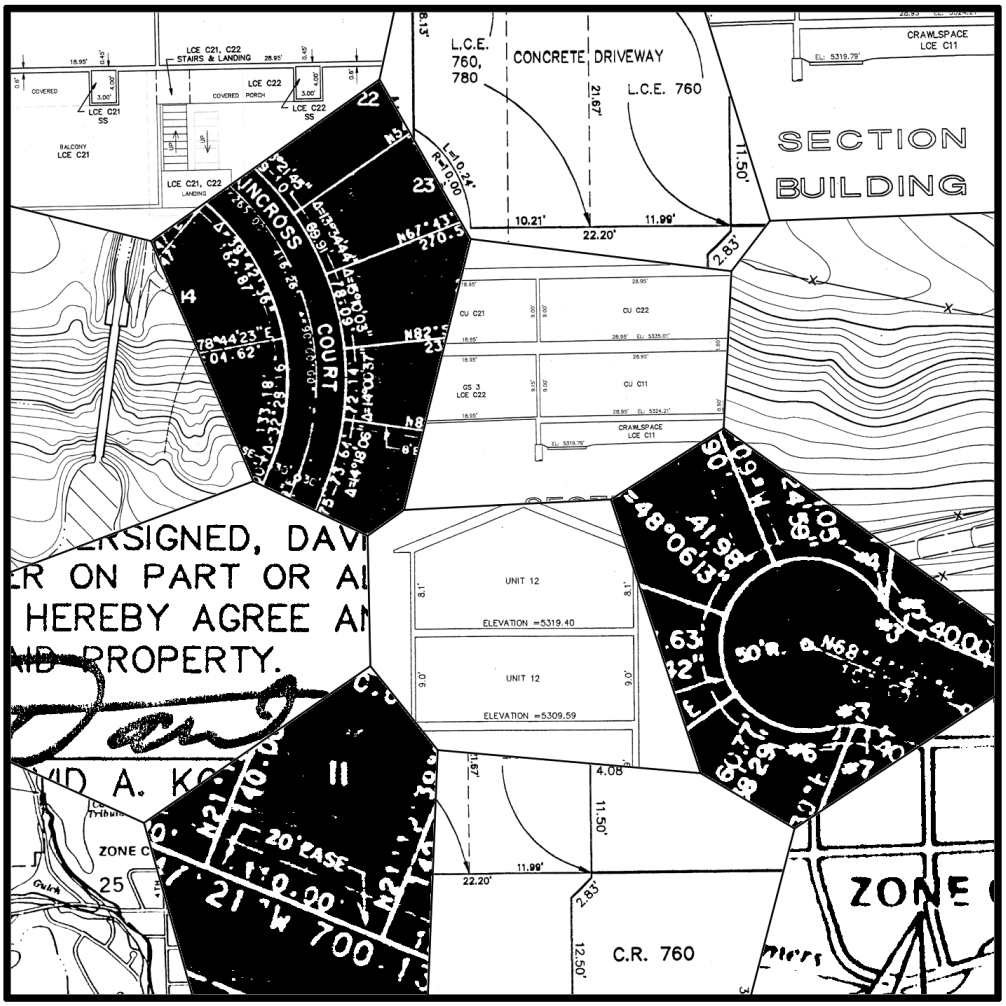
Annexation/Initial Zoning

Attachment to
Land Use Review Application



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Revised August 2016
203.pdf

ANNEXATION AND INITIAL ZONING - SECTION ONE

GENERAL INFORMATION

How to Use this Attachment

Section One of this attachment contains general information about the review type, and the process used to review your application. Keep this section as a reference while your application proceeds through review.

Section Two contains material that **you are required to fill out, detach, and submit with your application**. The Application Submittal Requirements checklist describes the minimum information to include in your application. Your application will not be accepted for review unless all the information is present.

Use the information in this attachment to prepare your application. The information in this, and related, attachments **identifies the criteria that will be used to evaluate your application**. Your application should **focus on demonstrating <u>how</u> your proposal complies with <u>all</u> the criteria**. Effective use of this attachment will help you avoid costly revisions to your application later.

Annexation and Initial Zoning Summary

Land may be considered for annexation to the city of Boulder, if the annexation would comply with state annexation statutes, and the policies of Boulder Valley Comprehensive Plan. The policies for annexation are included in Section One of this attachment. It is the responsibility of the applicant to demonstrate how the annexation would comply with all of the pertinent policies, and show why annexation would be a benefit to the city of Boulder.

If a property is annexed, zoning will be established according to the Land Use Map of the Boulder Valley Comprehensive Plan. An annexation agreement is also required, to establish the terms and conditions of the annexation. Standard terms and conditions, such as right-of-way dedication requirements, affordable housing contributions, and fees, are established through city codes and policies. A property owner may propose to negotiate different terms, conditions or zoning, but, as with any negotiation, the process may be time consuming.

All annexations involve at least two public hearings. The first is conducted by the Planning Board, who will make a recommendation to the City Council whether or not the annexation should be approved, and the terms, conditions and zoning that should be applied. The City Council then holds a second public hearing before making their determination.

An Annexation Feasibility Study is available for applicants who wish to first determine standard application requirements and costs before deciding to submit an Annexation and Initial Zoning application. The fee for the Feasibility Study may be credited to the Annexation and Initial Zoning fee, if the two applications are submitted in the same calendar year. See the Annexation and Feasibility Study attachment for further information.

A property owner may also request an amendment to the terms and conditions of an existing annexation agreement. An annexation agreement amendment follows the same review process by Planning Board and City Council described above.

BOULDER VALLEY COMPREHENSIVE PLAN ANNEXATION POLICIES

POLICY 1.25

ANNEXATION. The policies in regard to annexation to be pursued by the city are:

(a) Annexation will be required before adequate facilities and services are furnished;

(b) The city will actively pursue annexation of county enclaves, Area II properties along the western boundary, and other fully developed Area II properties. County enclave means an unincorporated area of land entirely contained within the outer boundary of the city. Terms of annexation will be based on the amount of development potential as described in (c), (d), and (e) of this policy. Applications made to the county for development of enclaves and Area II lands in lieu of annexation shall be referred to the city for review and comment. The county shall attach great weight to the city's response and may require that the landowner conform to one or more of the city's development standards so that any future annexation into the city will be consistent and compatible with the city's requirements.

(c) Annexation of existing substantially developed areas will be offered in a manner and on terms and conditions which respect existing lifestyles and densities, and the city will expect these areas to be brought to city standards only where necessary to protect the health and safety of the residents of the subject area or of the city. The city, in developing annexation plans of reasonable cost, may phase new facilities and services. The County, which now has jurisdiction over these areas, shall be a supportive partner with the city in annexation efforts to the extent the county supports the terms and conditions being proposed.

(d) In order to reduce the negative impacts of new development in the Boulder Valley, the city shall annex Area II land with significant development or redevelopment potential only on a very limited basis. Such annexations will be supported only if the annexation provides a special opportunity or benefit to the city.

For annexation considerations, emphasis shall be given to the benefits achieved from the creation of permanently affordable housing. Provision of the following may also be considered a special opportunity or benefit: receiving sites for transferable development rights (TDRs), reduction of future employment projections, land and/or facilities for public purposes over and above that required by the city's land use regulations, environmental preservation, or other amenities determined by the city to be a special opportunity or benefit. Parcels that are proposed for annexation that are already developed and which are seeking no greater density or building size would not be required to assume and provide that same level of community benefit as vacant parcels unless and until such time as an application for greater development were submitted.

(e) Annexation of substantially developed properties that allows for some additional residential units or commercial square footage will be required to demonstrate community benefit commensurate with their impacts. Further, annexations that resolve an issue of public health without creating additional development impacts should be encouraged.

(f) There will be no annexation of areas outside the boundaries of the Boulder Valley Planning Area, with the possible exception of annexation of acquired open space.

(g) Area II is anticipated to become part of the city within the planning period. Area III is not anticipated to become part of the city within the planning period. However, publicly owned property located in Area III and intended to remain in Area III may be annexed to

the city if the property requires less than a full range of urban services or requires inclusion under city jurisdiction for health, welfare and safety reasons.

(h) The Gunbarrel-Heatherwood subcommunity, which is unique because of its size, developed at an urban density with city water and sewer service. The commercial and industrial portion of Gunbarrel-Heatherwood is annexed to the city, while much of the residential development is still unincorporated. The Gunbarrel-Heatherwood Subcommunity is also unique because of the shared jurisdiction for planning and service provision among the county, the city, the Gunbarrel General Improvement District and other special districts. Those areas annexed to the city are provided with city services, although deficiencies exist in developed park facilities and services. In the unincorporated area, a variety of arrangements for service provision exist. Some services, such as road maintenance, flood control, and law enforcement, are primarily provided by the county. Area residents now tax themselves through the Gunbarrel General Improvement District to pay for open space acquisitions and possible park and major roadway improvements. Fire protection is provided to the unincorporated area by Boulder Rural Fire District. Although interest in voluntary annexation has been limited, the city and county continue to support the eventual annexation of Gunbarrel-Heatherwood. If resident interest in annexation does occur in the future, the city and county will negotiate new terms of annexation with the residents.

SIDEBAR INFORMATION: **See Policy 3.02. Definition of Adequate Urban Facilities and Services.**

The Applicant shall be required to comply with the following procedures, as set forth in the Boulder Valley Comprehensive Plan:

ANNEXATION PROCESS

It is anticipated in the Comprehensive Plan that Area IIA shall be annexed to the city of Boulder within three years, consistent with the phased expansion of the city's capacity to provide adequate urban facilities and services. The following statements describe very briefly and very generally the city's present annexation policies and procedures, both of which may be modified from time to time without requiring an amendment of the Comprehensive Plan. The city's annexation process may vary somewhat to fit the circumstances of any particular annexation, but shall be consistent with Policy 1.25.

State Law

Among other requirements, all annexations shall comply with requirements of Colorado State law which includes the following provisions:

(1) Minimum Required Contiguity: At least one-sixth of the perimeter of the area to be annexed shall be contiguous to the city limits.

(2) Annexation by Petition: A petition must be presented by more than half of the land owners owning more than fifty percent of the area to be annexed. For enclaves and municipally owned property, the city may take the initiative without petition.

(3) Annexation by Election: Under certain conditions, an election may be held by the property owners and registered electors within the area to be annexed.

Relationship to Existing City Boundaries and Consolidation of Petitions
The city may consolidate individual properties requesting annexation into larger aggregate parcels when the request areas are adjacent and such grouping is desirable because of contiguity, compactness, or logical extensions of then-existing city boundaries, or for the more efficient processing of numerous annexation requests.

Zoning and Land Use
While zoning classifications in the county will be recognized, annexation into the city will need to conform to city zoning categories and the land use designations of the Comprehensive Plan.

Environmental Features
Though detailed environmental impact statements generally will not be expected for lands within Area IIA, commitments may be required at the time of annexation to protect parcels having special or unique natural features or hazards.

Public Improvements
The following topics indicate the general terms and conditions that normally will be imposed for existing development at time of annexation. These conditions may vary to some degree depending upon the annexation of a particular area.

(1) Water and Ditch Rights: The city shall follow the procedures outlined in Ordinance No. 4351 concerning the acquisition of first right of refusal of water and ditch rights.

(2) Streets: The city will permit flexibility in the design and improvements of local streets when desired by local residents. As a condition of annexation, the city shall require the improvement of streets to levels which will ensure that the city will not incur extraordinary maintenance costs as a result of new annexations. The city will consider petitions from property owners to initiate a street improvement project at any time after annexation, so long as such project will not conflict with other scheduled capital improvements.

(3) Street Lights: Following annexation, street lights may be installed, upon petition of the residents of the area, subject to Excel Energy (formerly Public Service Company) standards and approval.

(4) Water and Sewer: At the time of annexation, a property owner of property other than a large lot single family residence shall connect to the city water and sewer if the lines abut the property. For a property owner of a large lot single family residence that has an existing water and sewer system with no health-related problems, the property owner may continue use of the individual system until said system fails or needs upgrading.

(5) Payment of Water and Sewer Plant Investment Fees and Front Foot Charges: The city may consider financing and low-income deferrals for plant investment fees and front foot charges for previously developed property within the city and developed property annexing to the city. If the property is redeveloped or ownership changes, the outstanding charges will become due and payable at that time.

(6) Other Terms and Conditions: The items listed above will normally be imposed. Other conditions may be imposed by the city to meet the particular circumstances of any annexation and will be developed in a manner to allocate equitably the burdens, if any, of a particular annexation between the property owners and the city.

Special Action by the City

The city will assist property owners in Area IIA in taking positive steps toward annexation which should be in their best interests as well as those of a majority of the population of the Boulder Valley by providing factual information for these landowners. This material is expected to include capital improvements information, petitions for annexation, legal references, land use forecasts, and recent building and subdivision records. The city will allocate administrative staff time so that such persons will be available to attend public meetings and discussions with landowners in Area IIA so that such property owners may be better informed regarding annexation policies, procedures and potentials.

ANNEXATION IMPACT REPORT - REQUIREMENTS*

(Required for annexations of ten acres or more)

An annexation impact report shall include, as a minimum:

1. A map or maps of the municipality and the adjacent territory to show the following information:

    a. The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;
    b. The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation, and;
    c. The existing and proposed land use pattern in the areas to be annexed.

2. A copy of any draft or final pre-annexation agreement, if available;

3. 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 on behalf of the municipality at the time of annexation;

4. A statement setting for the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;

5. A statement identifying existing districts within the area to be annexed;

6. 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.

***** From CRS 31-12-108.5

ANNEXATION MAP REQUIREMENTS*

1. A written legal description of the boundaries of the area proposed to be annexed;

2. A map on 11" x 17" paper, drawn to an identified scale, showing the boundary of the area proposed to be annexed;

3. Within the annexation boundary map, show the location of each ownership tract in unplatted land and, if the part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;

4. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality abutting the area proposed to be annexed, and;

5. A surveyor's certification that the legal description contained on the annexation map accurately describes the area proposed for annexation as depicted on the annexation map.

***** From CRS 31-12-107

(October 14, 1991)

LAND USE REVIEW AND TECHNICAL DOCUMENT REVIEW PROCESS SUMMARY

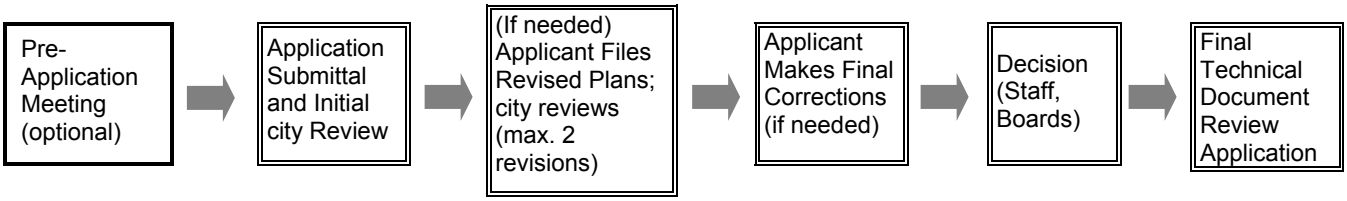
The Planning Department coordinates discretionary reviews through a Land Use Review process. The various review types are listed on the Land Use Review Application Form and include annexation, site review, use review and preliminary plat for subdivision. The Land Use Review process is summarized here.

Pre-Application
If you are considering filing a development review application, a pre-application review may be beneficial. An interdepartmental city staff team is available to answer questions about applicable regulations, application requirements, and how they may affect a project on a particular site. Many pre-application questions can be answered without need for a meeting. Occasionally, staff will determine that a meeting will be the most effective approach. Pre-application review is usually optional. Exceptions are the Off-site Affordable Housing Location Review, when land is proposed for Inclusionary Housing, and certain Housing Funding requests; however, there are certain types of projects and reviews for which city staff recommends a pre-application review. Refer to the “Pre-application Review” brochure for details.

Application
A request for Land Use Review is made by completing and filing an application in the Planning and Development Services Center. Land Use Review applications are accepted daily. **Bimonthly deadlines are at 10 a.m. on the first and third Mondays of each month.** A case manager is assigned to each application and manages the land use review process for the individual project. The case manager also serves as the primary contact for the project in interactions with other city departments, the applicant and the public.

Review Schedule
Each application is assigned to a "track" based on availability of staff resources to conduct the review. The track assigned determines the land use review schedule which the project will follow and helps applicants to gauge the time needed to complete the review process. A generalized diagram of the land use review process appears below. Once a review track has been assigned, the city commits to this time schedule, assuming the applicant meets appropriate deadlines. In addition, the schedule may be accelerated or a project placed on a later track based on the applicant's response time, the number of revisions, and staff, Planning Board or City Council work volume.

Basic Steps in the Land Use Review (LUR) Process



Reviewers
The land use review process includes review by the Development Review Committee (DRC), which is made up of representatives from city departments and other referral agencies. Each representative provides review and comment about how the application complies with code and policy requirements within their area of responsibility. When the interests of individual departments diverge, developing consensus is the responsibility of the Policy Resolution Group (PRG), made up of supervisors of Planning and Development Services and the City Attorney's Office.

Initial Review and Review of Revised Plans
Public notice, by mail and posting a sign on the property, occurs during the initial review. The applicant is responsible for posting of a sign that is issued by the Planning and Development Services Center.

During a project's initial review, a summary of the city's findings, a list of requirements and informational comments are identified and given to the applicant in the form of Development Review Results and Comments.

Projects are reviewed for conformance with development standards and requirements and some are evaluated against qualitative design criteria. City comments and/or a decision are issued approximately three weeks after the start of the assigned review track.

Issuance of the Development Review Results and Comments concludes the services covered by the initial application fee. Any additional time spent by staff after this point is subject to hourly billing or by revision fees where applicable.

The case manager is available to meet with the applicant to review and discuss the city comments. After considering the issues identified in the initial review, the applicant is given the opportunity to propose revisions. Revisions must be submitted, or a written request for continuance received within 60 days from the date of city comments; otherwise, staff will either take action on the latest plans on file or the application is voided. Revised applications are evaluated by DRC staff members and review of revision comments are issued by the case manager within 15 working days after the start of the assigned review track. Up to two revisions may be filed for each project.

