

James Property Annexation

CITY COUNCIL – December 2, 2025

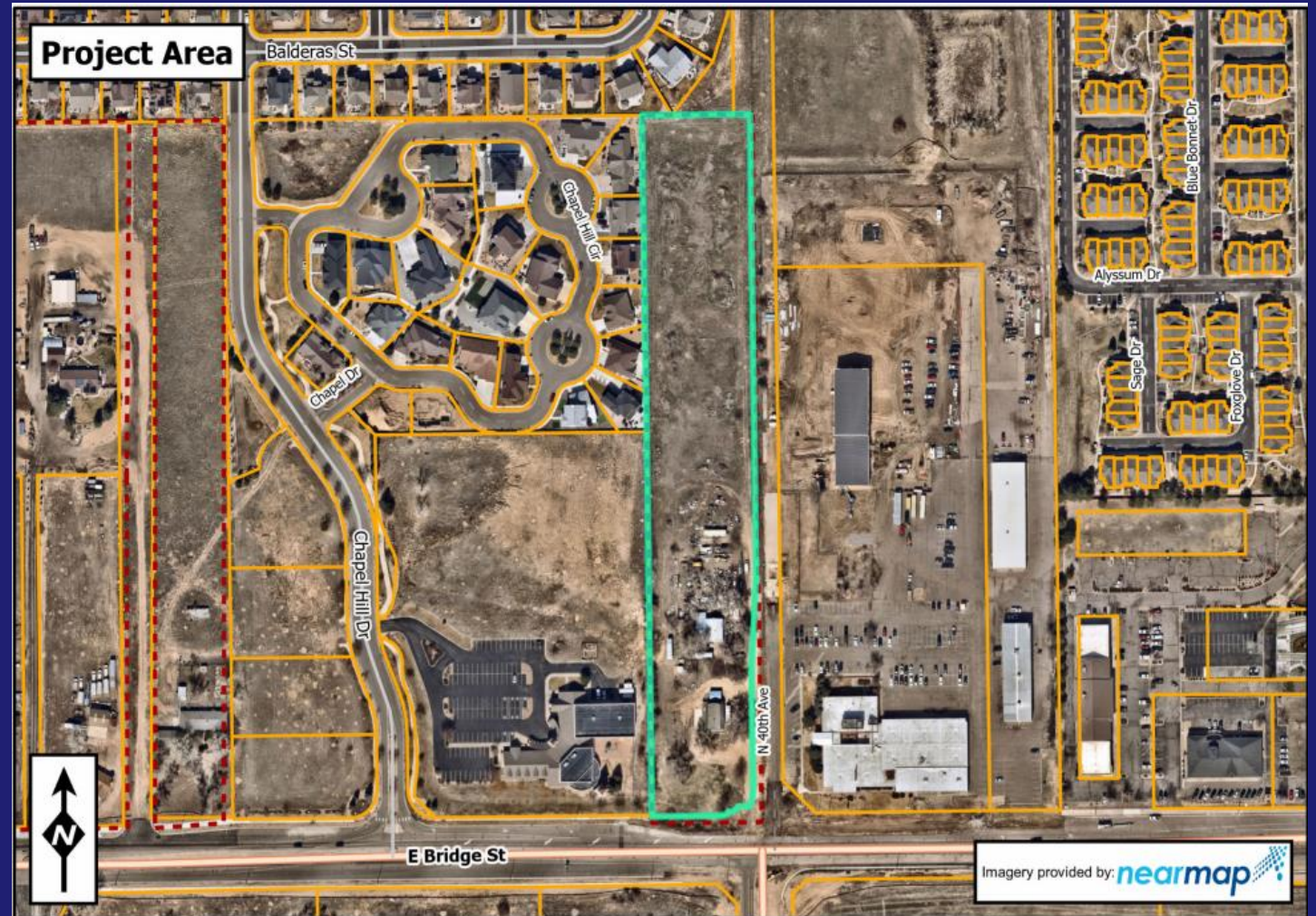
Property Owner: Vera Mae James

Applicant/Project Contact: Jeff Liljegren

City Staff Representative: Emma Lane, AICP, Senior Planner – Historic Preservation

Subject Property Location

The Property is generally located to the north of East Bridge Street, south of Garcia Avenue, east of Chapel Hill Drive, and west of the North 40th Avenue alignment.



