

SALIDA COLORADO

Land Use Code Rewrite

LUC Assessment

March 2020



CLARION

PROJECT TEAM



City Council
Planning Commission
Advisory Committee
City Staff



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Graphics and
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Support

PROJECT GOALS

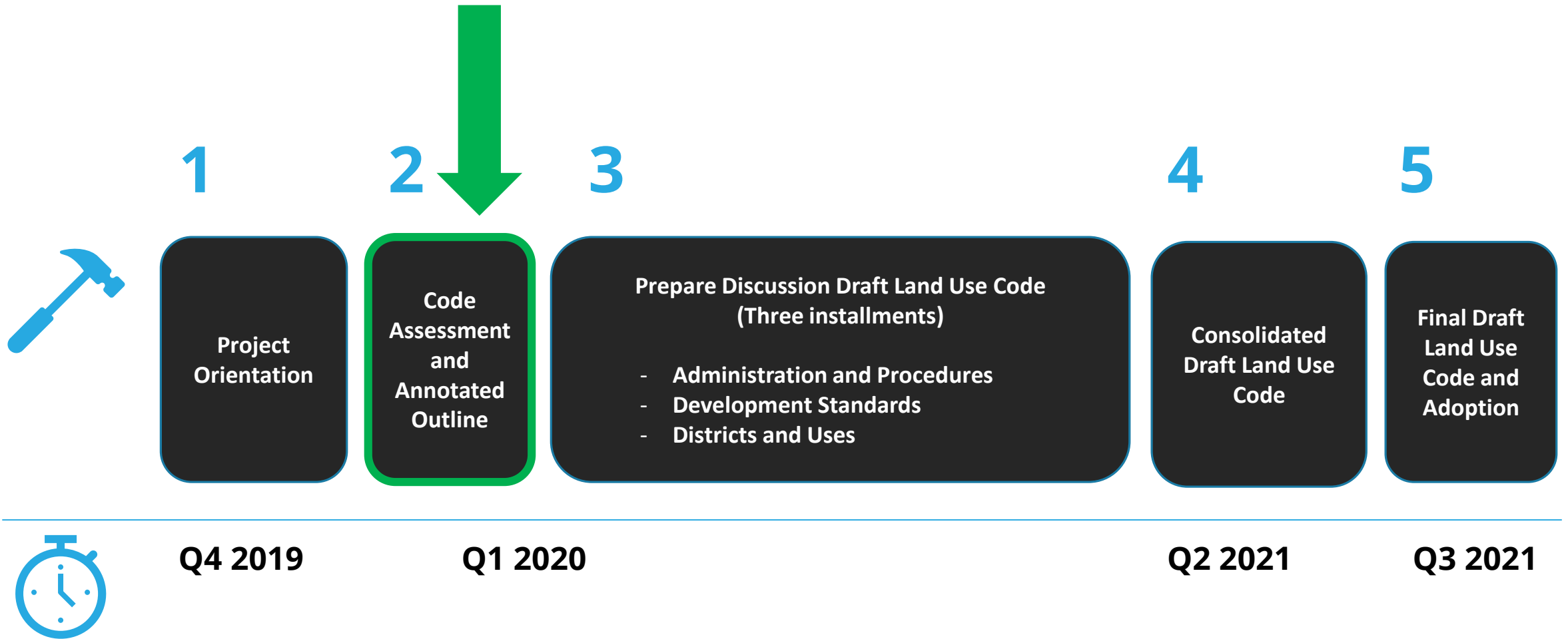
- Implement plans and policies
 - Salida comprehensive plan
 - Future 50 plan
 - Chaffee County comprehensive plan
- Make it easier to develop what the Salida community wants!
- Make development approvals more transparent and predictable
- Improve user-friendliness

Project Website

<https://cityofsalida.com/land-use-code-rewrite/>



PROJECT SCOPE & TIMELINE



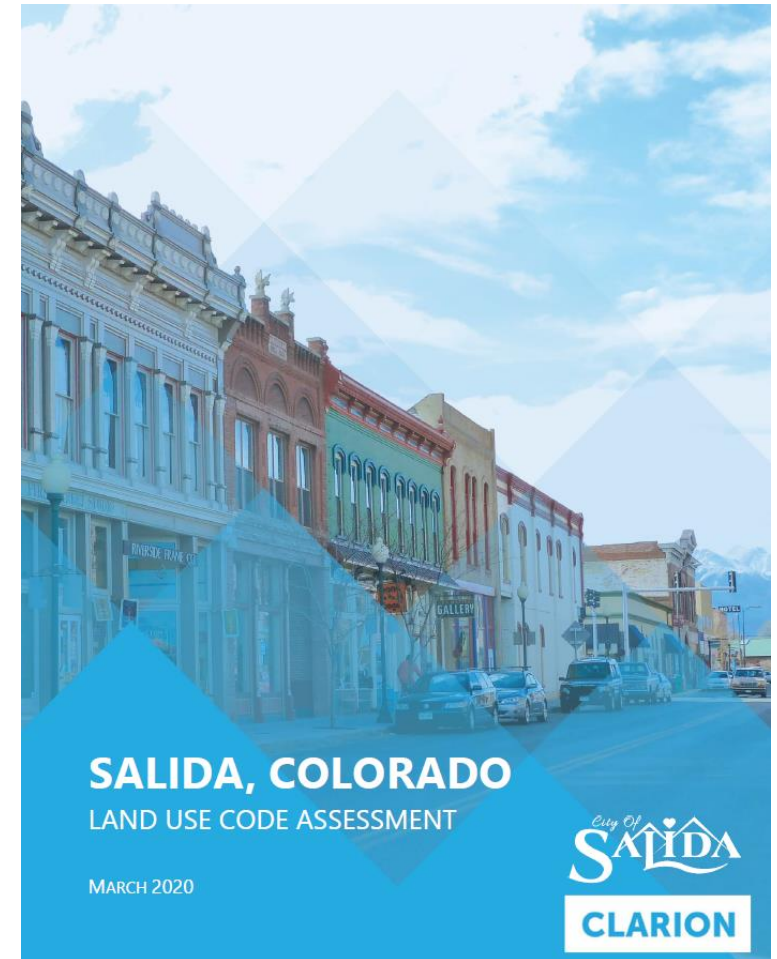
Today's Discussion:

LUC ASSESSMENT REPORT



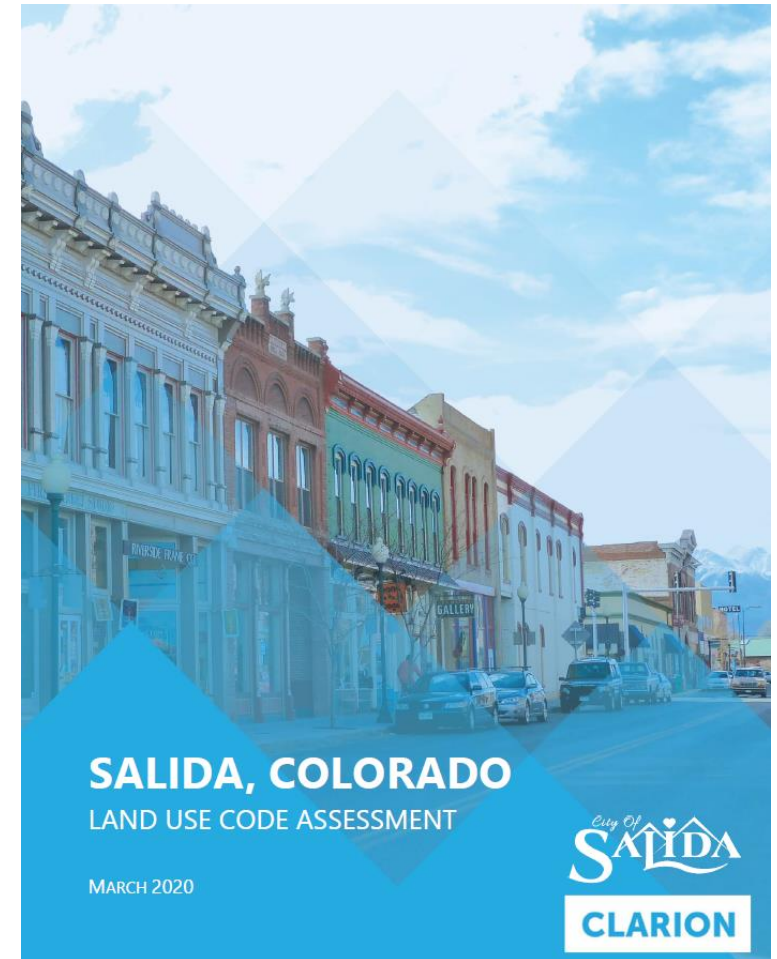
ASSESSMENT REPORT

- What's working well?
- What regulations need improvement?
- Potential solutions and options
- Provide an outline to organize the new land use code
- Identify future additional implementation issues



KEY RECOMMENDATIONS

1. Make the Code more user-friendly
2. Update the development review procedures
3. Update the zoning districts
4. Revise the use regulations
5. Address affordable housing
6. Improve development standards



1

MAKE THE CODE MORE USER-FRIENDLY



WHAT WE HEARD...



- Current code is unclear and difficult to use and understand
- Standards are vague and lead to different interpretations
- There is a lot of redundancy in current code standards
- The current code is “old school” in terms of design and organization

USER-FRIENDLINESS

- Provide clarity and predictability
- Standardize the Code structure
- Reorganize the Code
- Relocate forms and submittal requirements to an administrative manual (outside the Code)
- Provide more tables and illustrations

CHAPTER 16	
Land Use and Development	
Article I	General Provisions
Sec. 16-1-10	Title and short title
Sec. 16-1-20	Authority
Sec. 16-1-30	Purposes
Sec. 16-1-40	Jurisdiction
Sec. 16-1-50	Presumption of validity
Sec. 16-1-60	Rules of construction
Sec. 16-1-70	Severability
Sec. 16-1-80	Definitions
Article II	Administration and Enforcement
Sec. 16-2-10	Fees and deposits
Sec. 16-2-20	Vested property rights
Sec. 16-2-30	Public Notice
Sec. 16-2-40	Amendments
Sec. 16-2-50	Review standards for text amendments
Sec. 16-2-60	Subdivision improvements agreements and development improvements agreements
Sec. 16-2-70	Appeals
Sec. 16-2-80	Void Permits
Sec. 16-2-90	Zoning complaints
Sec. 16-2-100	Violations and penalty
Article III	Application and Review Procedures
Sec. 16-3-10	Purpose of article
Sec. 16-3-20	Development permits
Sec. 16-3-30	Exemption from development permits
Sec. 16-3-40	Classification of developments
Sec. 16-3-50	Development plan
Sec. 16-3-60	Administrative review procedure
Sec. 16-3-70	Pre-application conference for development review
Sec. 16-3-80	Limited impact review procedure
Sec. 16-3-90	Major impact review procedure
Sec. 16-3-100	Steps following approval of a development plan
Sec. 16-3-110	Public hearings
Sec. 16-3-120	Concurrent review
Sec. 16-3-130	Format of final submissions
Sec. 16-3-140	Insubstantial changes or amendments to an approved development plan
Article IV	Zoning
Sec. 16-4-10	Purpose of article
Sec. 16-4-20	Zone districts established
Sec. 16-4-30	Official zoning map
Sec. 16-4-40	Determination of zone district boundaries
Sec. 16-4-50	Zoning of annexed territory
Sec. 16-4-60	Application of regulations
Sec. 16-4-70	Residential zone districts
Sec. 16-4-80	Commercial, business and industrial zone districts
Sec. 16-4-90	Principal and accessory uses
Sec. 16-4-100	Permitted uses
Sec. 16-4-110	Conditional uses
Sec. 16-4-120	Expiration of conditional use permit
Sec. 16-4-130	Revocation of conditional use permit
Sec. 16-4-140	Uses not itemized
Sec. 16-4-150	Schedule of uses and review process
Sec. 16-4-160	Nonconformities
Sec. 16-4-170	Nonconforming lots
Sec. 16-4-180	Zoning Variances

