

**ORDINANCE 2006- 11**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA AND REZONING PROPERTY TO A PLANNED UNIT VINTNER'S FARM**

**WHEREAS**, by Title 17 of the Fruita Municipal Code, the City of Fruita has enacted a comprehensive zoning and subdivision ordinance for the City; and

**WHEREAS**, the Fruita City Council received an application from Casas Tierra, LLC c/o Robert Harris (the "Applicant"), to amend the zone district map in the particulars hereinafter set forth; and

**WHEREAS**, a public hearing on said application was held as required by Section 17.17.100 of the Fruita Municipal Code; and

**WHEREAS**, the Fruita City Council finds and determines that the Applicant has provided sufficient evidence that the proposed planned unit development is in conformity with the Community Plan and meets the criteria set forth in Section 17.17.040 of the Fruita Municipal Code and the applicant has met his burden of providing evidence that the area in question meets the standards set forth in Section 17.17.050 of the Fruita Municipal Code.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**Section 1:** That the Zoning Map adopted pursuant to Section 17.13.060 of the Fruita Municipal Code is hereby amended and that the property described and shown on the attached Exhibit A, containing 26.76 acres, more or less, is hereby designated as a Planned Unit Development Zone (PUD);

**Section 2:** That the preliminary PUD guide entitled, "VINTNER'S FARM SUBDIVISION, REZONE TO PLANNED UNIT DEVELOPMENT" attached hereto as Exhibit B establishes the setbacks, square footage and individual lot requirements for each lot within Vintner's Farm;

**Section 3:** Special Conditions: That the project will be required to adhere to the conditions outlined in the project narrative 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 PUD Guidelines herein adopted.

**Section 5.** The City Clerk is directed to:

- (1) File the original of this Ordinance and attached exhibit in the office of the City Clerk of Fruita, Colorado;

- (2) File one copy of this Ordinance and attached exhibit 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 4TH DAY OF APRIL, 2006**

ATTEST:

City of Fruita

City Clerk

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E. James Adams, Mayor

\*See attached legal description

