



## **FRUITA PLANNING COMMISSION AGENDA**

**Date: Tuesday, 6.14.2016**

**Time: 7:00 p.m.**

**Place: Fruita Civic Center, 2nd Floor Council Chambers, 325 E. Aspen Avenue, Fruita, CO**

The following items 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. If you have an interest in an item on the agenda, please call (970) 858-0786 or come to the Community Development Department office located at 325 E. Aspen Avenue to review the information in the file. If you have a concern with an item on the agenda, your appearance at both hearings is encouraged to ensure your concerns are accurately represented or you can write a letter detailing your concerns and submit it to the Community Development Department prior to the meetings. Physically disadvantaged persons, who wish to obtain information or need assistance in attending the public hearing, 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.

Each person wishing to speak will raise their hand and be recognized by the Chair and asked to come forward and speak into the microphone stating their name and address. 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**
- D. APPROVAL OF THE AGENDA**
- E. WITHDRAWN ITEMS**
- F. CONTINUED ITEMS**
- G. CONSENT ITEMS**

Application #:	2016-08
Applicant:	Vortex Engineering, Inc.
Application Name:	Mesa Grand Minor Subdivision (Lots 2 & 13)
Application Type:	Minor Subdivision with Vested Rights
Location:	1591 River Road (lot 2) & 1588 Cipolla Road (lot 13)
Zone:	Limited Industrial, Research and Development (LIRD)
Description:	The applicant has requested vested rights for this minor subdivision. State Law and the Fruita Land Use Code require a public hearing for applications wanting vested rights.

Application #: 2016-09  
Applicant: Rick and Tona Goering  
Application Name: Great Divide Villa  
Application Type: Conditional Use Permit  
Location: 1950 Timber Falls Drive  
Zone: Adobe Creek Ranch 2, PUD  
Description: This is a request for approval of a Conditional Use Permit for a Vacation Rental by Owner (Bed And Breakfast). A Conditional Use Permit is required to have a Bed and Breakfast in this PUD zone.

Application #: 2016-10  
Applicant: Mike and Kristy Driver  
Application Name: Sagebrush House Vacation Rental  
Application Type: Conditional Use Permit  
Location: 107 E. Pabor Avenue  
Zone: Community Residential  
Description: This is a request for approval of a Conditional Use Permit for a Vacation Rental by Owner (Bed And Breakfast). The Fruita Land Use Code requires a Conditional Use Permit to operate a Bed and Breakfast in a Community Residential zone.

#### **APPROVAL OF MINUTES**

May 10, 2016 Planning Commission meeting

#### **H. HEARING ITEMS:**

Application #: 2016-07  
Application Name: Sacred Heart Church  
Applicant: Lance Stewart  
Application Type: Zone Change  
Zone: Community Residential  
Location: 503 E. Aspen Avenue & 433 E. Aspen Avenue  
Description: This is a request for a zone change from a Community Residential zone to a PUD zone. The Fruita Land Use Code requires a public hearing for all zone change requests.

#### **Other Business**

1. Community Development Activity Reports.
2. Visitors and Guests.

#### **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 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.

### **3. THE STAFF PRESENTS THE STAFF REPORT**

The Fruita City staff present their reports.

### **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.