



## Development Assistance Packet

### *Annexation & Rezoning*

#### **Guide to the Town of Parker's eTRAKiT Electronic Development Review System**

eTRAKiT is a state-of-the-art online tool utilized to facilitate the land development review process. eTRAKiT's online system provides access to land use applications, plan reviews, code inspections, projects, permits and licenses. Contractors and homeowners are able to apply and pay for permits, submit plans, view and respond to plan review comments, schedule and see inspection results all electronically. Access is available 24 hours a day, 7 days a week. Applicants will be assigned a login and password during a pre-application meeting by Town Staff. For additional questions about the eTRAKiT system, please contact the Town of Parker's Community Development Department at 303.841.2332.

eTRAKiT is located at: <https://lms.parkeronline.org/etrakit3/>

#### **Please Note:**

Development Assistance Packets are prepared to facilitate land use applicants in the review procedures, submittal requirements and overall process for evaluation of land use applications in the Town of Parker, Colorado.

Applicants should be advised that although this Assistance Packet contains information regarding the land use review process, it is not a complete summary of the Town's Land Development Ordinance, nor is it intended to be. Applicants for land use projects in the Town of Parker are highly encouraged to familiarize themselves with the requirements of the Town's Land Development Code and all amendments thereto.

Date Released: 1/13/2017

#### ***Prepared By:***

**The Town of Parker Community Development Department**

Town Hall / 20120 East Mainstreet

Parker, CO 80138

303/841.2332 [phone]

<http://www.parkeronline.org> [internet]



## Community Development

20120 East Mainstreet, Parker, CO 80138

Phone: 303/841.2332

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Website: [www.parkeronline.org](http://www.parkeronline.org)

### Annexation & Zoning Key Terms

#### **Annexation:**

Annexation is the modification of the incorporated boundaries of a municipality to include a new parcel or property not previously part of the municipality. By this boundary modification, a parcel changes the local government which it is primarily served by from a County to a City or Town. Consequently, a local police department will answer calls to the property, rather than a County Sheriff's department. A local Public Works department will maintain public roadways adjacent to, or within, the property, rather than a County Public Works department.

In Colorado, State Statutes establish the minimum standards which must be met before a property can be considered for annexation. Among these:

- At least one-sixth of its perimeter must be touching a current boundary of a municipality
- It cannot be a "flag pole" (an annexation of a long roadway intended to run the boundaries out to serve just a single parcel.)
- A "community of interests" between the particular parcel or property and the municipality can be found to exist (there are a number of ways this can be established, such as the fact that it was contemplated as part of a resolution from the County waiving the requirement for an Annexation Impact Report, or was part of a Master Plan by the municipality anticipating the property's annexation.)
- The municipality is able to extend municipal services to the property being annexed, and thereby integrate the property into the municipality.
- There are no other municipalities which can annex the property, or, if there are other municipalities which would annex the property, no proceeding for annexation has been commenced in any other jurisdiction.
- The annexation will not have the effect of extending the municipalities boundaries more than three miles.
- Petitions have been properly filed with the municipality by the legal owners of the property, requesting annexation into the municipality.

Under Colorado Statutes, annexations are strictly boundary modifications to municipalities. As such, the annexation request itself is only considered by the policy making body- the elected Council for the municipality- rather than an advisory Planning Commission. In the Town of Parker, it must be understood that an annexation cannot occur without a simultaneous Rezoning of the parcel or property to a zone district recognized under the Town of Parker's Land Development Ordinance.

#### **Annexation Agreements:**

Most annexation requests are associated with an Annexation Agreement which sets forth the terms, conditions and fees to be paid by the property owner upon annexation and initial development of the property. Specifically, these agreements will define responsibilities and acreages associated with open space, parks, schools, fire stations, trails and public improvements. Additionally, the agreement will identify specific fees associated with the development which may include fire district fees, school mitigation fees, school site in-lieu fees, deficit reduction fees or public improvement fees.

Each development is unique and the associated Annexation Agreement is tailored to each specific site based on location, existing and proposed road networks, master plan consistency, zoning and use. The agreements are prepared by staff

and only certain portions of the document which are not the standard form as approved by Town Council are negotiated with the applicant prior to scheduling of public hearings. Once the document is accepted by Town staff and signed by the applicant the public notice requirements can begin if all other remaining issues relative to the application have been resolved.

Once approved in conjunction with the annexation and rezone applications by Town Council the agreement is recorded and all future applications associated with the development are reviewed for consistency with the agreement. Subsequent Subdivision Agreements frequently address remaining conditions as stipulated by the Annexation Contract prior to platting and are critical in the eventual build-out and development of the property.

### **Zoning (or Rezoning):**

As an expression of a local government's Police Powers for public health, safety and welfare, zoning represents the limitations on use and density of land. There are two components to zoning:

- a map, which identifies the locations of the various zone districts within a local government's jurisdiction; and,
- a code or ordinance which defines within each zone district what are the permitted uses, the uses allowed by special review, height limits, minimum lot or yard sizes, setback requirements for built structures from the edge of a lot line, and limitations on density or intensity of use.

Zoning is generally applied in a manner consistent with a jurisdiction's Long Range Community Vision (a Master Plan, General Plan or similar document with a 25 year horizon,) and is usually modified only at the request of the property owner, rather than at the behest of the elected officials (even though rezoning can happen in a legislative fashion, too.) Most local governments in Colorado (including Parker) will require that a property annexing into its incorporated limits will simultaneously request the application of a zone district on the subject property which conforms the menu of zone districts available within that municipality.

Unlike Annexations (which are legal inclusions of a property into an incorporated municipality, rather than a planning document), rezonings are specifically planning documents in that zone districts establish the rules under which a property will develop. As such, unlike annexation requests, rezoning requests do require a public hearing before both a Planning Commission and an elected policy-making board. They are also, in most cases, adopted by Ordinance.

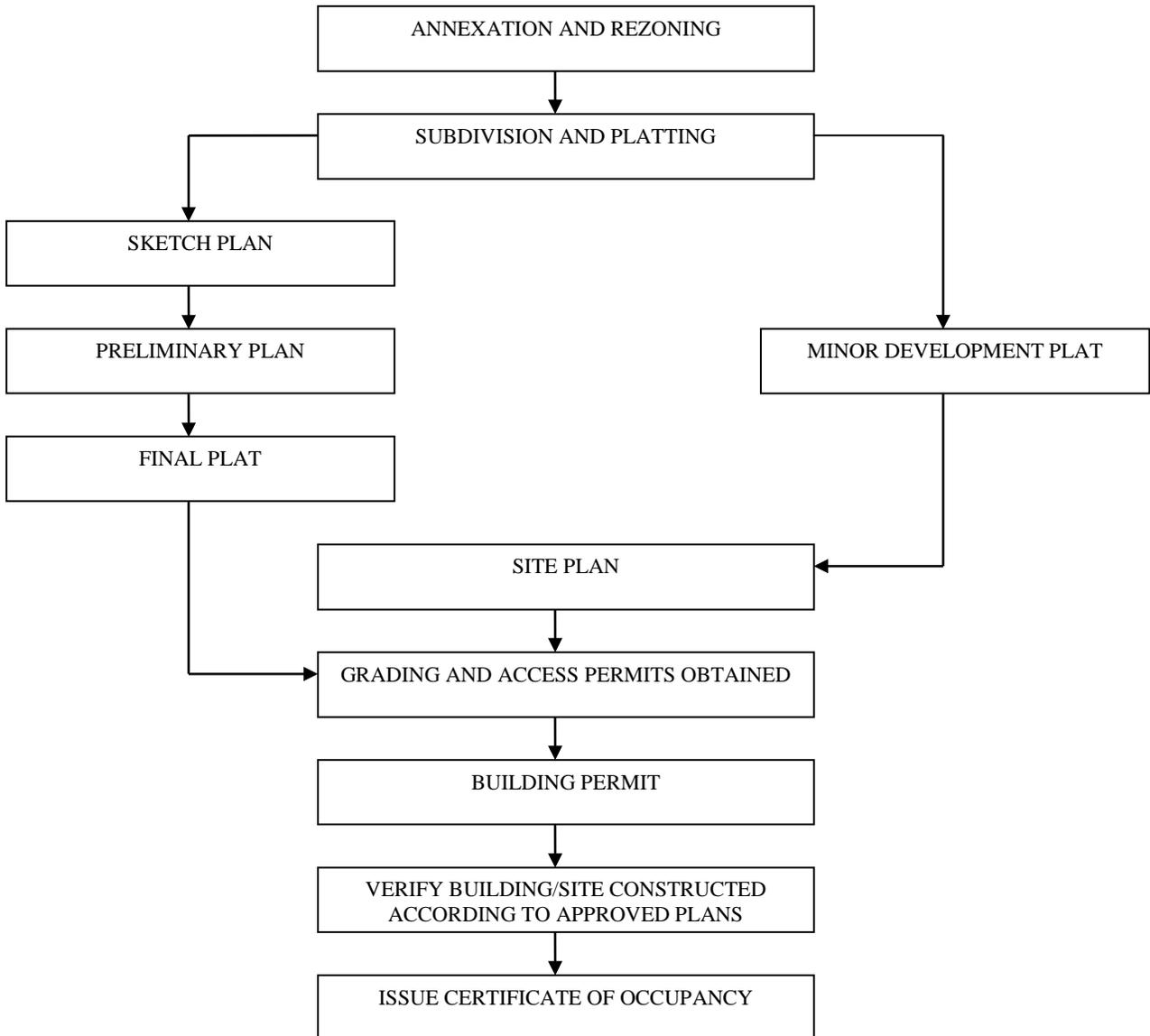
### **PD (Planned Development) Zone Districts:**

A Planned Unit Development, or PD, zoning is a customized form of zoning. These first became popular as development tools in the 1970s, when it was found that zoning could be specifically tailored for a piece of property to take into account the unique conditions of that property in terms of topography, sensitive open space areas, locations on the property suitable for preservations, and areas which lend themselves well to "sustainable" development. Composed of a map establishing the underlying land use "pods" on the subject property, and a set of customized development standards for the property, PD Zones are intended to mold development to a parcel in a manner more sensitive to the context of the property than a standard Euclidean zone district.

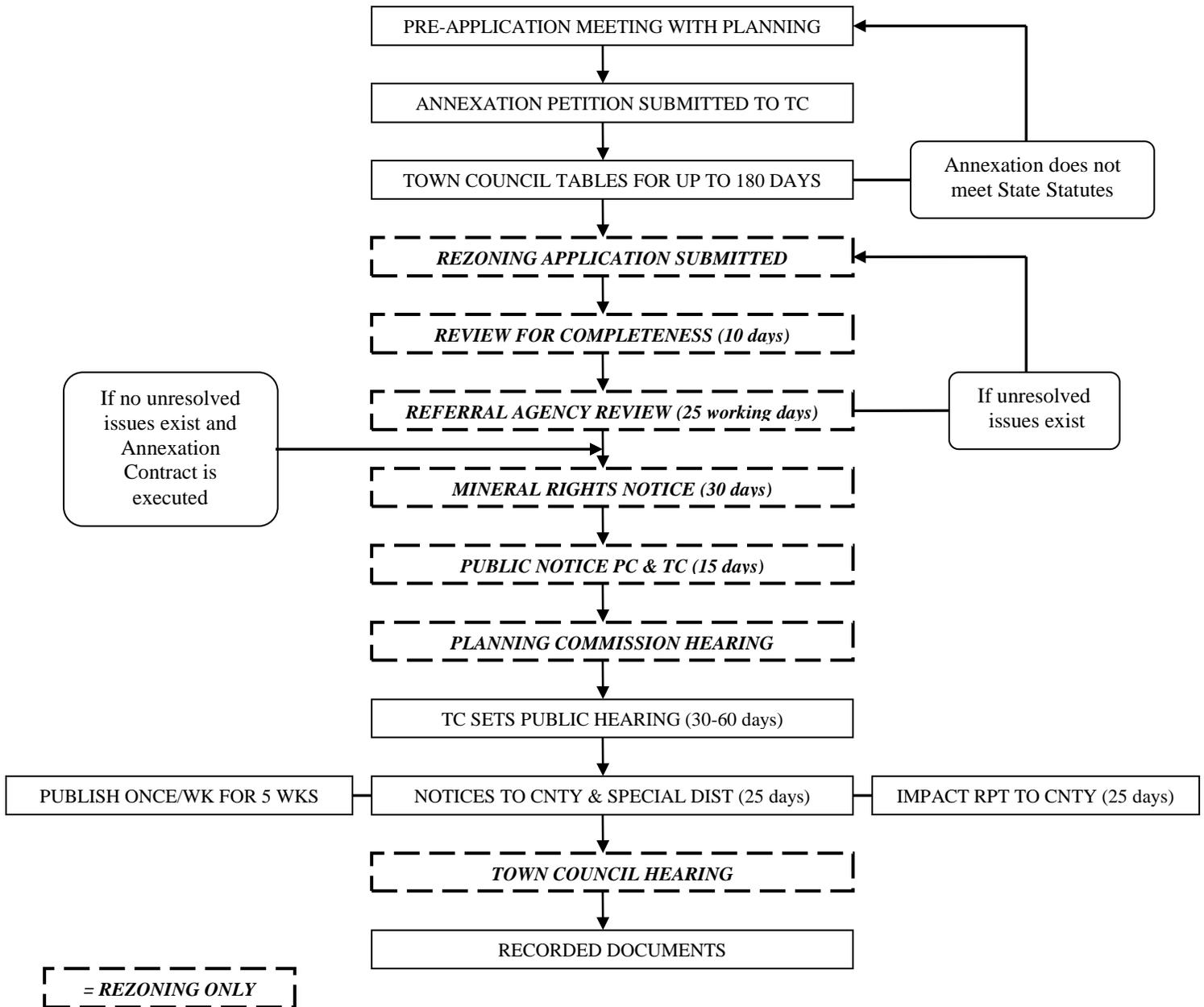
Because PD Zone Districts are intended to be unique to the specifics of a parcel of land, they tend to take a significantly longer period of time to evaluate.



# Overall Development Review Process



# Annexation/Rezoning Process





Town of Parker Community Development Department

Town Hall / 20120 East Mainstreet, Parker, CO 80138



Application Submittal Checklist - Annexation/Rezoning

Submittal Item	Checklist	Applicable?	Notes: <b>Trakit located online at: <a href="https://lms.parkeronline.org/etrakit3/">https://lms.parkeronline.org/etrakit3/</a></b>
<b>General Submittal Requirements - Electronic Submittals to be uploaded into Trakit</b>			
Application (see note 1)			Form enclosed; completed and signed; electronic PDF document
Submittal Fees Paid			Refer to Fee Schedule
Legal Description of Property (see note 2)			Electronic pdf Document(Exhibit A)
Title Commitment/Policy			Current to within 30 days (Exhibit B); Electronic PDF Document
Notarized Letter of Authorization			Exhibit C enclosed; completed, signed. Electronic PDF Document
Disclosure Letter			Exhibit D enclosed; completed, signed. Electronic PDF Document
Vicinity Map of Project Site			Electronic format in JPEG - 1MB max (Exhibit E)
Charge Back Agreement			Form enclosed; Completed and signed; electronic PDF Document
Water & Sanitation District			Form required for Cottonwood Water & Sanitation District for engineering review services
Public Notice Requirements Apply			Refer to Public Notice Matrix
<b>Specific Submittal Requirements - Section 13.04.240(b)(6) - Electronic Submittals to be uploaded into Trakit</b>			
Project Narrative			Electronic PDF Document
Annexation Petition			Signed originals and in Microsoft Word format; and Electronic PDF Document
Annexation Plat			Formatting requirements enclosed
Rezoning Map/Development Plan			24" x 36" sized PDF - Reference 13.04.240(c) or (e) for formatting requirements
Copies of Development Guide			PD Zoning- Include strike-thrus if amendment; electronic PDF document
Color Exhibits for PowerPoint			Electronic format in JPEG - 1MB max
Approval Considerations			Response to 9 approval factors; Reference Section 13.04.240(f)1-9; Electronic PDF Document
<b>Reports and Studies - Section 13.04.240(b)(6) - Electronic Submittals to be uploaded into Trakit</b>			
Traffic Impact Study			Electronic PDF Document
Fiscal Impact Study			Form enclosed
Annexation Impact Report			If acreage is greater than 10 acres (only required if not within waiver area - see enclosed map)
Other Additional Information			As required by the Town
<b>For Recordation - To be submitted upon staff's request</b>			
Fully Executed Annexation Plat Mylars			
Fully Executed Zoning/Dev Plan Mylars			
Fully Executed Annexation Agreement			
Recordation Fees			24" x 36" Mylar (See Note 3 and document fees below)
Public Notice Requirements			Include list of property owners adjacent to the site, proof of notification and affidavits
Electronic Deliverables			See Roadway Design and Construction Criteria manual Appendix G for requirements

Notes:

- 1: Application must include all exhibit attachments.
- 2: Legal descriptions are required to be attached to signed authorization and disclosure letters.
- 3: In accordance to SB16-115, Colorado recording fees will increase effective January 1, 2017.

G:\planning\Development Assistance Packets 2016\Development Assistance Packets - Update 2016 Working Folder\Annexation

**Colorado recording document fees are calculated as follows:**  
**Letter size (8 ½ x 11):** \$13 for the first page and \$5 for each additional page.  
**Plats, Mats, Documents larger than 8 ½ x 14:** \$13 for the first page and \$10 for each additional page.  
**Surcharge Fee:** A \$2 surcharge fee will be added to each recorded document.



**Instructions:**

1. All applications must be typed or printed. Illegible applications may be rejected at the discretion of the Community Development Department.
2. All applicable sections must be completed, and the application signed by ALL parties of interest. Unsigned applications *WILL NOT* be processed.
3. All requisite Exhibit Attachments must be included if the application is to be deemed complete.

