



PLANNING COMMISSION REGULAR MEETING-

448 E. 1st Street, Room 190 Salida, Colorado 81201

June 24, 2024 - 5:00 PM

AGENDA

Email public comments to: planning@cityofsalida.com

Please register for the Planning Commission meeting:
<https://attendee.gotowebinar.com/rt/190909234220683277>

CALL TO ORDER BY CHAIRMAN – 5:00 PM

ROLL CALL

1. **EXECUTIVE SESSION (@ 5:00PM)** - For the purpose of conferencing with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S Section 24-6-402(4)(b), and the following additional details are provided for identification purposes: Legal advice from the City Attorney to the Planning Commission regarding proper application of the Municipal Code and other relevant confidential advice.

APPROVAL OF THE MINUTES

2. Approval of May 28, 2024 Draft Minutes
3. Approval of June 11, 2024 Draft Minutes

UNSCHEDULED CITIZENS

AMENDMENT(S) TO AGENDA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- | | |
|---|--|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application/Proposal | G. Commission Discussion |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

4. **Bondurant Minor Subdivision - Limited Impact Review**

The hearing is regarding a Limited Impact Review application submitted by Gene Bondurant for approval of a minor subdivision to subdivide the parcel known as Lots 13- 18, Block 168, Kelcey's Addition to the City of Salida, Chaffee County, Colorado, into three (3) lots. The property is located at 248 W. 15th Street, Salida, CO 81201 and is zoned Medium Density Residential (R-2).

5. **Amendments to Chapter 16, Article XIII of the Salida Municipal Code regarding Inclusionary Housing**

The proposed amendments to Chapter 16, Article XIII of the Code, consist of:

- (a) Minor clarifications, edits or added/modified verbiage that do not change the substance of the Ordinance; such as clarifying the utility allowance; and
- (b) Addition of language to address inclusionary housing scenarios not clearly identified in the current ordinance, such as LIHTC projects, community land trusts, and other scenarios; and
- (c) Substantive updates that address current market trends and align with administrative realities.

UPDATES

COMMISSIONERS' COMMENTS

ADJOURN

****An alternate can only vote on, or make a motion on an agenda item if they are designated as a voting member at the beginning of an agenda item. If there is a vacant seat or a conflict of interest, the Chairman shall designate**
Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2630 at least 48 hours in advance.

the alternate that will vote on the matter. If a Voting member shows up late to a meeting, they cannot vote on the agenda item if the alternate has been designated.



PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

May 28, 2024 - 6:00 PM

MINUTES

Email public comments to: planning@cityofsalida.com

Please register for the Planning Commission meeting:
<https://attendee.gotowebinar.com/rt/190909234220683277>

CALL TO ORDER BY CHAIRMAN – 6:00 PM

ROLL CALL

PRESENT

Chairman Greg Follet
 Vice-Chair Francie Bomer
 Commissioner Giff Kriebel
 Commissioner Judith Dockery
 Commissioner Brian Colby

ABSENT

Commissioner Michelle Walker
 Commissioner Aaron Derwingson
 Alternate Commissioner Kenny Layton
 Alternate Commissioner Dan Bush

APPROVAL OF THE MINUTES

1. Approval of February 26, 2024 Draft Minutes – approved at 6:01pm
 Motion made by Vice-Chair Bomer, Seconded by Commissioner Colby.
 Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Colby

UNSCHEDULED CITIZENS – None.

AMENDMENT(S) TO AGENDA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- A. Open Public Hearing – 6:04pm
- B. Proof of Publication – 6:04pm
- C. Staff Review of Application/Proposal – 6:05pm and 6:29pm (Glen Van Nimwegan for both)
- D. Applicant's Presentation (if applicable) - 6:12pm and 6:40pm (Wendell Winger and Robin Nejame)
- E. Public Input – 6:13pm and 6:52pm
- F. Close Public Hearing – 6:13pm and 6:52pm
- G. Commission Discussion – 6:14pm and 6:52pm
- H. Commission Decision or Recommendation – Approved agenda item 3 at 6:26pm with

2. **Proposed Amendment to Chapter 16, Article XIII of the Salida Municipal Code Regarding Inclusionary Housing** (request to continue public hearing to June 11, 2024.)

Motion made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.
 Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Colby

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3. Winger Minor Subdivision - Limited Impact Review

The request is for limited impact review approval to subdivide the lot known as Lot 1 of the 141 Annex Minor Subdivision into four (4) residential lots. Lot 1A includes an existing residence. The site was annexed and zoned Medium Density Residential (R-2) on March 1, 2022.

Conditions Made: to strike staff recommendation 1. (e). -Per Section 16-8-20 (e)(13)(i) A detached sidewalk of at least five (5) feet wide, with a thickness of at least four (4) inches of concrete, shall be installed along local streets in a limited impact review, or as determined by The Public Works Director, a fee-in-lieu be paid at time of development.

Motion made by Vice-Chair Bomer, Seconded by Commissioner Kriebel.

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Colby

4. Major Impact Review for Amendments to the Green Heart Planned Development and Minor Subdivision

The applicant is requesting a major impact review for an amendment to the Green Heart Planned Development and Minor Subdivision located at 535 W. 7th Street. The amendment to the planned development is regarding the assessment of inclusionary housing fees-in-lieu (FIL). The project is a 1.23 acre site of four lots with a PD overlay and the underlying zoning of Single Family (R-1).

Recommendations to Council:

1. The owner shall pay a fee-in-lieu for each principal residential unit constructed equal to the lessor of \$10.87 per habitable square feet; \$15,748; or a lower amount established by a subsequently adopted fee schedule; and
2. The fee-in-lieu amounts shall remain at the above for three (3) years from the date of this ordinance. After the three (3) year period the fee-in-lieu shall be the amount that is in effect at the time of issuance of a building permit for a principal residence.
3. The minor subdivision shall be amended to note the temporary FIL reduction.
4. Refund the application fee for this request.

Motion made by Vice-Chair Bomer, Seconded by Commissioner Kriebel

Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Kriebel, Commissioner Dockery, Commissioner Colby

UPDATES – 7:20 pm

COMMISSIONERS' COMMENTS

ADJOURN – 7:21 pm

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PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201

June 11, 2024 - 6:00 PM

MINUTES

Email public comments to: planning@cityofsalida.com

Please register for the Planning Commission meeting:
<https://attendee.gotowebinar.com/rt/1909092342220683277>

CALL TO ORDER BY CHAIRMAN – 6:00 PM

ROLL CALL – 6:00 PM

PRESENT

Chairman Greg Follet
 Vice-Chair Francie Bomer
 Commissioner Giff Kriebel
 Commissioner Judith Dockery
 Commissioner Brian Colby
 Alternate Commissioner Kenny Layton
 Alternate Commissioner Dan Bush

ABSENT

Commissioner Aaron Derwingson

APPROVAL OF THE MINUTES

1. Approval of May 28, 2024 Draft Minutes – Continued to June 24 regular meeting
 Motion made by: Bomer, Seconded by Kriebel
 Voting Yea: Follet, Dockery, Layton, Bush, Colby

UNSCHEDULED CITIZENS – None

AMENDMENT(S) TO AGENDA - None

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- A. Open Public Hearing – 6:08 PM
- B. Proof of Publication – 6:08 PM
- C. Staff Review of Application/Proposal – 6:09 PM: Reviewed by John Armstrong
- D. Applicant's Presentation (if applicable) - 6:21 PM: Kristina Smith
- E. Public Input – 6:24 PM: No Input
- F. Close Public Hearing – 6:25 PM
- G. Commission Discussion – 6:25 PM
- H. Commission Decision or Recommendation – 6:25 PM

1. **Amendments to Chapter 16, Article XIII of the Salida Municipal Code regarding Inclusionary Housing**--Request to be continued to June 24, 2024 to allow additional legal review and participation.

Motion made by: Bomer, Seconded by Kriebel
 Voting Yea: Follet, Dockery, Layton, Bush, Colby

2. **627 Oak Street Annexation**-- Request to be continued to July 22, 2024 to allow applicant to provide updated plat information.

Motion made by: Bomer, Seconded by Kriebel
 Voting Yea: Follet, Dockery, Layton, Bush, Colby

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3. **627 Oak Street Zoning**--Request to be continued to July 22, 2024 to coincide with continued annexation application

Motion made by: Bomer, Seconded by Kriebel
Voting Yea: Follet, Dockery, Layton, Bush, Colby

4. **Limited Impact Review: “Dough Mama” Home Business Conditional Use**

Amendment to Conditions: Bomer – 1) Hours of operation of the business shall be limited to 9:00am – 5:00pm to the public daily (changed from staff recommended 10:00 AM – 7:00 PM)

Motion made by: Bomer, Seconded by Kriebel
Voting Yea: Follet, Dockery, Layton, Bush, Colby

Conditions Made:

1. Hours of operation of the business shall be limited to 9:00 a.m. – 5:00 p.m. to the public daily.
2. The home business is approved for operation by the current applicant only and will not transfer with the property.
3. This conditional use approval expires in one (1) year from the date of its approval if the business operations have not begun.
4. The application will be reviewed in one (1) year if the city has received any complaints regarding operation of the business.
5. The conditional use approval will be valid for five (5) years per Sec. 16-4-120 of the Municipal Code.
6. Once a conditional use is established, any discontinuance of the use for a period of one (1) year, for any reason, shall result in automatic expiration of the conditional use permit, unless otherwise provided in the permit per Sec. 16-4-120.
7. The applicant will need to submit a floor plan showing where in the dwelling the business would take place and include that with the change of use building permit.
8. Approval of this conditional use does not waive any additional permit requirements or licensing needed to operate this business.

