



RESOLUTION 2024-06

**A RESOLUTION OF THE TOWN OF SILVERTON ADOPTING
THE 2024 THREE- MILE PLAN**

WHEREAS, the Town of Silverton, in the County of San Juan and State of Colorado (the “Town”) is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

WHEREAS, the Town has previously adopted a comprehensive plan for the development of the Town pursuant to C.R.S. 31-23-201, et. Seq; and

WHEREAS, the Board of Trustees, has previously adopted a plan for potential annexation of real property within three miles of the present municipal boundaries pursuant to C.R.S. 31-12-105(1)(e); and

WHEREAS, the Town has not annexed any properties since the adoption of the 2023 Three Mile Plan as approved by the Town on June 26, 2023; and

WHEREAS, the Planning Commission held a public hearing on and recommended approval of the 2024 Three-Mile Plan on February 20, 2024; and

WHEREAS, the Board of Trustees held a public hearing on the Three-Mile Plan on February 26, 2024; and

WHEREAS, the Board of Trustees believes it in the best interest of the Town that the plan be adopted.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO THAT:

Section 1. Recitals. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Findings and Authorizations. The Board of Trustees of Silverton makes the following findings and representations:

- (a) The 2024 Three-Mile Plan, herein attached as Exhibit A, is hereby adopted.
- (b) A copy of this Resolution shall be attached to each copy of the Plan and shall serve as an attestation that each such copy is a true and correct copy of the Three-Mile Plan as adopted.

Section 3. Severability. Should any one or more sections of the provisions of this Resolution be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, the intention being that the various sections and provisions are severable.

Section 4. Effective Date. This Resolution shall become effective upon its adoption by the Board of Trustees.

THIS RESOLUTION was approved and adopted the 26th day of February, 2024 by the Board of Trustees of the Town of Silverton, Colorado.

TOWN OF SILVERTON, COLORADO

Shane Fuhrman, Mayor

ATTEST:

Melina Marks Lanis, Town Clerk

Town of Silverton

2024

Three-Mile Plan



Adopted February 26, 2024
Town of Silverton Board of
Trustees Resolution No. 2024-06

This document constitutes the Three-Mile Plan for the Town of Silverton, 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 Master 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 Silverton 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 Silverton.

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 may be required.

B. Criteria

The Town will annex properties in accordance with annexation policies and criteria set forth in the adopted Silverton Municipal 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 Master Plan.

The 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 San Juan 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. An annexation petition must meet all of the requirements of the Municipal Annexation Act and its amendments as well as applicable specific Town of Silverton's 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 Master 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.

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 San Juan County

The Town will use good faith efforts to work with San Juan County to ensure 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 San Juan County as a referral entity on annexations petitions received.

C. Conformance with Existing Town Planning Documents

All annexed property shall substantially conform to the current adopted versions of the Town of Silverton Municipal Code, Master Plan, Building Codes and all other applicable local and state statutes.

D. Open Space Requirements

Open space and park or trails dedication shall be a part of any annexation request considering 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 shall prepare Annexation Impact Report, pursuant to SMC 15.1.40, based on 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 Silverton as a result of the annexation request.

V. Elements

Land Use

Land uses will be evaluated for consistency with the Town’s Master Plan and for compatibility with adjacent land use patterns. Land uses should be consistent with current Town zoning districts allowed and uses by special review.

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 Development Standards. Properties annexing into the Town may be required to pay for extensions of utilities including: water, sewer, electric (San Miguel Power Association). Developers are typically responsible for infrastructure costs.

Zoning

Zoning of annexed areas should allow for provisions of parks, open space and recreation as referenced in the Town Master Plan and Silverton Municipal 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.

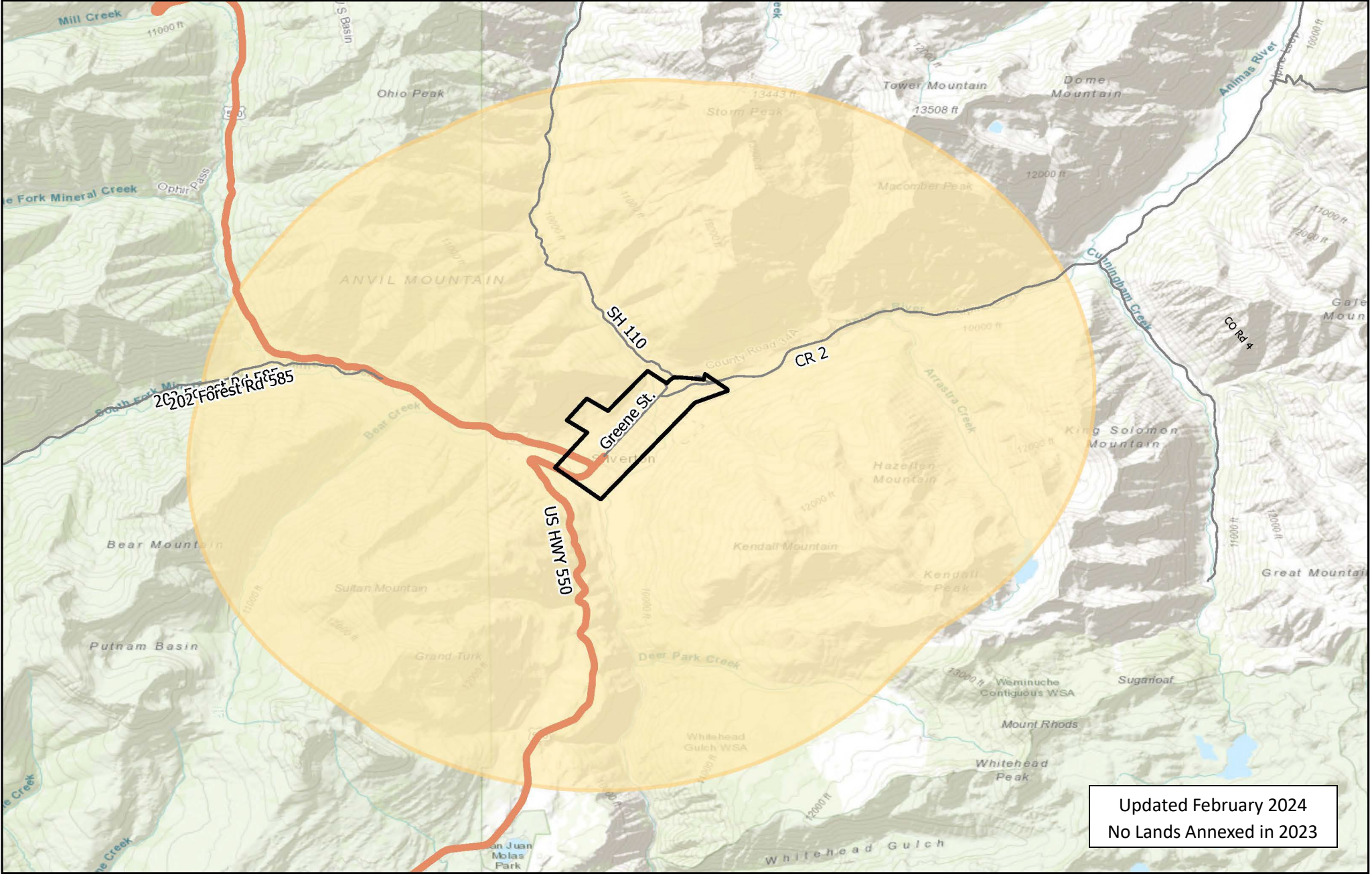
VI. Three Mile Area Acreage Tabulation

The Total Acreage of the three mile area is approximately 26,565 acres.

VII. Summary

The Town of Silverton 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 principles of this and other community planning documents in the areas identified.

Exhibit A: Three Mile Plan

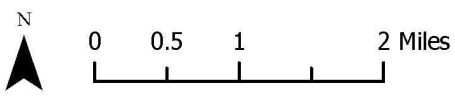


Updated February 2024
 No Lands Annexed in 2023







Three-Mile Plan

June 2023
 Created by CPS



Legend

-  Town of Silverton Boundary
-  Silverton 3-Mile Area
-  Highways
-  Roads