



FRUITA PLANNING COMMISSION AGENDA

Date: Tuesday, August 14, 2018

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 Planning & 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 Planning & 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

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

None.

D. APPROVAL OF THE AGENDA

E. WITHDRAWN ITEMS

None

F. CONTINUED ITEMS

Application #:	2018-30
Application Name:	Oak Creek North Annexation
Application Type:	Annexation & Zoning
Applicant:	Boa Builders LLC
Location:	1149 18 ½ Road
Requested Zoning:	Community Residential (CR)
Description:	This is a request for approval of the annexation of approximately 4.98 acres and to designate a Community Residential zone.

Application #: 2018-31
Application Name: Oak Creek South Annexation
Application Type: Annexation & Zoning
Applicant: Boa Builders LLC
Location: 1840 K 4/10 Road
Requested Zoning: Community Residential (CR)
Description: This is a request for approval of the annexation of approximately 4.28 acres and to designate a Community Residential zone.

- * The Oak Creek North and South annexations will be continued to the October 9, 2018 Planning Commission meeting.

G. CONSENT ITEMS

Application #: 2018-29
Application Name: 146 N. Elm VRBO
Application Type: Conditional Use Permit
Applicant: Benjamin, David and Judith Fox
Location: 146 N. Elm Street
Zone: Community Residential
Description: This is a request to approve a Conditional Use Permit for a Vacation Rental by Owner (Bed and Breakfast) in a Community Residential Zone.

APPROVAL OF MINUTES

July 10, 2018 Planning Commission meeting

H. HEARING ITEMS:

None.

Other Business

1. Community Development Activity Reports.
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 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.