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## CHAPTER 7 ANNEXATIONS

### 9-7-1 Purpose

The purpose of this Chapter is to establish a procedure to bring land under the jurisdiction of the Town in compliance with the *Colorado Municipal Annexation Act of 1965*, as amended. This Chapter, in part, provides supplemental requirements for annexation pursuant to the *Colorado Municipal Annexation of 1965*, and is not to be construed as altering, modifying, eliminating or replacing any requirement set forth in that act, or any requirements set forth in other portions of the Town Municipal Code. In the event of a conflict between the act, the provisions of this Chapter or any requirements set forth in other portions of the Town Municipal Code, it is the expressed intent of the Board of Trustees that the more stringent provision shall control.

### 9-7-2 Statement of Policy and Review Criteria

- A. It shall be the general policy of the Town with respect to annexations and the consideration of annexation petitions that:
1. Annexation is a discretionary act. With the exception of an initiated petition for the annexation of an enclave, the Board of Trustees shall exercise its sole discretion in the annexation of territory to the Town.
  2. The land to be annexed and the uses proposed for the land shall conform to the goals, policies and strategies of the Lyons Comprehensive Plan and to the land uses depicted on the Land Use Map, as amended.
  3. Certain public facilities and amenities are necessary and must be constructed as part of any territory annexed to the Town in order that the public needs may be served by such facilities. These facilities include, but not by way of limitation, arterial streets, bridges, public parks and recreation areas, school sites, fire and police station sites, and storm drainage facilities. The annexation of lands to the Town shall be shown not to create any additional cost or burden on the then-existing residents of the Town to provide such public facilities in any newly annexed area.
  4. The petitioner for annexation shall be responsible for paying the Town's full cost for processing the annexation petition, from initial discussion with Town staff before submittal of the petition, through the approval and recording of the final annexation documents.
  5. Annexed areas will not divide tracts of land to prevent further annexation of adjoining parcels. (For example, leaving a "gap" or a "strip" of land between property to be annexed and the adjoining property.)

6. All subsurface (non-tributary) water rights shall be deeded to the Town at the time of annexation.
7. The Town shall have in place a Comprehensive Plan for the" area surrounding the Town. The "Comprehensive Plan" shall be updated for each annexation or once per year, whichever is less.

### 9-7-3 Eligibility for Annexation

Eligibility for annexation shall be determined by conformity with the requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended and as determined by the Board of Trustees in their sole discretion.

### 9-7-4 Procedure

A. Annexation petitions shall be processed and considered as follows:

- a. Step 1: Annexation Pre-Application Conference. The application process begins with a pre-application conference with the Mayor or designated Town Staff member to determine the feasibility of the annexation request. Following this informal meeting, the applicant submits a Letter of Intent requesting annexation, the Annexation Petition, the completed Annexation Application form, annexation maps and supporting documents.
- b. Step 2: Annexation Petition Certification and Completion. The petition for annexation or petition for election and all other documents submitted shall be reviewed by Staff for completeness and compliance with the provisions of the *Municipal Annexation Act of 1965*, and the Lyons Municipal Code. The applicant shall be notified within a reasonable time of any deficiencies or inadequacies in the materials submitted. An incomplete submission shall not be processed, nor referred to the Board of Trustees for a determination of substantial compliance.
- c. Step 3: Annexation Petition Referral to Board of Trustees. Upon the staff's determination that the petition and supporting documentation are complete and in compliance with provisions of the *Municipal Annexation Act of 1965*, and the Lyons Municipal Code, the Town Clerk shall refer the petition to the Board of Trustees as a communication.
- d. Step 4: Board of Trustees Determination of Substantial Compliance. The Board of Trustees, without undue delay, shall take the appropriate steps to determine if the petition is in substantial compliance with the *Municipal Annexation Act of 1965*. If the petition is found to be in substantial compliance with the *Municipal Annexation Act of 1965*, the Board may, by the adoption of a Resolution of Intent to Annex, set the annexation and zoning for public hearing *on a specified date, time, and place*, not less than

30 days nor more than 60 days from the effective date of the Resolution, subject to compliance with C.R.S. § 31-12-108.

- i. If the petition is found to not be in compliance with the *Municipal Annexation Act of 1965*, no further action shall be taken, except that the determination shall be made by resolution adopted by the Board of Trustees.
- e. Step 5: Planning and Community Development Commission Review and Recommendations. The Planning and Community Development Commission shall hold a public hearing and consider the petition for annexation and zoning at a regular or special meeting to be held prior to the date of the public hearing before the Board of Trustees. Notice of the public hearing on annexation and zoning shall be given in accordance with the requirements for an amendment to the zoning map. The Planning and Community Development Commission, upon the conclusion of the meeting at which they consider the petition, shall by resolution recommend approval of the petition for annexation and zoning with or without modifications and/or conditions, or recommend denial. They shall refer any such recommendation to the Board of Trustees.
- f. Step 6: Board of Trustees Public Hearing and Action on the Annexation. The Board of Trustees shall hold the public hearing on the petition for annexation, and zoning, on the date and at the time set by the Resolution of Intent to Annex. The petitioners shall present evidence in support of the petition, and zoning if applicable. Staff shall testify as to the elements required by statute to be present for annexation. Any person may appear at the hearing and present evidence on any matter related to the annexation petition as determined by the Board of Trustees. The Board of Trustees may continue the hearing to another date without additional notice if the volume of material to be received cannot be presented within the available time for any given session; except that no session of the hearing shall be so continued unless at least one hour of testimony has been heard. All proceedings at the hearing and any continuances thereof shall be recorded, but the recorder's notes need not be transcribed unless proceedings for judicial review are initiated as provided by C.R.S. § 31-12-116. At the conclusion of the public hearing, the Board of Trustees shall adopt a resolution containing the findings of fact and conclusions, including:
  - ii. Whether or not the requirements of C.R.S. § 31-12-104 and 105 and this Chapter have been met;
  - iii. Whether or not additional terms and conditions are to be imposed; and
  - iv. Whether or not an election is required, either as result of a petition for election or the imposition of additional terms and conditions.

- iv. If the Board of Trustees finds that the area proposed for annexation does not comply with the requirements of C.R.S. § 31-12-104 and 105, the annexation proceeding will be terminated.
- v. If the Board of Trustees finds the following:
  - (A.) The annexation is in compliance with the requirements of C.R.S. § 31-12-104 and 105;
  - (B.) That an election is not required under C.R.S. § 31-12-107 (2); or that the property is less than 5 acres, which would not require an election, and
  - (C.) The petition is found to be signed by the owners of 100 % of the area proposed the annexed, exclusive of streets and alleys; and
  - (D.) No additional terms and conditions are to be imposed;
- vi. The Board may annex the land by ordinance without election. The ordinance annexing such area shall include a statement that the owners of 100 % of the area petitioned for the annexation. The annexation petition shall include an initial declaration of zoning.
- vii. If the petition is for an annexation election because the property is 5 acres or greater, or the Board of Trustees determines that less than 100 % of the owners have signed the petition for annexation, or the Board of Trustees determines that additional terms and conditions should be imposed upon the area proposed be annexed, which are not agreed to voluntarily and in writing by the landowners, the Board shall make appropriate findings by Resolution and order an election to be conducted in accordance with C.R.S. § 31-12-112.
- viii. If the annexation is approved by the eligible electors in accordance with C.R.S. § 31-12-112, the Board of Trustees may by ordinance annex the land. In the event the annexation is not approved by the eligible electors or the vote is tied, the annexation proceeding will be terminated.
- ix. If the Board of Trustees, in its sole discretion, finds that the annexation is not in the best interest of the Town, it may deny the petition by resolution, stating the grounds for such denial. Only in the event of a petition for the annexation of an enclave as provided by C.R.S. § 31-12-107(5) shall the Town be required to annex property.