Type of Application:		OFFICIAL USE ONLY	Case # _____
<i>(Check All that Apply)</i>		Trakit #:	_____
<input type="checkbox"/> Amendment to Comprehensive Plan	<input type="checkbox"/> Vacation of Lot Line or Easement	Application Accepted by:	_____
<input type="checkbox"/> Annexation & Rezoning	<input type="checkbox"/> Use by Special Review	Date:	_____
<input type="checkbox"/> Rezoning or PD Amendment	<input type="checkbox"/> Variance	Fees:	_____
<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Site Plan	Receipt No.:	_____
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Site Plan Amendment	Application Reviewed by:	_____
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Condo Plat	Date:	_____
<input type="checkbox"/> Minor Development Plat	<input type="checkbox"/> Amendment to SIA or Recorded Plat	Application Assigned to:	_____
<input type="checkbox"/> Re-Plat	<input type="checkbox"/> Other: _____	Date:	_____

<b>PROPERTY</b>	<b>Project Name:</b> _____			
	<b>Address or General Location:</b>			
	Section <input type="text"/>	<input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE	Lot	<input type="text"/>
	Township <input type="text"/>		Block	<input type="text"/>
	Range <input type="text"/>		Filing No.	<input type="text"/>
	Total Acres: Gross	<input type="text"/>	Net	<input type="text"/>
<b>Requested Application in Detail:</b>				
_____				
_____				

Property Owner of Record:		Applicant (if different from Property Owner):	
Name:	_____	Name:	_____
Company:	_____	Company:	_____
Address:	_____	Address:	_____
Phone:	_____	Phone:	_____
Fax:	_____	Fax:	_____
Email:	_____	Email:	_____
<b>Project Representative or Consultant:</b>		<b>For Subject Property, List Utility Providers</b>	
Name:	_____	Water:	_____
Company:	_____	Sanitary Sewer:	_____
Address:	_____	Electricity:	_____
Phone:	_____	Gas:	_____
Fax:	_____	Telephone:	_____
Email:	_____	Cable:	_____
<i>Note: Unless otherwise specified, all correspondence from the Town will be directed to the project representative.</i>		Fire Protection:	_____

Current Property Zoning & Use:		Proposed Property Zoning & Use:	
Zoning:	_____	Requested Zoning:	_____
IF PD, Specify Use:	_____	If Applicable PD Name:	_____
Current Use:	_____	If Rezoning Total Acreage:	_____
Subdivision:	_____	Proposed Use:	_____

<b>PROJECT INFO</b>	<b>Proposals For Construction of New Residential, Commercial, or Industrial Buildings or Space</b>			
	Has prior residential project been approved for all or part of this project		Yes <input type="checkbox"/> No <input type="checkbox"/>	Total residential dwelling units requested: _____
	Indicate total number of units: _____	Single Family Detached: _____	Single Family Attached: _____	
Multi-Family/Condominiums/Townhomes: _____				

COMMERCIAL/INDUSTRIAL	<b>Indicate the type of commercial/industrial development proposed (Check all that applies)</b>																											
	<input type="checkbox"/> Retail	<input type="checkbox"/> Other Commercial	<input type="checkbox"/> Medical/Dental Office	<input type="checkbox"/> High Tech Office	<input type="checkbox"/> Business/Professional Office																							
	<input type="checkbox"/> Mini Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Warehouse	<input type="checkbox"/> Other																								
	Please provide additional descriptions as appropriate:																											
<b>What type of gross leasable square footage for each category indicated above?</b>																												
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr style="background-color: #e1f5fe;"> <th style="width: 25%;">Type</th> <th style="width: 25%;">No. of Buildings</th> <th style="width: 25%;">Gross Square Footage</th> <th style="width: 25%;">Leasable Square Footage</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>					Type	No. of Buildings	Gross Square Footage	Leasable Square Footage																				
Type	No. of Buildings	Gross Square Footage	Leasable Square Footage																									
<b>By signing below, the Land Owner of Record, Applicant and Project representative are indicating that each understands and agrees to the following terms:</b>																												
1. Authorized personnel from the Town of Parker, and its consultants, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application.																												
2. The Property Owner of Record acknowledges and agrees that the Town of Parker may file liens against the subject property for any unpaid financial obligation owed to the Town related to reviewing and processing the application.																												
3. There are no known geologic, physical or biologic hazards, or vicious animals present on the subject property except as indicated in the attached Exhibit D.																												
4. All requirements for submission of this application for reviewing and processing by Town of Parker Community Development Department made in accordance with the Town's Land Development Code, and any and all applicable Town of Parker Ordinances and Resolutions.																												
5. All requisite fees have been paid to the Town of Parker.																												
6. All information contained in this application, the attached Exhibits, and other materials submitted in connection with this application are true and accurate to the best knowledge of the Applicant, Land Owner of Record and Project Representative. It is clearly understood and agreed to that false or untruthful information may be grounds for the Town to stop processing this application or withdrawing any approval granted based upon such false or untruthful information.																												
7. The Town of Parker is under no obligation to approve the request contained in the application. No promises of approval are conveyed with the acceptance of this application.																												
8. The schedule of Exhibit attachments, as described below, accompanies this application:																												
Exhibit A: Legal Description of Property.																												
Exhibit B: Title Policy, current to within thirty (30) days of the date of signatures below.																												
Exhibit C: Letter of Authorization from the Property Owner of Record, allowing Applicant and Project Representative to act on their behalf, and accepting ultimate financial obligation for expenses incurred by the Town of Parker as a result of the evaluation of this request.																												
Exhibit D: Disclosure of any Geologic, Physical or Biologic Hazard present on site, or any vicious animals in residence on property.																												
Exhibit E: Vicinity Map of Project Site.																												
SIGNATURES	<b>Property Owner of Record:</b>																											
	Print Name: _____																											
	Signature: _____		Date: _____																									
	<b>Applicant, if different from Property Owner:</b>																											
	Print Name: _____																											
	Signature: _____		Date: _____																									
	<b>Project Representative or Consultant</b>																											
	Print Name: _____																											
	Signature: _____		Date: _____																									

