



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

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**TO:** Fruita City Council and Mayor

**FROM:** Planning & Development Department

**DATE:** March 21, 2023

**AGENDA TEXT:** ORDINANCE 2023-02, FIRST READING, An introduction of an Ordinance annexing approximately 3.4 acres of property located at 1806 J 3/10 Road into the City of Fruita for publication of public hearing on April 18, 2023.

(Berg Annexation)

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### BACKGROUND

The property owners of 1806 J 3/10 Road have submitted an application to annex and zone the property. Staff has reviewed this annexation request and finds that the property meets the city and state laws that must be met to find a property eligible for annexation.

The property has at least 1/6<sup>th</sup> of its perimeter contiguous with existing city limits and it is within the city's Urban Growth Boundary. Urban development exists on the west side of the property and is identified for urban development by the city's Master Plan. The City Council approved Resolution 2023-05 on February 7, 2023, which set a public hearing date to determine the eligibility for this application. This Resolution is required by section 31-12-107 of the Colorado Revised Statutes.

At their March 14, 2023, public meeting the Planning Commission recommended approval of the annexation petition by a vote of 5-0 to the Fruita City Council. No public comments have been received nor were there any public comments made at the Planning Commission meeting.

### FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police protection and sewer service). The cost of providing services varies with each annexation.

There will be services extended with this annexation. Conditions of approval are explained in the Staff Report.

### APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure. This step in the annexation process simply finds the property eligible or ineligible for annexation.

## **OPTIONS AVAILABLE TO THE COUNCIL**

1. Publish a synopsis of Ordinance 2023-02, An introduction of an Ordinance annexing approximately 3.4 acres of property located at 1806 J 3/10 Road into the City of Fruita for publication of public hearing on April 18, 2023.
2. Deny Ordinance 2022-19.

## **RECOMMENDATION**

It is the recommendation of Staff that the Council by motion:

**PUBLISH A SYNOPSIS OF ORDINANCE 2023-02 ANNEXING APPROXIMATELY 3.4 ACRES OF PROPERTY LOCATED AT 1806 J 3/10 ROAD INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON APRIL 18, 2023.**