UPDATES – 6:26 PM

COMMISSIONERS' COMMENTS – 6:31 PM

ADJOURN – 6:33 PM

Motion made by: Bomer, Seconded by Colby
Voting Yea: Follet, Dockery, Layton, Bush, Kriebel

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STAFF REPORT

MEETING DATE: June 24, 2024

AGENDA ITEM TITLE: Bondurant Minor Subdivision – Limited Impact Review

AGENDA SECTION: Public Hearing

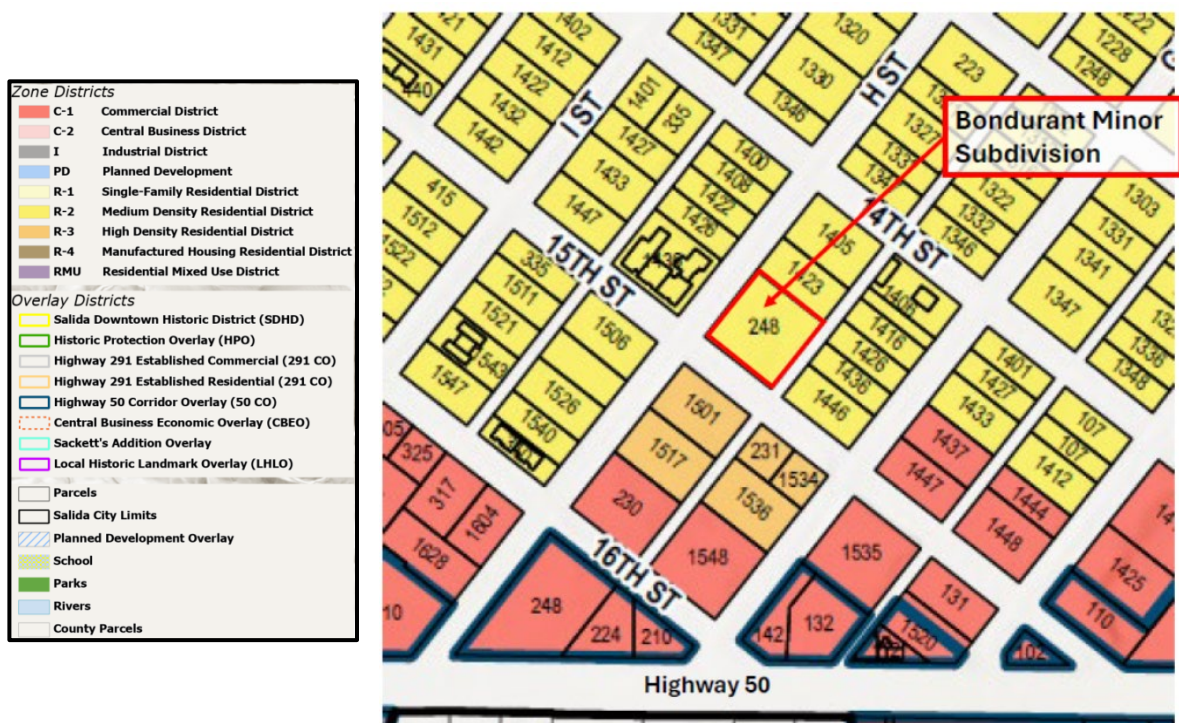
REQUEST:

The hearing is regarding a Limited Impact Review application submitted by Gene Bondurant for approval of a minor subdivision to subdivide the parcel known as Lots 13-18, Block 168, Kelcey's Addition to the City of Salida, Chaffee County, Colorado, into three (3) lots. The property is located at 248 W. 15th Street, Salida, CO 81201 and is zoned Medium Density Residential (R-2).

APPLICANT:

The applicant is Eugene A. Bondurant, who resides in Coaldale, CO.

LOCATION:



the application, or remand it back to the applicant with instructions for modification or additional information or action.

OBSERVATIONS: This section is intended to highlight concerns raised by staff to assist the Commission in doing the same. Additional concerns or questions may arise after a presentation by the applicant.

- 1) The site is zoned R-2 which would allow single-family residences on the three lots (1–3). Lot 1 includes an existing residence but could be redeveloped into three new residences at max allowed density. This is consistent with development in the surrounding Salida neighborhoods.

Lot #	R-2 Requirements			Bondurant Minor Subdivision		
	Min Lot Area (SF)	Lot Area per Unit (SF)	Lot Frontage (detached)	Lot Area (SF)	Lot Frontage (feet)	Expected Units
1	5,625	3,125	37.5 feet	11,262.1	99.95	1*
2	5,625	3,125	37.5 feet	5,631.5	50	1
3	5,625	3,125	37.5 feet	5,627.3	37.5	1

*The home at 248 W. 15th Street was constructed in 1964. R-2 requirements would allow up to three (3) units if it is redeveloped in the future.

- 2) Fees-in-Lieu: New minor subdivisions require the collection of the following fees-in-lieu at an amount that are in place at the time of submission of building permits:
 - a) The current Inclusionary Housing requirements must be met. If the fee-in-lieu option is chosen it must be paid before a certificate of occupancy is granted.
 - b) Fair Contribution to Schools is collected at the time a building permit is issued.
 - c) The applicant may choose to construct a 5-foot-wide sidewalk along both street frontages of the subdivision as required. At the Public Works Director discretion this requirement could also be met through a fee-in-lieu which would be collected prior to recording the plat, or at the time of issuing the building permit if approved through a separate agreement.
 - d) Open space fee-in-lieu are required at the time of issuing a building permit.
- 3) Each lot will have separate connections to the City water and sewer services. Each unit will be metered individually.
- 4) The applicant proposes to keep the existing masonry garage at the rear of the new Lot 3. This is an allowed accessory use, but only if the primary use (residence) exists (Sec. 16-4-90(b)). Staff is suggesting language be added to the plat to allow the use of the garage until the sale of Lot 3, and then the use may resume after issuance of a building permit.
- 5) Xcel Energy (electric) initially commented on the utility easements provided within the subdivision, primarily as they affect Lot 3. This is because Lot 1 is served by overhead power and communication lines and the new lot 2 also needs access to

the utilities in the alley. To address these concerns the applicant revised the plat providing two, 15' wide easements that cross Lot 3. Also, an aerial easement over Lot 3 is granted in case the overhead lines need to be maintained. Attachment 4 is a letter from Xcel Energy describing the process for approval to provide services to Lots 1 and 3. Staff is suggesting the applicant continue to coordinate with Xcel.

SUBDIVISION REVIEW STANDARDS: (Section 16-6-120)

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
 - The proposed subdivision is consistent with the Future Land Use Map adopted last August which designates the area as Variable Residential Neighborhoods. Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth section of the comprehensive plan. The proposed minor subdivision creates three (3) lots that are compatible in size with other lots in the area.
 - New development should complement the neighborhood's mass and scale. The allowed residential development is compatible with the surrounding land uses.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
 - The newly created lots are zoned Medium Density Residential (R-2) and meet the zone district standards.
 - The off-street parking requirement that must be met is one space for each unit.
 - Lots 2 and 3 can only be developed as single-family homes. Lot 1 has an existing home but could be redeveloped in the future for up to three units. The redevelopment would have to be in accordance with the R-2 standards.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
 - a. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.

- The existing streets are suitable for the proposed subdivision. Public Works staff is recommending a sidewalk be added along the frontages, or the applicant pay a fee-in-lieu of constructing the sidewalk.
- b. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
- Adequate utilities are in place to serve the development. Each new unit will have separate utilities. The existing home on Lot 1 is currently served by a $\frac{3}{4}$ inch water meter and sewer tap. Final inspections are required with Public Works prior to Certificate of Occupancy.
 - Xcel Energy has commented on how to provide electric utilities to the new lots as there are aerial electric lines to the existing home and Lot 2 is not adjacent to the alley. The applicant has addressed this by providing two, 15 foot wide easements across new Lot 3, and a blanket overhead easement for existing electric and communication lines. Staff is suggesting the applicant continue to coordinate with Xcel.
- c. **Phases.** If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.'
- There will not be phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
- There are no major natural features located within this subdivision.
5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
- The property is not located within the 100-year floodplain.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.

