



# PLANNING COMMISSION REGULAR MEETING

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

July 25, 2022 - 6:00 PM

## AGENDA

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@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

### APPROVAL OF THE MINUTES

1. June 27, 2022- 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 |

2. **Salida Fire Station Annexation** - The City of Salida is requesting approval to annex the 2.94 acres located at 611 Oak Street.
3. **Salida Fire Station zoning** - The City of Salida is requesting a zoning designation of Commercial (C-1), should the property be annexed.
4. **Newman Annexation** - The applicant, Christopher Newman, is requesting approval to annex his 1 acre property located at 7680 C.R. 140.
5. **Major Impact Review -Newman Zoning** - The applicant, Christopher Newman, is requesting a zoning designation of High Density Residential (R-3) should the property be annexed.
6. **Major Impact Review - West End Subdivision Rezone** - The applicant Tory Upchurch is requesting to rezone Lot 15 of the West End Subdivision from Medium Density Residential (R-2) to High Density Residential (R-3).

### 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 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.

*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.*



# PLANNING COMMISSION REGULAR MEETING

448 E. 1st Street, Room 190 Salida, Colorado 81201  
June 27, 2022 - 6:00 PM

## MINUTES

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

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

### CALL TO ORDER BY CHAIRMAN – 6:00 PM

#### PRESENT

Chairman Greg Follet  
Vice-Chair Francie Bomer  
Commissioner Judith Dockery  
Commissioner Giff Kriebel  
Commissioner Michelle Walker  
Commissioner Dave Haynes  
Alternate Commissioner Brian Colby

#### ABSENT

Alternate Commissioner Aaron Derwingson

### ROLL CALL

### APPROVAL OF THE MINUTES

1. April 25, 2022 - Draft Minutes

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

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

**THE MOTION PASSED.**

### UNSCHEDULED CITIZENS NA

### AMENDMENT(S) TO AGENDA NA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

2. **Walker J Autoworks Limited Impact Review** - The applicant, Tim Walker, is requesting approval to be allowed to operate an automotive service and repair shop within the building located at 223 E. First Street.

A. Open Public hearing – 6:01 pm

B. Proof of Publication -Yes

C. Staff Review of Application – Planner Jefferson reviewed the application. Jefferson explained that she received an opposition to the application from Peter Simonson however, Mr. Simonson retracted the opposition on Friday evening before the planning commission meeting. Jefferson read the letter she received from the building department stipulating change of use and code issues. Staff recommends

approval of application with the conditions of meeting the requirement of the Public Works Director and the County Building Official.

Commissioners asked about the following:

- The storage of vehicles on the lot
- Whether the condition should be to meet the Building Code and not the Building official
- The change of use

D. Applicant's Presentation – Applicant, Tim Walker and building owner, Sam Mick were present.

Commissioners asked about the following:

- Whether the autoworks was active and currently operating the business

E. Public Input – Bonnie Barry asked about the future plans and whether there would be multiple garage doors.

Building owner, Sam Mick, confirmed that there is a plan to enlarge the garage door but no other plans.

F. Close Public Hearing – 6:11 pm

G. Commissioner Discussion –

Commissioners discussed the following:

- Whether to make a condition of approval to meet the requirements of the Chaffee County Building Department
- If it does not meet the requirements, should the business cease to operate

Staff reviews the different options the Planning Department can do to make the business cease operation if they do not meet requirements.

Commissioners asked:

- Whether there should be a timeframe requirement for them to get into compliance.
- Can planning commission approve the use and the business still operate until the County Building Department says that it is suitable for that use.

H. Commission Decision -

Vice-Chair Bomer made a motion to approve the Walker J Autoworks Limited Impact Review with staff's recommended condition and adding a second condition that the applicant meet the requirements of the Chaffee County Building Department, Seconded by Commissioner Walker.

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

**THE MOTION PASSED.**

**COMMISSIONERS' COMMENTS NA**

**STAFF COMMENTS**

Director Almquist reviewed what the Planning Department has been working on.

**ADJOURN** With no further business to come before the Commission, the meeting adjourned at 7:01 pm



## PLANNING COMMISSION STAFF REPORT

**MEETING DATE:** July 25, 2022  
**AGENDA ITEM TITLE:** Recommendation on Proposed Annexation – Salida Fire Station  
**AGENDA SECTION:** Public Hearing

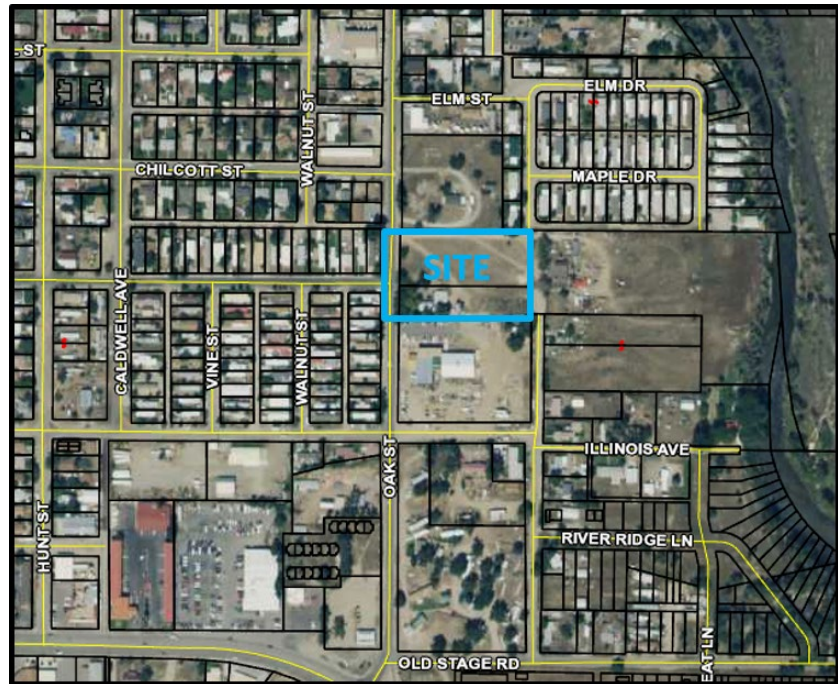
### **REQUEST / BACKGROUND:**

The applicant, City of Salida, has submitted applications for annexation and zoning for a 2.94 acre property located at 611 Oak Street. The site was purchased by the City in 2021 with the intention of building a new fire station.

### **PROCESS:**

When annexing a property, the City must follow State statutes for contiguity and procedural requirements. Per CRS 31-12-106(3), the steps for annexing municipally-owned property are different than the steps for annexing non-municipally owned property. The requirements include:

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- City Council holds a public hearing to review and possibly approve the annexation ordinance;
- Council adopts a resolution stating the proposed findings on the annexation;
- City Council holds a public hearing to review and possibly approve the zoning ordinance.



### **FINDINGS OF FACT:**

As explained above, the annexation shall be considered by the Commission as a required step prior to the zoning of the property. The following findings of facts are required for annexation:

1. The proposed annexation meets the required 1/6th contiguity with the municipal boundary of the City of Salida as shown on the annexation plat.
2. All applicable owners of the property are party to the annexation.
3. The annexation property is within the Municipal Services Area (MSA) of the City of Salida, as defined in the City’s Comprehensive Plan and its intergovernmental agreement (IGA) with Chaffee County approved in 2010. According to the IGA, the MSA “encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure, within the parameters set forth in the Salida Municipal Code and Salida Comprehensive Plan, which may be amended from time to time.”
4. The property may be efficiently served by City fire and police departments.
5. The property is a natural extension of the City’s municipal boundary and meets the legal requirements for annexation.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Chaffee County Development Services: Planning Manager Jon Roorda responded “Chaffee County has no objection, or comments regarding this annexation.”
- Salida School District: The City of Salida and Salida School District met on July 15th to discuss the proposals for the Fire Station and for Crest Academy located directly south of the proposed fire station. Several topics including future land uses, access, utilities, and an emphasis on pedestrian and bicyclist safety were discussed. Discussions will continue as will coordination of the respective development proposals. The school district anticipates applying for annexation and zoning of 627 Oak Street later this year.
- Colorado Department of Transportation: Access Management Unit Program Administrator, Dan Roussin, responded “Thank you for the opportunity to review the Zoning and Annexation of 611 Oak Street (State Highway 291). CDOT is in support of a possible new fire station location. This property will need a new access permit when the fire station becomes available. Please work with CDOT to ensure all the access needs are met for the Town's Fire Station.”
- Salida Public Works Department: Public Works Director David Lady has been and will continue working with the site architect and engineer, the School District, and CDOT to ensure appropriate services and access are provided. Additional comments may be forthcoming.
- Salida Police Department: Police Chief, Russ Johnson responded “No issues from PD”.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend the City Council approve the proposed annexation.

**RECOMMENDED MOTIONS:**

“I make a motion to recommend City Council approve the proposed Salida Fire Station Annexation as it meets the findings of fact for annexation.”

Attachments:

- Application and Annexation Plat
- Proof of publication



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Annexation           | <input type="checkbox"/> Administrative Review:<br>(Type) _____                        |
| <input type="checkbox"/> Pre-Annexation Agreement        |  |
| <input type="checkbox"/> Variance                        | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                        |
| <input type="checkbox"/> Appeal Application              |  |
| <input type="checkbox"/> Certificate of Approval         | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <u>Zoning</u> _____ |
| <input type="checkbox"/> Creative Sign Permit            |  |
| <input type="checkbox"/> Historic Landmark/District      | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> License to Encroach             |  |
| <input type="checkbox"/> Text Amendment to Land Use Code |  |
| <input type="checkbox"/> Watershed Protection Permit     |  |
| <input type="checkbox"/> Conditional Use                 |  |

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

**A. Applicant Information**

Name of Applicant: City of Salida

Mailing Address: 448 E. 1st Street Suite 112

Telephone Number: \_\_\_\_\_ FAX: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

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**B. Site Data**

Name of Development: Oak Street Fire Station

Street Address: 611 Oak Street

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ 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  Date 07/06/2022

Signature of property owner \_\_\_\_\_ Date \_\_\_\_\_

**TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:**

The undersigned hereby petition(s) the City of Salida to annex to the City of Salida the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by the landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C. R. S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above-described territory be annexed to the City of Salida.
2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the City of Salida.
3. That no less than one-sixth of the aggregate external boundaries of the above-described territory hereby petitioned to the City of Salida is contiguous to the City limits of the City of Salida.
4. Accompanying this petition are two mylars and twenty copies of the annexation map.
5. That a community of interest exists between the above-described territory and the City of Salida, and that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the City of Salida.
6. That the above-described territory does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Salida, was held within the twelve months preceding the filing of this petition.
7. That the above-described territory does not include any area included in another annexation proceeding involving city other than the City of Salida.
8. That the above-described territory is not presently a part of any incorporated city, city and county, or town.
9. That the above area described will (not) result in the detachment of the area from any school district and the attachment of the same to another school district.

**"INSERT A"**

(Description of territory proposed for annexation)

**LEGAL DESCRIPTION  
OF A TRACT OF LAND**

A TRACT OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER-WEST 1/16<sup>TH</sup> CORNER, SAID POINT BEING THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED AT RECEPTION NO. 477122, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 4, BEING MARKED BY A 2 ½" ALUMINUM CAP STAMPED LS 16117, BEARS SOUTH 89°21'21" EAST, A DISTANCE OF 1262.48 FEET;

THENCE NORTH 89°30'29" WEST, A DISTANCE OF 406.23 TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 477122 AND THE EAST RIGHT OF WAY OF COLORADO HIGHWAY NO. 291 (OAK STREET) AS MONUMENTED;

THENCE NORTH 88°57'47" WEST, A DISTANCE OF 60.56 FEET TO THE WEST RIGHT OF WAY OF SAID HIGHWAY NO. 291, AS MONUMENTED;

THENCE SOUTH 00°16'23" WEST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 274.23 FEET;

THENCE SOUTH 89°21'33" EAST, A DISTANCE OF 59.06 FEET TO SAID EAST RIGHT OF WAY AS MONUMENTED AND THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED AT RECEPTION NO. 476596;

THENCE SOUTH 89°21'33" EAST, A DISTANCE OF 407.50 FEET TO THE SOUTHEAST CORNER OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 476596;

THENCE NORTH 00°19'13" EAST, ALONG THE EAST LINE OF SAID PROPERTIES DESCRIBED AT RECEPTION NOS. 476596 AND 477122, A DISTANCE OF 274.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.94 ACRES



CITY OF SALIDA REVIEW STANDARDS FOR ANNEXATION

**A. General Purposes. It shall be the general purposes of the City in respect to annexation:**

- 1. Consider Costs and Benefits.** To annex contiguous lands for positive reasons, equitable to the City and not as a matter of right to a petitioner or petitioners. In consideration of any annexation the short-term and long-term costs and benefits to the area proposed to be annexed and the short-term and long-term costs and benefits to the City shall be weighed.

*It will be beneficial to the City of Salida to have a new location for the Salida Fire Station and to have it located within the City boundary.*

- 2. Agreements.** Simultaneous with any ordinance approving the annexation of property into the city boundaries, the owner of the annexed property shall, if requested, enter an annexation agreement upon terms and conditions approved by the City Council, which annexation agreement shall detail a number issues, including but not limited to the subjects described below:

- a. To require, as a condition of annexation of vacant lands, the dedication of lands for public sites within the land area of the territory being annexed. The location of the lands to be dedicated shall be designated by the City after conferring with any other public agency which might have an interest in such sites.

*The City is the Annexor and no need for an Annexation Agreement has been identified. This is a public site and therefore no dedication for other public purposes is necessary.*

- 3. Providing Public Facilities and Services.** Ensuring that adequate water supply, sewage disposal, storm drainage, solid waste disposal, electrical, road, park/recreation and trail and public safety facilities and services are provided. The annexor shall be required to provide evidence of the financial capability of the annexor to complete public and other improvements, including adequate guaranties and security.

*The City is the Annexor and will provide adequate public facilities as needed.*

- 4. Provide for Orderly Development of the City.** To provide for the efficient, well-ordered and safe development of the City of Salida and to accommodate a variety of desirable residential, commercial, industrial and public land uses in an appropriate, efficient and attractive development pattern.

*This annexation is for a public land use and is part of a County enclave encapsulated by properties within the City of Salida.*

- 5. Implement Comprehensive Plan.** To consider land for annexation that conforms with the purposes of the Comprehensive Plan. The annexor shall include a development plan for the property, which at a minimum shall demonstrate that the proposed development of the property is in general conformance with the Comprehensive Plan.

*Providing core services such as fire protection is a principle of the Comprehensive Plan.*

**6. Housing for the Community.**

To promote the construction of housing that is affordable to the community's workforce; retain opportunities for people that work in the City to also live in the City; maintain a balanced community that provides housing for people of all income levels; and ensure that housing options continue to be available for very low-income, low-income, moderate, middle-income residents, special needs populations, and a significant proportion of those who work or live in the City. All subsequent development at this property is required to include at least twelve and one-half (12.5) percent of the total number of residential dwelling units as affordable dwelling units, subject to the standards of Section 16-13-20 and other requirements of Article XIII – Inclusionary Housing of the Salida Municipal Code.

*The purpose of this site is to adequately accommodate a fire station and associated training facility. Should it be determined there is adequate space, additional appropriate uses could be explored in the future.*



# 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](mailto: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. 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.  
Public Safety and providing Core Services such as a Fire Station is a principle of the Comprehensive Plan.

**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.

Adjacent property is C-1. Community bldgs & gov't fac.+ services are Admin Review in C-1.

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

The site will be reviewed for conformance to development standards during Admin Review.

**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.  
A community building / gov't facilities and services is an appropriate use within the C-1 zone district. The character of the neighborhood is a mix of residential, commercial, and community uses. Adjacent property to the north is zoned C-1, a school is located to the south, and residential uses are located across Oak Street / SH 291. This location along State Highway 291 provides ideal access and connectivity to the surrounding City for this use.

**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.

The fire station will comply with Municipal Codes in regards to noise, odors, vibrations, glare and similar conditions.

**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.

The City will provide adequate public facilities.

**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.

The use will not cause significant deterioration to the environment. Fire-fighting foam with PFAS will not be introduced to this site.



**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING BEFORE  
THE PLANNING COMMISSION AND CITY  
COUNCIL FOR THE CITY OF SALIDA  
CONCERNING ANNEXATION AND  
ZONING APPLICATIONS**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE:** that on July 25th, 2022 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, CO and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>

The hearing is regarding applications for Salida Fire Station Annexation and Zoning submitted by the City of Salida for the property located at 611 Oak Street. The City is currently considering a petition to annex and zone this municipally-owned property into the City. The general purpose of the application is to consider the City's request to annex the property and to zone the property C-1.

Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the City Council for review and a public hearing scheduled for August 16th, 2022 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 hearing. Further information on the applications may be obtained from the Community Development Department, (719) 530-2631.

\*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 in person or via the above GoToWebinar link so your comments can be made part of the record.

Published in The Mountain Mail July 8, 2022



### PLANNING COMMISSION STAFF REPORT

**MEETING DATE:** July 25, 2022  
**AGENDA ITEM TITLE:** Recommendation on Proposed Zoning – Salida Fire Station  
**AGENDA SECTION:** Public Hearing

#### REQUEST / BACKGROUND:

The applicant, City of Salida, has submitted applications for annexation and zoning for a 2.94 acre property located at 611 Oak Street. The site was purchased by the City in 2021 with the intention of building a new fire station. The area annexed must be brought under the municipality’s zoning ordinance within 90 days from the effective date of the annexation ordinance.

The City is requesting that the property be zoned Commercial (C-1) following the approval of annexation into the City of Salida.



**Surrounding Land Use and Zoning:** The site is currently zoned COM (Commercial) in Chaffee County. The properties immediately to the south and east remain in Chaffee County and are zoned COM and RES respectively. The properties to the north and west are within the city limits. The property to the north is zoned C-1 with SH 291 Established Commercial Overlay, and the properties to the east are zoned Manufactured Housing (R-4) with SH 291 Established Commercial Overlay.

Overlay Districts	Zone Districts
Salida Downtown Historic District (SDHD)	C-1
Historic Protection Overlay (HPO)	C-2
Creative District Boundary	I
Highway 291 Established Commercial (291 CO)	PD
Highway 291 Established Residential (291 CO)	R-1
Highway 50 Corridor Overlay (50 CO)	R-2
Central Business Economic Overlay (CBE0)	R-3
Sackett's Addition Overlay	R-4
	RMU

**REVIEW STANDARDS FOR MAP AMENDMENTS (Section 16-4-210):**

1. **Consistent with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.

- The Comprehensive Plan includes the goals that new projects should complement the neighborhood’s mass and scale; be focused within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
  - A fire station will be complementary to the existing mix of commercial / residential / light industrial / institutional buildings and uses that exist along this corridor.
  - The area is within the MSA.
  - The development of a fire station and training facility on this lot, as well as any other potential uses, maximizes the utilization of this lot for an essential public service.
  - This location is ideally suited for a fire station because of the available infrastructure – State Hwy 291 – which provides easy access to both downtown and Hwy 50.

2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

- Per the land use code, the purpose of the Commercial (C-1) zone district is: “to provide for commercial and service businesses in a pattern that allows ease of access by both vehicles and pedestrians. Typically, residential uses are conditional within a C-1 zone district. Areas designated Commercial (C-1) are located primarily along the City’s main entrance corridors.”
- This is the most compatible zone district that the Land Use Code offers. In lieu of an “Institutional” district, this proposed amendment is consistent with the purposes of the Commercial (C-1) district.
- “Government administrative facilities and services” require Administrative Review in C-1.

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

- The zoning classification of Commercial (C-1) is compatible with the surrounding zoning of C-1 and R-4. The existing C-1 and R-4 zoned properties do have an SH 291 Established Commercial Overlay that is not being proposed for this property. The purpose of that Overlay is “to establish standards for development along one of the primary entrances to the City along Highway 291, and to provide for a transitional area between the City’s commercial and residential uses...” and “The established commercial sub-area establishes the initial entry image for the City on its northwestern and southern entrances”. Because the City is the owner and developer of this property, the City has a vested interest in the “entry image” of the City without the added layer of the Overlay, specific details of which may hinder design elements and configurations necessary for a use as specific as a fire station and for related public safety.

- Adjacent uses include a school, manufactured housing, and a proposed multi-family and duplex housing development. Chief Doug Bess emphasized that fire department personnel are trained to be aware of their surroundings when driving a fire truck, and have been without incident in the heavily car- and pedestrian-trafficked area surrounding their downtown station location. That said, there are designs for pedestrian crossing(s) and a potential HAWK signal at Nichols Avenue.
  - The City of Salida and Salida School District met on July 15th to discuss the proposals for the Fire Station and for Crest Academy located directly south of the proposed fire station. Several topics including future land uses, access, utilities, and an emphasis on pedestrian and bicyclist safety were discussed. Discussions will continue as will coordination of the respective development proposals. The school district anticipates applying for annexation and zoning of 627 Oak Street later this year.
4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.
- The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend the City Council approve the proposed zoning of the site as Commercial (C-1).

**RECOMMENDED MOTIONS:**

“I make a motion to recommend the City Council approve the proposed zoning of the subject site to Commercial (C-1) Zone District, as it meets the review standards for a zoning/rezoning.”



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Annexation           | <input type="checkbox"/> Administrative Review:<br>(Type) _____                        |
| <input type="checkbox"/> Pre-Annexation Agreement        |  |
| <input type="checkbox"/> Variance                        | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                        |
| <input type="checkbox"/> Appeal Application              |  |
| <input type="checkbox"/> Certificate of Approval         | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <u>Zoning</u> _____ |
| <input type="checkbox"/> Creative Sign Permit            |  |
| <input type="checkbox"/> Historic Landmark/District      | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> License to Encroach             |  |
| <input type="checkbox"/> Text Amendment to Land Use Code |  |
| <input type="checkbox"/> Watershed Protection Permit     |  |
| <input type="checkbox"/> Conditional Use                 |  |

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

**A. Applicant Information**

Name of Applicant: City of Salida

Mailing Address: 448 E. 1st Street Suite 112

Telephone Number: \_\_\_\_\_ FAX: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

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**B. Site Data**


Name of Development: Oak Street Fire Station

Street Address: 611 Oak Street

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ 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  Date 07/06/2022

Signature of property owner \_\_\_\_\_ Date \_\_\_\_\_



# 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](mailto: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. 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.  
 Public Safety and providing Core Services such as a Fire Station is a principle of the Comprehensive Plan.

**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.

Adjacent property is C-1. Community bldgs & gov't fac.+ services are Admin Review in C-1.

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

The site will be reviewed for conformance to development standards during Admin Review.