# TOWN OF PARKER DEVELOPMENT REVIEW FEE SCHEDULE

**MAKE CHECKS PAYABLE TO: TOWN OF PARKER**

*Adopted by Resolution No. 03-070*

ZONING	FEE	SUBDIVISION	FEE	MISCELLANEOUS	FEE		
<b>ANNEXATION</b>	See Rezoning	<b>SKETCH PLAN</b>	Base Fee 400.00 plus 25.00/gross acre	<b>SITE PLAN</b> ➤ Residential ➤ Non Residential ➤ Amendment requiring PC Approval ➤ Amendment/requiring Administrative Approval	Base Fee 500.00 10.00/du 50.00/gross acre 250.00  150.00		
<b>ANNEXATION AGREEMENT AMENDMENT</b>	400.00	<b>PRELIMINARY PLAN</b>  <b>PRELIMINARY PLAN AMENDMENT</b>	Base Fee 400.00 plus 10.00/residential lot or unit or 25.00/gross acre for non residential  Base Fee 350.00				
<b>REZONING</b> ➤ To a Residential Zone District (excluding Planned Development)  ➤ To Non Residential Zone District (excluding Planned Development)  ➤ To a Planned Development Zone District	Base Fee 350.00 plus 0-99 acre 10.00/gross acre 100-320 acre 15.00/gross acre 321 + acres 20.00/gross acre	<b>FINAL PLAT</b>  <b>FINAL PLAT AMENDMENT (Replat)</b>	Base Fee 500.00 plus 10.00/residential lot or unit or 30.00/gross acre for non residential  Base Fee 350.00	<b>BUILDING PERMIT**</b> ➤ Site Plans ➤ New residential ➤ Tenant Finish ➤ Administrative Review Additions and minor revisions	85.00 50.00 10.00 10.00 10.00		
	Base Fee 400.00 plus 75.00/gross acre	<b>MINOR DEVELOPMENT</b>	Base Fee 500.00 plus 10.00/residential lot or unit or 30.00/gross acre for non residential				
	Base Fee 400.00 plus 0-99 acre: 10.00/gross acre 100-320 acres: 15.00/gross acre 321 + acres: 20.00/gross acre  plus 5.00 per dwelling unit	<b>CONDO PLAT</b>	Base Fee 300.00 plus 5.00/residential lot or unit or 20.00/gross acre for non residential			<b>VARIANCE</b> ➤ Land Use ➤ Sign	200.00 150.00
		<b>VACATION OF PLAT, ROW OR EASEMENT</b>	150.00			<b>WAIVER</b> ➤ Land Development Code	100.00
<b>PLANNED DEVELOPMENT</b> ➤ Amendment to Development Guide ➤ Amendment to Development Map ➤ Minor Amendment ➤ Major Amendment <b>NOTE:</b> Amendments requiring a Development Guide and a Development Map Amendment will be charged both fees	350.00 Per Application	<b>EASEMENT REQUEST</b> (Town grants easement)	300.00	<b>APPEALS</b> ➤ To Town Council	100.00		
	Base Fee 350.00 plus Base Fee 350.00 plus 0-99 acres 4.00/gross acre 100-320 acres 6.00/gross acre 321+acres 8.00/gross acre	<b>TIME EXTENSION FOR SUBDIVISION APPROVAL</b>	150.00	<b>TEMPORARY USE/VENDOR PERMIT</b> ➤ Extension if applicable	50.00 15.00		
		<b>SUBDIVISION AGREEMENT AMENDMENT</b>	400.00	<b>SIGN PERMIT</b> ➤ New ➤ Planned Sign Program ➤ Planned Sign Program Amendment	75.00 200.00 75.00		
<b>USE BY SPECIAL REVIEW</b> ➤ General  ➤ CMRS (Commercial Mobile Radio Service) ➤ CMRS Administrative Approval (per 13.12.040(e))	350.00 Base Fee plus 15.00/gross acre			<b>RESIDENTIAL DESIGN MINIMUMS</b> ➤ Subdivision ➤ Changes	250.00 100.00		

**LANDSCAPE, DRAINAGE AND ROAD CONSTRUCTION PLANS:** Town consultants charge a plan review on an hourly basis. These costs are charged to the Town and are then charged to the applicant plus 15% to cover administrative costs. Site inspections for construction and erosion control observations are charged on the same basis.

**PUBLIC NOTICE FEE:** The applicant shall be charged back the cost of publishing any public notices required for an annexation request. The Town shall bill this cost plus a 15% administration fee.

**\*\*BUILDING PERMITS SITE PLAN REVIEW:** For attached units, review will be based on each bldg. Fee includes building permit review & Certificate of Occupancy inspection. Amendments to existing commercial projects will be assessed the site plan administrative review fee. **New Residential:** Includes plot plan, Improvement Location Certificate review, & Grading Certificate submittal. **Administrative Review:** Minor changes include: room or building additions, decks, patios and driveway additions, enclosures, & accessory structures.

# Exhibit C to Town of Parker Land Use Application

Letter of Authorization from Property Owner

[Date \_\_\_\_\_]

Community Development Department  
Town of Parker  
20120 East Mainstreet  
Parker, CO 80138

Regarding: Property Owner Letter of Authorization  
[Name of Project: \_\_\_\_\_]

I, (*Name of Property Owner*), hereby certify that I am the legal owner of record of the land described in the attached Legal Description (See Exhibit A to this Land Use Application), and do hereby authorize (*Name of Applicant/Applicant's Representative*) to process this land use application on behalf of the subject property.

I understand that in the review of this project, by providing this authorization, I will allow Town of Parker Staff to enter the subject property for purposes of evaluating this land use request, as the specifics of this application may require.

I also understand that as part of the review of this project, the Town may find it necessary to outsource certain aspects of the review. Although there is a Charge Back Agreement submitted by the applicant for payment of those outsourced review fees which specifies that the applicant shall pay such fees, ultimately, it is the subject property, itself, which encumbers the ultimate responsibility for repayment of those fees in the event of default of payment by the applicant. Should this occur, I understand that the Town has, as part of its remedies under the Charge Back Agreement and Land Use Application, the imposition of liens against the property, should such become necessary.

\_\_\_\_\_  
Signature of Property Owner

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

STATE OF COLORADO        )  
  )ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.

My commission expires: \_\_\_\_\_

(S E A L)

\_\_\_\_\_  
Notary Public

# Exhibit D to Town of Parker Land Use Application

Disclosure Letter

[Date \_\_\_\_\_]

Community Development Department  
Town of Parker  
20120 East Mainstreet  
Parker, CO 80138

Regarding: Disclosure Letter of Known Hazards on Site  
[Name of Project: \_\_\_\_\_]

As applicant for the above referenced project, we understand that Town staff and its consultants may need to visit the subject property for the purpose of observation, assessment, measurement or analysis of the property related to the land development request we have submitted. Consistent with the Town's Risk Management policies, the purpose of this disclosure letter is to advise the Town of any know Geologic, Biologic, or Physical Hazards on site, or of vicious animals present on site.