USER-FRIENDLINESS

2.10. RM-3: High-Density Multifamily³⁸

A. Purpose

The RM-3 district is intended to accommodate high-density multifamily residential uses, with limited single-family uses and duplexes. The RM-3 district may include limited community and educational uses and incidental or accessory uses. This district can also serve as a transition between other multifamily and commercial or mixed-use zoning districts.

B. RM-3 Lot and Building Standards

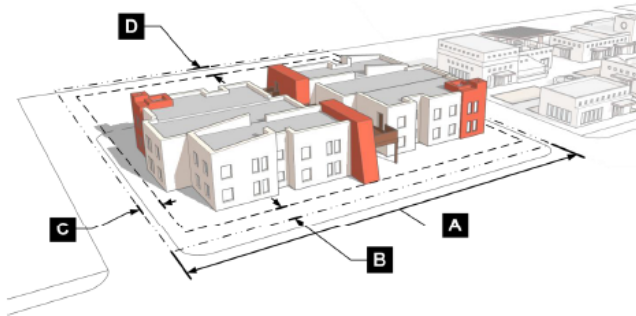
Lot Standards	
A	Width (minimum) 100 feet
	Area (minimum) 8,000 sq. ft.[1] ³⁹
	Density (maximum) 20 du/acre
Setbacks (minimum)	
B	Front 10 feet [2] ⁴⁰
C	Side [3]
D	Rear 20 feet [5]
Height	
	Building height See 2.23.D
Impervious Coverage (maximum)	
	Building coverage 40 percent [6] ⁴¹
	Total coverage 70 percent

C. Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 2.23
Use-Specific Standards	Section 3.3
Off-Street Parking	Section 5.5
Landscaping, Buffering	Section 5.6
Site and Building Design	Section 5.7

Notes:

- [1] Currently 21,780 sq. ft. (1/2 acre)
- [2] Currently 20 feet
- [3] Did not carry forward the side setback abutting a street, which is currently 15 feet.
- [4] Currently 10 feet
- [5] Currently 25 feet
- [6] Currently 25 percent

