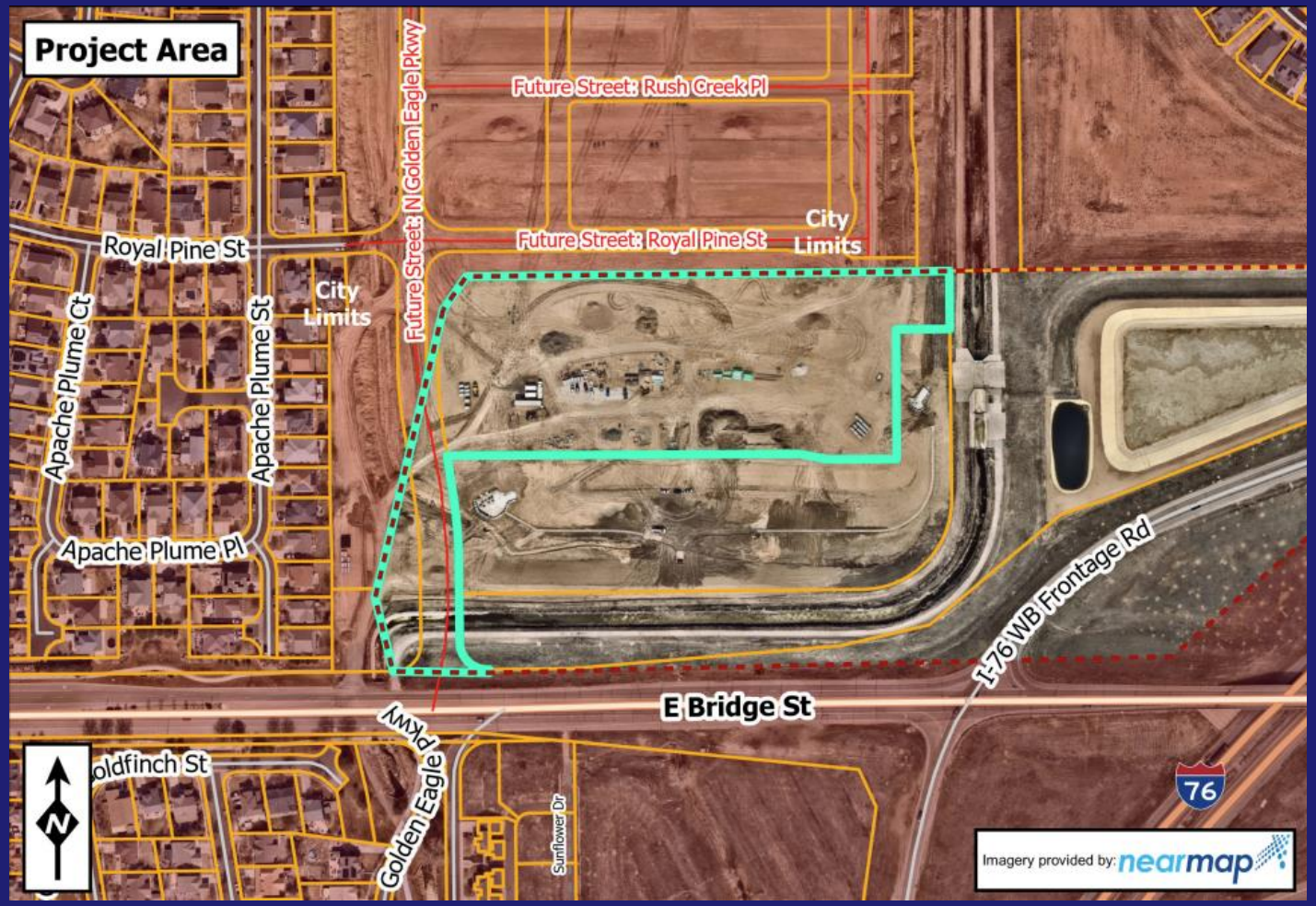
Brighton Crossing Annexation

CITY COUNCIL – October 7, 2025

Property Owner:	Brookfield Residential LLC
Applicant/Project Contact:	Sue Sibel, Dewberry
City Staff Representative:	Stephanie Iiams, AICP Candidate, Associate Planner

Subject Property Location

The property is generally located to the north of East Bridge Street, south of the future Royal Pine Street, east of the future Golden Eagle Parkway alignment, and west of I-76.

