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Planning and Zoning Commission Agenda Memorandum

AGENDA DATE: August 14, 2024

SUBJECT: Annexation and Zoning Request – Archdiocese Annexation No. 4-5

ACTION PROPOSED: Public Hearing to Consider the following:

- A. Recommendation for Resolution 2024-34 accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5;
- B. Recommendation for Ordinance 2024-255, to annex certain unincorporated lands located in Weld County known as The Archdiocese Annexation No. 4-5; and,
- C. Recommendation for 2024-256, to establish H-A (Holding Agriculture) zoning on the property known as The Archdiocese Annexation No. 4-5

LOCATION: N1/2 of NE1/4 of Section 16, Township 4 North, Range 67 West, 6th P.M., Weld County; West of Weld County Road 19; portions of land around the North and South portion of the Hillsboro Reservoir, not including the Reservoir.

APPLICANT: The Archdiocese of Denver, a Colorado Corporate Sole

ATTACHMENTS:

- 1. Resolution 2024-032 Initiating Annexation Proceedings
- 2. Annexation Petition
- 3. Vicinity Map
- 4. Impact Report
- 5. Staff Presentation

PRESENTED BY: James Shrout, Planner I

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BACKGROUND & SUMMARY

The applicant, The Archdiocese of Denver, requests annexation and H-A (Holding Agriculture) zoning for approximately 22.21 acres of land in Weld County. The property is located on the west side of Weld County Road 19 (WCR 19), just south of WCR 46 1/2. The property is bisected by the Hillsboro Reservoir, and does not include the reservoir.

The subject property is presently zoned 'A' (Agricultural) in unincorporated Weld County. The property is currently vacant without improvements. The project is partially bordered by incorporated areas of Johnstown to the east, west and south. The land to the north is in unincorporated Weld County.

SURROUNDING ZONING & LAND USE

North: A (Agricultural) – Weld County – Commercial Uses
South: PUD-MU – Johnstown – Dove Solar, USR (Resolution 2023-17)
East: PUD-MU – Johnstown – Dove Solar, USR (Resolution 2023-17)
West: PUD-R (Residential) – Johnstown – Red Mountain 3-4 (Ordinance 2000-643)

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, August 1, 2024. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 800 feet of the property subject to this public hearing.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can provide water, sewer, and police services to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding Substantial Conformance with C.R.S. requirements was passed by the Town Council on July 15, 2024, and set a public hearing for the annexation to be heard in front of the Town Council on September 4, 2024.

ZONING & DEVELOPMENT STANDARDS

The current zoning for the property is 'A' (Agricultural) in Unincorporated Weld County. There are no known conditional uses or uses by special review for the property.

The applicant requests H-A (Holding Agriculture) zoning upon annexation, as the subject property is not concurrently seeking land use approval, nor is development pending per the completion of the annexation. As described in the Town's adopted Land Use & Development Code (LUDC), the H-A district is intended for agriculture and associated uses and may include rural residential living with detached houses on acreages or very large "pre-development" lots. Due to the development patterns and inefficiency of providing municipal services, this area receives only limited infrastructure investment. It is used as a "pre-development" district to preserve open and rural lands, or to hold areas until more coordinated, compact, and efficient growth and development can occur.

There are no plans for improvements to this parcel at this time.

The Future Land Use Map in the 2021 Johnstown Area Comprehensive Plan (Comp Plan) identifies the subject property as being within the Very Low Density/Intensity land use area. As described in the Comp Plan, Very Low Density/Intensity areas (VLDI) will typically develop adjacent to more natural corridors of floodplains, rivers, reservoirs, prime agriculture conservation, bluffs or highly sloped area, and other natural features to better accommodate and allow the unique features to be integrated into the design of the development.

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. The Future Land Use Map identifies this area as a Low Density/Intensity area, which is consistent with the proposed H-A (Holding Agriculture) zoning. 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:

The Town Attorney received this request as well as the Town Manager

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FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: There are three 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 ordinances to recommend approval of the annexation and zoning. If the resolution fails, the findings to support the ordinances would dissolve, and the ordinances would automatically fail.

1. Resolution 2024-34 – Findings of Fact and Conclusions: Recommend that the Town Council **APPROVE** Resolution 2024-34, accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5.

2. Ordinance 2024-255 – Approving The Archdiocese Annexation No. 4-5: Recommend that the Town Council **APPROVE** Ordinance 2024-255 to approve the annexation of approximately 22.21 acres, known as The Archdiocese Annexation No. 4-5.

3. Ordinance 2024-256 – Approving H-A (Holding Agriculture) Zoning: Recommend that the Town Council **APPROVE** Ordinance 2024-256 approving H-A zoning for the property known as The Archdiocese Annexation No. 4-5

SUGGESTED MOTIONS:

RESOLUTION 2024-34

For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Resolution No. 2024-34, accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5.

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Resolution No. 2024-34.

ORDINANCE 2024-255

For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Ordinance No. 2024-255 approving annexation of approximately 22.21 acres, known as The Archdiocese Annexation No. 4-5.

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Ordinance No. 2024-255.

ORDINANCE 2024-256

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For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Ordinance No. 2024-256 approving H-A zoning for the property known as The Archdiocese Annexation No. 4-5.

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Ordinance No. 2024-256.

Reviewed and Approved for Presentation,

A handwritten signature in blue ink, appearing to be 'W. J. C.', is written over a horizontal line.

Town Manager