



**355 FOURTH STREET
BENNETT, COLORADO
80102-7806**
(303) 644-3249
(303) 644-4125 - FAX

Frequently Asked Questions: Municipal Annexation

The Town of Bennett has prepared the following set of “frequently asked questions” in an effort to inform the public as to its intentions regarding annexation. More detail is available from the Bennett Town Hall, including copies of the Town’s Comprehensive Plan, draft annexation strategic plan, and draft land use code amendments.

1) Why is the Town preparing an annexation strategic plan?

The Town recently adopted the 2012 Comprehensive Plan after an extensive public involvement process consisting of four public workshops and two public hearings. The new comprehensive plan identifies a 91.42 square mile “area of planning interest” extending along the I-70 corridor from approximately Airpark Road interchange to Yulle Road. The purpose of the annexation strategic plan is to address the potential for annexation of lands within the Town’s area of planning interest. The Annexation Strategic Plan is intended to provide Town appointed and elected officials, land owners, project applicants and developers guidance for annexation decisions. In addition, this plan serves to support Colorado statutory provision C.R.S 31-12-105, which requires that a municipality have a plan in place prior to the annexation of any land.

2) Will the Town annex my land without my permission?

No. The Town’s proposed Annexation Strategic Plan clearly states that the “A fundamental principle forming the basis for the Town’s annexation policy is that annexation is an agreement between a willing land owner and a willing local government.” An annexation is a voluntary action taken by a property owner wanting to be annexed by the Town. There are state statutes that govern annexation, with eligibility requirements that the Town and property owners must meet in order to be considered for annexation.

3) Is the Town interested in annexing rural residential land?

No. The Annexation Strategic Plan has established several criteria for annexation, one of which is to not annex existing rural residential subdivisions that desire to remain unincorporated.

4) If land is annexed, will the Town take water rights?

Water rights are negotiated at the time of annexation. An annexation agreement is part of the annexation process and through the negotiations, specific requirements are determined for both the property owner and the Town. These include water rights, water service and other conditions of the annexation. The eligible property owner dedicates their water rights in order to obtain water service through the Town. If an agreement is not reached, than either party can discontinue the annexation process.

5) How far can the Town annex?

Colorado statutes limit annexations to no more than three miles from a municipal boundary in any given calendar year. Colorado statutes also require that a “three-mile area” plan be in place prior to any municipal annexation. The Annexation Strategic Plan is proposed to serve as the Town’s three-mile area plan.

6) Why is the Town removing so many of its code provisions concerning annexation?

The Town’s Land Use Code currently contains a mixture of public policy and State statutes. The Annexation Strategic Plan updates the Town’s policy based on the new comprehensive plan. The code is streamlined to rely primarily on State statutes and not impose additional procedures, policies and standards that either discourage petitioners or may not serve the Town’s best interests.

7) What’s the purpose of a new zoning district – will it just attract a bunch of empty warehouses?

A new zoning district is proposed, consistent with the Town’s Comprehensive Plan and draft Annexation Strategic Plan, to provide assurance to landowners within the I-70 corridor that their property may be developed as intended. The proposed Employment Center zoning district provides for base commercial and industrial land uses, with a Planned Development Overlay for specific development standards. This hybrid form of zoning district provides flexibility for adapting to market needs while ensuring a higher level of site design quality via the Town’s Planned Development review process.