

**Town of Superior  
Ordinance Number O-15  
Series 2026**

**An Ordinance of the Town Council of the Town of Superior  
Annexing to the Town the Real Property Located at 7494 Marshall  
Drive, Zoning Such Property as Planned Development (PD) and  
Approving the Associated Annexation Agreement**

**Whereas**, a petition for annexation was filed with the Town requesting the annexation to the Town of certain real property located at 7494 Marshall Drive and described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

**Whereas**, by resolution adopted on April 27, 2026, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

**Whereas**, on June 8, 2026, the Town Council conducted a properly-noticed public hearing and adopted a resolution finding that the applicable provisions of § 30 of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and 105 have been met and the Property is eligible for annexation to the Town;

**Whereas**, on June 2, 2026, the Planning Commission held a properly-noticed public hearing on the proposed annexation of the Property;

**Whereas**, pursuant to Section 16-5-20 of Superior Municipal Code (the "Code"), the Planning Commission has considered the proposed annexation of the Property and recommends approval;

**Whereas**, the Town Council finds that it is desirable that the Property be annexed to the Town;

**Whereas**, the Town and the Property owner wish to establish the terms and conditions to be imposed on the Property as part of this annexation by execution of an annexation agreement (the "Annexation Agreement");

**Whereas**, concurrent with the annexation petition, Applicant submitted an application, pursuant to Sections 16-7-30(a) and 16-10-30 of the Superior Municipal Code (the "Code"), to zone the Property as Planned Development (PD) with a PD Plan (the "Application");

**Whereas**, Sections 16-7-30(a) and 16-10-30(c) of the Code require a public hearing regarding the Application before the

Planning Commission and recommendation by the Planning Commission to the Town Council;

**Whereas**, on June 2, 2026, the Planning Commission held a properly-noticed public hearing on the Application and did not recommend approval;

**Whereas**, Sections 16-7-30(a) and 16-10-30(c) of the Code also require a public hearing by the Town Council prior to approval of the Application; and

**Whereas**, on June 8, 2026, the Town Council held a properly-noticed public hearing on the Application.

**Now, therefore, be it ordained by the Town Council of the Town of Superior, Colorado:**

**Section 1. Annexation.**

a. Following completion of the filings required by Section 1(b) hereof, the Property is hereby annexed to the Town. For purposes of general taxation, the annexation of the Property shall become effective on January 1<sup>st</sup> of the next succeeding year following the passage of this Ordinance.

b. Filings. The Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Boulder County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office. Upon filing with the Boulder County Clerk and Recorder, the Town Clerk shall request that the Boulder County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

**Section 2. Zoning.**

a. Upon consideration of the proposed Zoning and supporting documentation, hearing the statements of Town staff and the public and giving due consideration to the matter, the Town Council finds and determines that the proposed Zoning meets the criteria set forth in Sections 16-7-30 and 16-10-20 of the Code.

b. Based on the foregoing, the Property is hereby zoned Planned Development (PD), and the PD Plan is approved. The Town's zoning map shall be updated accordingly.

**Section 3. Annexation Agreement.** The Annexation Agreement is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Annexation Agreement on behalf of the Town.

**Section 4. Safety.** This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

**Section 5. Effective Date.** This Ordinance shall take effect 10 days after publication following adoption.

**Introduced, read, passed and ordered published this 22nd day of June, 2026.**

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Mark Lacis, Mayor

**Attest:**

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Shannon Dujardin, Town Clerk

**Exhibit A**  
**Legal Description**

POR SE 1/4 SW 1/4 & POR NE 1/4 SW 1/4 13-1S-70 R0030711 &  
R0122290 COMB HERE PER REC # 3485608 TOTAL 12.77 ACS M/L