

CALL-UP PROVISIONS

This code language needs to be relocated from Section 17.21.030(2) to Section 17.07.040 (G). The reason for relocating the language from the Subdivisions chapter to the Standard Review Procedures chapter is because the language now includes Site Design Review as a project subject to call up.

These call-up provisions will allow the Community Development Director to decide whether a project or application should be called up. The call-up provisions would likely not be used for every single project.

-
- G. Call Up Provisions. All Preliminary Plan ~~approvals for Subdivision~~ *and Site Design Review applications* are subject to the City of Fruita's Call Up procedures ~~for Subdivisions~~, which shall be completed according to the following procedures.
1. Notice to City Council. *The Community Development Director may decide to notify the City Council* ~~following the administrative approval of a Preliminary Plan for a Subdivision or a Site Design Review.~~ *If the Community Development Director decides in the affirmative to notify the City Council,* the City Council shall be promptly notified of the action to allow the City Council an opportunity to avail itself of the call-up procedure outlined herein. Notification shall consist of the Community Development Director providing a written description and associated mapping or graphics to illustrate the location and characteristics of the subdivision. The notification shall be included on a work session agenda within thirty (30) days of approval, or as soon thereafter as is practical under the circumstances. This notification shall be included in a City Council work session (not a public hearing) to enable the Council to review and discuss if they would like to formally review the Community Development Director's decision in a public hearing, as outlined in subsection C. A simple majority vote shall determine if the Preliminary Plan *or Site Design Review* shall be called up, and the decision to do so is at the sole discretion of City Council.
 2. Call-up. The City Council may order call-up of the Preliminary Plan *or Site Design Review application* approval within thirty (30) days of the written notification. Consequently, applications for Final Plat may not be accepted by the City and no associated reviews or permits shall be completed or issued during the notice and call-up period. If City Council exercises this call-up provision, no applications for Final Plat or any associated reviews or permits shall be accepted or approved until City Council takes action as described in subsection C. If the City Council does not call-up the Preliminary Plan *or Site Design Review* within the call-up period, the Community Development Director's approval shall be the final decision on the matter.
 3. Required actions upon call-up. If City Council decides to call-up the Preliminary Plan *or Site Design Review* approval, the matter shall be referred to the Planning Commission within thirty (30) days, or as soon as is practicable, and shall be

reviewed in a public hearing, pursuant to Public Notice requirements outline in section 17.07.040. The Planning Commission shall be a recommending body to City Council. Within thirty (30) days, or as soon as is practicable, the matter shall be scheduled at a regular City Council meeting for a public hearing, with notice provided pursuant to section 17.07.040. The City Council decision shall be final and conclude the call up procedure.

- a. All reviews completed by the Planning Commission and City Council as part of the call-up shall be *de novo*. The Planning Commission and City Council may, at their sole discretion, consider evidence included in the record, or supplement the record with additional evidence or testimony as they deem necessary. They shall complete their reviews pursuant to the applicable review criteria outlined in ~~section 17.21.030 (1) (C)~~ *the Fruita Land Use Code*. The Council may impose conditions on any approval granted.
- b. If the City Council approves the Preliminary Plan, the applicant may proceed to Final Plat. Any conditions imposed by Council for Final Plat shall be met.