

RESOLUTION NO. 26-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, EXPRESSING OPPOSITION TO A BALLOT MEASURE, WHICH WOULD AMEND THE CITY CHARTER TO REQUIRE VOTER APPROVAL FOR CERTAIN ANNEXATIONS IN EXCESS OF TWENTY ACRES

WHEREAS, in accordance with applicable provisions of the Colorado Fair Campaign Practices Act, the City Council may adopt a resolution expressing its position on a ballot measure; and

WHEREAS, the ballot measure proposes to amend the City Charter to provide that property in excess of twenty acres owned or controlled by a single owner or ownership group, or that is part of a common plan of development or related transactions, may be annexed into the City only upon approval of the registered electors of the City; and

WHEREAS, the ballot measure further provides that any single, successive, cumulative, serial, or simultaneous annexations of multiple parcels shall be aggregated and treated as a single annexation for purposes of the voter-approval requirement, as provided in C.R.S. Section 31-12-104(1)(a); and

WHEREAS, annexation is among the most significant long-term land use, fiscal, infrastructure, and community-planning decisions made by a municipality, and the City Council recognizes its community and legislative responsibility to evaluate each proposed annexation carefully and on the individual merits of each application; and

WHEREAS, the City Council has adopted a comprehensive Annexation Policy establishing the City's legislative policy for evaluating annexation proposals and expressly providing that the City will take a cautious approach toward annexation and consider requests on a case-by-case basis; and

WHEREAS, the City of Castle Pines is bordered by Lone Tree, Parker, and Castle Rock, which are not subject to the voter-approval requirements proposed by the ballot measure, potentially placing Castle Pines at a competitive disadvantage when property owners determine which jurisdiction to petition for annexation, particularly because the ballot measure would not apply to development outside the City's boundaries or prevent an adjacent municipality from annexing and approving development of eligible property, meaning that the practical effect of the measure may be to determine which municipality governs such development rather than whether the development occurs at all; and

WHEREAS, if eligible property is annexed into an adjacent municipality, Castle Pines could lose the opportunity to influence development of that property through its zoning, design standards, infrastructure requirements, development agreements, fiscal policies, open-space expectations, and other adopted community standards; and

WHEREAS, development occurring outside Castle Pines or within an adjacent municipality may still impact Castle Pines residents through traffic, transportation demands, regional infrastructure, drainage, environmental impacts, visual character, and demand for services, while leaving Castle Pines with substantially less ability to mitigate impacts of development; and

WHEREAS, the ballot measure would add a voter-approval requirement to the City's comprehensive substantive review for certain annexations, regardless of the proposed annexation's fiscal performance, land use, infrastructure commitments, open-space preservation, community benefits, or compatibility with the City's adopted plans and policies; and

WHEREAS, the City Council acknowledges that Castle Pines residents already have the right to exercise the initiative process provided by the City Charter and Colorado law if they disagree with an annexation approved by the City Council and believe further action is necessary to protect the best interests of the community; and

WHEREAS, elected City Council members are directly accountable to Castle Pines voters and are charged with evaluating technical analysis, fiscal impacts, infrastructure requirements, public testimony, environmental considerations, community benefits, and long-term planning objectives when exercising the Council's legislative authority over annexation; and

WHEREAS, the City Council has exercised its policy responsibility by adopting a comprehensive Annexation Policy establishing clear and stringent standards for when annexation should and should not occur, and believes that substantive, case-by-case review provides greater protection to current and future residents while preserving the Council's ability to negotiate annexation terms and public benefits in the best interests of the community; and

WHEREAS, the City Council believes the City Charter, approved by the voters, established a durable framework for municipal self-government while allowing elected officials, through ordinances, resolutions, adopted plans, and policies, to respond to changing community priorities, fiscal conditions, infrastructure needs, and regional development patterns; and

WHEREAS, amendments to the City Charter have long-term consequences for future City Councils and future residents, and the City Council believes that limitations upon fundamental municipal authority should be considered in light of circumstances and community needs that may change substantially over time; and

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

Section 1. Opposition to the ballot measure. The City Council opposes the ballot measure, which would amend the City Charter to require voter approval for certain annexations in excess of twenty acres, including aggregated annexations as provided in the measure.

Section 2. Reaffirmation of Existing Annexation Policy. The City Council reaffirms the City's adopted Annexation Policy and the Council's commitment to thoughtful, case-by-case review of annexations, including fiscal sustainability, infrastructure capacity, public benefits, community character, environmental protection, public participation, and consistency with the City's adopted plans.

Section 3. Merits-Based Annexation Review and Protection of Existing Residents. The City Council finds that the public interest is better protected by a comprehensive evaluation of the actual fiscal, infrastructure, environmental, land-use, public-benefit, and community impacts of an

annexation than by an additional mandatory election requirement triggered by acreage and the ownership, development, transaction, and aggregation provisions contained in the ballot measure.

Section 4. Local Decision-Making and Municipal Boundaries. The City Council supports retaining its legislative authority to consider annexations individually and to approve, condition, negotiate, or deny annexation proposals based on their circumstances and consistency with the City's Comprehensive Plan, Three-Mile Plan, Annexation Policy, and other adopted policies. The City Council further finds that imposing voter-approval requirements on Castle Pines that do not apply to surrounding municipalities could impair the City's ability to manage its future boundaries, secure public benefits, protect the community's economic vitality, and ensure that development occurring near existing residents is subject to Castle Pines' standards and meets the community's expectations.

Section 5. Impact of Annexation. Annexation is about the inclusion of new land outside the City's current municipal boundary and does not change existing annexation agreements, development agreements, or existing zoning.

Section 6. Public Interest. For these reasons, the City Council finds that the ballot measure would not improve the City's substantive evaluation of annexations and instead could undermine safeguards already established by the City Council, introduce uncertainty into the annexation process, reduce the City's flexibility in managing future growth and boundaries, place Castle Pines at a competitive disadvantage, adversely affect the City's long-term fiscal and community interests, and discourage property owners from pursuing otherwise beneficial annexations into Castle Pines.

Section 7. Effective Date. This Resolution shall take effect upon its approval by the City Council.

**INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO BY A VOTE OF
6 IN FAVOR, 1 AGAINST, AND 0 ABSENT 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