#### **9-7-5 Annexations to Be Approved By Voters.**

- A.** No ordinance annexing property into the Town of Lyons shall be effective unless and until the ordinance is referred to the registered electors of the Town of Lyons, at a regular or special election, and such ordinance is approved by a majority of the registered electors voting thereon.
- B.** The following annexations shall be exempt from this section 9-18-18:

  - 1. Any annexation of property owned by the Town of Lyons.
  - 2. Any annexation of property smaller than 5 acres in size; provided that simultaneous or serial annexations of two or more properties that together comprise a parcel of 5 or more acres in size shall not be exempt from this section 9-18-5.
- C.** The applicant for an annexation that is subject to an election pursuant to this section shall pay the reasonable costs and expenses incurred by the Town in the calling, preparation, and conduct of the election. At the time of submission of a petition for an annexation that is subject to an election in accordance with this section, the applicant shall deliver to the Town an adequate monetary deposit, in an amount determined by the Town Clerk, to secure the applicant's full payment of the Town's cost and expense associated with the election. Where the ballot includes other ballot issues or questions, the applicant for annexation shall pay a share of the election costs proportionate to the number of ballot issues or questions. In the event that funds deposited by the applicant exceed the Town's actual costs and expenses of the election, the Town shall promptly refund any remaining deposited funds to the applicant following a final accounting by the Town Clerk of the cost and expense of the election.
- D.** All elections held pursuant to this section shall be conducted in accordance with the applicable statutory provisions governing the Board of Trustee's submission of referred municipal ordinances to the registered electors of the Town of Lyons. The date of any election required by this section shall be subject to the discretion of the Board of Trustees.

### **9-7-6 Post Approval Actions**

- A. After final passage of the annexation ordinance, the Town will file one copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk. The Town will file for recording three certified copies of the annexation ordinance and annexation map with the County Clerk and Recorder. The Town shall request the County Clerk to forward one copy of the annexation map and ordinance to the Division of Local Government in the Colorado Department of Local Affairs and one copy of the annexation map and ordinance to the Department of Revenue of the State of Colorado.
- B. Zoning shall be granted by ordinance and copies of the official zoning map amendment shall be recorded with the County Clerk and Recorder in the manner provided by the Code.

### **9-7-7 Public Hearing Notices**

- A. Notice of the public hearing for annexation set by the Resolution of Intent to Annex shall be given in accordance with C.R.S. § 31-12-108. A copy of the Resolution of Intent to Annex, or the petition(s) as filed (exclusive of signatures), together with a notice of the date and time and place set by the Board of Trustees for the public hearing, shall be published once a week for 4 successive weeks in a newspaper general circulation in the area proposed the annexed. The first publication of such notice shall be at least 30 days prior to the date of the public hearing.
- B. A copy of the published notice, together with a copy of the adopted Resolution of Intent to Annex and the petition as filed, shall be sent by certified mail, return receipt requested, to the Board of County Commissioners and the County Attorney and any special district or school district having territory within the area to be annexed, at least 25 days prior to the date fixed for the public hearing.
- C. A copy of the published notice, together with the "Letter of Intent" provided with the application, the annexation map and the "concept plan" for the development of the property shall be sent by certified mail, return receipt requested, to the owners of real property within 300 feet of the boundaries of the proposed annexation, irrigation ditch companies whose rights-of-way traverse the property to be annexed and to the mineral estate owners and their lessees of the property to be annexed. Notice provided by the Town to the owners of the minerals estate and their lessees shall not relieve the petitioner(s) from the responsibility of providing notice as required by C.R.S. § 24-65.5-101, *et seq.*

In the case of a "flagpole" annexation, the Town shall also provide notice to abutting property owners as specified in C.R.S. § 31-12-105 as amended.

**D. Petitioner's Responsibilities - Mailing and Posting Notices, Notice to Mineral Estate Owners and Lessees.**

1. The petitioner shall provide the Town with an address list containing the owners of real property within 300 feet of the property to be annexed, the mineral interest owners and lessees for the property to be annexed, the irrigation ditch companies whose rights-of-way traverse the property to be annexed and the special districts encompassing the property to be annexed. The list is to be prepared and certified by a title insurance company licensed by the State of Colorado, within the 30 days prior to the date of submission of the annexation petition.
2. The petitioner shall provide a sufficient number clasp envelopes to mail notices to all special districts encompassing the property be annexed, the Board of County Commissioners and County Attorney, and referral agencies of the Town, as directed by the Town. The petitioner shall also provide a sufficient number of self adhesive window envelopes (no return address) to mail notice to the owners of real property and mineral interest owners and lessees identified in the mailing list.
3. The petitioner shall be responsible for posting the property as provided herein, and shall meet with Staff to obtain completed public notice placards and the posting layout. The petitioner shall submit a signed, notarized affidavit certifying that the property was posted on the required date and in the locations as approved by the Town. The petitioner is also responsible for ensuring that the posted notices remain in place, in legible condition until the public hearing is concluded, and for removal of said posted notices after the public hearing is concluded. Notice shall be posted along the public street rights-of-way bordering the property, at least once for every 600 feet of frontage on said rights-of-way, or as otherwise approved by the Town.
4. The petitioner shall be responsible for providing notice of each public hearing (Planning and Community Development Commission and/or Board of Trustees) to the owners of the mineral estate on the property to be annexed, and to their lessees, as required by C.R.S. § 24-65.5-101, *et seq.* The petitioner shall certify to the Town Clerk not less than 15 days prior to the date of the public



