for every 30' of frontage	10
Large Tree, 1 for every 40' of frontage	10
For Xeric Designs: 1 Small and/or Evergreen Tree for every 30 feet of frontage	10

Use of large-caliper trees (applies if ALL required trees at least 1" above minimum)	10
Additional Tree (any type)	1 for each tree

**NOTE C:** Clustering or grouping of trees is allowed. Combinations of Medium, Large, and Evergreen trees to achieve points is allowed as long as the total number of trees meets the intent of this section.

#### 6. Shrubs (Minimum 10 points, Maximum 20 points)

Must choose either A, B, or C

A. #2 container size, at density to attain 50% bed coverage after 3 years	10
B. #5 container size, at density to attain 40% bed coverage after 3 years	10
C. For Xeric Designs: #2 container size or larger to attain 30% coverage after 3 years	10
Additional Shrubs: for each 2% additional coverage	1 for each 2%

**NOTE D:** Perennials and groundcovers (other than turf) may count towards shrub calculation but cannot exceed 20% of total shrub area and must be installed no smaller than #1 in size.

**NOTE E:** For use of turf, see #7 below: Water-Saving Plant Selection.

**NOTE F:** Xeric design is encouraged; cluster plant materials for increased irrigation efficiency. For landscapes that are **completely dry**, refer to Chart F, per Section 7.2.1.D.

#### 7. Water-Saving Plant Selection (Minimum 15 points, Maximum 70 points)

**Xeric Beds:** use of "Low" or "Very Low" water plants in an entire bed

40% of total area of planted beds in a design	10
60% of total area of planted beds in a design	15
80% of total area of planted beds in a design	25
100% of total area of planted beds in a design	35
Use of "Water Sense" Certified Smart Irrigation Controller	10

**Use of Turf** in Landscape Strips 10' or greater in any dimension (% of total landscape area)

Use of low-water-consumption grasses for all specified turf areas	5
No turf	15
Less than 20% turf (any type)	5
20-39% high-water-consumption grasses	0
40% or more high-water-consumption grasses (not applicable to parks or detention areas)	-20

**NOTE G:** Xeric beds include plant materials in a low-water environment. For landscapes that are **completely dry**, refer to Chart F, per Section 7.2.1.D.

**NOTE H:** Turf is not allowed in any bed less than 10' in any dimension.

#### 8. Other (Minimum 0 points, Maximum 15 points)

Use of Significant Entry Feature/Plantings as part of Street Frontage	10
Landscape Management and Maintenance Plan tailored to the project is submitted and accepted	5

**CHART B: PARKING LOTS**

For Developments with a parking lot of six (6) or more spaces

**MUST EARN 85 POINTS USING ANY COMBINATION OF ITEMS 1-7; MINIMUMS NOTED**

Dry landscapes with no irrigation water must earn 20 points from items 1-3 plus Chart F minimum. Refer to Chart F for dry landscaping requirement.

Tables 7.2.A, 7.2.B and 7.2.C requirements apply, with options available herein.

**1. Preservation of existing vegetation on site (Minimum 0 points, Maximum 20 points)**

Preservation of Healthy Existing Trees 3-6" Caliper, excluding noxious	2 per tree
Preservation of Healthy Existing Trees 7" Caliper & larger, excluding noxious	5 per tree
Preservation of Significant Vegetated Areas other than trees, excluding noxious	5

**NOTE A:** Must demonstrate adequate protection of existing trees.

**NOTE B:** For this purpose, noxious trees include all those listed as noxious or discouraged by Mesa County or the State of Colorado, as found in The Handbook.

**2. Site Design (Minimum 0 points, Maximum 45 points)**

75% or more of the parking spaces located to the rear or side of the building	25
50% or more of the parking spaces located to the rear or side of the building	15
75% or more of the parking spaces located between building and street frontage	-5
100% of the parking spaces located between building and street frontage	-10
Provision of protected pedestrian route from public right-of-way to building	10
Provision for public transit (Bus Stop) where applicable	10
Use of permeable pavement for majority of parking lot	10

**NOTE C:** For corner lots, the higher street classification would be considered the frontage for the purpose of Site Design points.

**NOTE D:** Where parking is located to the rear or side with the building adjacent to the street, perimeter trees and foundation plantings are required along the street frontage, unless a zero setback applies.

**3. Size of Planting Islands (Minimum 0 points, Maximum 50 points)**

Interior Landscape Islands (minimum 8.5' wide where required per Table 7.2.A)

10' wide landscape islands (all islands)	5
12' wide landscape islands (all islands)	10
Additional interior landscape islands meeting Table 7.2.A.	5 per island

Perimeter Planting Beds (per Table 7.2.B)

Additional 2' width of planted bed (at least ½ of the perimeter)	15
Additional 4' width of planted bed (at least ½ of perimeter)	25

**4. Trees: Interior and Perimeter Planting Beds (Minimum 10 points, Maximum 20 points)**

Trees: Interior Landscape Islands (where islands exist, choose A, B, or C)

A. Large Tree: Min. 1 tree per island. No less than 1 tree per 250 s.f. for larger	5
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islands.	
B. Medium Tree: Min. 2 trees per island. No less than 2 trees per 250 s.f. for larger islands.	5
C. For Xeric Designs: Min. 3 Small Trees per island. No less than 3 per 250 s.f. for larger islands.	5

Trees: Perimeter Planting Beds (MUST choose A, B, or C)

A. Large Tree: 1 for every 40 linear feet	10
B. Medium Tree or Evergreen Tree: 1 for every 30 linear feet	10
C. For Xeric Designs: 1 Small Tree and/or Evergreen Tree for every 30 linear feet	10

Trees: Other

Additional individual tree anywhere in parking lot	1 per tree
Use of large-caliper trees (applies if ALL required trees at least 1" above minimum)	10

**NOTE E:** Clustering or grouping of trees is allowed. Combinations of Medium, Large, and Evergreen trees to achieve points is allowed as long as the total number of trees meets the intent of this section.

**5. Shrubs (Minimum 10 points, Maximum 20 points)**

Must choose either A, B, or C

A. #2 container size, at density to attain 50% bed coverage after 3 years	10
B. #5 container size, at density to attain 40% bed coverage after 3 years	10
C. For Xeric Designs: #2 container size or larger to attain 30% coverage after 3 years	10
Additional Shrubs: for each 2% additional coverage	1 for each 2%
Foundation Plantings to attain 50% coverage in bed after 3 years	5

**NOTE F:** Perennials and groundcovers (other than turf) may count towards shrub calculation but cannot exceed 20% of total shrub area and must be installed no smaller than #1 in size.

**NOTE G:** For use of turf, see #6 below: Water-Saving Plant Selection.

**NOTE H:** Xeric design is encouraged; cluster plant materials for increased irrigation efficiency. For landscapes that are **completely dry**, refer to Chart F, per Section 7.2.1.D.

**6. Water-Saving Plant Selection (Minimum 15 points, Maximum 70 points)**

**Xeric Beds:** use of "Low" or "Very Low" water plants in an entire bed

40% of total area of planted beds in a design	10
60% of total area of planted beds in a design	15
80% of total area of planted beds in a design	25
100% of total area of planted beds in a design	35
Use of "Water Sense" Certified Smart Irrigation Controller	10

**Use of Turf** in Landscape Strips ten (10') feet or greater in any dimension (% of total landscape area)

Use of low-water-consumption grasses for all specified turf areas	5
No turf	15
Less than 20% turf (any type)	5
20-39% high-water-consumption grasses	0

40% or more high-water-consumption grasses (not applicable to parks or detention areas)	-20
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**NOTE I:** Xeric beds include plant materials in a low-water environment. For landscapes that are **completely dry**, refer to Chart F, per Section 7.2.1.D.

**NOTE J:** Turf is not allowed in any bed less than 10' in any dimension.

**7. Maintenance (Minimum 0 points, Maximum 5 points)**

Landscape Management and Maintenance Plan tailored to the project is submitted and accepted	5
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**CHART C: OPEN SPACE**

For Developments with Public/Common Open Space, including outlots per Section 7.5.2

**MUST EARN THE MINIMUM POINTS FROM EACH CATEGORY, ITEMS 1-2**

Dry landscapes with no irrigation water must earn 20 points from item 1 plus Chart F: 15 points. Refer to Chart F for dry landscaping requirement. This chart does not include detention facilities (see Chart D). This chart does not overlap with Street Frontage (see Chart A).

Tables 7.2.B and 7.2.C requirements apply, with options available herein.

**1. Public/Common Open Space Amenities (Minimum 20 points, Maximum N/A)**

Use of Significant Entry Feature/Plantings	5
Use of Building Foundation Plantings (other than residential uses)	5
Installation of two Commercial-Grade Benches, or equal value park amenity	5
Installation of one Commercial-Grade Picnic Table	5
Installation of one Pavilion or one Children’s Play Area (incl. playground equipment)	20
Installation of at least 1,000 linear feet of Trail or Detached Sidewalk	20
1-3’ Retaining wall/raised planter of significant size	15
Parkway-style entry design with center island as an outlot	10
Use of planted berms	5

**NOTE A:** Other amenity features may be used as alternate designs, subject to Planning Director approval.

**2. Public/Common Open Space Planting (Minimum 15 points, Maximum N/A)**

Preservation of Existing Significant Vegetated Area (trees, shrubs, grasses)	5
Trees planted at the rate of 1 Large, 2 Medium, or 3 Small trees per 3,000 s.f.	10
Additional individual trees	1 per tree
Shrubs: #5 container size, at density to attain 30% bed coverage after 3 years	5
Shrubs: #5 container size, at density to attain 40% bed coverage after 3 years	10
Use of more than 40% coverage with high-water-consumption grasses (not applicable to park areas)	-10

**NOTE B:** Dry Landscapes are exempt from this planting section. Dry landscapes with no irrigation water must earn 20 points from Item 1 above Public/Common Open Space Amenities, plus 15 points from Chart F.

**NOTE C:** “Existing Significant Vegetated Area” includes non-noxious trees, shrubs, groundcovers and other native plant materials in an area of significant size relative to the project site.

**CHART D: DETENTION FACILITIES**

For Developments with required detention

**MUST EARN 30 POINTS USING ANY COMBINATION OF ITEMS 1-4****1. Use of Rock/Cobblestone in Detention Area** (not including crushed/decomposed granite)

Less than 40% of total area of detention basin and bank	15
40-60% of total area of detention basin and bank	0
More than 60% of the total area of detention basin and bank	-10

**2. Planting Options in Detention Area**

Planted beds: 10% of total area of detention basin and bank	5
Planted beds: 11-20% of total area of detention basin and bank	10
Planted beds: 21-30% of total area of detention basin and bank	15
Trees: 3 or more Large or Medium Trees planted in vicinity of detention basin	5
Use of low-water-consumption grasses in at least 50% of detention area	10
Use of planted berm around at least 50% of basin	15
Use of open (see-through) fencing other than chain-link	5

**3. Detention Bank Slopes** (Minimum slope: three percent (3%) from inlet to outlet to ensure positive drainage)

Any slopes steeper than thirty-three percent (33% or 3:1) without a wall	0
Use of retaining wall to enhance or allow flatter slopes within the banks and basin	10
No slopes steeper than twenty-five percent (25% or 4:1) other than a wall	5
At least one significant slope ten percent (10% or 10:1) or flatter, for use as passive/recreational park	10
Designed with large area with slopes between three and five percent (3-5% or 20:1) for recreational/sports field use	15

**4. Creative Detention Solutions**

Dispersed detention by use of multiple smaller ponds within landscape	10
Bioretention facilities such as vegetated drainage swales or stormwater planters	10
Parking islands and/or landscape beds designed to capture stormwater	10
Detention capacity under parking lots or underground (if 100% underground, this chart does not apply to the project)	10

**NOTE A:** Proposed detention solutions must meet all federal, state, and local drainage and stormwater requirements to be considered for points.

**CHART E: BUFFERS**

For Developments with Buffers and Screening, per Table 7.2.B and other required screening

**MUST EARN 20 POINTS USING ANY COMBINATION OF ITEMS 1-2**

Dry landscapes with no irrigation water must earn 30 points by using any combination from Item 1 below plus any items from Chart F. Refer to Chart F for dry landscaping requirement.

**1. Structural Screens: Buffer Site Design Options (Minimum 10 points, Maximum N/A)**

REQUIRED PER TABLE 7.2.B. All qualify as structural screens per Table 7.2.B. A fence or wall can only be counted on one chart.

5-6' Privacy Fence	0
Open fencing, used with continuous planting (chain-link or wrought iron allowed)	0
5-6' Wall, finished façade required on the outside	10
Upgrade of Wall or Fence: undulating or with bump-outs; may encroach into minimum landscape strip to allow design flexibility, but no planting bed dimension less than 6'	10
Upgrade of Wall or Fence: Decorative Pilasters or Features added to the entire length, 30' maximum spacing	10
Site design that utilizes placement of architectural features to minimize impact, including building detailing, features and placement providing privacy to adjacent property	5
Berm used with planting, fence, or wall with minimum combined design height of 8'	10
For each 2' <b>reduction</b> in landscaped buffer width (no buffer less than 6')	-5
For each 2' <b>increase</b> in landscaped buffer width	5

**2. Buffer Planting Options: (Minimum 5 points)**

REQUIRED: 1 Large or 2 Medium/Evergreen Trees for every forty linear feet (40')

Preservation of Existing Significant Vegetated Area (trees, shrubs, grasses)	5
For each additional Evergreen Tree	1 per tree
Use of large-caliper trees (applies if ALL required trees at least 1" above minimum)	5
Shrubs: #2 container size, at density to attain 30% bed coverage after 3 years	5
Shrubs: #2 container size, at density to attain 40% bed coverage after 3 years	10
Use of "Low" or "Very Low" water plants in an entire bed	5
Use of low-water-consumption grasses for all specified turf areas	5
Use of more than 40% coverage with high-water-consumption grasses (not applicable to park areas)	-10

**NOTE A:** Xeric beds include plant materials in a low-water environment. Dry landscapes with no irrigation water must earn 30 points by using any combination from Item 1 above Structural Screens: Buffer Site Design Options plus any items from Chart F. Refer to Chart F for dry landscaping requirement.

**NOTE B:** "Existing Significant Vegetated Area" includes non-noxious trees, shrubs, groundcovers and other native plant materials in an area of significant size relative to the project site.



**CHART F: DRY LANDSCAPES**

For Developments that are proven to be completely dry with no water for irrigation and/or properties served by a water district with domestic water only

**MUST EARN 25 POINTS USING ANY COMBINATION** (unless otherwise noted when used with another chart)

Tables 7.2.A, 7.2.B and 7.2.C requirements apply, with options available herein.

**1. Dry Landscape Options (Minimum 25 points, Maximum N/A)**

REQUIRED: Groundcover of gravel, decomposed granite, or other mulch.