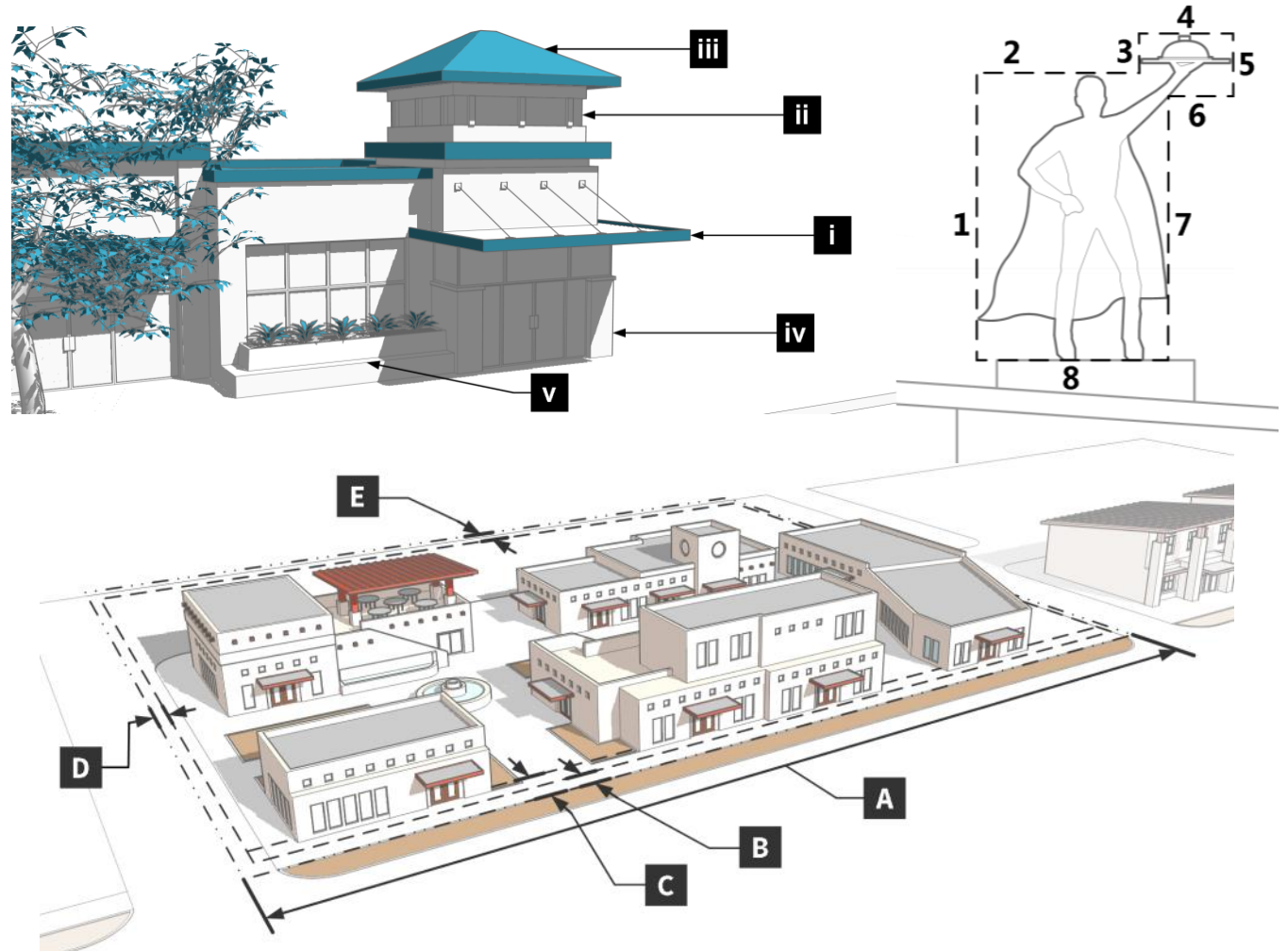


³⁸ This district is carried forward from the current RM-3 district.

³⁹ The current lot size requirement can act as a barrier to achieving higher densities than the lower intensity districts RM-1 and RM-2.

⁴⁰ A shallower setback will encourage more walkable and dense development in key areas throughout the city.

⁴¹ Revised to match the proposed limits in the RM-1 and RM-2 districts.



2

UPDATE THE DEVELOPMENT REVIEW PROCEDURES



WHAT WE HEARD...



- Too many types of uses and projects require a public hearing (“everyone wants a bite at the apple”)
- The approval process is unpredictable
- The PD process is confusing and outdated
- Current standards are difficult to enforce consistently

REVIEW PROCEDURES

The Land Use Code describes procedures for review and evaluation of various application types:

- Rezoning
- Planned developments
- Subdivisions/lot line adjustments/vacations
- Administrative review
- Limited and major impact reviews
- Development permits
- Conditional use permits
- Annexations
- Historic preservation procedures
- Variances
- Appeals



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

1. PROCEDURE (Section 16-3-80)

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

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

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

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

REVIEW PROCEDURES

Article 8: Administration and Procedures
8.2 Summary Table of Review Procedures | 7.A.G. Required Improvements for Subdivisions04F

Table 8.1
Summary of Development Review Procedures

KEY: R... Review and Recommendation D... Review and Decision A... Appeal ✓... Required <>... Public

Procedure	Code Reference	Notice		Pre-Application Conference	Review and Decision-Making				
		Published	Written		Staff	Historic Procs. Comm.	Planning & Zoning Comm.	City Council	
Development Permits									
Development Review	Minor 8.4	✓	✓	✓	D [1]				A
	Major 8.4	✓	✓	✓	R	< R > [2]	< D >		
Conditional Use Permit	8.4B	✓	✓	✓	R	< R > [2]	< D >		
Single Family Residential Review	8.4C				D				
Temporary Use Permit	8.4D			✓ [2]	D				
Subdivision Procedures									
Preliminary Plat	8.5A	✓	✓	✓	R				< R >
Final Plat	8.5B				R				
Land Division or Consolidation	8.5C				D				
Reversion to Acreage	8.5E	✓	✓	✓	R				< R >
Ordinance Amendments									
Repeal	8.6A	✓	✓	✓	R	< R > [2]	< D >		
Repeal to Planned Development (PD)	8.6B	✓	✓	✓	R		< R >		
Code Amendment (Text)	8.6C	✓	✓	✓ [2]	R		< R >		
Historic Preservation Procedures									
Historic Landmark Designation	8.7A	✓	✓	✓	R	< D >			
Historic District Designation	8.7C	✓	✓	✓	R	< R >	< R >		
Certificate of Appropriateness	8.7D	✓	✓		R	< D >			
Certificate of No Effect	8.7D				D [2]				
Flexibility and Relief									
Variances									
Minor Modification	8			✓	R				As required for associated application
Appeal	8.8C	✓	✓						As addressed in table above
Special Exception	8.8D	✓	✓		R				

Notes:
 [1] The Director may refer minor development review applications to the Planning and Zoning Commission.
 [2] A pre-application conference is required for some types of temporary use permit applications; see 8.4D.
 [3] Applies only in historic districts or for designated historic properties.
 [4] Pre-application meetings are required only for text amendments proposed by an applicant, not staff.
 [5] LPC Chair (or designee) and Staff make the determination regarding a Certificate of No Effect.

Sedona Land Development Code
Adoption Draft - July 2016

Article 8: Administration and Procedures
8.3 Common Review Procedures | 8.3.A. General

8.3. Common Review Procedures

Commentary
Common review procedures are new to Sedona. Although the current development code has a good organizational framework for procedures, a lot of the information is repeated for each application procedure. For the Analytic report, these common review procedures consolidate general steps that are applicable to multiple development application types. The application-specific procedures then refer back to these common review procedures and note any modifications or additions.

A. General
This section describes the standard procedures and rules, applicable to all development applications, unless otherwise stated in this Code. Common review procedures include seven steps, as shown below in Figure 8-1: Common Review Procedures, not all of which are applicable to every development application. Application-specific procedures in sections 8.4 through 8.8 identify additional procedures and rules beyond those in this section.

