City of Brighton

Legislation Text

File #: ID-399-18, **Version:** 1

Department of Community Development

Reference: Brighton-Commerce City IGA

To:	**Mayor Kenneth J. Kreutzer and Members of City Council**
Through:	**Philip A. Rodriguez, City Manager**
	Marv Falconburg, AICP - Assistant City Manager
	Holly Prather, AICP - Community Development Director
Prepared By:	**Lauren Simmons, AICP - Senior Planner**

Date Prepared: October 25, 2018

PURPOSE
To review and approve a new Intergovernmental Agreement with Commerce City to primarily set forth municipal boundaries and land use planning.

STRATEGIC FOCUS AREAS
- Recognizable and Well Planned Community

- Strong Regional Relationships and Partnerships

BACKGROUND
The City of Brighton and the City of Commerce City entered into an Intergovernmental Agreement in February 1989 ("1989 IGA") that set forth future annexation areas, revenue sharing and other items associated with land use planning. As a 30-year agreement, the 1989 IGA is set to expire in February 2019. Staff has been meeting with Commerce City staff since April 2018 in order to review the 1989 IGA. The goal is to terminate and replace the IGA with a new IGA that would, among other things, allow Commerce City to annex the 20 acres east of I-76, to specify the boundary to right-of-way lines or centerlines, and to eliminate the revenue sharing provision of the 1989 IGA ("New IGA").

It is the recommendation of both Brighton staff and Commerce City staff to eliminate the revenue sharing component for the New IGA. The vision of the 1989 IGA was to develop the 120th corridor in partnership with Commerce City. Since that time, Commerce City has de-annexed a portion of 120th Avenue and developed mostly residential land uses along this corridor with a few exceptions for neighborhood commercial-type land uses. Brighton has planned development for similar land uses, and has had large amounts of its land on the corridor developed for civic and public land uses that serve both communities, such as Prairie View Middle School and Prairie View High School. No revenue sharing has occurred on the 120th corridor since the execution of the 1989 IGA. The elimination of the revenue sharing component provides for a more streamlined approach to development and lessens the administrative oversight.

The New IGA also proposes a boundary between the two communities that is almost identical to the 1989 IGA (*see attached map*), except that it clears up boundaries next to roadways and allows for an approximately 20-acre parcel of land located on the east side of I-76 and north of 120th Avenue to be annexed by Commerce City. Servicing the parcel with City of Brighton utilities would be burdensome because of the location of I-76 and the Denver-Hudson Canal.

IMPACT TO OTHER IGAs

1. Greater Brighton Fire Protection District:
    The existing IGA between the Greater Brighton Fire Protection District and the City of Brighton specifies that lands within the City of Brighton shall be served by Greater Brighton Fire at their discretion. The proposed Amended IGA does not impact this agreement.

2. South Adams Water and Sanitation District:
    The existing agreement between South Adams Water and Sanitation District and the City of Brighton specifies certain properties that will be serviced by South Adams. The proposed boundary does not obligate South Adams to serve any additional properties within the City of Brighton.

PUBLIC NOTICE

Colorado Revised Statutes § 29-20-105 dictates that an IGA regarding comprehensive development plans requires public notice and a hearing. Therefore, notice of the New IGA was posted in the *Brighton Standard Blade* on November 21, 2018.

STAFF RECOMMENDATION

Staff recommends approving the New IGA with Commerce City in order to amend the boundary between the two communities, allowing Commerce City to annex the 20 acres east of I-76, to specify the boundary to right-of-way lines or centerlines, and to eliminate the revenue sharing provision of the 1989 IGA.

ATTACHMENTS

1989 IGA
Resolution and New IGA-Draft
Map-Existing Boundary
Map-Proposed Boundary
Map-Land to Commerce City
PowerPoint Presentation