



SALIDA, COLORADO

LAND USE CODE ASSESSMENT

MARCH 2020





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1. Overview

Description of the Project

The City of Salida is working with Clarion Associates, a land use planning firm in Denver, to update its Land Use Code (Chapter 16 of the Salida Municipal Code). The overall formatting and many sections of the Land Use Code (“Code”) have remained unchanged for many years, while some sections have been revised piecemeal in response to changing policies. Today, stakeholders find various parts of the Land Use Code to be overly complex, inflexible, and inconsistent.

The Land Use Code update project is intended to result in a simpler and more user-friendly document, and additionally is expected to:

- Implement the Salida Comprehensive Plan (2013);
- Clarify what is expected of developers and property owners;
- Make it easier to develop what the Salida community wants;
- Make development approvals more predictable and transparent; and
- Establish user-friendly regulations that reflect best practices and modern zoning principles.

Table 1 below depicts the scope of the Land Use Code update – the issues that will be addressed and the related areas that are not being tackled by this effort.

Table 1: Land Use Code Update - Scope of the Project

What it is:	What it IS NOT :
<ul style="list-style-type: none"> • Implementation of the Comprehensive Plan and other plans • Standards for land use, location, and intensity of development • Subdivision standards • Development quality standards addressing topics such as building design, parking, landscaping, lighting, and public dedication of land • Procedures for evaluating development proposals and for code enforcement 	<ul style="list-style-type: none"> • Changes to the Comprehensive Plan, or development of new plans or policies • A rezoning • Technical or engineering standards for roadways or drainage • A development plan for a specific project • A revision of building or fire codes • An update to development fees

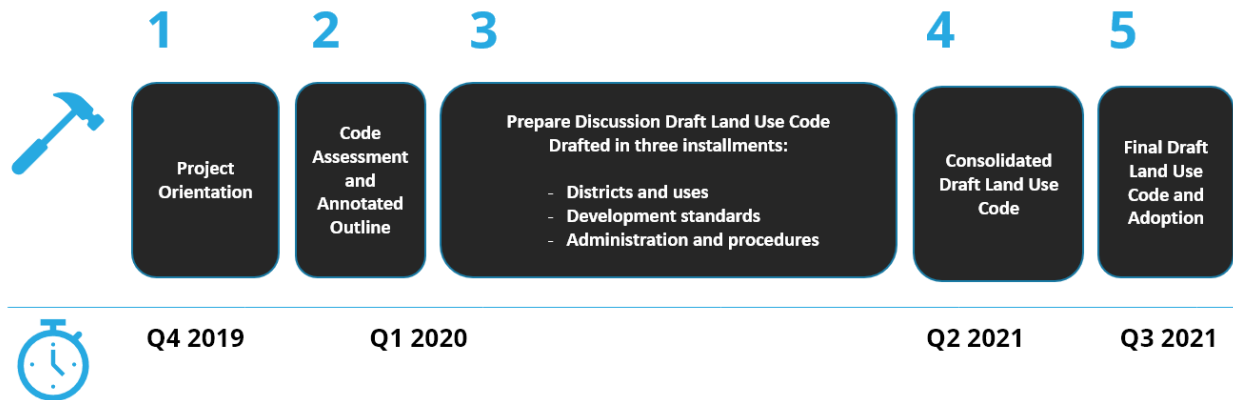
The project kicked off in December 2019 with a series of meetings and stakeholder interviews to gain important feedback related to the performance of the current Land Use Code. The project team met with a wide variety of individuals and agencies, including:

- City Council
- Planning Commission
- Developers and builders
- Members of the public
- Architects and designers
- Representatives from various City departments

In addition to the interviews and meetings, the City posted an online survey to obtain feedback related to land use issues in the City. That survey generated more than 40 additional responses to our interview questions, providing valuable input for this assessment report. Other surveys will be considered as necessary at key project milestones.

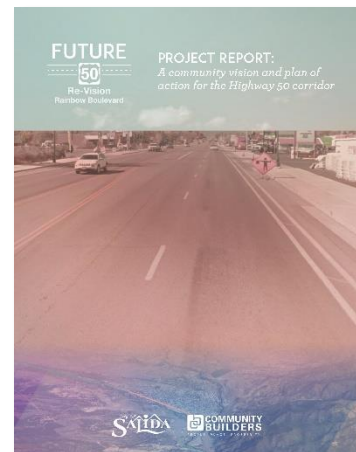
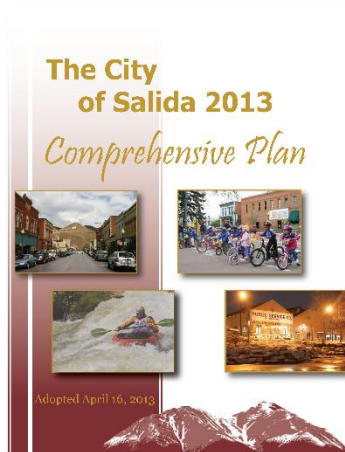
The City has appointed a project advisory group comprised of stakeholders that use the Land Use Code with frequency, including many listed above and liaisons from the City Council and Planning Commission.

The project team will meet with the advisory group and other stakeholders at key milestones when draft materials are available for discussion. The Code update process is summarized in the image below.



Policy Guidance

Salida’s Comprehensive Plan, adopted in 2013, provides important information about the community’s vision and desired character. It will inform the Land Use Code update, as will other recent and ongoing planning efforts like the Future 50 Corridor Plan, Chaffee County Comprehensive Plan, and Parks, Recreation, and newly adopted Open Space & Trails (PROST) Master Plan.



Overview of this Report

This assessment highlights overarching areas where the Land Use Code could be improved and to offer potential solutions to those issues. This assessment is based on the vision and goals from plan documents, our initial meetings with staff, business owners, developers, consultants, and other stakeholders, and our own assessment of Salida’s Land Use Code.

The Comprehensive Plan and Future 50 Project Report provide a vision and policy guidance for growth, development, and land use based on community-wide input.

As a result of those initial meetings, the following **key themes** surfaced and serve as the organization of the recommendations detailed in this assessment:

- Make the Code more user-friendly
- Update the zoning districts
- Revise the use regulations
- Address affordable housing
- Improve development standards
- Update the development review procedures

Following the key themes for improving the Land Use Code, there is an **Annotated Outline** showing a detailed outline for a new structure for the Land Use Code. A final section titled **“Beyond the Land Use Code”** provides future considerations for the City to effectively implement the new Land Use Code.

2. Make the Code More User-Friendly

Provide Clarity and Predictability

Stakeholders and City staff indicated a strong desire to make the Code easier to use and understand. Removing vague language is one method of making the Code clearer. Terms like “cohesive design” in the design guidelines for large-scale commercial development (Section 16-8-120) are vague and lead to differing interpretations, which makes the permitting process less predictable. Phrases like “notwithstanding the foregoing” in the historic preservation article (Section 16-12-120) are wordy and lead to confusion. We recommend removing jargon and vague language and ensuring all key terms are defined.

Standardize Code Structure

Throughout the Code, we recommend basic organizational and stylistic improvements such as including clear headings and subheadings, categorizing long lists of standards, and grouping similar information. These improvements will make information in the Code easier to find.

Reorganize the Code

The Land Use Code should be reorganized to consolidate standards from similar articles and sections that are currently freestanding. For example, procedures and requirements for annexation are kept in Article VIII and procedures for Code amendments and appeals are housed in subsections of Article II, but both would logically be included alongside other procedures in Article III. We recommend a more intuitive approach to organizing the Land Use Code as shown in the Annotated Outline later in this report.

Relocate Forms and Submittal Requirements to an Administrative Manual

The current Land Use Code includes several application forms and lists of submittal requirements. Although this locates relevant documents with corresponding regulations, it also increases the length of the Code, makes it harder to find what is needed in the Code, and requires a Code amendment to make changes to otherwise administrative materials. We recommend removing forms, certificates, and lists of submittal requirements and relocating them to an administrative manual, where staff has more flexibility to make updates. The manual would be referenced where needed in the Code, so applicants know where to find these materials. During the drafting process, Clarion will identify specific provisions recommended for relocation to the manual, and will make note of the same in the draft footnotes and/or commentary.

Provide Tables and Illustrations

The current Land Use Code includes some summary tables that should be updated to be simpler and clearer. For example, the current summary tables related to decision-making and appeal bodies could be consolidated into a single table along with any noticing requirements and references to applicable Code sections. Other opportunities to replace text with tables and graphics are encouraged, including a new page layout for the City’s zoning district standards, as shown in the example below.

2.4. RS-18: Single-Family Residential

A. Purpose
The RS-18 district is intended to accommodate and preserve lower-density to medium-density single-family residential uses with limited community and educational uses and incidental or accessory uses. This district can also serve as a transition between low- and medium-density residential to higher-density residential zoning districts.