Boulders (minimum size 24" x 30"): 1 point each with maximum of 10 points	1
Dry creek bed or other significant landscape feature	5
Western collectibles-small (ex: wagon wheel, antlers): 1 point each with maximum 5 points	1
Large western antiques (ex: mining cart, wagon) 5 pts each with maximum 10 points	5
Shade structure or other structure (ex: small bridge, pavilion)	10
Fine art/sculpture (NOT including small garden ornaments)	5
3-6' Masonry wall with decorative features (may only be counted on one chart)	5
Shrubs: #2 container size, at density to attain 5% bed coverage after 3 years	5
Evergreen Tree, 1 point each with maximum of 10 points	1
Use of low-water-consumption grasses for at least 5% of bed coverage	5
Use of permeable, realistic, artificial turf on at least 5% of bed coverage	5
Preservation of existing significant vegetated areas and/or natural rockscapes	5
Reclamation of native species	5

**NOTE A:** Options that include plant materials also must include the provision of water for at least 2 years, by hauling or other method.

**NOTE B:** "Significant vegetated area" includes non-noxious trees, shrubs, groundcovers and other native plant materials in an area of significant size relative to the project site.

**C. Landscape Material**

Required plant materials shall comply with Table 7.2.C. For more information and plant lists, see *The Mesa County Landscape Handbook* and consult local nurseries.

1. Exception  
Significant landscape features, areas of healthy native vegetation, natural environments or habitats to be preserved, shall not be required to meet the plant coverage or plant type requirements.
2. Hardiness  
All required plant material shall be cold-hardy to Mesa County. See *The Mesa County Landscape Handbook* for hardiness zones. All plant materials shall meet the American Standards for Nursery Stock, ANSI Z60.1–2004, or as it may be amended.
3. Irrigation  
Plant selection shall emphasize drought-tolerant plant species and shall limit the use of high-water-use plant species. All required landscapes, with the exception of dry landscapes where no water is available, shall include a designed irrigation system with a timer. See *The Mesa County Landscape Handbook* for irrigation guidelines.

4. Prohibited Plant Materials

Plants not allowed in landscape areas are those listed in The Mesa County Landscape Handbook and any plant that is on the Colorado Division of Plant Industry–State Noxious Weed List. Such plants are required to be removed with any new development.

**Table 7.2.C Plant Material Requirements and Standards**

PLANT	MINIMUM SIZE WHEN PLANTED	PLANT COVERAGE	NOTES										
<p><b>LARGE TREES:</b> Deciduous trees attaining a canopy spread of 35' or greater</p>	2" Caliper	Not applicable: no coverage is counted	<p>Large trees are NOT permitted to be planted: (1) within 30' of overhead power lines (2) within the public right-of-way. Large trees may be planted in tree grates ONLY if: (1) surrounding paving is permeable (2) tree grate is designed for expansion with growth Any planter containing a tree shall have a minimum dimension of 6 feet and shall have at least 75 square feet of permeable surface. If planted in tree grates, the minimum permeable area shall be 16 square feet. Trees may be spaced irregularly in groupings or uniformly spaced, as consistent with the larger overall planting patterns of the area.</p>										
<p><b>MEDIUM TREES:</b> Deciduous tree attaining a canopy spread of 18'-35'</p>	1.5" Caliper or 1" if multi-trunk	Not applicable: no coverage is counted											
<p><b>SMALL TREES:</b> Deciduous trees attaining a canopy spread of 10'-18'</p>	1.5" Caliper or 1" if multi-trunk	Not applicable: no coverage is counted											
<p><b>EVERGREEN TREES:</b> Non-deciduous trees, generally full to ground, attaining a spread of greater than 10'</p>	6' Height	75% of Mature spread of tree, if full to ground	<p>To prevent uniform insect and disease susceptibility, diversity of tree species is required as follows:</p> <table border="0" data-bbox="820 924 1461 1102"> <tr> <td>Number of Trees</td> <td>Maximum of any one species</td> </tr> <tr> <td>10-19</td> <td>60%</td> </tr> <tr> <td>20-39</td> <td>50%</td> </tr> <tr> <td>40-59</td> <td>40%</td> </tr> <tr> <td>60 or more trees</td> <td>30%</td> </tr> </table> <p>Tree trunks must be protected from vehicles by using curbs or parking bumpers placed no less than 24" from the tree trunk, or its expected location at maximum growth.</p> <p>In areas where tree planting is impractical, shrubs, perennials, and groundcovers may be exchanged for trees at the following rate: 1 tree= 10 shrubs or 20 perennials/groundcovers.</p>	Number of Trees	Maximum of any one species	10-19	60%	20-39	50%	40-59	40%	60 or more trees	30%
Number of Trees	Maximum of any one species												
10-19	60%												
20-39	50%												
40-59	40%												
60 or more trees	30%												
<p><b>SHRUBS:</b> All types of woody shrubs attaining a spread of less than 10'</p>	#2 or #5 depending on Point System	75% of Mature spread	<p>Must be planted in landscape beds no less than 3' in width. All landscape beds shall be contained with some form of edging. Curbing, landscape timbers, paving or other non-permeable surface shall not be included when calculating landscape area. Use of permeable landscape fabric is encouraged. Mulching of shrub beds is required, using any type of acceptable landscape mulch material.</p>										
<p><b>GROUNDCOVERS &amp; PERENNIALS:</b> Deciduous or evergreen herbaceous plants, not including turf grasses.</p>	As typically sold locally	75% of Mature spread	<p>May be included within any shrub landscape bed, but can only comprise 20% of total coverage.</p>										

**Table 7.2.C Plant Material Requirements and Standards**

PLANT	MINIMUM SIZE WHEN PLANTED	PLANT COVERAGE	NOTES
<p><b>TURF GRASS:</b> Seeded or sodded</p>	<p>N/A</p>	<p>N/A</p>	<p>The use of turf grass is discouraged. Turf is not allowed in any bed less than ten feet (10)' in any dimension. Where turf is used as a groundcover, warm-season grasses such as buffalo grass, hybrid Bermudas, and native seed mixes should be considered.</p>

D. Xeric and Dry Landscape Standards

1. Xeric Landscapes  
For all landscapes, plant selection shall emphasize drought-tolerant plant species and shall limit the use of high-water-use plant species. Irrigation systems shall be designed to accommodate low water usage. Non-domestic irrigation water shall be required to maintain landscape areas where such irrigation water is available, with the exception of low volume drip systems. Irrigation systems should be installed by experienced professionals. Xeriscape™ is a set of design principles that should be utilized. Suggested plant species and Xeriscape™ design guidelines are found in *The Mesa County Landscape Handbook*.
2. Properties with no ability to obtain irrigation water, but that have domestic water provided by a water district shall utilize Flexible Point System Chart F: Dry Landscapes, in conjunction with other charts, and shall comply with the conservation design standards of the governing water district. Subdivision covenants shall include restrictions limiting water-intensive lawns.
3. Dry landscapes where no water is available  
In locations where the applicant can sufficiently demonstrate to the Planning Director that no water is available for landscaping, a dry landscape primarily using non-living materials and features will be required. Preservation of existing vegetation is strongly encouraged. Use of some drought-tolerant plants is expected and provision shall be made for watering up to two (2) years, until plants are established. Proposals shall be based upon the specific microclimate of each development. Dry landscapes are subject to the Flexible Point System Chart F: Dry Landscapes, and are exempt only from the planting portions of other Charts as noted. Suggested plant species and design guidelines are found in *The Mesa County Landscape Handbook*.

E. Installation, Maintenance, and Security

1. Installation  
All landscaping and irrigation shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth. All planting beds other than turf/grasses shall be mulched to minimum depth of 3 inches (3") and the mulch renewed yearly or as needed. Mulch may be of organic or inorganic material. Weed barrier is required; plastic sheeting is not permitted as weed barrier.
2. Maintenance  
Trees and vegetation, irrigation systems, fences, walls and other landscape elements shall be considered as elements of the project in the same manner as parking, building materials and other site details. The applicant, landowner or successors in interest shall be responsible or jointly responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be maintained free of disease, pests, weeds and litter and all landscaping elements such as fences and walls shall be repaired and replaced as necessary to maintain a structurally sound condition. New plantings shall be protected from damage by vehicles or weather.

3. Any plant material required by this chapter failing to show healthy growth due to damage, pest, disease, or neglect shall be promptly replaced with a similar plant.
4. Property owners or Property Owners Associations are responsible for maintenance in the public right-of-way between the back of curb and property line(s) to include snow removal from sidewalks and maintenance of landscaping, including control of weeds.
5. Property Owners Associations' covenants will be required to include provision for maintenance of landscaped common areas and rights-of-way within the development.
6. Security  
The applicant shall be required to post a cash bond, letter of credit, or licensed landscape contractor's guarantee in an amount sufficient to cover the replacement cost of vegetation. This bond or other security shall be released after inspection, but no sooner than one (1) year from the date of planting.

#### 7.2.2 | Reclamation and Weed Management

Reclamation and re-vegetation plans are required with all temporary or Conditional Use Permits, and other development projects as determined by the Planning Director. Weed management plans are required with subdivision and Major Site Plan development projects that propose significant disturbance to a site. In some cases, these plans will be reviewed by the 5-2-1 Drainage Authority. More information regarding these plans can be found in *The Mesa County Landscape Handbook*.

- A. The purpose of a reclamation and re-vegetation plan is to demonstrate how the site will be restored or prepared for future use once a temporary or conditional use ceases to exist. In the case when a Construction Stormwater Permit is required, these plans will be subject to review by the 5-2-1 Drainage Authority. Re-vegetation plans are subject to review by the Tri River Area Extension – Mesa County, Division of Pest Management, and shall demonstrate the following:
  1. All structures and equipment will be removed.
  2. Trash and construction debris will be removed and disposed of at a State-approved solid waste disposal facility.
  3. Concrete footings and foundations may be buried in the backfill with three feet (3') of cover.
  4. Sewage disposal systems will be removed and disposed of in compliance with Mesa County requirements.
  5. The site, including access roads, will be ripped, graded and re-contoured to blend into the surrounding topography. Topsoil will be replaced in areas where it was removed. The site will be re-vegetated with an appropriate seed mix to establish sufficient cover to stabilize the site and to prevent erosion. Interim sediment control is required until the site is reclaimed. Access to reclaimed roads will be restricted.
  6. Reclamation and re-vegetation requirements may be modified if an alternative agreement exists for future reuse of the site, as approved by the Planning Director.
- B. The purpose of a weed management plan is to control noxious weeds as defined by Mesa County and the State of Colorado. Weed Management plans are subject to review by the Tri River Area Extension – Mesa County, Division of Pest Management.
  1. Prior to grading or earthwork, the site shall be scouted and noxious weeds identified and mapped.
  2. Noxious weeds shall not be allowed to become established, go to seed, or spread to other properties.

3. When a noxious weed is suspected or has been identified to exist on the property, the landowner shall contact the Tri River Area Extension – Mesa County, Division of Pest Management for information on how to effectively treat the noxious weeds.

§7.3 | Large Retail Projects

7.3.1 | Applicability

The standards of this Section apply to any retail sales and service uses with a gross floor area of:

- A. Fifty thousand (50,000) square feet or more, if the proposed use is adjacent to any Urban Residential Zoning District; and
- B. One hundred thousand (100,000) square feet or more, if the proposed use is adjacent to only Nonresidential Zoning Districts.

When the provisions of this Section conflict with other standards of this Land Development Code, the provisions of this Section shall control.

7.3.2 | Community Spaces Site Design

Developments shall provide outdoor spaces and amenities to link structures with the remainder of the community. Bus stops, and drop-off/pick-up points shall be integrated with the traffic patterns on the site. Special design features shall enhance the building's function as a center of community activity.

- A. Each development shall provide at least two (2) of the following design features constructed of materials that match the principal structure and linked to the principal building by pedestrian connections: patio/seating area, pedestrian plaza with benches, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower, or other approved feature.
- B. Each development shall provide an off-street bus stop for customers and employees where located on a bus route.

7.3.3 | Setbacks

The minimum setback for part of a principal or accessory building shall be **thirty-five feet (35')**.

7.3.4 | Landscaping

Large retail projects shall be subject to the standards of Section 7.2 including the Flexible Landscape Point System, except as modified by this subsection.

- A. **Perimeter Buffers**  
A landscaped buffer with a minimum width of thirty feet (30') shall be provided along all street lot lines with breaks for approved access points. A minimum fifteen foot (15') wide landscape buffer shall be planted along all other property lines and along all internal roadways, except where adjacent to residential or institutional uses; then the buffer shall be twenty feet (20'). No parking or vehicular circulation is permitted within these required buffer or landscape areas.
- B. **Parking Lot Landscaping**  
The Flexible Landscape Point System and the standards of Section 7.2 shall apply. In addition, a minimum of fifteen percent (15%) of the parking area must be landscaped. Landscaped areas shall be protected by raised curbs and shall be a minimum of two hundred (200) square feet in size, and parking lot islands shall be a minimum of twelve feet (12') in width.

7.3.5 | Pedestrian Circulation

- A. Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped

areas that includes trees, shrubs, benches, flower beds, groundcover, or other such materials for no less than fifty percent (50%) of its length.

- B. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located an average of six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades, display windows or entryways are part of the facade.
- C. Pedestrian walkways within thirty (30) feet of at least half of the customer entrances shall have weather protection features such as awnings or arcades.
- D. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

#### 7.3.6 | Parking Lot Orientation

Parking areas shall provide safe, convenient, and efficient access. They shall be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. No more than seventy-five percent (75%) of the off-street parking area for the entire property shall be located between the front facade of the principal building and the primary abutting street.

#### 7.3.7 | Building Design

The following standards shall apply to all building facades and exterior walls that are visible from adjoining public streets or properties.

- A. Facades greater than one hundred fifty (150) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent (3%) of the length of the facade, and extending at least twenty percent (20%) of the length of the facade. No uninterrupted length of any facade shall exceed one hundred fifty (150) horizontal feet.
- B. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than sixty percent (60%) of their horizontal length. If the facade facing the street is not the front, it shall include the same features and/or landscaping in scale with the facade.
- C. Flat roofs and rooftop equipment, such as HVAC units, shall be concealed from public view by parapets. The average height of such parapets shall not exceed one third of the height of the supporting wall, and such parapets shall not be of a constant height for a distance of greater than one hundred fifty (150) feet.
- D. Overhanging eaves, extending no less than three (3) feet past the supporting walls, for no less than thirty percent (30%) of the building perimeter are allowed.
- E. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run are required.
- F. Three or more roof slope planes are required.
- G. Predominant exterior buildings materials shall be high quality materials. These include, without limitation:
  - 1. brick;
  - 2. wood;
  - 3. sandstone;

4. other native stone; and
  5. tinted, textured, concrete masonry units.
- H. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited.
- I. Building trim and accent areas may feature brighter colors, including primary colors.
- J. Predominant exterior building materials shall not include the following:
1. smooth-faced concrete block;
  2. smooth-faced tilt-up concrete panels; or
  3. pre-fabricated steel panels.
- K. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
1. canopies or porticos;
  2. overhangs;
  3. recesses/projections;
  4. arcades;
  5. raised corniced parapets over the door;
  6. peaked roof forms;
  7. arches;
  8. outdoor patios;
  9. display windows;
  10. architectural details such as tile work and moldings which are integrated into the building structure and design; and
  11. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- L. Building height shall not exceed thirty-five (35) feet for a one-story building.
- M. Mechanical appurtenances shall be located within the structure, to the greatest degree possible. External appurtenances shall be screened and finished to match the colors of adjacent building materials.

