ORDINANCE 2019-01

AN ORDINANCE OF THE FRUITA CITY COUNCIL AMENDING THE BRANDON ESTATES PUD GUIDE TO ALLOW FOR SINGLE FAMILY DETACHED USES

WHEREAS, the subject property is shown and described in attached Exhibit A, and

WHEREAS, the city received an application by the owner of the subject property, to amend the existing PUD Guide to allow for single family detached uses, and

WHEREAS, at their November 13, 2018, public meeting, the Fruita Planning Commission recommended approval of the application to amend the PUD Guide, and

WHEREAS, a public hearing was held by the City Council on January 15, 2019 for this amendment request, and

WHEREAS, the amendment request meets all approval criteria that must be considered for an Amendment to a Planned Unit Development Guide pursuant to Section 17.17.060 (A) of the Fruita Land Use Code.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

THAT the PUD Guide entitled, “Brandon Estates PUD Guide” attached hereto as Exhibit B establishes the amended uses for the lot shown as Exhibit A.

THAT 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 Recorded of Mesa County, Colorado.

ATTEST:

Margaret Sell, City Clerk

City of Fruita

Joel Kincaid, Mayor
Legal Description

The legal description of the site is:
LOT 76 BRANDON ESTATES FIL I SEC 9 1N 2W & AN UNDIV INT IN TRACTS - 1.35AC/58748 SF
BRANDON ESTATES PUD

ANOTHER QUALITY COMMUNITY PLANNED BY:

Vortex Engineering, Inc.
2394 Patterson Road, Suite 201
Grand Junction, CO 81505
Phone: (970) 245-9051
Fax (970) 245-7639

Rev: 02/21/14  REVISION: JAN 2019
PURPOSE

"The purpose of the Brandon Estates Subdivision P.U.D. Control Guide is to serve as the
governing regulations which will control the development of the Brandon Estates Subdivision
P.U.D. The P.U.D. Control Guide will serve as the "zone district regulations" for the P.U.D. and is
in conformance with Section 17.03.519 of the Fruita Municipal Code.

Development within the Brandon Estates Subdivision P.U.D. will be regulated and administered by
the City of Fruita through the provisions of this P.U.D. Control Guide. Building construction within
the P.U.D. is governed by the applicable City of Fruita ordinances, rules, regulations and building
codes. Approval of this P. U. D. Control Guide constitutes a vested property right pursuant to
Section 24-68-103. C.R.S., as amended.

The specific provisions of this P. U. D. Control Guide shall supersede those contained in Title 17 of
the Fruita Municipal Code. However, where this P.U.D. Control Guide does not address a
particular issue or subject matter, the specific provisions of Title 17 of the Fruita Municipal Code, the
City's Land Use Code, shall prevail. In case of a dispute or ambiguity, the City shall be
responsible for interpreting the applicable regulations and resolving the dispute or ambiguity."
COMMERCIAL/RESIDENTIAL DEVELOPMENT
BRANDON ESTATES COMMERCIAL PARCEL: 1.35 ACRES
(LOT 76, BRANDON ESTATES Filing #1)

SECTION 17.11.040 LARGE LOT COMMERCIAL DESIGN DISTRICT
STANDARDS WILL APPLY TO THIS COMMERCIAL AREA FOR
COMMERCIAL ISSUES.

SECTION 17.07.060 COMMUNITY RESIDENTIAL (CR) STANDARDS
WILL APPLY TO THIS RESIDENTIAL AREA FOR RESIDENTIAL ISSUES.

<table>
<thead>
<tr>
<th>BUILDING SETBACK</th>
<th>LANDSCAPE BUFFER</th>
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<tbody>
<tr>
<td>K ROAD</td>
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<tr>
<td>18 1/2 ROAD</td>
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<tr>
<td>EAST</td>
<td></td>
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<tr>
<td>NORTH</td>
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<table>
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<tr>
<th>RESIDENTIAL</th>
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<tbody>
<tr>
<td>FRONT</td>
</tr>
<tr>
<td>SIDE</td>
</tr>
<tr>
<td>REAR</td>
</tr>
<tr>
<td>20' (H), 25' (G)</td>
</tr>
<tr>
<td>16' TOTAL 5/3' MIN.</td>
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<tr>
<td>15 1/3'</td>
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</table>

MAXIMUM BUILDING HEIGHT: 35'

Residential Uses:
* Household living / Single Family Detached
* Child Care

Commercial Uses:
* Sales & Rental of Goods and Equipment
* Indoor sales and display of goods; no outdoor sales or display of goods
* Office, clerical, research and service not primarily related to goods

Educational, Cultural, Religious, Philanthropic, Social, and Fraternal Uses:
* Schools
* Churches, Synagogues, Temples, and other places of worship

