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**TO:** Fruita City Council and Mayor

**FROM:** Planning & Development Department

**DATE:** October 18, 2022

**AGENDA TEXT:** ORDINANCE 2022-25 - SECOND READING - An Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 4.54 acres of property located at parcel #2697-213-00-094 to a South Fruita Residential zone (*Dogleg 2 Zoning*)

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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.

This is a request for approval to zone approximately 4.54 acres of property to South Fruita Residential (SFR). The subject property is currently zoned Agricultural, Forestry and Transitional (AFT), which is a Mesa County zoning designation.

In addition to this rezoning application, the property owner has also submitted an annexation application. Typically, annexation applications are accompanied by a rezone application and can run concurrently through the public hearing process.

The applicants are requesting a South Fruita Residential (SFR) zone. The first step in the process to zone a property outside the city limits, is annexation. Once the subject property has been annexed into the City Limits, zoning the property must take place within 90 days in accordance with Section 17.17.080 of the Land Use Code and Colorado Revised Statutes (CRS) Section 31-12-115 (2).

South Fruita Residential (SFR). The purpose of the SFR zone is to allow a variety of low to moderate density residential areas compatible with existing low-density development, the Colorado National Monument and the Colorado River. Due to its location near the Colorado River and in the 100-year flood plain, the area is most suitable to a density of 2-5 du per acre.

At their July 12, 2022, public meeting the Planning Commission recommended approval of the zoning request 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**

There is no fiscal impact to the City of Fruita for zoning property.

## **APPLICABILITY TO CITY GOALS AND OBJECTIVES**

This property is within the Urban Growth Boundary and is recommended through the Future Land Use Map contained in the Fruita Comprehensive Plan (The City's Master Plan) as being zoned South Fruita Residential (SFR).

## **OPTIONS AVAILABLE TO THE COUNCIL**

1. Adopt Ordinance 2022-25, An Ordinance amending the official zoning map of the City of Fruita by zoning approximately 4.54 acres of property located at parcel # 2697-213-00-094 to a South Fruita Residential zone.
2. Deny Ordinance 2022-25.

## **RECOMMENDATION**

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

**ADOPT ORDINANCE 2022-25 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 4.54 ACRES OF PROPERTY LOCATED AT PARCEL # 2697-213-00-094 TO A SOUTH FRUITA RESIDENTIAL ZONE**