

TOWN OF MANCOS
PLANNING AND ZONING COMMISSION MEETING
March 20, 2024
7:00 p.m.

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of the Agenda
- E. Approval of the minutes of January 17, 2024
- F. Audience Business
- G. Announcements
- H. Discussion and Action Items
 - 1. Resolution 8 Series 2024: Three Mile Plan Adoption
- I. Adjournment

TOWN of MANCOS
PLANNING & ZONING COMMISSION
MEETING
January 17, 2024

A. Call to Order: Chairperson Peter Brind' Amour called the meeting to order at 7:01 p.m.

B. Pledge of Allegiance

C. Roll Call: present-Chairperson Peter Brind' Amour, Catherine Seibert, Carol Stout, Alternate Ann Coker, Mayor Queenie Barz, Town Clerk/Treasurer Jamie Higgins, and Deputy Clerk Mercedes Yanito

D. Approval of the Agenda: Carol Stout made the motion to approve the Agenda for January 17, 2024, Catherine Seibert seconds the motion. Motion passed.

E. Approval of the Minutes of October 18, 2023, and December 20, 2023: Catherine Seibert made the motion to approve the Minutes of October 18, 2023, and December 20,2023, Carol Stout seconds the motion. Motion passed.

F. Audience Business

None

G. Announcements: Board of Trustees Election Packets are available. Still looking for a Planning and Zoning Alternate.

H. Discussion and Action Items:

1. Resolution 5 Series 2024: Dedicated Land Fee/Cash In Lieu – Discussion Open at 7:04 PM. Discussion closed at 7:28 PM. Catherine Seibert made the motion to approve, Carol Stout seconds the motion. Motion Passed.

I. Adjournment – 7:31 pm

Peter Brind' Amour, Chairperson

Mercedes Yanito, Deputy Clerk

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: March 20, 2024
Re: Three Mile Plan

Recommendation

Recommend approval of Resolution 8 Series 2024 Adoption of the Three Mile Plan to the Board of Trustees

Background/Discussion

Colorado Revised Statute requires that each municipality have a three-mile plan in place prior to any annexation. We are also required to review and adopt the three-mile plan at least annually.

In 2021, the Planning Commission and the Board of Trustees spent several months reviewing and updating the Town's Three Mile Plan.

At this time, there are no recommended changes. We are requesting the Planning Commission recommend approval of Resolution 8 Series 2024 to the Board of Trustees with no changes to the existing Three Mile Plan.

Resource Impact

N/A

Attachments

Resolution Series 2024
Three Mile Plan

RESOLUTION 8 SERIES 2024

**A RESOLUTION ADOPTING A THREE-MILE PLAN FOR THE TOWN OF MANCOS,
COLORADO**

WHEREAS, in 2007 the Planning and Zoning Commission adopted the first Three-Mile Plan for the Town of Mancos by resolution; and

WHEREAS, pursuant to C.R.S. Section 31-12-105(1)(e), prior to the completion of any annexation within a three-mile area outside of the municipal boundaries of a municipality (“Three-Mile Area”), a municipality is required to have in place a plan (“Three-Mile Plan”) which generally describes the proposed location, character and extent of certain public facilities located within the Three-Mile Area; and

WHEREAS, the Mancos Planning and Zoning Commission has determined that the Three-Mile Plan being adopted with this resolution, adequately complies with the requirements of state law for the Three-Mile Plan for the Town of Mancos; and

WHEREAS, to ensure that future annexations by the Town of Mancos are completed in compliance with the provisions of state law, the Mancos Planning and Zoning Commission, by this Resolution, desires to formalize its Three-Mile Plan for the Town of Mancos.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF MANCOS, THAT:

The Three-Mile Plan text being adopted with this resolution, shall constitute the Three-Mile Plan for the Town of Mancos required pursuant to C.R.S. Section 31-12-105(1)(e): and;

The Three-Mile Plan shall be reviewed and revised as may be necessary, at least annually. Additional plans may be added from time to time, as they are developed and adopted.

THE THREE-MILE PLAN IS HEREBY ADOPTED THIS 27th DAY OF MARCH 2024.

Mayor Ellen “Queenie” Barz

Jamie Higgins
Town Clerk/Treasurer

**Town of Mancos, Colorado
Three-Mile Plan
2007**

**Original Adoption Date
March 21, 2007**

**Revision Dates
January 28, 2015
November 10, 2021**

PURPOSE

Colorado Revised Statute 31-12-105 requires that each municipality have a policy plan for annexation in place prior to the annexation of additional lands (“Plan”). The Plan must address the potential for annexation of areas within three miles of the existing municipal boundaries. An Update of the Plan and re-adoption by resolution of the Board of Trustees is required annually.

CRS 31-12-105(1)(e)(I) requires that:

Prior to completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area 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 to be provided by the municipality and the proposed land uses for the area. Such plan shall be updated at least once annually. Such three-mile limit may be exceeded if such limit would have the effect of dividing a parcel of property held in identical ownership if at least fifty percent of the property is within the three-mile limit. In such event, the entire property held in identical ownership may be annexed in any one year without regard to such mileage limitation. Such three-mile limit may also be exceeded for the annexation of an enterprise zone.

It is important to emphasize that this Plan is required by state statute and does not indicate any intention to actively pursue annexations by the Town of Mancos. The Plan is, however, aimed at integrating the Town’s annexation policies and goals; providing direction for the Town, Landowners and Montezuma County concerning annexation of the areas within the Plan boundary. It must also be noted that this Plan is intended to complement other Town plans that have been previously adopted.

The 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.

METHODOLOGY AND CRITERIA

This Plan was prepared by Town of Mancos by evaluating the areas within a three mile distance from the existing Town boundary to determine which areas are suitable for annexation and what developers should take into consideration when developing those lands.

The areas designated as suitable for annexation are those areas directly adjacent to the existing Town boundary. Given the history of the Town and the relatively few annexations through its first 100 years, it is assumed that this Three Mile Plan will provide for growth well past the next ten years.

Areas included in this Plan that are suitable for annexations are lands which:

1. Are determined to be necessary and suitable for future urban uses
2. Can be easily served by urban services and utilities

3. Are needed to provide open space for the Town; and/or
4. Are needed for the expansion of the urban area

The basic criteria used to determine which lands are desirable for future annexations could include, but are not limited to the following:

1. Areas which broaden the housing type to maintain the eclectic character of Mancos and expand the permanent population
2. Areas which include enough buildable land to accommodate all desired uses without creating a limited market
3. Areas close to Mancos that are urban or commercial in nature and can be served by Town utilities with little or no adverse physical or economic impacts to the community
4. Areas which help strengthen the economy of the Town
5. Areas which establish the town boundary in a logical manner by utilizing property boundaries and natural landscape features
6. Excluding areas which cannot be properly serviced because of steep slopes, poor road systems or drainage problems.
7. 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 Mancos 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 Mancos 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, water and sewer line and related infrastructure, and storm drainage facilities.
- e. The annexation of lands to the Town shall not create any additional cost or burden on the residents of the Town existing prior to the annexation 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 Mancos 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. The Town will annex properties in accordance with annexation policies and criteria set forth in the adopted Land Use Code and this Plan, 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. 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.

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 Mancos as a result of the annexation request.

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

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

GOALS AND OBJECTIVES

Mancos, the “Gateway to Mesa Verde”®, is situated along one of the nation’s seven All-American Highways and is surrounded by cultural heritage sites and mountain vistas. As such, citizens must weigh carefully the options for change so as not to lose those qualities that make this a special place.

In general, it is the policy of the Town of Mancos to annex properties only at the request of the landowner, and only when services to existing residents are not adversely impacted by the proposed annexation. Such proposals are reviewed on a case-by-case basis according to the Mancos Town Code and State Statute and in accordance with this Plan. The Colorado Municipal League’s “Annexation In Colorado Handbook” is also recommended as a regulatory and processing guide.

In order to fulfill the obligations of a Three Mile Plan, the Town of Mancos has therefore compiled the following information, which will hereafter be considered the Three-Mile Plan for the Town of Mancos. Please note that the three-mile distance is required by statute and is not an indication of Mancos’ jurisdiction, but simply an area of influence.

ORGANIZATION OF THE PLAN

Land Area

The Plan outlines the Town limits as of the date this Plan is adopted, a One Mile area that falls under the Intergovernmental Agreement (IGA) between Montezuma County and the Town of Mancos, and the Three-Mile area as required by statute, as shown on the map in Exhibit A. Adjustments to the three-mile distance have been made to avoid inclusion of partial parcels; where the majority of a parcel lies within the three-mile area, it is included in its entirety and where the majority of a parcel lies outside the three-mile area, it is not included. 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.

Inclusion in the Plan does not imply that any of these lands will be annexed in the future, nor does it mean that lands not currently shown in the Plan area will not be eligible for annexation in the future. Annexation is typically a voluntary action initiated and/or agreed to by the landowner.

Intergovernmental Cooperation

Mancos is surrounded by lands under the jurisdiction of Montezuma County. There are IGAs in existence outlining the spirit of cooperation between the County and the Town of Mancos. It is the intent of the Town of Mancos to maintain an independent and separate identity and retain a rural, small-town character.

Given the challenges presented by growth pressures in the area, it is important that all jurisdictions work collaboratively on land use decisions affected each other. To ensure that growth in and around Mancos is compatible with the Town of Mancos' vision, open communication with Montezuma County is paramount. The coordination of growth is of great general public benefit.

Definitions

Annexation

"Annexation" occurs when eligible land outside town boundaries becomes part of town, usually at the request of the landowner in the case of a single parcel, or by at least 50% of landowners in an area requesting annexation of multiple parcels.

Comprehensive/Master Plan

A "Comprehensive/Master Plan" is a general policy guide used to establish a community identity and vision, land use regulations, zoning plans, design standards, etc. The Mancos Comprehensive Plan, comprised of both text and maps, is a policy statement about community goals and desires over the next 10 to 20 years. It is a living document, is the result of strong community participation and involvement and it should be used regularly as a guide to making decisions. The Comprehensive Plan is also a statement of current community values; a benchmark against which future changes and needs may be weighed with a clear understanding of the ideas and considerations that came before. It should provide policy direction in matters relating to many aspects of government including development review, budgeting, priorities, and community desires. When kept up-to-date through periodic review, the plan will provide a central and integrated expression of community will.

Development

"Development" denotes any development of a property, including subdivision, commercial use, more than one dwelling per parcel, etc. Developer must demonstrate that water, sewer, access, utilities, etc., necessary to serve the development are available.

Enclave

"Enclave" is defined as a geographical area having a land use that is partially or totally surrounded by a different land use, which forms a distinct closed unit.

Subdivision

"Subdivision" means the division of land into more than one (1) parcel. Subdivider must demonstrate that water, sewer, access, utilities, etc., necessary to serve the development are available.

Three-Mile Plan

A Three-Mile Plan is an expansion plan required of Towns per Colorado Statute.

Zoning

"Zoning" denotes the regulation of land use, to separate incompatible uses and to protect the quality of life and property values from degradation as may result from incompatible uses. Typically a zoning plan specifies allowable uses and specific standards such as lot sizes, setbacks, height limits, number of units per acre, etc.

Elements

This Plan, as required by Statute, 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 to be provided by the municipality and the proposed land uses for the area. It is obvious that some of these are not relevant to the Mancos area, such as subways, and therefore will not be addressed directly in the Plan. Relevant elements are addressed below:

Streets

As subdivision or other development of land occurs in the County, or as part of an annexation and subsequent subdivision/development within the Town of Mancos, care shall be taken to create logical road and street extensions for connection with existing roads and streets. Town policy does not allow gated subdivisions or private drives. Therefore, all roads and streets created in the Plan area shall be dedicated to the public with sufficient rights-of-way to meet Town codes upon annexation. Upon annexation, the owners of properties within the annexation request shall be responsible for bringing all improvements up to the requirements of the Town Code in effect at the time of the annexation.

Annexation proposals will be evaluated for consistency with the transportation component of the Town' Comprehensive Plan including the streets, recreational trails, and public rights-of-way. All new areas of annexation will be accessed from Montezuma 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, Montezuma County and Colorado Department of Transportation. All new roadways shall meet the Town's Infrastructure Design Standards. Developers are typically responsible for infrastructure costs.

Subways

Not applicable to the Mancos Three-Mile Plan area.

Bridges

Bridges in the Plan area may be required due to natural drainages, wetlands, arroyos/ravines, river and creek crossings. There may be other reasons as well and site-specific situations shall be handled appropriately when lands in the Plan area are subdivided or otherwise developed.

Waterways/Waterfronts

The Mancos Valley is blessed with beautiful and pristine riparian areas and wetlands. Development within the Plan area shall not result in net loss of wetlands and shall not unduly interfere with riparian areas (it is acknowledged that some bridges and other water crossings for utilities, etc. may be necessary). A minimum 25' setback is suggested from high water lines and/or wetlands to ensure the health of our riparian areas. Larger setbacks for riparian buffers may apply.

Parkways

A parkway is a general designation of a type of limited-access highway in some parts of the U.S. Like all limited-access highways, parkways are designed particularly for through traffic, and many can be classified generally as freeways or toll highways.

Historically, the term "parkway" has often implied that the road was designed specifically with a naturalistic or manicured landscaping of the median and adjacent land areas meant to suggest a pastoral driving experience, isolated from the manifestations of commerce and advertising, even when the road passes through populated areas; for this reason commercial traffic is excluded. Many parkways have signature road signs with special emblems that suggest a thematic driving experience and increase the sense of isolation from civilization in the vicinity of the road.

To ensure maximum pleasure of our view sheds from public roadways, development occurring within the Plan area shall allow signage only as allowed under the Mancos Town Code at the time development occurs, and off-site (billboard) advertising is prohibited within the Plan area, except as can be proven to have legally existed at the time this Three-Mile Plan is adopted, in which case those signs shall sunset in ten years from plan adoption.

Playgrounds/Squares/Parks

Development occurring in the Plan area shall provide for playgrounds and parks as stated in the Mancos Town Code in effect at the time development occurs.

Aviation Fields

It is not anticipated that the old airport property owned by the Town of Mancos will be developed as an airport or aviation field. There are no known public aviation fields in the Plan area, but there are known to be some private airstrips for personal use of the landowners. Development occurring in the Plan area shall take into consideration existing private aviation fields.

Other Public Ways

Development occurring in the Plan area shall include trails to connect properties and/or neighborhoods together and ensure safe, non-motorized travel between subdivisions, commercial development and public areas such as schools, parks, playgrounds, etc.

Grounds/Open Spaces

The Mancos Valley is characterized by low-density, rural-style development of more than three acres, and quite often more than 35 acres. Development occurring in the Plan

area shall provide for the same by including areas to be left open unless annexation is accomplished &/or higher density and commercial uses can be located near similarly developed lands. 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. Parkland dedication or cash in-lieu may be required for new residential subdivisions and development.

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.

Public Utilities

The Town of Mancos is the water and sewer provider for subdivisions within its municipal boundaries. Any subdivision of land within the Three-Mile Plan area should have an adequate and renewable source of water that can be dedicated to the Town of Mancos upon annexation. Reliance on cisterns or the Town's water dock is not a renewable source of water. Individual septic systems within the Three mile area are opposed by the Town of Mancos. Lots of less than 3 acres should only be considered where centralized sewer is available or will be required prior to development on the lot. The Town of Mancos is currently considering a watershed protection ordinance to further protect its source water. Smaller scale subdivision of land within the Three-Mile area, meaning lots less than 3 acre units, is opposed by the Town of Mancos as it would likely lead to greater pollution to the Town's water source, it will be less likely to have its own water source, and it will likely rely on non-renewable water sources such as cisterns, water docks, or exempt wells that are tributary to the Mancos River causing depletions to the Mancos River that are outside of the priority system causing injury to the Town's and other senior water rights. It is anticipated that larger lots of raw land are more likely to be suitable for annexation, and that upon annexation to the Town, denser subdivision of it will be needed to justify expansion of Town water and sewer infrastructure to service the annexed property. 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. Developers are typically responsible for infrastructure costs associated with expansion of Public Utilities.

Public Utility Terminals for water, light, sanitation, transportation and power to be provided by the municipality

Development occurring in the Plan area shall provide for easements and rights-of-way as appropriate. See Town of Mancos code and contact other affected utility providers for specifications.

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

Reference To Other Documents

It is important to note that while this Plan highlights annexation considerations for properties within the Plan area, formal annexation proposals submitted to the Town of Mancos must meet all of the annexation requirements in the Mancos Town Code in order to be considered. Other documents, as adopted by the Town of Mancos or Montezuma County, may also apply and care should be taken to understand the elements of each applicable document at the time of development &/or annexation.

Proposed Land Uses For The Area

At the time of annexation, each property shall be zoned. Zoning may match, but is not required to, what densities and uses exist on the property. The zoning shall be consistent with the zoning of adjacent properties and shall reflect what lot sizes and uses are deemed appropriate for future development rather than reflect an inventory of existing situations. In the event that a non-conforming lot size and/or use are created by the annexation and zoning, an annexation agreement shall be created specifying whether the non-conforming uses shall have a “sunset” date.

REVISION/UPDATE SCHEDULE

Statute requires this Three-Mile Plan be updated at least once per year. If there are no proposed changes to the Plan, an automatic renewal shall occur on the anniversary date of the original passage of this Three Mile Plan, which occurred on March 21, 2007. If there are proposed changes to the Plan in any calendar year, those changes shall follow the proper procedures, and a revised Plan shall be created upon approval of the changes, whereupon the new automatic renewal date of the Plan shall be on the anniversary date of the most recent amended version of the Plan.

Acknowledgements:

Portions of the original Plan were borrowed and/or adapted from the following Colorado publications for fiscal and expediency purposes - "the wheel has already been invented," therefore, the Town of Mancos acknowledges and thanks:

Town of Frisco, *2005 Three Mile Plan* (from internet)

Richard Grice, Memo regarding *Colorado Comprehensive Planning, Zoning and Subdivision Enabling Legislation*, dated January 17, 2005 (from internet)

Town of Minturn, *Three Mile Plan for Annexation* (undated, from internet)

City of Loveland, *Resolution Adopting Documents as Three Mile Plan*

Town of Bayfield, *2020 Three Mile Plan* (from internet)

The original plan was compiled and written by:

Cindy Simpson, Mancos Town Trustee and Owner of AllWrite Consultants

Tom Glover, Mancos Town Administrator

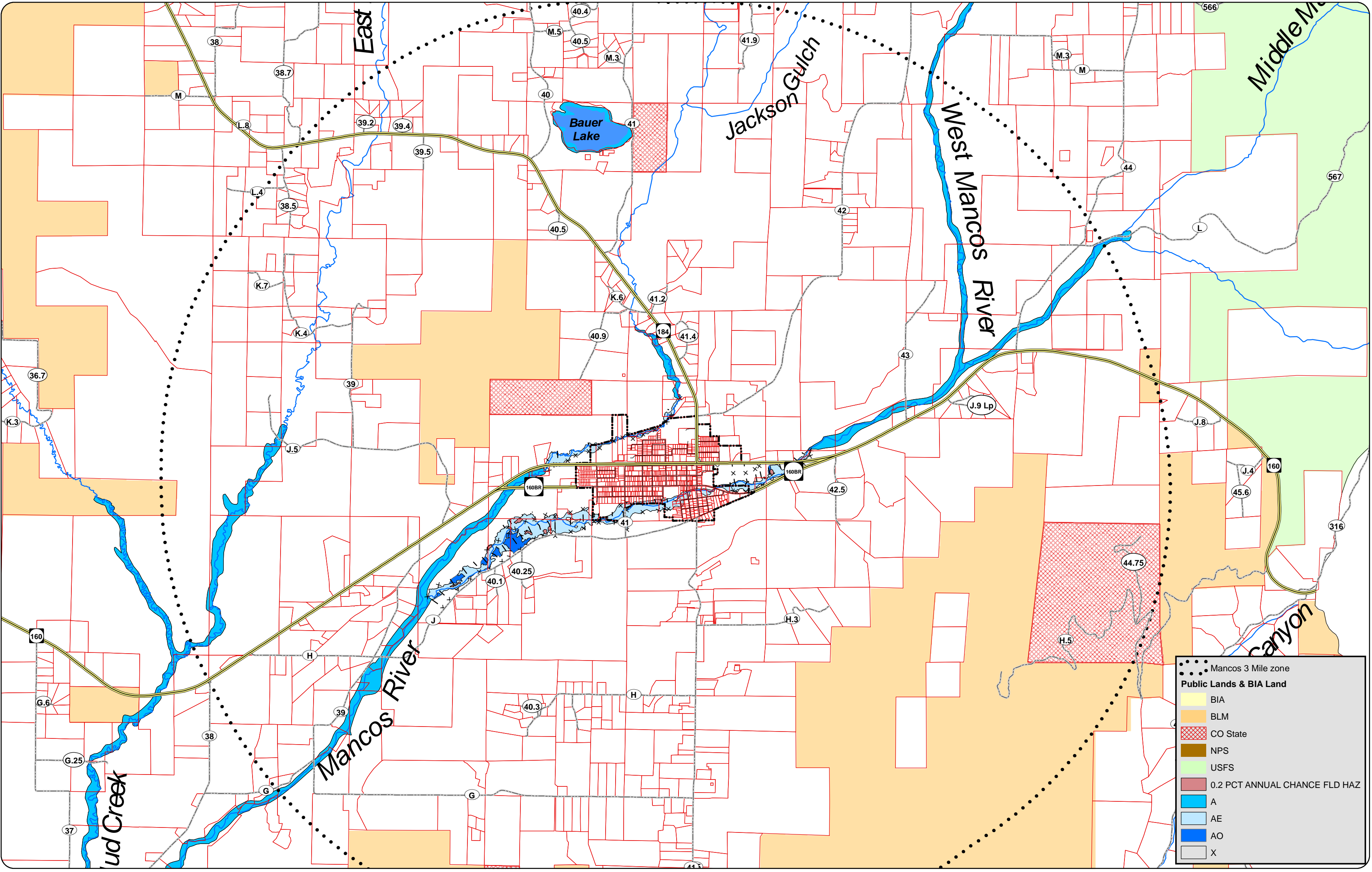
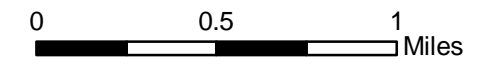
The original plan was reviewed by:

David Liberman, Mancos Town Attorney



Mancos, Colorado

Flood Plains



	Mancos 3 Mile zone
Public Lands & BIA Land	
	BIA
	BLM
	CO State
	NPS
	USFS
	0.2 PCT ANNUAL CHANCE FLD HAZ
	A
	AE
	AO
	X