

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION P18-16**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF ERIE, RECOMMENDING THAT THE BOARD OF TRUSTEES ADOPT AN ORDINANCE REPEALING SECTIONS 10.7.3 AND 10.7.17 OF THE ERIE MUNICIPAL CODE, RELATING TO ANNEXATIONS

WHEREAS, throughout Colorado, annexation of unincorporated territory is governed by the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.* (the "Act");

WHEREAS, the Town is not authorized to modify the Act,

WHEREAS, Sections 10.7.3. and 10.7.17 of the Erie Municipal Code do not comply with the Act as currently written;

WHEREAS, the Town is currently negotiating with property owners who have requested annexation to the Town, and the Town wishes to timely respond to those requests in compliance with state law and the Erie Municipal Code; and

WHEREAS, for all amendments to Title 10 of the Erie Municipal Code, a recommendation from the Planning Commission is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. The Planning Commission, having considered the recommendation of Town staff to amend the Title 10 of the Erie Municipal Code (the "UDC") by the deletion of Sections 10.7.3 and 10.7.17, finds as follows:

- a. The proposed amendment to the UDC will promote the public health, safety, and general welfare;
- b. The proposed amendment is generally consistent with the Town's Comprehensive Plan and the stated purposes of the UDC; and
- c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

Section 2. Based on the foregoing findings, the Planning Commission hereby recommends that the Board of Trustees adopt the ordinance repealing Sections 10.7.3 and 10.7.17 of the Erie Municipal Code, relating to annexations.

ADOPTED this 3rd day of October, 2018.

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary