



TO: Fruita City Council and Mayor

FROM: Planning & Development Department

DATE: January 4, 2022

AGENDA TEXT: Ordinance 2022-02, 2nd Reading – An Ordinance annexing approximately 4.6 acres of property located at parcel #2697-164-00-074 into the City of Fruita.

BACKGROUND

The property owner of parcel #2097-164-00-074 has 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.

Staff has reviewed this annexation request and finds that the property meets current State Statutes for annexation including the required 1/6th contiguity with existing City limits and it is within the City's Urban Growth Boundary. The City Council approved Resolution 2021-25 on October 5, 2021 which set the 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 October 12, 2021, 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 received at this Planning Commission meeting nor have there been any written public comments received by Staff at this time.

Conditions of said annexation include:

1. Zoning of said property shall be established by future public hearing which will be held within ninety days (90) of the effective day of this ordinance.
2. J Road to have a total of 35 from the section line.
3. Dedication of a 14-foot multipurpose easement adjacent to all the right of way adjoining the subject property.

FISCAL IMPACT

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

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.

It appears that this annexation meets both state requirements and local requirements as identified in the Land Use Code. The Land Use Code (along with other regulatory documents) implement the City's goals and policies as outlined in the city's Master Plan including the Fruita Community Plan.

OPTIONS AVAILABLE TO THE COUNCIL

1. Adopt Ordinance 2022-02
2. Deny Ordinance 2022-02

RECOMMENDATION

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

**ADOPT ORDINANCE 2022-02 ANNEXING APPROXIMATELY 4.6 ACRES OF
PROPERTY LOCATED AT PARCEL #2697-164-00-074 INTO THE CITY OF FRUITA.**