- This subdivision does not border a highway right-of-way.
7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future re-subdivision, such lots or parcels shall be arranged to permit the logical location and opening of future streets and appropriate re-subdivision, with provision for adequate utility easements and connectors for such re-subdivision.
- This subdivision is not intended for future re-subdivision, though Lot 1 could be redeveloped.
8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.
- This subdivision will be required to provide the open space fees that will be collected at the time of issuance of the building permit.
9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.
- This development does not include any common recreation facilities.
10. **Lots and Blocks.**
- a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.
 - Lot 2 stays in the pattern of the surrounding lots. Lot 3 cuts off the other two lots to the alley, which is the location of sewer, electric and communication utilities. The proposed subdivision addresses these complications with easements that cross Lot 3. Staff is suggesting the applicant continue to coordinate with Xcel.
 - b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate

means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

- The lots front on a local streets.
- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
 - This standard has been met.
- d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
 - There are no double frontage lots.
- e. "T" intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a "T" intersection.
 - There will not be any building areas facing a "T" intersection.
- f. Solar energy. For purposes of protecting and enhancing the potential of utilizing solar energy in the proposed subdivision, detached single-family lots are encouraged to be laid out in such a manner that the houses will be oriented so that their long axis will run east/west and so that the houses will not block the solar access of adjacent houses.
 - The new lots are generally oriented east/west, as much as can be allowed keeping the side lot lines perpendicular to the existing street grid.

11. **Architecture.**

- The minimum standard is the same building front elevation cannot be repeated more than every fifth lot or directly across the street. There are no new lots across the street that are a part of this subdivision, and the two new lots are oriented to different streets.

12. **Codes.** The subdivision shall comply with all applicable City building, fire and safety codes for the proposed development.

- It will comply with all applicable building, fire and safety codes.

13. Inclusionary Housing.

- The inclusionary housing requirements will most likely be met in this case by providing the fee-in-lieu option, will be assessed at the time of building permit submission. A note is recommended be added to the plat or approved through a subdivision improvement agreement.

REVIEW AGENCY COMMENTS: The Public Works Director, Fire Chief, Police Chief, Finance Department, Xcel Energy, Atmos Energy and Salida Public Schools were invited to comment on the subdivision plat application. The following comments were received in response to this request.

Finance Department: System development fees must be paid at the time of issuance of a building permit. There is currently one ¾ inch water meter and sewer tap serving the existing home.

Salida Fire Department, Kathy Rohrich, Assistant Chief: Fire has no concerns with this subdivision.

Salida Police Department, Russ Johnson, Chief: No issues from PD at this time.

Public Works Director, David Lady: Provide a five-foot-wide sidewalk, or a fee-in-lieu equal to the construction cost of the sidewalk, at the discretion of the PW Director.

Xcel Energy: Their correspondence referenced concerns with the overhead electric that must continue to serve Lot 1. Also, Lot 2 does not have frontage on the alley. The applicant has since provided two 15-foot-wide easement across Lot 3, one to serve Lot 1 and the other for Lot 3. Lot 3 also is subject to an easement to allow maintenance of the existing overhead lines that are above it. Attachment 4 is the letter from Xcel Energy regarding their concerns. Staff is suggesting a condition to the approval be added to ensure applicant continues to work with them regarding utility access.

Atmos Energy: No concerns at this time.

Salida Public Schools: The district superintendent responded that they will accept the Fair Contribution to School Sites fee-in-lieu.

RECOMMENDED FINDINGS: The purpose of the limited impact review process for a minor subdivision is to determine the compliance of the application with the review standards contained in Section 16-6-120.

1. The application complies with the comprehensive plan and the proposed subdivision shall carry out the purpose and spirit of the comprehensive plan and conform to all of the applicable objectives, guiding principles and recommended actions.

2. The applicant has complied with the review standards for subdivisions.

REQUIRED ACTIONS BY THE COMMISSION:

1. The Commission shall confirm that adequate notice was provided and a fee paid.
2. The Commission shall conduct a public hearing.
3. The Commission shall make findings regarding the proposed use in order to ensure the use is consistent with the Comprehensive Plan, conforms to the Land Use Code, is appropriate to its location and compatible with neighboring uses, is served by adequate public facilities and does not cause undue traffic congestion or significant deterioration of the environment.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve the minor subdivision application, subject to the following conditions:

1. Provide the following notes on the minor subdivision prior to recording, or reference a separately approved subdivision agreement:
 - a. Pursuant to Section 16-6-140, Fair Contributions to School Sites as may be amended, at the time that residential dwelling units are constructed on any of the lots herein, a payment in lieu of land dedication for Fair Contributions to Public School Sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residence on such lot.
 - b. New residential units constructed within the subdivision shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code. The applicants for building permits agree to provide an in-lieu fee at the rate in effect at the time of building permit application of any for any new residential units within the subdivision.
 - c. Parks, Trails and Open Space fee-in-lieu shall be provided at the time of development (issuance of a building permit).
 - d. The existing garage on Lot 3 may continue to be used as such until the sale of Lot 3 and then may only be used until issuance of a building permit for the principal residence.
2. Per Section 16-8-20 (e)(13)(i) A detached sidewalk of at least five (5) feet wide, with a thickness of at least four (4) inches of concrete, shall be installed along local streets in a limited impact review, or as determined by The Public Works Director, a fee-in-lieu be paid at time of development. Time of development may be recording of the subdivision or as provided in a subdivision improvement agreement.

3. Water and sewer system development fees are due at the time of issuance of a building permit.
4. The applicant will continue to work with Xcel Energy to receive approval of utility access and maintenance as outlined in Attachment 4.

RECOMMENDED MOTION: “I make a motion to approve the Bondurant Minor Subdivision as it meets the review standards for a subdivision, subject to the conditions recommended by staff.”

Attachments:

1. Proof of Publication
2. Application Materials
3. Bondurant Minor Subdivision Plat
4. Letter from Xcel Energy

PUBLIC NOTICE
NOTICE OF A PUBLIC HEARING BEFORE
THE PLANNING COMMISSION FOR
THE CITY OF SALIDA CONCERNING A
LIMITED IMPACT REVIEW APPLICATION
TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE that on Monday, June 24,
2024 at or about the hour of 6:00 p.m., a
public hearing will be conducted by the
City of Salida Planning Commission at
City Council Chambers, 448 E. 1st Street,
Salida, Colorado and online at the following
link: <https://attendee.gotowebinar.com/rt/1909092342220683277>

The hearing regarding a Limited Impact Review application submitted by Gene Bondurant for approval of a minor subdivision to subdivide the parcel known as Lots 13-18, Block 168, Kelcey's Addition to the City of Salida, Chaffee County, Colorado, into three (3) lots. The property is located at 248 W. 15th Street, Salida, CO 81201.

Interested individuals are encouraged to attend the public hearing or make comments during the public hearing via GoToWebinar at the above link.

Approval of the limited impact review application shall constitute authorization to proceed with recording the plat and commencing with the subdivision. Further information on the application may be obtained from the Community Development Department by calling (719) 530-2638.

*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.

Published in The Mountain Mail June 7, 2024



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271

Email: planning@cityofsalida.com

1. TYPE OF APPLICATION (Check-off as appropriate)

- | | |
|--|---|
| ☐ Annexation | ☐ Administrative Review:
(Type) _____ |
| ☐ Pre-Annexation Agreement | |
| ☐ Appeal Application (Interpretation) | |
| ☐ Certificate of Approval | ☒ Limited Impact Review:
(Type) <u>Minor Subdivision</u> |
| ☐ Creative Sign Permit | |
| ☐ Historic Landmark/District | |
| ☐ License to Encroach | ☐ Major Impact Review:
(Type) _____ |
| ☐ Text Amendment to Land Use Code | |
| ☐ Watershed Protection Permit | |
| ☐ Conditional Use | ☐ Other: _____ |

2. GENERAL DATA (To be completed by the applicant)

A. Applicant Information

Name of Applicant: GENE BONDURANT - AUSTIN

Mailing Address: PO BOX 150 COLORADO CO 81222

Telephone Number: 719 530 1590 FAX: _____

Email Address: BONDURANT AUSTIN 9@GMAIL.COM

Power of Attorney/ Authorized Representative: _____
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: (GENE) BONDURANT MINOR SUBDIVISION

Street Address: 248 W 15th ST

Legal Description: Lot 13-18 Block 168 Subdivision _____ (attach description)

Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land. (May be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion, or other documentation acceptable to the City Attorney)

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent Gene Bondurant Date 4-24-2024

Signature of property owner Gene Bondurant Date 4-24-2024



LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271

Email: planning@cityofsalida.com

An application is meant to highlight the requirements and procedures of the Land Use Code. With any development application, it is the responsibility of the applicant to read, understand, and follow all of the provisions of the Land Use Code.

