

ORDINANCE 2022-07

AN ORDINANCE GRANTING A MAJOR AMENDMENT TO THE BURENHEIDE PLANNED UNIT DEVELOPMENT (PUD) GUIDE TO INCREASE RESIDENTIAL DENSITY AND ALLOWED RESIDENTIAL LAND USES IN A PORTION THEREOF

WHEREAS, the subject property is shown and described in attached Exhibit A, and

WHEREAS, the city received an application by the owner of the subject property, to amend the existing PUD Guide to allow for an increase in residential density and allowed residential uses, and

WHEREAS, at their December 14, 2021 public meeting, the Fruita Planning Commission recommended approval of the application to amend the PUD Guide, and

WHEREAS, a public hearing was held by the City Council on February 1, 2022 for this major amendment request, and

WHEREAS, the application requested that the Site Plan and Subdivision Plat be reviewed and approved administratively, and

WHEREAS, the application requested a variance from the City of Fruita Land Use Code ("Code") requirement of a minimum of two fully platted ingress/egress points (dedicated rights-of-way) and proposed just one fully platted ingress/egress point (dedicated right-of-way), and

WHEREAS, the application stated that the request for a major amendment was to allow for an affordable housing project, and

WHEREAS, the Code allows for a reduction in required parking for affordable housing projects, and

WHEREAS, the amendment request meets all applicable approval criteria that must be considered for an Amendment to a Planned Unit Development Guide pursuant to Section 17.19.060(A) of the Fruita Land Use Code.

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

THAT the PUD Guide entitled, "Fruita Mews Planned Unit Development Guide" attached hereto as Exhibit B establishes the amended uses for the lot shown as Exhibit A.

THAT the City Clerk is directed to:

1. File the original of this Ordinance and attached exhibits in the office of the City Clerk of Fruita, Colorado;

2. File one copy of this Ordinance and attached exhibits in the office of the Mesa County, Colorado, Assessor; and
3. File for record one certified copy of this ordinance and attached exhibits with the Clerk and Recorded of Mesa County, Colorado.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
1ST DAY OF FEBRUARY 2022.**

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor