

ORDINANCE 2022-08

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 1.18 ACRES OF PROPERTY LOCATED AT 280 CLEMENTS WAY TO A PLANNED UNIT DEVELOPMENT ZONE.

WHEREAS, the property owner, Dinosaur Holdings LLC (“Owner”) has submitted a request to zone the property described in the attached Exhibit A, and commonly referred to as 280 Clements Way, Fruita, Colorado 81521 (the “Property”) to a Planned Unit Development (PUD) zoning designation, and

WHEREAS, the Fruita Planning Commission has recommended to the City Council approval of the re-zoning the Property to PUD, and

WHEREAS, the proposal is in conformity with the Fruita In Motion: Plan Like a Local Comprehensive Plan (“Comprehensive Plan”) of the City of Fruita and the City of Fruita Land Use Code (“LUC”), and

WHEREAS, by re-zoning the Property to PUD, each use in the development of the Property can be evaluated on an individual basis and impacts on surrounding land uses can be mitigated, and

WHEREAS, a Final Plan has been prepared entitled, “Red Cliffs III PUD” which identifies the lot sizes, building setbacks, streets and other aspects of the overall development plan, which is part of the proposed Red Cliffs III PUD Subdivision, and

WHEREAS, Owner has submitted a PUD Guide entitled, “Red Cliffs III PUD Guide” which includes dimensional standards, design standards and use restrictions for development of the Property, and

WHEREAS, proper publication and public notice were provided as required by law for the hearings before the Planning Commission and the City Council, and

WHEREAS, based on the evidence, testimony, exhibits, relationship to the Comprehensive Plan and LUC, comments of Community Development Department, Review Agencies, and Planning Commission hearing minutes, the recommendation of the Planning Commission, and comments from all interested parties, the City Council finds as follows:

Pursuant to Chapter 19 of the Fruita Land Use Code, the City Council makes the following findings in its review of the PUD Application:

- a) The application is in general conformance with the Land Use Code and Comprehensive Plan.
- b) The proposed plan conforms to all applicable regulations policies and guidelines.
- c) The application does not vary the health and safety requirements contained in Title 8 of the Fruita Municipal Code.
- d) The application does not vary from the requirements concerning public improvements

- contained in Title 12 of the Fruita Municipal Code.
- e) The application does not vary from the requirements concerning water and wastewater contained in Title 13 of the Fruita Municipal Code.

THE CITY OF FRUITA HEREBY ORDAINS:

Section 1: That the Zoning Map adopted pursuant to Section 17.03.030 of the Fruita Municipal Code is hereby amended and that the Property described and shown on the attached Exhibit A, containing 1.18 acres, more or less, is hereby designated as a Planned Unit Development Zone (PUD);

Section 2: That the PUD guide entitled, “Red Cliffs III PUD Guide” attached hereto as Exhibit B establishes dimensional standards including but not limited to setbacks and building heights for each lot within the Red Cliffs III PUD Subdivision and is approved;

Section 3: Special Conditions: That the development of the Property will be required to adhere to the conditions outlined in the Planned Unit Development Guide for the Red Cliffs III PUD Subdivision attached hereto as Exhibit B.

Section 4. It shall be a Class B municipal offense, as defined in the Fruita Municipal Code, for any person to knowingly erects, constructs, reconstructs, uses, or alters any building or structure or knowingly uses any land in violation of the Red Cliffs III PUD Guide herein adopted.

Section 5. 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 Recorder of Mesa County, Colorado.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 15TH DAY OF FEBRUARY 2022**

ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A



Legal Description:

LOT B BLK 5 RED CLIFFS MOBILE HOME VILLAGE,
COUNTY OF MESA, STATE OF COLORADO.

