



TO: FRUITA CITY COUNCIL AND MAYOR

FROM: CITY MANAGER'S OFFICE

DATE: APRIL 2, 2024

AGENDA TEXT: RESOLUTION 2024-10 – A Resolution of the City of Fruita in Opposition to Statewide Land Use Preemptions in House Bill 24-1152.

BACKGROUND

At the March 19, 2024, regular meeting, the City Council discussed several bills that are currently being worked on at Colorado Legislative Session. Similar to last year, there are bills that have been introduced that aim to take land use and planning and zoning decision making away from municipalities through the use of statewide preemptions. House Bill 24-1152 (the statewide accessory dwelling unit preemptions) is one of these bills, and the Colorado Municipal League has asked its members to individually sign on to a statewide letter opposing the bill and also adopt a formal resolution in opposition of the bill. This resolution collectively confirms that opposition from the City of Fruita. HB 24-1152 will undermine efforts that the City of Fruita has already undertaken to allow accessory dwelling units with reasonable zoning regulations that ensure a high quality of life and safety for residents. The bill dramatically expands state authority by imposing top-down zoning laws on municipalities. HB 24-1152 does not recognize that local governments are best suited to address the needs of their communities.

To conclude the discussion, the City Council directed staff to bring forward resolutions in opposition to these land use bills, and this is the first of two resolutions of City Council formalizing their stance.

APPLICABILITY OF CITY GOALS AND OBJECTIVES

As a home-rule municipality, the City of Fruita strives to provide fair and transparent land uses and land use practices throughout that best represent the on-going development patterns and growth potential that the City's Comprehensive Plan supports. The City of Fruita fully supports workforce and attainable housing, but statewide mandates on land-use code will not solve the issues of housing availability throughout Colorado.

FISCAL IMPACT

There is no fiscal impact to the resolution.

OPTIONS AVAILABLE TO THE COUNCIL

1. Adopt Resolution 2024-10, A Resolution of the City of Fruita in opposition of statewide Land Use Preemptions in House Bill 24-1152.

2. Advise staff to revise the resolution and bring an amended resolution back to the City Council at a future date.

RECOMMENDATION

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

ADOPT RESOLUTION 2024-10, A RESOLUTION OF THE CITY OF FRUITA IN OPPOSITON OF STATEWIDE ACCESSORY DWELLING UNIT PREEMPTIONS IN HOUSE BILL 24-1152.