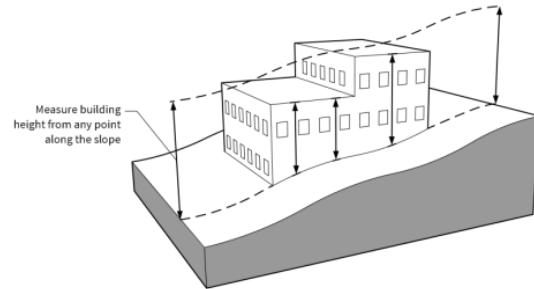
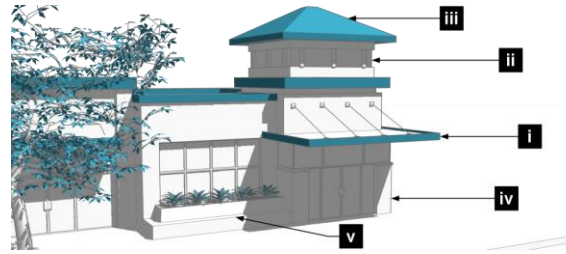
B. RS-18 Lot and Building Standards		C. Other Standards	
Lot Standards			
A	Width (minimum)	100 feet	
	Area (minimum)	18,000 sq. ft.	
	Density (maximum for new subdivisions) [1]	2 du/acre	
Setbacks (minimum)			
B	Front	25 feet	
C	Side	10 feet	
	Side, abutting street	15 feet	
D	Rear	25 feet	
Height			
	Building height	See 2.24.E	
Impervious Coverage (maximum)			
	Building coverage	35 percent	
	Total coverage	60 percent	

Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 2.24
Use-Specific Standards	Section 3.3
Off-Street Parking	Section 5.5
Landscaping, Buffering, and Screening	Section 5.6

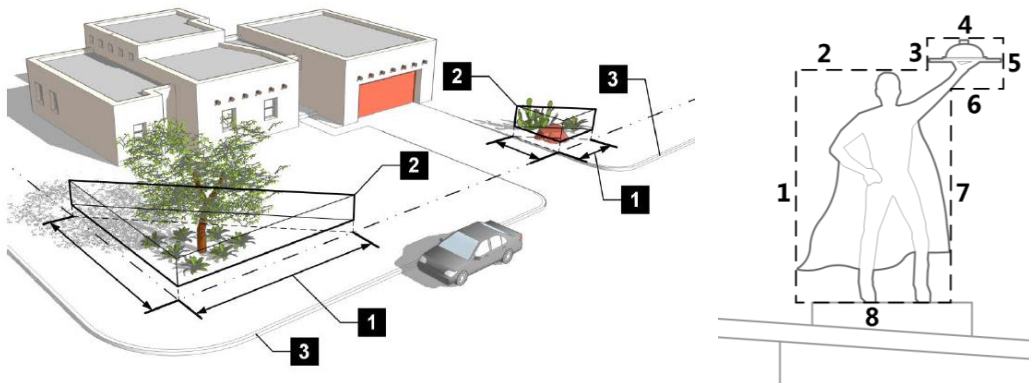
Notes:
[1] For lot planning in new subdivisions, see Section 7.3.C

Sedona Land Development Code
December 2018 19



These images from Clarion codes show a single-page layout for a residential zoning district, references to building design and entryway features, and measurement of building height on a slope.

Staff and stakeholders noted that the few graphics included in the current Land Use Code are helpful. The number and quality of illustrations should be improved through the Code update process. Clarion’s team can develop graphics specific to Salida. We will work with staff to develop an approach and style for any new Code graphics. A few examples of Clarion graphics from other codes are shown below.



The above graphics are examples from other Clarion codes that help illustrate sight triangles and sign area measurement for unusual signs.

3. Update the Zoning Districts

Revisit the Lineup of Zoning Districts

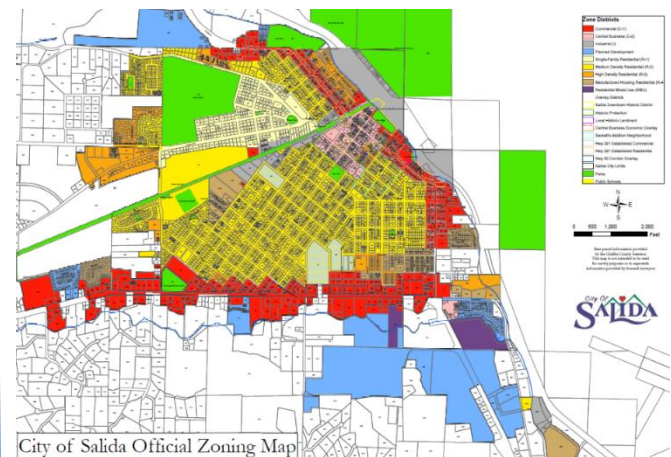
We heard from City staff and stakeholders that the current lineup of zoning districts is not fully responsive to the vision or needs of the community. In addition, Salida’s eclectic mix of housing types and densities that make the community unique would not be possible to recreate under the existing Code.

Based on our analysis and stakeholder feedback, we propose several changes to the current lineup of zoning districts to help ensure that future development continues to reflect Salida’s tradition of diverse, mixed-use neighborhoods.

“The community’s desire [is] to see a healthy balance of both commercial and residential along the [Highway 50] corridor.”

- Future 50 Plan

- **Rename districts.** The Code should use a consistent two-character district abbreviation, where possible. Also, district names should be modified to clearly describe the intent of the district.
- **Consolidate the R-3 and R-4 districts.** The R-3 and R-4 zoning districts are very similar in the types of uses allowed, the applicable dimensional standards (e.g. building height and setbacks), and the purpose they serve – to provide relatively high-density residential development. The key differences are that the R-4 district allows mobile homes and RVs, allows generally smaller lots, and has 5-foot smaller front and rear setbacks for primary structures. This suggests that the intention of the R-4 district is to regulate manufactured and mobile homes differently from other development types, which would be better addressed with use-specific standards. Many modern zoning codes distinguish between manufactured and mobile homes as defined by HUD, allowing the former to be brought in or assembled in residential districts, but limiting mobile homes (those not built to uniform construction codes prior to 1976) to mobile home parks. Salida should also consider the extent to which existing manufactured or mobile homes may be replaced.¹
- **Create new districts.** For various reasons, including but not limited to the types of development applications in recent years in Salida, and the goals of the Comprehensive Plan, some new zoning districts should be added to accommodate housing diversity and mixed-use development and improve the development review process. New proposed districts would not automatically apply to any properties through this Code update, but instead could be applied through future rezonings. See more on mapping in the “Beyond the Land Use Code” section at the end of this report.



On the Salida Zoning Map, the yellows, oranges, and browns represent residential, the blue represents Planned Developments, and the other colors are mostly nonresidential.

¹ POLICY DISCUSSION: Should mobile homes be allowed within the City in areas outside of a mobile home park? Should existing mobile homes outside of a mobile home park be allowed to be replaced?

Table 2 below shows the proposed lineup of renamed, updated, and new zoning districts. Overall, these are relatively modest improvements. Because the City has already made changes to the districts over time, significant new changes to the zoning district lineup are not necessary at this time.

Table 2: Proposed Base Zoning Districts

Current District		Proposed District		Comments
Residential Districts				
R-1	Single-family Residential	R1	Low-Density Residential	Carry forward. This district should be applied to areas limited to lower-density, single-family development. This may include some areas currently designated R-2. The current R-1 district could accommodate additional dwelling units based on the minimum lot size (currently 3,750 square feet). ²
R-2	Medium-Density Residential	R2	Medium-Density Residential	Carry forward. This district should be modified to allow a greater variety of medium-density housing types (e.g., tri- and quad-plex).
R-3	High-Density Residential	R3	High-Density Residential	Consolidate. This combined district should provide clear standards for manufactured housing parks and allow higher-density housing types. As mentioned earlier, the City should consider whether manufactured homes could be allowed on infill parcels, and the extent to which existing manufactured and mobile homes can be replaced on site.
R-4	Manufactured Housing Residential			
Mixed-Use Districts				
RMU	Residential Mixed Use	MN	Mixed-Use Neighborhood	Carry forward. This district has not been widely used and should be considered for application to targeted areas to create more walkable neighborhoods with an emphasis on residential uses and supporting nonresidential.
--	--	MC	Mixed-Use Center	New. This new district could be applied to identified key nodes within Salida with an emphasis on commercial uses with a supporting mix of residential use types.
C-2	Central Business	MD	Mixed-Use Downtown	Carry forward. This district should be updated to permit appropriate mixed-use development and should be limited to the current downtown area. Mixed-use areas outside the downtown could be accommodated by the MN or MC districts depending on the type of project.
Nonresidential Districts				
C-1	Commercial	CC	Corridor Commercial	Refine. This district should apply to commercial areas along Highway 291 and encourage more walkable development types where appropriate. Some of the existing C-1 could also transition to residential mixed use (proposed MN district), especially along portions of Highway 291.