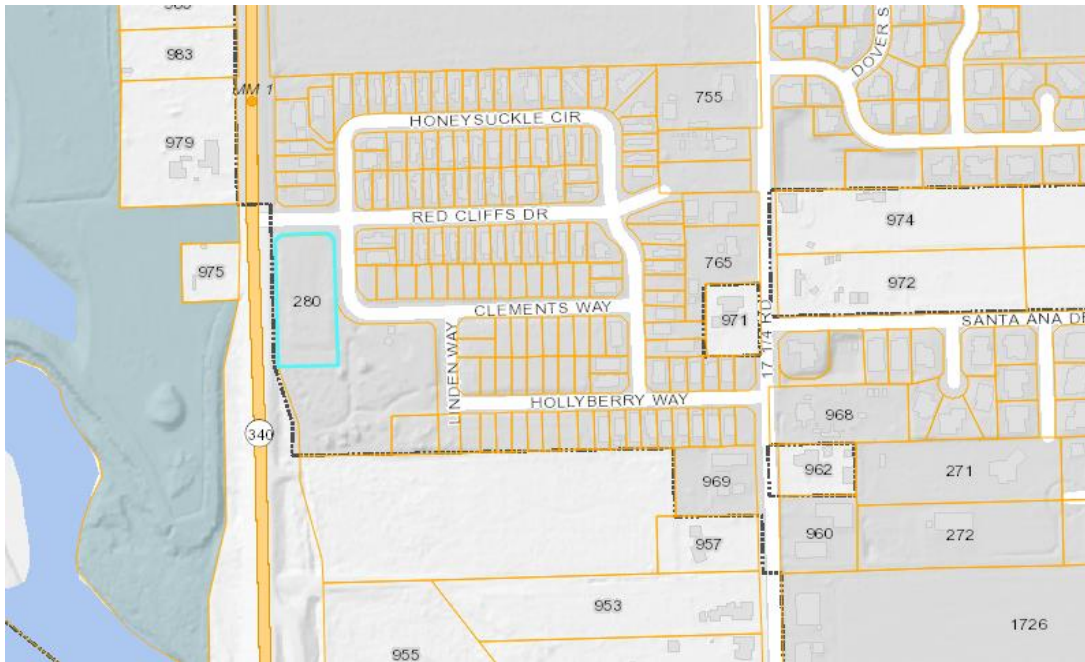
Exhibit B

Red Cliffs III PUD Guide

Red Cliffs III Planned Unit Development

The purpose of the Red Cliffs III Planned Unit Development Guide is to serve as the governing regulation which will control the development of Red Cliffs III. This guide will serve as the Zoning Regulations for the PUD and is in conformance with the Fruita Municipal Code.

This property is located off of Highway 340 and Red Cliffs Drive in South Fruita and is within the City limits of Fruita. The boundary is highlighted below.



Context Plan

Red Cliffs III is a community within the original Red Cliffs Mobile Home Village. This plan consists of 8 single family units designed for 5 double wides and 3 single wides; however, stick-built homes can be constructed if the owner so wishes. Unlike a traditional Mobile Home plan, Red Cliffs III has a dedicated parking area for the residents, keeping cars off of the front of the lots.

Current PUD

The current PUD of this property has no set standards and allows for a mix of singlewides and double wides always with parking in the front as seen below. This PUD plan will set standards between lots in Red Cliffs III. The existing PUD will remain the same for the already existing lots in Red Cliffs Mobile Home Village and in Red Cliffs II. The PUD Guide as defined by this paper will only be valid for Red Cliffs III located at 280 Clements Way.

Land Use Code Deviations

The Overlay Zone District of this PUD Plan is Community Residential (CR). Section 17.07.017 B calls out the requirements for the CR Zone, and deviations will occur in section A, B, C, E, and G of the specified section. These deviations will need to be made in order to maintain the same look and feel of the surrounding neighborhood. If Red Cliffs III were to have no deviations, the style of the lots would not be coherent with the lots around it.

Bulk Standards and Allowed Uses

Anything not mentioned in this PUD Guide will adhere to the Community Residential zoning regulations.

Minimum Lot Area

Single-Family Detached: 3,000sf

Setbacks for Single-Family Detached Homes

Front: 5'

Side: 5'

Back: 10'

Max. Lot Coverage: 80%

Max. Height: 25 Ft

Individual Lot Guidelines

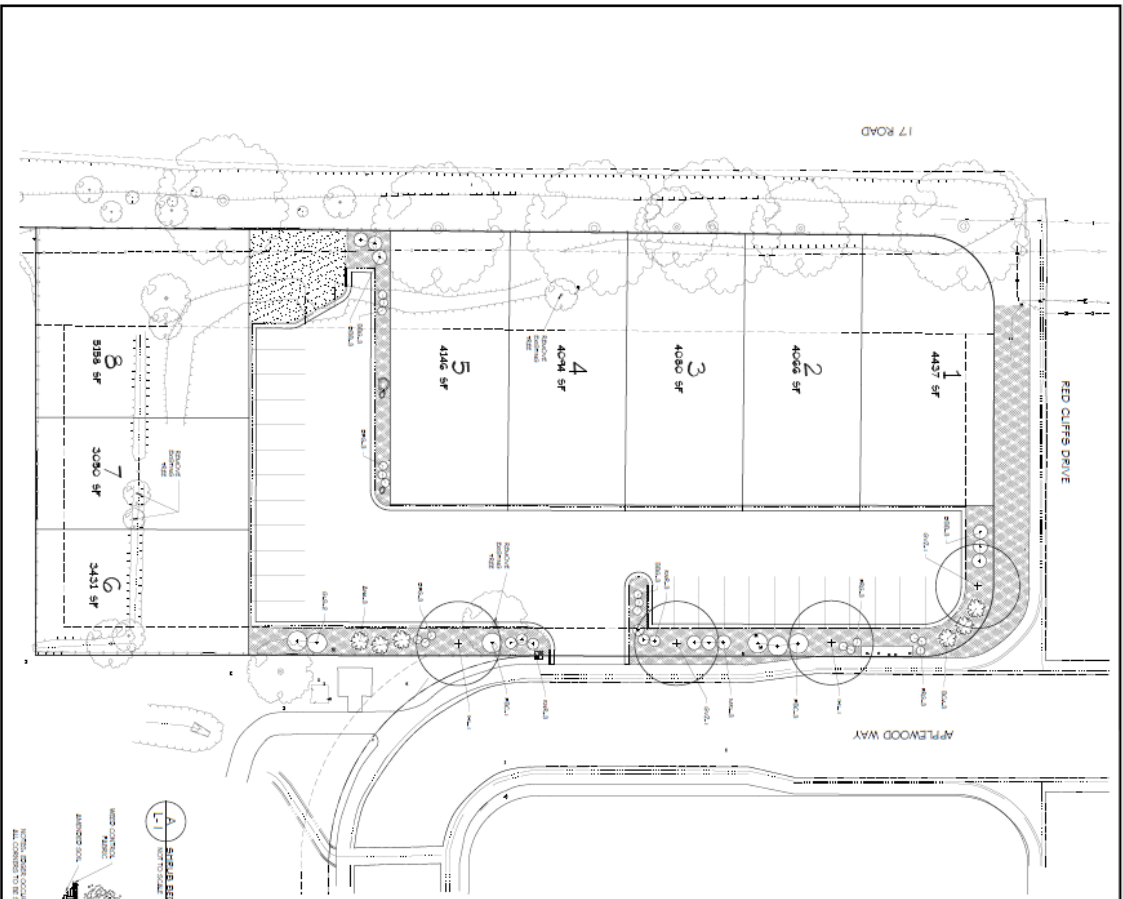
- There is a 10' landscaping buffer located along the Applewood Way frontage.
- There is a 35' high-pressure gas line easement along the western side of the property. No structure shall be built within this easement. Easement is record no. 1265668 at Mesa County Clerk & Recorder.
- All fencing is required to comply with the Fruita Land Use Code.

