



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 2, 2021

RE: ORDINANCE 2022- 02, FIRST READING – AN INTRODUCTION OF AN ORDINANCE ANNEXING APPROXIMATELY 4.6 ACRES OF PROPERTY LOCATED AT PARCEL #2697-164-00-074 INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON JANUARY 4, 2022.

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 were 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 COUNCIL

1. Publish a synopsis of Ordinance 2022-02, An introduction of an Ordinance annexing approximately 4.6 acres of property located at Parcel #2697-164-00-074 into the City of Fruita for publication of public hearing on January 4, 2022.
2. Deny Ordinance 2022-02.

RECOMMENDATION

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

**PUBLISH A SYNOPSIS OF ORDINANCE 2022-02 ANNEXING
APPROXIMATELY 4.6 ACRES OF PROPERTY LOCATED AT
PARCEL #2697-164-00-074 INTO THE CITY OF FRUITA FOR
PUBLICATION OF PUBLIC HEARING ON JANUARY 4, 2022.**

ORDINANCE 2022-02

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

WHEREAS, the Fruita City Council finds that it is necessary to annex certain real property contiguous to the City of Fruita in order to:

1. Promote the public health, safety, and welfare of the community;
2. Insure efficient provision of municipal services and fair and equitable distribution of cost amongst those who use services provided by the community; and,
3. Provide for orderly growth of the community; and,

WHEREAS, the City Council adopted a Resolution finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

Section 1: The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A, and the Fruita City limits are hereby modified to reflect said annexation.

Section 2: 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.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
4TH DAY OF JANUARY 2022.**

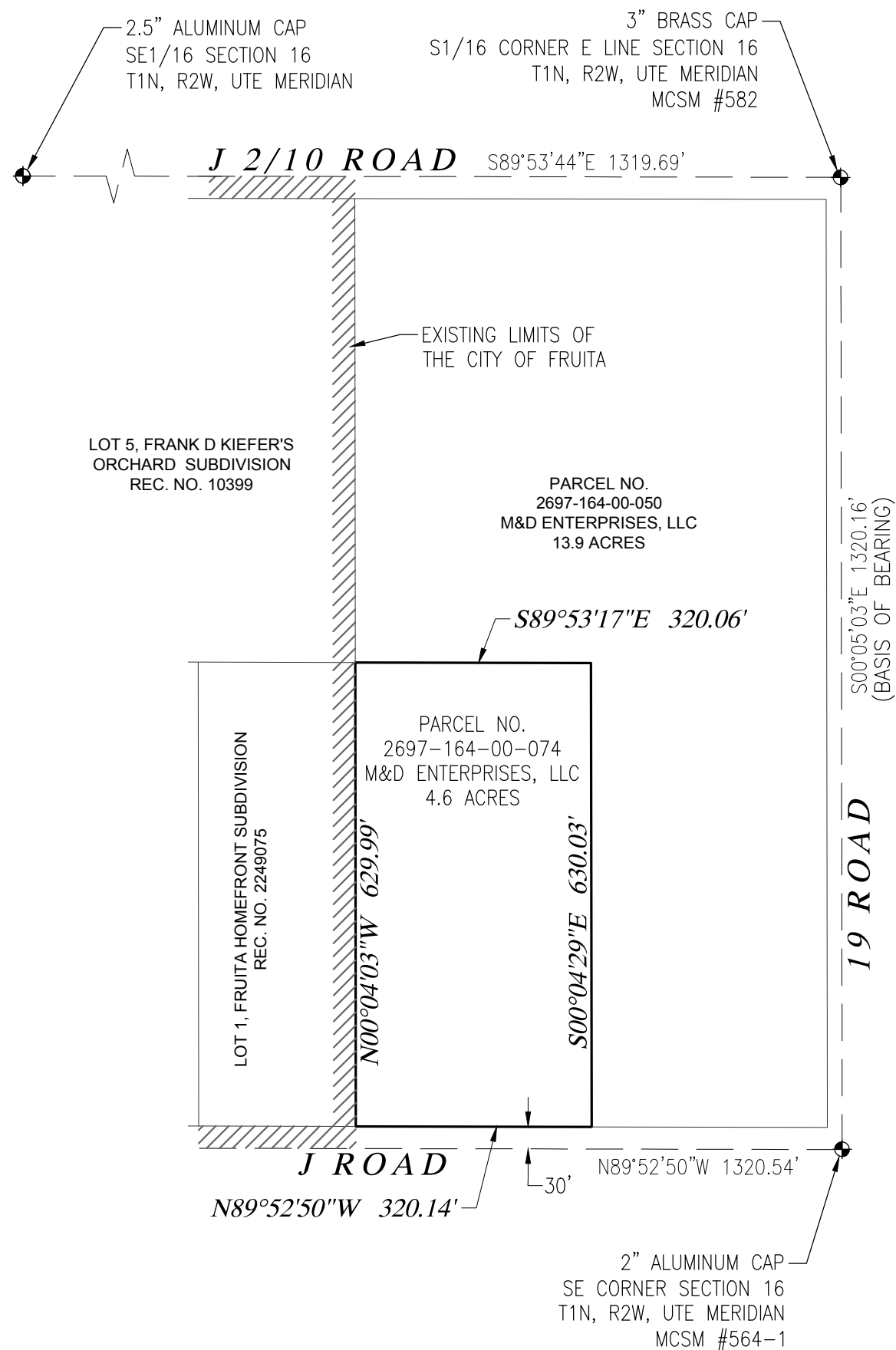
ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A



PROPERTY DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SE1/4SE1/4 OF SECTION 16, T1N, R2W,
UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 1/2 OF LOT 8, FRANK D. KIEFER'S ORCHARD SUBDIVISION (REC. NO 10399).

PARCEL CONTAINS 4.6 ACRES.

LEGEND

 FOUND SURVEY CONTROL MONUMENT

TABLE OF ABBREVIATIONS

MCSM -	MESA COUNTY SURVEY MONUMENT
N -	NORTH
S -	SOUTH
E -	EAST
W -	WEST
C -	CENTER
T -	TOWNSHIP
R -	RANGE
AC -	ACRES
REC. NO. -	RECEPTION NUMBER



SCALE IN FEET

200 100 0 200 400

1" = 200'

[illegible]

VORTEX
ENGINEERING, INC.

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EXHIBIT I

WESTON SUBDIVISION
J ROAD AND 19 ROAD
FRUITA, COLORADO 81521

SCALE: 1"=200'
DATE: 7/14/2021
PROJECT NO: F20-052
FILE ID:
eston annex exhibit.dwg

SHEET~

3