**§7.4 | Outdoor Storage, Trash Collection and Loading Areas**

The standards of this Section shall apply in all Nonresidential and Multi-family Residential Zoning Districts.

- A. Areas for truck parking and loading shall be screened by a combination of structures and evergreen landscaping, to minimize visibility from adjacent streets and neighboring urban residentially zoned properties.

- B. Areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located in the rear of the lot. If that is not feasible, then the side yard can be used, but in no case shall such areas be located within twenty (20) feet of any public street, public sidewalk, or internal pedestrian way.
- C. Outdoor storage, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping plan. Views of these areas shall be screened from visibility from all property lines and separated from pedestrian areas.
  - 1. The method of screening shall be subject to the requirements of Section 7.2.1 and the Flexible Point System.
- D. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences shall conform to those used as in the principal structure. If such areas are to be covered, then the covering shall conform to the exposed roofing colors on the building.
- E. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. unless the applicant submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of forty-five (45) db, as measured at the lot line of any adjoining property.
- F. All trash collection and loading areas shall be located and designed to ensure adequate on-site maneuvering area for delivery and trash collection vehicles.
- G. All developments, including multi-family housing, shall provide a designated trash collection area meeting the requirements of this section.

#### §7.5 | Open Space/Parks Standards

##### 7.5.1 | Public Land Dedications

Dedication of land for public Open Space/Park purposes shall be required of any development if such development includes within it land that is necessary for implementing an adopted park, bikeway, trails, or open space plan, provided that every land dedication shall be related both in nature and extent to the impact of the proposed development. Wherever feasible, required Open Space/Park areas shall be located adjacent to public lands and connected to trails and other open space areas. These shall be designed as outlots on the plat, with a dedication statement for the proposed use.

##### 7.5.2 | Common Open Space/Parks within the Urban Zoning Districts

- A. **Common Open Space Required**  
All Manufactured Home Parks, multi-family residential developments, mixed use, and all Planned Unit Developments that include any multi-family residential development, shall provide common open space based on the project's net site area.
- B. **Open Space Requirement**  
The open space requirement shall be a minimum of twenty percent (20%) of the net site area of the project. Net site area shall be defined as the gross land area of the site, less any lots used for nonresidential development and the land area devoted to street rights-of-way. These common open spaces shall be designated as Outlots on a plat with a dedication statement for the proposed use. Common Open Space shall be subject to the requirements of Section 7.2 and the Flexible Point System.
- C. **Areas to be Counted as Common Open Space**  
Whenever possible, the land set aside for common open space shall include significant natural features or recreation resources, such as water courses, rock outcroppings, significant geological features, stands of trees, hills and flood plains. Driveways, perimeter sidewalks, garages, carports and parking areas may not be counted as common open space. Common open space shall be no



less than fifteen feet (15') in any one dimension and no less than five hundred (500) square feet per segment.

D. Active Recreational Areas

At least fifty percent (50%) of the common open space shall be suitable (by location and topography) for active recreational use, pedestrian pathways, or common shared patios. Land occupied by active recreational uses such as clubhouses, pools, playgrounds, tennis courts, benches, tot-lots or other play areas, and jogging trails (but not required sidewalks) may be counted as active recreational use common open space. Detention areas that are designed to be multi-functional and allow active recreational use may be counted as common open space.

E. Maintenance

Open space required by this section shall be dedicated to and maintained either by a Property Owner's Association, or other legal entity approved by the County, and shall be maintained by such association or entity unless it is dedicated to and accepted by the County. If dedicated to a Property Owners' Association there shall be covenants running with the land restricting the use of common open space to such, and prohibiting subdivision or separation of ownership of the common open space, except as noted in this section. Such restriction shall be noted on the recorded Site Plan and/or final plat.

**§7.6 | General Site Planning Standards**

New construction shall comply with the following standards, unless compliance with a particular standard would (1) prevent the construction of any permanent structure for a primary use on the land, or (2) require the construction to violate another requirement of this Land Development Code. Where more than one buildable site exists on a parcel and all buildable sites would violate at least one of the following standards, the construction shall be located so as to comply with as many standards as possible. These standards are considered reasonable for regulatory purposes and do not create liability on the part of, or a cause of action against, the Board of County Commissioners.

7.6.1 | Hazard Areas

Land subject to hazardous conditions such as wildfire, landslides, gamma radiation, mud flows, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, steep slopes, soil creep, seismicity, expansive, hydrocompactive and erodible soils, and polluted or nonpotable water supply, shall be identified in all applications, and development shall not be permitted in these areas unless the application provides for the avoidance of the particular hazards. If avoidance is impossible or would require the construction to violate other development standards, then such hazards shall be minimized or mitigated. Land subject to severe wind and water erosion shall be identified on all plans and shall not be subdivided unless the problems are mitigated by density limitation or some other practical method.

7.6.2 | Slope Conditions

- A. Only after a subsurface soils investigation conducted by a licensed professional civil engineer is reviewed by the Colorado Geological Survey and the licensed professional civil engineer has adequately addressed the recommendations of the Colorado Geological Survey to the satisfaction of the Mesa County Building Department, may new structures be built on any parcel of land within a building envelope, (i.e., within twenty-five (25) feet of any portion of the proposed structure) that contains an average slope of thirty percent (30%) or more, as measured from the points with the highest and lowest elevation.
- B. Cuts, fills, grading, excavation, vegetation removal, and building construction shall be confined to the footprint of the proposed building plus a working area of thirty (30) feet around each such footprint, plus any site disturbance necessary for installation and maintenance of utilities, access ways, trails, irrigation ditches, and fences, and for landscaping, agriculture, and similar activities. Any site disturbances that remove existing vegetation from a property and leave large areas of soil exposed for more than sixty (60) days shall not be permitted unless an erosion control and revegetation plan has been previously approved by the Planning Director and Public Works Department.

7.6.3 | Wildfire Hazards

Defensible Space

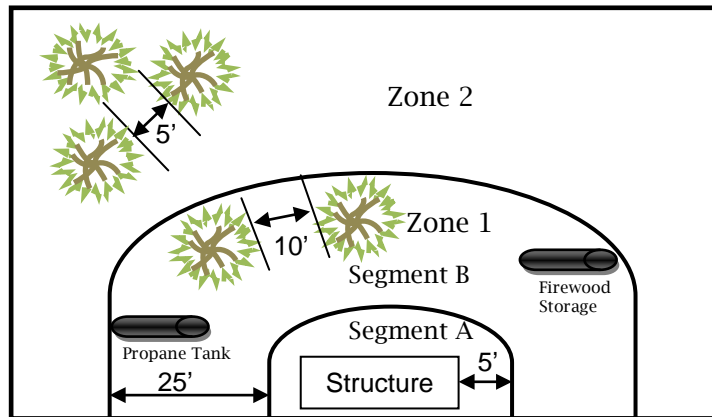
All new development located on lands rated as medium or higher wildfire hazard (as shown on the Mesa County Wildfire Hazards Map), and areas immediately surrounding new residential construction which is located within or on the edge of natural areas containing predominantly woods or brush, shall be developed so as to minimize the potential for the structures to be ignited by fire, or for a structure fire to ignite surrounding structures or vegetation. Such areas shall be developed and managed pursuant to the two (2) part zone system set forth below.

A. Zone 1

On parcels of land that contain an average slope of less than thirty percent (30%), Zone 1 shall consist of the thirty (30) foot area immediately surrounding the primary structure, not to extend beyond the property line. On parcels of land that contain an average slope of thirty to fifty-five percent (30% to 55%), Zone 1 shall consist of the area extending forty-five (45) feet to the sides and up slope of the primary structure and sixty (60) feet down slope of the primary structure, not to extend beyond the property line. On parcels of land that contain an average slope of more than fifty-five percent (55%), Zone 1 shall consist of the area extending sixty (60) feet to the sides and up slope of the primary structure and one hundred twenty (120) feet down slope of the primary structure, not to extend beyond the property line.

For purposes of this provision, average slope shall be measured from the points with highest and lowest elevation within twenty-five (25) feet of any portion of the footprint of the proposed primary structure. No dead trees or other dead vegetation may remain in Zone 1 at the time of initial construction. Zone 1 shall be further subdivided into two (2) segments:

1. Segment A shall consist of the five feet immediately surrounding all sides of the structure. All vegetation shall be removed from this area at the time of initial sale. No new vegetation shall be planted in Segment A if the structure is sided with combustible materials such as wood or logs. However, if noncombustible siding is used, low-growing shrubs may remain or be installed. In no case may shrubs be planted so as to be contiguous with grass areas. No above-ground propane tanks, firewood or other combustible materials may be installed or stored in Segment A.



Wildfire Protection Zones

2. Segment B shall consist of the area immediately beyond Segment A and continuing to the outer boundary of Zone 1. At the time of initial construction vegetation shall be thinned as follows to break up the horizontal and vertical continuity of fuels:

- a. Spacing between clumps of brush or trees, as measured between the crown of each clump, shall be no closer than two times the height of the taller clump. The maximum width of any clump of brush or trees shall be no greater than two times the height of the clump. Thinned material shall be removed from the site; and
- b. All branches of trees or brush shall be pruned to a minimum height of ten (10) feet above the ground or one-half the total height of the tree or bush, whichever is less. Pruned material shall be removed from the site.

Propane tanks and firewood may be located in Segment B, but in no case shall such tanks and/or firewood be located within twenty (20) feet of the primary structure. Propane tanks shall be located on gravel pads and shall not be located immediately adjacent to grass-covered areas.

B. Zone 2

Zone 2 shall consist of the area immediately beyond Zone 1 and extending to seventy (70) feet from the primary structure, not to extend beyond the property line. Trees shall be initially thinned in this area to maintain a minimum of five feet between tree crowns. All dead trees must be removed from Zone 2 initial construction, and subsequent dead trees shall be removed annually, except that two dead trees per acre may remain to serve as wildlife habitat.

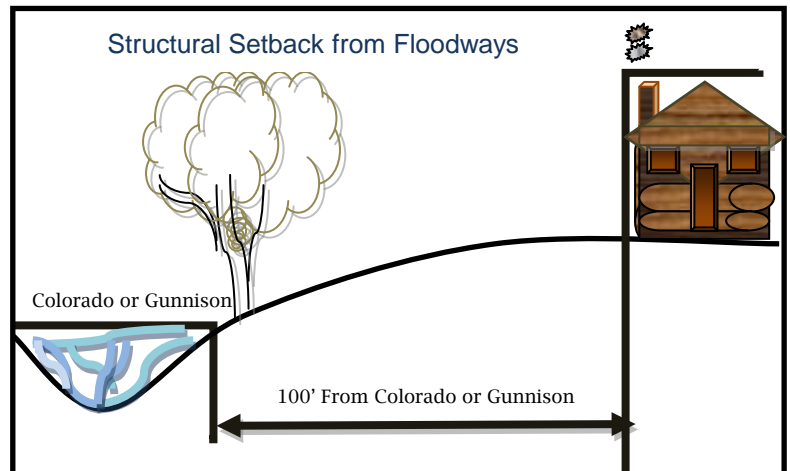
C. Maintenance

Persons owning, leasing, or otherwise maintaining new residential structures covered by provisions of this Land Development Code are responsible for proper maintenance of the defensible space. Maintenance shall include modifying or removing flammable vegetation, keeping leaves, needles, and removing other dead vegetative material annually from roofs of structures.

7.6.4 | Wildlife Habitat Protection

A. Any project on any parcel that falls within the current Wildlife Composite Map for Mesa County, or on an environmental map adopted as part of a specific Master Plan by the Mesa County Planning Commission, shall require consultation with the Colorado Division of Wildlife to substantiate the basis for the potential impact and to address various, specific measures to avoid, minimize, or mitigate negative impacts to wildlife and its habitat.

B. New structures shall not be located within one hundred (100) feet of the floodways of the Colorado or Gunnison Rivers or as recommended by the Colorado Division of Wildlife. Roads, trails, recreation access sites, bridges, fences, irrigation and water diversion facilities, erosion and flood control devices, underground utilities, and similarly necessary structures, may be located within this setback, if necessary. The installation of these structures will comply with all other applicable federal, state, and local regulations.



7.6.5 | Ridge Lines

The purpose of these ridge line development standards is to preserve the character of identified ridge lines, and to minimize soil and slope instability and erosion.

A. Applicability

These provisions apply to lots platted after the adoption date of this Code and to structures built after the adoption date of this Code. These provisions shall not apply to parcels of land and structures existing prior to the adoption date of this Code.

B. Grand Junction Comprehensive Planning Area

Within the Grand Junction Comprehensive Planning Area, new buildings and walls located within the mapped ridge line areas (within one (1) mile of the centerline of US Interstate 70, US Highway 6 and US Highway 50, Colorado State Highway 141 and Colorado State Highway 340, Monument Road, South Camp Road, and South Broadway) shall be setback a minimum of fifty (50) feet from the ridge line.

1. Setbacks shall be measured to the building envelope as established at the time of platting or site plan review.

2. Ridge lines shall be determined on a site specific basis and shall be that point at which the line of sight intersects the slope profile.
3. Line of sight shall be measured from the nearest point on the centerline of the road most parallel with the ridge line.
4. This setback shall not apply if the applicant produces adequate visual representation that a proposed new structure will not be visible on the skyline as viewed from the centerline of the mapped road corridors, or that mitigation can be provided, such as vegetation, building height, color, or orientation, that sufficiently minimizes the view of the structure from the road corridor. In no case shall a structure be set back less than thirty (30) feet from the ridge line.

C. Rural Planning Area

Within the Rural Planning Area, new buildings that are located more than one-quarter (1/4) mile and less than one mile from the centerline of US Interstate 70, US Highway 6 or US Highway 50, or Colorado State Highways 65, 139, 141, 330, or 340, and so that any portion of their roof line (excluding chimneys and antennas) is visible against the skyline when viewed from the centerlines of the listed highways, shall conform to the standards set forth below.