² POLICY DISCUSSION: Should additional dwelling types be permitted in the R-1 district, such as duplex dwellings?

Table 2: Proposed Base Zoning Districts

Current District		Proposed District		Comments
		HC	Highway Commercial	Refine. This district should apply to commercial areas along Highway 50 and encourage higher-quality commercial development.
I	Industrial	IN	Industrial	Carry forward. This district should generally be carried forward intact. The community should consider whether stand-alone residential uses should be allowed within the industrial district, or if this district should be reserved for nonresidential uses. ³
--	--	AG	Agriculture	New. This new district provides an interim solution that allows properties to be annexed into Salida prior to establishing detailed development plans
--	--	OS	Parks and Open Space	New. This new district should be applied to dedicated open spaces in future rezonings to protect open space from being developed with other uses allowed in current base zoning districts.
--	--	CF	Community Facilities	New. This new district could be applied to existing and proposed community facilities in future rezonings to reflect the unique sites and uses typical of city-owned and other public facilities.
PD	Planned Development	PD	Planned Development	Relocate. This development process should be updated and relocated to the other procedures, and the PD standards modernized as suggested later in this report.

Update Overlay Zoning Districts

There are currently seven overlay zoning districts in Salida, which add an additional layer of standards beyond those required by the base zoning district. While overlay zoning districts are an important tool, they can add complication to administering the Code and should be used sparingly. In Salida, we heard concerns that the overlays have become overly complex and could be simplified. The updated Code should clarify where overlay standards apply and how conflicts among standards between the overlay and base zoning district are reconciled. We recommend retaining four of the seven overlays and replacing the remaining three overlay districts with base zoning district standards. Table 3 below summarizes the proposed changes to the overlay districts.

Table 3: Proposed Overlay Districts

Current District		Proposed District		Comments
SDHD	Salida Downtown Historic District	SDHD	Salida Downtown Historic District	Carry forward. Feedback from stakeholders and City staff has been supportive of keeping the SDHD overlay district largely unchanged. Changes to the Historic Preservation Commission have not led to a desire to change the location of this overlay district or the standards that apply to properties within the district.

³ POLICY DISCUSSION: Should the City allow residential uses in the industrial district? Many communities are reserving existing industrial zoning for nonresidential because residential markets are diminishing those areas. Some residential use types may be more appropriate in the industrial districts than others – such as live/work units.

Table 3: Proposed Overlay Districts

Current District		Proposed District		Comments
HPO	Historic Protection Overlay	--	--	Do not carry forward. The current HPO district applies to all properties in the C-2 district not located within the SDHD district. This district could be replaced with broad applicability of the HPO standards to properties in the MD (formerly C-2) district.
LHLO	Local Historic Landmark Overlay	LHLO	Historic Landmark	Carry forward. Properties in this overlay must comply with Article XII, Historic Preservation.
291CO	SH 291 Corridor Overlay	--	--	Do not carry forward. Integrate standards from the 291 Overlay into the new Corridor Commercial (CC) to accommodate existing commercial areas, Mixed-Use Neighborhood (MN) to accommodate residential mixed-use areas, and to citywide standards for those standards that may have broad applicability regardless of zoning district.
50CO	Highway 50 Corridor Overlay	--	--	Do not carry forward. Integrate standards from the Hwy 50 Overlay into the new Highway Commercial (HC) District and citywide standards.
--	Sackett's Addition	SA	Sackett's Addition	Carry forward. We heard from most stakeholders that the Sackett's Addition is working well and resulting in the types of development intended for those areas. Minor cleanup of language for clarity and consistency and additional graphics may be necessary.
CBEO	Central Business Economic Overlay	CBEO	Central Business Economic Overlay	Carry forward. The standards in this overlay address minimum commercial occupancy standards and parking options. It may be possible to address the standards from the CBEO district directly within the proposed MD (current C-2) district.

Enhance District-Specific Standards

We recommend reviewing and updating the standards applied to each zoning district as part of revising the lineup of zoning districts.

- Assess barriers to desired development types.** Generally, the height, setbacks, and other dimensional standards applied in zoning districts seem appropriate. However, some stakeholders noted a disconnect between the uses allowed in zoning districts and the required dimensional standards, in particular making it difficult to develop attached single-family housing to the allowed density. We recommend reviewing these standards as part of updates to the lineup of zoning districts to ensure that use types allowed and encouraged are feasible.

“Existing regulations require new buildings to be pushed back far from the sidewalk and take up a considerably small amount of space in the lot.”

- Future 50 Plan

Further discussion is required on the appropriate method to address density in Salida. The current Land Use Code manages density mainly by lot size per unit. Some communities establish minimum and maximum densities on a dwelling-unit-per-acre basis (“du/ac”). Either way, the

updated code should calibrate uses and dimensional standards to ensure that appropriate densities are achieved.

- **Adjust commercial district standards.** One of the recommendations from the Future 50 Project is to update the Land Use Code to allow more walkable, human-scale development in commercial corridors. New and modified zoning districts will help address this community goal, but development standards should also be modified to ensure setbacks, parking and landscaping standards, and other regulations encourage desirable development.
- **Accommodate small-lot development.** Large portions of Salida were constructed on 25-foot wide lots from the original City plat. Current district standards establish strict regulations on setbacks and nonconformities that make development on those small and unique lots difficult. Even for otherwise routine permits, staff and applicants must find creative solutions on a case-by-case basis, which can be unpredictable and time-consuming. We recommend allowing more flexibility on small lots through reduced standards on setbacks (and offering contextual setbacks based on surrounding conditions), maximum lot coverage, minimum lot size, and density. These options for flexibility are also recommended through the procedures and development standards later in this report.
- **Revisit multiple principle structures.** We propose reviewing the recently adopted standards and procedures for approving multiple principle structures as part of the Code update to ensure new standards allow this practice to continue and encourage multiple principle structures on larger lots. Multiple principle structures should be considered for high-density districts but also for larger lots in the lower-density districts such as the R-1 district. This type of development may be accommodated through additional housing types in the use regulations and revised subdivision procedures and may not require carrying forward the current procedure for approving multiple principle structures.

4. Revise the Use Regulations

Revise the Schedule of Uses

Section 16-4-150 of the Land Use Code includes a schedule that identifies uses allowed in each zoning district. The following measures are recommended as part of the Code update to build on and improve the schedule of uses to make it clearer, more detailed, and more predictable when new uses are proposed.

- **Reorganize the Schedule of Uses.** The current schedule of uses should be updated with broader and simpler use categories and additional subcategories that make it easier to find uses in the table. This will allow the City to make easier decisions on unlisted uses based on the impacts and intensity of the broader categories. We also recommend sorting the uses in the table alphabetically, except for residential uses, where it is most intuitive to sort uses by intensity (from detached single-family dwellings to multi-family dwellings and group living arrangements). Additionally, we recommend listing accessory and temporary uses (e.g., street patio, ADU, drive-in facilities, etc.) under a separate use category at the end of the table as opposed to having them integrated throughout the table.

P = permitted by right S = special use permit required Blank = use prohibited																
Use Category	Use Type	Districts →													Use-Specific Standards	
		RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2		IN
RESIDENTIAL USES																
Household Living	Dwelling, live-work						P	P	P	P	P	P	P	P		070.030.030(c)(2)
	Dwelling, multifamily				P	P	P	P	P	P	P	P				070.030.030(c)(1)
	Dwelling, townhouse				P	P	P	P	P	P	P	P			S	070.030.030(c)(1)
	Dwelling, single-family detached	P	P	P	P	P	P	P	P		P	P			S	070.030.030(c)(1)
	Dwelling, two-family		S	S	P	P	P	P	P		P				S	070.030.030(c)(1)
	Mobile home park					S	S	S			P					070.030.030(c)(3)
	Accessory dwelling unit	P	P	P	P	P	P	P	P		P	P			S	070.030.040(d)(1)
Group Living	Convalescent or nursing home							P	P		P	P		P		
	Personal care boarding home	S	S	S	S	S	S	S	S		S	S		S	S	070.030.030(c)(4)

This use table from another Clarion code illustrates a modern approach to use regulations. The far-right hand column includes a cross-reference to use-specific standards applicable to zoning districts with permitted or conditional uses noted by the asterisk.