Decisions/Call-ups/Appeals

Depending on the potential impact, Boulder's land use regulations assign approval authority to either city staff, Planning Board, or both Planning Board and City Council. After the completion of staff review, the Planning Department either issues a staff decision or refers the project to the Planning Board or City Council. For site review, use review and subdivision (at final plat review), a "Notice of Disposition" is issued. This is a one- or two-page document stating the decision and listing any conditions of approval. These decisions are final after a 14-day "call-up" period. Staff-level decisions may be called up by the Planning Board for a final decision or appealed to the Planning Board by the applicant or any interested person. Planning Board decisions are also issued as dispositions and are final after a 30-day call-up period. Board decisions may be called up for review by City Council with a majority vote of City Council in favor of the call-up. Decisions by Planning Board and City Council are made following public hearings at regularly scheduled meetings.

Several types of Land Use Review applications do not have dispositions issued and follow a slightly different review process at the time of the project decision. For example, out-of-city utility permits are approved by city staff and subject to a call-up by the City Council. Annexations follow a state law approval process, including a recommendation by the Planning Board and approval of an ordinance at two readings by City Council. For additional information on the steps towards a final decision for a particular application type, please refer to the application attachment for the review type or contact the Planning and Development Services Center.

Technical Document Review and Permit Review

The conditions of approval for most Land Use Review applications will generally require several documents to be prepared, filed and recorded depending on the review type. These may include final plans (architecture, site, landscape), a subdivision final plat and agreement, a development agreement, engineering plans, and dedications of easements or rights-of-way.

For city review and approval of these technical and final documents, *the applicant files a Technical Document Review application*. The Technical Document Review process (TEC DOC) is similar to Land Use Review (same application deadlines, but no hearings are involved).

After the required technical documents have been approved, the applicant may file a building permit application for any new construction. Information on building permits is available in the Planning and Development Services Center (303-441-1880). The applicant may also need to obtain other permits to complete the project, including growth management allocations and floodplain development permits.

Expiration of Approval

For site and use reviews, the applicant must begin and substantially complete an approved project within three years from the date of final approval (or as modified by a specific development schedule). If a project is not completed within three years, or according to the project's approved development schedule, the approval expires. If the project is not completed within this time frame, the applicant may request administrative extension of the development approval. Up to two six-month extensions can be granted by staff. After that, extensions can only be granted by the Planning Board, after a public hearing, and upon a showing by the applicant that reasonable diligence has been exercised to complete the project.

ANNEXATION AND INITIAL ZONING - SECTION TWO

APPLICATION CHECKLISTS AND ATTACHMENTS

Submit with your application.

Section Two contains:

- Annexation and Initial Zoning Application Requirements checklist
- Annexation Petition
- Project Fact Sheet
- Sign Posting Requirements Acknowledgement form

All of these documents must be filled out completely and submitted with your application, in the quantities specified on the Land Use Review application form and on the Annexation and Initial Zoning Application Requirements checklist.

ANNEXATION AND INITIAL ZONING APPLICATION REQUIREMENTS CHECKLIST

Submit with your application.

An annexation and initial zoning application must meet the basic requirements listed in the city's land use regulations (found in Sections 9-2-17 and 9-2-16, B.R.C. 1981) and according to state law. These requirements are detailed below, and are listed on the Land Use Review Application Form. **An application fee, as specified on the application form, is also required**. In addition, an applicant may submit any additional materials which may be appropriate to the review.

All required materials must be included along with a complete form in order for an application to be accepted for review. Incomplete applications will not be accepted and will be returned to applicant. An annexation application may be filed only by the owner(s) of the subject property. The owners must consent to the application and sign the application form and an annexation petition.

All application materials must be submitted in 15 collated packets, with one complete packet marked "Original." Each packet must contain one of each required plan, statement, etc. Every packet must include a cover sheet that clearly indicates the contents of the packet. Where fewer than 15 copies of an item are required, the cover sheet should clearly indicate the packets that contain those items.

Complete the checklist below, marking those items as they are included in your application packets, and sign at the end. The checklist is intended to assist the applicant in collecting all of the required materials and to assist the Planning and Development Services Center in determining that all of the application requirements are met.

Annexation / Initial Zoning Application Requirements

[ ] 1. A complete **Land Use Review Application Form**, including signatures by or the written consent of the owners of all property to be included in the development.

[ ] 2. A completed **Sign Posting Requirements Acknowledgment form** (attached).

[ ] 3. Three (3) copies of an **improvement survey** or improvement location certificate by a registered surveyor, of the subject property.

[ ] 4. One (1) copy of a **legal description** of the subject property, printed clearly on an 8 ½" x 11" sheet.

[ ] 5. Fifteen (15) copies of a **vicinity map** (8 ½" x 11") indicating the site and adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'.

[ ] 6. Fifteen (15) copies of a **written statement** which describes the proposal and addresses how the annexation meets the Boulder Valley Comprehensive Plan policies related to annexation (see attached list of policies).

[ ] 7. Fifteen (15) prints of an **annexation map**, as described in this attachment, prepared by a registered surveyor.