**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.  
 A community building / gov't facilities and services is an appropriate use within the C-1 zone district. The character of the neighborhood is a mix of residential, commercial, and community uses. Adjacent property to the north is zoned C-1, a school is located to the south, and residential uses are located across Oak Street / SH 291. This location along State Highway 291 provides ideal access and connectivity to the surrounding City for this use.

**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.

The fire station will comply with Municipal Codes in regards to noise, odors, vibrations, glare and similar conditions.

**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.

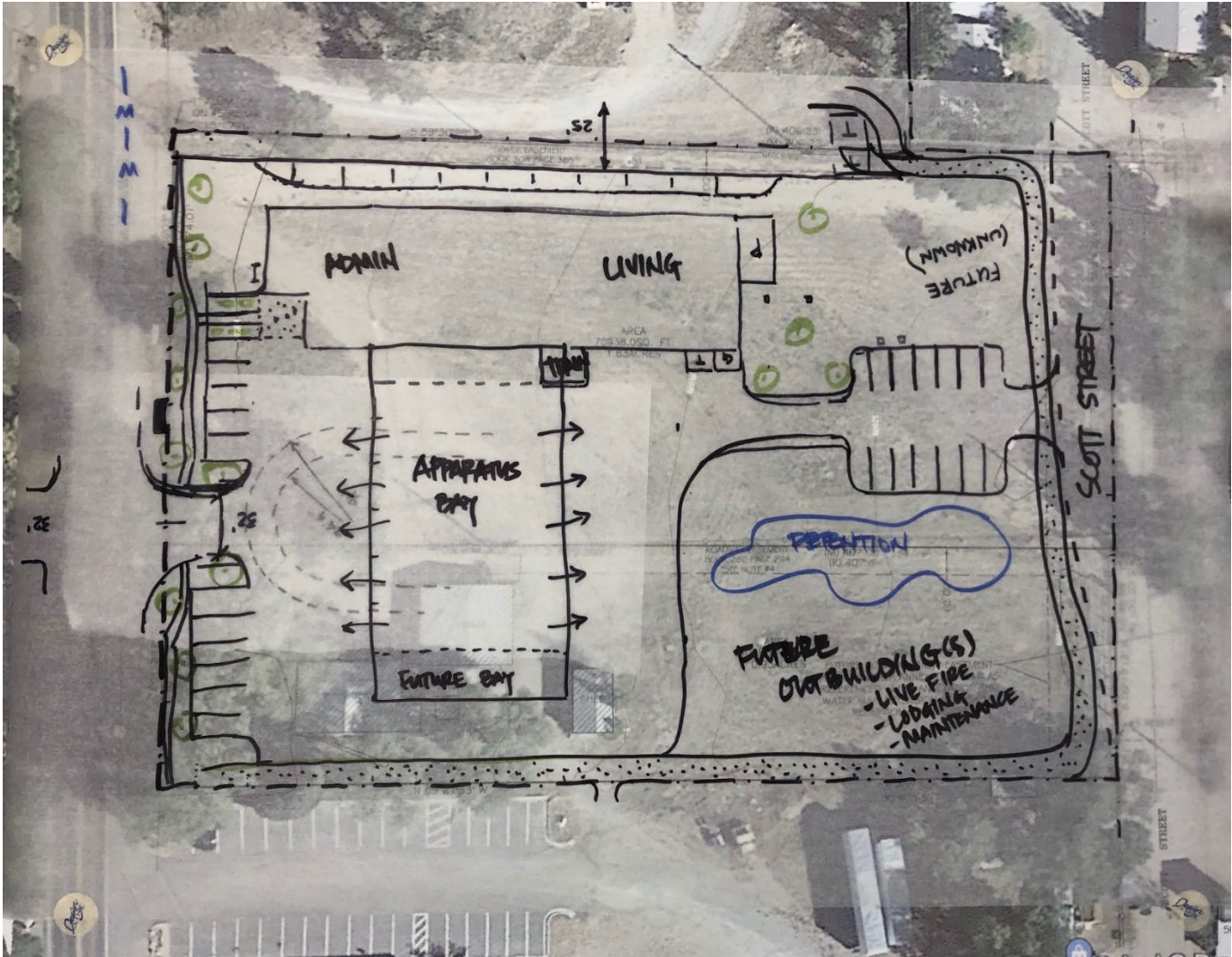
The City will provide adequate public facilities.

**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.

The use will not cause significant deterioration to the environment. Fire-fighting foam with PFAS will not be introduced to this site.



Initial Concept Sketch of Fire Station Site Plan. This is the first preliminary draft developed during a design workshop on June 30, 2022 and is subject to change:



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NOTICE OF PUBLIC HEARING BEFORE  
THE PLANNING COMMISSION AND CITY  
COUNCIL FOR THE CITY OF SALIDA  
CONCERNING ANNEXATION AND  
ZONING APPLICATIONS**

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The hearing is regarding applications for Salida Fire Station Annexation and Zoning submitted by the City of Salida for the property located at 611 Oak Street. The City is currently considering a petition to annex and zone this municipally-owned property into the City. The general purpose of the application is to consider the City's request to annex the property and to zone the property C-1.

Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the **City Council** for review and a public hearing scheduled for **August 16th, 2022** 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 hearing. Further information on the applications may be obtained from the Community Development Department, (719) 530-2631.

\*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 in person or via the above GoToWebinar link so your comments can be made part of the record.

Published in The Mountain Mail July 8, 2022



**PLANNING COMMISSION STAFF REPORT**

**MEETING DATE:** July 25, 2022

**AGENDA ITEM TITLE:** Recommendation on Proposed Annexation – Newman Annexation

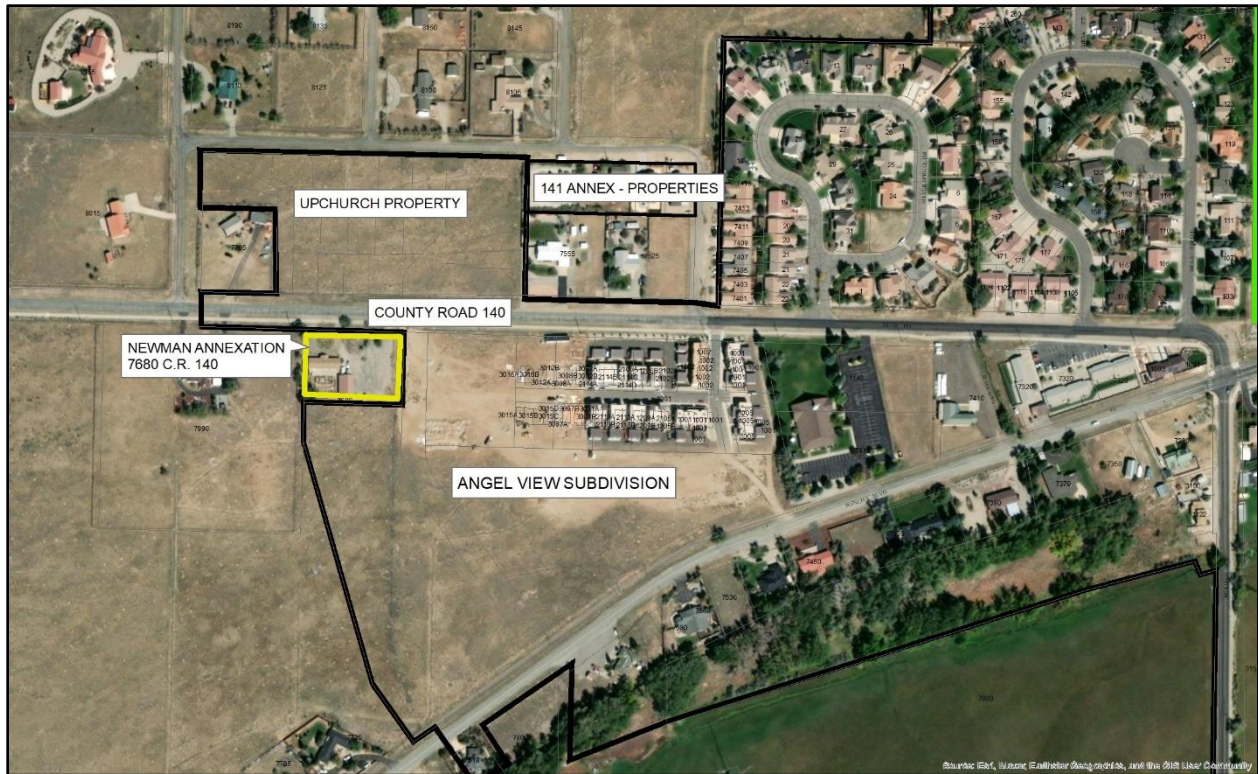
**AGENDA SECTION:** Public Hearing

**REQUEST / BACKGROUND:**

Property owner, Christopher Newman submitted a Major Impact Review application to annex and zone his one (1) acre property located at 7680 C.R.140.

The site adjoins the Angel View property and is across the street from the Upchurch property that was annexed last year. The owner purchased this property late last year and at that time found out that the septic system is failing and will need to connect to the City’s sewer in the near future. Per the Public Works Director, both municipal water and sewer are available in County Road 140.

There is a single-family residence and an accessory dwelling unit (ADU) on the one (1) acre property.



A conceptual review work session with the Planning Commission and City Council was held on July 5, 2022.

**Surrounding Land Use and Zoning:** The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north and west are within the city limits. The Angel View properties to the east are zoned High Density Residential (R-3) and the property to the north is the recently annexed Upchurch parcel that is zoned Medium Density Residential (R-2).



**PROCESS:**

An application for annexation is a multi-step process. When annexing a property, the City must follow state statutes for contiguity and procedural requirements. The steps and standards include:

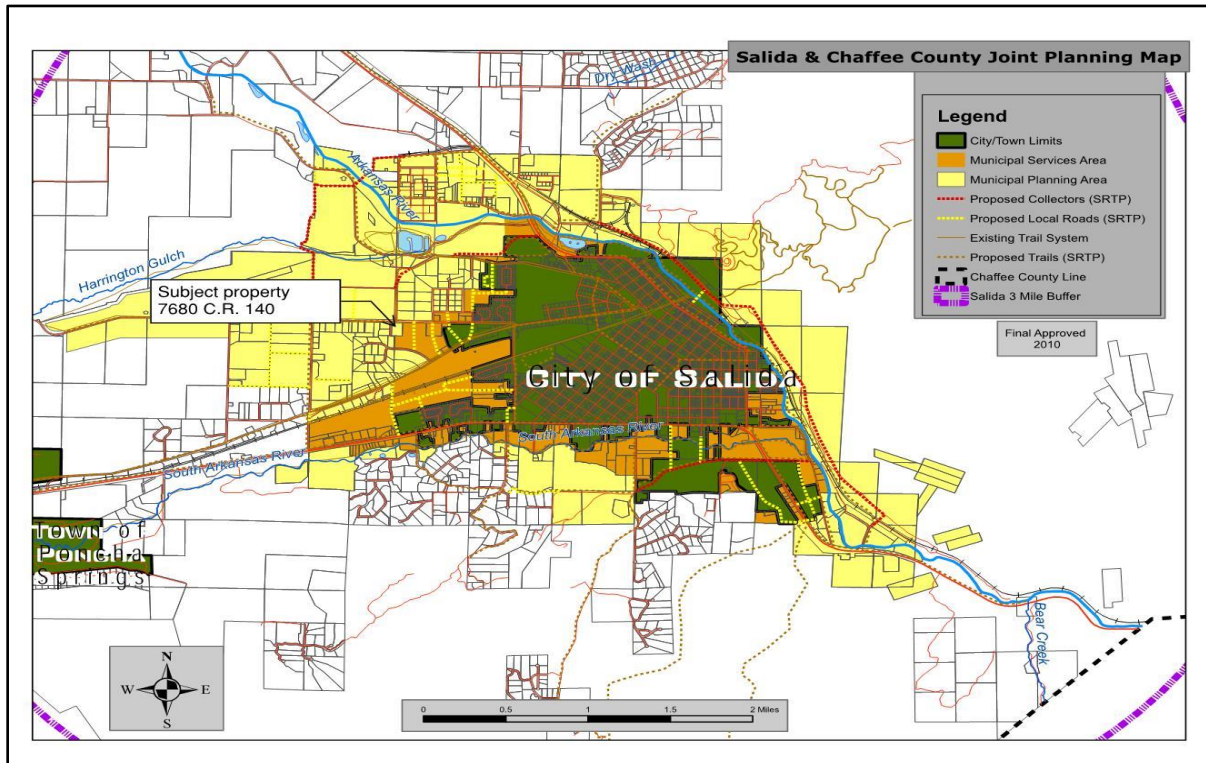
- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;
  - On July 19, 2022 City Council adopted Resolution 2022-31 finding the Annexation petition in compliance with city and state statutes and set the public hearing date for September 6, 2022.
- The (City Council) public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation petition;
- Council reviews and possibly approves an annexation agreement; and
- Council holds a public hearing to review and possibly approves the proposed zoning.

