

CITY COUNCIL COMMUNICATION



MEETING DATE: January 11, 2022

ITEM NUMBER: 9.1

SECOND READING: N/A

{{customfields.ResoOrdNumber}}

TYPE OF ITEM: General Business

PRESENTED BY:

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SUBJECT/AGENDA TITLE:

A Resolution Finding A Parcel Of Land Known As The Rivertown Annexation (Generally Located North Of Boston Avenue And West Of Sunset Street At 21 S. Sunset Street) Eligible For Annexation

EXECUTIVE SUMMARY:

On January 11, 2022, the City Council will consider the Rivertown Annexation Ordinance and a 2nd resolution of statutory compliance. The Colorado Revised Statutes require the City Council to determine if the annexation meets the applicable eligibility requirements of Sections 31-12-104 and 105, C.R.S. City Council's action and authority on this item are limited to determining if the annexation meets the State Statute requirements for annexation eligibility.

Annexation Review Schedule:

1 st Resolution on statutory compliance	November 30, 2021
1 st Reading of the annexation ordinance	December 14, 2021
2 nd Resolution and public hearing on statutory compliance	January 11, 2022
2 nd Reading and public hearing on the annexation ordinance	January 11, 2022

A resolution has been prepared finding the annexation in compliance with the Colorado Revised Statutes annexation procedures. Approval of this resolution is appropriate unless one or more of the criteria listed below in the Background section are not met. Approval of the resolution finds that the property is in compliance with the Colorado Revised Statutes Sections 31-12-104 and 105, and that the property is eligible for annexation. Approval of the resolution does not annex the property or obligate the City Council to annex the property.

COUNCIL OPTIONS:

1. Approve the resolution finding the annexation substantially complies with State Statutes.
2. Do not approve the resolution finding the annexation does not substantially comply with State Statutes.

RECOMMENDED OPTIONS: Staff recommends approval of the resolution, finding the Rivertown Annexation in compliance with Colorado Revised Statutes Sections 31-12-104 and 105.

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION: N/A

BACKGROUND AND ISSUE ANALYSIS:

In December 2020 a formal annexation application was filed for the Rivertown property, an approximately 21-acre, General Industrial-zoned parcel at 21 S. Sunset Street (northwest of the corner of Boston Avenue and Sunset Street) in unincorporated Boulder County.

The property is designated on the Envision Longmont Comprehensive Plan as Mixed-Use Employment. The applicant desires to maintain this designation and zone the property MU-E (Mixed-Use Employment). A wide range of employment-related land uses are permitted in this land use designation. Allowable secondary uses in this zone include high density residential, live/work units, hotels, supporting retail shops, cultural facilities and civic/government uses. The proposed Concept Plan for the annexation proposes a future mixed-use development with commercial and high density residential buildings.

Planning & Zoning Commission held a public hearing on the matter on August 18, 2021, and recommended conditional approval of the annexation on a 6-1 vote. A first Resolution of Statutory Compliance was approved by City Council at its November 30, 2021 meeting, finding that the annexation petition met the requirements of Section 31-12-107(1), C.R.S. The annexation map and concept plan was presented to Council with the first reading of the annexation ordinance on December 14th.

The Colorado Revised Statutes require the City Council to determine if the annexation meets the applicable eligibility requirements. City Council's action and authority at this stage of the annexation review is limited to determining if the annexation meets the State Statute requirements for annexation eligibility. The petition properly conforms to state statutes and the property is contiguous, therefore, making it eligible for annexation. The annexation meets state statute and City code requirements regarding contiguity with existing City limits.

Staff has completed a review of the annexation and finds the annexation meets the criteria of the Colorado Revised Statutes for eligibility to be annexed as follows:

- At least one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the City of Longmont, Colorado, and; therefore, because of such contiguity, the proposed territory meets the minimum eligibility requirements of C.R.S. 31-12-104;
- No land held in identical ownership has been divided or included as part of the proposed territory for annexation without written consent of the owners;



- No annexation proceedings have been commenced by another municipality;
- The annexation will not result in the detachment of area from a school district;
- The annexation will not result in the extension of a municipal boundary more than three miles;
- An election is not required under C.R.S. 31-12-107;
- The annexation completes the annexation of all platted streets within the area to be annexed;
- No additional terms or conditions are to be imposed under C.R.S. 31-12-104 and 105.

ATTACHMENTS:

1. Resolution of Statutory Compliance
2. Annexation Petition
3. Vicinity Map
4. Annexation Map