[ ] 8. **Annexation petition** (1 original and 1 copy) signed by the property owners (form is attached).

[ ] 9. Fifteen (15) prints (18”x24” or 24"x36") folded to 9"x12", of a **utility plan or utility connection plan**, depending on whether public improvements are required (see Design and Construction Standards).

[ ] 10. Fifteen (15) copies of a completed **Land Use Review Project Fact Sheet** (attached).

[ ] 11. Two (2) copies of a **current title insurance commitment** or attorney memorandum based on an abstract of title, current to within 30 days.

[ ] 12. The annexation/initial zoning **fee**, as stated on the Land Use Review Application Form.

[ ] 13. Any other information that the applicant wishes to submit.

_____
(Signature of person who filled out checklist)

_____
(Print name)

ANNEXATION PETITION
Submit with your application.

Annexation Information

Location of property to be annexed:_____

Legal Description:_____

Size of property:_____Requested Zoning:_____

Impact Report

If the area proposed for annexation is more than ten acres in size, an annexation impact report as required by state law (31-12-105.5, C.R.S.) must be submitted to the Planning Department prior to the first reading of the ordinance annexing the subject property by City Council. The Board of County Commissioners may waive this requirement. If so, a letter from the Board must be submitted to the Planning Department.

Districts

Please check those districts in which the property proposed for annexation is included:

_____Boulder Valley School District

_____St. Vrain School District

_____Boulder Rural fire District

_____Cherryvale Fire District

_____Left Hand Water District

_____Other (list)

_____

_____

Property Owners

List below all owners or lienholders of the property proposed for annexation (please print):

1._____

2._____

3._____

4._____

Please Note:

No person shall petition to the city of Boulder for annexation of any real property until he has first read and thereafter follows these instructions in the execution of the within petition:

1. Every person signing the within annexation petition must personally insert the information required on the signature page(s) attached to the petition.

2. The person or persons who circulate the within petition must witness the signatures of every person signing this petition and so certify by executing the affidavit attached on the last page of this petition.

3. The following definitions of terms shall be applicable throughout this petition and every subsequent step of the annexation proceeding commenced pursuant to this petition:

   a. Landowner: means the owner in fee of any undivided interest in a given parcel of land. If the mineral estate has been severed, the landowner is the owner in fee of an individual interest in the surface estate and not the owner in fee of an individual interest in the mineral estate. In the case of multiple landowners, such as tenants in common or joint tenants, only one such landowner need petition for annexation, and the signature of one such landowner shall be sufficient, provided however, that said signing landowner had become liable for taxes in the last preceding calendar year or is exempt by law from payment of taxes, and provide further, that no other owner in fee of an individual interest of the same property objects to the annexation of the said property within 14 days after the filing of the annexation petition by submitting a written statement of his objections to the City Council.

      A purchaser of real property shall be deemed a landowner for the purpose of an annexation petition if:

      (1) The said purchaser is purchasing the land pursuant to a written contract duly recorded, and

      (2) The said purchaser has paid the taxes thereon for the next preceding tax year.

      A corporation, non-profit, owning land shall be deemed a landowner, and the same persons authorized to convey land for the corporation shall sign the within petition on behalf of such corporation.

   b. Nonresident Landowner: means any person owning property in the area proposed to be annexed, who is not a qualified elector as herein below defined, and who is at least eighteen (18) years of age as attested to by a sworn affidavit.

   c. Identical Ownership: means a situation where each owner has exactly the same degree of interest in a separate parcel of two or more parcels of land.

   d. Contiguous: means that one-sixth of the boundary of the territory proposed for annexation and the city limits must coincide. Contiguity as referred to in this petition or subsequent annexation proceedings is not affected by the existence of a platted street or alley, public or private transportation right-of-way or area, or a lake, reservoir, stream, or other natural or artificial waterway between the city limits of the city of Boulder and the territory to be annexed.

4. This petition must be filed with the City Clerk of the city of Boulder.

5. This petition should be filed in the following manner:

   a. All blanks herein contained should be filled out and completed.

   b. Each signer shall, before signing said petition, carefully read the contents hereof.

   c. The signatures attached to this petition must have been signed within 180 days immediately preceding the filing of the said petition with the City Clerk.

   d. After filing of the petition, no person having signed said petition shall thereafter be permitted to withdraw his/her signature from said petition.

   e. This petition shall be accompanied by at least four copies of an annexation map containing the following information:

      1. A written legal description of the boundaries of the area proposed to be annexed.

      2. A map showing the boundaries of the area proposed to be annexed.

      3. Within the boundaries of the area proposed to be annexed, the location of each ownership tract in unplatted land and, if part or all of the area has been platted, the boundaries and the plat numbers of the plots or of the lots and blocks shall be shown.

