



Annexation

The purpose of this guide is to provide general information about the annexation process. This guide is not intended to be all inclusive. Please refer to Section 18.26 of the Greeley Development Code for additional information. Additional submittal information may be requested during the application process.

FEES:

\$750 + \$5/acre

\$500 Fire District Withdrawal

*Typical development review process takes 3-4 months

TIMELINE:

2-3 weeks per review cycle*

Annexation applications must comply with the standards and follow the processes created by state law and city code. City staff reviews the annexation application to determine if it meets statutory requirements. If the petition meets those requirements a resolution is prepared. The City Council resolution proclaims that the application meets those requirements and sets the date that they will hear the petition. Planning staff evaluates the application using the annexation criteria provided in the development code. The Planning Commission reviews the request and staff's evaluation, holds a public hearing and makes a recommendation to City Council. The City Council will hold a public hearing during the second reading of the annexation ordinance. The Council may deny, approve or table the petition until another date.

The following criterion is used to determine if an area is eligible for annexation:

1. Not less than one-sixth (1/6) of the perimeter area proposed to be annexed is contiguous with the City of Greeley;
2. A community of interest exists between the territory being proposed to be annexed and the City of Greeley;
3. The territory sought to be annexed is urban or will be urbanized in the near future;
4. The territory sought to be annexed is integrated or is integrated or is capable of being integrated with the City of Greeley.

The following criteria shall be used to evaluate annexation requests after it has been determined that the petition meets state eligibility requirements:

1. The proposed annexation is in conformance with the City's Comprehensive Plan.
2. The proposed annexation promotes geographical balance of the City's land use pattern.
3. Adequate services are or will be available to support the development expected to result from the proposed annexation.
4. The proposed annexation provides for a continual and rational boundary.
5. The proposed annexation is needed to accommodate future land use requirements.

**ANNEXATION SUBMITTAL CHECKLIST
AND PROCEDURAL FLOWCHART**

NOTE: Electronic submittals of applications are accepted. For instructions on how to submit documents electronically, please contact Mike Garrott, Planning Manager, at 970-350-9784.

SUBMITTED

REQUIREMENTS

- Pre-application Conference**

Date	Planner

- Application Form* (Attached)**

- Required Fees**

- Petition for Annexation. (Attached)** The petition shall be signed by persons comprising more than fifty (50) percent of the landowners in the area to be annexed and owning more than fifty (50) percent of the land area.

- Affidavit of Circulator. (Attached)** Signed and notarized affidavit.

- Exhibit A.** Typed legal description (8½” x 11”) of the area of annexation as it appears on the annexation plat including the identification of the person responsible for preparing it.

- Annexation Information Sheet. (Attached)** This information sheet must be completed and is attached to the petition. Additional sheets may be attached.

- Narrative.** Statement addressing the following:
 - (a) Conformance with the City’s Comprehensive Plan;
 - (b) Intent to include the property in the Northern Colorado Water Conservancy District and Subdistrict; and
 - (c) Information on ecological or land use conditions which may be hazardous, including oil and gas operations, dumps and landfills, underground storage tanks, steep slopes, wetlands, irrigation ditches, bodies of water and flood areas.

- Annexation Plat. Eight (8) copies 24” x 36” and one (1) copy 11” x 17” plat** showing the boundary of the area proposed to be annexed and including the following:
 - (a) Location of ownership tracts and platted lots;
 - (b) Written legal description of the boundaries of the area;
 - (c) The contiguous boundary of the City limits next to the boundary of the area proposed for annexation and boundary map showing special districts;
 - (d) Vicinity map showing proposed annexation and surrounding area;
 - (e) Title of the annexation; and
 - (f) Surveyor’s Certificate, City Acceptance Blocks and Notary Block as provided in Appendix A of the Subdivision Regulations.

- ❑ **Site Analysis Map. Eight (8) copies** 24" x 36" and **one (1) copy** 11" x 17" of a map drawn to scale, showing the boundary of the area proposed to be annexed and including the following:
 - (a) Area of property in square feet and/or acres;
 - (b) Property boundaries and complete dimensions;
 - (c) Boundaries of adjacent properties;
 - (d) Topography at two-foot intervals;
 - (e) Existing rights-of-way, streets, roadways, and probable access points; and
 - (f) Existing utilities and easements;
 - (g) Irrigation ditches, head gates, waste ditches;
 - (h) Natural drainage patterns, bodies of water, water courses, flood plains, flood way;
 - (i) Significant vegetation, including trees;
 - (j) Areas of Ecological Significance, including wetlands, steep slopes, etc.;
 - (k) Existing structures and land uses; and
 - (l) Existing oil and gas facilities and setbacks to such facilities.

