



## **Annexation Requests**

### **Applicant responsibilities are as follows:**

- *The applicant must supply an annexation petition meeting state statutory requirements, a completed development permit application, a copy of the deed to the property documenting the owners & any encumbrances owed, & a written legal description of the property.*
- *The applicant must supply an annexation final plat documenting all of the following information:*
  - Name of the annexation.
  - Name, address and phone number of the applicant.
  - Name address and phone number of the preparer of the plan if different from the applicant.
  - Date of preparation, north arrow and indication of approximate scale.
  - Boundary lines of plan with approximate lengths of lines.
  - Location and type of watercourses and ditches if any, with direction of flow indicated or a general indication of direction of drainage if no watercourses exist.
  - Location of existing and proposed internal circulation systems such as bike paths and streets on and adjacent to the plan area.
  - Location and sizes of land uses and size of total plan area.
  - Number of proposed or existing dwellings and indication of the size of any other use.
  - Vicinity map to locate property.
  - Land uses and locations of the uses on properties sharing the boundaries of the property.
  - General indication of slopes and topography.
  - General locations of easements and rights of way.
  - Location of the contiguous boundary of Bayfield.
  - Contour lines
- *The applicant must supply a narrative addressing the following:*
  - A. Serviceability of the areas to be annexed
    - Water service and availability
    - Sewer service and availability
    - Fire and police protection
    - Sanitation and streets

- Drainage facilities
- Public transit
- Private utilities

B. Develop ability

- Site Characteristic including slope and topography, soils and geology, floodplains, and easements.
- Land use and location of structures
- Internal circulation
- Parks, open space and recreational facilities
- Public improvements
- Schedule for development and public improvements
- Requested land use district designation

C. Initial District Use Issues

- Need for the initial district use and land use
- Present and future impacts on the existing adjacent district uses, uses and physical character of the surrounding area such as compatibility with neighborhood character and surrounding uses.
- Impact of the proposed use district on area accesses and traffic patterns.
- Availability of utilities of any potential development
- Present and future impacts on public facilities, and services, including but not limited to fire, police, water, sanitation, roadways, parks, schools and transit.
- Relationship between the proposal and any adopted plans and /or policies of the Town, particularly with respect to the Comprehensive Plan.

If the property measures greater than 10 acres in area, the applicant must submit additional information meeting state statutory requirements for an Annexation Impact Report as follows:

- A copy of any draft or final pre-annexation agreement, if available.
  - A statement setting forth the plans of the Town of Bayfield for extending to the property or otherwise providing municipal service.
  - A statement setting forth a method under which the Town of Bayfield or the applicant plans to finance the extension of municipal services.
  - A statement identifying existing districts (such as fire, school, etc) within in the area to be annexed.
  - A statement regarding the effect of the annexation upon local public school district systems, including the estimated number of students generated and the capital construction required to educate such students; with comments from the school district.
- *The applicant must supply the Town with 21 copies of the proposed site plan & narrative to be sent to agencies for comment (at the time of submittal).*

- *The applicant must send a notice via certified mail to all adjacent property owners within 200 square feet of the proposed annexation address & provide proof of mailing and a mailing list to the Town of Bayfield before the date of the public hearing.*
- *The applicant must supply the Town with an additional 13 copies of the proposed site plan & narrative by the Thursday before the Planning Commission meeting. These will be given to the Planning Commission for consideration at the public hearing.*
- *The applicant must also supply the Town with an additional 13 copies of the proposed site plan & narrative by the Thursday before the Town Board meeting. These will be given to the Town Board for consideration at the public hearing.*

**Town of Bayfield responsibilities are as follows:**

- *The Town of Bayfield shall notify the applicant that the project has been officially filed*
- *The Town of Bayfield shall schedule the annexation petition to be reviewed @ the next Town Board meeting.*
- *Once the Town Board accepts the petition, the Town of Bayfield will send the proposed annexation request to all pertinent agencies for comment.*
- *The Town of Bayfield will advertise the proposed annexation for 4 consecutive weeks at least 30 days prior to the Public Hearing.*
- *The Town of Bayfield shall mail a copy of the notice & petition to the La Plata County Board of County Commissioners at least 20 days prior to the public hearing date.*
- *If the property proposed for annexation measures more than 10 acres, the Town of Bayfield shall forward a copy of the Annexation Impact Report to the La Plata County Board of County Commissioners at least 20 days before the public hearing date.*
- *The Town of Bayfield shall provide a written staff report containing an analysis of the request which will be ready for review on the Friday before the scheduled the Planning Commission Meeting & the Town Board Meeting. This staff report will be used by the Planning Commission & The Town Board to make their determination on the project.*

**Planning Commission responsibilities are as follows:**

- *The Planning Commission will consider the application, the staff report & any materials and public testimony submitted at the public hearing.*
- *The Planning Commission will consider certain criteria set forth in the Bayfield Land Use Code to make their decision.*
- *The Planning Commission shall by motion approve, approve with conditions, continue, or deny the application for annexation.*

**Town Board responsibilities are as follows:**

- *The Town Board shall review the petition in a public meeting to ensure the petition meets the petition requirements. If the Board finds that the petition does meet the requirements, the Board shall approve a resolution accepting the petition & set a public hearing date no later than 60 days after the date of the resolution. If the Board finds that the petition does not meet the requirements, no action will be taken until a revised petition is submitted.*
- *The Town Board shall hold a public hearing on the annexation application in accordance with the resolution accepting the petition, and shall consider the physical arrangement of the project, the recommendations of the Planning Commission, any public testimony at the hearing, the annexation requirements, & the annexation requirements set forth in the Bayfield Land Use Code.*
- *The Town Board shall by motion either approve, conditionally approve, or deny the project and shall include the conditions of conditional approval or the reasons for denial.*

*Once approval has been received from the Town Board for the annexation, the Town of Bayfield will send a decision letter to the applicant documenting the decision made by the Town Board, any conditions that must be met, and a copy of the meeting minutes. The annexation approval is only valid for 90 days from the approval date. The plat must be recorded with the La Plata County Clerk & Recorder before the 90 day expiration date.*

# ANNEXATION PETITION

The undersigned landowner, in accordance with the provisions of Section 31-12-101 et. seq. C.R.S. and known as the Municipal Annexation Act of 1965, as amended, hereby petitions the Board of Trustees of the Town of Bayfield for annexation to the Town of Bayfield of the within described unincorporated area situated and being in the County of La Plata, State of Colorado. In support of this Petition, the petitioners allege and submit the following and make the within requests:

- 1) That it is desirable and necessary to annex the property shown on Exhibit A, attached hereto, comprising a total of \_\_\_\_\_ acres more or less.
- 2) That the area sought to be annexed to the Town of Bayfield meets the requirements of section 31-12-104 and 105 C.R.S. of the Municipal Annexation Act of 1965, as amended, in that:
  - a. Not less than one-sixth of the perimeter of the described property is contiguous to the Town of Bayfield. The property for which annexation is sought has a total of \_\_\_\_\_ feet contiguous to the Town of Bayfield.
  - b. The area for which annexation is sought shares a community of interest with the Town of Bayfield.
  - c. The area for which annexation is sought will be urban in character in the near future
  - d. The area for which annexation is sought is integrated with or is capable of being integrated with the Town of Bayfield.
  - e. Within the area for which annexation is sought, no lands held in identical ownership shall be divided into separate lots or parcels without the written consent of the landowners thereof.
  - f. No land held in identical ownership comprising twenty (20) acres or more shall be included within the annexation without the written consent of the landowners thereof.
  - g. The annexation which is sought will not result in a detachment of area from any school district and will not result in the attachment of the annexed area to another school district other than that in which it already is.
  - h. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Bayfield more than three miles in any direction from any point of the Town's boundary in any one year.

- 3) That the signers of this Petition comprise the landowners of one hundred percent (100%) of the territory included in the area for which annexation is sought.
- 4) That the petitioners request that the Town of Bayfield approve this annexation
- 5) That the legal description of the territory proposed to be annexed is attached hereto as Exhibit D.
- 6) The names and addresses of adjacent property owners to the property for which annexation is sought and within 300 feet of the boundary of the property for which annexation is sought are attached as Exhibit C; the applicant must inform each property owner within 300 feet of the boundary of the property of the annexation petition by way of certified mail; the return receipts will be required to complete the applicants file.
- 7) No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
- 8) If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
- 9) Upon annexation, property owners must dedicate water rights, based on proposed water use to the town of Bayfield (Ord. 15-86).
- 10) The Town of Bayfield will send copies of the annexation plat to the affected agencies for comment (Bayfield School District, La Plata Electric, Source Gas, Upper Pine Fire Protection District, etc)
- 11) That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the Colorado Revised Statutes and all ordinances, resolutions, & regulations of the Town of Bayfield.

WHEREFORE, the undersigned petitioners request that the Town of Bayfield approve the annexation of the Property.

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF COLORADO )  
 ) ss.  
COUNTY OF )

Subscribed and sworn to before me this . day of \_\_\_\_\_,  
2008, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_