1. PROCEDURE (Section 16-3-80)

A. Development Process (City Code Section 16-3-50) Any application for approval of a development permit shall include a written list of information which shall constitute the applicant's development plan, which shall be that information necessary to determine whether the proposed development complies with this Code. The development plan shall include the following, as further specified for each level of review on the pre-application checklist:

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
3. Staff Review. Staff report or decision forwarded to the applicant (Administrative review)
4. Public Notice
5. Public Hearing with Planning Commission (Limited Impact and Major Impact Review Applications)
6. Public Notice
7. Hearing Conducted by City Council (Major Impact Review)

☒ **B. Application Contents (City Code Section (16-3-50))**

- ☐ 1. A General Development Application
- ☒ 2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;
- ☐ 3. A brief written description of the proposed development signed by the applicant;
- ☐ 4. Special Fee and Cost Reimbursement Agreement completed. **major impact only*
- ☐ 5. Public Notice.
 - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
 - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
 - c) Applicant is responsible for posting the property and submittal of proof of posting the public notice.

☐ 6. Developments involving construction shall provide the following information:

(i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:

- a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;
- b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;
- c. Parking spaces;
- d. Utility distribution systems, utility lines, and utility easements;
- e. Drainage improvements and drainage easements;
- f. Roads, alleys, curbs, curb cuts and other access improvements;
- g. Any other improvements;
- h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and
- i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.

(ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:

- a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;
- b. Plans and profiles for sanitary and storm sewers; and
- c. Profiles for municipal water lines; and
- d. Street plans and profiles.

(iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a)(3).

☐ 7. Any request for zoning action, including review criteria for a requested conditional use (Sec. 16-4-190) or zoning variance (Sec. 16-4-180);

- ☐ 8. Any subdivision request including a plat meeting the requirements of Section 16-6-110;
- ☐ 9. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

(i) A tabular summary of the development proposal, which identifies the total proposed development area in acres, with a breakdown of the percentages and amounts devoted to specific land uses; total number and type of proposed residential units; total number of square feet of proposed nonresidential space; number of proposed lots; and sufficient information to demonstrate that the plat conforms with all applicable dimensional standards and off-street parking requirements.

(ii) A description of those soil characteristics of the site which would have a significant influence on the proposed use of the land, with supporting soil maps, soil logs and classifications sufficient to enable evaluation of soil suitability for development purposes. Data furnished by the USDA Natural Resource Conservation Service or a licensed engineer shall be used. The data shall include the shrink/swell potential of the soils, the groundwater levels and the resulting foundation requirements. Additional data may be required by the City if deemed to be warranted due to unusual site conditions.

(iii) A report on the geologic characteristics of the area, including any potential natural or man-made hazards which would have a significant influence on the proposed use of the land, including but not limited to hazards from steep or unstable slopes, rockfall, faults, ground subsidence or radiation, a determination of what effect such factors would have, and proposed corrective or protective measures.

(iv) Engineering specifications for any improvements.

(v) A plan for erosion and sediment control, stabilization and revegetation.

(vi) A traffic analysis prepared by a qualified expert, including projections of traffic volumes to be generated by the development and traffic flow patterns, to determine the impacts of a proposed development on surrounding City streets and to evaluate the need for road improvements to be made.

(vii) A storm drainage analysis consisting of the following:

(a) A layout map (which may be combined with the topographic map) showing the method of moving storm sewer water through the subdivision shall be provided. The map shall also show runoff concentrations in acres of drainage area on each street entering each intersection. Flow arrows shall clearly show the complete runoff flow pattern at each intersection. The location, size and grades of culverts, drain inlets and storm drainage sewers shall be shown, as applicable.

(b) The applicant shall demonstrate the adequacy of drainage outlets by plan, cross-section and/or notes and explain how diverted stormwater will be handled after it leaves the subdivision. Details for ditches and culverts shall be submitted, as applicable.

(c) The projected quantity of stormwater entering the subdivision naturally from areas outside of subdivision and the quantities of flow at each pickup point shall be calculated.

(viii) Evidence of adequate water supply and sanitary sewer service - Data addressing the population planned to occupy the proposed subdivision and future development phases and other developments that may need to be served by extensions of the proposed water supply and sewage disposal systems. The resulting domestic, irrigation and fire flow demands shall be expressed in terms of gallons of

water needed on an average day and at peak time, and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

(ix) An analysis shall be submitted addressing how water for domestic use and for fire flows is to be provided, along with the collection and treatment of sewage generated by the property to be subdivided.

(x) A statement shall be submitted addressing the quantity, quality and availability of any water that is attached to the land.

(xi) A preliminary estimate of the cost of all required public improvements, tentative development schedule (with development phases identified), proposed or existing covenants and proposed maintenance and performance guarantees. The applicant shall submit, at least in summary or outline form, any agreements as may be required by Section 16-2-70, relating to improvements and dedications.

(xii) If intending to use solar design in the development, include a description of the steps that have been taken to protect and enhance the use of solar energy in the proposed subdivision. This shall include how the streets and lots have been laid out and how the buildings will be sited to enhance solar energy usage.

(xiii) If applicable, a report shall be submitted identifying the location of the one-hundred-year floodplain and the drainageways near or affecting the property being subdivided. If any portion of a one-hundred-year floodplain is located on the property, the applicant shall also identify the floodway and floodway fringe area. The applicant shall also describe the steps that will be taken to ensure that development locating in the floodway fringe area is accomplished in a manner which meets Federal Insurance Administration standards.

(xiv) If applicable, a report shall be submitted on the location of wetlands, as defined by the U.S. Army Corp of Engineers, on or affecting the property being subdivided. The report shall outline the development techniques planned to ensure compliance with federal, state and local regulations.

(xv) A landscape plan, meeting the specifications of Section 16-8-90.

(xvi) If applicable, a description of how the proposal will comply with the standards of any of the overlays.

(xvii) A site plan for parks, trails and/or open space meeting the requirements of Section 16-6-110 below. If an alternate site dedication or fee in lieu of dedication is proposed, detailed information about the proposal shall be submitted.

(xviii) All development and subdivision naming shall be subject to approval by the City. No development or subdivision name shall be used which will duplicate or be confused with the name of any existing street or development in the City or the County;

☐ 10. An access permit from the Colorado Department of Transportation; and

☐ 11. A plan for locations and specifications of street lights, signs and traffic control devices.

2. REVIEW STANDARDS (If necessary, attach additional sheets)

The application for Limited or Major Impact Review shall comply with the following standards.

1. **Consistency with Comprehensive Plan.** The use shall be consistent with the City's Comprehensive Plan.

LOT ARE SAME AS PAPER

2. **Conformance to Code.** The use shall conform to all other applicable provisions of this Land Use Code, including, but not limited to:

- a. **Zoning District Standards.** The purpose of the zone district in which it is located, the dimensional standards of that zone district, and any standards applicable to the particular use, all as specified in Article 5, Use and Dimensional Standards.

MEET STANDARD

- b. **Site Development Standards.** The parking, landscaping, sign and improvements standards.

STANDARD

3. **Use Appropriate and Compatible.** The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

SAME AS AREA

4. **Nuisance.** The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and similar conditions.

NO NUISANCE

5. **Facilities.** There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

NA

6. **Environment.** The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

NO IMPACT

QUIT CLAIM DEED

THIS DEED, Made this 5th day of April, 1995 .
between

MABLE LaVONNE BONDURANT

of the said *County of Chaffee and State of
Colorado, grantor(s), and

MABEL LaVONNE BONDURANT

whose legal address is 248 West 15th Street Salida, Co 81201

of the said County of Chaffee and State of Colorado, grantee(s),

WITNESSETH, That the grantor(s), for and in consideration of the sum of
One Dollar and other valuable consideration -----Dollars
the receipt and sufficiency of which is hereby acknowledged, ha s remised, released, sold and QUIT CLAIMED, and by
these presents do es remise, release, sell and QUITCLAIM unto the grantee(s), her heirs, successors and assigns,
forever, all the right, title, interest, claim and demand which the grantor(s) ha s in and to the real property, together with
improvements, if any, situate, lying and being in the County of Chaffee and State of
Colorado, described as follows:

Lots No. 13, 14, 15, 16, 17 and 18
Block No. 168
KELSEY'S ADDITION to the
Town (now City) of Salida
Chaffee County, Colorado

also known by street and number as: 248 West 15th Street Salida, Co 81201

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in
anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity,
to the only proper use, benefit and behoof of the grantee(s) her heirs and assigns forever.

IN WITNESS WHEREOF, The grantor(s) ha s executed this deed on the date set forth above.

Mable LaVonne Bondurant
MABLE LaVONNE BONDURANT

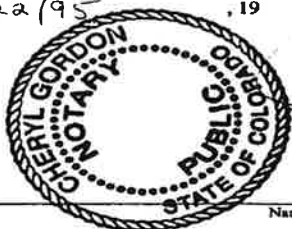
STATE OF COLORADO,

County of Chaffee

} ss.

