

ORDINANCE NO. 240

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE CHAPTER TITLED SUBDIVISION, ORIGINALLY APPROVED AS ORDINANCE 110, JANUARY 22, 1988.

WHEREAS, the Board of Trustees desires to adopt standards for continually improving the health and welfare of the citizens of the Town; and

WHEREAS, the organization of the code is being upgraded to include new numbering and sections; and

WHEREAS, the Town is expanding it's boundaries and needs clear guidelines for all land developers,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, THE MUNICIPAL CODE SUBDIVISION CHAPTER IS AMENDED AS ATTACHED.

APPROVED BY THE BOARD OF TRUSTEES on this 15th day of November, 2006.

THE TOWN OF IGNACIO, COLORADO

George Whitt

Town Mayor

ATTEST:

Town Clerk

ORDINANCE 243

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE, CHAPTER ENTITLED BUILDING AND EXCAVATION

WHEREAS, the Town of Ignacio, Colorado has adopted municipal codes and the municipal codes are being reviewed; and

WHEREAS, the needs of the town have made it necessary to revise the Building and Excavation section of the municipal code; and

WHEREAS, fees for building permits need to be updated with uniform standards to promote appropriate growth within the town; and

WHEREAS, building and excavation standards need to match Town Development Standards recently approved; and

WHEREAS, the Building and Excavation chapter shall be amended per the attached document, those changes superseding any ordinance or portions of ordinances related to subdivisions prior to this date; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, THE MUNICIPAL CODE BUILDING AND EXCAVATION CHAPTER IS AMENDED AS ATTACHED.

APPROVED BY THE BOARD OF TRUSTEES on this 14^h day of March, 2007.

TOWN OF IGNACIO, COLORADO

George Whitt, Mayor

Attest:

Town Clerk

ORDINANCE 244

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING ORDINANCE 234 ENTITLED ANNEXATION GUIDELINES UNDER THE STATE OF COLORADO 1965 MUNICIPAL ANNEXATION ACT AND STATE STATUTE CRS § 31-12-101.

WHEREAS, the Town of Ignacio, Colorado, Board of Trustees desires to adopt standards for continually improving the health and welfare of the citizens of the Town, and

WHEREAS, the needs of the town and petitioners would recommend revising the Annexation Procedures Flowchart under Ordinance 234.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, AS FOLLOWS:

**3-9 Annexation Procedures Flowchart.
See attached**

APPROVED BY THE BOARD OF TRUSTEES on this 14th day of February, 2007.

TOWN OF IGNACIO, COLORADO

George Whitt, Mayor

Attest:

Town Clerk

ORDINANCE NO. 245

A ORDINANCE OF THE TOWN OF IGNACIO, COLORADO ACCEPTING CONTROL AND POSSESSION OF THE AREA COMMONLY KNOWN AS SUNDOWN STREET AS A PUBLIC STREET

WHEREAS, the Town of Ignacio has established a municipal street system under the provisions of state law, and

WHEREAS, the Board finds that the area commonly known as Sundown Street has been used as a public street without interruption or objection on the part of the owners of such lands under the provisions of C.R.S. 43-2-201, and

WHEREAS, the Town Planning Commission has reviewed the acceptance of Sundown Street and has recommended that the Board of Trustees accept the area as a public right of way, and

WHEREAS, the Board desires to formally accept control and possession of Sundown Street and to include that area as part of the Ignacio municipal street system on the conditions set forth herein, and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO AS FOLLOWS:

1. The Town hereby accepts control and possession of Sundown Street, the area of which is further described on Attachment A, attached hereto and incorporated herein by this reference, on the terms and conditions further set forth herein.
2. The Town accepts and designates Sundown Street as a public right of way and declares the area to be an open, public street and such area shall be added to and included in the Town=s municipal street system.
3. Nothing contained herein shall obligate the Town to undertake the expenditure of any funds that are not otherwise appropriated through the Town=s budgeting process.

