

**Chapter 17.17**  
**PLANNED UNIT DEVELOPMENTS**

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**17.17.010 GENERAL PURPOSES.** Planned Unit Developments allow for modification of the normal use, density, size or other zoning restrictions for the development to accomplish the following purposes:

- A.      More convenient location of residences, places of employment, and services in order to minimize the strain on transportation systems, to ease burdens of traffic on streets and highways, and to promote more efficient placement and utilization of utilities and public services;
- B.      To promote greater variety and innovation in residential design, resulting in adequate housing opportunities for individuals of varying income levels and greater variety and innovation in commercial and industrial design;
- C.      To relate development of particular sites to the physiographic features of that site in order to encourage the preservation of its natural wildlife, vegetation, drainage, and scenic characteristics;
- D.      To conserve and make available open space;
- E.      To provide greater flexibility for the achievement of these purposes than would otherwise be available under conventional zoning restrictions;
- F.      To encourage a more efficient use of land and of public services, or private services in lieu thereof, and to reflect changes in the technology of land development so that resulting economies may inure to the benefit of those who need homes;
- G.      To conserve the value of land and to provide a procedure which relates the type, design, and layout of residential, commercial and industrial development to the particular site proposed to be developed, thereby encouraging the preservation of the site's natural characteristics, and;

H. To encourage integrated planning in order to achieve the above purposes.

**17.17.020 PLANNED UNIT DEVELOPMENTS – GENERAL PROCEDURES.**

- A. Subdivisions. In the event a proposed Planned Unit Development involves a subdivision, the Sketch Plan application for the subdivision shall be reviewed as the Concept Plan for the Planned Unit Development application. Concept Plans like Sketch Plans are optional. The Preliminary Plan application shall be reviewed as the Preliminary Planned Unit Development Plan. Approval criteria for Planned Unit Developments must be considered in addition to the approval criteria required to be considered for subdivisions, pursuant to Chapter 17.15.
- B. Site Design Review. In the event a proposed Planned Unit Development does not require a subdivision, Planned Unit Development will follow the Site Design Review application procedures of Chapter 17.13, except the Site Design Review for the Planned Unit Development shall be reviewed through the public hearing process in accordance with Section 17.05.070. Approval criteria for Planned Unit Developments must be considered in addition to the approval criteria required to be considered for Site Design Review, pursuant to Chapter 17.13.

**17.17.030 CRITERIA FOR REVIEW AND DECISIONS.** Recommendations of the Planning Commission to the City Council and decisions by the City Council concerning a proposed Planned Unit Development shall be based upon the following criteria. In no case shall the approval of a Planned Unit Development vary the health and safety requirements contained in Title 8, requirements concerning public peace, morals and welfare contained in Title 9, requirements concerning public improvements contained in Title 12, requirements concerning water and wastewater service contained in Title 13, or the requirements of the city's building codes as set forth in Title 15 of the Municipal Code.

The following approval criteria shall be considered by the Planning Commission and City Council in its review of a proposed Planned Unit Development and no Planned Unit Development shall be approved unless the Council is satisfied that each of these approval criteria has been met, can be met or does not apply to the proposed Planned Unit Development:

1. Conformance to the Fruita Master Plan;
2. Consistency with the purposes as set out in Section 17.17.010, above;
3. Conformance to the approval criteria for Subdivisions (Chapter 17.15) and/or Site Design Review (Chapter 17.13), as applicable; except where Adjustments to the standards of this Title are allowed, and;

4. Where the applicant proposes one or more Adjustments to the standards of this Title, consistency with the Adjustment criteria set forth in Section 17.11.020(B), is required.