- Update use types.** Many zoning codes have become bulky and complex by adding more use types over time, but Salida has the opposite issue – there is not enough detail or variety of uses in the schedule of uses. While there is some redundancy that could be cleaned-up (e.g., the various marijuana-related uses); we propose adding new use types to address contemporary issues with housing variety, temporary and mobile businesses, and mixed-use development (e.g., co-housing, live-work dwellings, urban agriculture, and artisan manufacturing). Also, some existing use types could be modernized with more descriptive and contemporary terminology (e.g., more detail than “light” or “heavy” industrial; use “manufactured homes” instead of “mobile homes”; use “religious assembly” instead of “churches”).
- Clarify use permissions.** Another way to improve the schedule of uses is to simplify the use permissions. The current table details which permitting procedure is required in each zoning district and when a use is prohibited. A better approach would limit symbology to “P” for permitted, “C” for conditional approval, and a blank cell when a use is not permitted in a district. The current required permitting processes (administrative review, limited impact review, and major impact review) would be better addressed in the use-specific standards following the schedule of uses and in the procedures article. The current methodology might confuse users to think that a “P” indicates no permit is required because all others include a specific permitting process. The permitting processes also merit clarification or consolidation, as detailed in the later section on procedures. We recommend retaining a version of conditional use review to evaluate compatibility of certain use types. Other uses noted as “permitted” in the table would be evaluated through a new site plan procedure to demonstrate compliance with the development standards, not to evaluate whether the use is appropriate for that site.

As part of the review of the schedule of uses, we would review the permissions and ask the following questions:

- When combining similar uses with different use permissions, we would ask, “which of these use permissions is most appropriate?”
- For any prohibited permission, we would ask, “why is this use prohibited in this zoning district?” And, “can a use-specific standard mitigate any concerns about this use, therefore making it acceptable in this zoning district?”
- For any conditional permission, we would ask, “should this use be permitted-by-right in this zoning district?” And, “are there additional standards necessary to mitigate known issues with this use type?”

Update the Use-Specific Standards

To address common issues associated with specific use types, use-specific standards are often established to mitigate impacts on the community. For example, Section 16-4-190 provides use standards applicable to uses such as mobile homes, multiple principle buildings, and drive-in facilities. We recommend the following improvements to provide clarity.

- **Reorganize use standards** to mirror the structure of the updated schedule of uses with corresponding use categories and types.
- **Remove redundant standards.** Use-specific standards that overlap with district-specific or development standards should be consolidated to avoid conflicting regulations. For example, most uses in Section 16-4-190 include standards on minimum parking, which should be addressed in a dedicated parking section in the development standards.
- **Add standards where necessary.** Review existing use-specific standards to ensure they are appropriately tailored to address unique impacts and community concerns. For example, accessory dwelling units, multiple principle buildings, and manufactured home standards should be updated where necessary to reduce neighborhood impacts, which may allow them to be permitted conditionally or by right in more zoning districts.

5. Address Affordable Housing

Many stakeholders mentioned the gap in affordable housing in the region. With a highly seasonal workforce, this common Colorado issue is magnified in Salida. There are numerous barriers to providing more affordable housing, many of which cannot be addressed by the Land Use Code update, such as the cost of land, the cost of building materials, interest rates, lending practices, and societal attitudes toward affordable housing. However, there are several opportunities to address the issue in this project.

Substantial work has already begun to address affordable housing needs in Salida, and this project should support and improve upon those efforts. For example, the City’s inclusionary housing ordinance, Article XIII, requires developers to provide 12.5 percent affordable units at a rate below 80 percent Area Median Income (AMI).⁵ The City also offers relaxed lot size, density, lot frontage, and lot coverage for inclusionary housing projects. While alternatives are available to the inclusionary standards, the existence of such standards demonstrate the City’s commitment to accommodating affordable housing and addressing the

⁵ POLICY DISCUSSION: The current inclusionary housing requirement applies to various project types based on the procedure for approval - Five or more units on a condo plat, minor subdivisions, and major subdivisions. Should the City simplify the applicability of the inclusionary housing requirements to any activity that would produce five or more dwelling units, regardless of the procedure?

seasonality of the workforce housing demands. Additional considerations to address affordable housing in the Code update project are addressed below.

Expand Household Dwelling Types

The cost of renting or owning a particular dwelling depends heavily on site-specific factors like unit size, age, and location; generally, however, the least affordable housing form is often the single-family detached dwelling. To address affordable housing shortages, some communities (and even states, like Oregon and California) are reassessing how single-family zoning regulations impact overall housing affordability.



A triplex in Salida offers a unique solution to a desire for more housing types while respecting the surrounding neighborhood character.

In Salida, the R-3 district (high-density residential) currently allows single-family and duplex dwelling units by right but requires administrative review (a conditional review process) for accessory dwelling units (ADUs), and other housing forms with fewer than 20 units. Many communities would consider loosening these standards for medium- and high-density residential districts to avoid creating barriers to more affordable housing types. Requiring additional scrutiny and process (AR review versus by-right) increases the cost of doing business, likely leading to a more expensive product.

Allow More Group-Living Use Types

Group-living situations such as boarding houses (already permitted), co-housing, and dormitories are another important component of addressing workforce housing. Like efficiency units, group living uses are more affordable by design. Common spaces and amenities are typically shared, and private living spaces are smaller. We recommend allowing group living uses either by right or with an administrative process in medium- and high-density residential neighborhoods and as part of mixed-use development. Due to Salida's seasonal workforce, employers rely on multiple options for securing short-term housing during the peak tourist, rafting, and other recreational times.

Reconsider Approach to Manufactured Housing

The City currently allows manufactured housing in the R-4 zoning district (called "mobile home parks"). The use is otherwise prohibited in Salida. Further, there are very few parcels zoned R-4 outside the area in the southeast portion of the City near Hwy 50 and CO 291. This approach concentrates the manufactured housing in one area, rather than providing more options for housing citywide. The City should review the existing and potential contribution of manufactured housing. With proper building and design standards, concerns about the aesthetics of manufactured housing can be addressed to allow this building type in additional zoning districts. See also earlier discussion on this topic in Section 3, *Update the Zoning Districts*.

Consider Live-Work Units

Another opportunity to expand housing into commercial, mixed-use, and employment areas is through live-work units that allow a combination of certain commercial activities in the same unit as a residential living space. This is partially addressed in the current Land Use Code by allowing "one or more dwelling units on the same site as a commercial or industrial use" but is not defined as a specific use type.

Incorporate Opportunities for Flexibility

In addition to providing additional housing options, the City should consider greater flexibility in the applicability of development standards. For example, we heard from stakeholders that multifamily projects are difficult for various reasons, including height limitations, lot size, setbacks, impervious coverage maximums, tap fees, and the strict application of minimum development standards such as parking and landscaping. Relaxing these standards, or at a minimum calibrating them to be context-sensitive, may encourage additional housing opportunities and allow more affordable projects to be financially feasible.

Procedural Considerations

Other common barriers to affordable housing typically include the evaluation and approval procedures for development. Removing barriers may consist of allowing more applications to be decided by staff (instead of requiring a public hearing), allowing minor adjustments and amendments, and reducing review timeframes. More recommendations on procedures are provided later in this report.

6. Improve Development Standards

Salida cares about development quality and has adopted a range of regulations addressing many aspects of development, including access and streets, parking, landscaping and fences, historic preservation, building design, lighting, and signs. Some of these standards are working well, but many require updates as described below.

Incentivize Desired Development

We heard from multiple stakeholders that the new Land Use Code should **make it easier to develop what the Salida community wants!** For example, Salida has a beloved historic downtown, much of which is protected by the Salida Downtown Historic District (SDHD). While the updates proposed in the Land Use Code do not include changes to the standards or operating procedures in the SDHD, the City should consider adopting additional incentives to encourage high-quality development within this district. Throughout the development standards, the project team will look for opportunities to reduce barriers and provide options and incentives that achieve development results that reflect Salida's values.

Revisit Site and Building Design

Standards for site and building design ensure that development in Salida meets a certain level of quality. However, the desire for quality design must be balanced with the need to encourage development that meets community needs. Existing site and building design standards have gaps that necessitate improvement – to ensure higher quality development and to clarify what is already required. We recommend the following enhancements through the Land Use Code update.

- **Expand site design standards.** We recommend enhancing current site design standards to better protect sensitive natural areas, including steep slopes, floodplains, wetlands, and areas of natural hazards. Review of those sensitive areas should be built into the site plan review process (see Procedure recommendations later in this report.) The existing Code also includes detailed standards for roads, driveways, and sidewalks, but does not adequately address access, connectivity, or circulation to ensure sites are compatible with neighboring development and prioritize mobility. We also recommend consolidating subdivision dedication standards (e.g., open space, common areas, affordable housing, and other community amenities required for some developments) and organizing site and building design standards based on the types of projects to which they are applicable (e.g., residential, mixed-use, non-residential, infill, etc.).

- **Establish minimum building design standards.** One of the most interesting aspects of Salida is the eclectic mix of building design and architectural style. Recent developments have used creative approaches to modernize the City while respecting history. These have not been required by the Code, however; current regulations focus primarily on building scale, mass, and bulk. The City already has several building design standards in place for its downtown and historic areas. Additional minimal standards could be considered for new mixed-use districts, especially as it relates to mass and scale.



Various building types both new and old contribute to Salida's eclectic mix of style and architecture.

- **Refine permitted encroachments.** Section 16-8-130 of the Code allows specific building elements to encroach into required setback areas. This section could be improved with more clearly defined terms (e.g., eave, unenclosed, etc.), standards for how to measure projections, and the addition of other building elements that would be exempt from or permitted to encroach into setbacks, maximum heights, and other dimensional standards. For example, chimneys and rooftop renewable energy production equipment (i.e., solar panels) may be acceptable height encroachments.

Establish Standards to Encourage Higher-Quality Parks and Open Space

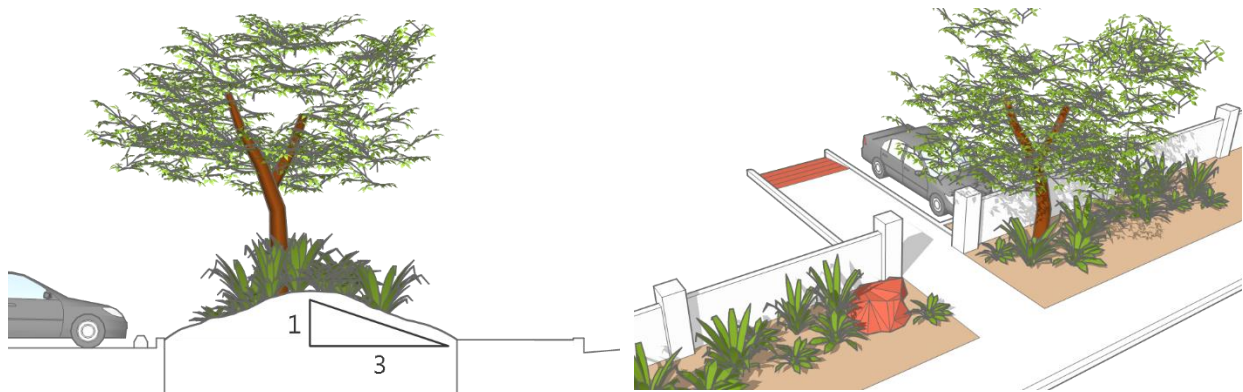
City staff and stakeholders noted that the current process for parks and open space dedication should be improved to clarify what the City would like to achieve through land dedications. To address the need for more clarity, flexibility, and context-sensitive solutions, we recommend a menu approach that would provide both quantitative and qualitative standards and a greater diversity of amenities that reflect the nature of the development proposal. The updated Land Use Code should reflect any recommendations of the recently adopted Parks, Recreation, Open Space & Trails (PROST) Master Plan related to park requirements, including, for example, improving the City's tree canopy.

Enhance Landscaping Standards

Current landscaping standards are minimal and provide only general guidance instead of specific criteria (e.g., "All plants depicted on the landscape plan shall be of a variety which is compatible with local climate and the soils, drainage and water conditions of the site"), which hinders the City's ability to consistently administer and enforce the regulations. The revised Land Use Code should reflect the community's desire to improve landscaping and streetscape, yet offer a balanced approach that does not place unnecessary burden on staff or the applicant to demonstrate compliance. This section outlines key recommendations for improving the quality of landscaping provided by new development.

- **Enhance landscaping in parking areas.** Current landscaping standards for parking areas are limited and vague. For example, the buffer strip requirement does not detail the required buffer width or acceptable plant materials. Similarly, the current standards for interior parking lot landscaping should provide more guidance on where landscape islands should be distributed and designed. Existing regulations require very little shade or screening to be provided, which could be addressed by requiring more trees (or a higher proportion of trees to shrubs than the current standard).

- **Update street tree standards.** Street trees contribute to the attractiveness of a street and the community, but they also reduce the urban heat island effect, may improve air and water quality, and encourage slower driving and more economic activity. Current standards for street trees have limited detail and could be improved with clear standards on the desired tree species, size, location, and placement. Standards for protecting and mitigating the loss of existing trees is another recommended improvement.
- **Adopt screening standards.** One of the most important purposes of landscaping is to screen structures, uses, and activities from neighbors and adjacent streets. The current Code does not have a section of regulations dedicated to this essential purpose and very few standards that would reduce visual impacts from things like outdoor storage, commercial garbage receptacles, and drive-thru lanes. We recommend considering additional screening standards to address this gap in the current Land Use Code.



These graphics from another Clarion code show how that community depicted the desired character of screening and buffering in parking areas.

Revisit Parking Standards

As Salida is working to promote more sustainable development practices and alternative modes of transportation, modern transportation technologies are poised to shift the way people get around. Similar realities in many communities have led to shifts with how development regulations deal with parking – reducing minimum standards, eliminating minimum standards, or establishing maximum parking standards. Due to the cost of providing parking spaces, excessive parking requirements have also been highlighted by community members and business owners in the Future 50 Plan as a barrier to development – especially for affordable housing projects. We recommend reviewing and updating parking standards as part of this Land Use Code update process.



On-street parking on F Street in Salida. (Source: Flickr Creative Commons)

- **Review minimum parking requirements.** The minimum parking requirements in Salida are not universally excessive, at least in relation to national recommended standards. However, many standards require more parking than necessary or use outdated methods of measuring parking demand. For example, standards tied to the number of employees (and other metrics not reviewed as part of a development proposal) are difficult to administer and may change over time. These standards may also result in the construction of more parking spaces than necessary – something business owners and those in the development community have noted. The downtown parking requirements require special focus. As the urbanized center of Salida, land is scarce and the need to maintain a pedestrian-friendly environment is critical. Many communities establish more flexible parking requirements for their downtowns, or even consider parking maximums for nonresidential uses, to ensure that the historic downtown character is protected. Additionally, the City could consider minimum bicycle parking standards applicable citywide or to certain uses or within certain zoning districts.
- “Existing parking requirements result in dedicating nearly half of the lot to parking.”

- Future 50 Plan
- **Enhance parking design standards.** Parking design standards ensure that provided parking is compatible with its surroundings. The Code should be updated to include standards for the design of structured parking, the preferred location of parking on a parcel, more robust parking lot landscaping standards, loading location and design requirements, and incentives for providing desirable parking amenities like bicycle parking, improved landscaping and screening, locating parking behind buildings, and incorporating natural stormwater management into parking design.
 - **Explore alternative methods of providing parking.** The updated Code should build on existing standards for shared parking and alternative compliance to provide additional flexibility for providing parking in Salida. These alternatives include allowing required parking to be located off-site (within a specified distance), counting on-street parking towards any minimum parking (especially in downtown and infill areas), automatically reducing spaces required when provided in structured parking, allowing further parking reductions through shared parking agreements, and permitting parking to be reduced with a trip-reduction program or professional parking study. The recently completed Downtown Salida Parking Study recommends sales tax allocation or a parking assessment district as opposed to an in-lieu fee program to finance any municipal parking projects.
 - **Consider a more significant overhaul of parking standards.** Many communities are beginning to avoid requiring parking altogether – because it can be inflexible, raise the cost of housing and redevelopment, and is a barrier to achieving more sustainable development and encouraging alternative modes of transportation. Minimum parking requirements could also be replaced with maximum parking rates in certain districts, or citywide.

Update Lighting Standards

The current lighting standards (Sec. 16-8-100) are minimal, including only basic requirements and types of lighting. The updated Code should modernize lighting standards to reflect new technologies, contemporary methods of measuring illumination, and challenges with enforcement. Additionally, the City has expressed an interest in International Dark Sky Community (IDSC) compliant standards, which collectively can require a lot of detailed engineering to demonstrate compliance and to enforce. We suggest including the following improvements to result in high-quality lighting without demanding considerable time and money to administer:

- Require manufacturer specifications (“cut sheets”) for all lighting proposed on a project to determine compliance with minimum standards.
- Limit the total amount of unshielded lighting on a site with either maximum lumens or foot-candles that can easily be measured by enforcement staff.
- Restrict installation and operation of illuminated signs.
- Adopt regulations on new installations of publicly owned outdoor lighting.
- Provide additional conditions by which lighting for athletic fields may be exempted.
- Consider the applicability of or exemption from lighting standards to residential properties versus nonresidential properties.



Streetlights, illuminated signs, and holiday lights Downtown provide safety, character, and fun!

Ensure Consistency with Technical Engineering Standards

The Land Use Code should work in coordination with the rest of the Salida Municipal Code by being consistent with the engineering standards required in Chapters 11 and 13 related to streets, sidewalks, trees, and utilities. Uniform standards improve clarity and transparency of the development and decision-making process. Although this project does not involve updates to chapters beyond the Land Use Code, we will work closely with Public Works and other key staff to ensure maximum integration and to reconcile any potential conflicts.

7. Update the Development Review Procedures

The current Land Use Code prescribes the evaluation procedures for various development applications, including subdivision, zoning, site development permits, and variances and appeals. The requirements are scattered throughout the Code, and in some cases clearer than others. We generally heard from stakeholders that there is an inconsistent approach to procedures, that the process is unpredictable, and that “everybody wants a bite at the apple,” meaning even the rather straightforward applications require public hearings before one or more decision-making bodies. Although we recommend considering greater deference to staff to determine compliance with the Land Use Code instead of requiring public hearings, we do not think staff should have unfettered discretion. It is important to establish clear guideposts for when the Administrator is given final decision-making authority. Additional recommendations are provided in the subsections below, followed by a summary of the recommended improvements to Salida’s procedures in Table 4.

Establish a Site Plan Review Procedure

The current system for evaluating development proposals involves three levels of review (administrative, limited impact, and major) based on the types of uses, the intensity of such uses, and the location/district in which that use is proposed. These variations of review are also carried through the other application review procedures. For example, a conditional use permit follows the limited impact review procedure, and a rezoning application follows the major impact review procedure. These distinctions were developed with the intent of streamlining the procedures but have resulted in confusion and complications especially as it relates to uses. We heard from multiple stakeholders that there are far too many applications that require review by the Planning Commission, resulting in an unpredictable process.

Moving forward, we recommend simplifying the procedures by, in part, establishing a dedicated site plan review procedure, which would be intended simply to review whether or not a project complies with the code requirements (like parking and landscaping). For those uses that require an additional, subjective evaluation of compatibility on a particular site, we recommend retaining a conditional use permit procedure.

The new site plan review procedure would apply to all use types permitted by right in the use table but could distinguish review authority based on project size and intensity much like the current distinctions between administrative and major impact review. Some thresholds for consideration:⁶

- **Minor Site Plan** – reviewed and approved administratively
 - 20 or fewer residential dwelling units
 - 20,000 square feet or less of nonresidential
- **Major Site Plan** – reviewed and approved by Planning Commission
 - More than 20 residential dwelling units
 - More than 20,000 square feet of nonresidential

Alternatively, the City staff could review all site plans administratively. Cities are increasingly delegating site plan review and approval authority to staff, especially following a Code update when the development and use-specific standards have been updated to address concerns. The intent of the site plan review is then merely to check compliance with the Code standards which does not (and should not) require a public hearing.

Some communities establish a referral (or “bump up”) procedure by which staff may refer complex site plan applications to a higher decision-making body for review, even if it is an administrative site plan. That type of system requires careful management to avoid lobbying the City’s staff or the elected or appointed officials to refer applications unnecessarily and to maintain an expedited review process for routine applications.

Modernize Planned Development Standards

Unlike many communities, Salida has used Planned Developments (PD) sparingly, which is encouraged moving forward. However, the City should maintain and enhance the PD process (Article VII of the Land Use Code) for clarity and consistent application. We recommend the following improvements through the Code update:

- **Consider how Planned Developments relate to the Land Use Code.** Planned Developments are currently allowed as overlay districts (Sec. 16-7-20), meaning each PD is overlaid on top of an existing set of base zoning district standards, thus modifying those standards. The PD-as-overlay

⁶ POLICY DISCUSSION: The current thresholds for applicability of “major commercial guidelines” is 20,000 square feet. These proposed site plan thresholds were proposed accordingly.

system is beneficial in that it establishes the basic parameters for negotiation without wholesale modification of the City's Land Use Code. (An alternative approach is to establish each PD as a freestanding zoning district, not tied to any other base district; this approach provides maximum flexibility for negotiating specific uses and development parameters for a site without relying on the standards of an existing base zoning district as the launching point for negotiation.) We recommend maintaining the current overlay system. The revised Land Use Code should also clarify the minimum requirements to be included within the PD plan, and the applicability of all other Land Use Code standards in the absence of PD amendments to those standards.

- **Clarify the Planned Development process.** Existing PD procedures are complex, unclear, and depend on the type of development being proposed – subdivision or other development. The thresholds for the different levels of review are unclear and the procedures for each are not straightforward. Additionally, the evaluation criteria for PDs are vague and result in uncertain expectations. One example is the provision that requires “a variety of housing types and densities be provided where residential uses are proposed” without providing guidance on the desired diversity of housing types or the amount of housing diversity. Additionally, the current PD standards include references to “major planned developments” and “overall development plans,” neither of which are defined or have clear parameters for their applicability.
- **Raise the minimum standards for Planned Development.** Current PD standards provide limited direction to applicants and instead allow the decision-maker to establish the standards to be shown on the site plan. This makes the process and outcomes more challenging for City staff, applicants, and decision-makers. Existing standards also lack some basic regulations, including a minimum project size threshold for PD applications (such as 5-10 acres) and a stipulation that any approved proposal will provide community benefits greater than would otherwise be achieved by the existing zoning district.
- **Differentiate minor and major amendments to an existing Planned Development.** As PDs are approved, the City is left with an increasing number of regulations to administer outside the standard Land Use Code. Additionally, the owner of the PD is tied to the approved PD Plan. Over time, as conditions change and policies shift, amendments to the existing PD may be warranted. Some changes may be so minor in nature that they should be evaluated and approved administratively (for example, revising the building façade materials or the rearrangement of a parking area to accommodate different landscaping). Others may require restarting the entire PD process (for example, adding 30 percent more dwelling units or increasing height by 20 feet). These options should be clarified to make minor amendments more streamlined where they are appropriate. We heard that the current PD modification system in Sec. 16-7-150 is working well to distinguish “substantial modifications” from “insubstantial modifications.” We recommend building on that current procedure as the new PD procedures are developed.

Allow Minor Modifications

Part of making a Land Use Code more predictable is creating a stronger structure and greater consistency within the Code. Many of the recommendations in this Assessment focus on that effort. However, because the Code is applied to real-world properties and structures, it must integrate opportunities for flexibility and relief from standards that would otherwise inhibit a desirable development proposal. When unique conditions or creative ideas emerge, the Code should be able to adapt.

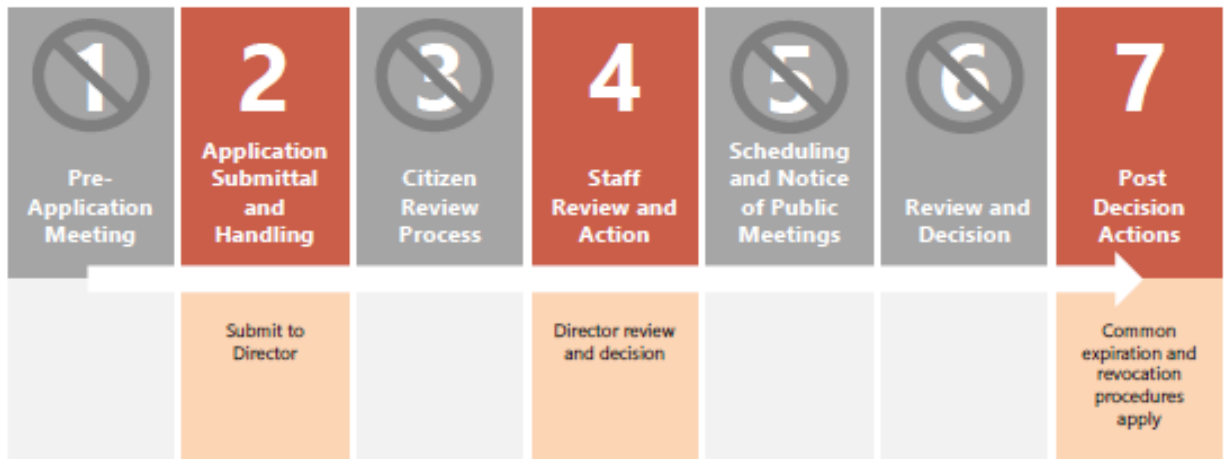
In addition to variances and appeals, we recommend providing flexibility for City staff and decision-makers through a **minor modification** tool -- a discretionary approval for adjustment of quantifiable development standards (e.g., up to a 10-percent deviation from a standard). This modification is not a general waiver of

regulations but rather would allow the decision-maker (i.e., Director, Planning Commission, City Council, etc.) to authorize deviations from standards contingent on approval criteria including addressing impacts on neighboring properties or the general community and the presence of unusual site characteristics. Communities adopting this procedure take various approaches. Some apply blanket percentages for allowable modification of numeric standards, and others calibrate a more specific system by which some standards may be modified to a greater degree than others. For example, in Salida’s case, building height may be less flexible than building setbacks or fence height. Use of this modification tool requires a commitment to remaining objective, and not allowing this procedure to simply assume the role of automatic relaxation of Land Use Code standards. Regular evaluation of the tool would be useful in the future to ensure the tool is being used appropriately.

Establish Common Review Procedures

The first step to creating user-friendly review procedures is to ensure all review processes are consolidated in the new code. Article III of the current Land Use Code is the primary location for these regulations, but related procedures are located in Article II (public notice, amendments, and appeals), Article IV (conditional use permit, variances, and rezoning), Article VII (Planned Development procedures), Article IX (annexation), and Article XII (historic preservation procedures). Finally, the consolidated procedures article should include a summary table of review procedures featuring Code references, noticing requirements, and applicable review and decision-making bodies – serving as a one-stop reference point. (See sample in the Annotated Outline).

Further, all procedures should be organized and structured consistently to make it easy for Code users to understand the steps required for approval. We recommend establishing common review procedures, as shown in the example below, for all application types for consistency and to avoid repetition.



The flowchart above from another Clarion code describes the required steps for a single-family residential development review. The procedure is based on a set of common review procedures (in dark orange) with further detail in the lighter orange boxes below. Common review procedures that are not required or applicable are greyed out. Procedural flowcharts should be integrated into the application and review procedures through this Land Use Code update.

Draft Clear Approval Criteria

A key issue that City staff and stakeholders raised is the lack of clear evaluation and approval criteria for reviewing development proposals. Many procedures in the current Land Use Code lack adequate requirements for findings or approval criteria by which City staff and decision-makers must use to review applications. Some procedures have vague criteria that require considerable interpretation. For example,

the conditional use criteria in Sec. 16-4-110(d)(3) requires that uses “enhance the mixture of complementary uses and activities in the immediate vicinity.” An enhancement of complementary uses may be considered a devolution of compatibility depending on the reviewer. The resulting uncertainty for applicants can delay an application submittal, require multiple resubmittals, and lead to inconsistent decisions. We propose creating clear and complete approval criteria for every application type to serve as a guide to applicants, City staff, and decision-makers.

Summary of Current Procedures and Recommended Improvements

Table 4 below summarizes the key recommendations to improve Salida’s current development review and approval procedures.

Table 4: Summary of Current Development Procedures and Recommended Improvements

Name of Procedure	Code Section	Type of Review	Comments and Recommendations
Ordinance Amendments			
Annexation	16-9	City Council (CC)	Carry forward. Clarify the procedures for a development agreement associated with annexation. Also, consider assigning agricultural zoning district to parcels annexed as an interim zoning unless another district is proposed.
Code text amendment	16-2-40	City Council (CC)	Carry forward. The structure of this procedure is very good and represents how other procedures may be structured (fewer specifics with cross-references to the common review procedures). We recommend limiting the authority to file applications for code amendments to the Planning Commission, City Council, or staff to avoid one-off or frivolous code amendments. Following the Land Use Code update, the City should plan to monitor the effectiveness of the code and consider “batch” updates from time to time, rather than bringing minor revisions forward piece meal.
Rezoning	16-4-210	Major impact review (CC)	Carry forward. Provide greater detail for submittal requirements outside the Land Use Code.
Rezoning to PD	16-7	Major impact review (CC)	Carry forward in concept but update the PD procedure substantially as discussed earlier in this report on page 18.
Development Permits and Approvals			
Administrative conditional uses	16-3-60	Administrative review	Do not carry forward this separate procedure. These uses should be labeled as by-right in the use table, subject to certain standards.
Administrative review uses	16-3-60	Administrative review	Combine this procedure with a new administrative site plan procedure. These uses should be labeled as permitted by-right in the use table, subject to certain standards.
Conditional uses	16-3-80	Limited impact review (P&Z)	Retain a conditional use procedure but establish separate purpose and procedure instead of referencing the limited impact review procedure. The conditional use permit procedure should require a public hearing to determine compatibility issues. The new site plan procedure would be used to review compliance with the Land Use Code requirements, but

Table 4: Summary of Current Development Procedures and Recommended Improvements

Name of Procedure	Code Section	Type of Review	Comments and Recommendations
			not to determine whether the use is appropriate on that site.
Major impact review uses	16-3-90	Major impact review (CC)	Replace these procedures with a new site plan procedure, by which the larger more complex projects require P&Z and/or CC approval, but the minor projects are simply allowed by right with an administrative site plan review. Establish minimum thresholds building on current thresholds for minor and major impact review.
Limited impact review uses	16-3-80	Limited impact review (P&Z)	
PD development plan	16-3-50	Major impact review (CC)	Carry forward in concept but update the PD procedure substantially as discussed earlier in this report on page 18..
Subdivision Approvals			
Major subdivision	16-6-20	Major impact review (CC)	Carry forward but create specific subdivision procedures rather than referencing the major impact review. The new standard subdivision procedures will include a preliminary plat process (demonstrating high-level concept and infrastructure and improvements) followed by a final plat process (demonstrating compliance with the preliminary plat).
Minor subdivision	16-6-30	Limited impact review (P&Z)	Carry forward but create specific minor subdivision procedure rather than referencing the limited impact review. Consider allowing certain types of minor subdivisions to be approved administratively – such as lot consolidations and very small subdivisions, boundary adjustments, or correction of plat errors.
Duplex conversion subdivision	16-6-60	Administrative review	Combine with minor subdivision procedure.
Resubdivision	16-6-40	Limited or major impact review (based on major and minor subdivision thresholds)	Carry forward.
Amended plats, lot line adjustments, and lot consolidation	16-6-50 16-6-70 16-6-90	Administrative review	Carry forward but combine with minor subdivision procedures.
Condominium plat	16-6-100	Limited or major impact review depending on type of multifamily project	Carry forward.
Vacation of ROW or easement	16-6-130	Same process by which originally approved	Carry forward.
Historic Preservation Procedures			
Certificate of approval	16-12-80 16-12-90	Historic Preservation Commission (HPC)	Carry forward.
Designation of historic landmark	16-12-40 16-12-50	HPC review, decision by CC	Carry forward.
Flexibility and Relief Procedures			

Table 4: Summary of Current Development Procedures and Recommended Improvements

Name of Procedure	Code Section	Type of Review	Comments and Recommendations
Appeals	16-2-70	Based on application decision type	Carry forward and supplement with additional review and approval criteria.
Administrative variances	16-4-180	Administrator	Revise this procedure to establish a new “minor modification” procedure. This type of variance does not require a hardship, but rather case-by-case review for modifications of existing standards in exchange for benefit to the City.
Variances	16-4-180	Board of Adjustment	Carry forward and supplement with additional review and approval criteria. The current criteria should be aligned with statutory requirements and should clarify that the criteria shall be evaluated collectively as applied to the variance request rather than treating each criterion exclusively.

8. Annotated Outline

This part of the assessment provides a simple overview of the proposed structure and content of the new Salida Land Use Code, should the recommendations in this report be implemented. This outline is intended to be a starting point for further dialogue. Table 5 below provides a summary overview of the proposed structure of a new Land Use Code. Following the table, additional details are provided on what is contained within each new proposed article.

Table 5: Overview of Proposed Organization for a New Land Use Code

Current Land Use Code (Chapter 16)		Proposed Land Use Code (Chapter 16)	
Article I	General Provisions	Article 1	General Provisions
Article II	Administration & Enforcement	Article 2	Zoning Districts
Article III	Application & Review Procedures	Article 3	Use Regulations
Article IV	Zoning	Article 4	Development and Design Standards
Article V	Zoning Overlays	Article 5	Subdivisions
Article VI	Subdivision	Article 6	Signs (or alternatively folded into Article 4)
Article VII	Planned Developments	Article 7	Historic Preservation
Article VIII	Design Standards	Article 8	Administration & Procedures
Article IX	Annexation	Article 9	Inclusionary Zoning
Article X	Sign Standards		
Article XI	Flood Control		
Article XII	Historic Preservation		
Article XIII	Inclusionary Zoning		

Article 1: General Provisions

This article carries forward and consolidates general information related to the overall establishment of the Land Use Code, including the overall purpose and authority, how the City enforces the Code, and provisions related to nonconformities. This article will also include the definitions for key terms used throughout the Land Use Code. We suggest the following outline for Article 1:

- Section 01.01: Title, Effective Date, and Authority
- Section 01.02: Purpose and Applicability
- Section 01.03: Relationship to other Regulations
- Section 01.04: Nonconformities
- Section 01.05: Enforcement
- Section 01.06: Severability
- Section 01.07: Rules of Construction & Definitions

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 1:

Article 1 – General Provisions (entire article)

Article II – Administration and Enforcement

- 16-2-10 Fees and deposits
- 16-2-90 Zoning complaints
- 16-2-100 Violations and penalties

Article IV – Zoning

- 16-4-160 Nonconformities
- 16-4-170 Nonconforming lots

Article 2: Zoning Districts

This updated zoning districts article consolidates existing regulations in articles IV, V, and VII of the Land Use Code, which address base zoning districts, overlay districts, and planned developments. We suggest the following outline for Article 2:

- Section 02.01: Purpose and Applicability
- Section 02.02: Zoning Districts Established
- Section 02.03: Residential Districts
- Section 02.04: Mixed-Use Districts
- Section 02.05: Nonresidential and Special Districts
- Section 02.06: Overlay Districts
- Section 02.07: Measurements and Exceptions

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 2:

Article IV – Zoning

- 16-4-10 (Purpose of article) through 16-4-80 (Commercial, business and industrial districts)
- 16-4-200 Zone district dimensional standards

Article V – Zoning Overlays (entire article)

Article VII – Planned Developments

- 16-7-10 Purpose and objectives
- 16-7-20 Zoning classification
- 16-7-50 Design standards
- 16-7-60 Maximum height and floor area
- 16-7-80 Transportation design

Article 3: Use Regulations

This article combines similar use-specific standards from the current Article IV. Existing sections 16-4-90, 16-4-100, 16-4-110, 16-4-120, 16-4-130, 16-4-140, 16-4-150, and 16-4-190 regulate uses and should be organized separately from zoning district standards and review procedures. We suggest the following outline for Article 3:

- Section 03.01: Purpose and Applicability
- Section 03.02: Table of Allowed Uses
- Section 03.03: Use-Specific Standards
- Section 03.04: Accessory Uses and Structures
- Section 03.05: Temporary Uses and Structures

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 3:

Article IV – Zoning

- 16-4-90 Principle and accessory uses
- 16-4-100 Permitted uses

- 16-4-110 Conditional uses
- 16-4-140 Uses not itemized
- 16-4-150 Schedule of uses and review processes
- 16-4-190 Review standards applicable to particular uses

Article 7 – Planned Developments

- 16-7-70 Permitted uses

Article 4: Development and Design Standards

This article consolidates current Article VIII, Design Standards, and Article XI, Flood Control, which would be maintained as a separate section of the new Article IV. Additionally, other topic areas that assign standards to development could be added to this article, including sign standards and historic preservation standards. We suggest the following outline for Article 4:

- Section 04.01: Natural Resource Protection
- Section 04.02: Grading and Drainage
- Section 04.03: Streets, Utilities, and Services
- Section 04.04: Access, Connectivity, and Circulation
- Section 04.05: Off-Street Parking and Loading
- Section 04.06: Landscaping, Buffering, and Screening
- Section 04.07: Site and Building Design
- Section 04.08: Exterior Lighting
- Section 04.09: Operation and Maintenance

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 4:

Article VIII – Design Standards (entire article)

Article XI – Flood Control (entire article)

Article 5: Subdivisions

This article carries forward the current Article VI with some internal reorganization. We suggest the following outline for Article 5:

- Section 07.01: Purpose and Applicability
- Section 07.02: General Provisions for All Subdivisions
- Section 07.03: Lot and Block Layout
- Section 07.04: Street Standards
- Section 07.05: Required Improvements and Dedications
- Section 07.06: Residential Condominium Standards

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 7:

Article II – Administration and Enforcement

- 16-2-60 Subdivision improvements agreements and development improvements agreements

Article VI – Subdivision

- 16-6-120 Subdivision review standards (only those with standards and not related to procedures)
- 16-6-140 Fair contributions for public school sites

Article 6: Signs

This article carries forward the current Article X with some internal reorganization. This article could also be located as a standalone section within the new Article 4 – Development and Design Standards. We suggest the following outline for Article 6:

- Section 05.01: Purpose and Applicability
- Section 05.02: Permitted Signs
- Section 05.03: General Sign Standards
- Section 05.04: Specific Sign Type Standards
- Section 05.05: Comprehensive Sign Plan Procedures

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 5:

Article X – Signs (entire article)

Article 7: Historic Preservation

This article carries forward the current Article XII intact with perhaps some minimal internal reorganization.

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 7:

Article XII – Historic Preservation (entire article except that procedures may be relocated to the new Article 8)

Article 8: Administration and Procedures

This updated article consolidates existing regulations in articles II, III, IX, and related subsections of other articles in the Land Use Code. The current Code features many procedures throughout, and this new article consolidates them for easier reference. We suggest the following outline for Article 8:

- Section 08.01: Summary Table of Review Procedures
- Section 08.02: Common Review Procedures
- Section 08.03: Ordinance Amendments
- Section 08.04: Development Permits and Approvals
- Section 08.05: Subdivision Approvals⁷
- Section 08.06: Flexibility and Relief Procedures
- Section 08.07: Historic Preservation Procedures
- Section 08.08: Review and Decision-Making Bodies

The following articles and sections from the current Land Use Code are suggested to be incorporated either entirely or partially into this new Article 8:

Article II – Administration and Enforcement

- 16-2-20 Vested property rights
- 16-2-30 Public notice
- 16-2-40 Amendments
- 16-2-50 Review standards for text amendments
- 16-2-70 Appeals
- 16-2-80 Void permits

⁷ The subdivision approval procedures are proposed for relocation to this new article; however, following further discussion with staff they may remain in the subdivisions standards article (new proposed Article 5).

Article III – Application and Review Procedures (entire article)

Article IV – Zoning

- 16-4-50 Zoning of annexed territory
- 16-4-110 Conditional uses
- 16-4-120 Expiration of conditional use permit
- 16-4-130 Revocation of conditional use permit
- 16-4-180 Zoning variances
- 16-4-210 Rezoning

Article VI – Subdivision

- 16-6-10 Types of subdivisions
- 16-6-20 Major subdivision
- 16-6-30 Minor subdivision
- 16-6-40 Resubdivisions
- 16-6-50 Amended plats
- 16-6-60 Duplex conversion subdivision
- 16-6-70 Lot line adjustments
- 16-6-80 Insubstantial change to recorded plat
- 16-6-90 Elimination of lot lines
- 16-6-100 Condominiums
- 16-6-110 Subdivision plat requirements
- 16-6-130 Vacation of recorded plat, right-of-way, or easement

Article VII – Planned Developments

- 16-7-30 Procedure
- 16-7-40 PD Development Plan evaluation criteria; general requirements
- 16-7-90 Submittal requirements (suggested relocation to administrative manual)
- 16-7-100 Phasing
- 16-7-110 Development schedule
- 16-7-120 Public hearings
- 16-7-130 Form of PD approval
- 16-7-140 PD agreement
- 16-7-150 Modifications
- 16-7-160 Enforcement

Article IX – Annexation (entire article)

Article 9: Inclusionary Zoning

This article will be carried forward intact, except that the thresholds for the applicability of the inclusionary housing requirements may be adjusted as suggested earlier in this report, based on the number of dwellings proposed regardless of the type of procedure (e.g., condo plat or subdivision).

9. Beyond the Land Use Code

Mapping the Updated Zoning Districts

Although changes to the zoning map are not part of the scope of the Land Use Code update project, the City should begin to strategize how to convert changes to the list of districts into an updated zoning map. In the short-term, we recommend that the City adopt any renamed zoning districts as part of the Land Use Code adoption. For proposed district consolidations, the City should begin conversations with property owners in those zoning districts to explain the implications of consolidation. Applying new zoning districts and any other significant map changes should be considered following adoption of the updated Code.

Any process of assigning properties to a zoning district will require a clear methodology and criteria for decision-making to ensure property owners are aware of any changes to their zoning designation, and the opportunities for requesting a specific designation or appealing an initial rezoning recommendation.

Future Land Use Map

The Comprehensive Plan does not include a future land use map providing clear direction for growth and development in Salida over time. A future land use map and description of future land use designations would help the City guide decisions for new development, annexations, and infill and redevelopment of existing parcels. A future land use map would help the City identify the best places for increased density to occur, identify key community and neighborhood centers, and provide guidance for appropriate transitions between lower density areas and higher density areas. We recommend that the City develop a future land use map through a community planning process to help implement the updated Land Use Code and guide the subsequent rezoning process.

Code Enforcement

Code provisions are only as good as the enforcement of those provisions. Code enforcement helps the City gauge the effectiveness of adopted regulations based either on the number of complaints received, or issues identified in the field by enforcement officers. We understand that much of the enforcement time is spent on parking violations and illegal camping. The updated Land Use Code will help clarify certain issues related to parking, especially as it relates to the parking of RVs; however, the Land Use Code update does not involve changes to enforcement policy. Enforcement in Salida is mostly complaint-based, and the City is not revisiting that policy at this time.

Development Application and Impact Fees

The Land Use Code includes various references to fees, but this update project will not include amendments to those fees. Current fees range from application fees (e.g., building permits, site plans, subdivisions) to tap fees (e.g., water and sewer) to providing fees-in-lieu of land (e.g., parks and open space). We heard from several stakeholders that the water-tap fees for residential, especially multifamily residential, were unusually high compared to other communities in the region. We understand that for multifamily residential projects the City assigns tap fees on a per-unit basis instead of assigning a tap fee on a per-building basis as with commercial buildings. Several stakeholders mentioned this issue as a deal-breaker when it comes to the feasibility of multifamily projects in Salida. Tap fees and other impact fees are not within the scope of the Land Use Code update, but the City is committed to revisiting sewer and water system development fees..

Business Licensing

Some of the standards within the Land Use Code require compliance with business licensing and other code procedures and fees outside the Land Use Code (such as short-term rentals, lodging, group homes, and restaurants and bars). The Land Use Code update will ensure appropriate cross-references to those additional requirements but will not include changes to those requirements. As licensing requirements are updated over time, the Land Use Code will reflect new or changes to existing cross-references as needed.