

RESOLUTION NO. 26-49

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE
PINES, COLORADO, ADOPTING THE CITY OF CASTLE PINES
ANNEXATION POLICY**

WHEREAS, the City of Castle Pines (the “City”) is a Colorado home rule municipality organized and existing under Article XX of the Colorado Constitution and the City of Castle Pines Home Rule Charter (the “Charter”); and

WHEREAS, Section 1.2 of the Charter provides that the City has all powers of local self-government and home rule and all power possible for a city to have under the Constitution of the State of Colorado, except as provided by the Charter; and

WHEREAS, Section 1.4 of the Charter provides that all powers of the City are vested in the elected City Council, which shall enact local legislation and determine policies of the City; and

WHEREAS, Section 2.10 of the Charter provides that the City Council constitutes the legislative and governing body of the City and has all legislative powers and functions of municipal government, except as otherwise provided in the Constitution of the State of Colorado or the Charter, and has the power and authority to adopt ordinances, resolutions, and motions as it deems proper; and

WHEREAS, the City Council recognizes that annexation is a discretionary legislative action governed by applicable Colorado law, the Charter, the City’s ordinances and regulations, and the public interest; and

WHEREAS, the City Council desires to establish guiding principles and evaluation criteria for annexation requests submitted by property owners in order to promote thoughtful, strategic, fiscally responsible, and community-supportive annexation decisions; and

WHEREAS, the City Council finds that preservation of the City’s identity, fiscal health, natural environment, and quality of life are important public objectives that should inform the City’s consideration of annexation requests; and

WHEREAS, the City Council further finds that annexation proposals should demonstrate measurable public benefits, adequate infrastructure and service capacity, fiscal sustainability, compatibility with community character, and compliance with all applicable legal requirements; and

WHEREAS, the City Council has reviewed the City of Castle Pines Annexation Policy attached hereto as **Exhibit A** and incorporated herein by this reference (the “Annexation Policy”); and

WHEREAS, the City Council finds and determines that adoption of the Annexation Policy is in the best interests of the City and will promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO AS FOLLOWS:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The City Council hereby adopts the Annexation Policy attached hereto as Exhibit A as an official policy of the City. The Annexation Policy is intended to guide the City's review and evaluation of annexation requests and to assist applicants, City staff, advisory bodies, and the City Council in identifying information, public benefits, fiscal considerations, infrastructure considerations, and community considerations relevant to annexation proposals. Nothing in this Resolution or in the Annexation Policy creates any right, entitlement, or expectation of annexation, zoning, development approval, or other City approval. Annexation remains a discretionary legislative decision of the City Council.

Section 3. The Annexation Policy shall be administered and applied in a manner consistent with the Colorado Constitution, the Colorado Municipal Annexation Act of 1965, the Charter, the City's ordinances and regulations, and all other applicable law. In the event of any conflict between the Annexation Policy and applicable law, applicable law shall control.

Section 4. The City Manager, the Department of Community Development, the City Attorney, and other appropriate City officers and staff are authorized and directed to take such actions as may be necessary or appropriate to implement the Annexation Policy, including preparation of application materials, procedural checklists, review forms, staff report templates, referral procedures, and other administrative materials consistent with this Resolution and applicable law.

Section 5. If any section, paragraph, clause, sentence, or provision of this Resolution or the Annexation Policy is held to be invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or the Annexation Policy.

Section 6. The City Council may amend, restate, repeal, or replace the Annexation Policy by resolution or by such other action as may be authorized by the Charter and applicable law.

Section 7. This Resolution shall be effective immediately upon adoption.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 7 IN FAVOR, 0 AGAINST AND 0 ABSENT ON THIS 25TH DAY OF AUGUST 2026.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman

Tracy Engerman (Sep 1, 2026 07:31:38 MDT)

Tracy Engerman, Mayor

Approved as to form:

Linda Michow

Linda Michow (Aug 31, 2026 16:11:39 MDT)

Linda C. Michow, City Attorney

EXHIBIT A

To City Council Resolution No. 26-49

{See attached City of Castle Pines Annexation Policy.}



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Policy Title: City of Castle Pines Annexation Policy

Type of Policy: Legislative

Adopting Resolution: Resolution 26-49

Adoption Date: August 25, 2026

Effective Date: August 26, 2026

Policy Custodian: Department of Community Development

A. Purpose

The purpose of this policy is to establish guiding principles and evaluation criteria for annexation requests submitted by property owners.

This policy is intended to supplement, not replace, the requirements of the Colorado Municipal Annexation Act (the "Act") and the City's land use codes. Requirements for annexation under the Act, such as petition for annexation and eligibility requirements, must be met independently of this policy.

B. Policy Statement

The City recognizes that thoughtful, strategic, and fiscally responsible annexations of land can provide lasting public benefits; however, preservation of Castle Pines' identity, fiscal health, natural environment, and quality of life shall remain the City's highest priorities. Annexation shall occur only when proposals clearly demonstrate that they strengthen the community.

Annexation is a discretionary legislative decision of the City Council. Nothing contained in this policy creates a right to annexation, nor shall satisfaction of these criteria obligate the City Council to approve an annexation petition.

