



# Commerce City

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## Council Communication

File Number: Ord 2661

**Agenda Date:** 12/16/2024

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:**

AN ORDINANCE REPEALING ORDINANCE NO. 2453 IMPOSING A MORATORIUM UPON THE CITY'S PROCESSING OF APPLICATIONS FOR APPROVAL OF NEW SERVICE PLANS FOR RESIDENTIAL METROPOLITAN DISTRICTS

### Summary & Background

Pursuant to Article 1, Title 32, Colorado Revised Statutes, as amended (the "Special District Act"), the City has the authority to approve service plans for metropolitan districts with boundaries wholly contained within the City's boundaries. Pursuant to Sections 32-1-204.5 and 32-1-205 of the Special District Act, no metropolitan district shall be organized if its boundaries are wholly contained within the boundaries of the City except upon adoption of a resolution of approval of the City Council of the City (the "City Council").

The City Council previously adopted Ordinance No. 2453 ("Ordinance No. 2453") imposing a moratorium upon the City's processing of applications for approval of new service plans for metropolitan districts with ten percent or more of the property within the metropolitan district developed or proposed to be developed for residential purposes ("Residential Metro Districts"). Since the summer of 2021, the City has been engaged with the community to solicit feedback with regard to metropolitan districts and proposed regulatory concepts to protect the current and future residents of the City. On November 27, 2023, the City Council adopted Ordinance 2549 ("Ordinance No. 2549") Enacting Chapter 13 - Metropolitan Districts of the Commerce City Revised Municipal Code and Resolution No. 2023-136 ("Resolution No. 2023-136") adopting a model service plan, each of which is designed to protect the current and future residents of the City while allowing new Residential Metro Districts to be formed in the City. On July 15, 2024, staff and the City's financial adviser reported to the City Council the first annual financial audit of all metropolitan districts in Commerce City. On December 4, 2024, City Council motioned to direct staff to prepare an ordinance repealing the moratorium established by Ordinance No. 2453.

**Staff Responsible (Department Head):** Jim Tolbert, Assistant City Manager

**Staff Presenting:** Jordan Roberts, Sr. Policy Analyst

**Financial Impact:** N/A

**Funding Source:** N/A

**Staff Recommendation:** N/A

**Suggested Motion:** I move to introduce and approve Ordinance 2661 on 1st reading.