hearing(s), the petitioner's conformance with this notice requirement.

### **9-7-8 Reimbursement of Town for Annexation Expenses**

The petitioner shall reimburse the Town for its expenses in reviewing and processing the annexation petition, including, but not limited to legal publications, engineering services, attorney fees, consulting fees, reproduction of material, postage, public hearing expenses and recording documents. The Town may require a reasonable administrative fee and a reimbursement agreement upon the submission of a petition for annexation.

### **9-7-9 Annexation Petition and Application Submittal Requirements**

- A. The following are the submission requirements for an annexation petition.
1. One original and three copies of the following forms, maps, but letters and documents are to be delivered to the Town Clerk with the fees. The documents are to be submitted in separate three-ring binders of suitable size to hold the material. Any forms or letters requiring signatures shall have one original signed and dated in blue ink. The remaining copies may be photocopies of the original. The binders shall contain a table of contents and be tabbed accordingly. Pockets are to be provided in the binder for the folded maps that are submitted.
  2. Following staff review and notice of acceptance for referral to the Board of Trustees, the applicant shall provide 36 copies of the annexation documents. Fourteen sets shall be bound in three-ring binders as above. The remaining 22 sets are to be three hole-punched, collated into complete application packets and bound with binder clips only.
  3. The name or title of the proposed annexation on all documents and maps must be consistent. All letter size (8 ½" x 11") documents to be filed with the County Clerk and Recorder Office must have one inch margins, or they will be rejected for filing.
- B. The Annexation application shall include:
1. Letter of Intent. The applicant shall provide a letter of intent addressed to the Board of Trustees to serve as a cover letter to the formal petition, introducing the applicant(s) to the Board of Trustees, requesting annexation of the petitioner's property and describing the development plans for the property, if it is annexed.

2. Annexation Application Form. The Town's Annexation Application Form shall be completed, signed and dated.
3. Agreement for Payment of Development Review Expenses Incurred by the Town. The application shall be accompanied a signed standard form Agreement for the Payment of Development Review Expenses Incurred by the Town.
4. Petition for Annexation. The applicant shall submit a petition for annexation complying with the requirements of C.R.S. § 31-12-107. The Town's standard form petition shall be utilized. Any deviation from the standard form petition will require review and approval by the Town Attorney before the Town accepts the petition for processing. The applicant is to provide a word processing file of this document if it deviates from the Town's standard form petition.

The petition shall contain the following statements:

- a. An allegation that it is desirable and necessary that the area be annexed to the municipality.
- b. An allegation that eligibility requirements and limitations have been met or addressed respectively.
- c. An allegation that the petitioners comprise the land owners of more than 50 % of the territory included in the proposed annexation area (excluding streets and alleys).
- d. A request that the annexing municipality approve the annexation.
- e. If not already included, consent to the inclusion of the property into the (insert names of any applicable special districts) as appropriate.
- f. A waiver of any right to election pursuant to Section 28 of Chapter X of the Colorado Constitution before a district can impose property tax levies and special assessments.
- g. The dated signatures of petitioning landowners. Petition signatures must be signed within 180 days of the date the petition is first submitted to the Town Clerk.
- h. The mailing address of each signer of the petition.