The foregoing instrument was acknowledged before me this 5th day of April, 19 95,
by MABLE LaVONNE BONDURANT

My commission expires 7/22/95, 19 . Witness my hand and official seal.



Cheryl Gordon
Notary Public

*If in Denver, insert "City and".

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

374926
1 of 1

6/18/2008 12:30 PM
DEED RS\$6.00 D\$0.00

JOYCE M. RENO
Chaffee County Clerk

State Documentary Fee
Date JUN 18 2008
\$

26

PERSONAL REPRESENTATIVES' DEED
(Testate Estate)

THIS DEED is made by CHERYL LAVONNE MORENZ and AUSTIN EUGENE BONDURANT as co-Personal Representatives of the ESTATE OF MABEL LAVONNE BONDURANT, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased, Grantor, to CHERYL LAVONNE MORENZ and AUSTIN EUGENE BONDURANT, as tenants in common, whose address is P. O. Box 150, Coal Dale, Colorado 81222, Grantees.

WHEREAS, the above-named decedent in her lifetime made and executed her Last Will and Testament dated November 30, 2000, which Will was duly admitted to informal probate on August 31, 2007, by the District Court, in and for the County of Chaffee and State of Colorado, Probate No. 07PR35; and

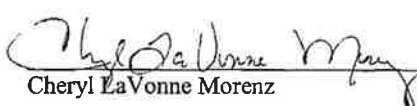
WHEREAS, the decedent died on the date of August 4, 2007, and Grantors were duly appointed co-Personal Representatives of the Estate on August 31, 2007, and are now qualified and acting in said capacity; and

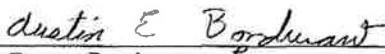
NOW THEREFORE, pursuant to the powers conferred upon Grantors by the Colorado Probate Code, Grantors do hereby sell, convey, assign transfer and release unto Grantees, as the persons entitled to distribution, the following described real estate situate in the County of Chaffee, State of Colorado:

Lots No. 13, 14, 15, 16, 17 and 18
Block No. 168
KELSEY'S ADDITION to the Town (now City) of Salida
Chaffee County, Colorado

Also known as: 248 West 15th Street, Salida CO 81201

Executed this 17th day of June, 2008.


Cheryl LaVonne Morenz


Austin Eugene Bondurant
Co-Personal Representatives of the Estate of Mabel Lavonne Bondurant, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased,

STATE OF COLORADO)
) ss.
COUNTY OF CHAFFEE)

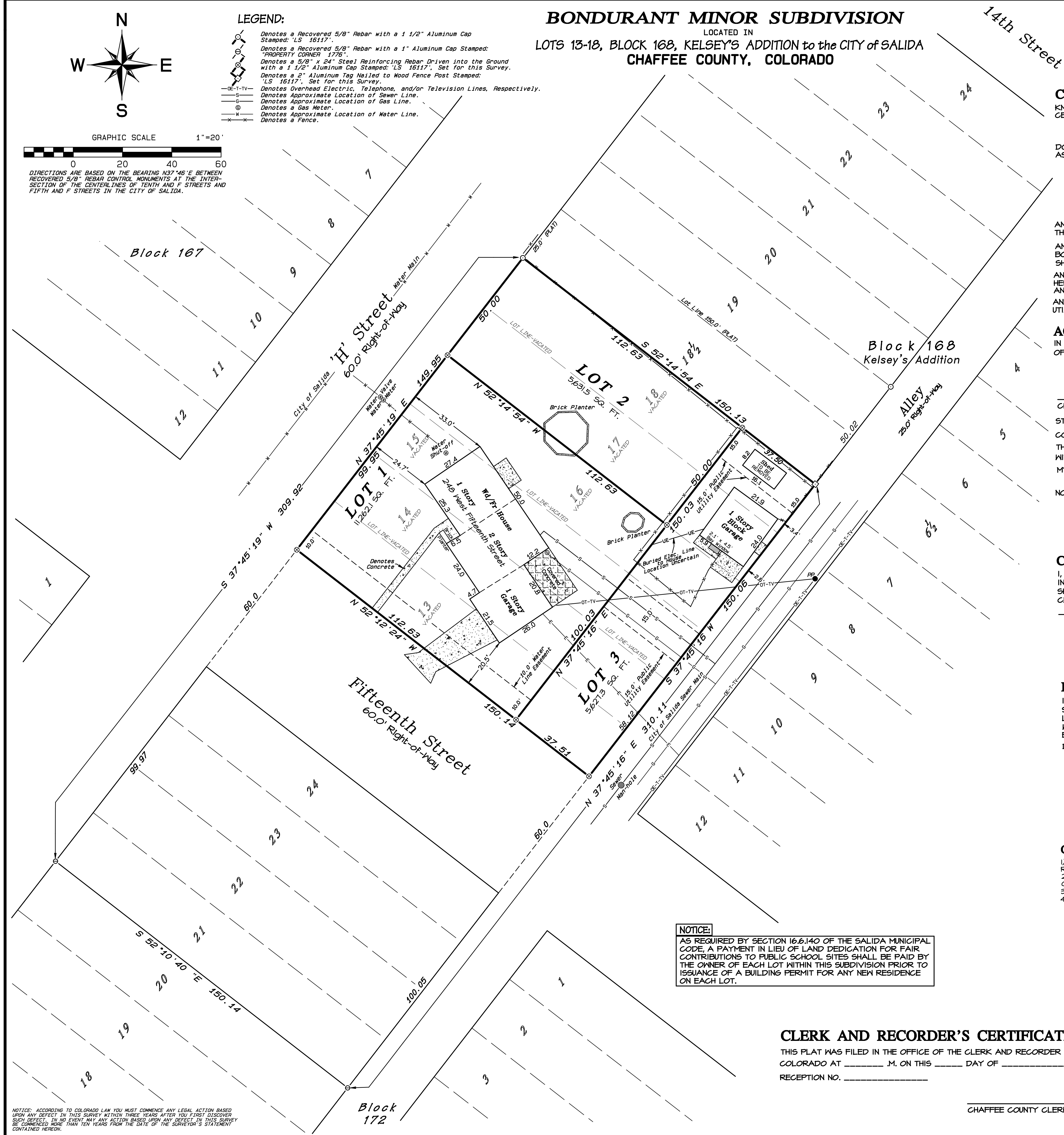
The foregoing **Personal Representatives' Deed (Testate Estate)** was acknowledged before me this 17th day of June, 2008, by Cheryl LaVonne Morenz and Austin Eugene Bondurant as co-Personal Representatives of the Estate Mabel Lavonne Bondurant, a/k/a Mabel La Vonne Bondurant, Mabel L. Bondurant, Mabel Bondurant, Mable Lavonne Bondurant, Lavonne M. Bondurant, and Lavonne Bondurant, deceased,

Witness my hand and official seal.

My commission expires: August 1, 2011


Rhyllia Persinger
Notary Public

Address: 124 W. 2nd Street
Salida CO 81201



BONDURANT MINOR SUBDIVISION
LOCATED IN
LOTS 13-18, BLOCK 168, KELSEY'S ADDITION to the CITY of SALIDA
CHAFFEE COUNTY, COLORADO

CERTIFICATE OF DEDICATION AND OWNERSHIP:
KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEES AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
Lots No. 13, 14, 15, 16, 17 and 18, Block No. 168, KELSEY'S ADDITION to the Town (now City) of Salida, Chaffee County, Colorado.

DO HEREBY LAY-OUT, PLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY, WITH BEARINGS, DISTANCES AND EASEMENTS AS SHOWN ON THIS PLAT, TO BE KNOWN AS:
LOTS 1, 2 & 3, BONDURANT MINOR SUBDIVISION
LOCATED WITHIN LOTS 13-18, BLOCK 168, KELSEY'S ADDITION
IN THE
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO
AND LOT 1 SHALL BE SUBJECT TO A TEN (10.0) FOOT WIDE WATER LINE EASEMENT ADJACENT TO THE SOUTHWESTERLY BOUNDARY THEREOF, SAID EASEMENT FOR THE PLACEMENT OF A WATER SERVICE LINE TO LOT 3, THE LOCATION OF WHICH IS SHOWN HEREON.
AND LOT 3 SHALL BE SUBJECT TO A FIFTEEN (15.0) FOOT WIDE PUBLIC UTILITY EASEMENT ADJACENT TO THE NORTHEASTERLY BOUNDARY THEREOF, SAID EASEMENT FOR THE PLACEMENT OF PUBLIC UTILITY LINES TO LOT 2, THE LOCATION OF WHICH IS SHOWN HEREON.
AND LOT 3 SHALL BE SUBJECT TO A FIFTEEN (15.0) FOOT WIDE PUBLIC UTILITY EASEMENT, THE LOCATION OF WHICH IS SHOWN HEREON, SAID EASEMENT FOR THE USE, MAINTENANCE AND REPAIR OF EXISTING GAS AND SEWER LINES TO LOT 1, AS WELL AS ANY ADDITIONAL PUBLIC UTILITIES AS NECESSARY FOR CONNECTION TO LOT 1.
AND LOT 3 IS SUBJECT TO THE RIGHTS OF OTHERS TO OPERATE, MAINTAIN, INSPECT AND REPAIR THE EXISTING OVERHEAD UTILITY LINES CROSSING SAID LOT AND PROVIDING SERVICE TO LOT 1.