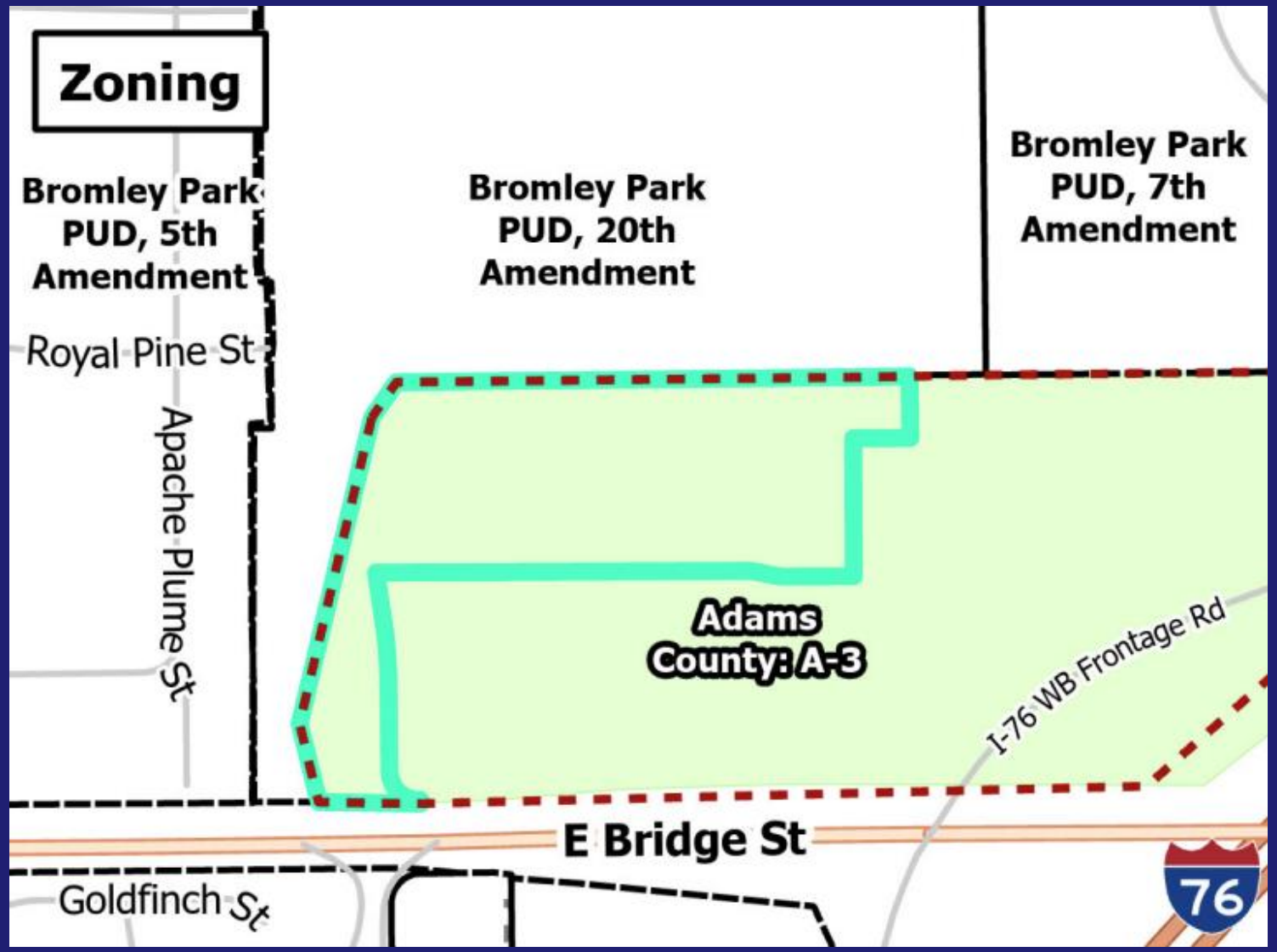


Aerial Map

Background

The Property:

- Approximately 7.712 acres and is currently zoned Adams County A-3 (Agriculture -3).
- 46.8% contiguous with City limits.



Zoning Map

Process

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

1. Petition accepted by City Council via a Substantial Compliance Resolution 2025-56 *(Completed on September 2, 2025)*
2. Findings of Fact via an Annexation Eligibility Resolution
3. 1st Reading of an Annexation Ordinance with a Public Hearing
4. 2nd Reading of an Annexation Ordinance
    - An Annexation Agreement may be approved via a Resolution at this time

Review Criteria

City staff used the following for review purposes:

- Land Use & Development Code
- Colorado Revised Statutes (CRS)

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 31-12-104

The City Council must determine whether the Annexation complies with the following statutory requirements set forth in the C.R.S.:

C.R.S. Section 31-12-104

a. Not less than 1/6th of the perimeter of the area to be annexed is contiguous with the City of Brighton;
b. A "community of interest" exists between the municipality;
c. The area to be annexed is urban and is to be urbanized; and
d. The area is integrated or capable of integration within the municipality.
e. If the contiguity requirement is met, the "community of interest" requirement is presumed unless two of the following exist:
    - Less than 50% of the adult residents use facilities of the municipality (recreation, social, church, commercial, etc.), and less than 25% of the adults are employed in the municipality; or
    - One-half of more of the land is agricultural and the owners say it will stay agricultural for at least five years; or
    - It is not physically practicable to extend urban services on the same terms and conditions as other citizens of the municipality.

Land Use & Development Code

Review Criteria 1- C.R.S. Section 31-12-104 Cont'd

Criteria Met

