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**TO:** Fruita City Council and Mayor

**FROM:** Planning & Development Department

**DATE:** October 18, 2022

**AGENDA TEXT:** ORDINANCE 2022-23 - SECOND READING - An Ordinance annexing approximately 4.54 acres of property located at Parcel # 2697-213-00-094 into the City of Fruita (*Dogleg 2 Annexation*)

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### BACKGROUND

Originally, the public hearing was set for October 4, 2022, with the 1<sup>st</sup> Reading on September 6th, however, due to unforeseen scheduling conflicts at the beginning of the annexation process the October 4<sup>th</sup> meeting agenda items needed to be moved to a different date and re-noticed. Original legal notice invited the public to the October 4<sup>th</sup> meeting, in response to the meeting change, Staff has sent out new legal notice informing the public for a public hearing on this item for October 18<sup>th</sup>. The scope of the legal notice included the site posting, postcards, city hall, and in the newspaper.

The property owner of Parcel # 2697-213-00-094, Dogleg LLC, applied to annex 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 north and northwest of the property and is identified for urban development by the city's Master Plan. The City Council approved Resolution 2022-17 on July 5, 2022, 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 July 12, 2022, public meeting the Planning Commission recommended approval of the annexation petition by a vote of 6-0 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.

#### **OPTIONS AVAILABLE TO THE COUNCIL**

1. Adopt Ordinance 2022-23, An Ordinance annexing approximately 4.54 acres of property located at Parcel #2697-213-00-094 into the City of Fruita.
2. Deny Ordinance 2022-23.

#### **RECOMMENDATION**

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

**ADOPT ORDINANCE 2022-23 - ANNEXING APPROXIMATELY 4.54 ACRES OF  
PROPERTY LOCATED AT PARCEL #2697-213-00-094 INTO THE CITY OF FRUITA  
(*DOGLEG 2 ANNEXATION*)**