PASSED, APPROVED AND ORDERED PUBLISHED this ____ day of _____, 2007.

MAYOR:

ATTEST:

Town Clerk

ORDINANCE NO. 246

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO ANNEXING ROCK CREEK COMPLEX OWNED BY RICHARD OLGUIN AND CAROL OLGUIN, INTO THE TOWN OF IGNACIO AND DESIGNATED THE LAND USE FOR THE PROPERTY.

WHEREAS, the Town received a petition for Annexation from the owner of the property described herein; and

WHEREAS, RICHARD OLGUIN AND CAROL OLGUIN, are the current owners of 100% of the property to be annexed herein and hereby ratify the Annexation petition; and

WHEREAS, the Town Board has conducted a hearing and has found that all of the requirements of C.R.S. ' 31-12-101 *et seq.* have been fully complied with; and

WHEREAS, the Town desires to establish a land use designation for the property at the time of annexation; and

WHEREAS, the Town and the Owner have negotiated agreements regarding the Annexation and Development of the property; and

WHEREAS, no additional conditions have been imposed on the Annexation; and

NOW, THEREFORE, BE IT ORDAINED BY THE TRUSTEES OF THE TOWN BOARD OF THE TOWN OF IGNACIO AS FOLLOWS:

1. The following described property is hereby annexed into the TOWN OF IGNACIO:

See Attachment A, attached hereto and incorporated herein by this reference for the Legal description.

2. The property is annexed subject to the terms of the Annexation and Development Agreement and Subdivision Improvements Agreement entered between the Town and the Owner.

3. The property is designated with the land use as described in the Annexation and Development Agreement.

PASSED, APPROVED AND ORDERED PUBLISHED this 11 day of April, 2007.

MAYOR:

ATTEST:

Town Clerk

**ATTACHMENT A
ATTACHED TO THE
ORDINANCE NO. 246
TO ANNEX ROCK CREEK COMPLEX OWNED BY RICHARD OLGUIN AND CAROL
OLGUIN
INTO THE TOWN OF IGNACIO, COLORADO**

The following described property is located in La Plata County, Colorado:

ORDINANCE NO. 247

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO ANNEXING YOUNG ADDITION INTO THE TOWN OF IGNACIO AND DESIGNATED THE LAND USE FOR THE PROPERTY.

WHEREAS, the Town received a petition for Annexation from the owner of the property described herein; and

WHEREAS, Archie Don Young and Phyllis I. Young are the current owners of 100% of the property to be annexed herein and hereby ratify the Annexation petition; and

WHEREAS, the Town Board has conducted a hearing and has found that all of the requirements of C.R.S. ' 31-12-101 *et seq.* have been fully complied with; and

WHEREAS, the Town desires to establish a land use designation for the property at the time of annexation; and

WHEREAS, the Town and the Owner have negotiated agreements regarding the Annexation and Development of the property; and

WHEREAS, no additional conditions have been imposed on the Annexation; and

NOW, THEREFORE, BE IT ORDAINED BY THE TRUSTEES OF THE TOWN BOARD OF THE TOWN OF IGNACIO AS FOLLOWS:

1. The following described property is hereby annexed into the TOWN OF IGNACIO:

See Attachment A, attached hereto and incorporated herein by this reference for the Legal description.

2. The property is annexed subject to the terms of the Annexation and Development Agreement and Annexation Improvements Agreement entered between the Town and the Owner.

3. The property is designated with the land use as described in the Annexation and Development Agreement.

PASSED, APPROVED AND ORDERED PUBLISHED this 13th day of June, 2007.