1. To the maximum extent feasible, predominant exterior wall colors and roof surfacing materials shall repeat the colors found most commonly in the land and vegetation around the building, including browns, tans, maroons, dark greens, whites, and grays. Bright colors that contrast dramatically with the colors of the land and vegetation around them shall not be used as predominant colors on any wall or roof surface visible from the centerlines of the listed highways.
2. When viewed from the closest centerline point on a listed highway, the shape of the roofline shall taper down on each end in order to reduce the apparent discontinuity between the end of roofline and the ridge line of the surrounding terrain against the sky.
3. To the maximum extent feasible, native vegetation and trees shall be planted within forty (40) feet of the building and visible from the closest centerline point on a listed highway.

7.6.6 | Grading

- A. No site grading for development shall occur before all appropriate approvals have been obtained.
- B. New development shall not alter natural watercourses/drainages except in compliance with the Mesa County Floodplain Regulations (Section 7.13) and the Mesa County Storm Water Management Manual.
- C. Driveways and access roads shall follow the natural contours of the site, so as to minimize the need for significant grading, and shall be located behind existing land forms and vegetation so as to minimize visibility from nearby roads.
- D. When grading for new construction, water shall not be added to the top of a slope, weight shall not be added to the top of slopes over ten percent (10%) slope, and existing slope grades shall not be steepened over ten percent (10%) slope.

7.6.7 | Nighttime Light Pollution

All light sources that are located outside of a building shall conform to the standards set forth below; however, all agricultural uses are exempt from these standards:

- A. Floodlights shall not be used to light all or any portion of any building facade between the hours of 10:00 p.m. and 6:00 a.m.
- B. No outdoor light sources shall be mounted more than thirty-five (35) feet above the ground.

- C. All outdoor light sources mounted on poles, buildings, or trees to illuminate streets, sidewalks, parking lots, or other outdoor areas between the hours of 10:00 p.m. and 6:00 a.m. shall use full cutoff light fixtures.

7.6.8 | Protection of Agricultural Lands

- A. Intent: Land Development applications shall demonstrate that existing, adjacent agricultural operations will not be limited or adversely impacted by the development.

Where residential development (this term, as applied in this section of the Land Development Code, excludes applications for individual single-family dwellings, duplexes and accessory structures) is proposed adjacent to existing agricultural operations, the following criteria shall apply:

1. Right to Farm - The Right to Farm Act notice shall be placed on the recorded plat and site plan.
  2. Household pet controls - Subdivision covenants shall be recorded requiring dogs and other household pets be controlled and not allowed to interfere with domestic livestock operations in the area.
  3. Fences –Subdivision covenants shall be recorded stating that subdivision perimeter fences and walls shall be maintained and any breaks in fences shall be repaired within seventy-two (72) hours.
- B. Separation of New Residential Development from Existing Domestic Livestock Enclosures  
Residential developments proposed on properties designated for urban land uses on the adopted Mesa County Master Plan Future Land Use Maps shall be designed to maintain a separation of one hundred (100) feet between proposed new residences and pens, fenced corrals, legal buildings or other confined areas used to keep domestic livestock that exist on adjacent lots or parcels at the time of the initial application for development. Pastures are exempt from this requirement. Such residential developments may substitute any of the following measures for the one hundred (100) feet distance requirement:
1. Construction of an eight (8) feet high wall or fence along the entire length of the common property boundary of the proposed lots that border the property(ies) on which the domestic livestock pens, corrals, buildings or other confined areas are less than one hundred (100) feet from proposed residences. A building permit must be obtained for the wall or fence. The wall or fence must have a subsurface barrier that will prevent dogs from digging underneath and must be constructed of one or more of the following materials:
    - a. masonry,
    - b. vinyl,
    - c. wood, or
    - d. stucco;
- Or,
2. The proposed development is designed so that residential lots do not adjoin domestic livestock pens, corrals, buildings or other confined areas. Improvements that may be placed adjacent to these areas instead of residential lots include non-habitable areas such as, but not limited to:
    - a. road right-of-way,
    - b. detention facilities,
    - c. common area, and
    - d. flagpole portions only of new residential lots;

Improvements such as items a through d above must be a minimum width of twenty (20) feet. A six (6) feet privacy fence of materials allowed in the Chapter 12 definitions of 'fence' will be constructed on the property boundary adjoining such domestic livestock areas;

Or,

- 3. The applicant for the residential development may present an agreement with the domestic livestock property owner which addresses the impacts of the proposed development on the adjacent domestic livestock pens, corrals, buildings or other confined areas for such time as the domestic livestock confinement areas exist. Such agreement must be incorporated into subdivision covenants when appropriate;

Or,

- 4. In cases where the applicant has demonstrated that options 1, 2 or 3 are not feasible under the circumstances, the applicant for the residential development may present another solution that meets the intent of the options within this section 7.6.8.D and has an equal or greater effect.

C. If the domestic livestock and agricultural use ceases on land adjacent to the residential development, Section 7.6.8 regarding protection of agricultural lands will no longer apply to either proposed or previously approved residential development adjacent to that land.

D. Section 5.3.4.C Domestic Livestock contains additional information.

7.6.9 | Right to Hunt

The following notice shall be recorded on approved site plans and plats for Major Subdivisions, Planned Unit Development, Administrative Reviews, and Conditional Use Permits when the notice is applicable:

**'NOTICE OF TRADITIONAL HUNTING ACTIVITIES**

This property is potentially within an area which is traditionally hunted; therefore noise and activity associated with lawful hunting and people moving through the area to hunt is normal and may be expected.

**§7.7 | Drainage**

Drainage facilities shall be designed and installed in accordance with the Mesa County Stormwater Management Manual.

**§7.8 | Potable Water Supply**

7.8.1 | General

New development shall provide an adequate, domestic, potable water supply that is sufficient in terms of quality, quantity, and dependability for the proposed development. In making its determination as to whether the proposed water supply meets this standard, the Decision-Making Body shall give substantial weight to the recommendations of the State Water Quality Division, Mesa County Health Department, the State Engineer, other appropriate agencies, and County staff.

7.8.2 | Municipal, Private and District Water Systems

If a proposed development falls within the service area of a municipality, private water service company, or water service district, or if drinking water is to be provided to the development by any of these systems, then the proposed development may be approved by the County only if the following are met.

- A. The applicant submits to the County a written certification from the proposed water service provider, on forms provided by the County, stating:
  - 1. that it is able and willing to provide an adequate supply of drinking water;
  - 2. the specific quantity, quality and pressure it will provide to meet the needs of the proposed development based on the projected water usage of that development; and
  - 3. if an expansion to the existing system is required to obtain adequate service.

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- B. The applicant agrees in writing to connect the proposed development to such system. If a proposed development is unable to obtain service from such a system, then the development may be approved only if a new system is created through formation of a Metropolitan District, Water District local improvement district, or other public legal entity approved by the Board of County Commissioners.

### 7.8.3 | Wells

If private wells are proposed for new development, the following shall be required to determine the adequacy of such system before approval:

- A. evidence of ownership and water court decree, including an augmentation plan where applicable, proof of a well permit, amenability of existing rights for the proposed use, and evidence concerning the potability of the proposed water supply; and,
- B. a geologic report shall be submitted by a qualified groundwater geologist, which indicates:
  - 1. the probability of ground water withdrawal of wells or on-site supply systems within the proposed subdivision;
  - 2. the expected long-term yield of such wells or systems;
  - 3. the expected depth to potable water;
  - 4. the expected quality of anticipated water;
  - 5. any expected significant problems of long-term supply; and,
  - 6. alternate arrangements available in the event of well or treatment system failure.

### 7.8.4 | Cisterns

Cisterns are a permitted source of potable drinking water only for individual dwelling units on unplatted parcels of land, and must comply with applicable Colorado Health Department standards and the Uniform Building Code.

## §7.9 | Fire Protection

### 7.9.1 | Applicability

All subdivisions (except Administrative Reviews as listed in Section 3.5.1), planned unit developments, commercial developments, and industrial developments, shall comply with the fire protection standards of this section.

### 7.9.2 | Development Located Outside of Fire Protection District

- A. If a development that is subject to the terms of this Section is proposed in a location that is outside of the boundaries or service area of any fire protection district or volunteer fire department, then the development shall only be allowed if the applicant provides evidence that the property will be annexed to the applicable district, or that a service agreement has been entered into between the applicant and the applicable fire protection district or volunteer fire department.
- B. For existing platted properties, including lots therein which may be further subdivided In the event that neither inclusion in a fire district nor a service agreement is practicable, the Board of County Commissioners may determine that sprinkling of all habitable structures in accordance with the International Fire Code is acceptable if all of the following is true or can be met:
  - 1. the development is for single family detached residential structures;
  - 2. each residential lot is at least one acre in size;

3. each residential structure shall be set back a minimum of fifty feet (50) from all property lines;
4. fire hydrants shall be installed in the development in accordance with the Land Use Code;
5. water supply for fire flows shall provide at least twenty (20 p.s.i.) pounds per square inch residual and one thousand (1000) gallons per minute;
6. there shall be recorded covenants, conditions and restrictions (CCRs) that prohibit brush, weeds, wood piles and similar combustible materials within thirty feet (30) of the outside of each structure;
7. the CCRs shall also contain a provision that substantially provides notice that "The lots subject to these CCRs are NOT within a fire protection district, nor is there a contract with a fire protection district, to provide fire suppression on the properties subject to these CCRs. See Mesa County Land Development Code, Section 7.9, as amended, for the fire protection standards that apply.
8. Final plats recorded after the effective date of this amendment shall also contain the statement described in 7, above.
9. The County Master Plan does not recommend the subject property for thirty-five (35+ acre) development. The findings of 1 through 5 above, may be satisfied by the written statement of a licensed fire protection engineer.

#### 7.9.3 | Water Supply Standards

##### A. Fire Hydrants

Fire hydrants shall be installed in any Subdivision or Planned Unit Development where dwellings will be separated by a distance of two hundred (200) feet or less, or in any commercial and industrial development, and shall comply with the following standards:

##### 1. Fire Flows

Water supply shall comply with the standards adopted by the applicable fire protection district. In cases where the local fire authority has not adopted specific standards, water supply shall comply with the fire flow standards set out in the most recent edition of the *Uniform Fire Code*.

##### 2. Minimum Pipe Size

The minimum pipe size serving the system shall be six (6) inches for development comprised solely of single-family and duplex dwellings, and eight inches for all other development, unless the applicant submits evidence, prepared by a registered professional engineer, demonstrating that the minimum fire flow requirements may be met with a six (6) inch line.

##### 3. Maximum Distance Between Hydrants

The maximum distance between hydrants in all developments shall be five hundred (500) feet.

##### 4. Hydrant Locations

Fire hydrants shall be located as specified by the responsible fire chief. Generally, fire hydrants shall be located in the public right-of-way, at road intersections.

##### 5. Looped Line

A gridded, or looped, hydrant supply line shall be used whenever possible. When such lines are not practical, as determined by the responsible fire chief, a dead-end line may be allowed, provided it does not exceed one thousand (1,000) feet in length. In all cases, the fire flow standards of Section 7.9.3-A.1 shall apply.

##### B. Alternative Fire Protection Plan

Whenever installation of fire hydrants is not practical, as determined by the responsible fire chief, the applicant shall agree to an alternative fire protection plan. Applicants for any type of development that



is not required to install fire hydrants pursuant to Section 7.9.3-A shall also agree to an alternative fire protection plan.

1. **Alternatives**  
An alternative fire protection plan may include, but not be limited to, providing on-site fire flows, or installing sprinklers within proposed structures. Water may be supplied by a natural water body, or by man-made facilities, such as a cistern, above ground tank, or man-made water body, provided the supply is available year-round.
2. **Review by Fire Chief**  
The alternative fire protection plan shall only be allowed when the responsible fire chief determines it will afford the same level of fire protection to the proposed development as would strict compliance with the fire flow standards of this section, or will comply with the adopted fire code of the district or volunteer fire department.
3. **Accessibility**  
The location of the alternative fire fighting supply and fire protection facilities shall be easily accessible to fire protection personnel and vehicles and shall be identified with a visible sign.
4. **Fitting and Connections**  
All fittings and connections to the fire hydrants or to the alternative water supply shall be provided by the applicant, and shall be compatible with specifications established by the applicable district.

#### 7.9.4 | Roads and Driveways

Roads and driveways shall be designed to comply with the standards in the Mesa County Standard Specifications for Road and Bridge Construction, its appendix, the Road Access Policy, the Land Development Code and the Fire Apparatus Access Roads section of the International Fire Code, as may be amended. Shared driveways over one hundred fifty (150) feet in length shall also meet the standards listed in the most recently adopted Fire Code in regards to width, grade, turn radius for curves and turnaround standards.

##### A. Access Points

Two or more dedicated access points shall be provided for all Major Subdivisions and Planned Unit Developments when the projected Average Daily Traffic will exceed three hundred (300) trips or the road length exceeds one thousand (1,000) feet unless all homes have residential sprinklers

#### 7.9.5 | Wildfire Hazard Areas

Developments proposed in areas subject to wildfire hazard shall also comply with the Wildfire Hazard Standards of Section 7.6.3.

### §7.10 | Wastewater

#### 7.10.1 | Service by Grand Junction–Mesa County Wastewater Collection and Treatment System

Any development located within the Persigo Wastewater Treatment Plant Service Area shall be required to connect to the Grand Junction-Mesa County Wastewater Collection and Treatment System if a major sewer line exists or is built within four hundred (400) feet of any part of the property on which the development occurs, as measured via any public right-of-way or utility easement. If Onsite Wastewater Treatment Systems are to be utilized by a development on a temporary basis, such use must be in conformity with all County and State Health Department laws and regulations. An estimate of the funds necessary to cover the cost of such a connection shall be prepared by a registered civil engineer and certified as adequate by the City or County Engineer. The funds shall be placed in escrow by the applicant or a bond shall be posted in a form acceptable to the County, prior to the issuance of a development permit, or the recording of a final plat or plan, and shall be utilized by the Board of County Commissioners to contract for and construct such connection if the applicant fails to comply with the provisions of this paragraph. New developments shall be subject to the Mesa County Sewer Trunk Line Extension Policy.

7.10.2 | Service by Other Systems

If a proposed development is located within the service area of an existing wastewater collection and treatment system other than those listed in Section 7.10.1, and if that system is willing and able to provide sewage collection and treatment service to the development, then the development must provide for hook-up to that system.

If, in the opinion of the Colorado Department of Health, it would be appropriate for a development to obtain sewage collection and treatment service from an existing system by an enlargement of the capacity of that system, then the development shall be required to obtain services from that system; provided that the cost of the development's hook-up is roughly proportional to the cost of the increase in capacity.

7.10.3 | Development Outside Service Areas

Any development that is outside the service area of an existing system, that proposes to provide sewage disposal by the creation of a new system, or the expansion of an existing system, shall create a Metropolitan District, Sanitation District or Water/Sanitation District, or local sewer improvement district, or other public legal entity.

