



PLANNING COMMISSION REGULAR MEETING

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

January 23, 2023 - 6:00 PM

AGENDA

Email public comments to: 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. December 13, 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. **Amendments to Chapter 16, Article VIII of the Salida Municipal Code** - The proposal is for amendments to Chapter 16, Article VIII regarding Design Standards for Stormwater Management and Grading and Erosion Control.

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.



PLANNING COMMISSION REGULAR MEETING

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

December 13, 2022 - 6:00 PM

MINUTES

Email public comments to: 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

PRESENT

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

APPROVAL OF THE MINUTES

1. November 08, 2022 - Draft Minutes

Motion made by Commissioner Kriebel to approve the minutes, Seconded by Commissioner Walker.
 Voting Yea: Chairman Follet, Vice-Chair Bomer, Commissioner Dockery, Commissioner Kriebel,
 Commissioner Walker, Alternate Commissioner Derwingson, Commissioner Colby

THE MOTION PASSED.

UNSCHEDULED CITIZENS: NA

AMENDMENT(S) TO AGENDA: NA

PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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| A. Open Public Hearing | E. Public Input |
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2. Lundberg/Castro Annexation

The applicants, Karen Lundberg and Virginia Castro, are requesting approval to annex their properties located at 601 Scott Street and 745 Scott Street into the City of Salida.

A. Open Public hearing – 6:47pm

B. Proof of Publication –

C. Staff Review–

Planner, Jefferson, reviewed the application and recommended approval with the following conditions to be included in the annexation agreement:

1. That new residential dwelling units constructed on either property, 601 Scott Street or 745 Scott Street shall meet the inclusionary housing requirements of Article XIII of Chapter 16 of the Salida Municipal Code at the time of building permit submittal.

2. That new residential dwelling units constructed on either property, 601 Scott Street or 745 Scott Street, shall meet the requirements of Land Use Code Sec. 16-6-140, Fair Contributions to Public School Sites, at the time of issuance of a building permit.

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

D. Applicant's Presentation-

Applicant, Karen Lundberg, was present.

E. Public Input – NA

F. Close Public Hearing – 6:51pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Vice-Chair Bomer to recommend City Council approve the proposed Lundberg/Castro Annexation as it meets the findings of fact for annexation, subject to the recommendations and conditions listed by staff one through three, Seconded by Commissioner Dockery.

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

THE MOTION PASSED.

3. Major Impact Review - Lundberg/Castro Zoning

The applicants, Karen Lundberg and Virginia Castro, are requesting a zoning designation of High Density Residential (R-3) should the property be annexed.

A. Open Public hearing – 6:52pm

B. Proof of Publication -

C. Staff Review–

Planner, Jefferson, reviewed the application and recommended that the Planning Commission recommend City Council approve the proposed zoning of the site as High Density Residential (R-3).

D. Applicant's Presentation-

Applicant, Karen Lundberg, was present and spoke on the application.

E. Public Input – NA

F. Close Public Hearing – 6:54pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Commissioner Kriebel to recommend City Council approve the proposed zoning of the subject site to High-Density Residential (R-3) Zone District, as it meets the review standards for a zoning/rezoning, Seconded by Commissioner Bomer.

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

THE MOTION PASSED.

4. Limited Impact Review - Smith-Johnson Minor Subdivision

The applicants, Jan Smith and Stephen Johnson, are requesting Limited Impact Review Approval for a Minor Subdivision to subdivide their .41 acre parcel into two (2) lots at 1440 L Street.

A. Open Public hearing – 6:57pm

B. Proof of Publication -

C. Staff Review–

Planning Technician, Palumbo, reviewed the application and added in two letters that he received after the packet was posted for the Commissioners. Staff recommended the Planning Commission approve the minor subdivision application, subject to the following conditions:

1. A plat note be added, Per Section 16-8-20 (e)(13)(i) A detached sidewalk of at least five (5) feet wide, with a thickness of at least four (4) inches of concrete, shall be installed along local streets in a limited impact review, or as determined by The Public Works Director, a fee-inlieu be paid at time of development.
2. Provision of sewer service for proposed Lot 5-A will need to be resolved to the satisfaction of The Public Works Director, which may require a subdivision improvement agreement.
3. An exclusive gas service line easement must be recorded or replacement of the gas service line is to be completely on the property prior to recording the plat.
4. Off street parking accessed from a local road must meet the driveway standards of Section 16-8-20(e) for any new residential unit.
5. Plat note #6 regarding open space fees needs to be modified as, "... shall be paid by the owner of each lot within this subdivision, prior to the issuance of building permit for any new residence on such lot.

Commission clarified the size of Lot 5A and how it fit within the standards of R2. They also ensured that the Lot met setbacks, whether it could be a duplex and what the house behind it.

Commission asked the following:

- How does Lot 5A meet the setback requirements?
- Is it practical to build that much on these lots?
- Is Lot 5B over the 15% lot coverage?
- Will commission be creating non-compliant lots by subdividing them?
- What is a double frontage lot?
- If something is built in Lot 5A, will they have the same setbacks as their neighbors?

D. Applicant's Presentation-

Applicants, Smith and Johnson, were present and spoke about the application.

E. Public Input –

Joseph Nicollette was present online and spoke against the application.

Deanne Sander was present online and wanted to know what could be built on the lot. She spoke against the application.

David Vogt was present online and spoke against the application.

F. Close Public Hearing – 7:33pm

G. Commissioner Discussion –

Commission clarified that they were there just to review the subdivision of the lot. Commission discussed the following:

- The shape of the lot
- How to define the front and back of the lots/setbacks
- By splitting the lot in this way, will future builders need variances?
- Concerns about parking and the driveway
- How to frame the motion so it allows the owner of Lot 5B time to ensure their parking uncovered access conforms to the code after the sale of Lot 5A

H. Commission Decision –

Motion made by Vice-Chair Bomer to approve the Smith-Johnson Minor Subdivision as it meets the review standards for a subdivision, subject to the conditions recommended by staff one through five and adding number 6. A reduction of lot coverage for uncovered parking / access to meet the zone district standards on Lot 5-B prior to issuance of Certificate of Occupancy for any new residence on Lot 5-A. Seconded by Commissioner Kriebel.

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

THE MOTION PASSED.

The Commission adjourned for a short break at 7:59pm.

At 8:03pm, the Commission was back in session.

5. Salida Crossings Major Subdivision

The applicants, BV Investments, LLC, are requesting approval of a Major Subdivision to subdivide the 3.15 acre property located at 1520 E. Hwy 50 (the Salida Crossings Planned Development) into 22 lots (2 for mixed-use buildings and 20 townhome lots) plus a common outlot that would include HOA-owned and maintained limited common elements such as drive access, parking, and private open space areas. (This subdivision is also contingent upon final approval of a modification of the existing PD)

A. Open Public hearing – 8:03pm

B. Proof of Publication -

C. Staff Review–

Community Development Director, Almquist, reviewed the application and staff recommends approval of the major subdivision request subject to the conditions laid out by staff.

Commissioners discussed the following:

- Parking concerns
- The playscape
- Electric charging stations
- Architectural elements on windows and doors to break up the façade elevation
- Landscaping and bioswales

D. Applicant's Presentation- NA

E. Public Input – NA

F. Close Public Hearing – 8:45pm

G. Commissioner Discussion –

H. Commission Recommendation –

Motion made by Vice-Chair Bomer to recommend the City Council approve the proposed Salida Crossings Major Subdivision, subject to the conditions herein with some additional changes. On condition number two, developer shall construct a landscape strip which can include a bioswale, on condition number twelve, add the following language “the developer shall add architectural elements on windows and doors to break up the façade elevation”, and striking number thirteen, Seconded by Commissioner Walker.

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

THE MOTION PASSED.

UPDATES

Community Development Director Almquist provided updates.

COMMISSIONERS' COMMENTS

ADJOURN With no further business to come before the Commission, the meeting adjourned at 9:05 p.m



PLANNING COMMISSION STAFF REPORT

MEETING DATE: January 23, 2023

AGENDA ITEM TITLE: Changes to Chapter 16 Regarding Design Standards for Stormwater Management and Grading and Erosion Control

AGENDA SECTION: Public Hearing

BACKGROUND:

The City of Salida has design standards that are based on engineering criteria and best practices in the industry. These standards are established to protect the health and well-being of a community and the environment. Standards need updated from time to time as innovation, engineering, and other practices evolve or new information becomes available.

The proposed changes fill in a few gaps where criteria was lacking in the current code as well as update existing language. Having thorough design criteria is necessary to ensure that new developments do not impact adjacent properties adversely, protect the environment, and follow current regulations. The following items are included in the updates:

- 1) Reference to City Design Standards. These standards have been updated to reflect a 25-year, 1-hour, storm event, as well as other items. The short, but more intense, storm durations are reflective of current conditions and are recognized as best practices in other Colorado Stormwater Standards.
- 2) Developer responsibilities for the construction and maintenance of stormwater facilities.
- 3) Detention facilities are specified to be located on an outlot or within an easement
- 4) Point discharges defined and related criteria provided.
- 5) Elicit discharges defined and related criteria provided.
- 6) Reference is added for requirements within a floodplain.
- 7) Erosion Control Plan, Stormwater Management Plan, and related permits defined and related criteria provided.

It is anticipated that additional design criteria may be added or considered as part of the Land Use Code updates, however, staff is proposing the current changes in the meantime to update certain items needing addressed.

REQUIRED ACTIONS BY THE COMMISSION:

1. The Commission shall conduct a public hearing.
2. The Commission shall make a recommendation to City Council regarding proposed changes to Chapter 16.

Such recommendations are anticipated to be brought to City Council on February 7th, 2023 (for first reading) and on February 21st, 2023 (for the second reading and public hearing).

STAFF RECOMMENDATIONS:

Staff recommends that Planning Commission recommend approval of the proposed text amendments included in Ordinance 2023-03.

RECOMMENDED MOTIONS:

- A. “I make a motion to recommend that City Council approve the proposed text amendments to Chapter16 of the Salida Municipal Code regarding Design Standards for Stormwater Management and Grading and Erosion Control.”

Attachments:

Ordinance 2023-03

Proof of Notice

**CITY OF SALIDA, COLORADO
ORDINANCE NO. 03
(Series of 2023)**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO AMENDING CHAPTER 16, ARTICLE VIII OF THE SALIDA MUNICIPAL CODE ENTITLED “DESIGN STANDARDS” TO AMEND SECTION 16-8-60, STORMWATER MANAGEMENT STANDARDS, AND SECTION 16-8-70, GRADING AND EROSION CONTROL

WHEREAS, the City of Salida, Colorado (“City”) has design standards that are based on engineering criteria and best practices in the industry, and

WHEREAS, these standards are established to protect the health and well-being of the community and the environment by limiting the adverse impact of new developments, and

WHEREAS, updated standards will better assist business owners, developers, property owners, residents, and applicants with more direction, clarity, and consistent and clear direction regarding property design standards, and

WHEREAS, to do so, standards need updated from time to time as innovation, engineering, and other practices evolve or new information becomes available, and

WHEREAS, the proposed changes will fill in gaps where current code criteria have been identified as lacking, as well as provide updates to existing language based on engineering criteria and best practices in the industry.

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

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

Section 2. Chapter 16, Article VIII “Design Standards” Section 16-8-60, entitled “Stormwater Management Standards” and Section 16-8-70 entitled “Grading and Erosion Control” is hereby amended to read as follows:

16-8-60. Stormwater management standards.

(a) Applicability. Stormwater management standards shall apply to nonresidential and mixed-use developments, multi-family units of five (5) or more and major subdivisions.

(b) Drainage Study. A drainage study for a site which is to be developed shall be prepared and the site's drainage system shall be designed by a registered professional engineer, according to the ~~generally accepted storm drainage practices.~~ **Design Criteria Manual for Water, Sewer, Stormwater, and Streets Section 8 Stormwater Criteria.** The plan shall be reviewed and approved by the City Engineer.

(c) Runoff **Drainage** Control Structures **Facilities**. The developer shall provide storm sewers, culverts, bridges and other flood and runoff control structures, as determined necessary by the drainage study, which comply with the City of Salida Construction Standards and Specifications; and **Design Criteria Manual for Water, Sewer, Stormwater, and Streets. All facilities shall be maintained to preserve their function, and all costs associated with handling drainage generated by a development shall be paid by the developer.**

(1) Detention and water quality facilities located within subdivisions shall be located within an outlot or designated tract with a drainage easement dedicated to the City.

(2) Drainage Easements: Drainage easements shall be dedicated at the time of platting. Drainage easements shall encompass stormwater control facilities, and connect to public access easement / right-of-way.

(3) Maintenance Agreement: A maintenance agreement, acceptable to the City Engineer, shall be required and recorded for ensuring maintenance of any privately owned drainage control facilities.

(4) Point discharges offsite are not acceptable unless approved by City Engineer. A concentrated point discharge is defined as the location at which concentrated stormwater runoff is released. Point discharges shall be adequately armored with velocity dissipation and appropriate outlet protection.

~~(d) Historic Runoff. The drainage system shall be designed and constructed so that only historic runoff, not including historic irrigation, shall be released from the site. Drainage flows in excess of this amount shall be retained, detained or handled in a storm sewer system. The design storm is for the twenty five year, twenty four hour rainfall. All costs associated with handling runoff generated by a development shall be paid by the developer.~~

(d) **Illicit Discharges Prohibited. No user or other person shall discharge any illicit discharge into or upon the stormwater utility system, any public highway, street, sidewalk, alley, land, public place, stream, ditch or other watercourse or into any cesspool, storm or private sewer or natural water outlet, except as specifically provided in Design Criteria Manual for Water, Sewer, Stormwater, and Streets Section 8 Stormwater Criteria.**

~~(e) Floodplain. Land located within an adopted one hundred year floodplain shall not be used for occupancy, unless the hazards from flooding are mitigated in conformance with the City's floodplain regulations.~~ **a special flood hazard area shall adhere to the provisions set forth in Section 16 Article XI – Flood Control.**

16-8-70. Grading and erosion control.

(a) Applicability. Grading and erosion control standards shall apply to nonresidential and mixed-use developments, multi-family units of five (5) or more and major subdivisions.

(b) Grading Plan. The applicant shall submit a grading plan which illustrates the extent of the land disturbance which is to occur on the property. The grading plan shall illustrate existing site features and shall depict existing and proposed contours, using a contour interval of ~~two (2) feet~~ **one (1) foot.**

(c) Plan Preparation. Preparation of an effective grading plan and execution of proper grading involve certain basic steps pertaining to street layout, block grading and lot grading. The objective is to establish the street grades, floor elevations and lot grades in proper relation to each other and to existing topography, considering property protection, appeal and use. The basic steps are as follows:

(1) Fit to Topography. If the street layout is still subject to design or adjustment, fit it to the topography to obtain the most favorable types of block and lot grading which are compatible with other objectives.

(2) Block and Lot Grading. Determine type of block grading for each block or portion of a block and, if possible, indicate the general lot grading for each lot by drainage arrows.

(3) Easements. Determine any easements and other provisions needed for adequate block drainage and erosion control.

(4) General Limitations. Determine general lot grading limitations for local conditions, such as minimum gradients for grass swales and slopes and maximum for walks and drives.

(5) Specific Limitations. For each type of house and lot, determine the specific lot grading limitations along a typical lot grading control line from the street to the house and determine the minimum street-to-floor rise.

(6) Street Profiles. If the street profiles are to be designed or adjusted, establish them so as to facilitate the provision of good drainage for both the lots and the streets, giving due consideration to existing topography and lot limitations.

(7) Elevations. For each property, determine proposed elevations for key points on the lot and for the building floor, giving due consideration to street elevations, existing topography and lot grading limitations.

(d) Erosion Control Plan. The applicant shall submit an Erosion Control Plan which complies with the City of Salida Construction Standards and Specifications; and Design Criteria Manual for Water, Sewer, Stormwater, and Streets.

(1) If the construction activities result in a land disturbance of greater than or equal to one acre, or if less than one acre are part of a larger common plan of development or sale that would disturb or has disturbed one acre or more:

(i) A copy of a Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activities issued by the Colorado Department of Public Health and Environment.

(ii) A stormwater management plan consistent with the requirements of Design Criteria Manual for Water, Sewer, Stormwater, and Streets Section 8 Stormwater Criteria.

(2) Control Measures for Erosion and Sediment Control Required: Control measures for erosion and sediment control shall be selected, designed,

installed and maintained in conformity with the approved erosion control plan(s) and the City of Salida Construction Standards and Specifications; and Design Criteria Manual for Water, Sewer, Stormwater, and Streets. No person shall violate the inspection and maintenance requirements established in the Standards for such control measures approved in the erosion control plan.

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

INTRODUCED ON FIRST READING on this 7th day of February, 2023, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation by the City Council on this 7th day of February, 2023, and set for second reading and public hearing on the 21st day of February, 2023.

INTRODUCED ON SECOND READING FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on this 21st day of February, 2023.

City of Salida

Mayor Dan Shore

ATTEST:

City Clerk/Deputy City Clerk

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION AND
CITY COUNCIL FOR THE CITY OF
SALIDA CONCERNING A PROPOSED
AMENDMENT TO CHAPTER 16, ARTICLE
VIII OF THE SALIDA MUNICIPAL
CODE REGARDING STORMWATER
MANAGEMENT AND GRADING AND
EROSION CONTROL**

**TO ALL MEMBERS OF THE PUBLIC
AND INTERESTED PERSONS: PLEASE
TAKE NOTICE** that on **January 23, 2023**
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](https://attendee.gotowebinar.com/rt/1909092342220683277)

The hearing is regarding proposed changes
to Chapter 16, Article VIII of the Salida
Municipal Code regarding Section 16-8-60,
Stormwater Management Standards, and
Section 16-8-70, regarding Grading and
Erosion Control.

Any recommendation by the Planning
Commission shall be forwarded to the City
Council for review and a public hearing
scheduled for **February 21, 2023** 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](https://attendee.gotowebinar.com/register/6382995264411204366).

Interested persons are encouraged to attend
the public hearings. Further information on
the application may be obtained from the
Public Works Department, (719) 539-6257.

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