ORDINANCE NO. 8
SERIES 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON TO AMEND SECTIONS 1, ADMINISTRATION (1.7.K. DENSITY) AND 8, VARIANCES (8.1.C. DIMENSIONAL STANDARDS VARIANCES AUTHORIZED) WITHIN THE CITY OF GUNNISON LAND DEVELOPMENT CODE.

WHEREAS, the Community Development Director of the City of Gunnison has filed an application with the City of Gunnison, Colorado, seeking approval of a text amendment to the *Land Development Code*; and

WHEREAS, the Text Amendment proposes amendments to Section 1, Administration regarding density calculations and Section 8, Variances for Dimensional Standards Variances Authorized; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the *Land Development Code* of the City of Gunnison, Colorado, on June 22, 2016; and

WHEREAS, Section 10.5 of the *City of Gunnison Land Development Code* states that approval of a text amendment to the *Land Development Code* may only occur if the application meets all the Review Standards for a Text Amendment; and

WHEREAS, on June 22, 2016 the Planning and Zoning Commission of the City of Gunnison recommended approval of the Text Amendment application to the City Council based on findings of fact established through the proceedings of record; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on the Text Amendment application to the *Land Development Code* on June 12, 2016; and

WHEREAS, based upon the application seeking a Text Amendment to the *Land Development Code*, hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking a Text Amendment, and further, based on the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

A. That this Text Amendment application complies with the review standards for Text Amendments (*LDC*, Section 10.5).

B. That the Text Amendment includes modifications to Sections 1, Administration (1.7.K. Density) and 8, Variances (8.1.C. Dimensional Standards Variances Authorized).

C. That the amendments provide reasonable flexibility within the *LDC*.

D. That the amendments clarify staff direction within the *LDC*.

E. That based on the findings above, the Text Amendment protects the community's health, safety and welfare;

WHEREAS, that based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the Text Amendment to the *Land Development Code*, herein described is in the best interests of the City of Gunnison, Colorado, and its citizens.

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

Sections of the *City of Gunnison Land Development Code* are hereby amended to read as follows:

Section 1.7 K. Density

3. When applying a density standard to the net land area of a parcel, resulting fractions with 0.65 or lower shall be rounded down to the lower whole number and resulting fractions that are 0.66 or higher shall be rounded up to the higher whole number.

Section 8.1 General:

C. **Dimensional Standards Variances Authorized.** Variance from the dimensional standards of the underlying zone district shall be authorized only for minimum lot area, maximum height, minimum floor area, minimum building width, maximum lot coverage, minimum setbacks, maximum setbacks, parking requirements, minimum landscape area, and buffer width.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 12th day of July, 2016, on first reading, and introduced, read, passed and adopted on second and final reading this 26th day of July, 2016.

Richard Heegan
Mayor

(SEAL)

ATTEST:

Gail A Davidson
City Clerk

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