ACKNOWLEDGEMENTS:
IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS _____ DAY OF _____, 2024.

CHERYL LAVONNE MORENZ (OWNER) _____ AUSTIN EUGENE BONDURANT (OWNER) _____
STATE OF _____ SS
COUNTY OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2024.
WITNESS MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES _____
NOTARY PUBLIC: _____
ADDRESS: _____

CERTIFICATE OF TITLE INSURANCE COMPANY:
I, BRETT W. EAKINS, A LICENSED TITLE INSURANCE EXAMINER REPRESENTING FIRST AMERICAN TITLE INSURANCE COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY DEDICATED AND SHOWN ON THIS PLAT AND FOUND TITLE VESTED IN CHERYL LAVONNE MORENZ AND AUSTIN EUGENE BONDURANT, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT: _____
BRETT W. EAKINS _____

LAND SURVEYOR'S STATEMENT:
I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT, AS WELL AS THE NEIGHBORING LOTS, THAT SAID SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE AND THAT SAID SURVEY AND PLAT ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
DATED THIS _____ DAY OF _____, 2024.
MICHAEL K. HENDERSON
REG. L.S. NO. 16117
STATE OF COLORADO

GENERAL LAND SURVEYOR'S NOTES:
1) PROPERTY DESCRIPTION BASED ON PERSONAL REPRESENTATIVES' DEED RECORDED AT RECEPTION NO. 314426 OF THE CHAFFEE COUNTY RECORDS.
2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE MAP OF THE CITY OF SALIDA AND ITS ADDITIONS AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT.
3) THE LOCATIONS OF WATER, SEWER, GAS AND UNDERGROUND ELECTRIC LINES TO THE BUILDINGS, AS SHOWN HEREON ARE APPROXIMATE.
4) BUILDING DIMENSIONS ARE ALONG AND TO EXTERIOR BUILDING WALLS. ALL LINEAL MEASUREMENTS ARE U.S. SURVEY FEET.

CITY OF SALIDA PLANNING COMMISSION APPROVAL:
THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS _____ DAY OF _____, 2024.
CHAIRMAN _____

CLERK AND RECORDER'S CERTIFICATE:
THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO AT _____ M. ON THIS _____ DAY OF _____, A.D., 2024.
RECEPTION NO. _____
CHAFFEE COUNTY CLERK & RECORDER _____

NOTICE:
AS REQUIRED BY SECTION 16.6.140 OF THE SALIDA MUNICIPAL CODE, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTIONS TO PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER OF EACH LOT WITHIN THIS SUBDIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON EACH LOT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

Revisions and Additions: 6/14/24 M.K.H.

BONDURANT MINOR SUBDIVISION for LOTS 13-18, BLOCK 168, KELSEY'S ADDITION to the CITY of SALIDA CHAFFEE COUNTY	
Job Number: J-24-063 TPC FILE: J-23-159 DRAWN BY: TMO CAD CHECKED: FIELD BOOK: 5102 Pages 76 & 77-5330 Pages 60 & 61	HENDERSON LAND SURVEYING CO., INC. 203 G STREET SALIDA, COLORADO DATE: 4/22/24 DRAWING NO. L-24-17



Right of Way & Permits

1123 West 3rd Avenue
 Denver, Colorado 80223
 Telephone: **303.571.3306**
 Facsimile: 303.571.3284
 donna.l.george@xcelenergy.com

June 3, 2024

City of Salida
 448 East First Street, Suite 112
 Salida, CO 81201

Attn: Glen Van Nimwegen

Re: Bondurant Minor Subdivision

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined there is a **conflict** with **Bondurant Minor Subdivision**. Please be aware PSCo owns and operates existing overhead electric service facilities to the house from the alley, which will be in trespass with the new lot line between new Lots 1 and 3.

Either an easement will need to be acquired within Lot 3, or the electric line must be relocated.

For an express PSCo easement document that will need to be acquired prior to the minor subdivision, the property owner/developer/contractor must contact Tim Butler (Right of Way Agent at Timothy.A.Butler@xcelenergy.com).

If the electric line will be relocated, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Donna George
 Right of Way and Permits
 Public Service Company of Colorado dba Xcel Energy
 Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 24, 2024

AGENDA ITEM TITLE: Amendments to Chapter 16, Article XIII of the Salida Municipal Code regarding Inclusionary Housing

AGENDA SECTION: Public Hearing

BACKGROUND:

The City originally adopted its Inclusionary Housing requirements and regulations in 2018. The City has periodically modified the Inclusionary Housing requirements to be responsive to changes in the market as well as practicalities in enforcement of the regulations. However, the purpose of the Inclusionary Housing Ordinance remains the same:

- (a) Promote the construction of housing that is affordable to the community's workforce;
- (b) Retain opportunities for people that work in the City to also live in the City;
- (c) Maintain a balanced community that provides housing for people of all income levels; and
- (d) Ensure that housing options continue to be available for very low-income, low-income, moderate, and middle-income residents, for special needs populations and for a significant proportion of those who work and live in the City.

PROPOSAL:

The proposed amendments to Chapter 16, Article XIII of the Code, consist of:

- (a) Minor clarifications, edits or added/modified verbiage that do not change the substance of the Ordinance; such as clarifying the utility allowance; and
- (b) Addition of language to address inclusionary housing scenarios not clearly identified in the current ordinance, such as LIHTC projects, community land trusts, and other scenarios; and
- (c) Four substantive updates that address current market trends and align with administrative realities:

- 1) Increase the ownership unit AMI income buffer from 10% (currently) to 19%.** Current interest rates are proving to be a challenge to finding qualified buyers. The larger buffer is intended to offset that challenge. With this change, a household earning up to 119% AMI would qualify for a unit restricted to 100% AMI maximum sales price; a household earning up to 139% AMI would qualify to for a unit restricted to 120% AMI maximum sales price; and a household earning up to 159% AMI would qualify for a unit restricted to 140% AMI maximum sales price;
- 2) Modification of the AMI range targeted by the ownership units.** With the increases in the Chaffee County AMI (14.6% over last 2 years), and with some market rate housing being offered in the 150% and up AMI range, units at the 160% AMI range are competing with the lower end of market prices, and therefore are not a critical component of missing-middle housing at this time. Additionally, continuing deed-restrictions at the 160% AMI level may be setting unrealistic sales price expectations for developers who commit to building the IH units, or for the qualified owners who purchase them and resell in the future. (This has proven to be an issue in other communities similar to Salida). Therefore, this update proposes adjusting the AMI range to 100% through 140%, but with a 130% maximum average that takes affect after the first built IH unit.

Because this proposal incorporates 100% AMI into the required range, it removes the current incentive for a 100% AMI unit to count as 1.5 units. (Note that the incentive for rental units at 60% AMI remains; they will still count as 1.5 units). With this modification, coupled with the increase in the allowed income buffer noted in item 1, the intention is to provide criteria that would create favorable conditions for a pool of qualified buyers for the 100% AMI units. The chart below represents how this proposal differs from the current ordinance:

Current Ordinance	Ownership Unit Max Price AMI	Proposed Ordinance	Ownership Unit Max Price AMI
AMI Range	120% to 160%	AMI Range	100% to 140%
Required Average	140% or less	Required Average	130% or less after 1 st unit
First 5 built units:	1 st : 140% 2 nd : 120% 3 rd : 160% 4 th : 140% 5 th : 120%	First 5 built units:	1 st : 140% 2 nd : 120% 3 rd : 100% 4 th : 140% 5 th : 120%

- 3) Timing of Fee-in-lieu Payment.** The fee schedule has always required that the fee-in-lieu of a built unit be set at the time of building permit application, and this was always the intent of the ordinance. However, due to some vagaries of the language in the Ordinance, as well as language utilized in IH agreements, this has not been the

practice. The proposed updates are to provide clarity on timing of payment, and to provide two different scenarios for payment of the FIL:

- a. For projects of 5 or fewer units, the FIL is set at the time a complete building permit application is received. Half of the payment would be due at the time of building permit and the remaining half at time of C.O. This is the same payment structure that is currently utilized for System Development Fees and that structure is well understood and works well, therefore we suggest replicating what is working.
 - b. For developments of 6 or more units, the entire FIL (which is the fractional payment of any fractional unit required) would be required to be paid no later than the first building permit being issued in the development. The FIL could be paid as early as recordation of the plat, but Staff believes requiring that would be unnecessarily burdensome; this timeline offers flexibility while ensuring that payment does not wait until the very last lots apply for permits, as it is not unusual for developments to have a handful of vacant lots decades after initial construction begins.
- 4) Reduce maximum household AMI for renting an ownership unit.** The current code specifies that when an ownership unit is rented (per conditions allowable in the code and/or deed restriction), it can be rented at a price affordable to a household making 100% AMI. This proposal changes that to 80% AMI.

STAFF RECOMMENDATIONS:

Staff is recommending that Planning Commission recommend City Council approve the proposed text amendments included in Ordinance 2024-07.

RECOMMENDED MOTIONS:

“I make a motion to recommend that City Council approve the proposed text amendments to Chapter 16, Article XIII of the Salida Municipal Code regarding Inclusionary Housing.”

Attachments:

Ordinance 2024-07

Proof of Publication

CITY OF SALIDA, COLORADO
ORDINANCE NO. 07
(Series of 2024)

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA,
 COLORADO AMENDING CHAPTER 16, ARTICLE XIII OF THE SALIDA
 MUNICIPAL CODE, REGARDING INCLUSIONARY HOUSING, TO FURTHER
 PROMOTE AND ASSIST THE DEVELOPMENT OF WORKFORCE HOUSING**

WHEREAS, the City of Salida, Colorado (the “City”) is a statutory city, duly organized and existing under the laws of the State of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-23-301 *et seq.*, the City, by and through its City Council, possesses the authority to adopt and enforce zoning regulations; and

WHEREAS, under such authority, the City Council previously adopted regulations related to inclusionary housing, codified as Chapter 16, Article XIII of the Salida Municipal Code (the “Code”); and

WHEREAS, the City Council remains committed to the promotion of inclusionary housing, such that all residents and workforce have a meaningful opportunity to afford housing in the City; and

WHEREAS, the City of Salida still recognizes the need for affordable housing across a diversity of income levels to be addressed by the inclusionary housing policy; and

WHEREAS, deed restrictions remain the primary tools to ensure permanent affordability so that units will not go from affordable to unaffordable with a simple sale of property; and

WHEREAS, since the adoption and subsequent amendments to Chapter 16, Article XIII, recent changes in the market as well as practicalities in enforcement of the regulations has prompted City staff to evaluate and recommend where certain updates could be made to the Code, especially now that new affordable units are becoming available; and

WHEREAS, the Planning Commission held a public hearing on the code changes on June 24, 2024, and recommends the amendments set forth in this Ordinance; and

WHEREAS, after consideration at a public hearing held on July 16, 2024, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents, workforce, local businesses and customers to amend Chapter 16, Article XIII of the Code, as it relates to the promotion of inclusionary housing in the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
 CITY OF SALIDA, COLORADO AS FOLLOWS:**

Section 1. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

Section 2. Chapter 16, Article XIII. of the Code, concerning inclusionary housing requirements, is hereby amended to read as follows:

ARTICLE XIII. INCLUSIONARY HOUSING

Sec. 16-13-10. Purpose and objectives.

- (a) Promote the construction of housing that is affordable to the community's workforce;
- (b) Retain opportunities for people that work in the City to also live in the City;
- (c) Maintain a balanced community that provides housing for people of all income levels; and
- (d) Ensure that housing options continue to be available for very low-income, low-income, mode rate, and middle-income residents, for special needs populations and for a significant proportion of those who work ~~or~~ and live in the City.

Sec. 16-13-20. General inclusionary housing requirements.

- (a) Any application brought under the annexation or planned development sections of this Code; condominium plats of any size; duplex conversion subdivisions; and minor and major subdivision sections of this Code, as well as multi-family residential rental projects of five (5) or more units are required to ~~include~~ provide at least sixteen and seven-tenths (16.7) percent (i.e. 1/6th) of the total number of new residential dwelling units or lots as affordable dwelling units, pursuant to requirements set forth in this Article, and subject to the following standards:
 - (1) The prices for sale or rents charged for permanently affordable priced dwelling units shall not exceed a price that is affordable to a household earning the applicable percentage of Area Median Income (AMI) for Chaffee County as defined annually by the Colorado Housing Finance Authority (CHFA), at the time such unit is sold or rented, and as further specified in Sections 16-13-60 and 16-13-70.
 - (2) Affordable dwelling units shall be permanently restricted unless a different timeframe is required as a part of a Low Income Housing Tax Credit project or otherwise time restricted by federal or state grant funds.
 - (3) If the calculation for inclusionary housing results in a fraction of a dwelling unit, the fraction of the unit shall be provided as a complete affordable unit or a fee-in-lieu shall be provided per Section 16-13-40.
 - (4) The proportion of required affordable units, whether for-sale or for-rental, shall follow the proportion of for-sale and for-rental market rate units, unless otherwise approved by the decision-making body. For example, if the project includes ~~one hundred (100) percent~~ all for-sale units, then ~~one hundred (100) percent~~ all of the required affordable units shall be for-sale units. If the project includes ~~fifty (50) percent~~ half for-sale units and ~~fifty (50) percent~~ half for-rental units, that same percentage of for-sale and for-rental affordable units shall be provided.
- (b) Units built as affordable in the project should be comparable to the market rate housing units in exterior finish and design and integrated into the overall project.
- (c) Income Eligibility Required. ~~No person shall sell, rent, purchase or lease a~~ An affordable dwelling unit created pursuant to this Article ~~except~~ shall be purchased, owned, leased or occupied exclusively by or to a program eligible household. A private owner of a single affordable unit may rent the unit in accordance with the provisions of this Article as set

forth in Section 16-13-60 "Program Requirements for For-Sale Units." All sales, rentals, purchases and leases shall comply with the provisions of this Article.

- (d) Deed Restriction Required. No person offering an affordable dwelling unit for rent or sale pursuant to this Article shall fail to lawfully reference in the grant deed conveying title of any such unit, and record with the Chaffee County Clerk and Recorder, a deed restriction in a form provided and approved by the City Attorney ~~and applicable Housing Authority~~. Such deed restriction shall reference applicable contractual arrangements, deed restrictions and resale restrictions as are necessary to carry out the purposes of this Article.
- (e) Good Faith Marketing Required. All sellers or owners of affordable dwelling units shall engage in good faith marketing and public advertising efforts each time an affordable dwelling unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance to become informed of the availability of such units.
- (f) Required Agreements. Those applicants creating residential developments under this Chapter shall enter into an inclusionary housing development agreement with the approving body ~~City Council~~. Such agreements may be part of a development agreement, annexation agreement, or subdivision agreement, and/or noted on the recorded plat or planned development plan, and shall document how the applicant will meet the requirements of this Article including:
 - (1) Defining the inclusionary housing development, including the total number of units or lots; the total number of affordable housing units required; and the total number of affordable housing units provided;
 - (2) The application of ~~allowed~~ density, parking and development standards allowed for projects that provide one hundred (100) percent of the inclusionary housing requirements, as provided in Section 16-13-50;
 - (3) ~~Where applicable,~~ design standards to assure the affordable units will be comparable to market rate units and are integrated into the development;
 - (4) The requirement that each required affordable housing unit must receive its certificate of occupancy before development of every sixth market-rate housing unit within the development, unless an alternative schedule is approved by the City; and
 - (5) The deed restrictions and additional agreements, in a form acceptable to the City, as necessary to carry out the purposes of this Article.
- (g) Accessory dwelling units shall not be considered inclusionary housing for the purpose of compliance with the requirements of this Article.
- (h) An applicant shall not be eligible to submit for a building permit until the applicable affordable housing agreement is approved by the ~~City Council~~ applicable approving body and such agreement is recorded with the Chaffee County Clerk and Recorder. Additionally, a property shall not receive a certificate of occupancy until the required deed restrictions are recorded with the Chaffee County Clerk and Recorder.

Sec. 16-13-30. Options for satisfaction of inclusionary housing requirement.

