



## **FRUITA PLANNING COMMISSION**

**January 9, 2024**

**6:00 P.M.**

The following item(s) will be presented at this public hearing of the Fruita Planning Commission for their consideration. The Planning Commission will formulate a recommendation that will be forwarded to the Fruita City Council. Physically disadvantaged people who wish to obtain information may call (970) 858-0786. The hearing impaired may call Relay Colorado at 1-800-659-2656 or visit our website: [www.fruita.org](http://www.fruita.org).

### **General Rules**

Land use public hearings are similar to a court proceeding. Proper procedures will ensure a fair hearing for all and allow the land use items to be acted on in a timely manner. In the interests of time and to assure a fair hearing for everyone, the following rules will be followed:

1. There will generally be a 15-minute presentation (maximum) by the applicant.
2. Individual speakers will normally be limited to 3 minutes each.  
(Additional comments may be submitted in writing.)
3. The applicant will then have a rebuttal time of approximately 5 minutes.

The purpose of a land use hearing is to have the facts of a case presented in a manner that will assist the decision-makers in making a fair, legal, and complete decision. The hearing is a fact-finding forum by unbiased decision-makers. Unruly behavior, such as booing, hissing, cheering, applause, verbal outbursts, or other inappropriate behavior, detract from the hearing and will not be permitted.

#### **A. CALL TO ORDER**

#### **B. PLEDGE OF ALLEGIANCE**

#### **C. AMENDMENTS TO THE AGENDA**

None.

#### **D. APPROVAL OF THE AGENDA**

#### **E. WITHDRAWN ITEMS**

None.

#### **F. CONTINUED ITEMS**

None

#### **G. CONSENT ITEMS**

##### **1. APPROVAL OF MINUTES:**

December 12, 2023, Planning Commission meeting

## **H. HEARING ITEMS:**

Application #: 2023-37  
Project Name: Geode Flats  
Application: Preliminary PUD Plan  
Representative: McCool Development Solutions, LLC  
Location: 614 Raptor Road  
Description: This is a request for approval of a Preliminary PUD Plan to establish zoning standards for a multi-family residential development plan over approximately 5 acres.

## **OTHER BUSINESS**

1. Community Development Updates.
2. Visitors and Guests.
3. Other Business.

## **ADJOURNMENT**

### **RULES OF PROCEDURE**

#### **1. THE HEARING IS OPENED BY THE CHAIR OF THE PLANNING COMMISSION**

The Chair reads the item on the agenda.

#### **2. THE STAFF PRESENTS THE STAFF REPORT**

The Fruita City staff present their reports.

#### **3. THE PETITIONER SUMMARIZES THE PROJECT**

The petitioner or his/her representative is asked to present the proposal. Presentations should be brief and to the point but covering all of the main aspects of the project.

#### **4. PUBLIC COMMENTS**

People speaking should step up to the microphone and speak clearly, stating their name and address. They should be brief and to the point and try not to repeat what others have said. The Chair asks for those in favor of the item to speak and then those opposed to the item to speak. Any others who wish to speak are then asked to come up to the microphone.

#### **5. REBUTTAL**

The Chair asks for the petitioner's rebuttal. During this brief time, the petitioner should address the major questions raised by the public and the Commission.

#### **6. THE HEARING IS CLOSED TO PUBLIC COMMENTS AND THE ITEM IS DISCUSSED**

The Chair closes the public hearing to public comments. No further comments from the public are allowed at this time. The Commission discusses the item and may ask the petitioner, staff, or members of the public to come back to the microphone to answer questions.

#### **7. VOTE**

The Chair asks the Commission for a motion on an item. After the motion is seconded, the Chair asks for a discussion on the motion. The motion may be amended and if it is amended, the Commission votes on whether to accept the amendment. After discussion and consideration of any amendments, the Commission votes on the motion. If the motion fails, or if there is a tie vote, another motion may be made and voted on using the same procedure. In addition to recommending an item be approved, approved with conditions or denied, the Commission may also table an item or continue an item to a later date.

#### **8. FOLLOW UP**

The Planning Commission's decision is forwarded to the Fruita City Council. Once a project is approved by the City Council it must be revised to reflect all the conditions placed on it by the City Council before documents are recorded and/or building permits are issued. If the project fails to meet

**the Fruita Land Use Code time limits for final documents, the project approval of the project lapses and the project must be resubmitted.**

**9. The Planning Commission may also continue a project or deny a project. At the request of the Planning Commission, the City Council may continue a scheduled public hearing to allow the Planning Commission more time to consider or reconsider the application.**