*(Choose the applicable paragraph from the next two paragraphs)*

We are therefore advising the Town of the following known hazards (list in bullet point form below)

We are therefore advising the Town that to the best of our knowledge and understanding regarding the subject property, there are no known hazards on site for which Town staff would need to take precautions before entering the property.

Should you have any questions or require clarification of the above referenced information, you may contact us using the information below.

\_\_\_\_\_  
Signature of Applicant

*Print Name/Title:* \_\_\_\_\_

*Company:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone Number:* \_\_\_\_\_

## CHARGE BACK AGREEMENT

THIS CHARGE BACK AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by and between the TOWN OF PARKER, a Colorado municipal corporation (the "Town"), and \_\_\_\_\_ (the "Owner").

WHEREAS, Section 13.01.080 of the Town of Parker Municipal Code requires that the Town be reimbursed for the cost of the time spent for engineering, planning, surveying, inspection, hydrological and legal services in reviewing development proposals and construction, plus fifteen percent (15%) for administrative costs (hereafter "Consultants' Time").

WHEREAS, this obligation to reimburse the Town for Consultants' Time exists regardless of whether the project is approved, completed, and/or regardless of whether the Owner chooses to complete the Town's land review process as a whole; and

WHEREAS, this Agreement memorializes the obligation by the Owner to the Town to reimburse the Town for all Consultants' Time as set forth in Section 13.01.080(c) of the Parker Municipal Code for the project described under TRAKiT#\_\_\_\_\_.

NOW, THEREFORE, in consideration of the recitals and mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the Owner agree as follows:

1. Reimbursement. Owner agrees to reimburse the Town, regardless of completion of the Owner's project, regardless of approval of the Owner's project, and/or regardless of whether the Town's land review process as a whole is completed, for all Consultants' Time, as set forth in Section 13.01.080(c) of the Town of Parker Municipal Code, for all such costs incurred by the Town which are incurred as a result of, or which are otherwise related to, Owner's land use submission and its subsequent review.

2. Deposit. At the time of the execution of this Agreement, the Owner shall deposit with the Town the sum of \$\_\_\_\_\_. The deposit, and any additional amounts deposited with the Town pursuant to this Agreement, shall be used to reimburse the Town for the amounts described in Paragraph 1 of this Agreement. If the deposit is depleted prior to the completion of the project, the Owner shall promptly deposit additional monies with the Town in an amount specified by the Town, but not to exceed the amount of the original deposit less any remaining deposit held by the Town. The parties understand and agree that the amount deposited with the Town is an estimate of the costs only, and that the Owner shall pay the amounts provided for in Paragraph 1 of this Agreement through the initial deposit and additional deposits, if necessary. If such additional amounts are not deposited when necessary, the Town may suspend or terminate the work described in Paragraph 1 of this Agreement, until such additional amounts are deposited with the Town, as provided herein. Additional amounts shall be deposited as determined by the Town to cover outstanding balances prior to recommencement of any work described herein. Any remaining deposit monies will be returned to the Owner.

3. Remedies. In the event Owner fails to reimburse the Town for all Consultants' Time as set forth in Section 13.01.080(c), the Town shall have the following remedies:

(a) The Town may impose the remedies provided by Section 13.01.80(c), as required, including the following:

i. The termination of the review process, including any and all inspections, if payment is not made in full within thirty (30) days of the issuance of the statement indicating the actual cost of Consultants' Time;

ii. The application being deemed withdrawn if the statement is not paid in full within thirty (30) days of the date of the issuance of the statement indicating the actual cost of Consultants' Time;

iii. The imposition of interest on the amount due and outstanding at the rate of one and one-half of one percent (1.5%) per month from the date when due.

iv. The initiation of an enforcement action for nonpayment of Consultants' Time to collect unpaid fees.

v. Certify that delinquent amounts, including interest to the Douglas County Treasurer, to be collected and paid over by the Douglas County Treasurer in the same manner as taxes, as provided by C.R.S. § 31-20-105.

(b) The Town may also impose any or all of the following remedies, at its sole discretion:

i. The filing of a lien on the property which is or was the subject of the proposed development upon which the Town has not been reimbursed for Consultants' Time; and/or

ii. The refusal to issue a building permit for any portion of the proposed development upon which the Town has not been reimbursed; and/or

iii. The refusal to issue a certificate of occupancy for any portion of the proposed development upon which the Town has not been reimbursed; and/or

iv. The refusal to accept any further land use applications from any Owner which has failed to reimburse the Town for Consultants' Time for any project.

4. Attorney Fees. Should this Agreement become the subject of litigation to resolve a claim of default of performance by the Owner and a court of competent jurisdiction determines that the Owner was in default in the performance of the Agreement, the Owner shall pay the attorney fees, expenses and court costs of the Town.

5. Severability. If any provision of this Agreement is invalid, illegal or unenforceable, such provision shall be severable from the rest of this Agreement, and the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

6. Governing Law. This Agreement shall be governed by and construed in all respects according to the laws of the State at Colorado.

7. Headings. Headings of the sections of this Agreement are inserted for convenience only and shall not be deemed to constitute a part hereof.

8. Modifications. No amendments to or modifications of this Agreement shall be made or be deemed to have been made, unless such amendments or modifications are made in writing and executed by the party to be bound thereby.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

**TOWN OF PARKER, COLORADO**

\_\_\_\_\_  
Community Development Director

**OWNER:** \_\_\_\_\_

[Company name, not signer's name↑]

\_\_\_\_\_  
[Please sign on line↑]

\_\_\_\_\_  
[Signer's name and title↑]

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

**Witnessed by:**

\_\_\_\_\_  
[Please sign on line↑]

\_\_\_\_\_  
[Signer's name and title↑]