- i. The full legal description of land owned by each signer of the petition (if platted, by lot and block; if unplatted, by metes and bounds).
  - j. The affidavit of each petition circulator that each petitioner's signature is valid.
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5. Annexation Map. Four paper copies of the annexation map are to be provided with the initial submittal. The annexation map shall be signed and sealed by the registered land surveyor or engineer preparing the map, or under whose supervision the annexation map was prepared. The annexation map(s) shall comply with the technical drawing requirements contained in Section 9-7-11 of this Chapter. In addition, provide one small format paper copy (not less than 8½" x 11", nor more than 11" x 17"). Provide one "Annexation Map Land Surveying Standards Checklist" completed by the Surveyor (attach to the "original" application packet).
  6. Concept Plan Map. Four paper copies of the concept plan map are to be provided with the initial submittal. The concept plan map(s) shall comply with the technical drawing requirements contained in Section 13.11 of this Chapter. In addition, provide one small format paper copy (not less than 8½" x 11", nor more than 11" x 17").
  7. Title Commitment. The applicant shall submit proof of ownership in the form of a current title commitment, issued by a title insurance company licensed by the State of Colorado, whose effective date shall be less than 30 days prior to the date of submittal of the annexation petition. Ownership must match the ownership listed in the petition. If the legal description of the area to be annexed as shown on the annexation map does not match the legal description of the property owned, because of road rights-of-way or other reasons, then the title policy must certify that the property owned is wholly contained within the described area on the annexation map. If the applicant is not the owner, there shall be provided in addition to the title commitment naming the owner as the insured, a notarized affidavit by the owner stating the applicant is authorized by the owner to make application for annexation. The applicant is to provide a word processing file of the legal description contained in the title commitment.
  8. Property Tax Statement. A copy of the prior year's property tax statement for all property to be annexed.
  9. Mailing List and Envelopes for County, Special Districts, Irrigation Ditch Companies, Mineral Interest Owners and Adjacent Property

Owners. The Applicant is to provide a mailing address list and envelopes .

10. Annexation Impact Report. A draft annexation impact report conforming to C.R.S § 31-12-108.5 is required for areas of 10 or more acres. Any deviation from the Town's standard form will require review and approval by the Town Attorney before the annexation impact report is accepted for processing by the Town. The applicant is to provide a word processing file of this document. The applicant is to provide an AutoCAD™ drawing file (release 12 or higher) of the required "existing conditions" map. An inaccurate, incomplete or poorly drawn "existing conditions" map shall be rejected.
11. The impact report shall contain the following information:
  - a. A map or maps of the municipality and adjacent territory showing the present and proposed boundaries of the municipality in the vicinity of the proposed annexation; the present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and irrigation and drainage ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and the existing and proposed land use pattern in the areas to be annexed;
  - b. A copy of any draft or final pre-annexation agreement, if available;
  - c. A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or for the municipality at the time of annexation;
  - d. A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed (those municipal services supplied by the Town);
  - e. A statement identifying existing special districts within the area to be annexed; and
  - f. A statement on the effect of annexation upon local public school district systems including the estimated number of students generated and the capital construction required to educate such students.

12. Water Rights. The applicant shall provide a "Water Rights Report" for the property prepared by a qualified water engineer or water attorney detailing the water rights appurtenant to and severed from the property to be annexed and their historical use. The report must include both surface (tributary) and subsurface (non-tributary and not non-tributary groundwater). The applicant shall provide a signed warranty deed(s) for sufficient water rights to provide the domestic needs of property to be developed as a result of the annexation as provided in the Lyons Municipal Code. In addition the applicant shall provide a signed standard form warranty deed for the transfer of all subsurface (non-tributary) water rights to the Town.
13. Zoning of Property to Be Annexed. The petitioner must submit a completed Zoning Application form, provide a Zoning Map for the property, a zoning amendment map amending the official zoning map and pay the application and recording fees.
14. Annexation Assessment Report. The application is to be accompanied by a narrative report assessing the effect of the proposed annexation upon the community and existing services and facilities. It shall detail the need for any expansion of those services and facilities to accommodate the development proposed for the property being annexed. The narratives shall be one or more paragraphs in length, and adequate to fully explain the needs, concepts and proposed solutions for each of the following:
  - a. An assessment of the community needs for the proposed annexation and land use;
  - b. The fiscal impact to the municipality of the proposed annexation. This is to include an analysis of short-term and long-term municipal revenues to be generated by the development, short-term and long-term municipal expenses likely to be incurred as a result of the annexation and development, and proposals to mitigate any negative impacts;
  - c. The school impact including an estimated of the number of students to be generated by development of the property, capital construction required to educate the students, and proposals to mitigate any negative school impacts;
  - d. The impact on the existing transportation system and proposals to mitigate any negative transportation impacts

upon the community (arterial and collector street improvements, intersection improvements, intersection signalization, alternative modes of transportation, etc.);

- e. The impact of the proposed development on the existing storm drainage system and proposals to mitigate any negative drainage impacts upon the community (historic rainfall drainage patterns, detention and retention areas, storm sewer requirements, discharged irrigation ditches, floodways and floodplains, etc.);
- f. The impact of the proposed development on the County Sheriff's Office and proposals to mitigate any impact upon the existing police services (special security needs, additional officers required, additional equipment requirements, etc.);
- g. The impact of the proposed development on the Lyons Fire Protection District and proposals to mitigate any impact upon the existing fire protection services (special fire hazards, fire prevention, fire detection, emergency access, additional equipment requirements, additional manpower requirements, additional fire stations, etc.);
- h. The impact of the proposed development on the Town or Town park facilities and recreation programs and proposals to mitigate any impact upon the existing facilities and programs (additional facilities, additional recreation programs, additional personnel required, etc.);
- i. The impact of the proposed development on the environment of the Town and proposals to mitigate any negative impact (identify environmentally sensitive areas, endangered species, significant habitats, etc.);
- j. The short-term and long-term economic development potential for the property (numbers of jobs to be created, sales and use tax generation, property tax generation, utility revenue generation, incentives to be offered, etc.);
- k. The compatibility of the proposed development with the street master plan as contained within the Lyons Comprehensive Plan and proposals for mitigating any negative impact;

- l. The compatibility of the proposed development with the Lyons Comprehensive Plan and any plan amendments that may be necessary for the proposed development;
  - m. The compatibility of the proposed development with the Lyons Municipal Code and any deviations in setbacks, space requirements, and permitted uses that may be required for the proposed development; and
  - n. A review of existing and adjacent land uses, areas of compatibility or conflict, and possible mitigation measures that may be required for the proposed development.
- 15. Letters of Support. The application is to be accompanied by letters of support or comments from the following special districts servicing the area to be annexed.
  - a. Insert appropriate names of water, sanitation, fire, etc., districts as applicable.

#### **9-7-10 Annexation Agreement**

A draft Annexation Agreement shall be provided to the applicant by the Town not less than 3 weeks prior to the annexation public hearing before the Board of Trustees. This document outlines the responsibilities of the applicant and the Town regarding the provision and extension of streets and utilities, the dedication of water rights and the applicability of Town regulations. Any changes or additions to the standard form Annexation Agreement proposed by the applicant or the Town shall be addressed in the "supplemental provisions" section of the document. If a property to be annexed has multiple ownership, all of the owners must sign the Annexation Agreement. If multiple properties are combined for annexation purposes, but each will be developed separately, separate Annexation Agreements are to be signed by each owner. The final document is to be signed by the applicant and made available to the Town Clerk not less than 2 weeks before the date of the public hearing on the annexation.

#### **9-7-11 Annexation Map Technical Standards**

- A. The annexation map shall be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado. The annexation map shall conform to the following drafting standards and contain the following information. It shall be a neat, clear, permanent, legible and reproducible document. Inaccurate, incomplete or poorly drawn maps shall be rejected.