Aerial Map

Process

Annexation is regulated by the Colorado Revised Statutes (C.R.S.) and is a process with the steps as follows:

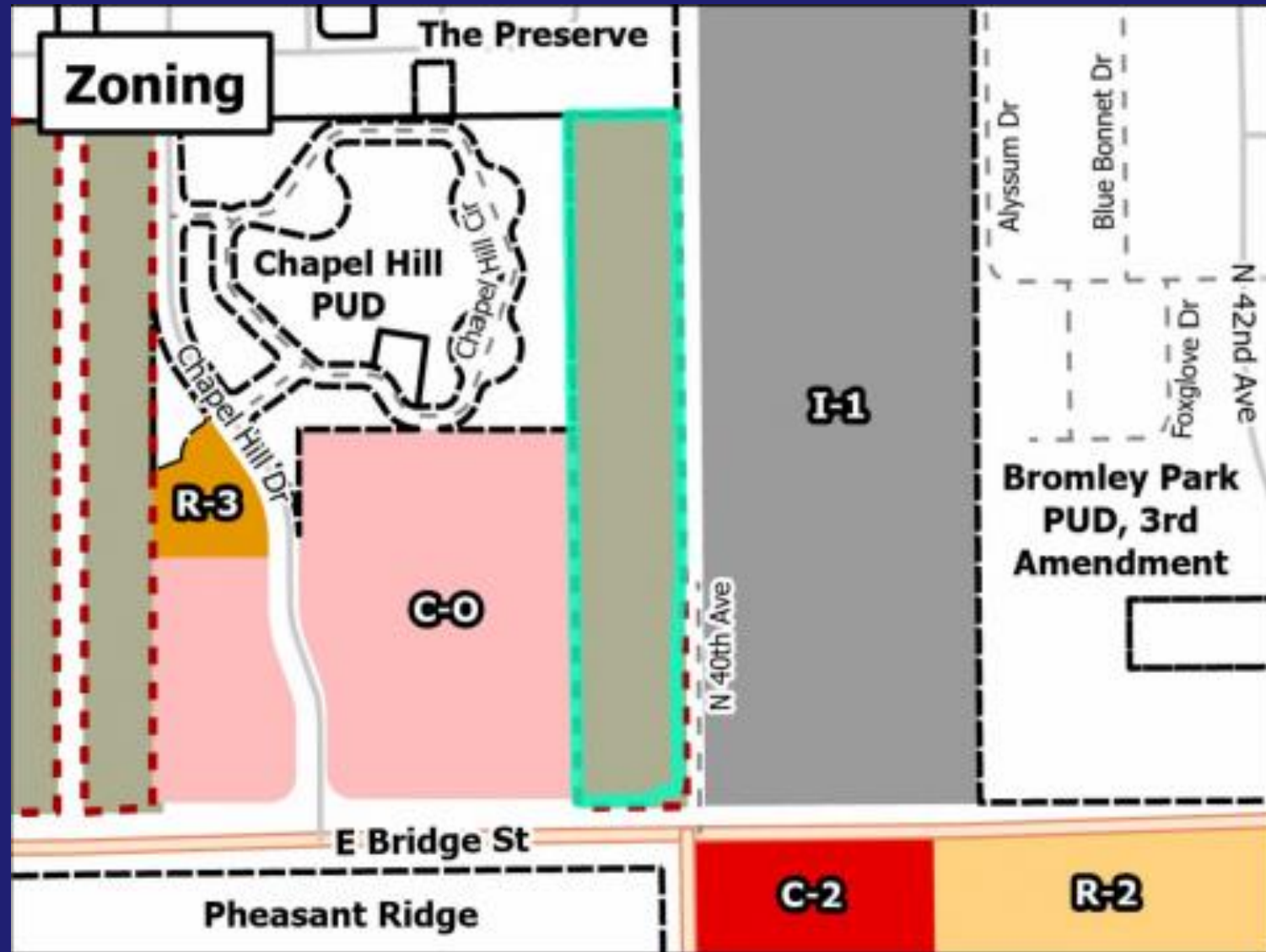
As this Annexation meets the criteria of C.R.S. §31-12-106 (1), the Property is exempt from portions of the annexation process.

1. Petition accepted by City Council via a Substantial Compliance is **not required**
2. Findings of Fact via an Annexation Eligibility Resolution
3. 1st Reading of an Annexation Ordinance, Public Hearing is **not required**
4. 2nd Reading of an Annexation Ordinance
 - An Annexation Agreement may be approved via a Resolution at this time

Background

The Property:

- Is approximately 5.83 acres and is currently zoned Adams County A-1 (Agriculture -1).
- Is 100% contiguous with City limits for over three years.



Zoning Map

Review Criteria

City staff used the following for review purposes:

- Land Use & Development Code
- Colorado Revised Statutes (C.R.S.)