Figure 8-1: Common Review Procedures

1	2	3	4	5	6	7
Pre-Application Meeting	Application Submitted and Handling	Citizen Review Process	Staff Review and Action	Scheduling and Notice of Public Meetings	Review and Decision	Post-Decision Actions

B. Pre-Application Meeting⁶¹⁰

[1] Purpose
The pre-application meeting is intended to provide an opportunity for the applicant to meet with City staff to review applicable submittal requirements and review procedures associated with the proposed development concept.

[2] When Required
A pre-application meeting is required according to Table 8.1, Summary Table of Review Procedures.

⁶¹⁰ New. This common procedure for pre-application conferences replaces and consolidates those currently found in multiple individual procedures, including existing conditional use development review, and others. The name is changed from the current "pre-application consultation."

Sedona Land Development Code
Adoption Draft - July 2016

For each:

- Evaluate thresholds for various types of review
- Establish common review procedures
- Clarify the procedures
- Establish objective criteria

REVIEW PROCEDURES

Establish a site plan procedure

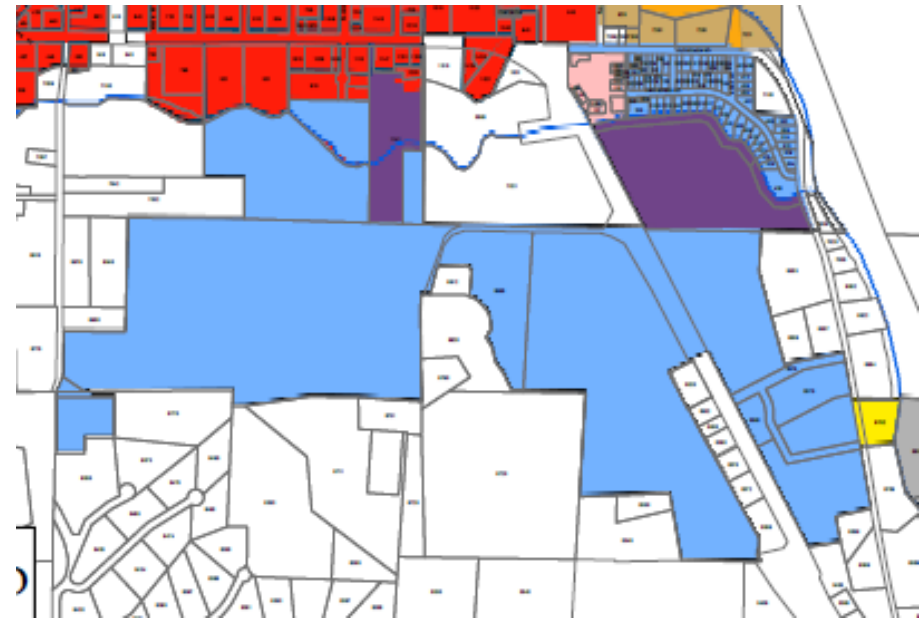
- Major (Planning Commission); more than 20 dwellings or 20,000 sf nonresidential
- Minor (Staff); 20 or fewer dwellings or 20,000 sf or less nonresidential
- Could also delegate all site plans to staff
- Could consider a referral process where staff may refer applications to higher review body



REVIEW PROCEDURES

Update the Planned Development Standards

- Consider whether PDs should remain as overlay districts – with a base zoning district serving as underlying standards
- Clarify the process
 - Current system is unclear and complex
 - Improve approval criteria
- Raise the minimum standards (project size, min. benefits)
- Distinguish between major and minor amendments



3

UPDATE THE ZONING DISTRICTS



WHAT WE HEARD...



- There are missing zoning districts for things like city-owned public facilities, and parks
- Mixed-use opportunities have been challenging
- Overlay districts are too complex and numerous
- Current lot and building standards (e.g., lot size, height, and setbacks) are too limiting