C. Guiding Principles

The City shall evaluate and consider annexation proposals based on the following guiding principles:

1. Advances the long-term vision of Castle Pines.
2. Protects the City's character.
3. Preserves significant natural resources and open space.
4. Demonstrates a positive long-term fiscal outcome.
5. Does not reduce existing levels of public service.
6. Provides measurable public benefits that exceed those typically required of development under existing City regulations, to current residents.
7. Is supported by a transparent public process.

CI. General Policy Direction

The City shall take a cautious approach toward annexation.

1. The City Council shall exercise its sole legislative discretion in the annexation of lands to the City.
2. The City will consider annexation requests on a case-by-case basis, rather than encourage growth broadly.
3. The City requires annexation requests to be submitted with an application for initial zoning.
4. The burden of proof rests entirely on the applicant to demonstrate that annexation serves the public interest.
5. An applicant shall bear the full cost of expenses incurred by the City in processing an annexation request.

CII. Preferences

The City will give preferences to annexations that are:

1. Supportive of long-term Comprehensive Plan goals.
2. Consistent with the City's Three-Mile Plan.
3. Not solely residential.
4. Contiguous to the City limits, sharing a significant border with the City.
5. Contiguous to the City limits, sharing a minimal border with the City, and found to provide considerable public benefit, such as those listed in Section F.
6. Contiguous to the City limits using a right of way, such as a street, to connect a larger property to the City (flagpole) only when found to:
 - a. Preserve significant open space, such as those listed in Section G.
 - b. Support major public infrastructure, such as those listed in Section I.

- c. Demonstrate a considerable public benefit, such as those listed in Section F.

F. Public Benefits

Every annexation shall provide identifiable and meaningful public benefits. Examples include:

1. Open space preservation.
2. Wildlife habitat protection.
3. Trail connections.
4. Parkland.
5. Transportation improvements.
6. Local-serving commercial development.
7. Enhanced fiscal sustainability.
8. Public facilities.

G. Open Space

Open space preservation should:

1. Comprise no less than 30% of the gross site area, unless unique site characteristics justify a different amount.
2. Preserve significant natural features.
3. Protect wildlife habitat.
4. Maintain drainage corridors.
5. Provide trail connections.
6. Establish buffers between development and existing neighborhoods.

H. Community Character

Development should reinforce the character of Castle Pines.

1. Development should demonstrate compatibility with:
 - a. Existing neighborhoods.
 - b. Architectural character.
 - c. Building scale.
 - d. Lot and open space patterns.
 - e. Building height.
 - f. Setbacks.
2. Residential density should be compatible with adjacent development.
3. Single-family low-density residential is preferred. Medium-density and high-density residential development, including multifamily and affordable dwelling units, may be considered when site and architectural design standards demonstrate that they reinforce the community character.

I. Infrastructure

No annexation will be approved unless the applicant demonstrates adequate capacity for:

1. Water (legally available, sustainable, and permanent water supply).
2. Wastewater.
3. Transportation.
4. Police.
5. Fire.
6. Utilities.
7. Schools.
8. Parks.
9. Stormwater.

J. Fiscal Impact

An independent fiscal impact analysis shall be completed by the City, and paid for by the applicant, demonstrating:

1. Positive municipal revenues evaluated over a 20-year horizon, recognizing both capital and long-term operating costs.
2. All public infrastructure, such as roads, parks, including physical improvements, stormwater, water, and sewer, is fully funded through the proposed development.
3. Sustainable maintenance obligations.
4. No unreasonable burden on existing taxpayers.
5. Adequate funding for municipal services.

Projects with long-term negative fiscal impacts will not be approved.

K. Public Engagement

Public engagement shall be required.

1. Applicants shall:
 - a. Create a project website.
 - b. Conduct one neighborhood meeting before submitting the annexation request.
 - c. Conduct one neighborhood meeting at the time of the application for initial zoning.
 - d. Hold other neighborhood meetings, as necessary, to communicate major changes to the annexation request.
 - e. Provide a summary of all public engagement activities and public comments received.
2. The City shall also:

- a. Conduct required public hearings.
- b. Provide online project information.
- c. Provide public comment opportunities.

L. Findings Required

Before approving any annexation, City Council should find that:

- 1. The annexation complies with Colorado law.
- 2. The annexation advances the Comprehensive Plan.
- 3. Public benefits are demonstrated.
- 4. Infrastructure capacity exists or will be provided.
- 5. The annexation represents a net long-term public benefit to the City as a whole.
- 6. Community character is reinforced.
- 7. Environmental impacts are minimized.
- 8. Public outreach requirements have been satisfied.
- 9. The annexation is in the best interests of Castle Pines.

M. Annexation Agreement

The City will require an annexation agreement addressing, without limitation:

- 1. Public improvements.
- 2. Open space dedications or restrictions.
- 3. Maximum residential and minimum and maximum commercial density.
- 4. Water and wastewater commitments.
- 5. Fiscal-impact mitigation.
- 6. Reimbursement of City costs.
- 7. Phasing.
- 8. Service obligations.
- 9. Maintenance responsibilities.
- 10. Remedies for default.

N. Implementation

City staff shall prepare the necessary procedural and checklist documents to assist applicants in processing an annexation request.