**FINDINGS OF FACT:**

As explained above, the annexation shall be considered by the Commission as a required step prior to the zoning of the property. The following findings of facts are required for annexation:

1. The proposed annexation meets the required 1/6th contiguity with the municipal boundary of the City of Salida as shown on the annexation plat.
2. All applicable owners of the property are party to the annexation.

- The annexation property is within the Municipal Services Area (MSA) of the City of Salida, as defined in the City’s Comprehensive Plan and its intergovernmental agreement (IGA) with Chaffee County approved in 2010. According to the IGA, the MSA “encompasses properties which are eligible for annexation and extension of municipal utilities and infrastructure, within the parameters set forth in the Salida Municipal Code and Salida Comprehensive Plan, which may be amended from time to time.”



The annexation of the property is consistent with the vision and goals set forth in the Comprehensive Land Use Plan. Specifically, to promote new development projects that contain a variety of housing, including affordable units. The applicant will be required to meet the Inclusionary Housing Ordinance with any new development on the property.

In addition, the proposal will provide for a logical extension of the City boundary to support the demand for residentially-zoned land, which will provide housing opportunities.

- The property may be efficiently served by City fire and police departments.
- The property is a natural extension of the City’s municipal boundary and meets the legal requirements for annexation.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

- Salida Fire Department: Fire Chief, Doug Bess, responded “No issues with Fire.”
- Salida Police Department; Police Chief, Russ Johnson, responded “No issues from PD.”

- Chaffee County Development Services: Principal Planner Greg Laudenslager, responded “We have no objections to this annexation and zoning request at 7680 CR 140. Additionally, this application for increased density on municipal water/sewer meets many goals of the 2020 Chaffee County Comprehensive Plan.”
- Salida Public Works Department: Public Works Director David Lady, responded “No concerns, however, can you please pass along to the property owner that DSI will be gearing up to put in curb/gutter/sidewalk on the north side (which would have to be crossed to install water to this property). Additionally, they will be paving 140 after that. It would be very ideal and much less expensive for them to have the service installed in the next month or so. No meter or connection prior to SFD’s being payed.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend City Council approve the proposed Newman Annexation, subject to the conditions listed below.

**RECOMMENDED MOTIONS:**

“I make a motion to recommend City Council approve the proposed Newman Annexation as it meets the findings of fact for annexation, subject to the following recommended conditions to be included in the annexation agreement:

1. Owner shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal for additional units constructed on the property.
2. Owner agrees to pay at the time of building permit all applicable fees for the property in the amounts set forth pursuant to the Salida Municipal Code, or as hereafter amended, namely the building plan review; water and sewer system development fees; and the Fair Contribution to School Sites per Section 16-6-140 of the Salida Municipal Code (SMC)).
3. Fees in lieu of open space shall be provided, in an amount then in effect, at the time of issuance of a building permit for new residential units constructed on the property.

Attachments: Newman Annexation Application and Plat Submittal  
Agency Review  
Proof of publication

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING BEFORE  
THE PLANNING COMMISSION AND CITY  
COUNCIL FOR THE CITY OF SALIDA  
CONCERNING ANNEXATION AND  
ZONING APPLICATIONS**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE:** that on **July 25, 2022** 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 applications for Annexation and Zoning submitted by Christopher Newman for the property located at 7680 County Road 140.

The City is currently considering a petition to annex and zone the subject properties into the City. The general purpose of the application is to consider the applicant's request to zone the property High Density Residential (R-3).

Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the **City Council for review and a public hearing** scheduled for **September 6, 2022**, 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 hearing. Further information on the applications may be obtained from the Community Development Department, (719) 530-2626.

\*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 July 8, 2022

**From:** [Doug Bess](#)  
**To:** [Russ Johnson](#)  
**Cc:** [Kristi Jefferson](#); [Kathy Rohrich](#); [David Lady](#)  
**Subject:** Re: Agency review - 7680 C.R. 140  
**Date:** Wednesday, June 29, 2022 9:15:18 AM  
**Attachments:** [image001.png](#)

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No issues from Fire.

On Tue, Jun 28, 2022 at 1:28 PM Russ Johnson <[rjohnson@salidapolice.com](mailto:rjohnson@salidapolice.com)> wrote:

No Issues from PD.

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**From:** Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)>  
**Sent:** Tuesday, June 28, 2022 11:17 AM  
**To:** 'Doug Bess' <[doug.bess@cityofsalida.com](mailto:doug.bess@cityofsalida.com)>; 'Kathy Rohrich' <[kathy.rohrich@cityofsalida.com](mailto:kathy.rohrich@cityofsalida.com)>; Russ Johnson <[rjohnson@salidapolice.com](mailto:rjohnson@salidapolice.com)>; 'David Lady' <[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)>  
**Subject:** Agency review - 7680 C.R. 140

Attached is the review of an annexation and zoning request from the property owner at 7680 County Road 140. Please let me know if you have any concerns with the requests.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



**From:** [Russ Johnson](#)  
**To:** [Kristi Jefferson](#); "[Doug Bess](#)"; "[Kathy Rohrich](#)"; "[David Lady](#)"  
**Subject:** RE: Agency review - 7680 C.R. 140  
**Date:** Tuesday, June 28, 2022 1:28:56 PM  
**Attachments:** [image001.png](#)

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No Issues from PD.

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**From:** Kristi Jefferson <kristi.jefferson@cityofsalida.com>  
**Sent:** Tuesday, June 28, 2022 11:17 AM  
**To:** 'Doug Bess' <doug.bess@cityofsalida.com>; 'Kathy Rohrich' <kathy.rohrich@cityofsalida.com>; Russ Johnson <rjohnson@salidapolice.com>; 'David Lady' <david.lady@cityofsalida.com>  
**Subject:** Agency review - 7680 C.R. 140

Attached is the review of an annexation and zoning request from the property owner at 7680 County Road 140. Please let me know if you have any concerns with the requests.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.*

**From:** [David Lady](#)  
**To:** "[Kristi Jefferson](#)"; "[Doug Bess](#)"; "[Kathy Rohrich](#)"; "[Russ Johnson](#)"  
**Subject:** RE: Agency review - 7680 C.R. 140  
**Date:** Wednesday, June 29, 2022 11:35:54 AM  
**Attachments:** [image001.png](#)

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No concerns, however, can you please pass along to the property owner that DSI will be gearing up to put in curb/gutter/sidewalk on the north side (which would have to be crossed to install water to this property). Additionally, they will be paving 140 after that. It would be very ideal and much less expensive for them to have the service installed in the next month or so. No meter or connection prior to SFD's being payed.

David Lady, P.E., Director of Public Works  
340 W. Hwy 291  
Salida, CO 81201  
719-539-6257  
[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)

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**From:** Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]  
**Sent:** Tuesday, June 28, 2022 11:17 AM  
**To:** 'Doug Bess' <doug.bess@cityofsalida.com>; 'Kathy Rohrich' <kathy.rohrich@cityofsalida.com>; 'Russ Johnson' <rjohnson@salidapolice.com>; 'David Lady' <david.lady@cityofsalida.com>  
**Subject:** Agency review - 7680 C.R. 140

Attached is the review of an annexation and zoning request from the property owner at 7680 County Road 140. Please let me know if you have any concerns with the requests.

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



*Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.*

**From:** [glaudenslager@chaffeecounty.org](mailto:glaudenslager@chaffeecounty.org)  
**To:** "Kristi Jefferson"; [jroorda@chaffeecounty.org](mailto:jroorda@chaffeecounty.org); [cbarton@chaffeecounty.org](mailto:cbarton@chaffeecounty.org)  
**Subject:** RE: Agency review - 7680 C.R. 140  
**Date:** Wednesday, June 29, 2022 10:34:52 AM  
**Attachments:** [image001.png](#)

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Hi Kristi, thank you for sending this over for review. We have **NO OBJECTIONS** to this annexation and zoning request at 7680 CR 140. Additionally, this application for increased density on municipal water/sewer meets many goals of the 2020 Chaffee County Comprehensive Plan.

Thank you Kristi!

Greg

**Greg Laudenslager**  
 Chaffee County Planning  
 Principal Planner  
 Desk: (719)530-5571  
 Cell: (719)239-4042

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**From:** Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)>  
**Sent:** Tuesday, June 28, 2022 11:22 AM  
**To:** [glaudenslager@chaffeecounty.org](mailto:glaudenslager@chaffeecounty.org); [jroorda@chaffeecounty.org](mailto:jroorda@chaffeecounty.org); [cbarton@chaffeecounty.org](mailto:cbarton@chaffeecounty.org)  
**Subject:** Agency review - 7680 C.R. 140

Attached is the review of an annexation and zoning request from the property owner at 7680 County Road 140. Please let me know if you have any concerns with the requests.

Kristi Jefferson  
 Senior Planner  
 City of Salida  
 448 E. First Street  
 Suite 112  
 Salida, CO 81201  
 (719) 530-2626



*Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.*



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Annexation           | <input type="checkbox"/> Administrative Review:<br>(Type) _____ |
| <input type="checkbox"/> Pre-Annexation Agreement        | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____ |
| <input type="checkbox"/> Variance                        | <input type="checkbox"/> Major Impact Review:<br>(Type) _____   |
| <input type="checkbox"/> Appeal Application              | <input type="checkbox"/> Other: _____                           |
| <input type="checkbox"/> Certificate of Approval         |   |
| <input type="checkbox"/> Creative Sign Permit            |   |
| <input type="checkbox"/> Historic Landmark/District      |   |
| <input type="checkbox"/> License to Encroach             |   |
| <input type="checkbox"/> Text Amendment to Land Use Code |   |
| <input type="checkbox"/> Watershed Protection Permit     |   |
| <input type="checkbox"/> Conditional Use                 |   |

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

### A. Applicant Information

Name of Applicant: CHRISTOPHER NEWMAN

Mailing Address: 7680 COUNTY ROAD 140, SALIDA, CO, 81201

Telephone Number: 314-503-4200 FAX: \_\_\_\_\_

Email Address: Newman.Chris.P@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: Newman Annexation & Zoning

Street Address: 7680 C.R. 140

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ 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 \_\_\_\_\_ Date \_\_\_\_\_

Signature of property owner  \_\_\_\_\_ Date 5/31/2022



## ANNEXATION APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

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

Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

### 1. PROCEDURE (City Code Section 16-9-20)

#### A. Development Process

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review for Completeness.
4. Resolution to Accept Application to City Council
5. Establish Public Hearing Date before Council per Colorado Municipal Annexation Act of 1965.
6. Staff Evaluation of Application and Annexation Agreement (if applicable)
7. Establish Public Hearing Date Before the Planning Commission.
8. Public Notice Provided For Hearings.
9. Public Hearing Conducted by Commission.
10. Annexation Ordinance to City Council for 1<sup>st</sup> and 2<sup>nd</sup> Reading.

### 2. APPLICATION CONTENTS (City Code Section 16-9-40) – ~~Two~~ (10) copies of application materials

#### 1. General Development Application

#### 2. Annexation Petition

- 3. Annexation Map.** The preferred scale of the map is one (1) inch equals one hundred (100) feet; the minimum allowable scale is one (1) inch equals two hundred (200) feet. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches. If it is necessary to draw the map on more than one (1) sheet, a sheet index shall be placed on the first sheet. The annexation map shall contain the following:
- a. Annexation Name
  - b. Legal description. Legal description of the perimeter
  - c. Names and addresses. Names and addresses of the owners, subdivider, land planner and land surveyor registered in the State.
  - d. Scale
  - e. North arrow
  - f. Date. The date the map was prepared.
  - g. Boundary lines and dimensions. Boundary lines of the proposed annexation. Distinction of the boundary that is contiguous to the City and the length of the same boundary on the map, including required showing of contiguity in feet.
  - h. Platted lots. Lot and block numbers if the area is already platted.
  - i. Improvements and easements. The location and dimensions of all existing and proposed streets, alleys, easements, ditches and utilities within or adjacent to the proposed annexation.
  - j. Vicinity map. The vicinity map shall show the location of the proposed annexation, in relation to the City.
  - k. Acreage. Total acreage to be annexed.
  - l. Certificates. Certificates required to appear on the final annexation plat are described in Section 16-9-40 of the Land Use Code.
- 4. Narrative.** Written narrative of how the petition meets the city's review standards.
- 5. Digital Copy.** A digital copy of the plat compatible with the City GIS shall be submitted.
- 6. Application Fee** \$3,000 cash or check made out to City of Salida (\$1,000 application fee + \$2,000 retainer for attorney's fees)

**7. Public Notice.**

- a) 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 notarized affidavits, for proof of posting the public notice.

**8. Petition for Exclusion from the South Arkansas Fire Protection District**

**9. Special Fee and Cost Reimbursement Agreement completed**

ANNEXATION PETITION

TO THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, GREETINGS:

The undersigned hereby petition(s) the City of Salida to annex to the City of Salida the territory shown on the map(s) attached hereto and described on the attachment hereto:

This Petition is signed by the landowners qualified to sign. It is intended that this Petition be a one hundred percent (100%) petition for annexation as described in C. R. S. 1973, Section 31-12-107(l)(g), (as amended).

In support of this petition, the undersigned state(s) and allege(s) as follows, to wit:

1. That it is desirable and necessary that the above-described territory be annexed to the City of Salida.
2. That petitioners are landowners of one hundred percent (100%) of the territory, excluding streets and alleys, herein proposed for annexation to the City of Salida.
3. That no less than one-sixth of the aggregate external boundaries of the above-described territory hereby petitioned to the City of Salida is contiguous to the City limits of the City of Salida.
4. Accompanying this petition are two mylars and twenty copies of the annexation map.
5. That a community of interest exists between the above-described territory and the City of Salida, and that the same is urban, or will be urbanized in the near future, and further that the said territory is integrated or is capable of being integrated in the City of Salida.
6. That the above-described territory does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Salida, was held within the twelve months preceding the filing of this petition.
7. That the above-described territory does not include any area included in another annexation proceeding involving city other than the City of Salida.
8. That the above-described territory is not presently a part of any incorporated city, city and county, or town.
9. That the above area described will (not) result in the detachment of the area from any school district and the attachment of the same to another school district.

**ANNEXATION PETITION**

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**"INSERT A"**

(Description of territory proposed for annexation)

**EXHIBIT A**

A tract of land located in the Northeast ¼ of the Northwest ¼ of Section 6, Township 49 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, described as follows:

Beginning at a point on the south boundary of County Road No. 140 from whence the north quarter corner of said Section 6 bears North 87°19' East 1008.0 feet (said quarter corner is located 14.82 feet due south of a brass capped witness corner), also from said beginning point the northwest corner of the Northeast ¼ of the Northwest ¼ of said Section 6 bears North 79°23'14" West 319.37 feet;

Thence proceeding around the tract herein described South 88°55'09" East along the south boundary of said County Road 140 a distance of 242.0 feet;

Thence leaving said south roadway boundary South 01°04'51" West 180.0 feet;

Thence North 88°55'09" West 242.0 feet;

Thence North 01°04'51" East 180.0 feet to the point of beginning.

Directions are based on solar observation.


Also known by the following address:

7680 County Road 140, Salida, CO 81201

And assessor's schedule or parcel number: 380706200002

### ANNEXATION PETITION

This Section must be filled out if there are multiple properties/property owners petitioning annexation.

Signature of Petitioners Requesting Annexation to the City of Salida, Colorado	Date of Signature of Each Petitioner	Mailing Address of each Petitioner	Description of Property Included the Area Proposed for Annexation Owned by Each person Signing this Petition. (Attach separate sheet, if necessary)
	5/31/2022	7680 COUNTY RD 140, SALIDA, CO 81201	

**CITY OF SALIDA REVIEW STANDARDS FOR ANNEXATION**

A. General Purposes. It shall be the general purposes of the City in respect to annexation:

1. **Consider Costs and Benefits.** To annex contiguous lands for positive reasons, equitable to the City and not as a matter of right to a petitioner or petitioners. In consideration of any annexation the short-term and long-term costs and benefits to the area proposed to be annexed and the short-term and long-term costs and benefits to the City shall be weighed.
2. **Agreements.** Simultaneous with any ordinance approving the annexation of property into the city boundaries, the owner of the annexed property shall, if requested, enter an annexation agreement upon terms and conditions approved by the City Council, which annexation agreement shall detail a number issues, including but not limited to the subjects described below:
  - a. To require, as a condition of annexation of vacant lands, the dedication of lands for public sites within the land area of the territory being annexed. The location of the lands to be dedicated shall be designated by the City after conferring with any other public agency which might have an interest in such sites.
3. **Providing Public Facilities and Services.** Ensuring that adequate water supply, sewage disposal, storm drainage, solid waste disposal, electrical, road, park/recreation and trail and public safety facilities and services are provided. The annexor shall be required to provide evidence of the financial capability of the annexor to complete public and other improvements, including adequate guaranties and security.
4. **Provide for Orderly Development of the City.** To provide for the efficient, well-ordered and safe development of the City of Salida and to accommodate a variety of desirable residential, commercial, industrial and public land uses in an appropriate, efficient and attractive development pattern.
5. **Implement Comprehensive Plan.** To consider land for annexation that conforms with the purposes of the Comprehensive Plan. The annexor shall include a development plan for the property, which at a minimum shall demonstrate that the proposed development of the property is in general conformance with the Comprehensive Plan.
6. **Housing for the Community.**  
To promote the construction of housing that is affordable to the community's workforce; retain opportunities for people that work in the City to also live in the City; maintain a balanced community that provides housing for people of all income levels; and ensure that housing options continue to be available for very low-income, low-income, moderate, middle-income residents, special needs populations, and a significant proportion of those who work or live in the City. All subsequent development at this property is required to include at least twelve and one-half (12.5) percent of the total number of residential dwelling units as affordable dwelling units, subject to the standards of Section 16-13-20 and other requirements of Article XIII – Inclusionary Housing of the Salida Municipal Code.

**PETITION FOR EXCLUSION OF THE PROPERTY FROM THE SOUTH ARKANSAS FIRE PROTECTION DISTRICT**

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As an owner of property currently located in unincorporated Chaffee County, fire protection services are provided by the South Arkansas Fire Protection District (SAFPD). These services are supported by a tax, specifically for the SAFP, on your tax bill. Once a property is annexed into the City of Salida, fire protection services will be provided by the City.

If a property owner annexes into the City and does not petition the SAFP for exclusion from the district, the property owner(s) will continue to pay real property taxes to South Arkansas Fire Protection District. In essence, being taxed by both the SAFP and the City for fire protection service.

It is the responsibility of the property owner to exclude land from the special taxing district during the annexation process. The information on the following page should be submitted to the SAFP if you would like to have your property removed from their taxing district.

Mail the petition to the attorney for the South Arkansas Fire Protection District:

Michael Luedtke  
Hoskin Farina & Kampf, P.C.  
P.O. Box 40  
Grand Junction, CO 81502  
(970) 986-3400  
FAX: (970) 986-3401

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To whom it may concern,

I intend to use the property at 7680 County Road 140 in Salida, Colorado as the primary residence for myself and my family. The existing structures are to remain in place. We'd like to be able to replace the outdated septic system and connect to city water and sewer.

In the future, we have hopes of building additional units on the Eastern side of the property in order to provide additional housing for the community.

We are applying to be zoned R-3.

Please let me know if there is anything else that I can provide.

Thank you,

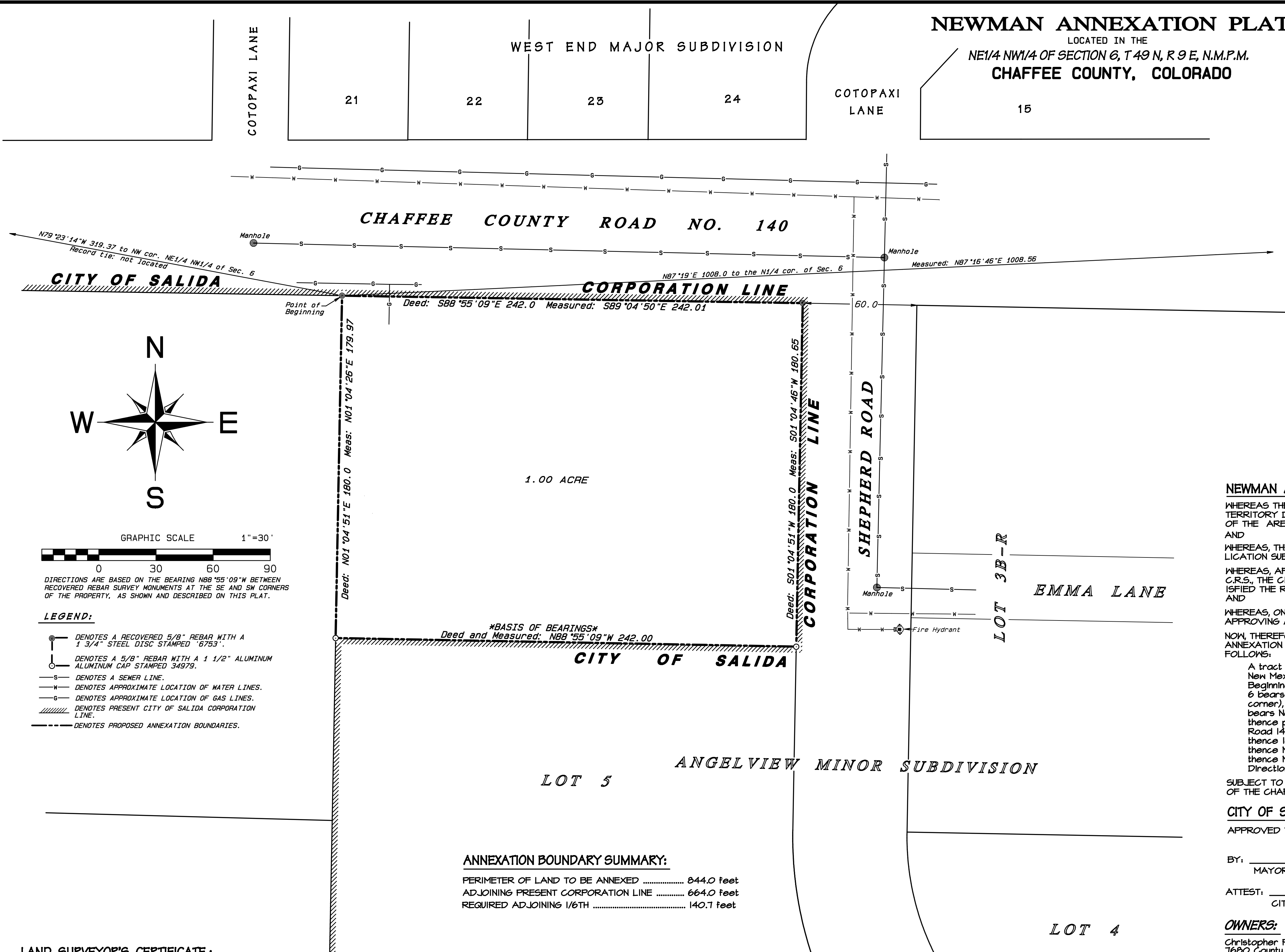
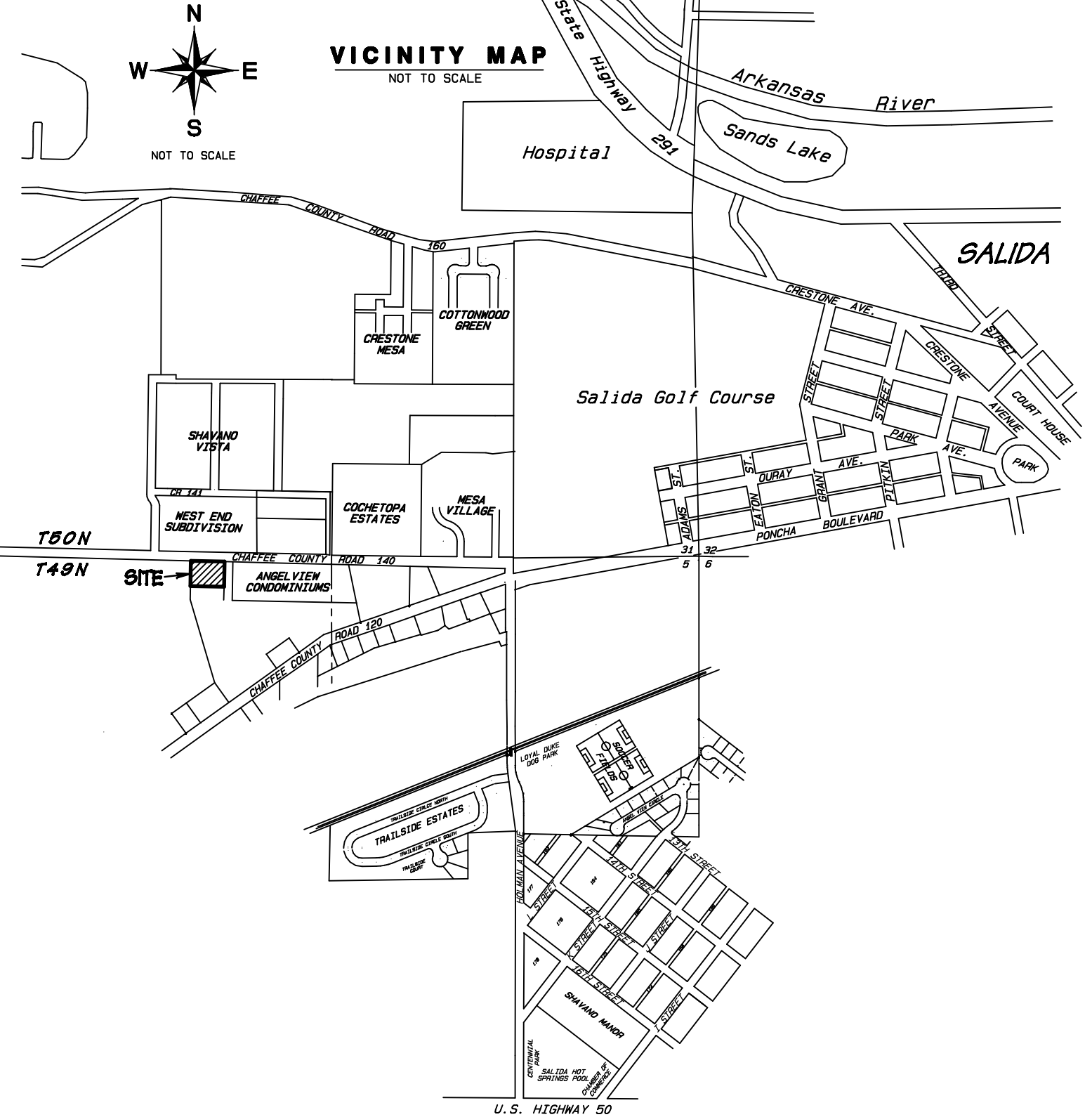


Christopher Newman

5/31/2022

# NEWMAN ANNEXATION PLAT

LOCATED IN THE  
NE1/4 NW1/4 OF SECTION 6, T 49 N, R 9 E, N.M.P.M.  
CHAFFEE COUNTY, COLORADO



### NEWMAN ANNEXATION TO THE CITY OF SALIDA CERTIFICATION:

WHEREAS THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, HAS BEEN PRESENTED WITH AN APPLICATION TO ANNEX THE TERRITORY DESCRIBED HEREIN BY CHRISTOPHER PAUL NEWMAN AND ALEXANDRIA LIV PONDER NEWMAN, THE OWNERS OF 100% OF THE AREA TO BE ANNEXED;  
AND  
WHEREAS, THE CITY COUNCIL BY RESOLUTION ADOPTED \_\_\_\_\_, 202\_\_\_\_, DETERMINED THAT THE ANNEXATION APPLICATION SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF SECTION 38-12-107(I), C.R.S. AND  
WHEREAS, AFTER PUBLISHED NOTICE AND PUBLIC HEARING ON \_\_\_\_\_, 202\_\_\_\_, AS REQUIRED BY SECTION 31-12-108, C.R.S., THE CITY COUNCIL ADOPTED RESOLUTION NUMBER \_\_\_\_\_ (SERIES OF 202\_\_\_\_), DETERMINING THAT THE ANNEXATION SATISFIED THE REQUIREMENTS OF SECTION 31-12-104 AND 105, C.R.S., AND THAT AN ANNEXATION ELECTION WAS NOT REQUIRED;  
AND  
WHEREAS, ON \_\_\_\_\_, 202\_\_\_\_, THE CITY COUNCIL ADOPTED ORDINANCE NUMBER \_\_\_\_\_ (SERIES OF 202\_\_\_\_), APPROVING AND ANNEXING THE NEWMAN ANNEXATION TO THE CITY OF SALIDA.  
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE NEWMAN ANNEXATION DESCRIBED HEREIN; TO WIT, THE TERRITORY COMPRISING 1.0 ACRE, MORE OR LESS, AND BEING DESCRIBED AS FOLLOWS:

A tract of land located in the Northeast 1/4 of the Northwest 1/4 of Section 6, Township 49 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, described as follows:  
Beginning at a point on the south boundary of County Road No. 140 from whence the north quarter corner of said Section 6 bears North 87°19' East 1008.0 feet (said quarter corner is located 14.82 feet due south of a brass capped witness corner), also from said beginning point the northwest corner of the Northeast 1/4 of said Section 6 bears North 79°23'14" West 319.37 feet;  
thence proceeding around the tract herein described South 88°55'09" East along the south boundary of said County Road 140 a distance of 242.0 feet;  
thence leaving said south roadway boundary South 1°04'51" West 180.0 feet;  
thence North 88°55'09" West 242.0 feet;  
thence North 1°04'51" East 180.0 feet to the point of beginning.  
Directions are based on solar observation.

SUBJECT TO THE TERMS AND CONDITIONS OF THE ANNEXATION AGREEMENT RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE CHAFFEE COUNTY RECORDS.

### CITY OF SALIDA APPROVAL:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

BY: \_\_\_\_\_  
MAYOR OF THE CITY OF SALIDA

ATTEST: \_\_\_\_\_  
CITY CLERK

**OWNERS:**  
Christopher Paul Newman and Alexandria Liv Ponder Newman  
1680 County Road 140  
Salida, CO. 81201

### OWNERS CERTIFICATE:

THIS IS TO CERTIFY THAT THE UNDERSIGNED, BEING THE OWNERS OF 100% OF THE PROPERTY DESCRIBED AND SHOWN HEREON DESIRE AND APPROVE OF THE ANNEXATION OF SAID PROPERTY TO THE CITY OF SALIDA.

Christopher Paul Newman  
Alexandria Liv Ponder Newman

STATE OF COLORADO }  
COUNTY OF CHAFFEE }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

WITNESS MY HAND AND OFFICIAL SEAL  
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

### CITY OF SALIDA CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS EXECUTED ANNEXATION MAP, ALONG WITH THE ORIGINAL ANNEXATION ORDINANCE FOR THE NEWMAN ANNEXATION WAS ACCEPTED FOR FILING IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
CITY CLERK

### CHAFFEE COUNTY CLERK & RECORDER'S CERTIFICATE:

I HEREBY CERTIFY THAT A CERTIFIED COPY OF THIS ANNEXATION MAP AND A CERTIFIED COPY OF THE ANNEXATION ORDINANCE FOR THE NEWMAN ANNEXATION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, WERE ACCEPTED AND FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, UNDER RECEPTION NUMBER(S) \_\_\_\_\_.

\_\_\_\_\_  
CHAFFEE COUNTY CLERK AND RECORDER

### CITY OF SALIDA CORPORATION LINE

CHAFFEE COUNTY ROAD NO. 140

### CITY OF SALIDA CORPORATION LINE

1.00 ACRE

### CITY OF SALIDA CORPORATION LINE

### ANGEL VIEW MINOR SUBDIVISION

LOT 5

EMMA LANE

LOT 4

### ANNEXATION BOUNDARY SUMMARY:

PERIMETER OF LAND TO BE ANNEXED ..... 844.0 feet  
ADJOINING PRESENT CORPORATION LINE ..... 664.0 feet  
REQUIRED ADJOINING 1/6TH ..... 140.7 feet

### LAND SURVEYOR'S CERTIFICATE:

I, MICHAEL K. HENDERSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THE MONUMENTS SHOWN HEREON WERE RECOVERED AS INDICATED, AND THIS PLAT ACCURATELY REPRESENTS THE RESULTS OF SAID SURVEY TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THAT AT LEAST ONE-SIXTH OF THE PERIMETER BOUNDARIES OF THE TRACT TO BE ANNEXED ARE ADJACENT TO THE PRESENT CITY OF SALIDA CORPORATION LINE. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

MICHAEL K. HENDERSON  
REG. L. S. NO. 16117  
STATE OF COLORADO

### GENERAL LAND SURVEYOR'S NOTES:

- 1) ANNEXATION DESCRIPTION BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY TITLE POLICY NO. 5011408-00634606 (CENTRAL COLORADO TITLE & ESCROW FILE NO. 21-16164) DATED NOVEMBER 23RD 2021.
- 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION AND ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED HEREON.

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.

<b>NEWMAN ANNEXATION PLAT</b> IN THE NE1/4 NW1/4 OF SEC. 6, T 49 N, R 9 E, N.M.P.M. CHAFFEE COUNTY CITY OF SALIDA COLORADO	
Job Number: J-22-086 DESIGNED: M. K. H. DRAWN BY: TMOO CAD	<b>HENDERSON LAND SURVEYING CO., INC.</b> 208 G STREET SALIDA, COLORADO
CHECKED: _____ FIG. BOOK: S318 P. 80 TSC3 GPS	DATE: 5/26/22 DRAWING NO. L-22-26



### STAFF REPORT

**MEETING DATE:** July 25, 2022

**AGENDA ITEM TITLE:** Newman Annexation - Zoning Review

**AGENDA SECTION:** Public Hearing

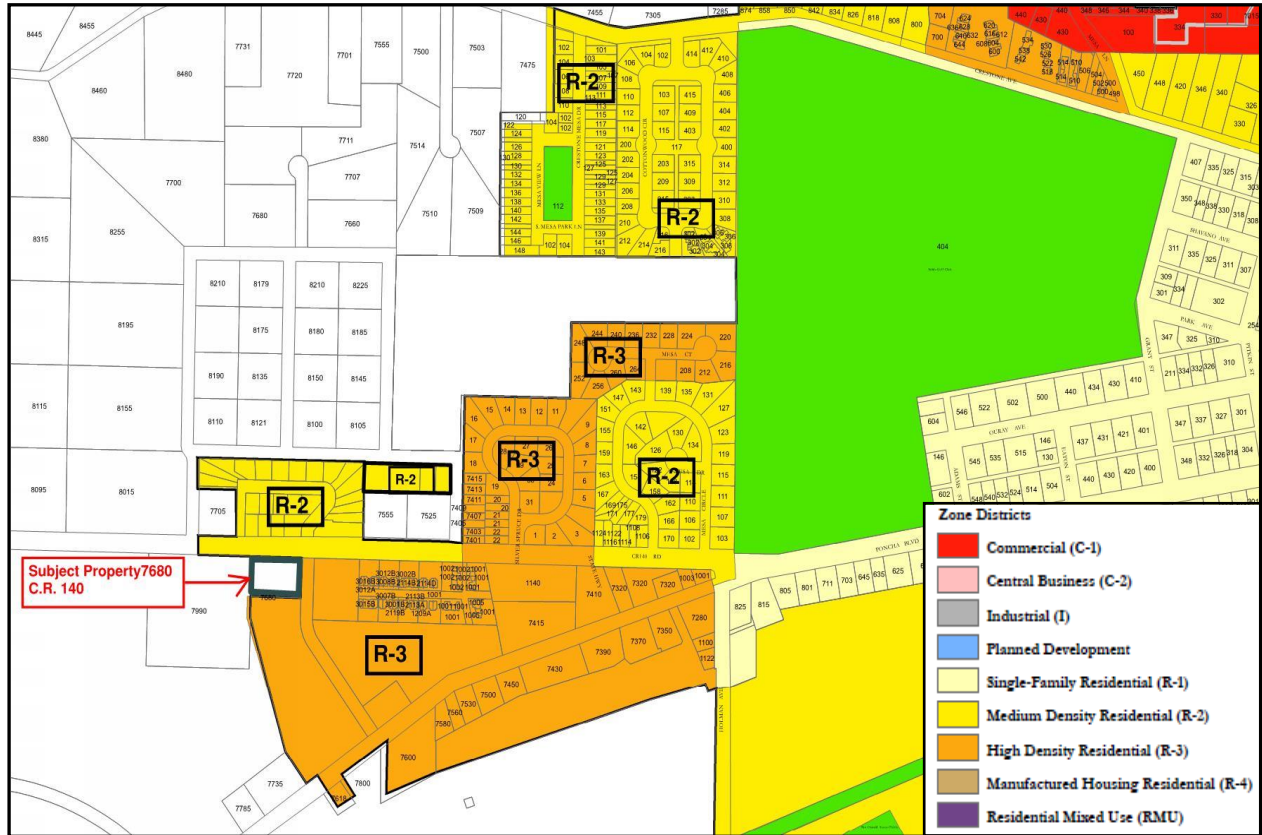
#### REQUEST / BACKGROUND:

Following approval of the Newman Annexation of the one (1) acre property into the City of Salida, applicant Christopher Newman has requested a designation of the High Density Residential (R-3) zone district. The area annexed must be brought under the municipality’s zoning ordinance within 90 days from the effective date of the annexation ordinance.

The property is located along County Road 140, as shown on the map below. A complete legal description is shown as exhibit A with the annexation application.



**SURROUNDING LAND USE AND ZONING:** The site is currently zoned RES (Residential Zone District) in Chaffee County. The properties immediately to the west remain in Chaffee County and are also zoned RES. The properties to the north and west are within the city limits. The Angel View properties to the east are zoned High Density Residential (R-3) and the property to the north is the recently annexed Upchurch parcel that is zoned Medium Density Residential (R-2).



**REVIEW STANDARDS FOR MAP AMENDMENTS (Section 16-4-210):**

1. **Consistent with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.
  - The Comprehensive Plan includes the goals that new projects should complement the neighborhood’s mass and scale; be focused within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
  - The zoning of R-3 would be consistent with the zoning found in the adjacent Angel View development and would continue the regular pattern of zone district application.
  
2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
  - Per the land use code, the purpose of the Medium-Density Residential (R-3) zone district is to provide for relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses. Complementary land uses may also

include such supporting land uses as parks, schools, churches, home occupations or day care, amongst other uses.

- The parcel being annexed has a single-family residence and an ADU. The applicant has indicated that in the future he is hoping to build additional residential units in order to provide additional housing for the community.
- Staff supports the request to zone the subject property as High-Density Residential (R-3).

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

- The zoning classification of High Density (R-3) is consistent and compatible with the zoning of the adjoining Angel View property and properties to the east of the property.

4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.

- The proposed zoning is occurring because of the requirement to zone the property when annexed into the City in accordance with Section 16-4-50 of the Land Use and Development Code.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend City Council approve the proposed zoning of the site as High Density Residential (R-3).

**RECOMMENDED MOTION:**

“I make a motion to recommend the City Council approve the proposed zoning of the subject site as High Density Residential (R-3) Zone District, as it meets the review standards for zoning/rezoning.”

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING BEFORE  
THE PLANNING COMMISSION AND CITY  
COUNCIL FOR THE CITY OF SALIDA  
CONCERNING ANNEXATION AND  
ZONING APPLICATIONS**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE:** that on **July 25, 2022** 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 applications for Annexation and Zoning submitted by Christopher Newman for the property located at 7680 County Road 140.

The City is currently considering a petition to annex and zone the subject properties into the City. The general purpose of the application is to consider the applicant's request to zone the property High Density Residential (R-3).

Any recommendation by the Planning Commission for the Annexation and Zoning shall be forwarded to the **City Council for review and a public hearing** scheduled for **September 6, 2022**, 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 hearing. Further information on the applications may be obtained from the Community Development Department, (719) 530-2626.

\*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 July 8, 2022

To whom it may concern,

I intend to use the property at 7680 County Road 140 in Salida, Colorado as the primary residence for myself and my family. The existing structures are to remain in place. We'd like to be able to replace the outdated septic system and connect to city water and sewer.

In the future, we have hopes of building additional units on the Eastern side of the property in order to provide additional housing for the community.

We are applying to be zoned R-3.

Please let me know if there is anything else that I can provide.

Thank you,



Christopher Newman

5/31/2022



**OBSERVATIONS:**

1. The parcel was annexed into the City in 2021 as part of the Upchurch Annexation, which was a single parcel totaling 5.32 acres and at that time was zoned R-2.
2. The Annexation Agreement included stipulations regarding minimum lot size and single-family residential for the lots along the northern edge of the development – the 8 lots that back to CR 141D - which was in response to County neighbors immediately to the north of the site, and input from Chaffee County. There were no such stipulations put on Lot 15, which is located in the southwestern corner of the development and is directly across CR 140 from Angelview Development, zoned R-3. The applicant had expressed interest in zoning Lot 15 as R-3 during the annexation process; however, such a split-zoning was not possible at the time of Annexation and Zoning because the subdivision had not yet been platted.
3. At 15,718 square feet, the R-2 zoning of Lot 15 allows for 5 principal dwelling units. R-3 zoning would allow for 7 units. The applicant would like to construct 6 units, in the form of 3 duplexes.
4. The Inclusionary Housing Agreement for West End Subdivision requires the applicant to provide 5 built units of inclusionary housing, which covers the first 40 units in the subdivision. If more than 40 units are built, the unit over 40 would pay the fee-in-lieu. If 6 units are built on this lot, the proposed total number of units within the subdivision will be 44, requiring 5.5 IH units. By providing 6 built IH units on this lot instead of 5, the inclusionary housing obligation will be met up to a total of 48 units within the subdivision and no fee-in-lieu will be required.

**REVIEW STANDARDS FOR MAP AMENDMENTS 16-4-210(c):**

1. **Consistent with Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.

The proposed amendment is consistent with The City of Salida Comprehensive Plan. The Comprehensive Plan, Chapter 6, Housing, states “New neighborhoods or infill homes should be compatible with community character with respect to density, design, and demographics. The city recognizes that the cost of infrastructure per household is reduced as density increases and dense housing should be encouraged to the extent possible without negatively impacting the character of existing neighborhoods.”

The location of Lot 15 is between the high density Angelview Condominiums and the medium density of the remaining West End Subdivision. Allowing R-3 density on Lot 15 balances compatibility with the surrounding community character while making better use of the land and infrastructure than R-2 zoning would allow.

2. **Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.

The proposed amendment is consistent with High-Density Residential (R-3). “The purpose of R-3 zone district is to provide for relatively high density duplex and multi-family residential areas, including primarily triplex, townhouse, and apartment uses.” The provision of 3 duplexes on a 15,718 square foot lot is compatible with the intent of R-3.

3. **Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.

The in-City zone districts closest to the subject property are zoned either R-2, Medium –Density Residential, or R-3, High-Density Residential. The R-3 properties consist of the Angelview development located across CR 140 from the subject property which is multi-family units, and Cochetopa Estates, located approximately 500 feet away to the east and is a mix of single-family and duplexes. The properties that are zoned R-2, Medium-Density Residential are the remaining lots of this development – West End Subdivision – which serve as a buffer to the single-family County lots to the north. Additionally, two nearby, existing single family residences have been annexed since the Upchurch annexation and are zoned R-2. Directly east of this site is a County property zoned RES, containing a single family home.

The current zoning allows for 5 units to be built on lot 15; the proposed amendment would allow up to 7 units to be built on lot 15 and would be compatible with existing zone districts, land uses, and mixed housing types and character of nearby properties within city limits. The applicant plans to construct 3 duplexes for a total of 6 units.

- 4. **Changed Conditions or Errors.** The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one (1) or more errors in the boundaries shown on the Official Zoning Map have occurred.

The applicant had expressed interest in zoning Lot 15 as R-3 during the annexation and zoning process; however, such a split-zoning was not possible at that time because the subdivision had not yet been platted.

**RECOMMENDED FINDINGS:**

The application is in compliance with the review standards for map amendments because this property is surrounded by both High Density Residential and Medium Density Residential zone districts.

**RESPONSE FROM REFERRAL DEPARTMENTS AND AGENCIES:**

Fire Department – Assistant Fire Chief, Kathy Rohrich – Fire Department has no concerns at this time.

Police Department – Chief Russ Johnson – No issues from PD.

Public Works Department – Director, David Lady – No comments from Public Works have been received as of the date of this staff report.

**STAFF RECOMMENDATIONS:**

Staff recommends the Planning Commission recommend the Council approve the proposed re-zoning request.

**RECOMMENDED MOTION:**

“I make a motion to recommend the City Council approve the rezoning of the subject site from Medium-Density Residential (R-2) to High-Density Residential (R-3) as it meets the review standards for map amendments.”

Attachments:

- Application for Re-zoning
- Proof of publication



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- Annexation
- Pre-Annexation Agreement
- Appeal Application (Interpretation)
- Certificate of Approval
- Creative Sign Permit
- Historic Landmark/District
- License to Encroach
- Text Amendment to Land Use Code
- Watershed Protection Permit
- Conditional Use
- Administrative Review:  
(Type) \_\_\_\_\_
- Limited Impact Review:  
(Type) \_\_\_\_\_
- Major Impact Review:  
(Type) Re-Zone \_\_\_\_\_
- Other: \_\_\_\_\_

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

### A. Applicant Information

Name of Applicant: SGP LLC

Mailing Address: 901 North Pennsylvania St Denver CO 80203

Telephone Number: (512)826-6152 FAX: \_\_\_\_\_

Email Address: toryup@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: West End Subdivision

Street Address: TBD CR 140

Legal Description: Lot 15 Block \_\_\_\_\_ Subdivision West End (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: Tory Upchurch Date: \_\_\_\_\_

Signature of property owner: \_\_\_\_\_ Date: 7/5/22



# 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](mailto: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.



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.

Our intent is provide more inclusionary housing options which is consistent with the City of Salida's Comprehensive Plan.

**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.

Our request is to rezone Lot 15 to R3 which will allow us to build 6 inclusionary housing units. Currently under R2 Zoning, we are limited to a minimum sq. footage per principal dwelling unit of 3125 sq ft. R2 Zoning would allow for a minimum square footage per unit of 2400 sq ft would would allow us to add an additional unit.

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

We will follow the same site development standards we have agreed to for the West End

**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.

The density on Lot 15 under R3 zoning would allow us to add 6 total units. This would be similar density as the triplexes and duplexes being built in the West End Subdivision as well as the Angel View Condominiums on CR 140.

**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.

**We will follow the same guidelines we are following and have agreed to in the Annexation Agreement for West End Subdivision.**

**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.

**There will be no additional need for public facilities and no service deficiencies associated with this request.**

**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.

**We will follow the same guidelines we are following and have agreed to in the Annexation Agreement for West End Subdivision.**

## Information for Major Impact Review (Re-Zoning) Application: WestEnd Development

**PREPARED BY:** Tory Upchurch, SGP LLC  
Address: 901 North Pennsylvania St Denver CO 80203  
Prepared for: City of Salida Planning Commission

**PURPOSE OF REPORT:** Tory Upchurch of SGP LLC is submitting applications to the City of Salida for a Major Subdivision/ Major Impact Review. This narrative report provides development information of the Subdivision and explains how the project meets the city’s review standards and code.

**BASIC SITE INFORMATION:** General Description: The 5.32 acre site is located on the west boundary of Salida. The property sits north of CR 140 or Airport Rd., south of CR 141 or Ouray Ave., and east of Pinion Dr. It is currently raw and empty land. The AngelView Condominium Development is located across Airport Rd to the south. The property is zoned R2 and has been subdivided into 24 lots.



**WRITTEN NARRATIVE  
WestEnd Subdivision: Re-Zone Request**

**Purpose and Objective and Statement of Planning Objectives:** Our request is to re-zone Lot 15 to R3 to allow for additional density and the ability to add one additional inclusionary housing unit. .

- Lot 15 is 15,718 sq ft. R2 Zoning has a minimum square footage per dwelling unit of 3125 sq ft, which limits us to 5 units on Lot 15. R3 Zoning would decrease the minimum square footage per dwelling unit to 2400 sq ft allowing us to build an additional unit on the lot.

**Inclusionary Housing Obligations:** Per our negotiated Annexation Agreement, we “shall meet the affordable housing requirement of 12.5% of all future units built.” Thus, given that we are proposing to build 43 units, we were building five (5) affordable housing units in a manner that complies with the requirements of the Inclusionary Housing ordinance. We would now like to build an additional unit for the following reasons:

- More affordable housing is a good thing.
- We do not want to underutilize Lot 15.
- 6 Units will allow us to build 3 duplexes which we feel will blend in to the neighborhood more effectively

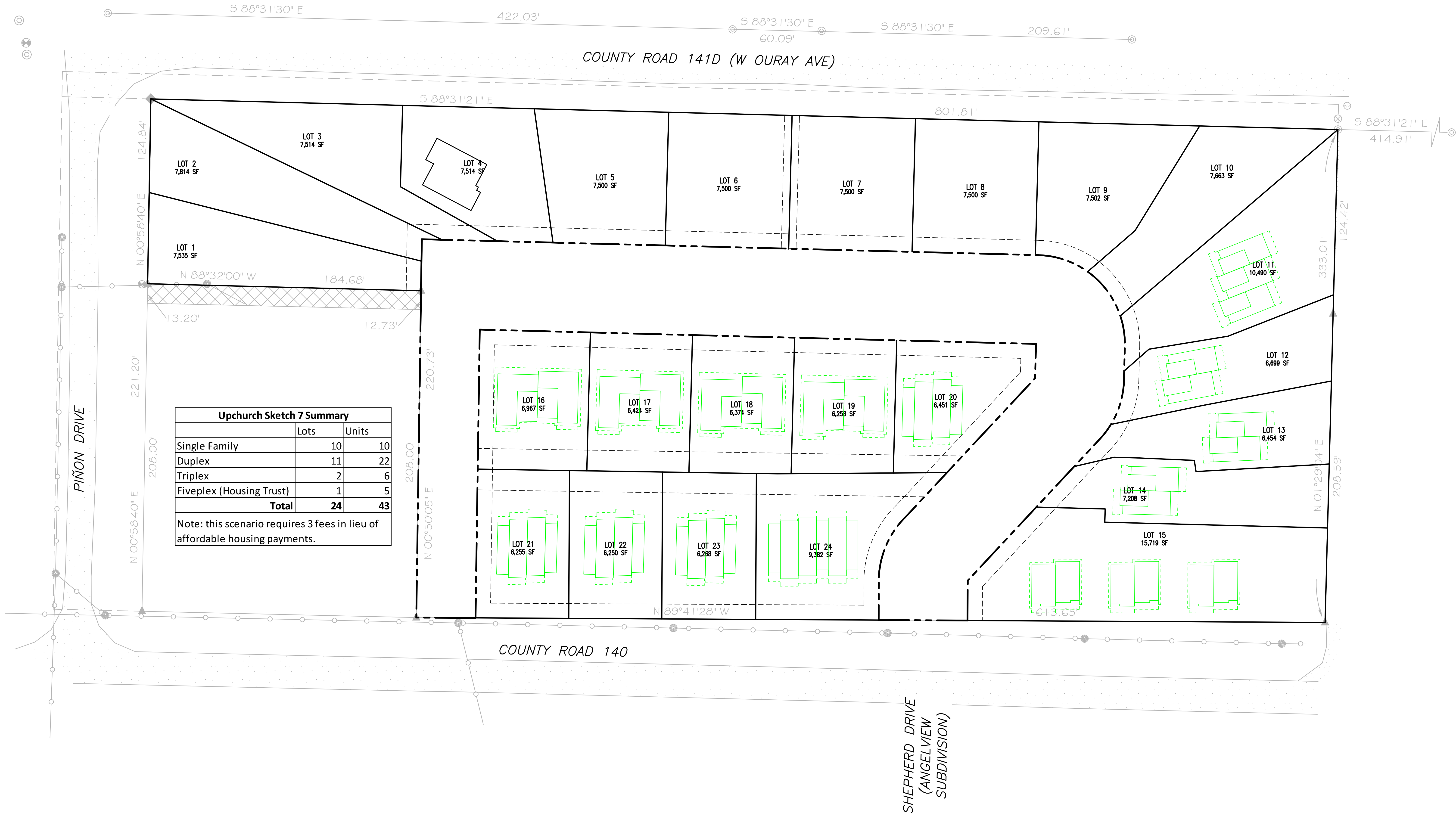
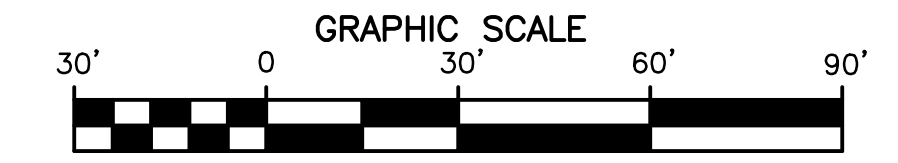
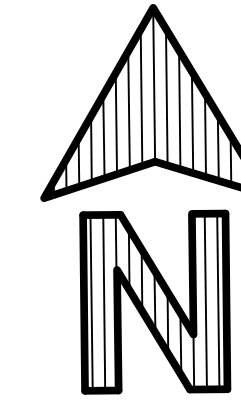
As a part of the Annexation Agreement, SGP agreed to build all the affordable units according to the following:

“The first of such built inclusionary housing units shall receive certificate of occupancy (“CO”) prior to the eighth (8th) unit on the Property receiving CO or, if provided via multi-family housing, the first of such required inclusionary housing units shall receive CO prior to the twelfth (12th) unit on the Property receiving CO, and the last of such required units shall receive CO prior to the 24th unit on the Property receiving CO. The number of units required to be physically built will be specified within the subdivision improvement agreement or development agreement, based upon the 12.5% City Code requirement.”

After we planned out the timing WestEnd, we found it more efficient to include all six units in Phase 1 of our development which should be completed by May 2023.



# WEST END SUBDIVISION LAYOUTS



Upchurch Sketch 7 Summary		
	Lots	Units
Single Family	10	10
Duplex	11	22
Triplex	2	6
Fiveplex (Housing Trust)	1	5
<b>Total</b>	<b>24</b>	<b>43</b>

Note: this scenario requires 3 fees in lieu of affordable housing payments.

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING BEFORE  
THE PLANNING COMMISSION AND CITY  
COUNCIL FOR THE CITY OF SALIDA  
CONCERNING A REZONE APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC  
AND INTERESTED PERSONS: PLEASE  
TAKE NOTICE:** that on **July 25th, 2022** 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, CO and online at the  
following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>

The hearing is regarding an application to  
rezone Lot 15, West End Major Subdivision,  
a 15,718 square foot lot located at the  
northeast corner of County Road 140 and  
Cotopaxi Lane. The general purpose of the  
application is to consider the applicant's  
request to rezone the property from R-2 to  
R-3.

Any recommendation by the Planning  
Commission for the Rezone shall be  
forwarded to the **City Council** for review  
and a public hearing scheduled for **August  
16th, 2022** 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 hearing. Further information on  
the applications may be obtained from the  
Community Development Department, (719)  
530-2631.

\*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 in person or via the above  
GoToWebinar link so your comments can be  
made part of the record.

Published in The Mountain Mail July 8, 2022