CURRENT ZONING DISTRICTS

Residential

R-1 single-family residential

R-2 medium-density residential

R-3 high-density residential

R-4 manufactured housing residential

Mixed-Use and Nonresidential

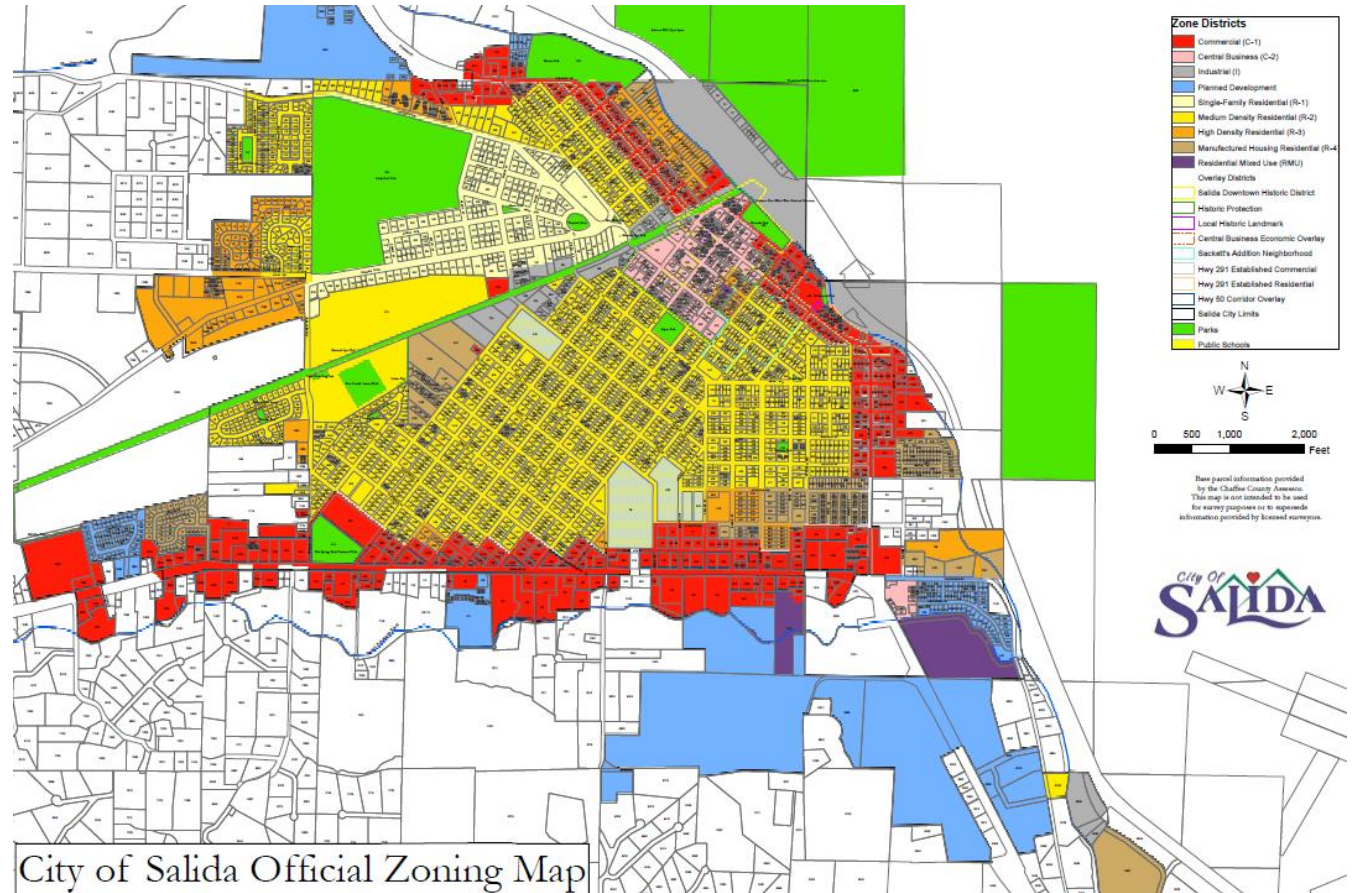
RMU residential mixed-use

C-1 commercial

C-2 central business

I industrial

PD planned development



PROPOSED ZONING DISTRICTS

Current	Proposed
R-1 single-family residential	R-1 low-density residential
R-2 medium-density residential	R-2 medium-density residential
R-3 high-density residential	R-3 high-density residential
R-4 manufactured housing residential	
RMU residential mixed-use	MN mixed-use neighborhood MC mixed-use center
C-1 commercial	CC corridor commercial HC highway commercial
C-2 central business	MD mixed-use downtown
I industrial	I industrial
PD planned development	PD planned development

Other New Districts

- **AG** agriculture
- **OS** parks and open space
- **CF** community facilities

OVERLAY DISTRICTS

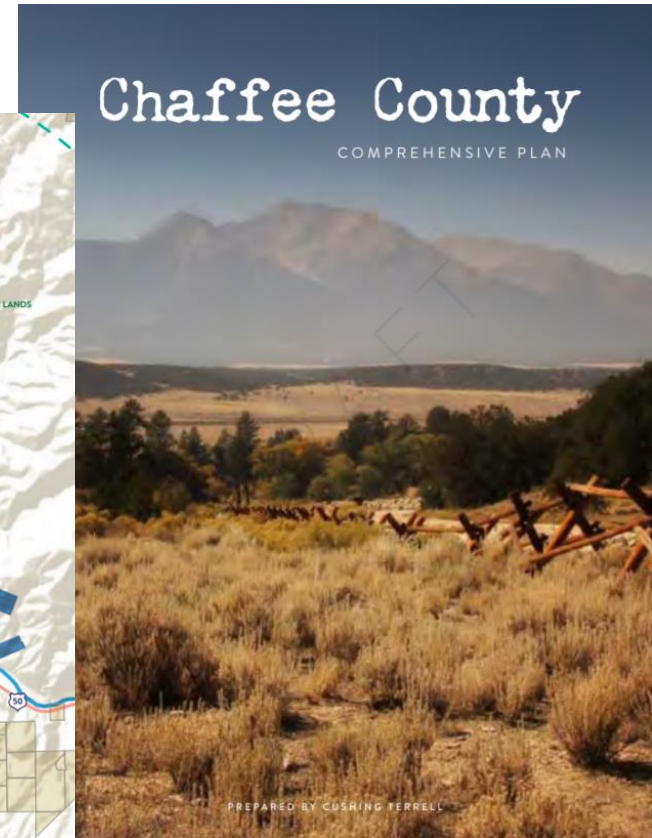
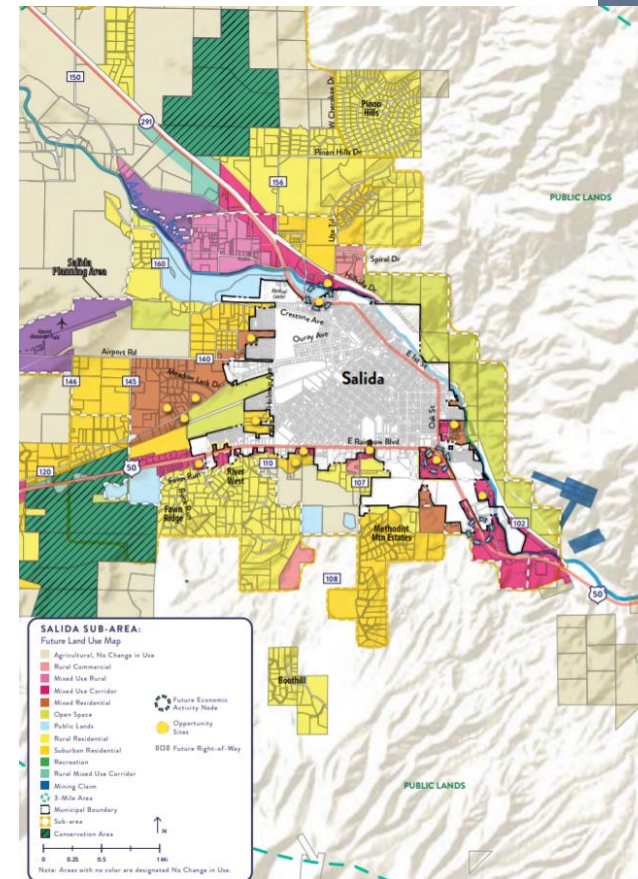
Current Overlay Districts	Proposed Overlay Districts
SDHD Salida Downtown Historic District	SDHD – carry forward
HPO Historic Preservation Overlay	Replace with downtown standards
LHLO Local Historic Landmark Overlay	LHLO – carry forward
291-CO SH 291 Corridor Overlay	Integrate into new corridor commercial and mixed-use neighborhood districts
50-CO Highway 50 Corridor Overlay	Integrate into new highway commercial district
-- Sackett's Addition	SA – carry forward
CBEO Central Business Economic Overlay	CBEO – carry forward