1. The annexation map shall be an original drawing on 24" x 36" flat, spliceless, tapeless and creaseless sheet(s) of double matte mylar film with a uniform thickness of not less than .003 of an inch, using only permanent black ink that will adhere to drafting films, or an acceptable "fix-line" photographic reproduction (emulsion down), or a computer generated reproduction of the original drawing. A margin line shall be drawn completely around each sheet leaving a margin at least one-half inch on three sides and a margin at least two inches on the left (short) side, entirely blank. Unless otherwise specified, text and numbers are to be large enough to be clearly legible at the scale drawn.
2. Paper copies of the annexation map(s) shall be blue line or black line copies of the original, folded to 12" x 9" size. The applicant shall also provide paper 11" x 17" and 8½" x 11" reductions of the annexation map(s).
3. The annexation map shall be drafted at a scale that best conveys the detailed survey, and confines the drafting error to less than one percent. Acceptable scales are 1"=50' or 1"=100' and for annexations exceeding 100 acres, 1"=200'. In special instances another scale may be approved by the Town. When an annexation requires multiple sheets, an index shall be provided that delineates the boundaries and identify each sheet number. The scale of a composite map may be different from the individual sheets, as approved by the Town. A "title sheet" containing the certifications and signature blocks shall be provided in the event that the annexation map sheet is too crowded.
4. The title shall be centered at the top of the sheet along the long dimension of each sheet shall include the name of the proposed annexation. A general legal description stating the section, township, range, 6th P.M., Lyons, Boulder County, Colorado, shall be included under the name. On the title sheet (Sheet #1), under the general legal description, include the total acreage. Annexation names may not duplicate existing annexation names.

**Example:**

PINE VIEW ANNEXATION  
TO THE LYONS, COLORADO  
A Part of the E/2 of Section 23, Township \_ North,  
Range \_\_ West, \_\_th P.M., Lyons, Colorado  
78.05 acres

5. There shall be a title block in the lower right-hand corner, or along the right-hand margin that contains the name, address and telephone number of the land owner, the developer, and the engineer or surveyor preparing the drawing, an appropriate title for



the drawing, the preparation date, sheet number, the preparer's project identification numbers, revision dates, draftsman's initials, and the electronic drawing file name (matching the AutoCAD drawing file provided to the Town).

6. Adjacent to the title block, in the lower right-hand corner, there shall be a legend block which shall include a description of lines, points and symbols, a double-headed north arrow designated as true north and a written and graphic scale.
7. Adjacent to the right margin, or in a column to the right of the center of the title page if the page is crowded, there shall be the Town's standard statement of ownership containing a written metes and bounds legal description of the land to be annexed (including the full width of abutting roadways not already within the Town) followed by the owner's signature block(s) and notary block(s), one for each owner or mortgagee.
8. Immediately following the ownership certificate, there shall be the Town's standard Surveyor's certificate, signed, dated and sealed by a licensed surveyor or engineer.
9. Immediately following the Surveyor's certificate, there shall be the Town's standard certificate blocks for the Planning and Community Development Commission and Board of Trustees.
10. Immediately following the Board of Trustee's approval certificate, there shall be the Town's standard recording certificate block for the County Clerk and Recorder.
11. A vicinity map that depicts the area to be annexed and the area which surrounds the proposed annexation within a two mile radius superimposed on a current USGS Topographical Map, maintaining the same scale shall be placed on the left side of annexation map, outside the boundary of the area being annexed, or on the left side of the title sheet.
12. The annexation map drawing shall contain the following:
  - a. Show the outline of area to be annexed with boldest line.
  - b. For all references, show book, page, map number, etc., and place where publicly recorded.
  - c. Show all recorded and apparent rights-of-way lines of roads both within and without the periphery of land to be annexed;

these roads are those which are adjacent, adjoining, contiguous, and/or coincident with boundary. Provide all road names, right-of-way widths at each leg of an intersection, at the point of curve and point of tangent, at dead ends and at angle points; and right-of-way lines with accurate bearings and dimensions including chord lengths and bearings, central angles and radii of all curves. Whenever the centerline of a road has been established or recorded, the date and recording information shall be shown on the Annexation Map.

- d. Show on the annexation map, next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the area proposed to be annexed. A hatched boundary line shall be used to depict the boundary contiguous to the Town.
- e. Show section, quarter section, and other monument corners. Display ties to section corners and to the State grid, if available, which show dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (second order) minimum for linear and angular (bearing) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.
- f. Provided a description of all monuments, both found and set, which mark the boundaries of the property and of all control monuments used in conducting the survey.
- g. Show the location of each ownership tract in unplatted land, and if part or all of the area is platted, the boundaries and plat numbers of plots or of lots and blocks.
- h. Show the names and locations of all abutting subdivisions. The locations of all abutting unplatted parcels and public lands shall be depicted and designated as such.