7.10.4 | Onsite Wastewater Treatment Systems

All onsite wastewater treatment systems, where allowed, shall be located, installed, and operated in accordance with the regulations of the Colorado Department of Health and Mesa County.

- A. The following Minimum Lot Sizes and Dimensional Standards for Onsite Wastewater Treatment Systems (OWTS) apply to all newly created lots:
  - 1. The minimum lot size for all development applications requiring public hearing review and all applications requiring administrative review (except site plans) served by Onsite Wastewater Treatment Systems (OWTS) and a public water system shall be one (1) acre.
  - 2. All lots within proposed major subdivisions, planned unit developments, or administrative review applications served by Onsite Wastewater Treatment Systems (OWTS) and a public water system must meet the requirements of the Mesa County Onsite Wastewater Treatment System Regulations (June 30, 2014, as amended).
- B. Lots not served by a public water system:  
The minimum lot size for a lot not served by public water service and/or utilizing wells, springs, or cisterns shall be based on the Colorado Department of Natural Resources well permit requirements, or as required by engineered OWTS design, or one (1) acre, whichever is greater.
- C. Existing Lots Served By Onsite Wastewater Treatment Systems (OWTS):
  - 1. Existing lots must meet the minimum lot size requirements determined through the application of the Mesa County OWTS regulations.
  - 2. Existing lots that do not conform to the minimum standards of this Section shall not be made more nonconforming by a Property Line Adjustment.
- D. If the provisions of this section conflict with zoning district standards or other provisions of the Land Development Code, the minimum lot size shall default to the larger lot size.
- E. Existing lots (uses) may request a deviation from the standards of this Section 7.10, subject to approval from the Mesa County OWTS Administrator.

**§7.11 | Monumentation**

Monuments shall be provided for all Major Subdivision Plats and Administrative Reviews. They shall be set pursuant to Colorado Revised Statutes 38-51. Materials Specifications shall be as required by Colorado Revised Statutes and the Mesa County surveyor. In addition to any other requirements of a plat permitted or required by this Code, all plats shall meet the minimum standards for land survey plats, as defined in

Colorado Revised Statutes 38-51-102(12) and as provided in Colorado Revised Statutes 38-51-106, and shall include all recorded or apparent rights-of-way and easements. See *The Handbook* for plat requirements.

**§7.12 | Irrigation Canals and Laterals**

**7.12.1 | Encroachments**

No new development shall be permitted to encroach in, under, upon, or interfere with the recorded or apparent easements or Rights-of-way of irrigation canals, laterals, or irrigation drainage channels without the written consent of the property owner and the responsible irrigation or drainage company, or district or lateral association.

**7.12.2 | Standards**

All new development must comply with the standards of the responsible irrigation or drainage company, or district or lateral association. New development shall be required to use irrigation water for irrigation purposes wherever irrigation water is physically and legally available, rather than use potable domestic water.

**§7.13 | Floodplain Regulations**

**7.13.1 | Findings**

The Board of County Commissioners finds that certain areas of unincorporated Mesa County are subject to periodic inundation by flood waters that may result in loss of life, property, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which may adversely affect the public health, safety and general welfare. Further, the Board of County Commissioners finds that such flooding may pose a serious hazard to properties and persons, that development within affected areas may increase the degree of hazard to other people situated both upstream and downstream, and that appropriate regulations addressing the use of such hazard areas are therefore necessary.

**7.13.2 | Purpose and Intent**

It is the purpose of these regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas, by provisions designed to:

- A. protect the public from the burden of avoidable financial expenditures for flood control projects, flood relief measures, and damages to public utilities, streets, and bridges;
- B. protect people and property within the floodplain by regulating the construction of buildings;
- C. protect the people downstream and/or upstream by restricting those uses that may be hazardous to life or property in time of flood, and to insure that structures placed in the floodplain be adequately flood proofed;
- D. protect and preserve the natural water carrying and storage characteristics, and capacities of all water courses;
- E. restrict uses which may be hazardous to the public health in time of flood;
- F. minimize or eliminate discharges or infiltration from waste disposal systems into flood waters;
- G. discourage people from purchasing lands which are unsuitable for building purposes due to flood hazards;
- H. protect human life and health;
- I. minimize prolonged business interruptions;
- J. help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard, so as to minimize future flood blight areas;

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- K. to notify potential buyers that property is in an area of special flood hazard; and
- L. to notify those who occupy the areas of special flood hazards that they assume responsibility for their actions.

### 7.13.3 | Methods

In order to accomplish their purposes and intent, the regulations of this Section include methods and provisions for:

- A. restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which helps accommodate or channel flood waters;
- D. controlling filling, grading, dredging, and other development which may increase flood damage; and,
- E. preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

### 7.13.4 | Applicability

The floodplain regulations of this Chapter shall apply to all lands adjacent to any watercourse that would be inundated by the 100-year flood, or that is determined to be flood prone on the basis of on-site evidence. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this regulation, and other applicable regulations of the Land Development Code.

### 7.13.5 | Official Floodplain Maps

- A. For the purpose of this section, floodplain and other pertinent boundaries shall be those shown on the October 16, 2012 Federal Emergency Management Agency Flood Insurance Study. Those boundaries are hereby incorporated into this Land Development Code along with related explanatory matter, water surface elevations, profiles, and cross sections.
- B. The Board of County Commissioners has incorporated the boundaries of flood regulatory areas shown on the October 16, 2012 Federal Emergency Management Agency Flood Insurance Studies into County Regulations, after holding public hearings prior to the adoption of the official maps.
- C. Official maps, as designated by the Board of County Commissioners, shall be recorded with the Mesa County Clerk and Recorder immediately following official designation. Amendments to any official maps shall be accomplished by giving public notice of a public hearing by publication in newspaper of general circulation within the County, at least thirty (30) days prior to the Board of County Commissioners' hearing. The public notice shall identify the watercourse involved, and shall state in a general fashion the lands which are proposed for inclusion within the flood regulatory area. The public notice shall also state the map proposed for designation is available in the County Engineering Division for public inspection during normal working hours.

### 7.13.6 | Flood Boundary Interpretation

- A. Official maps, on file in the Engineering Division and recorded with the Mesa County Clerk and Recorder, define only approximate boundaries of the floodplain. Precise determination of boundaries can only be made by a comparison of flood water elevation at a particular site with the actual ground elevation at that site. Projected flood water elevation data is normally obtained from the Flood Insurance Study.
- B. Profile data or other technical information as provided from an approved engineering study, may be used as interpretation of flood boundaries. Where such profile data or other technical data becomes

available at any particular site, that data will take precedence over boundaries shown on official floodplain maps, only after a Letter of Map Revision has been submitted to and approved by the Federal Emergency Management Agency. Submittal of Letter of Map Revision shall be the responsibility of the applicant.

- C. Correction of an error on any official floodplain map, as proven by data from a registered professional engineer, may be proposed for correction through the procedures defined in this section.

#### 7.13.7 | Interpretation

In the interpretation and application of these floodplain regulations, all provisions shall be considered as minimum requirements, liberally construed in favor of the County, and deemed neither to limit nor repeal any other powers granted under State statutes.

#### 7.13.8 | Warning and Disclaimer of Liability

The degree of flood protection intended to be provided by this Section is considered reasonable for regulatory purposes and is based upon engineering and scientific methods of study. Larger floods may occur on occasion, or the flood height may be increased by manmade or natural causes, such as ice jams and bridge opening restricted by debris. This Section does not imply that areas outside floodplain area boundaries, or land uses permitted within such areas will always be totally free from flooding or flood damages. This Section shall not create any liability on the part of, or a cause of action against the Mesa County Board of Commissioners or any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that may result from reliance on this regulation or any administrative decision lawfully made thereunder.

#### 7.13.9 | Floodplain Nonconformities

The existing lawful use of a structure or premises that does not comply with the floodplain regulations of this section, may be continued subject to the following conditions:

- A. No such use shall be expanded or enlarged except in conformity with the provisions of this Section.
- B. Substantial improvements, as herein defined, to any nonconforming structure or use must result in the permanent change of the structure or use to a conforming use.
- C. If such use is discontinued for twelve (12) consecutive months, any future use of the building and premises shall conform to this Section.

#### 7.13.10 | Floodplain Land Use Regulations

- A. **Prohibited Uses**  
Any land use within a designated floodplain that is not specifically allowed or conditionally allowed by means of a Floodplain Development Permit is prohibited.
- B. **Uses Allowed in Floodplain Areas**  
Designated floodplain areas are usually divided into two subdistricts: the floodway and the flood fringe. Where this distinction has not yet been made, a site-specific comparison between flood water elevation and ground elevations will be necessary to make such distinction. Until such distinction has been made, the land shall be considered to lie within the floodway.
- C. **Flood Prone Areas**  
Flood prone areas may require a detailed hydrological engineering study in order to define and map the actual 100-year floodplain, to determine site-specific flood elevations and ground elevations, and to distinguish between the floodway and the flood fringe. Until such a distinction has been made, the land will be considered to lie within the floodway.
- D. **Floodway Districts**
  - 1. **Uses Requiring Floodplain Development Permits**

Any human-made change to improved or unimproved real estate with the floodway district, including, but not limited to, the following, shall require a Floodplain Development Permit:

- a. private and public recreational uses, such as, but not limited to, golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, target ranges, shooting trap and skeet ranges, fish hatcheries, swimming pools and open air theaters;
  - b. utility transmission lines, pipelines, roadways, water monitoring devices and railroad rights-of-way, but not including railroad sidings and freight or passenger transfer or holding areas;
  - c. all open pit sand or gravel extraction, including related offices;
  - d. original construction of bridges, dams, and irrigation structures;
  - e. any type of change, filling, or realignment of a watercourse channel;
  - f. subdivision of land;
  - g. water and wastewater treatment facilities or storage; -
  - h. buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations;
  - i. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted Regulatory Floodway that would result in an increase in Base Flood Elevations, provided that the community first applies for a Conditional Letter of Map Revision (CLOMR) and floodway revision through FEMA; and/or
  - j. Within the Regulatory Floodway, stream alteration activities shall not be constructed unless the project proponent demonstrates through a Floodway analysis and report, sealed by a registered Colorado Professional Engineer, that there is not more than 0.00-foot (zero-foot) rise in the proposed conditions compared to existing conditions Floodway resulting from the project, otherwise known as a No-Rise Certification, unless the community first applies for a CLOMR and Floodway revision in accordance with paragraph i, above.
2. Prohibited Uses  
The following land uses and activities are specifically prohibited in the Floodway District:

- a. any alteration or relocation of a watercourse which reduces its flood carrying capacity;
- b. any use, obstruction, or encroachment which would result in any increase whatsoever in the elevation of flood waters during the 100-year flood at any point;
- c. habitable dwellings, including manufactured homes;
- d. storage or processing of materials that are flammable, radioactive, poisonous, explosive, corrosive, or which would pose a hazard to life and property during times of flooding;
- e. public or commercial overnight campgrounds or travel trailer parks;
- f. junk yards, salvage yards, and wrecking yards of any kind; and
- g. any new or existing and unapproved encroachment, including but not limited to any structure or other development, in a FEMA-mapped floodway which would cause any increase in the base flood level unless hydrologic and hydraulic analyses prove that the

proposed encroachment would not increase flood levels during the base flood discharge.

E. Flood Fringe Districts

1. Uses Allowed Without a Floodplain Development Permit

The following uses are allowed in the Flood Fringe District without a Floodplain Development Permit, provided that the use complies with underlying zoning and does not involve any human-made change to improved or unimproved real estate:

- a. growth of agricultural crops or animals, but not including the processing of agricultural products;
- b. private and public recreational uses; and
- c. wildlife and nature preserves, game farms, and fish hatcheries, but not including related structures.

2. Uses Requiring Floodplain Development Permits

Unless specifically prohibited, there is no restriction on which uses may locate in the Flood Fringe District. All development that is not specifically exempt from Floodplain Development Permit requirements shall require a Floodplain Development Permit in the Flood Fringe District.

3. Prohibited Uses

The following uses shall be prohibited in the Flood Fringe District:

- a. any residential structure or substantial improvement in which the lowest floor, including the basement, is lower than one foot above the elevation of the 100-year flood;
- b. junk yards, salvage yards and wrecking yards of any kind; and
- c. new construction and substantial improvement of any commercial, industrial or other nonresidential structure in which the lowest floor (including basement) is lower than one foot above the elevation of the 100-year flood or not flood proofed below a flood protection elevation of one foot above the elevation of the 100-year flood together with attendant utility and sanitary facilities.

7.13.11 | Floodplain Development Permit Conditions

The Floodplain Administrator shall require all of the following:

- A. New construction or Substantial Improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure due to hydrostatic and hydrodynamic loads; be constructed with materials and utility equipment resistant to flood damage; and constructed by methods and practices to minimize flood damage.
- B. All manufactured homes shall be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to use of over-the-top or frame-to-ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Specific anchoring requirements are:
  1. over-the-top ties at each of the four (4) corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than fifty (50) feet long requiring one additional tie;
  2. frame ties at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than fifty (50) feet long required four additional ties per side;

3. that all components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds each; and
  4. any additions to the manufactured home be similarly anchored.
- C. New and replacement sewer and water systems shall be designed to minimize infiltration.
- D. All new construction and substantial improvement shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- E. Required utility conditions shall be as follows:
1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
  2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems, into flood waters.
  3. On-site waste disposal systems shall be located to avoid their impairment or contamination from flooding.
- F. Required subdivision conditions shall be as follows:
1. All subdivision proposals shall be consistent with the need to minimize flood damage.
  2. All subdivision proposals shall have public utilities and facilities (such as sewer, gas, electrical, and water systems) located and constructed to minimize flood damage.
  3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
  4. Base flood elevation data must be provided for subdivision proposals and other proposed development that contains at least fifty (50) lots or five acres, whichever is less.
- G. In the instance of an individual manufactured home which is to be elevated on pilings, the piling foundations shall be placed in stable soil no more than ten (10) feet apart, and reinforcement shall be provided for any piers extending more than six feet above the ground.
- H. All manufactured homes, on a single lot or in a new or expansion to an existing manufactured home park or subdivision, that are placed or substantially improved within Zones A1-30, AH, and AE on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor elevation of the manufactured home is elevated to at least one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse or lateral movement.

All manufactured homes in an existing manufactured home park or subdivision prior to the time these regulations are implemented, that are placed or substantially improved on sites in existing manufactured home parks or subdivision within zones A1-30, AH, and AE that are not subject to the provisions of the previous paragraph shall be elevated so that either (i) the lowest floor of the manufactured home is at least one foot above the base flood elevation, or (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade, and, shall be securely attached to an adequately anchored foundation system to resist floatation, collapse or lateral movement.