      4. The portion of the boundaries of the area proposed to be annexed which is contiguous to the city limits of the city of Boulder, as the same exist at the time this annexation petition is to be filed, must be shown and the dimensions thereof indicated.

Submit with your application.

TO THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO, GREETINGS:

The undersigned hereby petition(s) the city of Boulder to annex to the city of Boulder the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C.R.S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above described territory be annexed to the city of Boulder.

2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the city of Boulder.

3. That no less than one-sixth of the aggregate external boundaries of the above described territory hereby petitioned to the city of Boulder is contiguous to the city limits of the city of Boulder.

4. That a community of interest exists between the above described territory and the city of Boulder, And that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the city of Boulder.

5. That in establishing the boundaries of the above described territory, 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 been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, except and unless such tracts or parcels are already separated by a dedicated street, road or other public way.

6. That in establishing the boundaries of the above described territory, 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 acres or more which, together with the buildings and improvements situate thereon, have an assessed valuation in excess of $200,000 for ad valorem tax purposes for the year next preceding the filing of the within petition for annexation, has been included within the above.

7. That the above described territory 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 Boulder was held within the twelve months preceding the filing of this petition.

8. That the above described territory does not include any area included in another annexation proceeding involving a city other than the city of Boulder.

9. That at least four copies of an annexation map setting forth with reasonable certainty a written legal description of the boundaries of the area proposed to be annexed, a delineation of the outer boundaries of the above described territory, and the location of each ownership, tract and/or the boundaries and the plat numbers of plats and lots and blocks, the portion of the boundary contiguous with the existing city limits of the city of Boulder, and the dimensions of said contiguous boundary, all upon a material and of a size suitable for recording or filing with the City Clerk of the city of Boulder, and the dimensions of said contiguous boundary, all upon a material and of a size suitable for recording or filing with the City Clerk of the city of Boulder, accompany, have been attached hereto and hereby constitute a part of this petition.

10. That the above described territory is not presently a part of any incorporated city, city and county, or town.

11. That the above area described will (not) result in the detachment of area from any school district and the attachment of the same to another school district (and the resolution of school board of the district to which the area will be attached approving this annexation request).

ANNEXATION PETITION

Signature of petitioners requesting annexation of property to the city of Boulder, Colorado	Date of signature of each petitioner	Mailing address of each petitioner	Description of property included within the area proposed for annexation owned by each person signing this petition. (Attach separate sheet, if necessary).

CIRCULATOR'S AFFIDAVIT

CIRCULATOR'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

_____,
being first duly sworn, upon oath deposes and says that she/he was the circulator of the above and foregoing petition and that the signatures on said petition are the signatures of the persons whose names they purport to be.

_____

_____
Circulator

Subscribed and sworn to before me this_____day of _____, A.D. 20_____.

Witness my hand and official seal. My commission expires:_____.

_____
Notary Public

CIRCULATOR'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

_____,
being first duly sworn, upon oath deposes and says that she/he was the circulator of the above and foregoing petition and that the signatures on said petition are the signatures of the persons whose names they purport to be.

_____
Circulator

Subscribed and sworn to before me this_____day of _____, A.D. 20_____.

Witness my hand and official seal. My commission expires:_____.

_____

PROJECT FACT SHEET

For Land Use Review Applications

Accurate and complete information about a project is integral to a timely and thorough city review. **Please type or print complete answers to the items listed under the boxes that relate to your project.** While some of this information may be included on the project site plans or discussed in the written statement, please also enter it here. If you choose to recreate this document, please only include the items that relate to your project. An electronic version of this document is available on the Web at www.boulderplandevelop.net

ALL PROJECTS

Key Information

Subject property address/location: _____

Owner name and address: _____
_____

Legal Description (or attach): _____

Age of existing structures: _____

Size of site in square feet and acres. Gross: _____
Net (after public dedications): _____

Current Zoning Designation: _____

For rezoning and annexation applications,
Proposed Zoning Designation: _____

Boulder Valley Comprehensive
Plan Land Use Designation: _____

Previous Approvals (specify
project name, review type): _____

Solar Access Area Designation (circle one): Area I Area II Area III

Does the project include the demolition of any structures? Yes No
If yes, what year was the structure built? _____

Please list any requested variations to the land use regulations (specific variance information is requested later in the project fact sheet):

_____

_____

_____

Is the proposed development meeting the inclusionary housing requirement for another development (sending site)?
Yes No

If yes, what is the address of the sending site? _____

Please indicate with a checkmark if your property is affected by any of the following:

Wetland area _____
Airport Influence Zone _____
Historic landmark designation/district _____
Boulder Valley Regional Center (BVRC) _____
100 Year Flood Zone _____
North Boulder Subcommunity Plan _____
CAGID parking district _____
UHGID parking district _____
Other local improvement district _____

Land Use

Please describe the proposed use(s) of the property, including activities conducted on site, number of seats, number of guest rooms, number of residents, number of employees, hours of operation and any other unique operating characteristics. Also, please specify which land use category(ies) in the Schedule of Permitted Land Uses (Section 9-6-1) that most closely describes the proposed use:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Utilities

Are existing buildings hooked-up to city water?	Yes	No
Are existing buildings hooked-up to city sewer?	Yes	No
Are there city water mains adjacent the property?	Yes	No
Are there city sewer mains adjacent the property?	Yes	No

Please name any utility districts that currently serve the property: _____

_____

Parking

Total # off-street parking spaces *existing*	standard size	_____	(dimensions: 9' x 19')
	small car	_____	(dimensions: 7'9" x 15')
	accessible	_____	(dimensions:12'x19'+3')
	bicycle	_____	(type: _____)
	other	_____	(dimensions:_____)
	TOTAL _____		
Total # off-street parking spaces *proposed*	standard size	_____	(dimensions: 9' x 19')
	small car	_____	(dimensions: 7'9" x 15')
	accessible	_____	(dimensions:12'x19'+3')
	bicycle	_____	(type: _____)
	other	_____	(dimensions:_____)
	TOTAL _____		

Specify % of parking reduction requested _____%_____spaces where _____ are required
Specify % of parking deferral requested _____%_____spaces where _____ are required

Setbacks

Certain streets are categorized in the city code as Major Streets and have more restrictive setback requirements.
Does your property abut a Major Street? Yes No
What is the setback requirement? _____

Are any setback variations requested? Yes No
Please specify request: ____feet for the _____ yard setback, where _____ feet is required
____feet for the _____ yard setback, where _____ feet is required
____feet for the _____ yard setback, where _____ feet is required
____feet for the _____ yard setback, where _____ feet is required

Are you requesting any other variations to the Land Use Regulations? Yes No
If so, please list the specific variation(s) requested:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Projects with residential dwelling units (existing or proposed)

	Existing	Proposed
Total # of lots	_____	_____
Size of lots	_____	_____
Total # of buildings	_____	_____
Size of each building	_____	_____
	_____	_____
	_____	_____
	_____	_____
Total # of dwelling units	_____	_____
Total # of permanently affordable dwelling units	_____	_____
Total # of kitchens	_____	_____
Total floor area	_____	_____
Number of stories	_____	_____
Maximum building height	_____	_____

	Existing	Proposed	Floor Area/unit
Specify the number of units with each bedroom configuration.	_____ ELU*	_____ ELU*	_____ ELU*
	_____ 1 BR	_____ 1 BR	_____ 1 BR
	_____ 2 BR	_____ 2 BR	_____ 2 BR
	_____ 3 BR	_____ 3 BR	_____ 3 BR
	_____ 4 BR	_____ 4 BR	_____ 4 BR
	_____ other	_____ other	_____ other

* *efficiency living unit*

Project density:	Existing	Proposed
Gross units/acre	_____	_____
Net units/acre	_____	_____
Lot area/unit	_____	_____
Total useable open space	_____	_____
Useable open space/unit	_____	_____
Floor area ratio	_____	_____

Is open space reduction requested**? (If yes, specify %) _____

** *Open space reduction requests may only be made for properties in the RH-1 or RH-2 zoning district.*

Projects with non-residential uses (existing or proposed)

	Existing	Proposed
Total # of lots	_____	_____
Total # buildings	_____	_____
Size of each building	_____	_____
	_____	_____
	_____	_____
	_____	_____
Total floor area	_____	_____
Floor area ratio	_____	_____
Total building coverage	_____	_____
Number of stories	_____	_____
Maximum building height	_____	_____
Ratio of non-residential floor area to number of parking spaces	_____	_____
Ratio of non-residential floor area to residential floor area	_____	_____

What type of building code occupancy classification is required? _____

Projects with a mix of non-residential and residential uses

In addition to the information above, please describe the proposed project, and any project characteristics or requested variations of the mixed-use project.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM

Required for Certain Land Use Review, Administrative Review, Technical Document Review, and Board of Zoning Adjustment Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS - Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

(A) The notice shall be place on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.

(B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.

(C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.

(D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.

(E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, _____, am filing a Land Use Review, Administrative Review, Technical
(PRINT NAME OF APPLICANT OR CONTACT PERSON)

Document Review, or BOZA application [on behalf of] _____ for the property
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)

located at _____. I have read the city's sign posting requirements above and acknowledge
(PRINT PROPERTY ADDRESS OR LOCATION)

and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.

2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.

3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).

4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

_____ _____
NAME OF APPLICANT OR CONTACT PERSON DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.