MAYOR:

ATTEST:

Town Clerk

**ATTACHMENT A
ATTACHED TO THE
ORDINANCE NO. 247
TO ANNEX YOUNG ADDITION OWNED BY ARCHIE DON AND
PHYLLIS I.YOUNG INTO THE TOWN OF IGNACIO, COLORADO**

The following described property is located in La Plata County, Colorado:

ORDINANCE NO. 248

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO AMENDING THE TOWN CODE TO ESTABLISH A CAPITAL IMPROVEMENT FEE (DEVELOPMENT IMPACT FEE) STRUCTURE FOR THE TOWN OF IGNACIO

WHEREAS, state law authorizes the Town to impose an impact fee to fund necessary capital improvements related to development of property, and

WHEREAS, the Town has received an Development Impact Fee Study dated April 20, 2007, which study quantifies the anticipated impacts from development and which calculates various impact fees in accordance with law, and

WHEREAS, the Board finds that the imposition of Development Impact fees are in the best interest of the Town,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO AS FOLLOWS:

Chapter III of the Town Code, entitled "Land Use" shall be amended by the addition of Section 3-9 entitled "Development Impact Fees," as follows:

DIVISION 1. GENERAL (3-9)

Sec. 3-9-1. Impact Fees

The provisions of this Article are intended to impose certain fees to be collected for the purpose of funding the provisions of additional capital improvements as the Town's population increases. The imposition of said fees is intended to regulate the use and development of land by ensuring that new growth and development in the Town bears a proportionate share of the costs of capital expenditures necessary to provide community park, police and transportation capital improvements. The fees provided for in this Article are based on the Town's Impact Fee Study, entitled "Development Impact Fee Study for the Town of Ignacio", dated April 20, 2007.

Sec. 3-9-2. Calculation of capital improvement expansion Fees

For each category of capital improvements for which a Development Impact Fee is established under the provisions of Division II of this Article, the amount of each such Development Impact Fee shall be determined and imposed on a per residential dwelling unit basis and for commercial development, such fee shall be determined by the size of the structure, with the fee imposed on a prorated basis for each 1,000 square feet or a portion thereof in the commercial structure. The amount of the fee shall be increased annually according to the Denver-Boulder Consumer Price Index for Urban Consumers, as published by the Bureau of Labor Statistics.

Sec. 3-9-3. Imposition, computation and collection of fees.

Payment of the fees imposed under the provisions of this Article shall be required as a condition of approval of all development in the Town for which a final development plat is required or for which a commercial building permit is required. The amount of such fees has been calculated using current levels of service and the data and methodologies described in the Town=s Impact Fee Study. The impact fees due for such development shall be payable by the land owner to the Town prior to the time of the recording of the final residential development plat or at the time of construction of commercial structures.

Sec. 3-9-4. Offsets and credits.

- (A) The Town shall offset the reasonable costs of any capital improvements constructed, or real property dedicated, by or on behalf of any property owner or developer of real property from whom a fee is due and payable under this Article for that category of capital improvement, pursuant to the following requirements and any additional administrative regulations that may be established by the Town Manager.
 - (1) No offset or credit shall be given for the dedication or construction of capital improvements not shown on the Town=s capital improvements plan.
 - (2) No offset or credit shall exceed the amount of the applicable fee(s) due from the property owners, however nothing herein shall be construed as preventing the Town from entering into a reimbursement agreement with the property owner or developer whereby said property owner or developer may be reimbursed by subsequent property owners benefitting from the dedication or construction.
- (B) In its sole discretion, the Board of Trustees may authorize alternative credit or offset agreements upon petition by a property owner or developer, in accordance with established guidelines.

Sec. 3-9-5. Establishment of accounts.

The Town=s Financial Officer shall establish separate accounts for each of the fees imposed under the provisions of this Article, into which shall be deposited all fees collected for each category of capital improvement. Interest earned on each such account shall be considered funds of the account and shall be used solely for the purpose authorized for such funds as provided herein. The Financial Officer shall establish adequate financial and accounting controls to ensure that fees disbursed from each account are utilized solely for the purpose authorized.

Sec. 3-9-6. Use of fee proceeds.

The fees collected for each category of capital improvements specified in this Article shall be used to finance or to recoup the costs of the category of any capital improvements

identified in the applicable capital improvements plan. Eligible costs which may be paid from revenues derived from such fees may include, without limitation, design, surveying and engineering fees; the cost of purchasing or leasing real property; construction costs; other capital improvement costs; and the costs of administering the program. The proceeds of such fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the Town to finance such capital improvements.

