

INTER-GOVERNMENTAL COOPERATIVE AGREEMENT  
BETWEEN THE TOWN OF JAMESTOWN AND THE COUNTY OF BOULDER  
FOR THE PURPOSE OF PLANNING AND REGULATING THE  
DEVELOPMENT OF LAND IN THE JAMESTOWN VICINITY

THIS COOPERATIVE AGREEMENT is made and entered into between the Board of County Commissioners of the County of Boulder, State of Colorado, hereinafter referred to as the "County," and the Town Board of the Town of Jamestown, hereinafter referred to as the "Town." WITNESSETH:

RECITALS

WHEREAS, the County is the ultimate governmental authority with regard to land use control and development in the unincorporated areas of the County, which areas include land surrounding the Town of Jamestown's Service Area (which area is identical to the present Town limits), and

WHEREAS, pursuant to C.R.S. (1973) 31-23-202, as amended, the Jamestown Board and Jamestown Planning Commission have adopted the goals, policies, and supportive data of the Jamestown Comprehensive Plan; and

WHEREAS, pursuant to C.R.S. (1973) 30-28-106 and 30-28-108, as amended, the County Planning Commission and County Board of Commissioners have made and adopted a Master Plan for the physical development of the unincorporated area of the County; and

WHEREAS, pursuant to C.R.S. (1973) 30-28-106(2)(a), as amended, the Master Plan shall not be effective within the boundaries of any incorporated municipality within the region unless such Plan is adopted by the governing body of the municipality; and

WHEREAS, C.R.S. (1973) 31-23-206, as amended, requires the approval of the Jamestown Comprehensive Plan as it relates to unincorporated areas by the Boulder County Planning Commission and by the Boulder County Commissioners, and

WHEREAS, the County Planning Commission has made careful and comprehensive surveys and studies of the existing conditions and probable future growth of the territory within its jurisdiction; and

WHEREAS, the Jamestown Comprehensive Plan (a master plan developed pursuant to C.R.S. (1973) 30-28-106 and 31-23-206, as amended) has been made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the County which, in accordance with present and future needs and resources, will best promote the health, safety,

morals, order, convenience, prosperity and general welfare of the inhabitants, as well as efficiency and economy in the process of development, including such distribution of population and of the uses of land for trade, industry, habitation, recreation, agriculture, forestry, and other purposes which will tend to create conditions favorable to health, safety, transportation, prosperity, civic activities and recreational, education and cultural opportunities; will tend to reduce the waste of physical, financial and human resources which result from either excessive congestion or excessive scattering of population; and will tend toward an efficient and economic utilization, conservation and production of the supply of food and water and of drainage, sanitary and other facilities and resources; and

WHEREAS, the State General Assembly has declared that the purpose of the annexation statutes is to encourage natural and well-ordered development of municipalities; to distribute fairly and equitably the cost of municipal services among those persons who profit therefrom; to extend municipal government services and facilities to eligible areas which form a part of the whole community; to simplify governmental structure in urban areas; to provide an orderly system for extending municipal regulations to newly annexed areas; to reduce friction among contiguous or neighboring municipalities; and to increase the likelihood of municipal corporations being able to provide their citizens with the services they require; and

WHEREAS, the Town and County have jointly approved the policy statements and map contained in the Jamestown Comprehensive Plan; and

WHEREAS, local governments are encouraged and authorized to cooperate or contract with other units of government, pursuant to Part 2 of Article I of Title 29 of the Colorado Revised Statutes for the purpose of planning or regulating the development of land, including, but not limited to, the joint exercise of planning, zoning, subdivision, building and related regulations;

NOW, THEREFORE, the County and Town agree to cooperate as follows:

1. The jointly adopted Jamestown Comprehensive Plan, is attached and incorporated herein by reference.
2. To the extent legally possible the County shall exercise its planning, zoning, subdivision, and related functions in a manner consistent therewith and to the end of attaining the goals and objectives of the Jamestown Comprehensive Plan.

The County shall enact, modify or amend its land use regulations as necessary to ensure the prompt implementation of the Plan. Specifically the County agrees to preserve to the extent legally possible the "Non-Urban" character of that land surrounding the Town of Jamestown and to discourage new concentrations of residential, commercial or industrial land use outside the Jamestown Service Area. In addition, the County will refer to the Town for comment all development proposals and Comprehensive Plan amendments within three (3) miles of the Town limits and will give serious consideration to Town concerns.

3. The Town shall exercise its planning, zoning, subdivision, building and related functions along with its annexation policies and capital improvements plan, in a manner consistent therewith and to the end of attaining the goals and objectives of the Jamestown Comprehensive Plan. The Town shall enact, modify or amend its land use regulations as necessary to ensure the prompt implementation of the Plan. Specifically the Town agrees not to annex land in Boulder County outside its Service Area without first reviewing and insuring the availability of adequate urban facilities and services and secondly; approving together with the County an amendment to said Service Area. In addition, the Town shall consider requests for sewer, water, and other services for only those lands situated within the Jamestown Service Area. The provision of services shall only be made upon annexation to the Town.

4. It is recognized that the goals of the Comprehensive Plan can only be achieved through joint and cooperative efforts. The Town and County recognize that they are endeavoring to accommodate growth and densities based on phasing of facilities and services by the Town of Jamestown through its annexation policies, capital improvements program and urban service criteria and standards.

5. The Town and County agree that the Plan will be reviewed at least every five years for possible amendments to reflect changes in circumstances and community desire. This agreement shall extend to all revisions and amendments of the plan that are jointly approved from time to time by the Town and the County.

6. This is an understanding and cooperative arrangement between the Town and County and no third party rights or beneficiaries exist or are created thereby.

7. The parties agree that the goals and objectives of this contract can be attained only if both parties substantially perform their obligations and that damages are an inadequate remedy for breach. The parties therefore agree that if there is substantial failure of performance by either party, the other party may seek its specific performance.

8. If a court of competent jurisdiction at any time holds that a portion of this contract or any of its exhibits is invalid or unenforceable, the remainder shall not be affected thereby and shall continue in full force and effect.

THE TOWN BOARD OF THE TOWN  
OF JAMESTOWN

ATTEST:

Barbara A. Kihm  
Town Clerk

Dolores Bulla  
Town Mayor

July 6 1981  
Date

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF BOULDER, STATE  
OF COLORADO

ATTEST:

Carol S. Gardner

Margaret B. Malsby  
Chairman

July 21, 1981