

maneuvering area for delivery and trash collection vehicles.

7. All developments, including multi-family housing, shall provide a designated trash collection area meeting the requirements of this Section.

SECTION 8.06 | PUBLIC LAND AND OPEN SPACE DEDICATION REQUIREMENTS

A. 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.

B. Open Space Requirement

1. All Manufactured Home Parks and all multi-family residential developments shall provide common open space based on the project's net site area.
2. The open space requirement shall be a minimum of twenty (20) percent 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. Open spaces shall be designated as outlots on a plat with a dedication statement for the proposed use. If extenuating circumstances exist that prohibit the ability of the development to achieve a minimum of twenty (20) percent open space, the Director may approve a reduction in the open space requirement.
3. Whenever possible, the land set aside as 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 open space. Open space shall be no less than fifteen (15) feet in any one dimension and no less than five hundred (500) square feet per segment.
4. It is encouraged that at least fifty (50) percent of the open space shall be suitable (by location and topography) for active recreational use, pedestrian pathways, or 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 open space.
5. 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 open space to such, and prohibiting subdivision or separation of ownership of the open space, except as noted in this Section. Such restriction shall be noted on the recorded Site Plan and/or Final Plat.

SECTION 8.07 | 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 LDC. 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.

A. 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.

B. Slope Conditions

1. 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 (30) percent or more, as measured from the points with the highest and lowest elevation.
2. 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 Director.

C. Wildfire Hazards

1. Defensible Space

It is encouraged that new development located on lands containing predominantly woods or brush, should 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 following 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 (30) percent, 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 (30) to fifty-five (55) percent, 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 (55) percent, 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 (5) 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.
- (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 (2) times the height of the taller clump. The maximum width of any clump of brush or trees shall be no greater than two (2) times the height of the clump. Thinned material shall be removed from the site; and
 - (i) 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.
 - (ii) 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.

2. 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 (5) 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 (2) dead trees per acre may remain to serve as wildlife habitat.

3. Maintenance

Persons owning, leasing, or otherwise maintaining new residential structures covered by provisions of this LDC 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.

D. 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.

1. Applicability

These provisions apply to lots platted after May 2000 and to structures built after the adoption date of this LDC. These provisions shall not apply to parcels of land and structures existing prior to May 2000.

2. 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.

- a. Setbacks shall be measured to the building envelope as established at the time of platting or site plan review.
- b. 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.
- c. Line of sight shall be measured from the nearest point on the centerline of the road most parallel with the ridge line.
- d. 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.

3. Rural Planning Area

Within the Rural Planning Area, new buildings that are located more than one-quarter (1/4) mile and