An applicant may seek an alternative to providing the required percentage of affordable housing under this Article by any of the following methods:

- (a) Providing the Required Housing Off-Site. This may be met only through the dedication of land, if approved by the City, to the City or a qualified non-profit housing developer for the required development of such units ~~as approved by the City~~, with the guarantee that the land to be dedicated will allow for, and be developed with a minimum number of twenty-five (25) percent of the total units in the subject development as affordable housing. Each lot shall have sufficient area devoid of environmental or other constraints to allow construction of the required development of such units. All public infrastructure improvements to support development of the required units shall be in place prior to conveyance, or sufficient security in accordance with the Municipal Code shall be provided. Dedication of the lots shall occur at the same time as plat or other applicable recordation of the development.
- (b) Dedicating Land Within the Project. Provided it is large enough and located appropriately to accommodate at least the minimum number of required affordable units, land within a project may be dedicated to the City or a qualified non-profit housing developer for the required development of such units, as approved by the City. The units to be built within the project shall be comparable to the market rate housing units in exterior finish and design to blend into the overall project. Each lot shall have sufficient area devoid of environmental or other constraints to allow construction of the required development of such units. All public infrastructure improvements to support development of the required units shall be in place prior to conveyance, or sufficient security in accordance with the Municipal Code shall be provided. Dedication of the lots shall occur at the same time as plat or other applicable recordation of the development.
- (c) Paying a Fee in Lieu of Providing Units as Defined in Section 16-13-40. This alternative is only available if the calculation for inclusionary housing results in a fraction of a dwelling unit above a whole number, or if the development is for five (5) units or lots or less.
- (d) ~~P~~ For rental units only, providing fewer units, but which are affordable to households earning sixty (60) percent or less of the AMI for Chaffee County for rental projects, ~~or one hundred (100) percent or less of the AMI for Chaffee County for for sale projects~~. For the purposes of this option, an affordable dwelling rental unit at 60% AMI or less shall equal one and one-half (1.5) inclusionary housing units at any other AMI level specified in Sections 16-13-60 and 16-13-70 below.

Sec. 16-13-40. In-lieu fee.

- (a) For developments of five (5) or fewer lots or units. If an in-lieu fee is permitted and chosen for all or part of the inclusionary housing required for the project, the applicable fee shall be calculated at the time of complete building permit submittal as described in the City's fee schedule, established, adopted and amended by City Council from time

to time, and be due prior to issuance of the certificate of occupancy. **No building permit shall be issued until one-half (1/2) of the in-lieu fee required has been paid. The remaining half of the in-lieu fee shall be paid prior to issuance of the Certificate of Occupancy.**

(b) For developments of six (6) or more lots or units. When an in-lieu fee is being paid to meet a fractional unit requirement, the entire fee shall be paid prior to the first building permit being issued for the development, and where applicable, shall be based upon the average single-family dwelling size in Salida as utilized in the current Fee Schedule fee-in-lieu calculation.

Sec. 16-13-50. Density, parking and development incentives for inclusionary housing developments.

Residential development within the zoning districts of C-1, R-2, R-3, R-4 and RMU; and portions of a planned development with the underlying zoning districts of C-1, R-2, R-3, R-4 and RMU; that are subject to inclusionary housing development requirements and are providing one hundred (100) percent of the required affordable housing within the development, may increase the allowed density and utilize the lowered dimensional standards stated in Table 16-F, Schedule of Dimensional Standards, within these districts and utilize the reduced parking requirements for multi-family dwellings stated in Table 16-J, Off-Street Parking Standards by Use. To ensure the integration of the affordable residential units into the development, these standards shall apply to all of the residential units of the subject development within parcels with the above zoning or underlying zoning, that include a minimum of sixteen and seven-tenths (16.7) percent affordable housing.

Sec. 16-13-60. Program requirements for for-sale (ownership) units.

(a) Affordable Unit Price. The prices charged for any affordable **for-sale (ownership)** units shall not exceed prices greater than what is affordable to households earning **one hundred (100) percent**, one hundred twenty (120) percent, **or** one hundred forty (140) percent, ~~or one hundred sixty (160) percent~~ of the Area Median Income (AMI) for Chaffee County. Furthermore, for-sale affordable units shall be subject to the following additional requirements:

- (1) **After the first provided inclusionary housing unit, t**~~The~~ average sales price of all affordable housing units **provided in a project** shall not exceed a price affordable to households earning one hundred ~~forty~~ **thirty (40/130)** percent or less of the AMI for Chaffee County;
- (2) For projects providing multiple affordable **for-sale** units, and to create parity across levels of affordability, the total number of affordable units deed-restricted at one of the applicable AMI levels shall not exceed the total number of affordable units deed-restricted at any of the other applicable AMI levels by more than one unit, **with the exception of units built on land dedicated to the City or to a qualified non-profit developer, as part of a LIHTC project, or unless otherwise specifically approved by City Council;**

- (3) ~~No Studio units above one hundred twenty (120) percent AMI for Chaffee County and one-bedroom units above one hundred forty (140) percent AMI for Chaffee County shall not be eligible to satisfy inclusionary housing requirements; and~~
- (4) The specific affordable unit price charged for the applicable AMI level shall be based on the current maximum sale price as identified by the Chaffee Housing Authority and/or the City Administrator or their designee, and as annually published on the City of Salida's website and on file with the Community Development Department in City Hall.
- (b) Approved Purchasers for Affordable Dwelling For-Sale Units. A developer or owner shall sell to a qualified purchaser after completing a good faith marketing and selection process approved by the City and applicable housing authority.
- (c) Sale Restriction. No person shall sell an affordable ~~dwelling~~ for-sale unit except to a person that meets the income, asset and other eligibility requirements of this Article or any asset and income eligibility requirement that is included in any applicable contract or deed restriction or any other agreements to which the City is a party or beneficiary.
- (d) Resale Restrictions. All affordable for-sale/ownership ~~dwelling~~ units developed under this Article shall be subject to the resale restrictions itemized within the deed restriction required pursuant to Section 16-13-20~~(e)~~(d).
- (e) Ownership Associations. When accepting an affordable for-sale unit as meeting the inclusionary housing obligation, the City Administrator and/or applicable housing authority will review the homeowner or condominium association declarations to assess the impact on buyers of affordable units. The City Administrator and/or applicable housing authority is authorized to establish rules regarding allowable terms in condominium declarations in order to ensure that the purposes of this Article are accomplished.
- (f) Rental Restriction. The qualified-owner of an affordable unit may rent the unit to an income eligible renter by a method that complies with the applicable deed restriction and/or regulations. At no point shall such rent price exceed a price that is affordable to a household earning ~~one hundred eighty~~ eighty (100~~80~~) percent of the Area Median Income (AMI) for Chaffee County, as defined annually by CHFA.
- (g) Income Cap. The City shall allow a ~~ten~~ nineteen (10~~19~~) percent buffer between the price cap and the income cap to provide flexibility for homebuyers to qualify for financing without being cost burdened. For example, if a unit shall not exceed a price greater than what is affordable to households earning one hundred twenty (120) percent of the Area Median Income for Chaffee County, households earning incomes of up to one hundred thirty nine (139~~0~~) percent of the AMI can qualify for such unit.

Sec. 16-13-70. Program requirements for rental units.

Maximum Rent. Rents charged for any affordable unit shall not exceed a price greater than what is affordable to households earning eighty (80) percent or one hundred (100) percent of the AMI for Chaffee County, as defined by CHFA. Maximum rental rates provided by CHFA are inclusive of utilities, as defined by CHAF's utility allowance policy. Furthermore, affordable rental units shall be subject to the following additional requirements:

- (a) At least ~~fifty (50) percent~~ **half** of all provided units shall be rented at prices affordable to households earning eighty (80) percent or less of the AMI for Chaffee County.
- (b) **No** Studio units rented above eighty (80) percent AMI for Chaffee County shall ~~not~~ be eligible to satisfy inclusionary housing requirements.

(c) Qualified Household. Rental units shall only be rented to or occupied by an income-qualified household as defined in the deed restriction and as approved by the City and/or the applicable housing authority.

Sec. 16-13-80. Administrative regulations.

To the extent the City Administrator deems necessary, rules and regulations pertaining to this Article will be developed and approved by the City Council, and thereby maintained and enforced in order to assure that the purposes of this Article are accomplished. No person shall violate any rule or regulation issued by the City Administrator under this Article.

Section 3. *Severability.* The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED ON FIRST READING on this 2nd day of July, 2024, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this 2nd day of July, 2024, and set for second reading and public hearing on the 16th day of July, 2024.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on this 16th day of July, 2024.

City of Salida

Mayor Dan Shore

ATTEST:

City Clerk/Deputy City Clerk

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION AND
CITY COUNCIL FOR THE CITY OF
SALIDA CONCERNING A PROPOSED
AMENDMENT TO CHAPTER 16, ARTICLE
XIII OF THE SALIDA MUNICIPAL CODE
REGARDING INCLUSIONARY HOUSING
TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE**

that on MAY 28, 2024 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>

The hearing is regarding proposed changes to Chapter 16, Article XIII of the Salida Municipal Code regarding Inclusionary Housing.

Any recommendation by the Planning Commission shall be forwarded to the City Council for review and a public hearing scheduled for JULY 2, 2024 at or about the hour of 6:00 p.m. at City Council Chambers and online at the following link: <https://attendee.gotowebinar.com/register/6382995264411204366>.

Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the Community Development Department, (719) 530-2631.

*Please note that it is inappropriate to personally contact individual Planning Commissioners or City Councilors outside of the public hearing while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.

Published in The Mountain Mail May 10, 2024