- I. New construction and substantial improvement of any residential structure shall have the lowest floor (including the basement) elevated to at least one foot above the projected water surface elevation of the 100-year flood.
- J. Within the AO and AH Zones on the Flood Insurance Rate Map (FIRM) require that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified).
- K. Within Zones AO and AH require that adequate drainage paths be provided around structures on slopes to guide floodwaters around and away from proposed structures.
- L. New construction, and substantial improvement of any commercial, industrial and other nonresidential structure shall either have the lowest floor (including basement) elevated to the level of the projected 100-year flood elevation; or, together with attendant utility and sanitary facilities, shall:
  - 1. be flood -proofed so that below the 100-year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
  - 2. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy; and
  - 3. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this regulation.
- M. Within any AO and AH Zones on the FIRM require that all new construction or substantial improvements of nonresidential structures have the lowest floor elevation (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or together with attendant utility and sanitary facilities be completely flood proofed to that level to meet the requirements of this section.
- N. Fully enclosed areas of all residential, commercial, industrial or other structures below the lowest floor (to be used solely for the parking of vehicles, building access or storage in an area other than a basement) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
  - 1. a minimum of two openings with a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding shall be provided; and
  - 2. the bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- O. A permit shall be required for all proposed construction or other development including placement of manufactured homes to determine whether such construction or development is in a floodplain.

7.13.12 | Standards for Recreational Vehicles

Recreational vehicles within numbered or unnumbered A zones, AO, AE and AH zones shall:

- A. Be defined as:
  - 1. Be built on a single chassis;
  - 2. Be four hundred (400) square feet or less when measured at the largest horizontal projections;

3. Be designed to be self-propelled or permanently towable by a light duty truck;
  4. Be designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use; and
- B. Recreational vehicles within numbered or unnumbered A zones, AO, AE and AH zones shall either:
1. Comply with the permitting, elevating and anchoring requirements for manufactured housing units and manufactured homes as set out in this Section; or
  2. Be on site for fewer than one hundred and eighty (180) consecutive days and be fully licensed and legal for highway use.

For the purpose of this Section, a recreational vehicle shall be deemed ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-connect type utilities and securing devices, and has no permanently attached additions.

#### 7.13.13 | Properties Removed From the Floodplain by Fill

A Floodplain Development Permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F), with a lowest floor elevation placed below the Base Flood Elevation with one (one) foot of freeboard that existed prior to the placement of fill.

#### 7.13.14 Standards for Critical Facilities

A Critical Facility is a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

A. Classification of Critical Facilities

It is the responsibility of Mesa County to identify and confirm that specific structures in their community meet the following criteria.

Critical Facilities are classified under the following categories: (1) Essential Services; (2) Hazardous Materials; (3) At-risk Populations; and (4) Vital to Restoring Normal Services.

1. Essential services facilities include public safety, emergency response, emergency medical, designated emergency shelters, communications, public utility plant facilities, and transportation lifelines.

These facilities consist of:

- a. public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage, and emergency operation centers);
- b. emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctor's offices, and non-urgent care medical structures that do not provide these functions);
- c. designated emergency shelters;
- d. communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits);

- e. public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and
- f. air transportation lifelines (airports (municipal and larger), helicopter pads and structures serving emergency functions, and associated infrastructure (aviation control towers, air traffic control centers, and emergency equipment aircraft hangars).

Specific exemptions to this category include wastewater treatment plants (WWTP), non-potable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances.

Public utility plant facilities may be exempted if it can be demonstrated to the satisfaction of Mesa County that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are either located outside of the 100-year floodplain or are compliant with the provisions of this Section, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to Mesa County on an as-needed basis upon request.

- 2. Hazardous materials facilities include facilities that produce or store highly volatile, flammable, explosive, toxic and/or water-reactive materials. These facilities may include:
  - a. chemical and pharmaceutical plants (chemical plant, pharmaceutical manufacturing);
  - b. laboratories containing highly volatile, flammable, explosive, toxic and/or water-reactive materials;
  - c. refineries;
  - d. hazardous waste storage and disposal sites; and
  - e. above-ground gasoline or propane storage or sales centers.

Facilities shall be determined to be Critical Facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a Material Safety Data Sheet (MSDS) on file for any chemicals stored or used in the work place, AND the chemical(s) is stored in quantities equal to or greater than the Threshold Planning Quantity (TPQ) for that chemical, then that facility shall be considered to be a Critical Facility. The TPQ for these chemicals is: either five hundred (500) pounds or the TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R. § 302 (2010), also known as Extremely Hazardous Substances (EHS); or ten thousand (10,000) pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Public Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency (EPA) regulation “Designation, Reportable Quantities, and Notification,” 40 C.F.R. § 302 (2010) and OSHA regulation “Occupational Safety and Health Standards,” 29 C.F.R. § 1910 (2010) are incorporated herein by reference and include the regulations in existence at the time of the promulgation this ordinance, but exclude later amendments to or editions of the regulations.

- (1) Specific exemptions to this category include:
  - (a) Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use.

- (b) Buildings and other structures containing hazardous materials for which it can be demonstrated to the satisfaction of the local authority having jurisdiction by hazard assessment and certification by a qualified professional (as determined by the local jurisdiction having land use authority) that a release of the subject hazardous material does not pose a major threat to the public.
    - (c) Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products.
  - (2) These exemptions shall not apply to buildings or other structures that also function as Critical Facilities under another category outlined in this Section.
- 3. At-risk population facilities include medical care, congregate care, and schools. These facilities consist of:
  - a. Elder care ( nursing homes);
  - b. Congregate care serving twelve (12) or more individuals ( day care and assisted living);
  - c. Public and private schools (pre-schools, K-12 schools), before-school and after-school care serving twelve (12) or more children);
- 4. Facilities vital to restoring normal services including government operations. These facilities consist of:
  - a. Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers);
  - b. Essential structures for public colleges and universities (dormitories, offices, and classrooms only).

These facilities may be exempted if it is demonstrated to Mesa County that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are compliant with this ordinance, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to Mesa County on an as-needed basis upon request.

**B. Protection for Critical Facilities**

All new and substantially improved Critical Facilities and new additions to Critical Facilities located within the Special Flood Hazard Area shall be regulated to a higher standard than structures not determined to be Critical Facilities. For the purposes of this ordinance, protection shall include one of the following:

- 1. Location outside the Special Flood Hazard Area; or
- 2. Elevation or floodproofing of the structure to at least two (2) feet above the Base Flood Elevation.

**C. Ingress and Egress for New Critical Facilities**

New Critical Facilities shall, when practicable as determined by Mesa County, have continuous non-inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.

§7.14 | Traffic Impact Analyses

7.14.1 | TIA Thresholds

A Traffic Impact Analysis (TIA) shall be required to be submitted with applications for development review and approval when trip generation is expected to exceed one hundred (100) peak hour trips, based on traffic generation estimates of the Institute of Transportation Engineers' Trip Generation manual, unless local trip generation data demonstrate a higher trip rate. A TIA is also required for:

- A. Any project that proposes access to a street with Level of Service (LOS) "D" or below;
- B. Any application for a Zoning Map Amendment (rezoning); and,
- C. Any case in which the original Traffic Impact Analysis is more than two years old, or where increased land use intensity will result in an increase in traffic generation by more than fifteen percent (15%) or an increase of directional distribution of traffic by more than twenty percent (20%).

The developer shall be responsible for design and construction of necessary improvements as identified in the TIA, or participate in a proportionate share of the cost to design and construct such improvements as determined appropriate by the Public Works Department.

When access points are not defined or a site plan is not available at the time the TIA is prepared, additional studies may be required when a site plan becomes available or the access points are defined.

7.14.2 | TIA Guidelines

Guidelines for Traffic Impact Analyses are found in Article VII of the Mesa County Standard Specifications for Road and Bridge Construction. Traffic Impact Analyses must be prepared by a registered professional engineer with experience in Transportation Engineering. A statement of qualifications shall accompany all Traffic Impact Analysis submittals.

§7.15 | Street Access

7.15.1 | Access to Public Roads

All new lots/parcels, however created, shall have direct or indirect access (no frontage) to a maintained public road. If the approved plat provides for indirect access (i.e. over intervening private land, loop lanes, auto-courts or shared driveways), then access easements benefiting all lots with indirect access shall be identified on the plat. Easements shall be of sufficient width to provide for fire access, utility installation and drainage improvements. Parcels without direct access (frontage) to maintained public roads may only be created through the Major Subdivision Process.

Summary Table

	Number of units	Use driveways section:
Rural	2-4	Auto courts, loop lane, shared driveways
Urban	2-4	Auto courts
	5-7	Loop lane

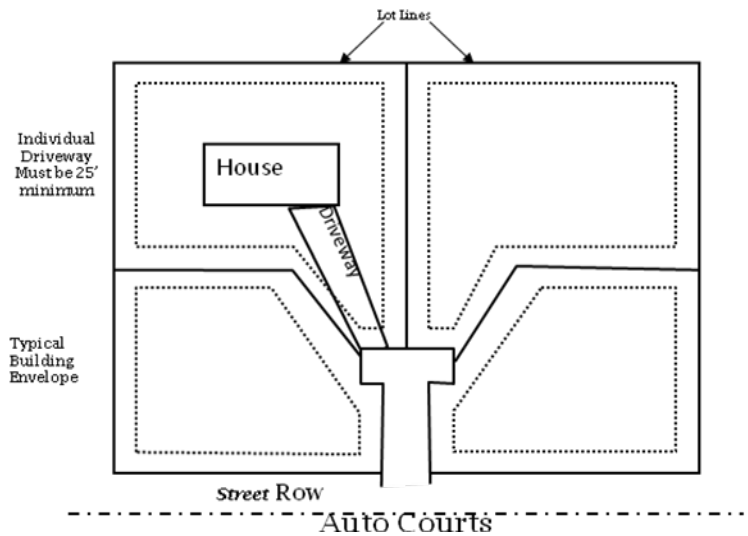
7.15.2 | Driveways

Driveway access to collector and arterial streets shall be discouraged. Standards shall be as described in the Mesa County Standard Specifications for Road and Bridge Construction, its appendix, the Road Access Policy, the Land Development Code and the International Fire Code, as may be amended.

7.15.3 | Auto Courts

Driveways that provide access to a public street or road within the urban zoning districts, with the exception of RSF-R and RSF-E, serving between two and four (4) single family units must meet the following auto court design standards:

- A. Auto Courts shall have a roadway structural section designed by a professional engineer with a surface of flexible or rigid pavement and shall meet the drainage requirements of the Mesa County Stormwater Management Manual. They shall be located within an outlot (an easement may be allowed when shared by two lots), and shall be dedicated to a property owners' association with responsibility for maintaining the shared driveway and the power to enforce payment of dues from individual homeowners in order to do so. The property owner's association shall be created and the outlot shall be dedicated to the association when the Final Plat is recorded.



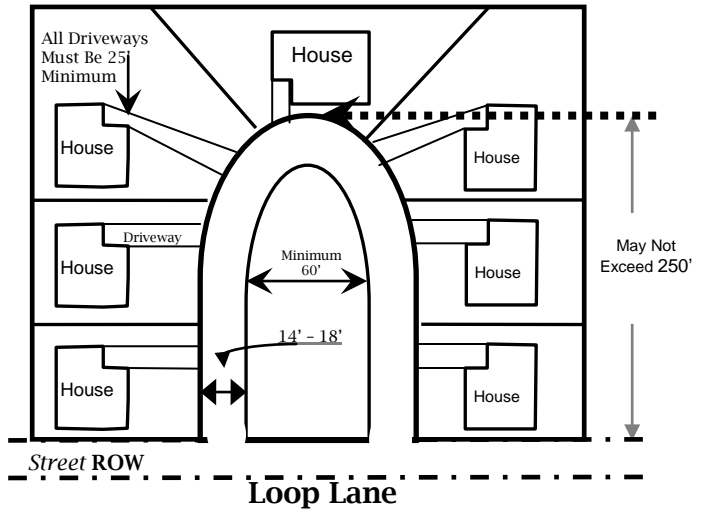
- B. Individual driveways leading from the shared driveway to each dwelling unit shall be at least twenty-five (25) feet long, as measured between the front of the garage or carport and the property line.
- C. The design of the auto court shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees in either direction without any portion of the vehicle: (a) leaving the individual driveway from which the vehicle is exiting the shared driveway, or (b) entering on or over the individual driveways of any other residence. The AASHTO turning template for a "P" design vehicle shall be used to confirm that this standard is met.
- D. The dwellings served by the auto court must comply with off-street parking requirements applicable to single-family dwellings, and with the following additional requirements, without permitting any parking or vehicle storage on the auto court itself:
1. one common, off-street parking space shall be provided for every auto court where one extra parking space is not provided on each lot; and
  2. one or more common areas shall be provided within each development for the storage of recreational vehicles, boats, and utility trailers where storage areas are not provided on the lots. Such common areas shall, together, contain at least two hundred and fifty (250) square feet for each dwelling unit on the auto court, and shall be designed to allow the storage of one recreational vehicle, boat, or utility trailer by each such residence. Detention ponds or any drainage facilities shall not be used as storage areas.
  3. The purpose of providing additional parking/storage is to avoid compromising the access provided by the auto court by using it for vehicle storage.

7.15.4 | Loop Lane

Driveways that provide access to a public street or road within the urban zoning districts serving 5-7 single family units must meet the following loop lane design standards:

- A. The surface of the loop lane shall be a minimum of fourteen (14) feet wide, edge of pavement to edge of pavement. The lane may need to be a one way lane and parking may not be allowed on the lane.
- B. No portion of the loop lane shall extend more than two hundred fifty (250) feet from the public street to which it gives access.

- C. The loop lane and the common area surrounded by the loop lane shall be at least sixty (60) feet wide and shall be labeled as an outlet.
- D. The loop lane must be surfaced with concrete, not asphalt, and both the loop lane and the common area surrounded by the loop lane shall be dedicated to a property owners' association with responsibility for maintaining the loop lane and the common area, and the power to enforce payment of dues from individual homeowners in order to do so. The owners' association shall be created and the loop lane and common area shall be dedicated to the association when the Final Plat is recorded.



- E. Individual driveways leading from the loop lane to each home shall be at least twenty-five (25) feet long, as measured between the front of the garage or carport and the closest edge of the loop lane.
- F. The design of the loop lane shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees in either direction without any portion of the vehicle: (a) leaving the individual driveway from which the vehicle is exiting or the loop lane, or (b) entering on or over the individual driveways of any other residence. The AASHTO turning template for a "P" design vehicle shall be used to confirm that this standard is met.
- G. The dwellings served by the loop lane shall comply with off-street parking requirements applicable to single-family dwellings and with the following additional requirements, without permitting any parking or vehicle storage on the loop lane itself:
  1. one common, off-street parking space shall be provided for every four (4) residences on the loop lane; where one extra parking space is not provided on each lot; and
  2. one or more common areas shall be provided within each loop lane development (not within the center common area) for the storage of recreational vehicles, boats, and utility trailers where storage areas are not provided on the lots. Such common areas shall together contain at least two hundred fifty (250) square feet for each residence on the loop lane, and shall be designed to allow the storage of one recreational vehicle, boat, or utility trailer by each such residence. Detention ponds or any drainage facilities shall not be used as storage areas

The purpose of providing additional parking/storage is to avoid compromising the access provided by the auto court by using it for vehicle storage.