Land Use & Development Code

In addition to any criteria authorized by state laws or city annexation policies, annexations shall be reviewed according to the following criteria (Section 2.11 (B) of the LUDC):

- 1. The annexation complies with the Municipal Annexation Act of 1965, Section 31-12-101 et. seq., C.R.S.*
- 2. The annexation is in accordance with the Comprehensive Plan and any other plans or policies created under the guidance of that plan.*
- 3. The property is capable of being integrated into the City and developed according with all applicable provisions of the Brighton Municipal Code and these regulations.*
- 4. Municipal and governmental services and facilities will be extended to these areas in a timely and fiscally responsible manner, considering initial costs, ongoing maintenance costs, and potential replacement costs with respect to the expected values of proposed development.*
- 5. At the time any development is completed in the area to be annexed, there will be adequate capacity to serve the residents or occupants of the area with the necessary utilities and facilities.*
- 6. The annexation will encourage well-ordered development of the City, particularly with regard to the long-range transportation patterns, development patterns, open space systems, and coordination with any specific plans accompanying the proposal.*

Land Use & Development Code – Review Criteria 1

C.R.S. Section 31-12-106(1)

The following process applies to the proposed annexation:

(1) Annexation of enclaves. When any unincorporated area is entirely contained within the boundaries of a municipality, the governing body may by ordinance annex such territory to the municipality in accordance with section 30 (1)(c) of article II of the state constitution, but without complying with section 31-12-104, 31-12-105, 31-12-108, or 31-12-109, if said area has been so surrounded for a period of not less than three years; except that notice of the proposed annexation ordinance shall be given by publication as provided by section 31-12-108 (2) for notices of annexation petitions, and resolutions initiating annexation proceedings, but no public hearing on the proposed annexation ordinance shall be required, and the first publication of notice shall be at least thirty days prior to the adoption of the ordinance.

Land Use & Development Code – Review Criteria 2 Future Land Use

The annexation is in accordance with the Comprehensive Plan and any other plans or policies created under the guidance of that plan.



Future Land Use Map

Land Use & Development Code – Review Criteria 2

Chapter Four: Citywide Principles, Policies & Strategies

- *Policy 1.1 – New Growth Should Favor Existing Areas of Infrastructure Investment and Planning*
- *Policy 2.1 – Brighton Will Continue to Develop in a Self-Sufficient and Sustainable Manner (Live, Learn, Work, Shop and Play) with an Appropriate Balance between Residential and Non-Residential Uses*
- *Policy 8.1 – Encourage Redevelopment of Strategic Areas and Promote Infill Development*

Land Use & Development Code –

Review Criteria 3-6

3. The property is capable of being integrated into the City and developed according with all applicable provisions of the Brighton Municipal Code and these regulations.
4. Municipal and governmental services and facilities will be extended to these areas in a timely and fiscally responsible manner, considering initial costs, ongoing maintenance costs, and potential replacement costs with respect to the expected values of proposed development.
5. At the time any development is completed in the area to be annexed, there will be adequate capacity to serve the residents or occupants of the area with the necessary utilities and facilities.
6. The annexation will encourage well-ordered development of the City, particularly with regard to the long-range transportation patterns, development patterns, open space systems, and coordination with any specific plans accompanying the proposal.

Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*
- On November 14th:
 - ✓ Notice was published on the City's Website.
 - ✓ Written notice was mailed to all property owners within 1000 feet of the Property.
 - ✓ One public hearing sign was posted on the Property.
- City staff posted information for the public hearing on Facebook and NextDoor.
- Planning staff have received no formal comments in advance of this hearing.

Summary of Findings

- ✓ The Annexation complies with C.R.S. §31-12-104 through 110, given that not all statutes are applicable to the enclave.
 - *The Property is 100% contiguous with the City of Brighton City limits*
 - *The Property has been completely surrounded by the City of Brighton for more than 3 years*
- ✓ Publication and notification of the hearing have been provided to all applicable entities as required by C.R.S. §31-12-108(b).

City Staff Recommendation

- ✓ City staff finds that the request for annexation complies with the requirements of the Municipal Annexation Act, C.R.S. §31-12-101 et seq. and that the request for annexation complies with the intent of the Comprehensive Plan.

Options for City Council

The following two items are before the City Council, each with four options:

Resolution of Annexation Eligibility

City Council may:

- ☐ Approve the Resolution as drafted;
- ☐ Approve a modified Resolution;
- ☐ Deny the Resolution with specific findings to justify the denial; or
- ☐ Continue the item to be heard at a later, specified date if the Council feels it needs additional information to ensure compliance with state statutes.

Annexation Ordinance

If the Resolution of Annexation Eligibility is approved, City Council may:

- ☐ Approve the Annexation via Ordinance as drafted;
- ☐ Approve the Annexation via a modified Ordinance;
- ☐ Deny the Annexation via Ordinance with specific findings to justify the denial; or
- ☐ Continue the item to be heard at a later, specified date if the Council feels it needs additional information to ensure compliance with the approval criteria.