Sec. 3-9-7. Expenditure of funds.

- (A) All fees collected pursuant to this Article shall be appropriated by the Board of Trustees for expenditure within ten (10) years from the date of receipt of such fees and shall be expended by the Town for purposes approved herein within twelve (12) years of the date of receipt. Any fees not so appropriated or expended shall be refunded, upon application, to the record owner of the property for which the impact fee was paid.
- (B) In determining whether fee revenues have been appropriated or expended within the requisite periods of time specified in subparagraph (A), monies in the capital improvements expansion fee accounts shall be considered to be appropriated and expended on a first in, first out basis; that is, the first fees paid shall be considered the first fees appropriated and expended.

Sec. 3-9-8. Deferral of fees for affordable housing.

The fees established under this Article may be deferred, reduced or waived with respect to any dwelling unit which is contained within or which constitutes an affordable housing project. Any such action shall be at the sole discretion of the Board of Trustees.

Sec. 3-9-9. Review every three (3) years

At least once every three (3) years, the Town Manager shall recommend to the Town Board of Trustees whether any changes should be made to the specific Development Impact Fees.

Sec. 3-9-10. Limits on other charges

No landowner shall be required to provide any site specific dedication or improvement to meet the same need for capital facilities for which a Development Impact Fee is imposed.

DIVISION 2. SPECIFIC DEVELOPMENT IMPACT FEES.

Sec. 3-9-11. Park Impact Fees.

There is hereby established a park impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provisions of community parks, as such improvements may be identified in the capital improvements plan for community parks or as identified in the Town=s Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plat or at the time of

construction of a commercial structure. The fees shall be as follows:

- (A) \$ 1,357.00 per residential dwelling unit.
- (B) \$ 814.00 per 1000 square feet of commercial structure, or a prorated portion thereof.

Sec. 3-9-12. Police Impact.

There is hereby established a police impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provisions of police services, as such improvements may be identified in the capital improvements plan for police service or as identified in the Town= Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plan or at the time of construction of a commercial structure. The amount of such fee shall be as follows:

- (A) \$ 96.00 per residential dwelling unit.
- (B) \$ 58.00 per 1000 square feet of commercial structure, or a prorated portion thereof.

Sec. 3-9-13. Street Impact Fee.

There is hereby established a street impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provisions of Town streets, as such improvements may be identified in the capital improvements plan for streets or as identified in the Town=s Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plan or at the time of construction of a commercial structure. The fees shall be as follows:

- (A) \$ 2,010.00 per residential dwelling unit.
- (B) \$ 1,200.00 per 1000 square feet of commercial structure, or a prorated portion thereof.

PASSED, APPROVED AND ORDERED PUBLISHED this ____ day of _____, 2007.

MAYOR:

ATTEST:

Town Clerk

ORDINANCE NO. 249

AN ORDINANCE OF THE TOWN OF IGNACIO AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE CHAPTER TITLED SUBDIVISION OF LAND, PREVIOUSLY APPROVED AS ORDINANCE 240, NOVEMBER 15, 2006.

WHEREAS, the Board of Trustees desires to adopt standards for continually improving the health and welfare of the citizens of the Town; and

WHEREAS, the organization of the code is being upgraded to include a revision to plat recording information; and

WHEREAS, the organization of the code is being upgraded to include the Planning Commission's role; and

WHEREAS, the Town is expanding its boundaries and needs clear guidelines for all land developers,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF IGNACIO, COLORADO, THE MUNICIPAL CODE SUBDIVISION CHAPTER IS AMENDED AS ATTACHED.

APPROVED BY THE BOARD OF TRUSTEES on this 13th day of June, 2007.

THE TOWN OF IGNACIO, COLORADO

George Whitt

Town Mayor

ATTEST:

Town Clerk