7.15.5 | Shared Driveways

Shared Driveways provide private driveway access for up to five (5) lots within "outlots" or easements that are privately owned and maintained. Lots served by a shared driveway typically have utility service extended from the public right-of-way in utility easements.

The following conditions shall be met:

- A. Shared driveways are allowed in locations approved per the Road Access Policy, provided that consideration of Public Right-of-way Dedication Requirements in Section 7.16 does not require a public right-of-way to be dedicated and/or a public road to be built by the developer.
- B. Shared driveways shall be designed by a Professional Engineer licensed in the State of Colorado, and shall meet the following minimum specifications. Shared access within the Grand Junction Rural Fire District shall comply with the Fire Department Access requirements of the Grand Junction Transportation Engineering Design Standards (TEDS).

Minimum Specifications:

1. Unobstructed driving surface width of twenty (20) feet, exclusive of shoulders;
  2. Proper drainage;
  3. Turning radii at the intersection with public roads are built in accordance with the Road Access Policy;
  4. Provision of a turnaround area in compliance with Appendix D of the International Fire Code where shared driveways exceed one hundred fifty (150) feet in length;
  5. An all-weather surface is constructed, meaning a road surface over which emergency and typical passenger vehicles can pass at all times and in any weather condition, maintained in a dust-free condition (exception: properties within the GJ Rural Fire District where TEDS is adopted must be finished with hot mix asphaltic concrete or concrete pavement over a flexible base); and
  6. Paved aprons are constructed at intersections with paved public roads where required by the Road Access Policy within the Urbanized Area of the Mesa County Municipal Separate Storm Sewer Systems (MS4s) Authorization (Stormwater Urbanized Area).
- C. A Development Improvements Agreement (DIA) shall be required for the shared driveway construction. The developer shall be responsible to construct the shared driveway.
- D. The shared driveway must be maintained with an all-weather surface and in a condition comparable to that required by the engineered design and minimum specifications noted above. Any disturbance of or damage to the driveway for installation of utilities, maintenance, etc. must be restored to meet the requirements of the engineered design and the minimum specifications noted above. Multi-purpose easements shall be dedicated contiguous to the shared driveway for utility service lines. Alternative provisions for utilities must be approved by the utility providers.

The shared driveway shall have some mechanism for maintenance, such as: dedication to a property owners' association with responsibility for maintaining the shared driveway and the power to enforce payment of dues from individual homeowners in order to do so, or recording a maintenance agreement for the shared driveway. The mechanism for maintenance shall be recorded before the Final Plat is recorded.

**§7.16 | Streets and Roads**

**7.16.1 | Standards**

When a development plan proposes improvements to a street or road that requires right-of-way in excess of the minimum requirements of the Mesa County Standard Specifications for Road and Bridge Construction, additional right-of-way will be required from the developer to accommodate the proposed plan.

Streets, roads and pedestrian/bicycle paths shall be designed as shown in any adopted Transportation or Circulation Plan and constructed in conformance with the current Mesa County Standard Specifications for Road and Bridge Construction and its appendix, the Road Access Policy. All new public or private roads constructed within the Grand Valley Airshed shall be paved. Farm service and canal/ditch/drainage maintenance roads are exempt from this paving requirement.

Access and construction specifications shall comply with either urban or rural improvements, as specified in the Mesa County Standard Specifications for Road and Bridge Construction and its appendix, the Road Access Policy.

**7.16.2 | Public Right-of-Way Dedication Criteria**

Intent: Roads are an important component of land development. They provide access to subdivision lots and circulation for vehicles and pedestrians in a broader area. Some utilities, such as domestic water and sewer,



will only locate public lines within public rights-of-way. Since the needs for public right-of-way are different for every developing property or area, the following criteria will be considered when subdivision or re-subdivision of properties is proposed.

- A. The development includes the construction of new roadways that will be petitioned for acceptance into the County road system.
- B. The development application proposes more than five (5) lots on one access or more than five (5) lots on a shared driveway or auto court.
- C. The property that is the subject of the development application is able to develop additional lots in the future according to the existing zoning on the property or designated future land use.
- D. Adjacent properties are currently physically or legally landlocked from public right-of-way.
- E. Adjacent properties are otherwise constrained by access regulations from direct access on existing public right-of-way.
- F. Public right-of-way is necessary on the subject property to provide development improvements to the surrounding area either presently or in the future.
- G. Adopted transportation plan(s) show(s) anticipated road circulation that involves the subject parcel.

The Mesa County Public Works Department will consider the above criteria prior to requiring dedication of public right-of-way. Required right-of-way connections to adjacent properties shall be located as effectively as possible, considering topography, environmental constraints, and adopted policies and regulations.

If the developer believes that dedication of public right(s)-of-way internal to the subdivision would not be beneficial to the current or future property owners or to the planned development of the area, then the developer or their engineer shall prepare a report for consideration by the Public Works Department certifying why public right(s)-of-way should not be required.

Note: A bubble diagram will be required from the applicant to conceptually lay out their idea for full design of the subdivision at the density allowed by the zoning on the property or the Future Land Use classification.

#### 7.16.3 | Improvements

Road improvements must meet the Mesa County Transportation Impact Fee (TIF) Regulation adopted on June 7, 2004 and effective January 1, 2005.

Limited improvements to adjacent roads shall be required of all types of development (excluding Property Line Adjustments and Residential Site Plans) that are not covered by the Transportation Impact Fee regulation (i.e., local roads).

- A. Required Improvements
  - 1. Streets/Roads  
If a development is adjacent to a local street or road (as defined in the Road Access Policy) and if the street/road provides primary access, the developer shall be responsible for all improvement costs (see 2, below).
  - 2. Primary Access Street/Road  
When a development is not adjacent to a street/road and a Primary Access Street/Road is required to access the development the developer shall be responsible for the entire cost of the design and construction of said Primary Access Street/Road.
  - 3. Internal Streets/Roads  
The developer shall be responsible for the entire cost of the design and construction of internal streets/roads and connection stubs. In the rural zoning districts, the Developer may have their engineer prepare a specific proposal for reduced improvements when constraints (e.g. the

need exists for additional right-of-way from an adjoining property or when a responsibility to share road construction costs with an adjoining property exists) are identified. When five (5) or fewer residential lots will use the internal road for access, the improvements required in the right-of-way may be reduced, upon request by the Developer, to the minimum standard for shared driveways as specified in 7.15.5.

Mesa County will not accept new roads for maintenance that are not built to County specifications.

**B. Urban Street Improvements**

Development within all Urban Zoning Districts and Rural Communities, shall construct required improvements (see 7.16.2.) to streets/roads that are in conformance with the urban road sections in the Mesa County Standard Specifications for Road and Bridge Construction.

**C. Rural Road Improvements**

1. Development that is in the Rural Zoning Districts shall construct limited improvements (see 7.16.2) to County maintained roads when the development:

- a. has boundaries with frontage on a “public road” as defined in the Road Access Policy; and
- b. has adjacent roads that are designated as local roads in Figures 4-3, 4-4, 4-5, 4-6, 4-7 and 4-8 of the Road Access Policy.

2. Development that satisfies the criteria in 7.16.2.C shall provide the following road improvements to adjacent County roads classified as local roads:

- a. install all or portions of gravel shoulder along adjacent roads in compliance with the Mesa County Standard Specifications for Road and Bridge Construction; and
- b. ensure that drainage along roads is not adversely affected by any road improvements installed or accesses constructed.

**§7.17 | Circulation and Street Layout**

**7.17.1 | Sidewalks and Trails**

All principal structures in Nonresidential zoning districts, and all Urban Residential zoning districts except the RSF-R, district shall have direct access to a sidewalk or trail without having to cross a street.

**7.17.2 | Transportation Plans**

The layout of streets, highways, sidewalks and trails shall comply with all adopted transportation plans.

Where proposed development adjoins other property, the dedicated right-of-way and improvements required to connect Local, Arterial or Collector streets within the proposed development shall extend to the adjacent property line in conformance with any adopted Transportation Plan.

**7.17.3 | Private Streets**

Private streets within a development shall comply with the requirements of the Mesa County Standard Specifications for Road and Bridge Construction, and the development shall have a Property Owners’ Association and covenants sufficient to ensure road maintenance is performed. Private streets/roads shall only be created through the Major Subdivision Process. Lots and parcels without direct access to dedicated public rights-of-way with maintained roads/streets can only be created through the Major Subdivision process.

**§7.18 | Street Naming**

A street naming system shall be maintained to facilitate the provisions of necessary public services (police, fire, ambulance, mail), reduce public costs for administration, and provide more efficient movement of traffic. All newly platted, dedicated or named streets and roads shall comply with these standards. The Planning

## CHAPTER 7 | DEVELOPMENT STANDARDS

Director shall check all new street names for compliance to this system and issue all street addresses. Existing streets and roads not conforming to this system shall be made conforming as soon as possible.

- A. Streets running east and west in the urban area are “avenues.”
- B. Streets running north and south in the urban area are “streets.”
- C. Streets running in a general east and west direction but connecting with an "avenue " shall be a "drive.”
- D. Streets running in a general north and south direction but connecting with a "street" shall be a "way.”
- E. “Avenues,” “streets,” “drives” and “ways” must be continuous through more than one major block. This shall include future planned extensions.
- F. Streets running east and west, but not connecting to avenues on either end shall take the name of the "avenue" preceding and be designated a "place.”
- G. Streets running north and south, but not connecting to avenues on either end shall take the name of the "street" preceding and be designated a "lane.”
- H. Horseshoe-shaped streets beginning and ending within a major block shall be known as “circles.”
- I. All cul-de-sacs not planned for future connection to another street shall receive the designation “court.”
  - 1. Courts directly in line with and connecting to the end of an “avenue,” “street,” “drive,” or “way” shall receive the name of that avenue, etc. with the designation “court.”
  - 2. Courts at right angles to a street shall receive a name substantially different from that street. If possible, such a court shall receive the same name as that of a street with which it is aligned, unless this would create undue confusion or unless the name is already used by an existing court. In this case, the court shall receive the name of that street plus a prefix or suffix such as “wich,” “ford,” “ville,” etc.
- J. “Places,” “lanes,” “circles” and “courts” shall be within only one platted block. This includes any future planned extension.
- K. Street names should be continuous through subdivisions where they align.
- L. Proliferation of street names with the same prefix within a subdivision or in the general vicinity is discouraged.
- M. Duplication of street names shall not be permitted unless consistent with this section.
- N. Street names in the rural areas of Mesa County shall conform to the alignment requirements of this section but need not use the "Street" and "Avenue" designations.
- O. No new street name shall contain a cardinal direction, (North, South, East, or West), as part of the street name.
- P. New street names that sound like, or similar to, existing streets but are spelled differently will not be allowed.

### §7.19 | Posting of Addresses

The owner of any new structure or manufactured home to which a number has been assigned pursuant to Section 3.18 shall:

- A. within thirty (30) days after the receipt or notification of such number, affix the number in a conspicuous place;
- B. remove any different number which might be mistaken for or confused with the number assigned to said structure by the County;
- C. display the number assigned to the frontage on which the front entrance is located. In case the principal building or structure is occupied by more than one business or residential unit, each separate front entrance shall display a separate number. Where suite or lot numbers are assigned, the suite or lot number shall be displayed in the same manner as the house number;
- D. ensure that all required address numerals are painted or applied, are at least two inches in height, and are posted so as to be legible from the street or road on which the property is located;
- E. mark all mail boxes that are not attached to the structure or manufactured home with the assigned structure number; and
- F. if the structure is not visible from the street or road on which it is located, and no mail box is beside the driveway leading to the structure, erect a signpost with the assigned structure number.

**§7.20 | Intersection and Driveway Visibility**

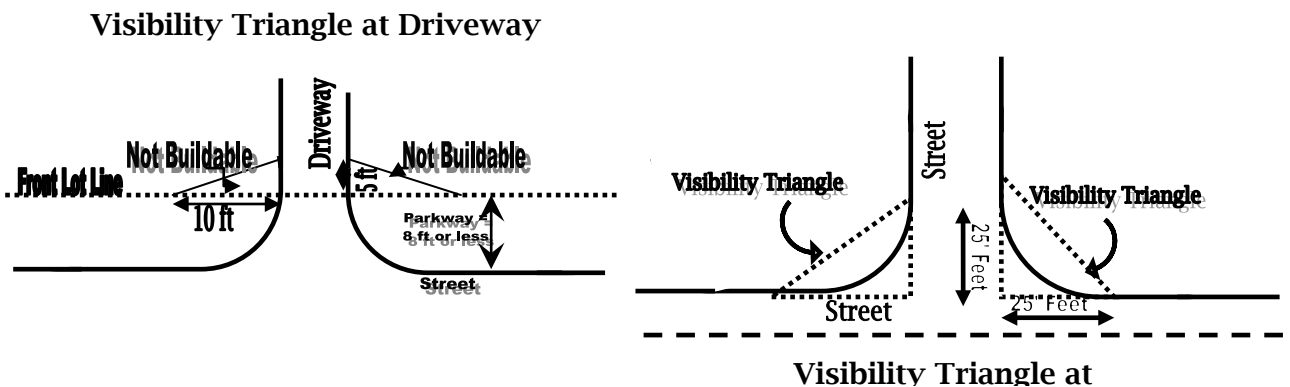
**7.20.1 | Intersections**

No fence, wall, hedge, landscaping, sign or other material or structure that will obstruct vision between a height of three (3) feet and eleven (11) feet shall be erected, placed or maintained within the triangular area formed by an imaginary line starting at the point of intersection of property lines and extending twenty-five (25) feet from their point of intersection, as shown on the following illustration:

Visibility triangle requirements may be increased when deemed necessary for traffic safety.

**7.20.2 | Driveways**

On front (or other street side) property lines, no structure, fence, wall, hedge, or planting that will obstruct vision between a height of three feet and eight feet shall be erected, placed or maintained within the triangular area formed by the edge of the driveway and the front lot line as shown on the following diagram:



The provisions of this section shall be waived for fences, walls, hedges or other plantings if it can be shown that visibility will not be restricted either because of a turnaround driveway or a parkway greater than eight feet.

**7.20.3 | Dedication Required**

The above visibility standards shall apply to all Street or Road intersections with public Streets and Roads in Mesa County. The area within required intersection visibility triangles shall be dedicated to the County at the time of development approval.

7.20.4 | Enforcement

Upon official written notification of noncompliance, the property owner shall remove any obstructions. If the owner has not done so within a reasonable time as determined by the Public Works Department, Mesa County shall take steps to have the obstruction removed.

§7.21 | Land Dedications and Fees In-Lieu

7.21.1 | Park Land (see Section 7.5 - Open Space/Parks Standards)

- A. Land Dedications  
Dedication of land for park purposes shall be required of any development if such development includes within it land that is necessary for implementing an adopted park, bikeway, or open space plan, provided that every land dedication shall be roughly proportional both in nature and extent of the proposed development.
- B. Fees In-Lieu of Land Dedications  
A fee in lieu of park land dedication shall be paid by all developments except those required to dedicate park land in accordance with this section. Revenues from such fees shall be used only to acquire park land or construct park or recreation related capital improvements that are necessary to serve the fee-paying development and other developments within the area. Fees are payable upon the filing of a final plat for a platted residential development. Developments containing residential and other uses shall pay the appropriate fees on each part of the development.
- C. Required Fees  
The required fees for all types of development shall be calculated in an amount roughly proportional to the need or demand generated by the proposed development, as determined by one or more studies commissioned and approved by the Board of County Commissioners.
- D. Credit Permitted Against Fee  
The development shall be allowed credit against any fees due for the actual costs of any park related capital improvements constructed by the applicant, for the development, at the request of Mesa County that are not on or directly adjacent to land owned by the applicant.

7.21.2 | Schools

- A. Land Dedications  
Dedication of Suitable School Lands for school purposes shall be required of any development if the affected School District determines that such development includes within it land that is necessary for implementing a school plan, provided that every land dedication shall be roughly proportional both in nature and extent of the proposed development, in accordance with the requirements of this section.
- B. Fees In-Lieu of Land Dedications  
A fee in-lieu of school land dedication shall be paid by all residential developments except those required to dedicate land for schools in accordance with this section. The fee per dwelling unit shall be determined by resolution of the Board of County Commissioners, calculated in an amount roughly proportional to the need or demand generated by the proposed development, as determined by one or more studies commissioned and approved by the School District. School Land Dedication (SLD) fees shall be collected by the County for the exclusive use and benefit of the School District in which such development is located, and shall be expended by the School District solely to acquire real property or interests in real property reasonably needed for development or expansion of school sites and facilities, or to reimburse the School District for sums expended to acquire such property or interests.
  - 1. School Land Dedication (SLD) Fees shall be collected and held in trust for the use and benefit of the School District containing the Residential Development for which the fee is collected. Such fees shall be expended by such School District to acquire additional real property for expansion of school facilities and construction of new school facilities necessitated by new Residential Development in such School District, or to reimburse the School District for sums

expended to acquire such property. The amount of the SLD Fee shall be based on a methodology which takes into account the student generation rates of new Residential Development, the quantity of land required to build new school facilities on a per pupil basis, and the anticipated cost of acquiring Suitable School Lands in the School District to expand existing school facilities and construct new school facilities to accommodate new Residential Development without decreasing current levels of educational services.

2. At the time SLD Fees are initially adopted and once every five years thereafter, the Board of County Commissioners shall determine the average cost per acre of Suitable School Lands, after a public hearing. The County shall give each School District of the County sixty (60) days' prior written notice of the hearing. Such hearing shall consider the School Districts' long range capital improvement plans and any other evidence, comments or recommendations submitted by the School Districts and the public in making such determination.
3. The SLD Fee shall then be set, by resolution of the Board of County Commissioners, in accordance with the following formula:

Cost per Acre of Suitable School Lands within each School District	×	Student Generation Fee Factor of .023*	=	SLD Fee Per Dwelling Unit
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[For example, if the average cost of Suitable School Lands is \$15,000 per acre, the SLD Fee per Dwelling Unit would \$15,000 X .023, or \$345.] See Section 7.21.2.B above for determination of factor.

The student generation fee factor may also be modified at the hearing, provided that either the subject School District gives notice to the Board of County Commissioners that it requests such a modification at least thirty (30) days prior to the hearing, or the Board adopts a motion providing for consideration of a modification of said fee factor, and its hearing notice to the subject School District pursuant to this subsection. Said hearing shall consider the School District's school facilities plan currently in place, the methodology and data supporting the proposed modification, and any evidence, comments or recommendations submitted by the County Planning Department, the subject School District and interested members of the public.

C. Payment of School Land Dedication Fee

1. No building permit shall be issued for a dwelling unit or a multi-family dwelling structure that is or contains one or more dwelling units, until the SLD fee in effect at the time the permit is applied for has been paid.
2. Nothing in this section shall preclude a holder of a Development Permit for a Residential Development or Mixed Use Development containing a Residential Development component from pre-paying the SLD fees to become due under this section for one or more Dwellings, Multiple-Family Dwellings or Multi-Family Dwellings to be constructed in such development. Such prepayment shall be made upon the filing of a final plat for a platted Residential Development, at the SLD fee rate then in effect and in the amount which would have been due had a building permit application for such dwellings been pending at the time of prepayment. A subsequent building permit for a Dwelling, Multiple-Family Dwelling or Multi-Family Dwelling that is, or contains, one or more Dwelling Units for which the SLD fees have been prepaid shall be issued without payment of any additional SLD fees. However, if such permit would allow additional Dwelling Units for which SLD fees have not been prepaid, the permit shall not be issued until the SLD fees for the additional Dwelling Units have been paid at the rate per Dwelling Unit in effect at the time the building permit application was made.
3. Any prepayment of SLD fees in accordance with this section shall be documented by a Memorandum of Prepayment that contains the following minimum components:
  - a. The legal description of the real property subject to Residential Development for which an SLD fee is being prepaid.

- b. A description of the development permit issued concerning such real property, and a detailed statement of the SLD fees being prepaid.
- c. The notarized signatures of the owners of record or their duly authorized agents.
- d. The notarized signature of the County Administrator, indicating approval of the prepayment plan.

D. Exemptions

The following shall be exempted from payment of SLD fee:

1. alterations or expansion of existing buildings except where the use is changed from nonresidential to residential and except where additional Dwelling Units result;
2. the construction of accessory buildings or structures;
3. the replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use;
4. the installation of a replacement manufactured home on a lot or other parcel when a fee in lieu of land dedication for such manufactured home has previously been paid pursuant to this section or where a residential manufactured home legally existed on such site on or before the effective date of this section;
5. nonresidential buildings, nonresidential structures, or nonresidential manufactured homes;
6. nursing homes, Adult Foster Care Facilities, or Specialized Group Facilities;
7. county approved Residential Developments that are subject to recorded covenants restricting the age of the residents pursuant to the Federal Fair Housing Amendments Act of 1988; and
8. residential construction on unsubdivided land.

E. Credits

1. An applicant for a development permit (or a holder of such a permit) who owns other Suitable School Lands within the same School District in which the development is located may offer to convey such lands to such district in exchange for credit against all or portion of the SLD fees otherwise due or to become due. the offer must be in writing, specifically request credit against fees in lieu of SLD, and set forth the amount of credit requested. If the County and the School District in which the development is located accept such offer, the credit shall be in the amount of the value of the Suitable School Lands conveyed, as determined by written agreement between the County, the School District and the permit holder or applicant.
2. Credit against SLD fees otherwise due or to become due will not be provided until good and sufficient title to the property offered under this subsection is conveyed to and accepted by the School District in which the development is located. Upon such conveyance, the School District in which the development is located, and the County, shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, and a description of the project or development to which the credit shall be applied.
3. Credits shall not be transferable from one project or development to another.

F. Refund of Fees Paid

1. Any SLD fee which has not been expended by a School District within five years of the date of collection shall be refunded, with interest at the rate of five percent per annum compounded annually, to the current owner of the land for which the fee was paid. Prior to such refund, such

amount shall be reduced by an amount equal to two percent of the principal amount to be refunded, for the costs incurred by the County in the refund of such fee. The County shall give written notice by first class mail to the person who paid the fee at his or her address as reflected in the records of the Mesa County Clerk and Recorder. If such person does not file a written claim for such refund with the County within ninety (90) days of the mailing of such notice, such refund shall be forfeited and shall be retained and used for the purposes set forth in this Section 7.21.

2. The Board may, upon a School District's request, extend the 5-year period of time upon a showing that such extension is reasonably necessary in order for the School District to complete or close a purchase transaction entered into in writing by such district prior to expiration of such period, or to give such district an opportunity to exercise a purchase option it acquired prior to expiration of such period. Such request shall be made at a public hearing of the Board. In no event shall any extension of time exceed an additional 5-year period.

#### §7.22 | Fees In Lieu of Improvements

##### 7.22.1 | Escrow of Funds in Lieu of Improvements

When specific public improvements are required by the Board of County Commissioners and/or identified in the County's Capital Investment Program and/or any adopted Transportation Plan, a fee (based on the cost of design construction and construction administration) may be collected in lieu of improvement construction. The County may hold funds for up to seven (7) years,.

##### 7.22.2 | Use of Funds

Fees paid pursuant to this section shall be deposited in an escrow account held by the Mesa County Treasurer. Fees shall be expended by Mesa County only to construct the specific improvement for which the fee was collected.

##### 7.22.3 | Credit Permitted Against Fee for Certain Off-Site Improvements \*

Any development shall be allowed credit against any fees or funds due under this section for actual costs of any public improvements constructed by the applicant for the development at the request of Mesa County, which are not on or directly adjacent to land owned by the applicant.

##### 7.22.4 | Impact Fees

All traffic-generating developments are subject to assessment and payment of a Transportation Impact Fee (TIF) The TIF fees are based on one or more studies commissioned and approved by the Board of County Commissioners. The TIF Regulation (MCM 2004-107) was adopted by the BOCC on June 7, 2004. All requirements of MCM 2004-107 and any amendments shall be implemented through this Land Development Code.

#### §7.23 | Stormwater Construction Permit

##### 7.23.1 | Findings

The Board of County Commissioners has obtained a permit to discharge stormwater under the Colorado Discharge Permit System (CDPS) as by required the Federal Clean Water Act, National Pollutant Discharge Elimination System Stormwater Phase II program. The terms and conditions of the permit have set forth minimum requirements for stormwater management programs that address stormwater quality from construction activities, which disturb one (1) acre or more of land and less than one (1) acre if it is part of a larger common plan of development, associated with significant new development or redevelopment.

The Board of County Commissioners finds that to meet the terms of the CDPS permit regulations addressing stormwater quality from construction activities associated with significant development or redevelopment that appropriate regulations are therefore necessary.

##### 7.23.2 | Purpose and Intent

It is the purpose of these regulations:

- A. To protect and preserve surface water from pollutants associated with stormwater runoff.



- B. To meet the terms of the CDPS permit regulations.
- C. To regulate the contribution of pollutants to the municipal separate storm sewer system from stormwater discharges;
- D. to establish legal authority to carry out all inspection, observation, and monitoring procedures necessary to ensure compliance with the regulations of this section;
- E. to promote public awareness of the hazards involved in the improper discharge of pollutants into the municipal separate storm sewer system;
- F. to regulate the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges from construction activity and development and to facilitate compliance with state and federal standards.
- G. To reduce pollutants in stormwater discharges from construction activity by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land that results in a disturbance of greater than one (1) acre or is part of a larger common plan of development or sale;
- H. to require permanent stormwater quality runoff controls to be constructed along with development to prevent the deterioration of water quality;
- I. to establish provisions for the long-term responsibility for and maintenance of structural stormwater quality control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and do not threaten public safety.
- J. To establish timely and appropriate enforcement actions for violations of the regulations of this section.

#### 7.23.3 | Methods

In order to accomplish their purposes and intent, the regulations of this Section include methods and provisions for:

- A. Requiring a Local Stormwater Construction Permit as identified in the Stormwater Management Manual, when applicable.
- B. Require the installation and maintenance of permanent stormwater quality runoff controls to be constructed along with development to prevent the deterioration of water quality as identified in the Stormwater Management Manual, when applicable.

#### 7.23.4 | Applicability

The regulations of this Chapter shall apply to all lands designated as an urbanized area according to the Colorado Department of Public Health and Environment. The most up to date map is located on the Colorado Department of Public Health and Environment webpage at:

<http://www.cdphe.state.co.us/wq/PermitsUnit/Mesa.pdf>.

No new development or redevelopment, which disturbs one (1) acre or more of land and disturbs less than one (1) acre but is part of a larger common plan of development, shall hereafter be allowed without full compliance with the terms of this regulation, the Mesa County Stormwater Management Manual, and other applicable regulations of the Land Development Code.

Disturbance includes any activity that disturbs the soil on the site, including: grading, clearing, excavation activities, areas receiving overburden (e.g. stockpiles), demolition areas, and areas with equipment/vehicle traffic and storage that disturb vegetative cover.

7.23.5 | Interpretation

In the interpretation and application of these stormwater regulations, all provisions shall be considered as minimum requirements, liberally construed in favor of the County, and deemed neither to limit nor repeal any other powers granted under State statutes.

7.23.6 | Warning and Disclaimer of Liability

The degree of water quality protection intended to be provided by this Section is considered reasonable for regulatory purposes and is based upon the engineering and scientific methods of Construction Stormwater Management Plan and the Drainage Report. This Section shall not create any liability on the part of, or a cause of action against the Mesa County Board of Commissioners or any officer or employee thereof, for any water quality damages that may result from reliance on this regulation or any administrative decision lawfully made thereunder.

7.23.7 | Nonconformities

The existing lawful use of a structure or premises that does not comply with the stormwater regulations of this section, may be continued. If the property is redeveloped, and disturbs an acre of land or less than one (1) acre but is part of a larger common plan of development, activities must conform with this Section.

7.23.8 | Stormwater Construction Permit Conditions

The Stormwater Administrator shall require that the requirements of Section 1506.1 of the SWMM be adhered to. This section covers the requirements of inspections, reporting, and changes to the Construction Stormwater Management Plan.

§7.24 | Interim Development Policies

7.24.1 | Findings

The Board of County Commissioners may adopt by resolution Interim Development Policies, stipulating development standards and uses for properties in specific areas prior to availability of infrastructure and services. The purpose of interim development policies is to allow land owners some development potential while ensuring that development does not occur that cannot be adequately served by water, sewer, roads and other appropriate services and infrastructure.

7.24.2 | Applicability to Development

All development within an area subject to an Interim Development Policy shall be required to meet all applicable standards and limitations set forth in the Policy.

7.24.3 | Effect on Future Development

New development in an area subject to an Interim Development Policy shall be designed in a manner so as not to interfere with future development or redevelopment consistent with the Future Land Uses and Goals, Policies and Objectives of the Mesa County Master Plan.

- A. As a condition of approval of any development in an area planned for urban development, a note will be placed on the site plan indicating that urban uses are planned for the subject property in the future as designated on the adopted Mesa County Master Plan's Future Land Use Map and referencing the adopted Policy Resolution number.