

# CITY COUNCIL COMMUNICATION



**MEETING DATE:** October 16, 2018

**ITEM NUMBER:** 5.B.

**SECOND READING:** NA

**TYPE OF ITEM:** Study Session

**PRESENTED BY:** Brien Schumacher, Planning and Development Services,  
303-651-8764, [brien.schumacher@longmontcolorado.gov](mailto:brien.schumacher@longmontcolorado.gov)

**SUBJECT/AGENDA TITLE:** Enclave Annexations

**EXECUTIVE SUMMARY:** As the City limits have grown over time, enclaves of unincorporated parcels have been created. Unincorporated parcels that have been completely surrounded by the City for at least three years are eligible for annexation to the City under state statutes. The attached map shows unincorporated parcels that currently, or will soon, meet that criteria for annexation. The map is color coded to highlight parcels that would be zoned residential, mixed use or nonresidential based on the corresponding Envision Longmont land use designation.

Staff is requesting direction of whether Council is interested in considering annexation of some or all of the enclave parcels. The attached table of enclave areas provides additional information and corresponds with numbers on the attached map.

**COUNCIL OPTIONS:** The following options are presented for Council's consideration of this item:

1. Direct staff to proceed with consideration of some, or all, potential enclave annexations.
2. Direct staff not to proceed with consideration of enclave annexations at this time.

**RECOMMENDED OPTIONS:** Council policy

**FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:** Additional costs would be incurred with hiring a surveyor to prepare the legal descriptions and annexation maps.

## BACKGROUND AND ISSUE ANALYSIS:

Previous annexation of enclave areas occurred in 2005 and 1990. Annexation of enclaves does not require property owner consent, but typically property owners are contacted to inform them that their properties are being considered for annexation. During previous enclave annexations, some property owners were not interested in being annexed. An example of an unincorporated subdivision that was considered for enclave annexation in 1990 but ultimately was not annexed is the Northwest Acres subdivision at the southeast corner of 21<sup>st</sup> and Hover.

Under state statutes and the City development code, enclave annexations can be annexed by ordinance without many of the steps required for annexations requested by the property owner. For example, a neighborhood meeting and recommendation from the Planning and Zoning



Commission are several steps not required of enclave annexations. Certain statutory compliance steps are also not required for enclave annexations.

Potential benefits of enclave annexation include:

- Local land use control
- Property and sales tax revenue
- Consistent service provision (police and emergency services, infrastructure services, etc.)

Potential issues of enclave annexation include:

- Illegal or nonconforming uses and structures
- Infrastructure and services condition and cost
- Potential environmental site contamination

Raw water policy compliance for enclave annexations has been required when a property develops, typically with a subdivision plat or site plan.

Several of the enclave parcels have existing commercial establishments, including retail marijuana establishments – Native Roots along Sunset Street just north of the St. Vrain Creek, and Euflora at the northeast corner of Main Street and Highway 119. Under Boulder County zoning, marijuana establishments would be allowed in the enclaves zoned GI (general industrial) and C (commercial) on the attached table. If Council is interested in annexing enclaves with existing retail marijuana establishments, the City’s retail marijuana ordinance would likely need to be amended to account for additional retail locations beyond the four currently allowed.

#### **ATTACHMENTS:**

1. Table of potential enclave annexations
2. Map of potential enclave annexations