Allowed Residential Uses: Single-Family Detached Homes
Short Term Residential Property Rental¹

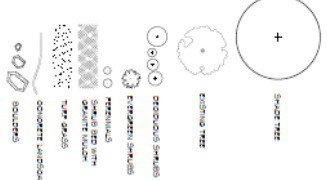
1-Short term rental of property shall be allowed subject to the permitting requirements of the Fruita Land Use code. Short term rentals have also been approved by the existing HOA.

Maintenance & Ownership of Tract A

Tract A comprises the parking area for all 8 lots along with the landscaping strips along Applewood Way, and the small open space area south of Lot 5 and north of Lot 6. Upon recording Red Cliffs III Plat, Tract A will be dedicated to Red Cliffs III Homeowners Association. The owners of the subdivision will be responsible for the maintenance and repair of Tract A through the Red Cliffs III Homeowners Association. Landscaping for Tract A will be installed as defined by the Ciavonne, Roberts & Associates, Inc plan that is included with the PUD Plan and as illustrated below.

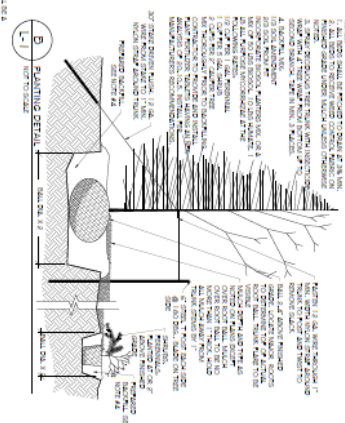
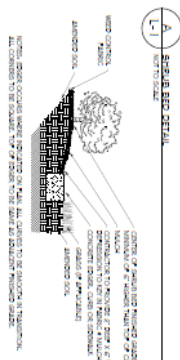


LANDSCAPE LEGEND



LANDSCAPE CALCULATIONS
 TOTAL PLANTING AREA: 10,000 SF
 TOTAL TURF GRASS: 2,000 SF
 TOTAL CONCRETE: 1,000 SF
 TOTAL GRASS: 1,000 SF
 TOTAL PLANTING: 6,000 SF

PILE OF PINE BARK MULCH
 1. 10' DIA. PILE OF PINE BARK MULCH
 2. 10' DIA. PILE OF PINE BARK MULCH
 3. 10' DIA. PILE OF PINE BARK MULCH
 4. 10' DIA. PILE OF PINE BARK MULCH



Plant Name	Quantity	Plant Size	Plant Type	Plant Source
Shrub Tree	1	10' DIA.	Deciduous	Local Nursery
Deciduous Tree	1	10' DIA.	Deciduous	Local Nursery
Coniferous Tree	1	10' DIA.	Coniferous	Local Nursery
Gravel	1,000 SF		Material	Local Supplier
Turf Grass	2,000 SF		Material	Local Supplier
Concrete	1,000 SF		Material	Local Supplier

PLANTING NOTES
 1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FRUITA PLANTING SPECIFICATIONS.
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 14. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FRUITA PLANTING SPECIFICATIONS.
 15. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FRUITA PLANTING SPECIFICATIONS.

DRAWN BY: **MR**
 CHECKED: **MR**
 DATE: **03/23/2021**
 REVISIONS:

REDCLIFFS III
 FRUITA, CO

OWNER: **REDCLIFFS III**

LANDSCAPE PLAN

SHEET NO. **L-1**