



CITY COUNCIL ACTION FORM

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| DEPARTMENT Planning | PRESENTED BY Kristi Jefferson - Senior Planner | DATE December 5, 2023 |
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ITEM

Resolution 2023-51: Approving the Findings of Fact of the Flour Mill Annexation.

BACKGROUND

The proposed actions for the Flour Mill Annexation are as follows:

| Proposed Action | Planning Commission Recommendation | City Council First Reading | City Council Final Action |
|--|------------------------------------|----------------------------|---------------------------|
| Findings of Fact Resolution 2023-51 | | | 12/05/2023 |
| Annexation Ordinance 2023-17 | 10/23/2023 | 11/21/2023 | 12/05/2023 |
| Annexation Agreement Resolution (01/02/2024) | | | |
| Zoning Ordinance 2023-18 | 10/23/2023 | 11/21/2023 | 12/05/2023 |

State statutes require cities to approve findings that the proposed annexation has met the requirements of the State of Colorado. The proposed annexation consists of 2 acres located at 6907 County Road 105, and including portions County Road 105. The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in the Mountain Mail on November 3, 2023, November 10, 2023, November 17, 2023 and November 24, 2023.
- Mail notice by registered mail to County Clerk, County Attorney, Salida School District, HRRMC Hospital District, Upper Arkansas Water Conservancy District, Salida Regional Library, Colorado Mountain College-Salida District and South Arkansas Fire Protection District. The letters were mailed on October 30, 2023.
- A public hearing was held on the annexation on December 5, 2023 and determined the area to be annexed complies with state statutes including:
 - That not less than one-sixth of the perimeter of the area is adjacent to Salida’s boundary;
 - The property has not been divided since starting the annexation;
 - No other annexation proceedings including the property have been started by another municipality;
 - The annexation will not cause the property to be detached from the school district; and
 - The annexation is not three miles beyond our municipality and there is a Three Mile Plan in place.



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STAFF RECOMMENDATION

All of the findings have been met and staff recommends the Council adopt Resolution 2023-51.

SUGGESTED MOTION

A council person should make the motion to “adopt Resolution 2023-51 approving the findings of facts for the Flour Mill Annexation.”

Attachment:

Resolution 2023-51

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 51
SERIES OF 2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,
MAKING FINDINGS OF FACT, DETERMINATIONS, AND CONCLUSIONS CONCERNING
THE FLOUR MILL ANNEXATION.**

WHEREAS, on September 13, 2023, representatives of the Flour Mill Annexation, filed a General Development Application (the “Petition”) to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 2 acres located at 6907 C.R. 105 in the County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the City Council by Resolution 46, Series of 2023, found that the Petition is in substantial compliance with § 31-12-107(1) of the Colorado Revised Statutes; and

WHEREAS, the City Clerk has provided notice of public hearing on the proposed annexation by publication once per week for four successive weeks and by registered mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having territory in the area to be annexed; and

WHEREAS, the City Council has completed a public hearing on December 5, 2023 to determine of the proposed annexation complies with Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA THAT:

That the City Council hereby finds and concludes with regard to the annexation of the territory described in Exhibit A attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the City and because of such contiguity, a community of interest exists between the territory proposed to be annexed and the City; and

BE IT FURTHER RESOLVED:

That the City Council finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the City has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included with the area annexed.

BE IT FURTHER RESOLVED:

That an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

RESOLVED, APPROVED AND ADOPTED this 5th day of December, 2023.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]
ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A
LEGAL DESCRIPTION
OF A
TRACT OF LAND TO BE ANNEXED

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING LOT 3 OF THE TRIPLE T RANCH MINOR SUBDIVISION AND A PORTION OF CHAFFEE COUNTY ROAD NO. 105, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD AND THE WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, SAID POINT BEING MARKED BY A 1½" ALUMINUM CAP STAMPED "LS 16117" AND BEING THE POINT OF BEGINNING;

THENCE SOUTH 78°47'57" WEST ALONG SAID NORTH RIGHT-OF-WAY OF VANDAVEER RANCH ROAD, A DISTANCE OF 221.72 FEET;
THENCE NORTH 12°14'41" WEST, A DISTANCE OF 383.06 FEET;
THENCE NORTH 73°55'54" EAST, A DISTANCE OF 221.81 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;
THENCE NORTH 12°48'58" WEST A DISTANCE OF 60.18 FEET;
THENCE NORTH 13°53'16" WEST A DISTANCE OF 268.86 FEET;
THENCE NORTHWESTERLY AND DEFLECTING TO THE LEFT, A DISTANCE OF 169.14 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 11°49'07", A CHORD LENGTH OF 168.84 FEET AND A CHORD BEARING OF NORTH 19°46'48" WEST;
THENCE NORTH 25°25'46" WEST A DISTANCE OF 16.62 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105;
THENCE SOUTH 88°48'25" EAST A DISTANCE OF 55.88 FEET TO THE EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;
THENCE SOUTH 17°20'35" EAST A DISTANCE OF 299.74 FEET;
THENCE SOUTH 14°18'14" EAST A DISTANCE OF 237.32 FEET;
THENCE SOUTH 11°01'56" EAST A DISTANCE OF 251.91 FEET;
THENCE SOUTH 10°39'25" EAST A DISTANCE OF 180.73 FEET, THIS AND THE PREVIOUS 3 COURSES ARE ALONG SAID EASTERN RIGHT-OF-WAY OF SAID CHAFFEE COUNTY ROAD NO. 105;
THENCE SOUTH 78°47'57" WEST A DISTANCE OF 47.24 FEET TO SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105 ;
THENCE NORTH 09°55'44" WEST ALONG SAID WESTERN RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD NO. 105, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.10 ACRES.

Also known by the following address:

6907 County Road 105, Salida, CO 81201
And assessor's schedule or parcel number: 380709100072