



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 2, 2021

RE: **ORDINANCE 2022- 01, FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY REZONING APPROXIMATELY 9.2 ACRES OF PROPERTY LOCATED AT 1877 J.2 ROAD FROM A RURAL ESTATE (RE) ZONE TO A COMMUNITY RESIDENTIAL (CR) ZONE FOR PUBLICATION OF PUBLIC HEARING ON JANUARY 4, 2022.**

BACKGROUND

This is a request for approval to zone approximately 9.2 acres of property to Community Residential (CR). The subject property is currently zoned Rural Estate (RE) and is located within the Fruita city limits.

The property owner of 1877 J.2 Road, Martin Azcarraga and Steven Azcarraga applied to rezone the property. The subject property is currently lot 5 of the Frank D Kiefer's Subdivision and is located north of the Fruita Homefront Subdivisions and west of 19 Road. Currently, there is a single-family dwelling unit on the subject property.

The CR zone is primarily a single-family residential zone. The density (4-8 dwelling units per acre) associated with this zone district should be compatible with future residential development as supported by the Future Land Use Map and supporting documents within the Comprehensive Plan.

At their October 12, 2021, public meeting, the Planning Commission recommended approval of the zoning request 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.

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 Community Residential (CR).

OPTIONS AVAILABLE TO COUNCIL

1. Publish a synopsis of Ordinance 2022-01, An introduction of an Ordinance amending the official zoning map of the City of Fruita by rezoning approximately 9.2 acres of property located at 1877 J.2 Road from a Rural Estate zone to a Community Residential zone for publication of public hearing on January 4, 2022.
2. Deny Ordinance 2022-01.

RECOMMENDATION

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

PUBLISH A SYNOPSIS OF ORDINANCE 2022-01 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY REZONING APPROXIMATELY 9.2 ACRES OF PROPERTY LOCATED AT 1877 J.2 ROAD FROM A RURAL ESTATE (RE) ZONE TO A COMMUNITY RESIDENTIAL (CR) ZONE FOR PUBLICATION OF PUBLIC HEARING ON JANUARY 4, 2022.

ORDINANCE 2022-01

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY REZONING APPROXIMATELY 9.2 ACRES OF PROPERTY LOCATED AT 1877 J.2 ROAD FROM A RURAL ESTATE (RE) ZONE TO A COMMUNITY RESIDENTIAL (CR) ZONE.

WHEREAS, the subject property is shown and described in attached Exhibit A which was recently annexed to the City of Fruita by Ordinance, and

WHEREAS, a public hearing will be held by the City Council on January 4, 2022, for the zoning request, and

WHEREAS, the requested zone is consistent with the city's goals and policies including the city's Master Plan.

WHEREAS, the requested zone meets the approval criteria of Section 17.13.060 of the Fruita Land Use Code that must be considered for an Amendment to the Official Zoning Map (rezone).

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

THAT the Official Zoning Map adopted pursuant to Section 17.07.012 of the Fruita Land Use Code is hereby amended and that the subject property shown and described on the attached Exhibit A, containing approximately 9.2 acres, is hereby zoned Community Residential (CR).

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

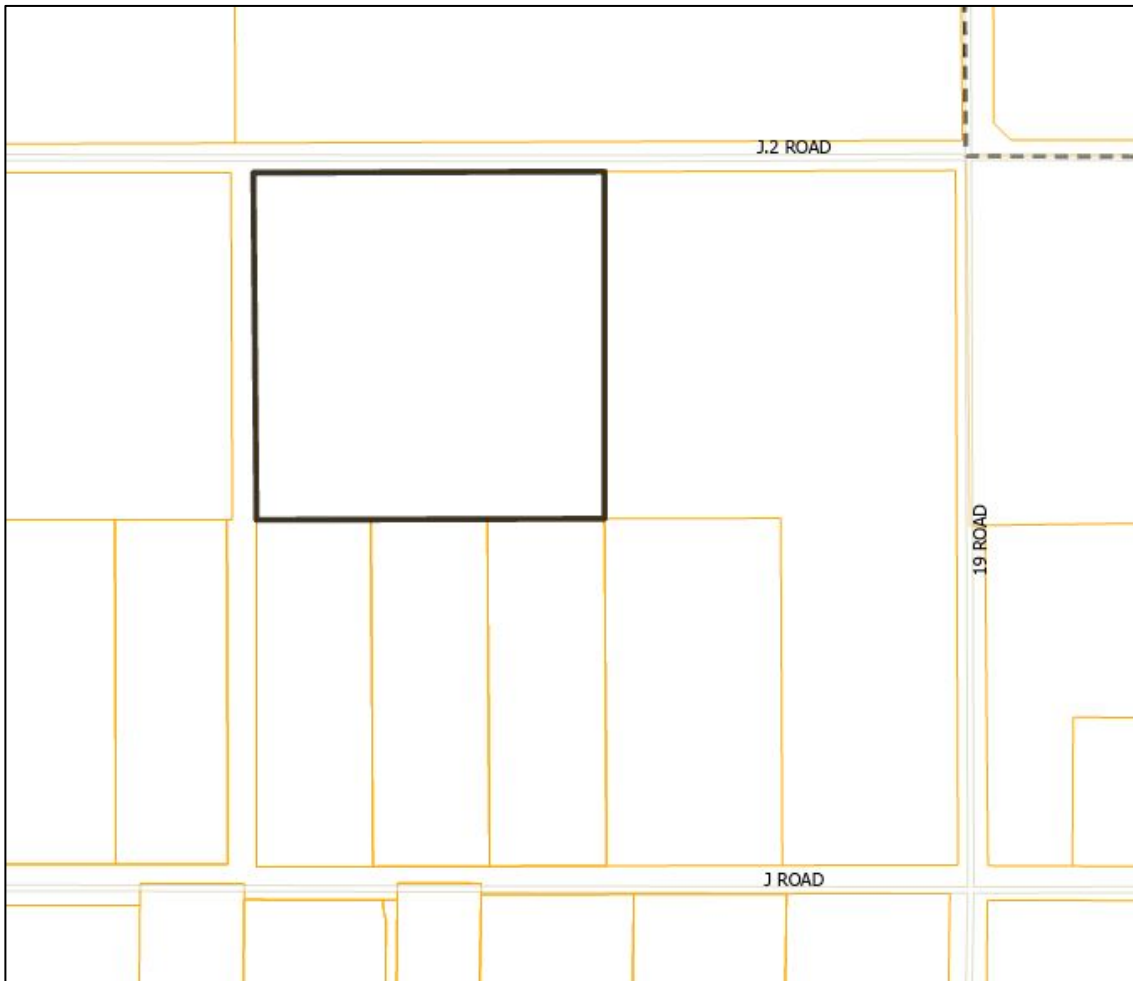
ATTEST:

City of Fruita:

Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A



LEGAL DESCRIPTION:

LOT 5 FRANK D KIEFER'S SUB TO THE TOWN OF CLEVELAND SEC 16 1N 2W -
10.00AC