a) Property is approximately 46.8% contiguous with City of Brighton City Limits;
b) Minimum contiguity shall mean a "community of interest";
c) The area is to be urbanized in the near future; and
d) The area is capable of being integrated within the City of Brighton via sufficient access to utilities and future zoning.

Land Use & Development Code

Review Criteria 1 - C.R.S. Section 31-12-105

C.R.S. Section 31-12-105

The following statutory limitations apply to the proposed annexation:

a. Cannot separate property held in identical ownership;
b. Cannot annex property more than 20 acres and more than $200,000 in assessed value without the written consent of the owners, unless entirely within the municipality;
c. No resolution or petition is valid if annexation proceedings have commenced for another municipality;
d. Cannot extend municipal boundaries more than three miles in one year;
e. There must be a plan in place regarding services and land uses;
f. If annexation includes a portion of a street or an alley, all of the street or alley must be annexed; and
g. Cannot deny reasonable access to adjoining landowners as a result of proposed annexation.

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 6.2 – Ensure Residential Lots and Architecture Enhance the Street*
- *Policy 6.4 – Encourage the Enhancement of and Reinvestment in Existing Neighborhoods*
- *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.

Summary of Findings

- ✓ The Annexation complies with C.R.S. §31-12-104 through 110.
  - *The Property is approximately 46.80% contiguous with the City of Brighton city limits; therefore, the "Community of Interest" provision is presumed.*
  - *The Property is set to be urbanized and is capable of integration within the City of Brighton.*
  - *Utility lines are adjacent to the Property.*
- ✓ Publication of the public hearing and notification of the public hearing, have been provided to all applicable entities as required by C.R.S. §31-12-108.

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.