* Libraries, Museums, Art Gallery, Art Centers & similar uses
* Social, Fraternal Clubs & Lodges, Union Hall & similar uses

Recreation, Amusement, Entertainment:
* Indoor Options

Institutions, Residence Care, or Confinement Facilities:
* Hospitals, Clinics, other Medical Treatment Facilities

Nightclubs (with C.U.P. Approval):

Restaurants:
* Restaurant
* Restaurant with carry out and delivery

Gas Sales & Car Wash

Emergency Services (With C.U.P. Approval):
* Police Stations
* Fire Stations
* Rescue Squads, Ambulance Service

Miscellaneous Public and Semi-Public:
* Post Office
* Dry Cleaner, Laundromat
* Nursery Schools, Daycare Centers

BRANDON ESTATES PUD  REVISION:  JAN 2019
MIXED USE DEVELOPMENT
BRANDON ESTATES COMMERCIAL PARCEL: 2.82 ACRES

MAXIMUM BUILDING HEIGHT: 35'

BUILDING SETBACK
25' (K Road)
10' (West)
10' (East)
25' (North)

*Decks structures allowed in setback buffers.
*Decks storage allowed
*Ex. of.
*Any building to be demolished or naturally destroyed would have to conform to the new setbacks established.
*Limit commercial outdoor operations to 35' from K rd.

ALLOWED USES
Residential Uses:
*All
*Dwelling, Single-Family Detached
*Home Occupation
*Dwelling, Single-Family Attached
*General Offices
*Office Without-Residents
*Office
*Contractors & Trade Shops, Outdoor
*Contractors & Trade Shops, Outdoor Retail and Sales

Vehicle Repair
*Auto & Light Truck Mech. Repair
*Heavy Eqpt. Storage

LANDSCAPE BUFFER
10' (North)
5' (East)
5' (West)
25' (South)

K ROAD

DETAILED SITE PLAN

BRANDON ESTATES PUD
ALL FENCING SHALL CONFORM TO THE CITY OF FRUITA FENCE CODE, INCLUDING SIGHT TRIANGLES AND SETBACK REQUIREMENTS.

*6' TALL PRIVACY FENCING ADJACENT TO THE PRIVATE SHARED DRIVEWAYS (TRACTS 'B', 'C', 'K' AND 'L' AS IDENTIFIED ON THE ORIGINAL BRANDON ESTATES PLAT) ARE ALLOWED.

**FENCE LEGEND**

- **G' Board on Board Fence**
- **Perimeter Fence**
- **4' Picket/Rail or Board on Board Fence**

Earth Tone Colored Vinyl Approved by Amendment

Developer Installed

Earth Tone Colored Vinyl Approved by Amendment

REVISION: JAN 2019
**BLOCKS 1-6, ALL Lots, SINGLE FAMILY LOTS**

1. / Indicates setbacks or height limitations for accessory buildings which must be located on the rear half of the lot.
2. Base zone of community residential shall apply.
3. No structures, including sheds, slabs, and raised landscaping are allowed in identified drainage easements. See plat and composite site plan for the location of drainage easements.
4. Residential setbacks for Phase III, Lot 76, shall be the same as the Community Residential (CR) zone per ordinance No. 2019-01.

<table>
<thead>
<tr>
<th>Front Yard Setback</th>
<th>Side Yard Setback</th>
<th>Rear Yard Setback</th>
<th>Max Bldg. Height</th>
<th>Max Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>House: 25' (From R.O.W.)</td>
<td>8'/3'</td>
<td>15'/3'</td>
<td>35'/16'</td>
<td>40%/3%</td>
</tr>
</tbody>
</table>

**RESIDENTIAL SETBACKS FOR PHASE III, LOT 76**

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<th>Rear Yard Setback</th>
<th>Max Bldg. Height</th>
<th>Max Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>House: 20' (From ROW) Garage: 25' (From ROW)</td>
<td>16' Total, 5'/3' Min.</td>
<td>15'/3'</td>
<td>35'/16'</td>
<td>40%/3%</td>
</tr>
</tbody>
</table>

**INDIVIDUAL LOT GUIDELINES/REQUIREMENTS:**

- Landscaping & accessory structure restrictions apply within all drainage easements. See covenants and Composite Site Plan for additional restrictions and location.
- 14' Multipurpose easement along R.O.W. lines
- 8'-10' drainage/irrigation easements. See covenants and Composite Site Plan for additional restrictions and location.
- Minimum principal structure size = 2,000 s.f. Architectural review of property landscaping is required prior to homeowner placement. A minimum of one (1) tree and two (2) shrubs in the front yard is required.

**REVISED:
JAN. 2019**