

**ORDINANCE NO. 8  
SERIES 2005**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE UNDERLYING ZONING DISTRICT CLASSIFICATION OF A PARCEL OF LAND DESCRIBED AS LOT 22, THE MEADOWS PHASE 2-R, ACCORDING TO THE RECORDED PLAT THEREOF BEARING RECEPTION NO. 468719 OF THE RECORDS OF GUNNISON COUNTY, COLORADO, FROM R-2 PLANNED UNIT DEVELOPMENT DESIGNATION TO R-2M PLANNED UNIT DEVELOPMENT DESIGNATION, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO.**

**WHEREAS**, the Gunnison County Housing Authority, as owner of the property hereinafter described, filed an application with the City of Gunnison, Colorado, seeking a change of zoning of said real property; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison held a public hearing regarding the proposed change of zoning on April 27, 2005; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison found that the proposed change of zoning application met the review standards for map amendments, Section 15-15-6, of the City of Gunnison Land Development Code; and

**WHEREAS**, the Community Development Director of the City of Gunnison determined that this proposed change of zoning is a major change to the Rock Creek Village Planned Unit Development; and

**WHEREAS**, the City Council of the City of Gunnison held a public hearing regarding the proposed change of zoning on June 14, 2005.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:**

Section 1. Based on the application seeking a change of zoning to the property hereinafter described, the evidence presented to the City Council during the public hearing on the application; and further, based upon the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

A. That the requested change of zoning is consistent with the Master Plan and the purposes of the zone district applied for.

B. That approximately 26 per cent (26%) of the land area will be dedicated as public open space; this open space will be maintained by the Rock Creek Community Association and/or Gunnison County.

C. That the density allowed under the original zoning designation PUD R-2 will not be exceeded by the plan of development under the new zoning designation.

D. That the development permitted by this amendment will be compatible with surrounding districts, land uses, and neighborhood character.

E. That the surrounding neighborhood has been gradually changing to contain higher density residential and community building uses than originally contemplated by the Planned Unit Development R-2 designation.

F. That each of the dwelling units constructed upon this property will be deed restricted for affordable housing.

Section 2. Based on the foregoing findings of fact, the City Council of the City of Gunnison, Colorado, hereby determines that the change of zoning of the property herein described upon the conditions set forth herein is in the best interests of the City of Gunnison and its citizens.

Section 3. The zoning classification of the real property described as Lot 22, The Meadows Phase 2-R, according to the official plat thereof bearing Reception No. 468719, of the City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from Planned Unit Development R-2 (Duplex Residential District) to Planned Unit Development R-2M (Duplex/Multi-family Residential District).

Section 4. The rezoning of the subject property is conditioned upon compliance with the lot regulation table attached hereto as Exhibit A in order to control the orderly development of the site.

Section 5. The original zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in the underlying zoning district classification of the property.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED** this 14<sup>th</sup> day of June, 2005, on first reading, and introduced, read, and adopted on second and final reading this 28th day of June, 2005.

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Mayor

ATTEST:

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City Clerk