**17.17.040 PLANNED UNIT DEVELOPMENT APPLICATIONS - SUBMITTAL, PROCESSING AND REVIEW.**

- A. Planned Unit Development Concept Plan. Upon completing a pre-application conference, a Concept Plan application may be submitted to the Community Development Department.
- B. Preliminary Planned Unit Development Plan. An application for a Preliminary Planned Unit Development Plan shall be submitted within one hundred eighty (180) days of the approval of the Planned Unit Development Concept Plan by the City Council. Failure to file a complete Preliminary Planned Unit Development Plan application in a timely manner will result in reconsideration of the Planned Unit Development Concept Plan approval by the Council.
- C. Final Planned Unit Development Plan. An application for Final Planned Unit Development Plan/Plat application shall conform to the previously approved Preliminary Planned Unit Development Plan, all conditions of approval, and the requirements of Section 17.17.030, and shall be submitted to the Community Development Department within one hundred eighty (180) days following approval or conditional approval of the Preliminary Planned Unit Development Plan by the City Council, unless such time is extended by the City Council.
- D. Final Approval and Recording of Planned Unit Development. Upon approval of the Final Planned Unit Development Plan/Plat the City Council shall enact an ordinance zoning the subject property as a Planned Unit Development. The Final Planned Unit Development Plan/Plat shall then be recorded by the Community Development Department in the manner and by the deadline provided for approved subdivision Final Plats and related documents in Section 17.15.080. No Final Planned Unit Development Plan, development or subdivision improvements agreement shall be recorded until the developer has paid to the city all review, filing and recording fees, as well as any applicable impact fees. The applicant shall sign the Planned Unit Development Guide before it is recorded.

**17.17.050 PLANNED UNIT DEVELOPMENT IMPROVEMENTS.**

All required improvements for an approved Planned Unit Development shall be designed, constructed and installed in accordance with the requirements for subdivision improvements set forth in Chapter 17.15 and in accordance with a development or subdivision improvements agreement entered into by the City Council and the developer pursuant to Chapter 17.21 for Planned Unit Development involving a subdivision or in accordance with requirements for Site Design Review approval if no subdivision is required. Improvements shall be constructed pursuant to the city approved Planned Unit Development construction plans and Planned Unit Development Guide.

**17.17.060 AMENDMENTS TO PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN OR PLANNED UNIT DEVELOPMENT GUIDE.**

- A. Conditions for Amendment. An approved Final Planned Unit Development Plan or Planned Unit Development Guide may be amended, if the applicant demonstrates that the proposed modification:
1. Is consistent with the efficient development and preservation of the entire Planned Unit Development;
  2. Does not affect, in a substantially adverse manner, either the enjoyment of the land abutting within or adjoining the Planned Unit Development, or the public interest;
  3. Is not granted solely to confer a special benefit upon any person;
  4. Does not contain proposed uses that adversely affect other uses approved for the Planned Unit Development;
  5. Does not contain a public site, park or open space plan that differs substantially in quantity or quality from that originally approved;
  6. Contains street and utility plans that are coordinated with planned and/or existing streets and utilities for the remainder of the Planned Unit Development; and
  7. Is consistent with all applicable regulations of this Title, except as specifically allowed through the subject Planned Unit Development approval or where an amendment is allowed pursuant to this Section.
- B. Classification of Amendments. For the purposes of considering a proposed amendment to a Final Planned Unit Development Plan or Planned Unit Development Guide, amendments shall be classified as minor amendments or major amendments. A minor amendment shall include minor changes in location, siting, and bulk of structures, or height or character of structures required by engineering or other circumstances not foreseen at the time the Planned Unit Development or Planned Unit Development Guide was approved. A minor amendment shall not alter the dimensions of any building or structure by more than ten (10) percent. A major amendment shall include all other modifications; such as; changes in use, arrangement of lots or structures, and all changes in the provisions concerning public sites, parks, open space or density.
- C. Pre-application Conference. When proposing any amendment to a Final Planned Unit Development Plan and/or Plat, the applicant shall first request a pre-application conference with the

Community Development Department to discuss city procedures, and requirements. The applicant shall provide information that is sufficient for the Community Development Director to determine whether the request meets the criteria for a minor or major amendment.

- D. Review of Planned Unit Development Amendments. Minor Planned Unit Development amendments shall be reviewed and may be approved by the Community Development Director. Major Planned Unit Development amendments shall be reviewed and may be approved in the manner set forth for original Planned Unit Development applications as contained in this Chapter.