**Public Notice Matrix - Section 13.08.030**

	Annexation/Rezoning	Rezoning*	Sketch Plan	Preliminary Plan	Final Plat	Site Plan Non-Res/MF	Site Plan (if Push Up)	Condominium Plat	Minor Dev Plat	Plat Correction	Zoning & Sign Code Ordinances	Replat	Vacation**	Use By Special Review	Use By Special Review - Underground Utility
<b>Public Noticing Requirements</b>															
Publish on Town's Website - 15 days prior to a public hearing	✓	✓	✓	✓			✓		✓		✓	✓	✓	✓	
First Class Mailing - 15 days prior to a public hearing - Sent to all property owners whose property abuts subject property for which land use application is made for. Written notice affidavit required prior to hearing date. See Section 13.08.030 for further requirements.	✓	✓	✓	✓			✓		✓			✓	✓	✓	
Sign Posting - 15 days prior to a public hearing. Photograph of installed sign must accompany the sign posting affidavit. See Section 12.08.030 for further requirements.	✓	✓	✓	✓			✓		✓			✓	✓	✓	
Administrative Approval Sign Posting - During referral period						✓									
Mineral Rights Notice - 30 days prior to public hearing. Send notice by certified mail, return receipt requested, or by a nationally recognized overnight courier.	✓	✓	✓	✓					✓			✓		✓	
Annexation Publication - Published 5 consecutive weeks prior to the public hearing	✓														
Registered Mailing - Sent to Special Districts 25 days prior to the public hearing	✓														
Impact Report Mailing - 25 days prior to public hearing ***	✓														
Planning Commission Meeting Required	✓		✓	✓			✓		✓		✓	✓	✓	✓	
Town Council Meeting Required	✓		✓	✓	✓				✓	✓	✓	✓	✓	✓	

\* Includes major amendments to a development guide or plan  
 \*\* Vacation requests include lot lines, approved plats or rights-of-way  
 \*\*\* Required for land located outside of Parker's Urban Growth Boundary

# Petition for Annexation

**TO: THE TOWN COUNCIL OF THE  
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet  
Parker, CO 80138*

**RE: PROPERTY KNOWN AS:**

\_\_\_\_\_  
\_\_\_\_\_

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

*(See Exhibit A attached hereto and incorporated herein by this reference.)*

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
  - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
  - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
  - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
  - d. 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:
    - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
    - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
  - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
  - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
  - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
  - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
  - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
  - a. A written legal description of the boundaries of the area proposed to be annexed.
  - b. A map showing the boundary of the area proposed to be annexed.
  - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
  - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

## AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of \_\_\_\_\_ pages, including this page, and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

\_\_\_\_\_  
*Circulator*

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

The foregoing Affidavit of Circulator was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_.

My commission expires: \_\_\_\_\_.

(S E A L)

\_\_\_\_\_  
*Notary Public*

Petition for Annexation

PETITION: \_\_\_\_\_  
(Annexation Name)

*[Note: Add lines for all land owning petitioners who are requesting annexation]*

Signature of Landowner	Date of Signature	Mailing Address of Landowner	Legal Description of Land Owned
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____
_____	_____	_____ _____ _____	_____ _____

## Annexation Plat - Formatting Requirements

**As per the Douglas County Clerk & Recorder's office and what's contained in the C.R.S. 31-12-107 (last amended 1987), the following formatting requirements are required for the Annexation Plat:**

- Format:** A 24" x 36" blue or black line print folded to 9" x 12" showing all the required information accurately and neatly. Draw at a scale requiring the fewest number of sheets and where all information is readily discernible. Recommended scales are 1:20, 1:50 or 1:100.
- Preparer:** A Colorado registered land surveyor must prepare this plat.
- Title:** Plat name with brief preamble in large letters at the top center of the sheet. The name of the project must also appear in smaller letters in the lower right hand corner.
- Names and Addresses:** The names and addresses of all land owners, the land planner/engineer and Land Surveyor (PLS) registered in Colorado must appear on the cover sheet of the plat.
- Signature Blocks and Dedications in Town Format:**
  - Town Council (Section 13.07.130.e)
  - Clerk and Recorder (Section 13.07.130.g)
  - Professional Land Surveyor (See below)

I, \_\_\_\_\_, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.

- Sheet Index:** On the cover sheet, a sheet index (if there is more than one sheet for the plat) and a Legend of Symbols on each page as needed.
- Vicinity Map:** On the cover sheet, a vicinity map that includes the site, a north arrow, bar and graphic scales and the nearest major roads.
- Full Written Legal Description:** Include the full legal description on the cover sheet.
- North Arrow, Graphic Scale and Written Scale:** Include these elements on all sheets of the plat.
- Property Lines:**
  - Show the boundary line of the site in a heavy solid line.
  - Show all ownership parcels, blocks and lots with identifying numbers.
  - Show all contiguous municipal boundaries, dimensioned.
- Streets:** Show all adjoining and internal streets and right-of-ways (ROW's) and label the street names.
- Summary Table:** On the cover sheet, a summary table that includes the total acres that are to be annexed and a contiguity analysis per state law.
- Ownership:** Within the annexation boundary map, show the location of each ownership tract in un-platted land and, if part of the area is platted, the boundaries of the plat, numbers of plats or of lots and blocks.



# PARKER COLORADO Fiscal Impact Analysis Checklist

To expedite your fiscal impact analysis, please complete this checklist.

**1. Project Description**

What is the name of this project?

What is the total acreage of this project?

What year is project construction estimated to begin?

Do you need the Town to maintain any new roads/streets in this project?

If yes, how many lane miles of roads?

**2. Proposed Land Uses**

	Residential		Retail		Commercial	
	Single Family	Multi-Family	Neighborhood	Regional	Office	Industrial
Total Residential and Commercial Acreage to be Developed (NA for Not Applicable)	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>
Total Residential Units or Commercial Square Footage to be Developed (NA for Not Applicable)	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>	<input style="width: 100%; height: 40px;" type="text"/>
Anticipated Market Value of Residential Units & Retail/Commercial	\$ <input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>				

**3. Project Absorption Schedule**

Year Absorption Expected to Begin	<input style="width: 100%; height: 20px;" type="text"/>					
Numbers of Years Expected for Full Absorption	<input style="width: 100%; height: 20px;" type="text"/>					

**4. Attachments**

- Site Plan
- Market Study (if applicable)
- District Service Plan (if applicable)

**Please forward this checklist and all attachments to:**

**Don Warn, Finance Director**  
 Town of Parker  
 20120 E. Mainstreet  
 Parker, CO 80138  
 Phone: 303-805-3107  
 e-mail: [dwarn@parkeronline.org](mailto:dwarn@parkeronline.org)



# Community Development

20120 East Mainstreet, Parker, CO 80138

Phone: 303/841.2332

Fax: 303/841.3223

Website: [www.parkeronline.org](http://www.parkeronline.org)