RELATIONSHIP TO COUNTY COMPREHENSIVE PLAN

- How should future land use designations be integrated with new zoning districts?
- How does annexation, development, and infrastructure in the City relate to the County land use plan?

We recommend drafting the zoning districts and use regulations as the last installment to allow the City to consider these and other questions.



4

REVISE THE USE REGULATIONS



WHAT WE HEARD...



- We need more affordable and workforce housing
- We like the eclectic mix of housing
- The process for building duplexes and multiple structures on a lot is overly complex
- Need to allow smaller lots and higher densities where appropriate

UPDATE SCHEDULE OF USES

CURRENT									
TABLE 16-D Schedule of Uses									
N = Not Permitted P = Permitted AC = Administrative Conditional Use C = Conditional Use AR = Administrative Review LR = Limited Impact Review MR = Major Impact Review	R-1	R-2	R-3	R-4	RMU	C-2	C-1	I	Standards ¹
	Residential Uses								
Accessory buildings and structures.	P	P	P	P	P	P	P	P	
Multiple principal structures	N	LR	LR	LR	LR	LR	LR	LR	Sec. 16-4-190(b)
Accessory dwelling units	AR	AR	AR	AR	AR	AR	AR	AR	Sec. 16-4-190(c)
Duplex dwelling units	N	P	P	P	P	P	LR ³	LR ³	
Residential (3 - 4 units)	N	AR	AR	AR	AR	AR	AR ³	AR ³	
Residential (5 - 19 units)	N	LR	AR	AR	LR	AR	LR ³	LR ³	
Residential (20 or more units)	N	MR	MR	MR	MR	MR	MR ³	MR ³	
Single-family dwelling units	P	P	AR ³	AR ³	AR	AR	AR ³	AR ³	
Single Mobile Home	N ³	N ³	N ³	P	N ³	N ³	N ³	N ³	

- Reorganize and categorize
- Update the specific use types
- Simplify use permissions
 - **Current:** N, P, AC, C, AR, LR, MR
 - **Proposed:** N, P, C

UPDATE SCHEDULE OF USES

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		HP
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)

Note: Communities use different letters and symbols to designate permissions and prohibitions. Some place an “N” in blank cells for “not permitted.”

USE REGULATIONS

- Reorganize to match the new schedule of uses
- Remove redundant standards
- Establish standards for common conditions of approval



5

ADDRESS AFFORDABLE HOUSING



AFFORDABLE HOUSING

- Expand household dwelling types
- Allow more group-living uses to address seasonal workforce gap
- Reconsider approach to manufactured housing (discussed earlier)
- Consider more flexible procedures and relaxed standards



POLICY CONSIDERATION

The current inclusionary housing requirement applies to various types of projects based on the procedure required for approval. (e.g., minor and major subdivisions, condo plats with more than 5 dwellings, annexations, and PDs).

Should the City simplify the applicability to any activity that would produce more than 5 dwelling units, regardless of the procedure?



6

IMPROVE DEVELOPMENT STANDARDS



WHAT WE HEARD...



- Need to consider relaxed standards for infill projects
- Need to consider more “walkable” access and site design standards
- Too many barriers to multifamily or mixed-use projects
- Need to continue to protect historic areas
- Need to revisit parking requirements

DEVELOPMENT STANDARDS

The Development Standards address the quality of development, such as:

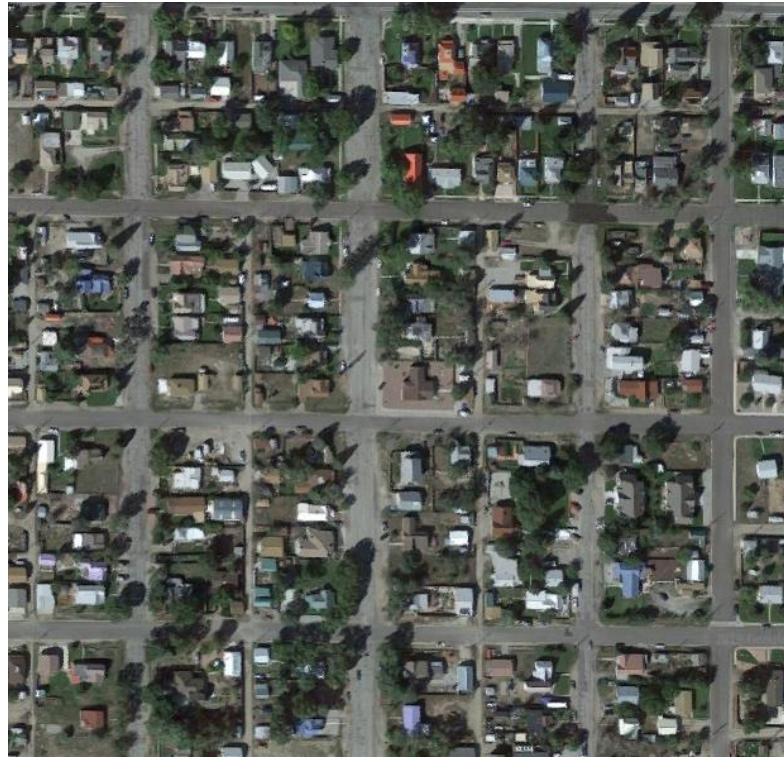
- Roads, driveways, and sidewalks
- Street trees
- Undergrounding utilities
- Stormwater management
- Grading and erosion control
- Off-street parking
- Landscaping
- Illumination (lighting)
- Fences
- Commercial design
- Signs



RECOGNIZE CONTEXT



Downtown



Neighborhood

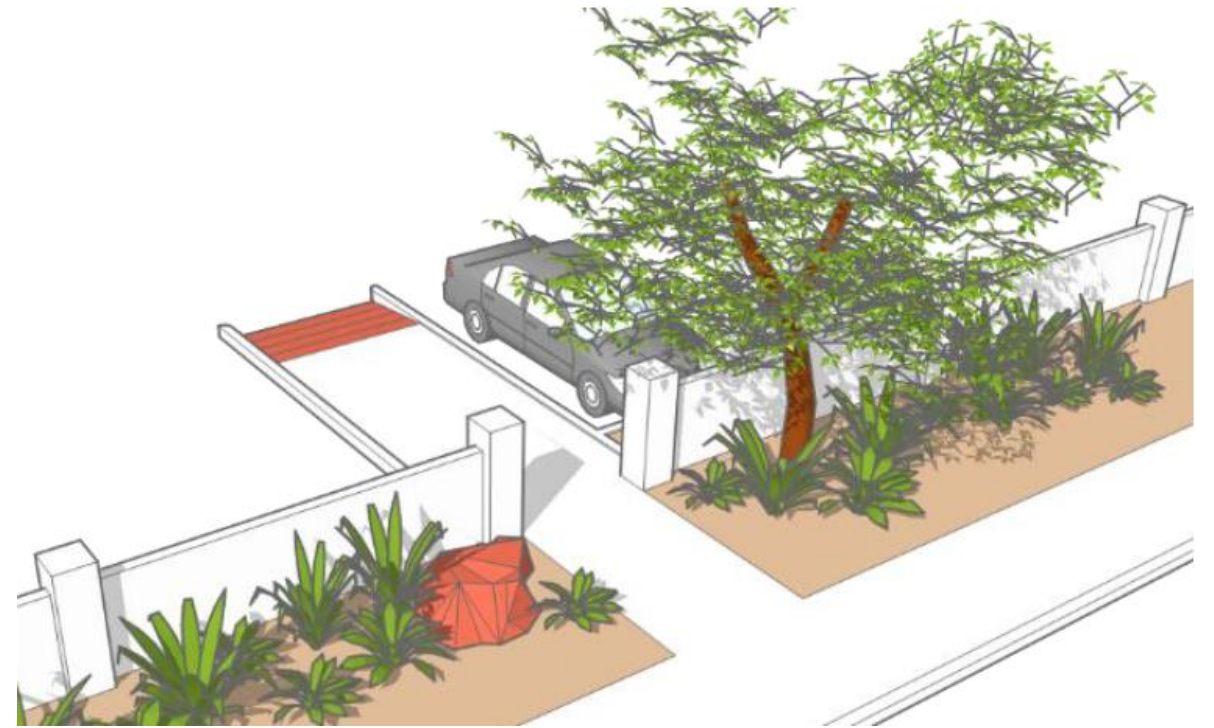


Corridor

Determine if development and design standards should apply broadly, or if tailoring by use or context is necessary (e.g., along Hwy. 50 or downtown)

IMPROVE DEVELOPMENT STANDARDS

- Consider additional design standards tailored by context (esp. for mixed-use)
- Integrate recommendations from Parks, Recreation, Open Space & Trails Master Plan (e.g., tree canopy improvements)
- Improve connectivity (streets and trails)
- Enhance landscaping standards
 - Parking areas
 - Street trees
 - Screening
- Update lighting standards
- Coordinate with technical standards in Chapters 11 and 13



IMPROVE DEVELOPMENT STANDARDS

Revisit parking standards

- Is the amount of parking enough – or too much?
- What about bicycle parking?
- Enhance parking lot design

Consider alternatives

- Shared parking
- On-street parking
- Reductions based on study

Should the City consider parking maximums?



Land Use Code Update

NEXT STEPS



NEXT STEPS

Installment 1 – Administration and Procedures

- First draft to staff in late April
- Public draft expected in June
 - *Public meetings this summer to discuss draft procedures*
 - *Opportunity to provide feedback on procedures (online and in person)*

Project Website

<https://cityofsalida.com/land-use-code-rewrite/>

DRAFTING THE LAND USE CODE

FIRST - Draft LUC in Installments:



THEN - Revise based on Feedback:

- Consolidated Draft
- Adoption Draft
- Adoption Hearings

1



Administration and Procedures

What are the procedures for evaluating and approving development?

2



Development Standards

What is the minimum quality for development?

3



Districts and Uses

What can I do with my property?
Where within the City?

THANK YOU



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