- i. The ownership identity of all mineral rights shall be designated on the map.
- j. Show the purpose, widths, location (with fine dashed lines) and ownership of all easements and all abutting easements, including but not limited to utility, oil and gas gathering and transmission lines and irrigation ditches (fee or prescriptive). If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. The widths of all easements and sufficient data to definitively locate the same with respect to the parcel to be annexed must be shown. All easements must be clearly labeled and identified. If an easement shown on the annexation map is of record, its recorded reference must be given.
- k. All lines, names and descriptions on the annexation map which do not constitute a part of the annexation shall be depicted in dashed or screened lines. Any area enclosed by the annexation, but not a part thereof, shall be labeled "Not a Part of This Annexation."
- l. Accurately locate 100-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams, lakes, or inlets on the affected property.
- m. Show clearly the length and bearing of all lines described in the written description.
- n. Show section numbers, quarter section quadrants, township and range lines, and label each.
- o. Show all lines, calls, arcs, etc., described in written description.
- p. Circle or place an ellipse around each location where a detail drawing will be provided, and provide designation for each detail such as " See Detail A."
- q. Show "Point of Beginning" in bold letters with an arrow.
- r. Show "True Point of Beginning" with bold letters and arrow, when appropriate.

- s. A map note shall indicate the total perimeter of the annexation boundary, the contiguous length to the existing Town boundary and the length representing one-sixth of the total annexation boundary perimeter.
13. An "Annexation Map Land Surveying Standards Checklist" completed by the surveyor shall be provided.
  14. An AutoCAD™ drawing file (release 12 or higher) of the annexation map(s) and title sheets and all fonts used, shall be provided on IBM formatted 3 ½" floppy disks, or by other acceptable electronic transfer. Large drawing files are to be compressed. If multiple maps are used, one drawing file must combine all the parts into one map showing the entire annexation. AutoCAD™ drawing files (release 12 or higher) of each revision to the annexation map shall be provided at the time the revision is submitted to the Town.
  15. A word processing file of the legal description shall be provided on an IBM formatted 3 ½" floppy disk, or by other acceptable electronic transfer. Text must be in uppercase.

#### **9-7-12 Concept Plan Map Technical Standards**

- A. The concept plan map shall be prepared by or under the supervision of a qualified land planner or architect. The concept plan map shall conform to the drafting standards of the annexation map. It shall be a neat, clear, permanent, legible and reproducible document. Inaccurate, incomplete or poorly drawn maps shall be rejected.
1. Paper copies of the concept plan map(s) shall be blue line or black line copies of the original, folded to 12" x 9" size. The applicant shall also provide paper 11" x 17" and 8½ " x 11" reductions of the concept plan map(s).
  2. The concept plan map drawing shall contain the following:
    - a. Show the boundary of the area to be developed; Provide a written legal description of the area to be developed;
    - b. Within the concept plan, show the general location of each proposed land use on the property and the percentage of the whole for each use. General location of land uses may be shown as irregular graphic shapes depicting the approximate size and relationship to adjacent land uses. A table shall be used to list densities and land use by type, including the area of each, the density of residential development and the

maximum and minimum lot sizes, and the maximum square footage of commercial and industrial buildings and the maximum and minimum lot sizes;

- c. Within the concept plan, show existing and proposed arterial and collector streets and their relationship to the principal land uses on the site;
  - d. Within the concept plan, show existing and proposed major utility lines or facilities and their relationship to the principal land uses on the site;
  - e. Within the concept plan, show contour lines at 10 foot intervals, except when there are significant geographical features on the land and a different interval is determined to be more appropriate; and
  - f. Within the concept plan, show significant natural or manmade features on the site and contiguous to the property, including but not limited to, bluffs, tree galleries, lakes and ponds, irrigation ditches watercourses and wetlands.
3. An AutoCAD™ drawing file (release 12 or higher) of the concept plan map(s) and title sheets and all fonts used, shall be provided on IBM formatted 3 ½" floppy disks, or by other acceptable electronic transfer. Large drawing files are to be compressed. If multiple maps are used, one drawing file must combine all the parts into one map showing the entire annexation. AutoCAD™ drawing files (release 12 or higher) of each revision to the concept plan map shall be provided at the time the revision is submitted to the Town.