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TOWN COUNCIL AGENDA COMMUNICATIONS

- AGENDA DATE:** February 21, 2024
- SUBJECT:** Larson Annexation
- ACTIONS PROPOSED:**
1. Public Hearing – Consideration of Resolution 2024-07 Accepting the Findings of Fact and Conclusions for the Larson Annexation; and,
 2. First Reading of Ordinance 2024-241, Approving the Annexation of Certain Unincorporated Lands Located in the County of Weld, Consisting of Approximately 96 Acres and Known as the Larson Annexation
- ATTACHMENTS:**
1. Resolution 2024-07 – Findings of Fact and Conclusions
 2. Ordinance 2024-241 – Approving the Larson Annexation
 3. Annexation Agreement
 4. Larson Annexation Petition
 5. Vicinity Map
 6. Annexation Map
 7. Annexation Impact Report
 8. Planning and Zoning Commission Staff Report
- PRESENTED BY:** Jeremy Gleim, AICP, Planning and Development Director
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AGENDA ITEM DESCRIPTION:

This item was continued from the February 5, 2024 Town Council meeting to provide the requisite time for the Board of County Commissioners (“BOCC”) to review the annexation packet, pursuant to C.R.S. § 31-12-108.5. Staff sent the packet to the BOCC on January 26, 2024.

In November of 2023, Johnstown North Investments, LLC (“Applicant”), submitted a Petition for Annexation (Attachment 4). The subject property is currently located in Weld County and is located on the west side of Telep Avenue, just north of the existing Rolling Hills subdivision; this project is known as the Larson Annexation. This proposed area of annexation meets the eligibility

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and contiguity requirements pursuant to C.R.S. § 31-12-104 and C.R.S. § 31-12-105, and is bordered by Johnstown along the southern and eastern boundaries. A Resolution to this effect was approved by Council on December 18, 2023.

The Planning & Zoning Commission (PZC) held a public hearing on January 24, 2024, to consider the Larson Annexation (Case ANX22-0001). The Planning & Zoning Commission Staff report (Attachment 7) provides background and historical use of the property. The Staff report contains lengthy discussion and analysis regarding the zoning; however, prior to the meeting, the Applicant requested that consideration of zoning be removed from the agenda, asking that only the annexation be considered at this time.

Pursuant to C.R.S. § 31-12-115, zoning must be completed within 90 days after the effective date of the annexation ordinance. Failure to do so reinstates county zoning until the municipality acts. Consideration and establishment of zoning on the subject property would require subsequent public hearings before the PZC and Town Council, and would be noticed accordingly. A motion to amend the agenda, pursuant to the Applicant's request was made by Commissioner Jeanneret and seconded by Commissioner Urban; the motion passed unanimously.

Staff provided an overview of the proposed annexation and answered questions from the Commission and members of the public. Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this annexation request.

COMPREHENSIVE PLAN ALIGNMENT:

The Johnstown Comprehensive Plan (Comp Plan) creates a long-term vision for the development of the town. The Comp Plan identifies the Town's Growth Management Area (GMA), which includes incorporated lands within the current town limits, as well as certain unincorporated lands within Larimer and Weld counties. The GMA can be likened to a growth boundary, which represents the logical expansion of the town over time. The property which is the subject of this annexation is contiguous to lands within the corporate boundary of Johnstown and exists within the GMA. Staff finds that the proposed annexation represents a logical expansion of Johnstown's corporate boundary, in alignment with the goals and strategies of the Johnstown Comp Plan.

STRATEGIC PLAN ALIGNMENT:

- Natural & Built Environment
 - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

Staff finds that the proposed annexation and zoning is consistent with the goal and strategy referenced above, pursuant to the adopted Johnstown Strategic Plan.

LEGAL ADVICE:

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The Town Attorney drafted both the Resolution and Ordinance presented.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: There are two actions associated with this project and each one must be voted on separately. The resolution establishes the findings of fact and conclusions for the proposed annexation; therefore, it should be voted upon prior to a vote on the ordinance to approve the annexation. If the resolution fails, the findings to support the ordinance would dissolve, and the ordinance would automatically fail.

1. Resolution 2024-07 – Findings of Fact and Conclusions: Recommend that the Town Council approve Resolution 2024-07, accepting the Findings of Fact and Conclusions for the Larson Annexation.

2. Ordinance 2024-241 – Approving Larson Annexation: Recommend that the Town Council approve Ordinance 2024-241 to approve the annexation of approximately 96 acres, known as the Larson Annexation.

SUGGESTED MOTIONS:

RESOLUTION 2024-07

For Approval: I move to approve Resolution No. 2024-07, accepting the Findings of Fact and Conclusions for the Larson Annexation.

For Denial: I move to deny approval of Resolution No. 2024-07.

ORDINANCE 2024-241

For Approval: I move to approve Ordinance No. 2024-241 on first reading, approving annexation of approximately 96 acres, known as the Larson Annexation.

For Denial: I move to deny approval of Ordinance No. 2024-241.

Reviewed and Approved for Presentation,



Town Manager

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