## Annexation Impact Reports

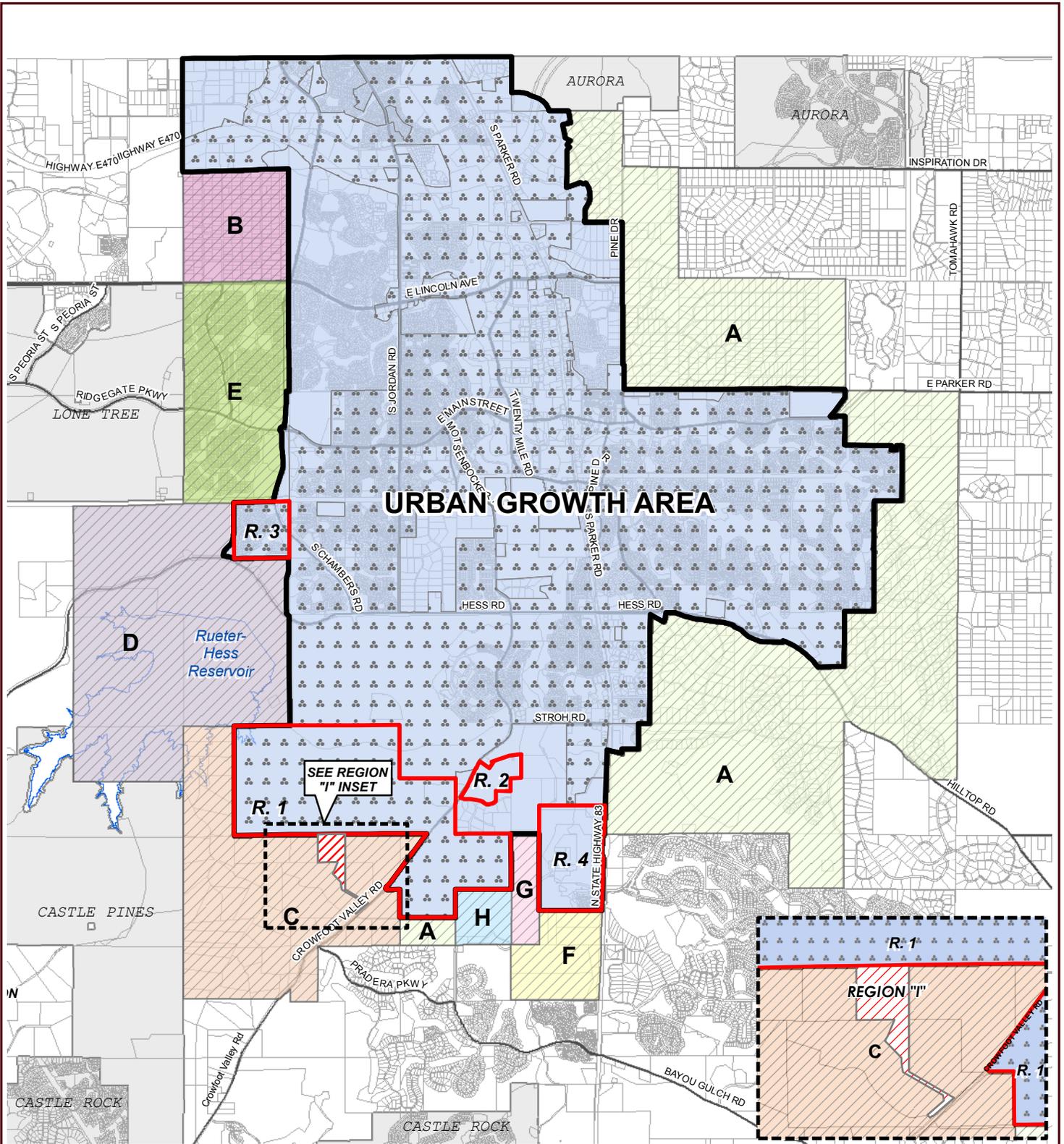
An Annexation Impact Report (AIR) is a document prepared by an applicant and submitted with a request to annex and rezone a property of more than 10 acres in area. The municipality forwards a copy of this report to the County in which the property is located. The purpose of this report is to analyze the facets of the proposed annexation in terms of projected land uses, densities and character of development to determine if adequate public facilities and infrastructure exist, or can be built, to sustain the proposed development.

Of particular interest in an AIR is the impact of the development on special districts and the school district. Some financial analysis of the proposal is therefore necessary.

It should be noted that the County can waive the requirement for an AIR, and will do this if the area to be annexed is clearly part of an enclave around which the adjacent municipality has already annexed. In the case of Douglas County, as it pertains to annexation requests to the Town of Parker, in May 14, 2003 (as amended), the Douglas County Commissioners passed the **Intergovernmental Agreement** to Amend and Restate the Mutually Binding and Enforceable Comprehensive Development Plan, which **waived the AIR requirement for all unincorporated areas located within the Town's Urban Growth Area**. A copy of the Town's Urban Growth Area map showing which properties had been exempted is attached.

The following are minimum requirements that need to be included in an AIR in accordance with C.R.S. § 31-12-108.5:

- A map or maps of the municipality and adjacent territory to show the following information:
  - The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;
  - 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
  - The existing and proposed land use pattern in the areas to be annexed.
- A copy of any draft or final pre-annexation agreement, if available.
- A statement setting forth the plans of the applicant 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.
- A statement setting forth the method under which the applicant plans to finance the extension of the municipal services into the area to be annexed.
- A statement identifying existing districts within the area to be annexed.
- 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.



- INCORPORATED PARKER
- URBAN GROWTH AREA
- REGIONS
- COMMUNITY SEPARATION BUFFER
- Region A
- Region B
- Region C
- Region D
- Region E
- Region F
- Region G
- Region H
- Region I
- OTHER INCORPORATED MUNICIPALITIES
- PARCEL
- RUETER-HESS RESERVOIR
- MAJOR RD

# TOWN OF PARKER and DOUGLAS COUNTY

## COMPREHENSIVE DEVELOPMENT PLAN FOURTH AMENDMENT

0      0.625      1.25  
Miles  
79,200  
1 inch equals 1.25 mile

N

June 2016  
Douglas County  
Community Development  
Department

DISCLAIMER:  
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Community Development / Planning  
Philip S. Miller Bldg., 100 Third St.  
Castle Rock, Colorado 80114