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## **Town of Bayfield Three-Mile Plan 2020**

This document constitutes the Three-Mile Plan for the Town of Bayfield, as required by and in conformance with Section 31-12-105(1)(e) of the Colorado Revised Statutes (C.R.S.). This document is adopted as a component of the Town’s Comprehensive Plan.

### **I. Purpose, Methodology and Criteria**

#### **A. Purpose**

Colorado Revised Statutes Section 31-12-105(1)(e)(l) of the Municipal Annexation Act of 1965 requires that each municipality have a plan that *generally* describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power for any annexation within three miles of the municipality. The plan shall be in place prior to annexation of additional lands. An update to the plan is required annually. Accordingly, the intent of the Town of Bayfield Three Mile Plan (or the “Plan”) is to fulfill the requirements of the Municipal Annexation Act pertaining to such plans. This Plan anticipates that requests will be made over time for the incorporation of areas into the limits of the Town of Bayfield.

The Three-Mile Plan does not assume, propose, or guarantee that any property within three miles will be annexed by the Town. The process for annexation is extensive and is regulated by the requirements of C.R.S. Title 31, Article 12. This plan does not propose specific improvements or land uses for extraterritorial areas; if annexation is considered in the future, a more detailed analysis including an Annexation Impact Report would be required.

#### **B. Criteria**

The Town will annex properties in accordance with annexation policies and criteria set forth in the adopted Land Use Code, and will use a process to evaluate benefits and costs of proposed annexations to ensure that the annexations will offer an overall benefit to the community. Annexation should be consistent with the adopted Comprehensive Plan. Benefits and costs of annexation should be considered on a case by case basis. The

annexation of County enclaves should take into consideration fiscal, social, and land use factors.

## **II. Three Mile Boundary**

The three-mile boundary is generally depicted in **Exhibit A**. The land areas described by this document include property in unincorporated La Plata County within the three mile boundary.

It should be noted that in the case of identical ownership of properties that are within and extend beyond the three mile area, the extended areas may be annexed so long as fifty percent of the area lies within three mile boundary.

## **III. Annexation Eligibility and Processing Criteria**

Annexation requests that demonstrate favorable benefits to the residents and taxpayers of the Town and contribute to the Town's goal for quality growth and enhanced community character will be favorably considered for inclusion into the town. In addition, the Town desires to control the development of adjacent private lands in order to preserve and promote the best interest of the Town and its citizens. Forms have been developed for the Town of Bayfield annexation process following the state statutes. An annexation petition must meet all of the requirements of the Municipal Annexation Act and its amendments as well as applicable specific Town of Bayfield Municipal Code criteria. In addition, a conceptual planning map(s) shall be provided that illustrates all streets and other right-of-way connections in the subject property to the existing Town streets and right-of-way; location of the current and proposed Town boundary; location of utilities to which the property will connect; and proposed land use and zoning concepts, if developed. It shall be the general policy of the Town with respect to annexations and the consideration of annexation petitions that:

- a) Annexation is a discretionary act. With the exception of an initiated petition for the annexation of an enclave, the Board of Trustees shall exercise its sole discretion in the annexation of territory to the Town.
- b) The land to be annexed and the uses proposed for the land shall conform to the goals, policies and strategies of the Comprehensive Plan, as amended from time to time.
- c) The land to be annexed shall not create an unreasonable burden on the physical, social, economic or environmental resources of the Town.
- d) Certain public facilities and amenities are necessary and must be constructed and/or upgraded to Town standards as part of any territory annexed to the Town to ensure the area is served by adequate public facilities. These facilities include, but are not limited to streets, bridges, public parks, recreation areas, school sites, fire and police station sites, and storm drainage facilities.
- e) The annexation of lands to the Town shall not create any additional cost or burden on the then existing residents of the Town to provide such public facilities to any newly annexed area.
- f) The petitioner for annexation shall be responsible for paying the Town's full cost for processing the annexation petition, from initial discussion with Town staff

before submittal of the petition, through the approval and recording of the final annexation documents.

- g) Annexed areas will not divide tracts of land to prevent further annexation of adjoining parcels. (For example, leaving a “gap” or a “strip” of land between property to be annexed and the adjoining property.)
- h) Surface water rights adequate to support development shall be deeded to the Town of Bayfield at time of annexation. If water rights are not tied to the land, the Town will consider cash in-lieu of water rights at appropriate rates.

#### **IV. General Policy for Annexations:**

##### **A. Town Services**

In all cases, annexation will be an important consideration before Town services are provided by the Town.

##### **B. Coordination with La Plata County**

The Town will use good faith efforts to work with La Plata County to insure that the Town will be notified of any impending major development activity within one mile of the Town’s existing boundary, particularly those that propose primary accesses through the Town or are judged to have other significant impacts on the Town. In addition, the Town will seek comments from La Plata County as a referral entity on annexations petitions received.

##### **C. Conformance with Existing Town Planning Documents**

All annexed property shall be required to conform to the current adopted versions of the Town of Bayfield Land Use Code, Municipal Code, Comprehensive Plan, Building Codes and all other applicable local and state statutes.

##### **D. Open Space Requirements**

Open space and park or trails dedication shall be required as part of any annexation request with the emphasis on protection of sensitive ecological areas, critical view areas, and prime habitat areas, where appropriate.

##### **E. Benefits/Liabilities**

In processing and reviewing annexation requests, Town staff will prepare a list of benefits and liabilities to the Town for the proposed annexation and outline the financial costs and benefits to the taxpayers of the Town.

##### **F. Growth Projections**

The Town should continue to develop and update the following projections in order to properly analyze the potential impact of any annexation request and update as necessary:

- Sewer and sewer line capacity;
- Public raw water capacity;
- Public water treatment capacity;
- Public water line capacity;
- Storm water capacity; and
- Minimum water pressure.

The Town shall require that each request for annexation include projections for service needs for the above items and substantiate projections for expected population increase to Bayfield as a result of the annexation request.

## **V. Elements**

### Land Use

Land uses will be evaluated for consistency with the Town's Comprehensive Plan Future Land Use Map and for compatibility with adjacent land use patterns. Land uses should be consistent with current Town zoning districts allowed and conditional uses.

### Transportation

Annexation proposals will be evaluated for consistency with the transportation component of the Town's Comprehensive Plan including the streets, recreational trails, and public rights-of-way. All new areas of annexation will be accessed from La Plata County road systems, Colorado Department of Transportation US Highway 160 or existing town streets. Access to future annexed area will be coordinated on a case by case basis with the Town, La Plata County and Colorado Department of Transportation. All new roadways shall meet the Town's Infrastructure Design Standards. Bridges will be considered on a case by case basis. No subways are planned in the area. Aviation traffic is accommodated at the Durango/La Plata County Airport. Developers are typically responsible for infrastructure costs.

### Utility Provisions

Water and sewer lines may need to be extended to new areas annexed into the Town. All new water, sanitary sewer and storm water facilities shall meet the Town's Infrastructure Standards. The La Plata Archuleta Water District (LAPLAWD) provides a rural residential water system to areas in unincorporated La Plata County. LAPLAWD and the Town of Bayfield will review annexation proposals and determine which agency will provide water services in accordance with the Joint-Action Intergovernmental Agreement by and Between the Town of Bayfield and Water Enterprise, Colorado and La Plata Archuleta Water District, executed July 31, 2012. Properties annexing into the Town may be required to pay for extensions of utilities including: natural gas (Black Hills Energy), electric (LPEA), cable television (USA Communications), and Telecommunications. Developers shall work cooperatively with the local irrigation ditch companies to ensure access is preserved to irrigation ditches and the ditch companies concerns are addressed. Developers are typically responsible for infrastructure costs.

### Community Services

The Three Mile area contains parcels that currently lie within the Upper Pine River Fire Protection District, San Juan Basin Health Agency, Bayfield School District and Pine River Library District. The La Plata County Sheriff's Office currently provides police protection; annexation would require Bayfield Marshal's Office protection.

### Open Space, Parks and Recreation

Zoning of annexed areas should allow for provisions of parks, open space and recreation as referenced in the Town Comprehensive Plan and Land Use Code. Areas adjacent to Rivers, Streams, and Lakes are encouraged to be incorporated into open space, parks and recreational opportunities. Parkland dedication or cash in-lieu may be required for new residential subdivisions and development.

**VI. Three Mile Area Acreage Tabulation**

The Total Acreage of the three mile area is approximately 20,787 acres.

**VII. Summary**

The Town of Bayfield considers this an important guiding document for our potential growth. It is expected that any annexation consideration, county development, or known or unknown competing interests will follow the principals of this and other community planning documents in the areas identified.

# Town of Bayfield Three Mile Area