- ❑ **Fire District Petition and Fee. (Attached)** A copy of the authorization to exclude the property from the existing Fire District.

- ❑ **Public Agreements.** Copies of all agreements, including proposed annexation agreement, between the applicant and governmental entities, quasi-public entities and special districts that may affect the applicant's property, addressing such things as access, irrigation, fire protection and sanitation.

- ❑ **Private Agreements.** Private agreements addressing topics subject to governmental approval, such as signage, oil and gas operations and building permits.

- ❑ **Evidence of Ownership.** Copies of deed(s) and/or title insurance policies for all properties owned by the petitioner(s) included in the annexation.

***Application Note: Incomplete applications will delay the review process.**

Property Annexation Roadmap

Prior to submitting an application for annexation review it may be worthwhile to schedule a pre-application meeting or apply for a preliminary “scoping” review. Having early feedback on a land-use proposal can often make a formal application proceed quicker. To schedule a pre-application or scoping review contact the Planning office at (970) 350-9780.

SUBMIT

- Submit application for review (incomplete submittals will cause delays)
- Projects submitted by 5pm **Monday** are scheduled for review the following Wednesday

REVIEW • REVISE • RESUBMIT

- Staff reviews completed application (2-3 weeks per review cycle)
- Substantial correction comments will **require** resubmittal
- Once **all** comments have been addressed the project is scheduled for the next available Planning Commission hearing

NOTICE

- City provides courtesy neighborhood notice to property owners
- Neighborhood meeting held (if necessary)
- Applicant provides 30 day mineral notice (if required)

HEARING

- Planning Commission considers rezoning request, staff recommendation, along with citizen input and makes a recommendation to City Council
- Planning Commission meets every 2nd and 4th Tuesday of the month
- City Council considers rezoning request, staff and Planning Commission recommendation, along with citizen input and makes a final decision.
- City Council meets ever 1st and 3rd Tuesday of the month

FINISH

- City Clerk prepares an ordinance; and
- Applicant may proceed to further development or building permit review phases (if necessary)

PETITION FOR ANNEXATION

_____ Annexation

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF GREELEY,
COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et. seq., Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Greeley for annexation to the City of Greeley of the territory described herein and described and shown on the map designated, "_____ Annexation." The applicable number of said map (at least four) are submitted herewith and by this reference are incorporated herein. The description of the territory hereby petitioned for annexation to the City of Greeley is set forth in Exhibit A attached hereto and incorporated herein by reference.

In support of this petition, the Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Greeley.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes exist or have been met in that:
 - A. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley.
 - B. A community of interest exists between the territory proposed to be annexed and the City of Greeley.
 - C. The territory sought to be annexed is urban or will be urbanized in the near future.
 - D. The territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley.
3. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has/have been divided into separate parts or parcels of real estate without the written consent of the land owner or land owners thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road, or other public way.
4. In establishing the boundaries of the territory proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon have an assessed

valuation in excess of \$200,000 for ad valorem tax purposes for the year next preceding the filing of the written petition for annexation, has/have been included within the territory proposed to be annexed without the written consent of the land owner or land owners.

5. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Greeley was held within the twelve months preceding the filing of this petition.
6. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a city other than the City of Greeley.
7. The territory proposed to be annexed is not presently a part of any incorporated city, city and county, or town.
8. The property owned by each petitioner is described on each separate signature sheet and, when needed, described more fully in the exhibits attached hereto and incorporated herein by reference.
9. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the land owners and owning more than fifty percent (50%) of the property, excluding public streets and alleys, and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.

Accompanying this petition are the original and four copies of an annexation plat map containing the following information:

- A. A written legal description of the boundaries of the area proposed to be annexed.
- B. A map showing the boundary of the area proposed to be annexed.
- C. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
- D. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

- E. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the City of Greeley.
 - F. Acceptance block describing the acceptance action of the City of Greeley in form and substance as provided in Appendix A of the Subdivision Regulations of the City of Greeley and providing for the effective date and City Clerk and Mayor attest signatures.
10. Except as otherwise provided, no part of the territory sought to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will become effective.
 11. As an expressed condition of annexation, land owner(s) consent(s) to inclusion into the Northern Colorado Water Conservancy District and the municipal subdistrict pursuant to Section 37-45-136 (3.6) C.R.S. Land owner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, land owner's (s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of land owner's(s') lands. Land owner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Land owner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.

THEREFORE, the undersigned respectfully petition(s) and requests the City Council of the City of Greeley, to approve annexation of the territory described and referred to in Exhibit A to the City of Greeley in accordance with and pursuant to the statutes of the State of Colorado.

<u>Land Owner(s) Name(s) and Signature(s)</u> <u>Signing</u>	<u>Mailing Address</u>	<u>Date of</u>

Subscribed and sworn to before me this _____ day of _____, 20____, by
_____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

Land Owned

If necessary, attach separate sheet.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

_____ being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this _____ day of _____, 20____, by _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

CITY OF GREELEY ANNEXATION INFORMATION SHEET

The following information is required to process the annexation of land into the City of Greeley. This sheet must be attached to a completed annexation petition.

TO BE COMPLETED BY APPLICANT

Date _____

1. Name of Annexation _____
2. Name of Property Owner(s) _____
3. Street or Road Addresses of All Properties to be Annexed (Attach separate sheet if necessary):

4. Person to Contact (Name, Address and Phone)

5. Size (in acres) _____

Sites larger than 10 acres require (as per C.R.S. 31-12-108.5, amended) an annexation impact report. The annexing body and the County Commissioners may agree to waive such report, but a letter to that effect must accompany this petition.

Check One: Land Owner-Initiated
 Municipally Owned (C.R.S. 31-12-106)
 Enclave (C.R.S. 31-12-106)

6. Attach a list of all special districts (including school districts) of which the territory proposed for annexation is part.
7. Attach a list of all residents (and their addresses) of the territory proposed for annexation who are not land owners.

8. Attach a description of the intended use and development of the territory proposed for annexation. Such a description should be as complete as possible and include:

- The location of existing streets and utility lines.
- Existing and proposed land use patterns and existing zoning.
- Size of commercial or industrial facilities.
- Estimated number of school students generated.
- Number of dwelling units.

Exhibit "A"
(Legal Description)

AUTHORIZATION TO WITHDRAW FROM FIRE DISTRICT

The undersigned hereby request and authorize the City of Greeley to petition for the withdraw of territory described herein on Exhibit A from the _____ Fire Protection District upon successful annexation of the same property into the City of Greeley.

Fee \$500.00

Land Owner(s) Name(s) and Signature(s) Mailing Address Date of Signing

Assessor's Tax ID # _____

Assessor's Parcel(s) # _____

Land Owner(s) Name(s) and Signature(s) Mailing Address Date of Signing

Assessor's Tax ID # _____

Assessor's Parcel(s) # _____

Land Owner(s) Name(s) and Signature(s) Mailing Address Date of Signing

Assessor's Tax ID # _____

Assessor's Parcel(s) # _____

City Review Team Contact Information

Every project is assigned to a planner and an engineer, who will contact you after the project has been assigned. If you have general questions in the meantime, please contact the Administrative Assistant at 970-350-9780 who will connect you to the appropriate person.

You may also wish to contact individuals from other agencies or utilities who are invited to contribute to the meeting. They include:

Atmos Energy	Jerry Adams	970-304-2075
Colorado Department of Transportation	Gloria Hice-Idler	970-350-2148
Xcel Energy	Terry Stencil	970-395-1207
Poudre Valley REA	Terry Willis	970-282-6432
Weld School District #6	Wayne Eads	970-348-6405
Century Link	Carson Ortega	970-392-4837
Comcast Cable	Bill Blair	720-490-3891



Land Use Application

1

Please print or type all required information. This form is **NOT** the complete submittal. The application fee and all associated materials are to be provided with this form. Staff will review the submittal and advise you of its completeness for processing.

2

Project Name:

Land Use Request:

Address/Location:

	Existing		Proposed (if different)	
Zoning				
Site Use				
Site Area	Acres:	Sq. Ft.:	Acres:	Sq. Ft.:

3

Owner

Submittal Contact (if different)

Name			
Business			
Address			
Phone #			
Fax #			
E-Mail			

4

This application must be signed by ALL owner(s) of record or the authorized officer, if a corporation; current proof of ownership, such as a warranty deed, is to be submitted with this application. A letter of authorization should be submitted if the authorized representative will be acting on the owner's behalf.

I/We, the owner(s), depose and state under penalties of perjury that the application and support materials provided to the City of Greeley for the identified request(s) are true and accurate. I/We am/are fully aware of all requests being made to the City of Greeley and authorize individuals or firms to represent our interest in this/these request(s).

Name:	Name:
Signature:	Signature:
Date:	Date: