



AGENDA
CITY OF SALIDA PLANNING COMMISSION

MEETING DATE: Monday, February 25, 2019
MEETING TIME: 6:00 p.m.
MEETING LOCATION: City Council Chambers, 448 East First Street, Salida, CO

AGENDA SECTION:

- I. CALL TO ORDER BY CHAIRMAN – 6:00 p.m.**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – January 28, 2019**
- IV. UNSCHEDULED CITIZENS**
- V. AMENDMENT(S) TO AGENDA**
- VI. PUBLIC HEARINGS**

- 1. Limited Impact Review – Multiple Principal Structures** - The request is to place two principal structures on Lot 2 of the Dempsey-Hughes Subdivision at the northwest corner of 11th Street and E Street which is zoned Medium Density Residential (R-2).

- | | |
|--------------------------------|--------------------------|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application | G. Commission Discussion |
| D. Applicant’s Presentation | H. Commission Decision |

- 2. Limited Impact Review – Conditional Use** - The request is to approve a conditional use for bio-remediation of soils via industrial hemp propagation at 440 W. Grand Avenue, which is zoned Commercial (C-1).

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|--------------------------------|--------------------------|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application | G. Commission Discussion |
| D. Applicant’s Presentation | H. Commission Decision |

- 3. Limited Impact Review - Minor Subdivision** - The request is to approve the Papp Minor Subdivision which includes 1.86 acres split into five lots. The parcel is located at 6792 County Road 105 and is zoned Medium Density Residential (R-2).

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|--------------------------------|--------------------------|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application | G. Commission Discussion |
| D. Applicant’s Presentation | H. Commission Decision |

4. Limited Impact Review - Minor Subdivision - The request is to approve the Tibbetts Minor Subdivision which includes splitting Lot 29 of Two Rivers Subdivision, Phase I into two lots of approximately .13 of an acre each. The parcel is located at 402 Two Rivers Road and is zoned Planned Development, Medium Density Residential (R-2).

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|--------------------------------|--------------------------|
| A. Open Public Hearing | E. Public Input |
| B. Proof of Publication | F. Close Public Hearing |
| C. Staff Review of Application | G. Commission Discussion |
| D. Applicant's Presentation | H. Commission Decision |

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS:

IX. COMMISSIONERS COMMENTS

X. ADJOURN



STAFF REPORT

MEETING DATE: February 25, 2019

AGENDA ITEM TITLE: Elm Condos Limited Impact Review – Multiple Principal Structures

AGENDA SECTION: Public Hearing

REQUEST:

The request is to receive limited impact review approval to construct two primary structures on the vacant property known as Lot 2 of the Dempsey and Hughes Subdivision Exemption at the southwest corner of 11th Street and E Street. The property is within the Medium Density Residential (R-2) zone district.

APPLICANT:

The applicant is Karen Karnuta, 7077 CR 150, Salida, CO 81201.

LOCATION:

The subject property is legally described as Lot 2 of the Dempsey and Hughes Subdivision Exemption, City of Salida.



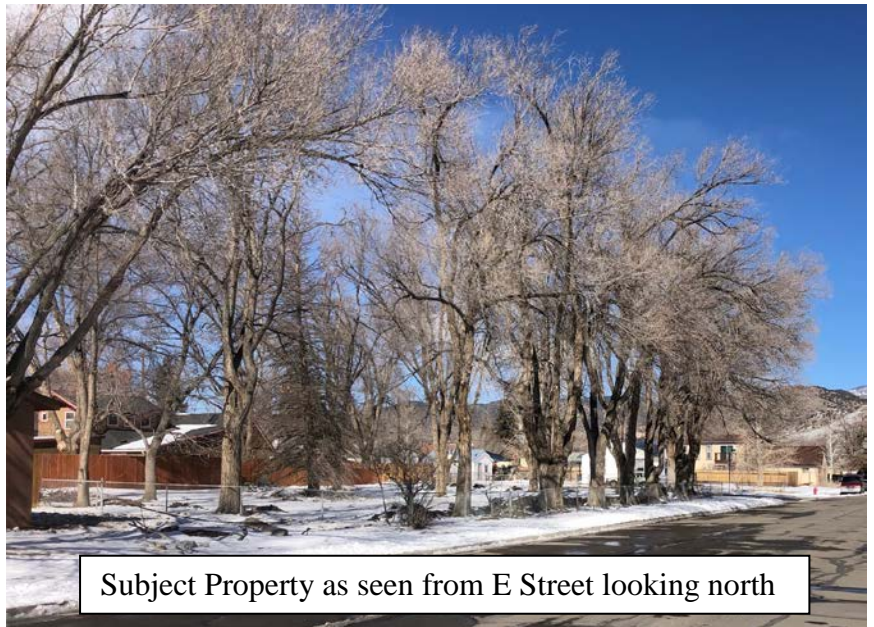
PROCESS:

Limited Impact Review is for those land uses which are generally compatible with the permitted uses in a zone district, but require site-specific review of their location, design, intensity, density, configuration, and operating characteristics, and which may require the imposition of appropriate conditions, in order to ensure compatibility of the use at a particular location and mitigate its potentially adverse impacts.

The Salida Municipal Code, Chapter 16, specifies that Limited Impact Review applications be reviewed by the City of Salida Planning Commission at a public hearing after fifteen days public notice. The Planning Commission may make a decision to approve, approve with conditions, deny, or remand the application back to the applicant for modification.

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

1. The subject property is located within the Medium-Density Residential Zone District (R-2). Surrounding properties are primarily single-family homes. Commercial businesses are approximately two blocks south of this property along Highway 50 and Salida High School is approximately two blocks to the east.
2. The density requirement per dwelling unit is 3,125 square feet within the R-2 zone district. The property has a total 10,688 square feet of lot area and is allowed a maximum of three (3) dwelling units on the property.
3. The applicant is proposing to erect (2) two-story residences on the vacant lot. Unit A (furthest to the south) is proposed to be 2,050 square feet and is shown with a future 280-square foot detached garage. Unit B (closest to the corner) is proposed to be 2,006 square feet with an attached 257-square foot garage
4. According to the elevations, each building will be approximately 29 feet at max height.
5. Section 16-8-20 (13) of the Land Use Code requires installation of sidewalks with a limited/major impact review application. There are no sidewalks along either 11th Street or E Street abutting the property, although there is curb and gutter along E Street.



REVIEW STANDARDS – Land Use Code section 16-4-190(b) Multiple Principal Structures:

(b) Multiple Principal Buildings.

(1) Scale. The entire site, including all proposed structures, shall be of a scale that is compatible with the surrounding and nearby properties. *Scale* shall mean the proportional relationship of the principal buildings to each other and to the neighborhood, including but not limited to height, mass, setbacks and orientation.

- The proposed principal structures conform to the primary building dimensional requirements of the R-2 zone district.
- The surrounding properties are primarily one and two story single-family and single-family residences. The adjacent residence at 125 E. 11th Street is a two-story home approximately 22 feet at the highest point. The remainder of residences immediately surrounding the subject property are single-story homes up to approximately 17 feet at the highest point. There are several homes similar in scale to those proposed within a few blocks of the subject property (approximately 30 feet high). Although somewhat taller than the homes immediately surrounding them (approximately 29 feet), the proposed primary structures are proportional in scale to each other and to other buildings in the general vicinity. Therefore, to ensure that the proposed structures are compatible with the surrounding and nearby properties, staff recommends the following condition of approval:
 - No principal building on the lot shall exceed 30 feet in height. Any substantial changes in scale to the proposed structures will require additional limited impact review approval.

(2) Parking and Access. Required parking shall be provided on the site for all buildings and uses on the site. Access should be consolidated to reduce curb cuts and shall be provided through alleys where available.

- The parking requirement for the proposed single-family residences is a total of two (2) parking spaces. The applicant is proposing an attached garage on Unit A and a future garage close to Unit B, both accessed from 11th Street. Staff is recommending the following condition of approval:
 - Driveway access and width shall be constructed per City Standards.
 - A shared access easement shall be created on the plat to ensure parking access for both residential units.

(3) Provision of Adequate Services. Each principal structure shall have its own municipal services, including water and sewer, in accordance with Chapter 13, Municipal Utilities, of this Code.

- The subject property has one (1) existing 5/8” residential water tap along E Street. Two additional water connections were stubbed into the parkway along

11th Street in 2016. Staff is recommending the following conditions of approval, consistent with the condition of approval for the related Dempsey and Hughes Subdivision Exemption decision:

- Sewer taps must be paid for each primary structure at time of building permit. Also, assuming that Unit A will utilize the existing water tap along E Street, an additional water tap will need to be purchased for Unit B at time of building permit.
 - The sewer lateral for Unit B (corner house) will require a utility easement for the connection in the alley. The applicant will also need to coordinate utility services with Public Works.
- Per Section 16-8-20 (13) of the land use code, construction of sidewalks and parkways are required along both sides of all local streets in a limited impact review. Though Public Works notes that few, if any, street improvements exist currently along 11th Street, there are curbs, gutters, and nearly continuous sidewalks that have been constructed along E Street from downtown to 11th Street. There is a sidewalk ramp at the corner of E and 11th Streets directly across from the subject property. Staff also notes that there is an existing row of mature elm trees that front E Street approximately 11 feet from the existing curb that could be impacted if a sidewalk were built exactly according to City standards. Therefore, staff recommends as a condition of approval:
- The applicant shall install a sidewalk and parkway along the west side of E Street abutting the subject property. Coordinate with Public Works to determine appropriate widths for both considering site features on that side of the property.

REVIEW AGENCY COMMENTS: The Public Works Director, Finance Department, Chaffee County Director of Development Services, and the utility companies were invited to comment on the preliminary plat application. The following comments were received in response to this request.

Public Works: *Sewer lateral for north lot will require a utility easement for connection in alley. Driveway access and width shall be constructed per City Standards. Coordinate utility services with Public Works. Sidewalks and parkway along E Street will also be required per Section 16-8-20 (13). Work with Public Works to determine appropriate widths given existing site features.*

Finance Department: *Water and sewer taps will need to be purchased at time of development*

Fire and Police Departments: *Have no concerns.*

RECOMMENDED FINDINGS:

1. This application is consistent with the Comprehensive Plan and the Land Use Code because the two proposed primary structures are compatible with the surrounding neighborhood, provide adequate parking and access and, with conditions, can meet the provision of adequate services.
2. The applicable review criteria for the limited impact review application have been met.

RECOMMENDED ACTION:

Based on the above findings, staff recommends **APPROVAL, with conditions**, for the limited impact review request to allow two primary structures on the property within the Medium-Density Residential (R-2) zone district. Those conditions are:

1. No principal building on the lot shall exceed 30 feet in height. Any substantial changes in scale to the proposed structures will require additional limited impact review approval.
2. Driveway access and width shall be constructed per City Standards.
3. A shared access easement shall be created on the plat to ensure parking access for both residential units.
4. Sewer taps must be paid for each primary structure at time of building permit. Also, assuming that Unit A will utilize the existing water tap along E Street, an additional water tap will need to be purchased for Unit B at time of building permit.
5. The sewer lateral for Unit B (corner house) will require a utility easement for the connection in the alley. The applicant will also need to coordinate utility services with Public Works.
6. The applicant shall install a sidewalk and parkway along the west side of E Street abutting the subject property. Coordinate with Public Works to determine appropriate widths for both considering site features on that side of the property.
7. That this Limited Impact Review approval expires in three (3) years from the date of approval if a building permit for either principal structure has not been issued and acted upon.

RECOMMENDED MOTION:

That the recommended findings be made and the recommended action be taken.

Because this application is for a Limited Impact Review, the Salida Planning Commission shall make the final decision on this application. The decision of the Planning Commission may be appealed within 15 days of the decision by an aggrieved person as set forth in section 16-2-70 of the Land Use Code.

Attachments:

- Limited Impact Review Application
- Site Plan
- Building Elevations
- Photos of surrounding neighborhood
- Proof of publication



GENERAL DEVELOPMENT APPLICATION

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

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

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

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

A. Applicant Information

Name of Applicant: KAREN KARNUTA

Mailing Address: 7077 CR 150

Telephone Number: 539-4847 FAX: _____

Email Address: karetkarnuta@gmail.com

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

B. Site Data

Name of Development: ELM CONDOS

Street Address: _____ 11th + E CORNER

Legal Description: Lot _____ Block _____ Subdivision _____ (attach description)

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

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

Signature of applicant/agent: [Signature] Date: _____

Signature of property owner: [Signature] Date: 1-14-19



LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

1. PROCEDURE (Section 16-3-80)

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

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
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 General Development Agreement completed.

2. A copy of a current survey or the duly approved and recorded subdivision plat covering the subject lots where the proposal is for development on previously subdivided or platted lots;

3. A brief written description of the proposed development signed by the applicant;

? 4. Special Fee and Cost Reimbursement Agreement completed.

5. Public Notice.

a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.

b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.

c) Applicant is responsible for posting the property and submittal of notarized affidavits for proof of posting the public notice.

6. Applications for Limited Impact Review must submit six (6) copies of application materials and applications for Major Impact Review must submit twelve (12) copies of application materials.

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

9. Any subdivision request including a plat meeting the requirements of Section 16-6-110;

10. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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

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

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

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

YES

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

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

YES

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

YES

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

YES - more compatible and appropriate than 3 units which is a use by right.

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

CORRECT

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

YES

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

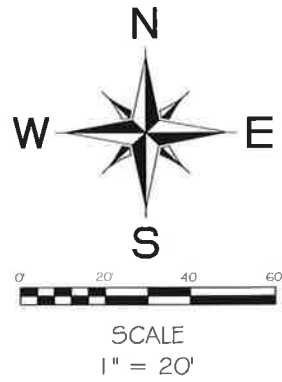
YES, CORRECT

Written description of proposed development

This project is to allow two primary structures on one lot. The lot is zoned for three units but three units seems too much for this property with many trees. Two detached units will fit much better in this neighborhood of detached houses.

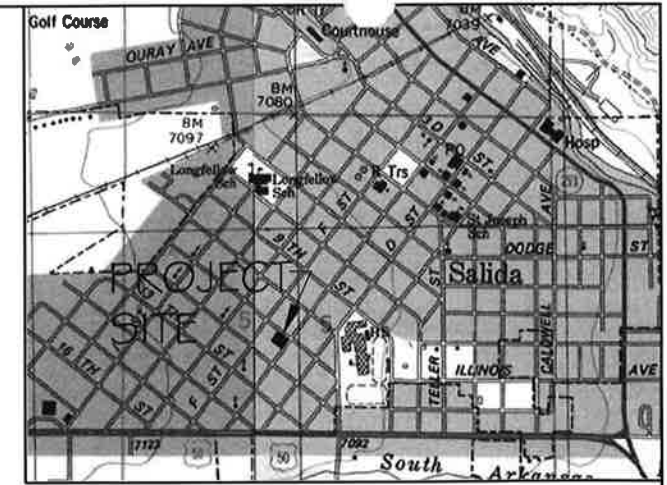
I am also requesting permission for one garage entry from E ST along with existing garage entry on 11th ST.

Karen Kanub

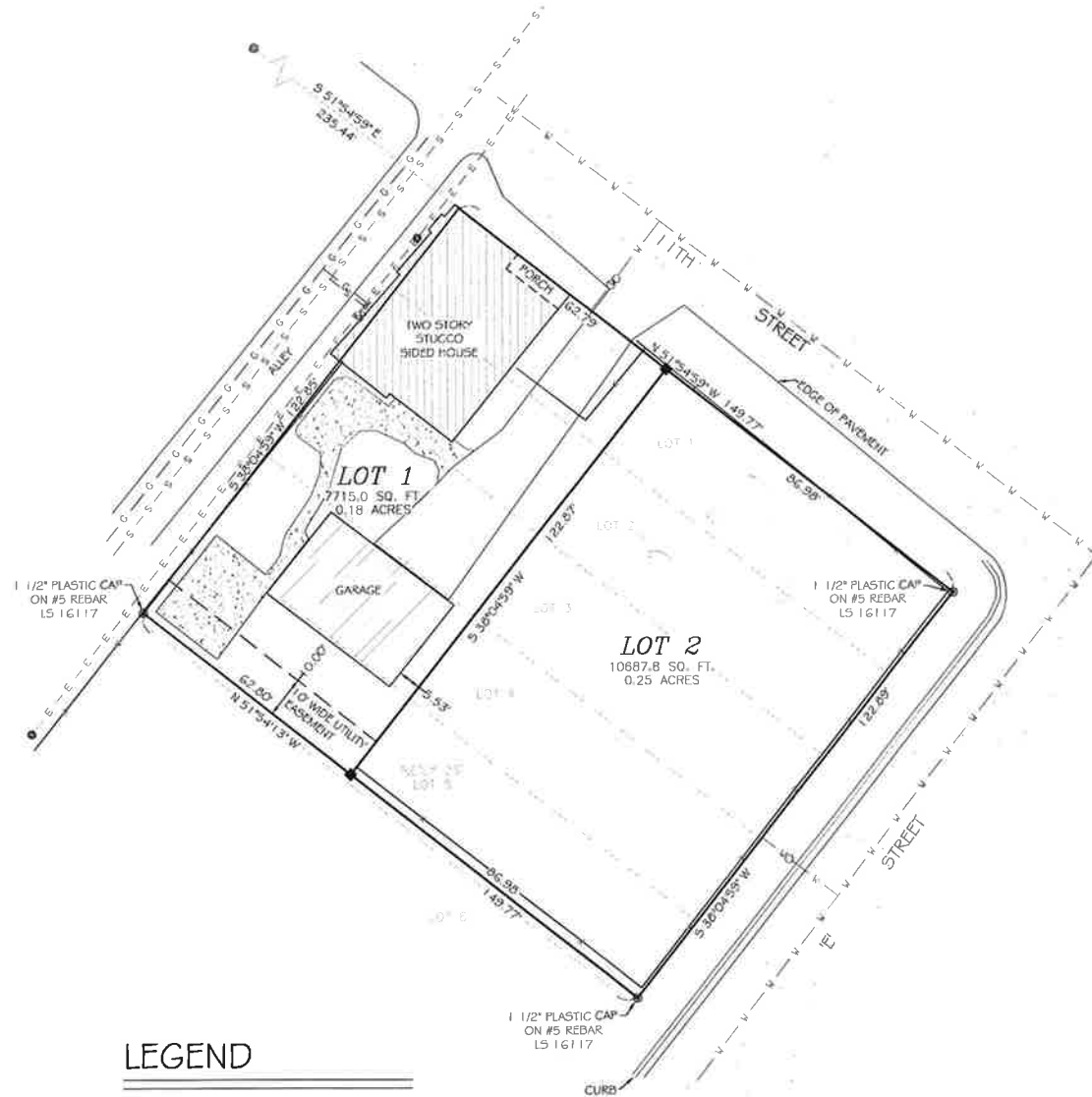


DEMPSEY AND HUGHES REPLAT AND SUBDIVISION

LOCATED WITHIN LOTS NUMBER 1 THROUGH 4 AND THE
NORTHEASTERLY 23 FEET OF LOT NUMBER 5 OF
BLOCK NUMBER 124 OF HASKELL'S ADDITION TO THE
CITY OF SALIDA,
CHAFFEE COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE



LEGEND

- FOUND MONUMENT AS NOTED
- ◆ SET 1 1/2" ALUMINUM CAP LS 37937
- ⊙ SEWER CLEAN OUT
- ⊕ ELECTRIC METER
- ⊙ GAS METER
- ⊙ POWER POLE
- ⊙ WATER METER
- ⊙ WATER VALVE
- S—S— UNDERGROUND SEWER
- X—X— FENCE
- E—E— OVERHEAD ELECTRIC
- W—W— WATER LINE
- G—G— GAS LINE
- ▭ CONCRETE

CITY OF SALIDA APPROVAL OF PLAT

THE UNDERSIGNED CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF SALIDA, COLORADO, DOES HEREBY ACKNOWLEDGE AND APPROVE OF THIS PLATTING AND SUBDIVISION OF LAND, AS SHOWN ON THIS PLAT, AS AUTHORIZED BY SECTION 16-14-40, SUBDIVISION EXEMPTION, OF THE SALIDA CITY CODE.

CHAIRPERSON OF PLANNING COMMISSION
OF THE CITY OF SALIDA

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT _____ M.
ON THIS _____ DAY OF _____, 2009 UNDER RECEPTION NUMBER _____

CHAFFEE COUNTY CLERK AND RECORDER

GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE NORTHWESTERLY RIGHT OF WAY OF 1ST STREET BETWEEN TWO PLASTIC CAPS ON #5 REBAR STAMPED LS 16117 HAVING A BEARING OF SOUTH 38°04'59" WEST
- 2) NO CONTOURS WERE SHOWN ON THIS PLAT PER SEC. 16-14-60 (b)(2)(ii) OF THE CITY OF SALIDA LAND USE CODE DUE TO TOTAL ELEVATION DIFFERENCE BEING 1.32'
- 3) UNDERGROUND UTILITIES SHOWN AS MARKED ON THE GROUND BY UTILITY NOTIFICATION CENTER OF COLORADO. LANDMARK SURVEYING & MAPPING ASSUMES NO RESPONSIBILITY FOR ANY UNDERGROUND UTILITIES AS DEPICTED HEREON
- 4) LOT 1 AND LOT 2 ARE ZONED R-2

LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR, LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY DRAFT
INTENDED FOR REVIEW BY CLIENT

SYDNEY A. SCHIEREN
COLORADO P.L.S. 37937



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED BEING ALL OF THE OWNER, MORTGAGEE, AND LIENHOLDER OF CERTAIN PARCELS OF LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

RECEPTION NO. 334574
PART OF BLOCK NO. 124
HASKELL'S ADDITION
TO THE CITY OF SALIDA,
CHAFFEE COUNTY, COLORADO,
BEING LOTS NO. 1, 2, 3, 4 AND THE NORTHEASTERLY 23 FEET OF LOT NO. 5, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT THE NORTHEASTERLY CORNER OF SAID BLOCK NO. 124, BEING THE INTERSECTION OF THE NORTHWESTERLY SIDE LINE OF 1ST STREET, AND THE SOUTHWESTERLY SIDE LINE OF 11TH STREET;
THENCE NORTHWESTERLY ALONG THE NORTHWESTERLY SIDE LINE OF 1ST STREET, 123 FEET;
THENCE NORTHWESTERLY PARALLEL TO 11TH STREET, 150 FEET TO ALLEY OF SAID BLOCK;
THENCE NORTHEASTERLY ALONG SAID ALLEY LINE 123 FEET TO THE SAID SOUTHWESTERLY SIDE LINE OF 11TH STREET;
THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY SIDE LINE OF 11TH STREET, 150 FEET TO THE POINT OF BEGINNING.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS OR TRACTS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF DEMPSEY AND HUGHES REPLAT & SUBDIVISION. THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC ALL UTILITY EASEMENTS ON THE PROPERTY AS DESCRIBED AND AS SHOWN HEREON. THE UNDERSIGNED HEREBY FURTHER DEDICATE TO THE PUBLIC UTILITIES THE RIGHT TO INSTALL, MAINTAIN AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES TO PROVIDE SUCH UTILITY SERVICES WITHIN THIS SUBDIVISION OR PROPERTY CONTIGUOUS THERETO, UNDER, ALONG AND ACROSS UTILITY EASEMENTS AS SHOWN HEREON.

EXECUTED THIS _____ DAY OF _____, 2009.

SUSAN A. DEMPSEY

ZACKARY D. HUGHES

MORTGAGEE/LIENHOLDER

COUNTY OF CHAFFEE)

) ss.

STATE OF COLORADO)

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2009, BY SUSAN A. DEMPSEY AND ZACKARY D. HUGHES. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

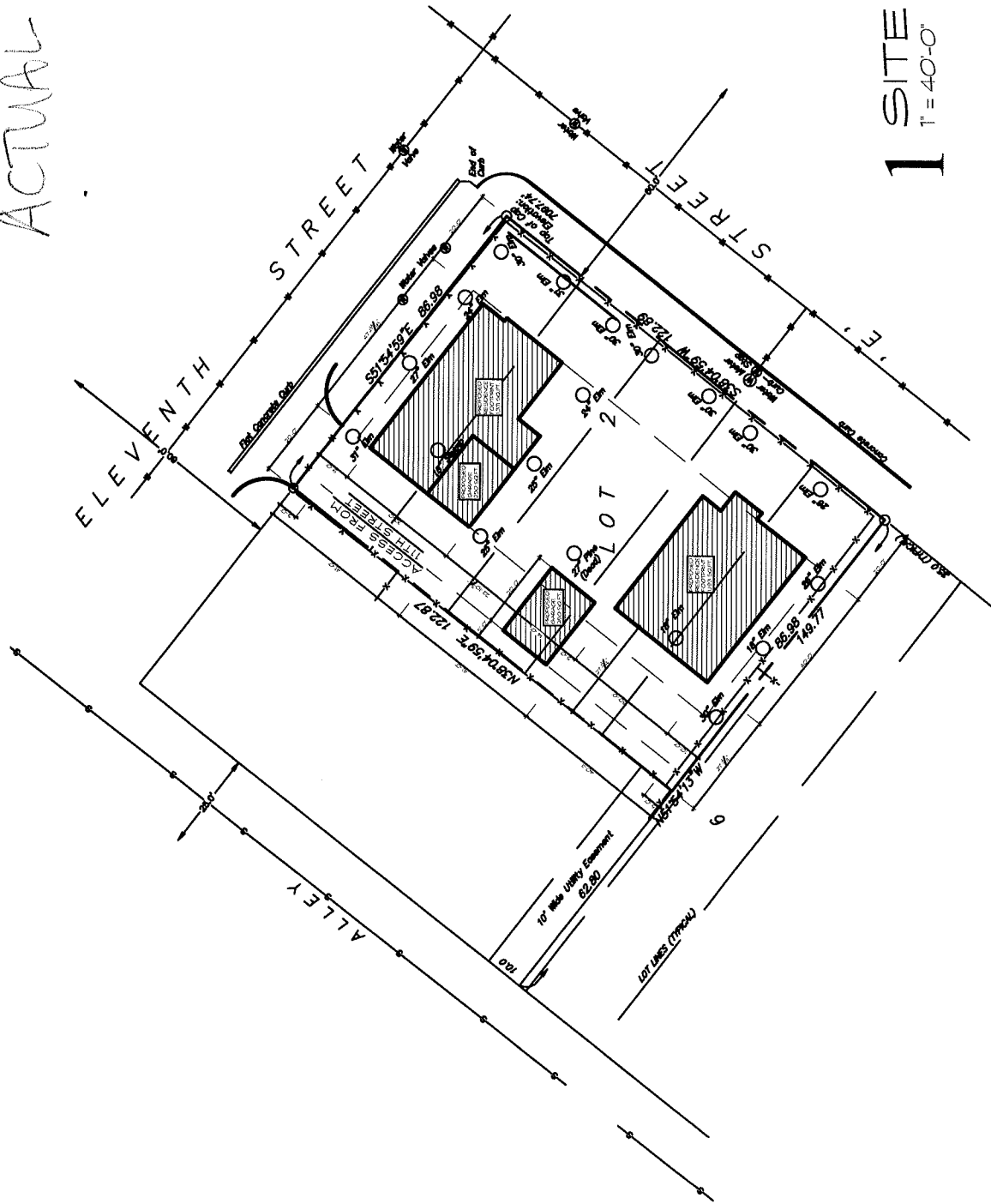
NOTARY PUBLIC

REVISED:	DEMPSEY AND HUGHES REPLAT AND SUBDIVISION LOCATED WITHIN LOTS NUMBER 1 THROUGH 4 AND THE NORTHEASTERLY 23 FEET OF LOT NUMBER 5 OF BLOCK NUMBER 124 OF HASKELL'S ADDITION TO THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO
JOB # 0715	
DATE: DECEMBER 4, 2009	
SHEET 1 OF 1	
LANDMARK SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031	

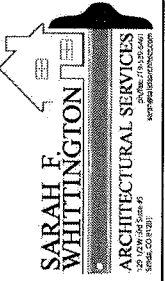
ACTUAL SITE PLAN

LEGEND

- DENOTES A RECOVERED 8" REBAR WITH A 1/2" ALUMINUM CAP STAMPED 1518177.
- ⊗ DENOTES A RECOVERED 8" REBAR - CAP MISSING.
- DENOTES CITY OF SALUDA SEWER LINE.
- DENOTES CITY OF SALUDA WATER LINE.
- DENOTES A FENCE LINE.



1 SITE DIAGRAM
1" = 40'-0"



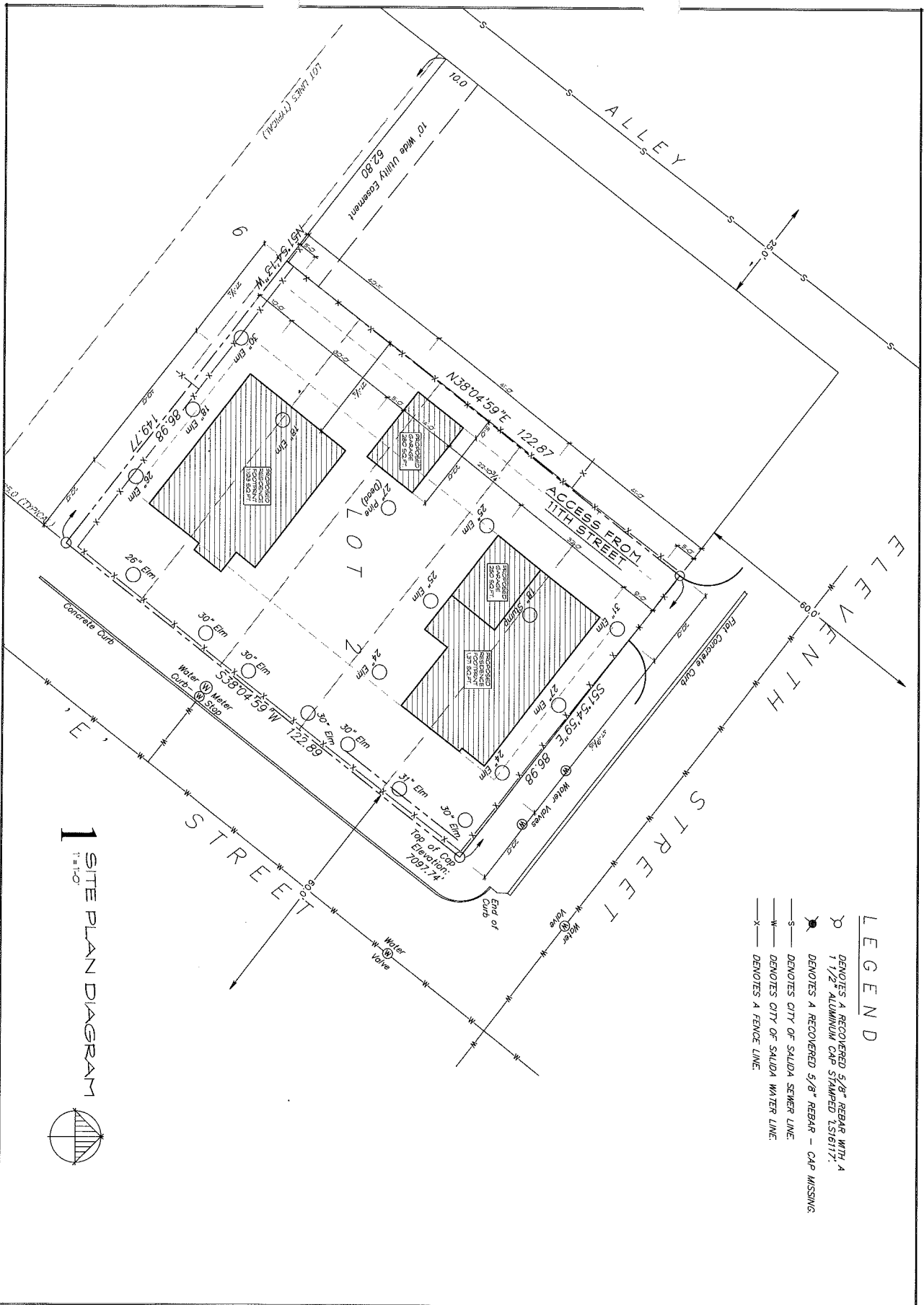
1/14/2019

XI

180XX82

The Karnuta Project

T.B.D. E and 11th Street - Salida, CO 81201



1 SITE PLAN DIAGRAM
1" = 1'-0"

LEGEND

- DENOTES A RECOVERED 5/8" REBAR WITH A 1/2" ALUMINUM CAP STAMPED ESH177.
- DENOTES CITY OF SALIDA SEWER LINE.
- DENOTES CITY OF SALIDA WATER LINE.
- DENOTES A FENCE LINE.

A1
1 OF 1
JOB # 1803X-22

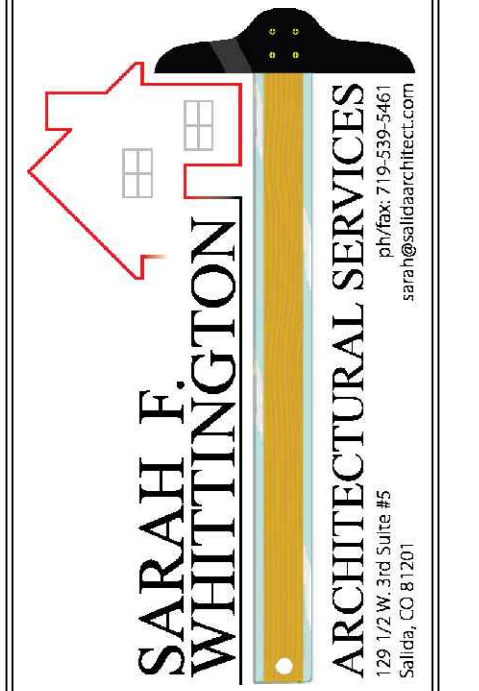
SITE PLAN
DIAGRAM

The Elm Condos
T.B.D. E & 11th Street
Salida, CO 81201

SARAH F. WHITTINGTON
ARCHITECTURAL SERVICES
122 W. PINE ST. SUITE 200
SALIDA, CO 81201
719.271.2527

DATE: 1/14/2019
DRAWN BY: P.G.
CHECKED BY: S.W.

DATE: 1/14/2019



Building Design Criteria

- 2015 International Residential Code
- Occupancy Classification: Single Family Dwelling
- Type of Construction: V-B
- Elevation: 7,036 ±
- Roof Live Load: 40 psf.
- Wind Load: 120 mph.
- Floor Load: 40 psf.
- Garage: 50 psf.
- Zoning: Medium Density Residential

General Notes

1. Contractor shall verify all dimensions and conditions at job site, if discrepancies occur, Contractor shall notify Architect before proceeding with the work. Dimensions take precedence over drawings. **Drawings are not to be scaled.**
2. All design work and construction work shall conform to all applicable codes and standards required by Chaffee County and the City of Salida.
3. All mechanical, plumbing, and electrical design and installation shall be performed by licensed contractors in accordance with all applicable codes and industry standards. Contractor shall coordinate all work.
4. Contractor shall protect all existing areas during construction and is required to replace any areas which are damaged, whether intentionally or unintentionally, due to new construction.
5. The Contractor shall coordinate all interior finishes with the Owner.

Energy Requirements - 2006 IECC - Zone 6

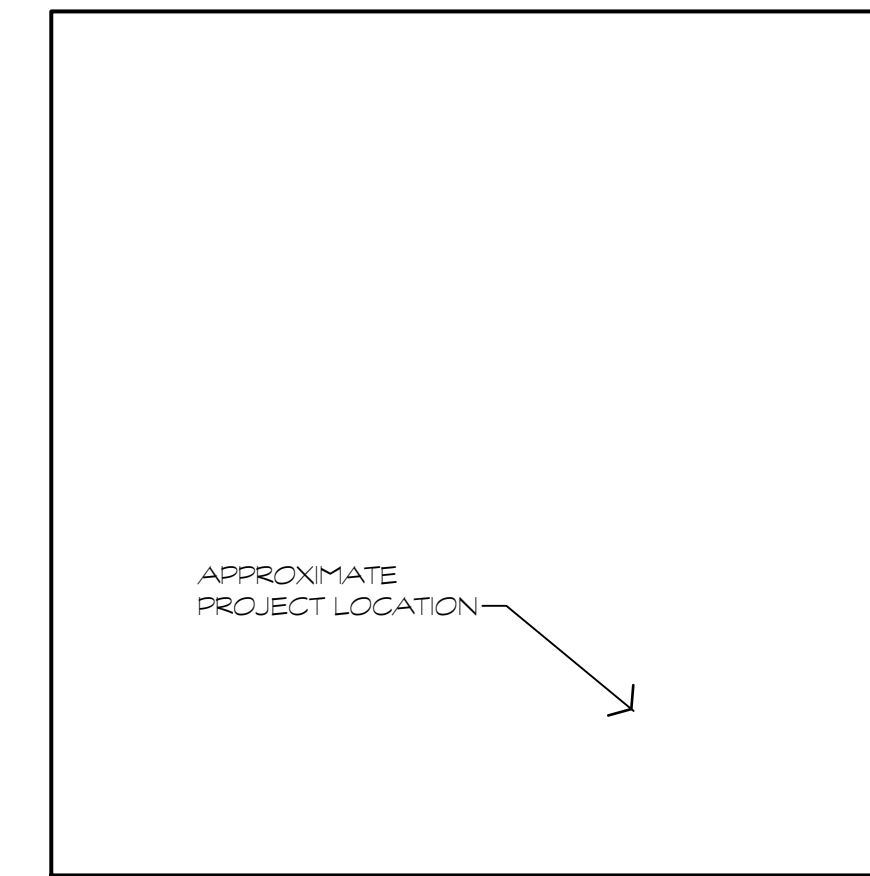
1. All exterior walls to have min. R-19 insulation. R - 24 blown-in insulation recommended.
2. The roof system is to have R- 38 blown-in insulation or R-49 if compressed over top plate. Vent as required.
3. All windows to have a U-value of 0.35 or better.

Exterior Light Requirement

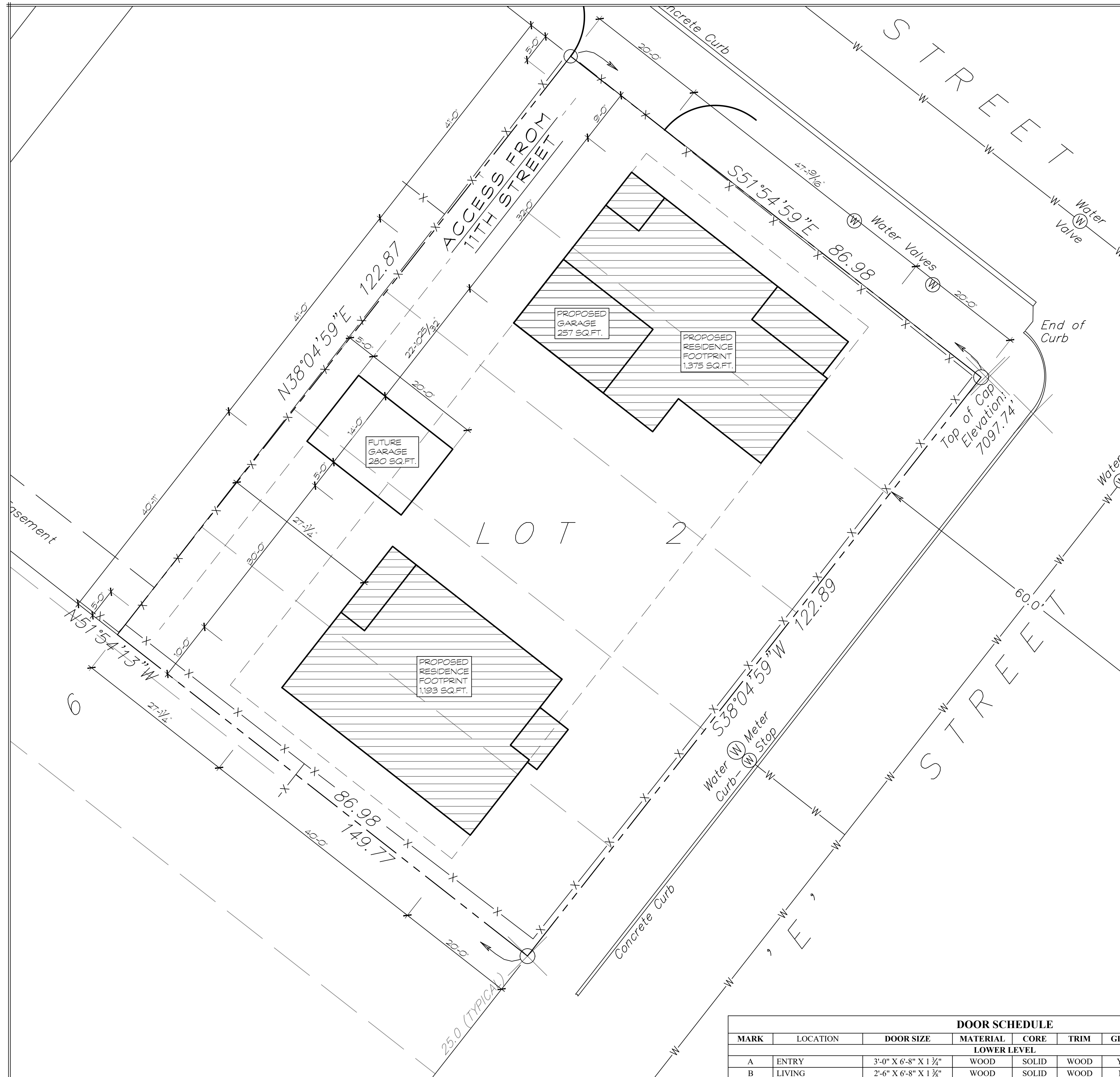
1. All exterior lights to be fully shielded per City of Salida Land Use Code 16-8-100.

Parking Requirements

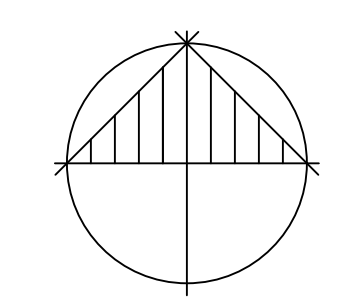
- 1 space per Single Family Dwelling Unit.



VICINITY MAP
N.T.S.



1 SITE PLAN
1" = 10'-0"
RE: LEGAL DESCRIPTION



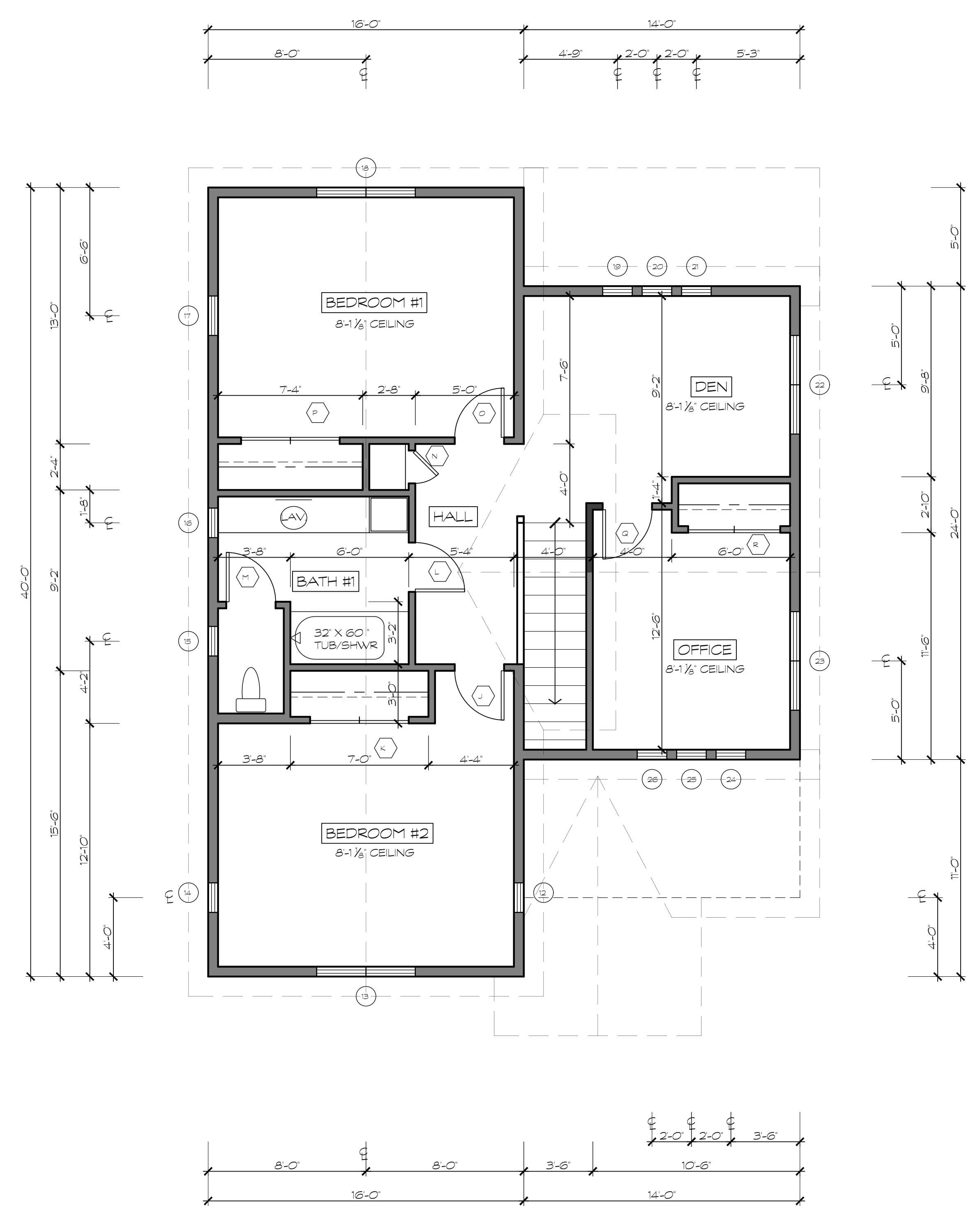
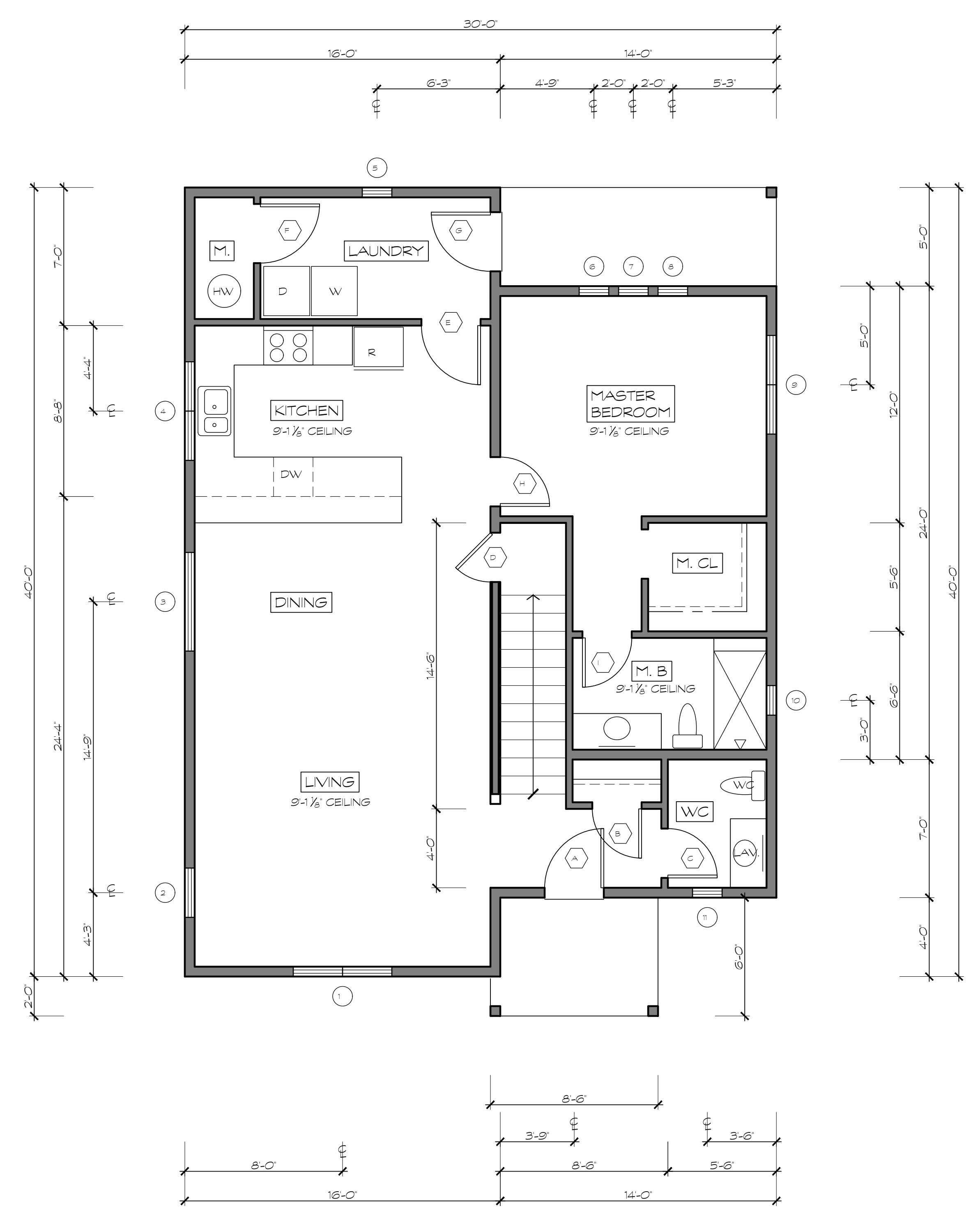
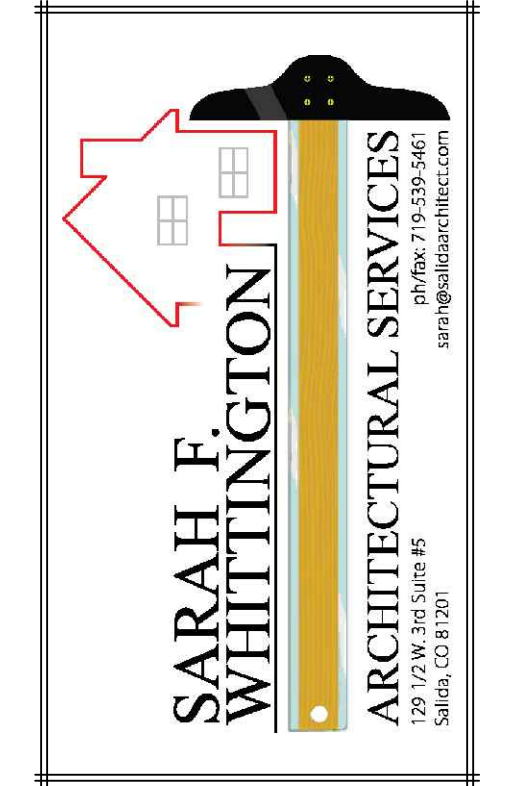
DOOR SCHEDULE							
MARK	LOCATION	DOOR SIZE	MATERIAL	CORE	TRIM	GLASS	REMARKS
LOWER LEVEL							
A	ENTRY	3'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	YES	ENTRY DOOR
B	LIVING	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
C	WC	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
D	STORAGE	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
E	KITCHEN	3'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
F	MECHANICAL	3'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
G	LAUNDRY	3'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	YES	ENTRY DOOR
H	MASTER BEDROOM	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
I	MASTER BATH	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
UPPER LEVEL							
J	BEDROOM #2	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
K	BEDROOM #2	5'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	DOOR PAIR
L	BATH #1	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
M	BATH #1 - WC	2'-4" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
N	HALL	2'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
O	BEDROOM #1	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
P	BEDROOM #1	5'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	DOOR PAIR
Q	OFFICE	2'-6" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	
R	OFFICE	5'-0" X 6'-8" X 1 3/4"	WOOD	SOLID	WOOD	NO	DOOR PAIR

WINDOW SCHEDULE					
SYMBOL	LOCATION	HEAD HEIGHT	TYPE	WINDOWS SIZE	REMARKS
LOWER LEVEL					
1	LIVING	8'-0"	2W - CASEMENT	5'-0" X 5'-0"	
2	LIVING	8'-0"	CASEMENT	2'-6" X 5'-0"	
3	DINING	8'-0"	2W - CASEMENT	5'-0" X 5'-0"	
4	KITCHEN	8'-0"	2W - CASEMENT	5'-0" X 4'-0"	
5	LAUNDRY	7'-0"	CASEMENT	1'-6" X 2'-6"	
6	MASTER BEDROOM	8'-0"	CASEMENT	1'-6" X 2'-6"	
7	MASTER BEDROOM	8'-0"	CASEMENT	1'-6" X 2'-6"	
8	MASTER BEDROOM	8'-0"	CASEMENT	1'-6" X 2'-6"	
9	MASTER BEDROOM	8'-0"	2W - CASEMENT	5'-0" X 5'-0"	EGRESS
10	MASTER BATH	7'-0"	CASEMENT	1'-6" X 2'-6"	
11	WC	7'-0"	CASEMENT	1'-6" X 2'-6"	
UPPER LEVEL					
12	BEDROOM #2	7'-0"	CASEMENT	1'-6" X 2'-6"	
13	BEDROOM #2	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
14	BEDROOM #2	7'-0"	CASEMENT	1'-6" X 2'-6"	
15	BATHROOM #1	7'-0"	CASEMENT	2'-6" X 4'-0"	
16	BATHROOM #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
17	BEDROOM #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
18	BEDROOM #1	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
19	DEN	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
20	DEN	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
21	DEN	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
22	DEN	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
23	OFFICE	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
24	OFFICE	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
25	OFFICE	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
26	OFFICE	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
PATIO DOORS					

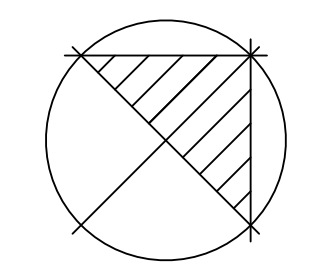
PLEASE NOTE: PROVIDE TEMPERED GLAZING AS REQUIRED PER 2015 IRC R308.4 HAZARDOUS LOCATIONS

The Elm Condos
Unit A
Salida, CO 81201

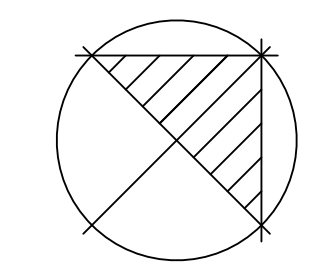
SITE PLAN
VICINITY MAP
DOOR & WINDOW
SCHEDULE



1 LOWER FLOOR PLAN
1/4" = 1'-0"
RE: 1A1
LIVING: 1,074 SQ.FT.
PORCHES: 119 SQ.FT.



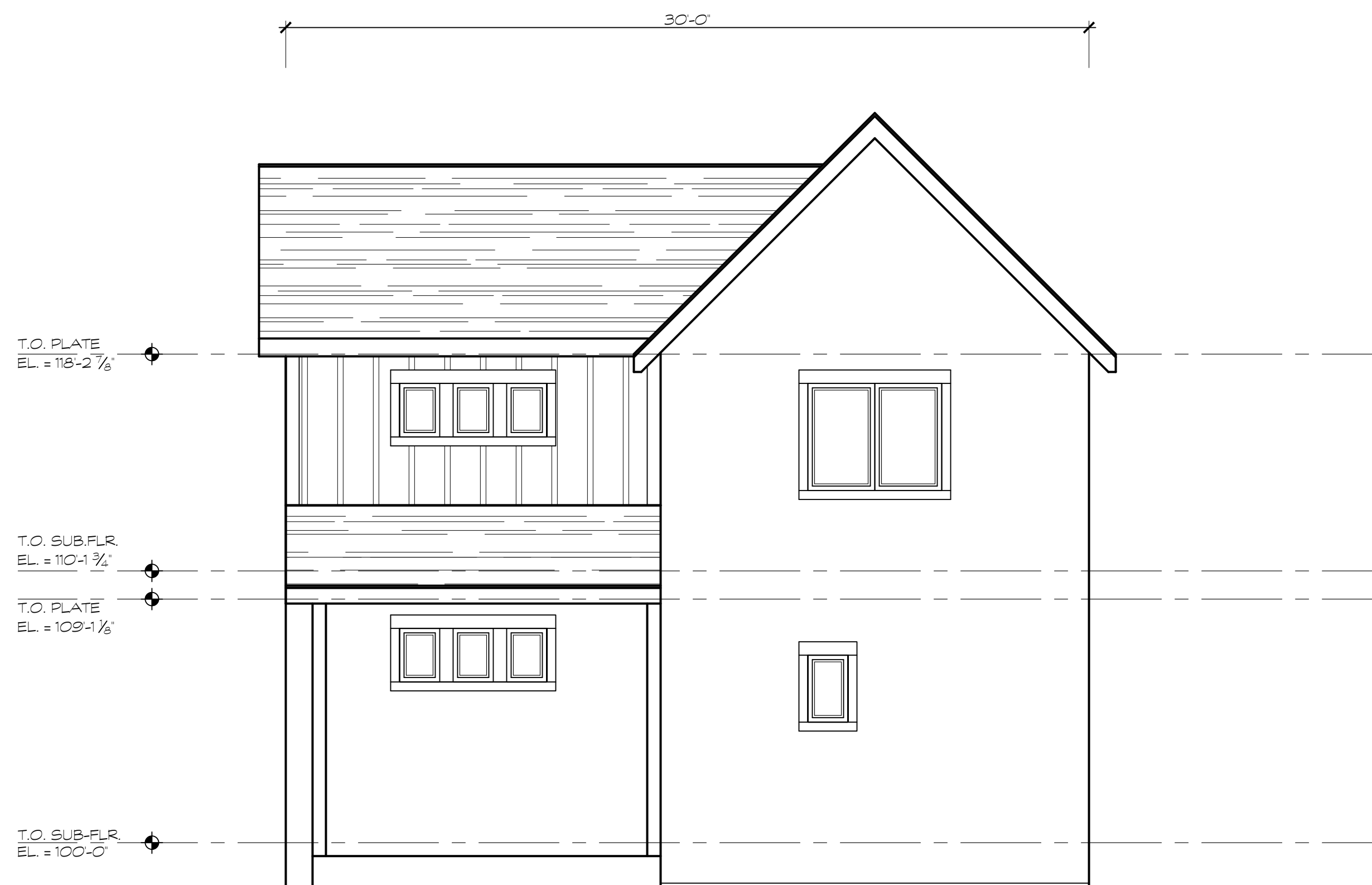
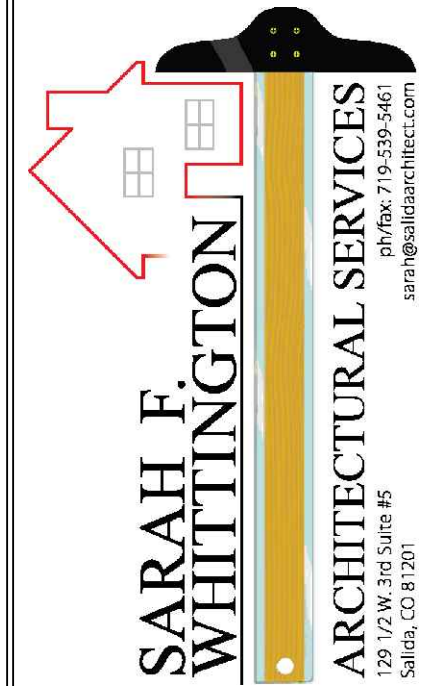
2 UPPER FLOOR PLAN
1/4" = 1'-0"
RE: 1A2
LIVING: 976 SQ.FT.



The Elm Condos
Unit A
Salida, CO 81201

LOWER FLOOR
PLAN
UPPER FLOOR
PLAN

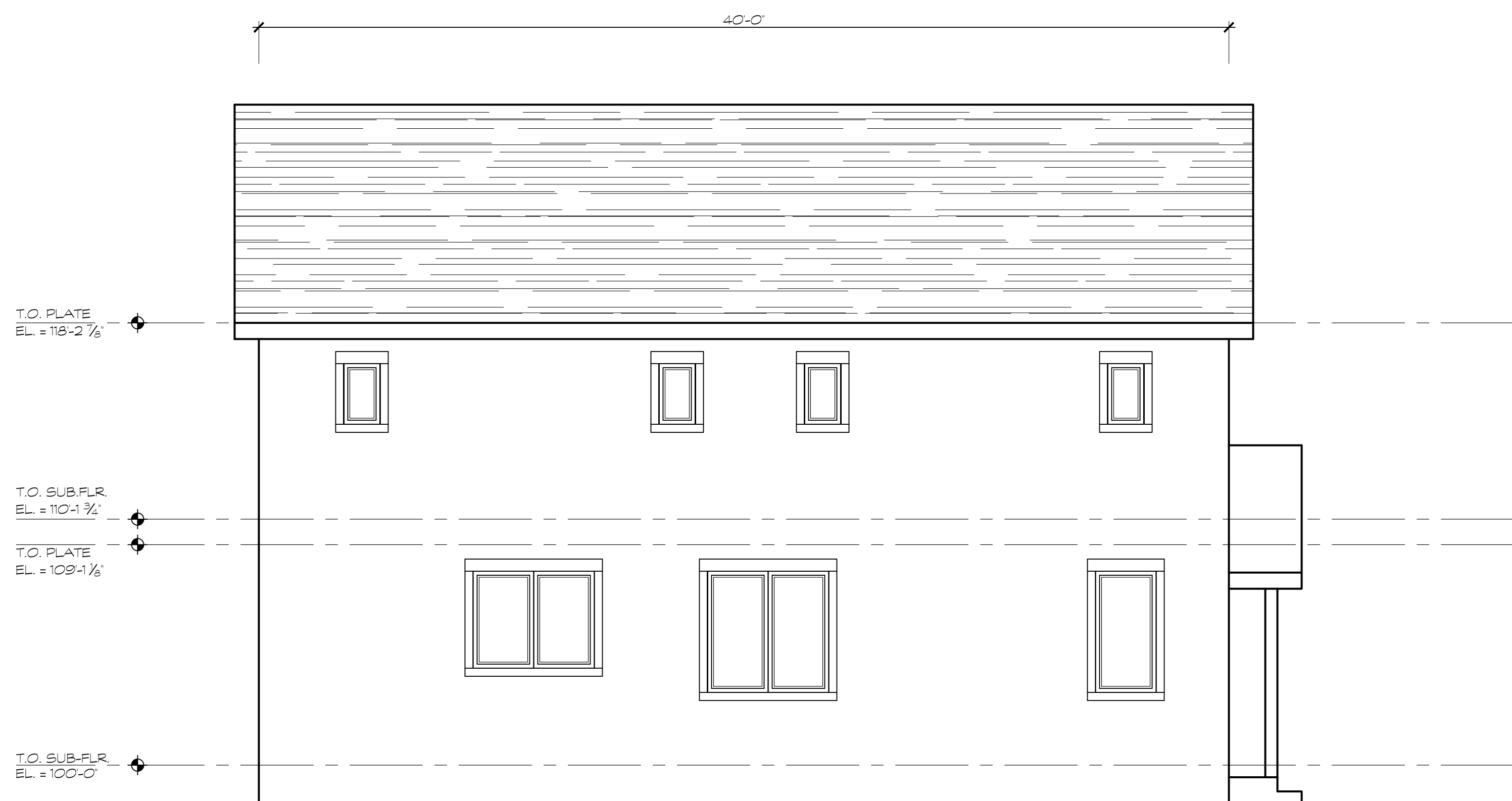
A2
2 OF X



1 NORTHWEST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



2 NORTHEAST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



3 SOUTHWEST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



4 SOUTHEAST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3

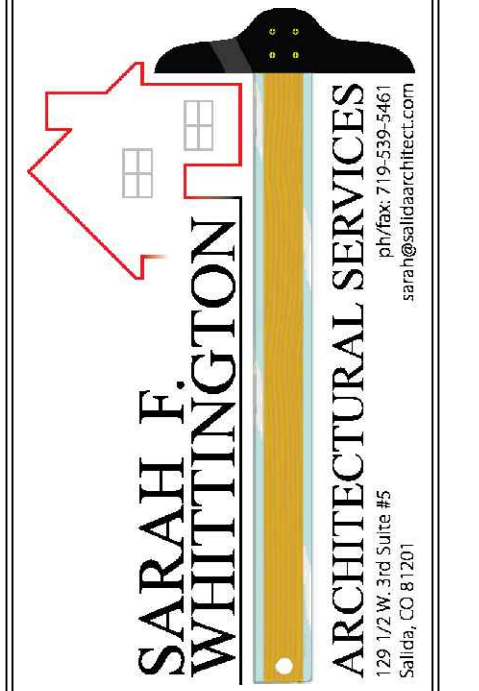
The Elm Condos
Unit A

Salida, CO 81201

NORTHWEST
NORTHEAST
SOUTHWEST
SOUTHWEST
ELEVATIONS

A3

3 OF 5



Building Design Criteria

- 2015 International Residential Code
- Occupancy Classification: Single Family Dwelling
- Type of Construction: V-B
- Elevation: 7,036 ±
- Roof Live Load: 40 psf.
- Wind Load: 120 mph.
- Floor Load: 40 psf.
- Garage: 50 psf.
- Zoning: Medium Density Residential

General Notes

- Contractor shall verify all dimensions and conditions at job site, if discrepancies occur, Contractor shall notify Architect before proceeding with the work. Dimensions take precedence over drawings. **Drawings are not to be scaled.**
- All design work and construction work shall conform to all applicable codes and standards required by Chaffee County and the City of Salida.
- All mechanical, plumbing, and electrical design and installation shall be performed by licensed contractors in accordance with all applicable codes and industry standards. Contractor shall coordinate all work.
- Contractor shall protect all existing areas during construction and is required to replace any areas which are damaged, whether intentionally or unintentionally, due to new construction.
- The Contractor shall coordinate all interior finishes with the Owner.

Energy Requirements - 2006 IECC - Zone 6

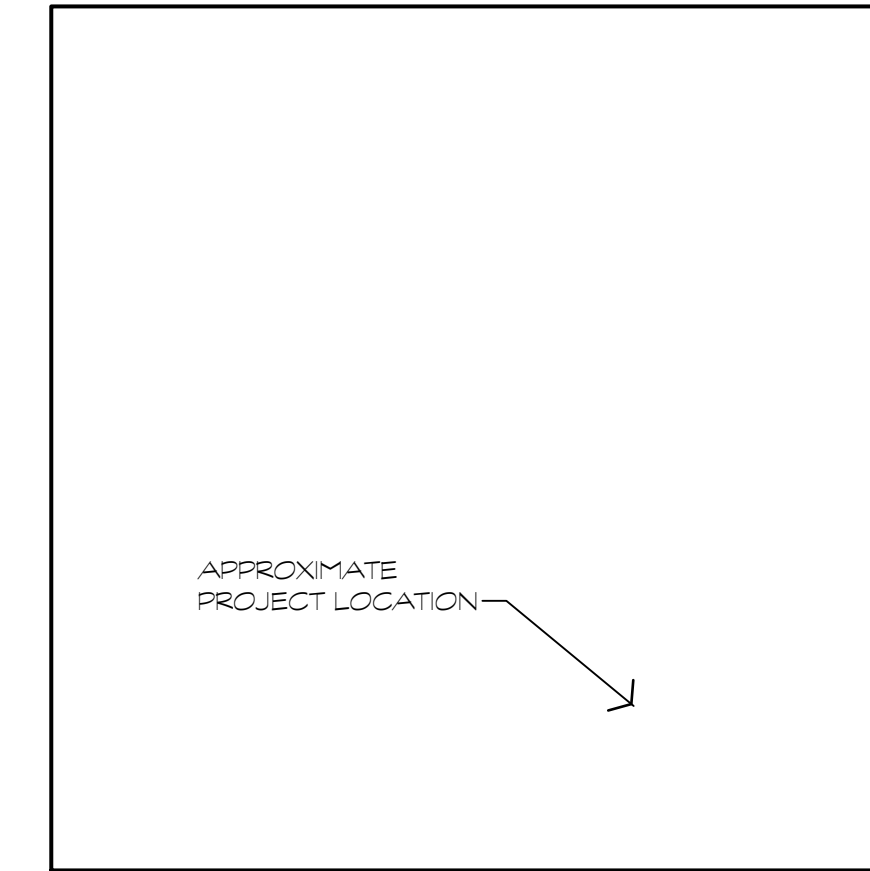
- All exterior walls to have min. R-19 insulation. R - 24 blown-in insulation recommended.
- The roof system is to have R- 38 blown-in insulation or R-49 if compressed over top plate. Vent as required.
- All windows to have a U-value of 0.35 or better.

Exterior Light Requirement

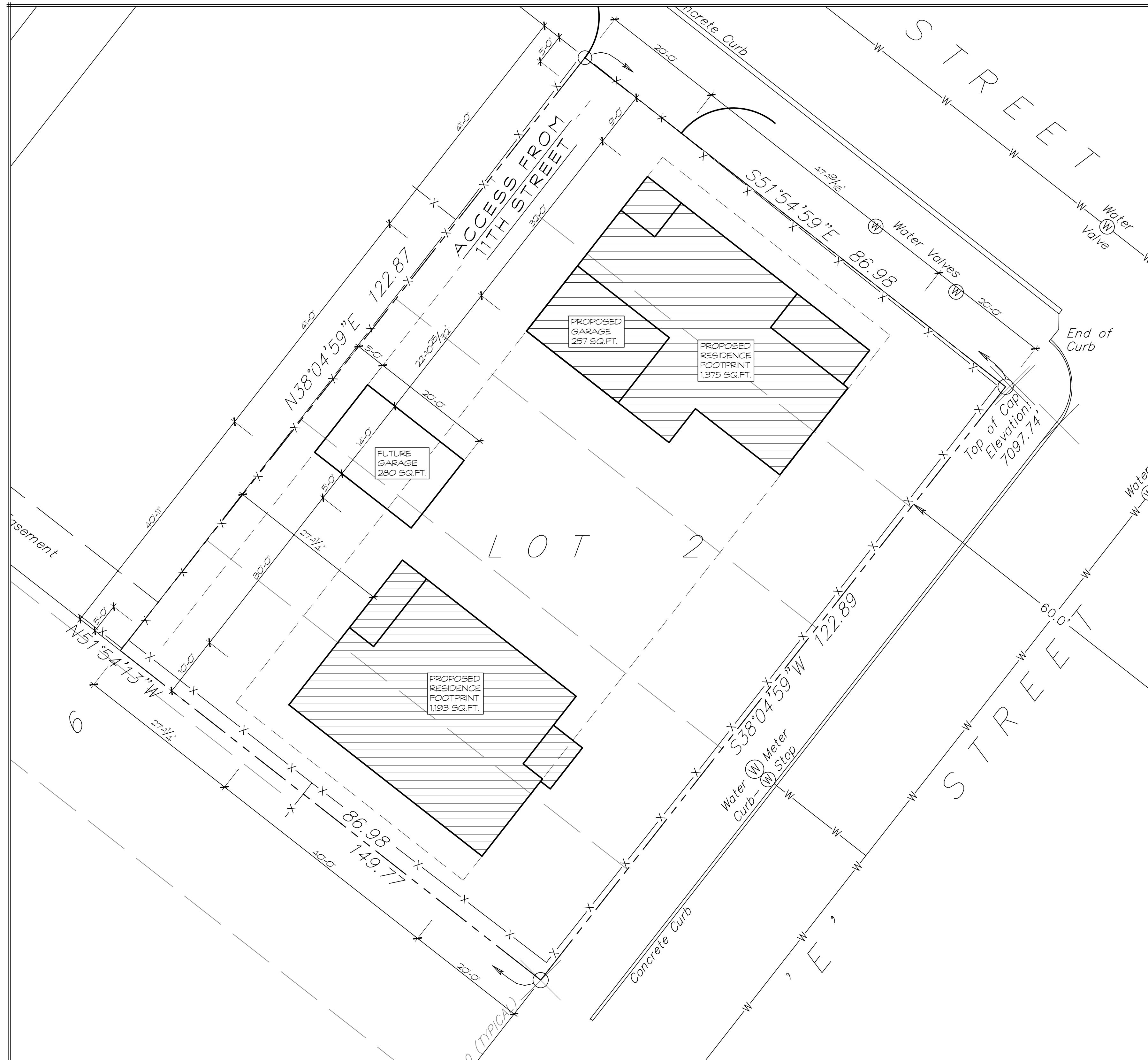
- All exterior lights to be fully shielded per City of Salida Land Use Code 16-8-100.

Parking Requirements

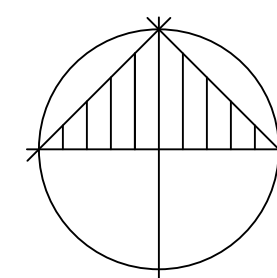
- 1 space per Single Family Dwelling Unit.



VICINITY MAP
N.T.S.



1 SITE PLAN
1" = 10'-0"
RE: LEGAL DESCRIPTION



DOOR SCHEDULE

MARK	LOCATION	DOOR SIZE	MATERIAL	CORE	TRIM	GLASS	REMARKS
LOWER LEVEL							
A	ENTRY	3'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	YES	ENTRY DOOR
B	LIVING	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	YES	ENTRY DOOR
C	WC	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
D	GARAGE	3'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	20 MIN. RATED
E	KITCHEN	3'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
F	LAUNDRY	3'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	YES	ENTRY DOOR
G	CLOSET	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
UPPER LEVEL							
H	MASTER BEDROOM	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
I	MASTER BATH	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
J	MASTER BATH	2'-4" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
K	BEDROOM #1	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
L	BEDROOM #1	5'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	DOOR PAIR
M	BEDROOM #2	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	
N	BEDROOM #2	5'-0" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	DOOR PAIR
O	BATH #1	2'-6" X 6'-8" X 1 1/2"	WOOD	SOLID	WOOD	NO	

WINDOW SCHEDULE

SYMBOL	LOCATION	HEAD HEIGHT	TYPE	WINDOWS SIZE	REMARKS
LOWER LEVEL					
1	LIVING	8'-0"	3W - CASEMENT	7'-6" X 5'-0"	
2	LIVING	8'-0"	2W - CASEMENT	5'-0" X 5'-0"	
3	WC	7'-0"	CASEMENT	1'-6" X 2'-6"	
4	LAUNDRY	7'-0"	CASEMENT	1'-6" X 2'-6"	
5	KITCHEN	8'-0"	3W - CASEMENT	6'-0" X 4'-0"	
6	DINING	8'-0"	CASEMENT	2'-0" X 4'-6"	
7	DINING	8'-0"	CASEMENT	2'-0" X 4'-6"	
8	DINING	8'-0"	CASEMENT	2'-0" X 4'-6"	
UPPER LEVEL					
9	MASTER BEDROOM	7'-0"	CASEMENT	1'-6" X 2'-6"	
10	MASTER BEDROOM	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
11	MASTER BEDROOM	7'-0"	CASEMENT	2'-6" X 4'-0"	
12	MASTER BEDROOM	7'-0"	CASEMENT	2'-6" X 4'-0"	
13	MASTER BATH	7'-0"	CASEMENT	1'-6" X 2'-6"	
14	MASTER BATH	7'-0"	CASEMENT	1'-6" X 2'-6"	
15	BEDROOM #1	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
16	BEDROOM #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
17	BEDROOM #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
18	BEDROOM #2	7'-0"	CASEMENT	1'-6" X 2'-6"	
19	BEDROOM #2	7'-0"	CASEMENT	1'-6" X 2'-6"	
20	BEDROOM #2	7'-0"	2W - CASEMENT	5'-0" X 4'-0"	EGRESS
21	BATH #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
22	BATH #1	7'-0"	CASEMENT	1'-6" X 2'-6"	
23	STAIR WELL	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
24	STAIR WELL	7'-0"	CASEMENT	1'-6" X 2'-6"	FIXED
PATIO DOORS					

PLEASE NOTE: PROVIDE TEMPERED GLAZING AS REQUIRED PER 2015 IRC R308.4 HAZARDOUS LOCATIONS

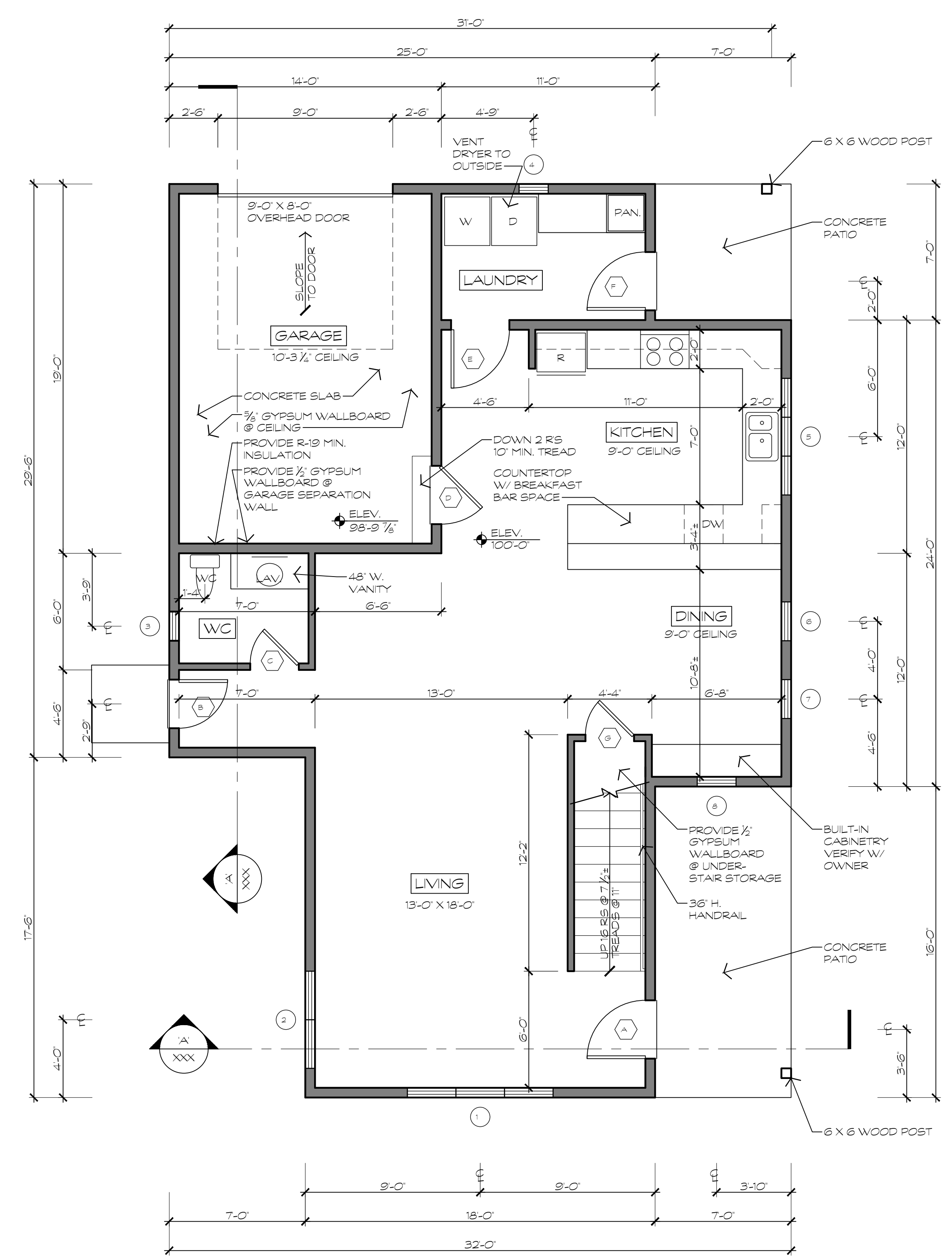
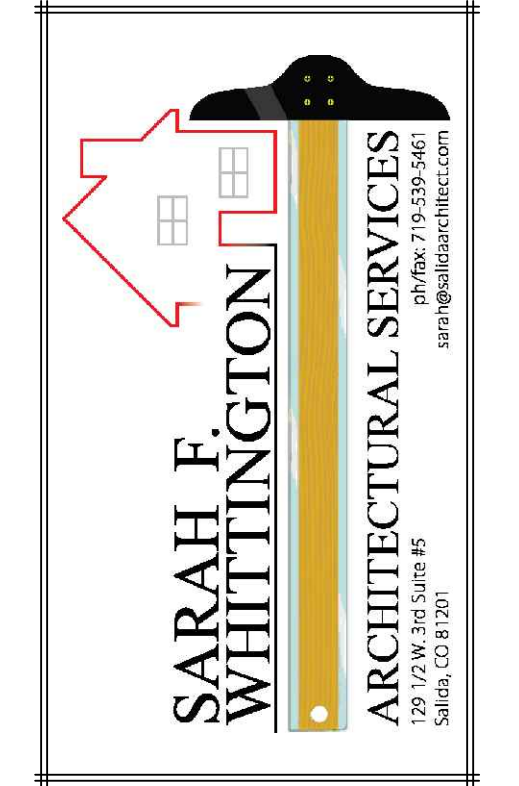
The Elm Condos

Unit B

Salida, CO 81201

SITE PLAN
VICINITY MAP

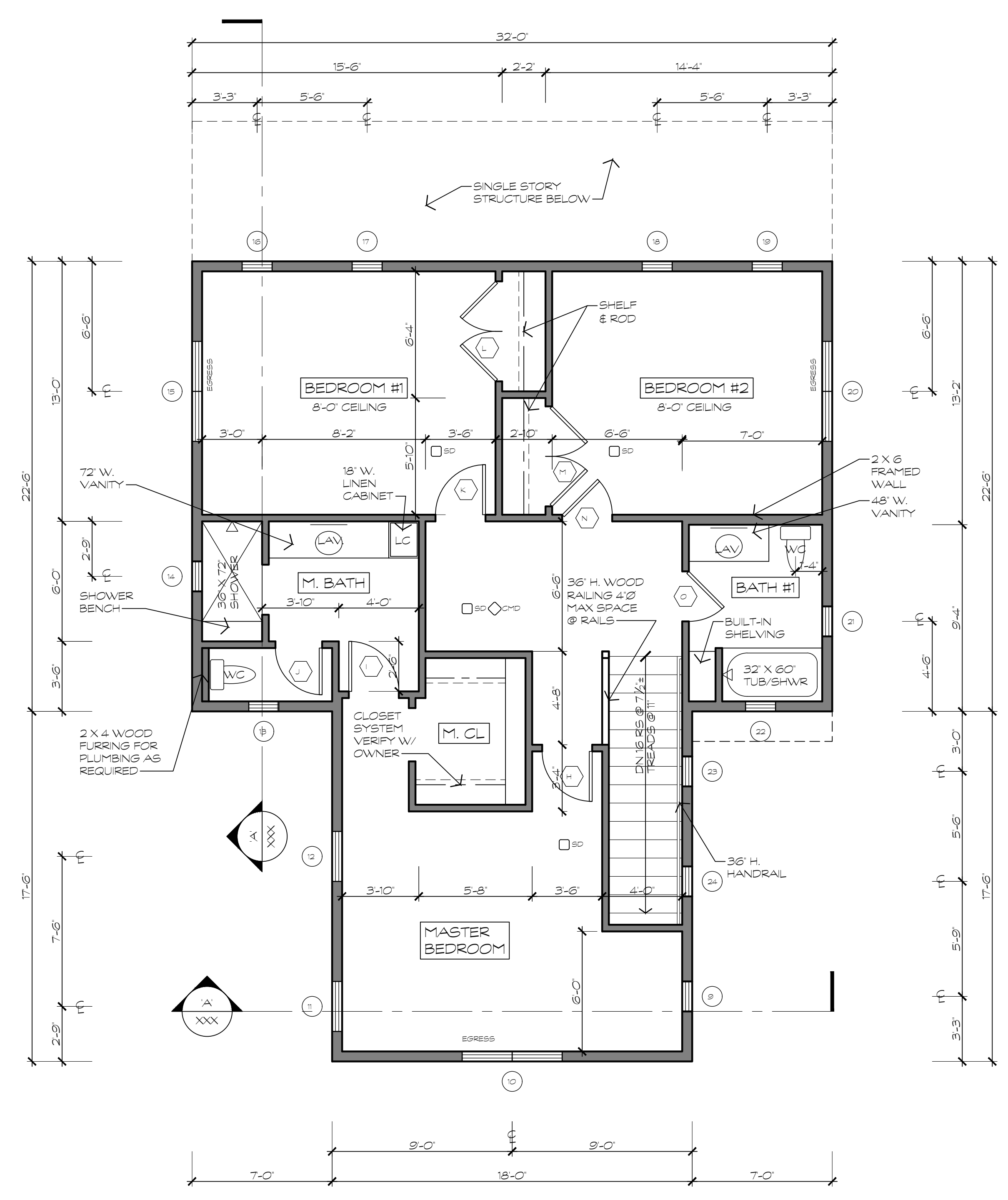
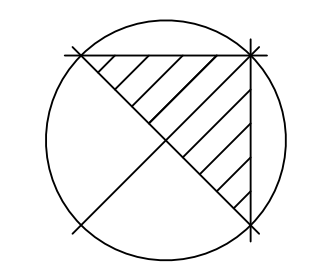
A1



1 LOWER FLOOR PLAN

1/4" = 1'-0"
RE: 1A1

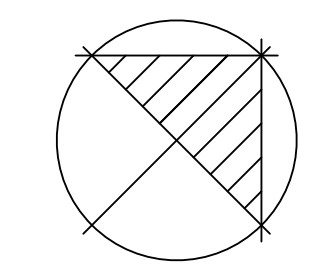
LIVING: 971 SQ.FT.
GARAGE: 250 SQ.FT.
PORCHES: 154 SQ.FT.



2 UPPER FLOOR PLAN

1/4" = 1'-0"
RE: 1A2

LIVING: 1,035 SQ.FT.



The Elm Condos

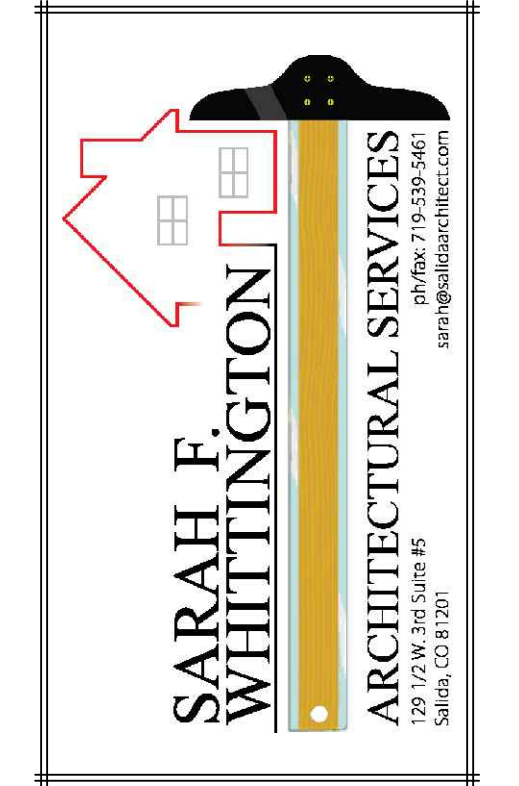
Unit B

Salida, CO 81201

LOWER FLOOR
PLAN
UPPER FLOOR
PLAN

A2

2 OF X



1 NORTHWEST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



2 NORTHEAST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



3 SOUTHWEST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3



4 SOUTHEAST ELEVATION
1/4" = 1'-0"
RE: 1A2, 1A3

The Elm Condos
Unit B
Salida, CO 81201

NORTHWEST
NORTHEAST
SOUTHWEST
SOUTHEAST
ELEVATIONS

Photos of Immediate Vicinity Around Subject Property – Exhibit A



Looking southwest along E Street, NE of the property (seen on right)



Looking southeast along 11th Street, immediately north of the property



Looking at the property from 11th Street, east of the property



Looking at the property from 11th Street north of the property

Photos of Similarly-Sized Homes in Surrounding Neighborhood – Exhibit B



House at 9th and D Streets



Houses at 9th and F Streets



Houses at 9th and F Streets



House at 11th and F Streets



Houses at 11th and H Streets



House at 11th and H Streets

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION FOR THE
CITY OF SALIDA CONCERNING
A LIMITED IMPACT REVIEW APPLICA-
TION**

TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE: that on February 25, 2019 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Planning Commission at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado on the application of Karen Karnuta. The application is for Limited Impact Review approval for multiple principal structures on the parcel known as Lot 2 of the Dempsey and Hughes Subdivision Exemption at the northwest corner of 11th Street and E Street. The legal description of the property is available at City Hall.

Approval of the limited impact review application shall constitute authorization to proceed with submittals of building permits for two principal structures and associated accessory structures. Further information on the application may be obtained from the Community Development Department, (719) 530-2634.

Published in The Mountain Mail February 8, 2019



STAFF REPORT

MEETING DATE: February 25, 2019

AGENDA ITEM TITLE: “The Grand Design” Conditional Use Application – 440 West Grand Ave.

AGENDA SECTION: Public Hearing

REQUEST:

The request is for Limited Impact Review approval for a conditional use for bio-remediation of soils via industrial hemp propagation at 440 W. Grand Ave. The property is in the Commercial (C-1) District and occupied by multiple residential buildings, as well as a garage and storage outbuilding.

APPLICANT:

The applicant is Greg Bayne/4, 4 and 44, LLC - P.O. Box 119, Salida, CO 81201.

LOCATION:

The subject property is described as Lot 3 of the Smith Subdivision Plat, City of Salida, Chaffee County, Colorado. This property is also known as 440 West Grand Ave.



PROCESS:

Conditional Uses are those land uses which are generally compatible with the permitted uses in a zone district, but require site-specific review of their location, design, intensity, density, configuration, and operating characteristics, and which may require the imposition of appropriate conditions, in order to ensure compatibility of the use at a particular location and mitigate its potentially adverse impacts.

The Salida Municipal Code, Chapter 16, specifies that conditional uses be reviewed by the City of Salida Planning Commission at a public hearing after fifteen days public notice. The Planning Commission may make a decision to approve, approve with conditions, deny, or remand the application back to the applicant for modification.

At the time of conditional use approval, the Commission shall identify the time period for completion of the conditional use. In no case shall this time period exceed three (3) years from the date of approval.



OBSERVATIONS:

1. The property is located in the C-1 Commercial zone district and currently occupied by multiple residential structures and garage/storage areas. The property is adjacent to medical clinics on the Heart of the Rockies Regional Medical Center campus to the west, residential properties to the south (on the mesa above the subject property), a mix of commercial and residential uses to the east, and State Highway 291 and Sands Lake State Wildlife Area to the north.
2. The applicant has provided documentation from STTI Environmental and Engineering Consultants indicating that the property contains soils in various locations that are contaminated with oil and lead from a gas station that was in operation at the site until approximately 1976.
3. The proposed use of industrial hemp plants to remediate the contaminated soils is not a use specifically itemized in Table 16-D of the Salida Land Use Code. However, in accordance with Section 16-4-140 Uses Not Itemized, staff has determined that the proposed use is substantially

similar to “Marijuana cultivation facilities” under Commercial, Personal Service, and Office Uses category, which requires Limited Impact Review in the C-1 zone district. It should be noted that staff recognizes that though genetically related, industrial hemp and marijuana are not the same plant, nor are the two plants regulated the same. According to the Colorado Department of Agriculture which has jurisdiction over the cultivation of the crop, industrial hemp is defined as “a plant of the genus Cannabis and any part of the plant, whether growing or not, containing a delta-9 tetrahydrocannabinol (THC) concentration of no more than three-tenths of one percent (0.3%) on a dry weight basis.” Under Colorado state law any Cannabis with a percentage of THC above 0.3% is considered to be marijuana. An internet search of various literature and scientific journals indicates that “bio-remediation” or “phyto-remediation” of soils is one of several accepted uses for industrial hemp. The same sources indicate that industrial hemp is fast-growing and typically ready to harvest in approximately four months.

4. The applicant has a permit to grow industrial hemp in Colorado (Registration #76332) which is valid through December 27, 2019.

CONDITIONAL USE REVIEW STANDARDS [Section 16-4-110(d)]:

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

Applicant’s response: Yes, making a cleaner and more user-friendly environment is surely an important element of the Comprehensive Plan.

- The Comprehensive Plan does not specifically address bio-remediation or even agricultural uses, but it does discuss environmental sustainability in generalities, including sensitive lands, clean water, etc. The Comp Plan discusses the importance of commercial zoning and uses throughout the city. Though not requested as a commercial use, the proposed use would not contradict the Comp Plan or prohibit future commercial or other allowed uses on the site.

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

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

Applicant’s response: N/A

- The C-1 zone district allows for a variety of commercial operations and other land uses, at least on a conditional basis. As discussed above, the proposed use is not specifically itemized in Table 16-D but marijuana cultivation facilities, the most similar use as determined by staff, is a potential conditional use per Limited Impact Review. There is no precedence of this use that staff is aware of in the city.

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

Applicant's response: N/A

- The proposed use would not require any additional parking, landscaping, sign or improvement standards. This standard is not applicable.

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

Applicant's response: *The use is appropriate for remediating the possibly suspected pollution, potentially caused by the past industrial uses of this commercial property.*

- As mentioned above, the subject property is surrounded by a mix of uses, including medical, residential, commercial, as well as wildlife habitat across the adjacent highway. The Land Use Code outlines that the purpose of the Commercial (C-1) zone district is to provide for commercial and service businesses in a pattern that allows ease of access by both vehicles and pedestrians. Though the proposed use is not commercial in nature, it is assumed to be of a temporary nature and not prohibiting the potential future commercial use (or existing residential use) of the property. Given the temporary nature of the use, especially that provided by recommended conditions below, the use is neither inappropriate nor incompatible.

4. Traffic. The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measures shall be proposed by the applicant.

Applicant's response: *No additional traffic necessary for this use.*

- There shouldn't be any undue traffic with the proposed use.

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

Applicant's response: *No nuisance associated with industrial hemp production.*

- Staff has received three letters from adjacent property or business (medical) owners over potential odors that may be created by the proposed use, as well as potential visual and other impacts, and its accessibility by the public. It also should be noted that the Police Chief has expressed a concern regarding potential odors, among other questions.
- Though it is understood that industrial hemp does smell similar to marijuana, it is unclear how the *strength* of odors produced by the cultivation of industrial hemp

compares to the strength of the cultivation of marijuana. Various literature is inconclusive whether industrial hemp planted in the area and amount proposed by the applicant would produce odors significant enough to be a nuisance to surrounding properties. Regarding other concerns, staff has not found evidence that the proposed use would pose any specific harm to plants or animals or that the visual impacts would be significant given the proposed location. It is staff's opinion that containment of the crop (e.g. with a fence or other barrier) would create greater suspicion to casual passersby that the crop was actually marijuana. The concerns over odors are valid, yet it is also difficult to predict the level of impact in this instance considering the proposal. Therefore, should the Planning Commission approve the use, staff recommends the following conditions of approval to address such concerns:

- The location of the proposed use shall be limited to the areas shown or suspected to be contaminated via soil analyses (i.e. primarily around the areas of the old gas station warehouse and service bay, and any other areas of concern).
 - This conditional use shall only be permitted for the duration of one growing season, and the resulting crop must be cut and removed entirely from the site by November 1, 2019.
 - If the applicant desires to continue the conditional use beyond November 1, 2019, he must return to Planning Commission within one (1) year of this approval to review the use, any complaints, and whether the use will be allowed to continue into the future.
 - To provide transparency, education, and assurance for the public, the applicant shall install signage at the front of the property with the following information: the identification of the plant (i.e. industrial hemp); its specific purpose in this location (i.e. bio-remediation of soils contaminated by a past gas station); that the plant does not contain the hallucinogenic effects of marijuana; and any other conditions of approval of the conditional use. Such signage shall be reviewed and agreed upon by staff and shall remain in place through the duration of the conditional use.
6. Facilities. There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

Applicant's response: *No additional facilities needed for industrial hemp production.*

➤ No public facilities will be required to serve the proposed use.

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

Applicant's response: *Just the opposite; this conditional use will- or has the potential to- significantly improve the environment of this historic industrial site.*

- No adverse impacts to the environment are anticipated. It is possible, even likely, that the soils would be improved in the subject area via the proposed use.

REVIEW STANDARDS APPLICABLE TO PARTICULAR USES – MARIJUANA CULTIVATION FACILITIES [Section 16-4-190(p)]:

(As noted in the Observations above, staff recognizes that the uses of industrial hemp are not the same as marijuana, nor are the two plants regulated the same at the state level. The standards below are included, however, for reference regarding the *most* similar use that is described in Table 16-D.)

1. No marijuana cultivation facility shall be established except in accordance with the licensing requirements of Section 6-1-140.
 - The proposed use is different from a marijuana cultivation facility, therefore this standard is not applicable; however, it is noted that the applicant is registered to grow industrial hemp in the state of Colorado.
2. No marijuana cultivation facility shall be located within one thousand feet (1,000') of a school as defined at Section 16-1-80 of this Code. Distance shall be calculated using the standard established in the Colorado Medical Marijuana Code.
 - The proposed use is different from a marijuana cultivation facility, therefore this standard is not applicable; however, it is noted that there are no schools within one thousand feet of the subject property.
3. Nuisance. A marijuana cultivation facility shall not produce noise, electrical or magnetic interference, vibrations, heat, glare, odors, fumes, smoke, dust, traffic or parking demand, and shall not operate at such hours or in such a manner as to create a public nuisance, disturb neighbors or alter the commercial character of the premises.
 - The proposed use is different from a marijuana cultivation facility however, as noted in 16-4-110(d)(5) above, there is the potential for odors to be a nuisance. The recommended conditions of approval provided in the above section are intended to reduce or eliminate such potential.
4. Activity Conducted Indoors. All on-site activities associated with marijuana cultivation facility shall be conducted indoors. Materials and equipment used in the marijuana cultivation facilities shall be stored in a building.
 - The proposed use is different from a marijuana cultivation facility, therefore this standard is not applicable. The proposed activity is for bio-remediation of soils on the property and, by necessity, would be conducted outdoors.

5. Health and Safety Codes. The use complies with all applicable health and safety codes and a building permit for the use is obtained from the Chaffee County Building Department.
 - The proposed use is different from a marijuana cultivation facility and shall not involve the construction of any buildings, therefore this standard is not applicable. Furthermore, although, no specific health and safety issues appear to be associated with industrial hemp, such operations are inspected and regulated by the Colorado Department of Agriculture.

Review Agencies

The Public Works Director, Fire Department, Police Department, Chaffee County Director of Development Services, and the utility companies were invited to comment on the preliminary plat application. The following comments were received in response to this request:

Public Works Director, David Lady: *No concerns.*

Fire Chief, Doug Bess: *No concerns.*

Police Chief, Russ Johnson: *I have reviewed the plans that have been submitted. Hemp can be complicated. It can contain varying levels of THC, the active ingredient of Marijuana, but most plants contain very small levels. We currently have a moratorium on growing marijuana within the City of Salida. My questions would be, will the grow be contained? Will it be visible to the public? Who is responsible making sure they are growing HEMP with an acceptable level of THC in it. How do they plan on mitigating the smells associated with growing it? We already get complaints about the marijuana smell coming from the grow in Smelertown. These are just a few initial questions/concerns I have at this point.*

No other comments were received.

RECOMMENDED FINDINGS:

1. This application for a conditional use, with the recommended conditions of approval, is consistent with the Comprehensive Plan and the Land Use Code; and the use is compatible with the surrounding uses of the neighborhood due to its temporary nature and remediation purpose.
2. With the recommended conditions of approval, the applicable review criteria for all Conditional Use application have been met.

RECOMMENDED ACTION:

Based on the above findings, staff recommends **APPROVAL, WITH CONDITIONS**, for the conditional use request to remediate contaminated soils via industrial hemp propagation at 440 W. Grand Ave. Those conditions are as follows:

1. The location of the proposed use shall be limited to the areas shown or suspected to be contaminated via soil analyses (i.e. primarily around the areas of the old gas station warehouse and service bay, and any other areas of concern).
2. This conditional use shall only be permitted for the duration of one growing season, and the resulting crop must be cut and removed entirely from the site by November 1, 2019.
3. If the applicant desires to continue the conditional use beyond November 1, 2019, he must return to Planning Commission within one (1) year of this approval to review the use, any complaints, and whether the use will be allowed to continue into the future.
4. To provide transparency, education, and assurance for the public, the applicant shall install signage at the front of the property with the following information: the identification of the plant (i.e. industrial hemp); its specific purpose in this location (i.e. bio-remediation of soils contaminated by a past gas station); that the plant does not contain the hallucinogenic effects of marijuana; and any other conditions of approval of the conditional use. Such signage shall be reviewed and agreed upon by staff and shall remain in place through the duration of the conditional use.

RECOMMENDED MOTION:

That the recommended findings be made and the recommended action be taken.

BECAUSE THIS APPLICATION IS FOR A CONDITIONAL USE, THE SALIDA PLANNING COMMISSION SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. THE DECISION OF THE PLANNING COMMISSION MAY BE APPEALED WITHIN 15 DAYS OF THE DECISION BY AN AGGRIEVED PERSON AS SET FORTH IN SECTION 16-2-60 OF THE LAND USE CODE.

ATTACHMENTS:

- Application form
- Copy of applicant's State of Colorado Industrial Hemp Registration
- Site plan
- Public Testimony
- Documentation of subject property soils contamination
- Information on industrial hemp provided by applicant
- Proof of noticing publication



GENERAL DEVELOPMENT APPLICATION

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

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

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

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

A. Applicant Information

Name of Applicant: Greg Bayne / 4, 4 AND 4A, LLC

Mailing Address: POB 119 Salida, CO. 81201

Telephone Number: 843 367-7374 FAX: _____

Email Address: seaTime.greg@gmail.com

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

B. Site Data

Name of Development: The Grand Design

Street Address: 440 W. Grand Avenue

Legal Description: Lot 3 Block _____ Subdivision Smith (attach description)

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

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

Signature of applicant/agent Gregory Bayne Date 1/27/2019

Signature of property owner Gregory Bayne Date 1/22/2019



CONDITIONAL USE APPLICATION & ADMINISTRATIVE CONDITIONAL USE

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

A. TYPE OF CONDITIONAL USE REQUESTED (Refer to Schedule of Uses in Article IV of the Land Use Code)

Residential Zone Districts (Table 16-D): _____

Or

Commercial/Industrial Zone Districts (Table 16-D): Bio-remediation of potential toxins
Hemp propagation on old industrial site - in the soil.

B. DEVELOPMENT PROCESS (City Code Section 16-4-110)

1. Pre-Application Conference. Optional.
2. Submit Application.
3. Staff Review. Schedule Hearing, if required. Forward Report to Applicant and Planning Commission, if required.
4. Public Notice Provided For Hearing.
5. Public Hearing Conducted by Planning Commission and Action Taken.

C. APPLICATION CONTENTS (City Code Section 16-3-60 for Admin. Conditional Use or 16-3-80 for Conditional Uses)

1. **General Development Application**
 2. **Conditional Use Application**
 3. **Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, roads, alleys, utilities, etc. which are relevant to the review of the application. The application will also indicate conformance with any applicable development standards for the proposed conditional use. **The copies shall only be accepted on 8½" x 11", 11" x 17" or 24" x 36" paper.**
 4. **Surrounding Land Use.** Current land use of properties on all sides of the property and across the street(s) and alley.
 5. **Public Notice- Conditional Use Applications requiring public noticing.**
 - 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) Applicant is responsible for posting the property and mailing public notice to adjoining property owners. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
 - c) The applicant must submit notarized affidavits for proof of posting and mailing of the public notice.
 6. **Other Information.** Staff may request additional information as deemed necessary to evaluate the impacts of the conditional use application
 7. **Vicinity Map.** 8 ½" x 11" map showing parcel's location in the City.
 8. **Application Fee** \$800.00, cash or check made out to City of Salida. (\$400 application fee + \$400 retainer for attorney's fees) or \$250.00 for **Administrative Conditional Use application.**
 9. **Special Fee and Cost Reimbursement Agreement completed.**
- After staff review, ten (10) copies are required of all application materials for conditional use applications - unless requirement waived by staff.

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

An application for conditional use approval shall comply with the following standards.

1. **Consistency with Comprehensive Plan.** The use shall be consistent with the City's Comprehensive Plan. *yes. Making a cleaner and more user-friendly environment is surely an important element of the Comprehensive Plan.*

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

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

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

3. **Use Appropriate and Compatible.** The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity. *The use is appropriate for remediating the possible suspected pollution, potentially caused by the past industrial uses of this commercial property.*

4. **Traffic.** The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measures shall be proposed by the applicant.

No additional Traffic necessary for this use.

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

No nuisance associated with industrial hemp production.

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

No additional facilities needed for industrial hemp production.

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

Just the opposite; this conditional use will - or has the potential to - significantly improve the environment of this historic industrial site.

E. APPLICATION FOR MULTIPLE PRINCIPAL BUILDINGS City Code Section 16-4-190 (b)

A conditional use application for multiple principal buildings shall meet the following requirements. The application shall explain or show graphically how these requirements are met.

1. **Scale.** The entire site, including all proposed structures, shall be of a scale that is compatible with the surrounding and nearby properties. Scale shall mean the proportional relationship of the principal buildings to each other and to the neighborhood including but not limited to height, mass, setbacks and orientation.
2. **Parking and Access.** Required parking shall be provided on the site for all buildings and uses on the site. Access should be consolidated to reduce curb cuts and shall be provided through alleys where available.
3. **Provision of Adequate Services.** Each principal structure shall have its own municipal services including water and sewer in accordance with Chapter 13, Municipal Utilities.

F. APPLICATION CONTENTS FOR MOBILE HOME PARK OR RECREATIONAL VEHICLE PARK – City Code Section 16-4-190 (d)

A conditional use application for a mobile home park or recreational vehicle park shall contain the following materials:

- 1. **Minimum Contents.** The minimum contents required in a conditional use application, and;
- 2. **Site Plan.** A site plan at a scale of one inch equals one hundred feet (1" = 100'), or such other scale as is approved by the Administrator or his or her designee, showing:
 - a. **Site Dimensions.** Site dimensions and boundaries.
 - b. **Utilities.** The location, size, and use of all utilities, utility easements, and other site improvements, such as lighting and trash disposal, proposed to be constructed within the park.
 - c. **Roads.** The location, width, and proposed standards for roads, sidewalks, and other paths.
 - d. **Spaces.** The location, size, classification, and designated use of all mobile home or recreational vehicle spaces.
 - e. **Common Areas.** The location and size of parking lots and spaces, recreation and open space areas and proposed landscaping improvements to the same.
 - f. **Buildings and Accessory Structures.** The location, size, and height of buildings and accessory structures and a description of the proposed use of those buildings and structures, including the location and floor plan of proposed service buildings.
- 3. **Grading and Drainage Plans.** Grading and drainage plans showing and describing the existing

and proposed means of handling on-site drainage.

- **4. Utilities.** A written description of the general manner in which water supply, sewage disposal, electric supply, natural gas, storm water drainage, telephone, street lighting, cable television (if appropriate), and trash collection services will be provided to the park.

G. APPLICATION FOR A DAY CARE, SMALL, LARGE AND ADULT City Code Section 16-4-190 (f)

A conditional use application for day cares shall meet the following requirements. The application shall explain or show graphically how these requirements are met.

1. **Parking.** A day care facility, small, large, or adult, shall provide one (1) off-street parking space per nonresident employee. This space shall be provided in addition to any parking required for other uses of the property.
2. **Drop-off/Pickup Area.** One (1) designated off-street drop-off/pick-up space shall be provided per each four (4) children at a large day care facility and for every four (4) clients at an adult day care. The space shall be available during operating hours for loading and unloading of children or clients.
3. **Outside Area – Fence.** The required play or recreation area shall not be located in the property's front yard.
4. **State Codes.** The day care facility shall comply with all applicable state codes.
5. **Hours of Operation.** The hours of operation for the day care may be restricted in residential neighborhoods to limit adverse impacts of noise and traffic on neighboring properties.

H. APPLICATION FOR A HOME BUSINESS City Code Section 16-4-190 (g)

A conditional use application for a home business shall meet the following requirements. The application shall explain or show graphically how these requirements are met.

1. **Use Subordinate.** The use of a dwelling for home business shall be clearly incidental and subordinate to its use for residential purposes and shall not change its basic residential character. The use shall not exceed thirty percent (30%) of the total structure's square footage.
2. **Activity Conducted Indoors.** All on-site activities associated with a home business shall be conducted indoors. Materials and equipment used in the home business shall be stored in a building.
3. **Employment.** A home business shall be conducted by persons residing on the premises and no more than three (3) employees residing off-premises.
4. **Patrons.** A home business may serve patrons on the premises, provided that all other standards are met.
5. **Parking.** One (1) off-street parking space shall be required for each employee residing off-premises. These spaces shall be provided in addition to the parking required for the principal residential use of the property.

6. **Sales.** Incidental sale of supplies or products associated with the home business shall be permitted on the premises. A home business whose primary activity is retail sales shall be prohibited, except if the function of the home business is catalogue sales. An appropriate sales tax license shall be obtained and maintained during the course of business.
7. **Nuisance.** A home business shall not produce noise, electrical or magnetic interference, vibrations, heat, glare, odors, fumes, smoke, dust, traffic or parking demand, and shall not operate at such hours or in such a manner as to create a public nuisance, disturb neighbors or alter the residential character of the premises.
8. **Codes.** The building shall comply with all applicable City building, fire and safety codes for the particular business.
9. **Advertising.** No outdoor advertising of the home business shall be permitted, except as provided in the sign code.

I. APPLICATION FOR A GROUP HOME City Code Section 16-4-190 (h)

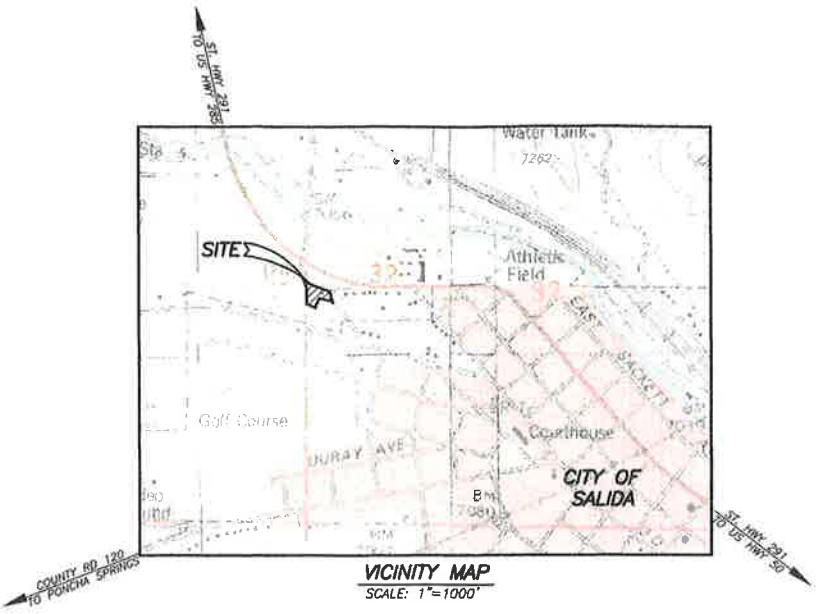
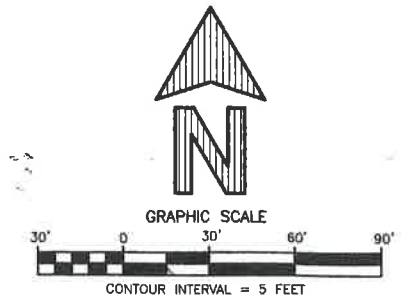
A conditional use application for a group home shall meet the following requirements. The application shall explain or show graphically how these requirements are met.

1. **Neighborhood Density.** A group home shall not be located closer than seven hundred fifty (750) feet to another group home.
2. **Health and Safety Codes.** The group home shall comply with all applicable local, state or federal health, safety, fire and building codes.

BAYNE SUBDIVISION

CONCEPT PLAN

SALIDA, COLORADO
JUNE 2011



LEGEND

- SITE BOUNDARY
- - - APPROXIMATE HIGHWAY RIGHT-OF-WAY
- PROPOSED LOT LINE
- - - BUILDING SETBACK LINE
- - - EXISTING ACCESS EASEMENT
- - - ACCESS EASEMENT
- - - EDGE OF EXISTING ROAD
- - - EXISTING INDEX CONTOUR
- - - EXISTING CONTOUR
- - - OHP
- - - EXISTING OVERHEAD POWER/COM LINE
- - - E-TV
- - - EXISTING UNDERGROUND POWER/COM LINE
- - - EXISTING WATER LINE
- - - EXISTING SEWER LINE

*Vicinity Map only.
Green area shows
proposed planting area.*



PREPARED BY:
CRABTREE GROUP, INC
ENGINEERING SMART GROWTH™
www.crabtreegroup.net

325 D STREET
SALIDA, CO 81601
PH: 719-630-1878
FAX: 719-630-1878

422 E MAIN STREET
VENTURA, CA 93001
PH: 805-640-3078
FAX: 805-640-3078

This area in
green.





COLORADO
Department of Agriculture

305 Interlocken Parkway, Broomfield, CO 80021
P 303.869.9050 F 303.466.2860
www.colorado.gov/ag

THIS DOCUMENT IS NOT TRANSFERABLE

4, 4 AND 44, LLC
440 Grand Ave
Salida, CO 81201

	Issued	Expires
INDUSTRIAL HEMP REGISTRATION - # 76332	December 28, 2018	December 27, 2019
Pursuant to § 35-61-102, C.R.S., the above-named person / business is authorized to act as:		
<i>Outdoor Commercial Industrial Hemp Registration</i>		
<i>1.17 Acres</i>		

Don Brown
Commissioner of Agriculture

December 28, 2018
Print Date



Bill Almquist <bill.almquist@cityofsalida.com>

Bio-remediation of soils application

1 message

Dr Ralph Wentz <d.wentz@bresnan.net>
To: bill.almquist@cityofsalida.com

Fri, Feb 22, 2019 at 12:08 PM

Dear Bill Almquist,

We are writing this letter to express our concern about the proposal for a conditional use permit for bio-remediation of soils via industrial hemp propagation at 440 W Grand Ave.

We own the building at 920 Rush Drive which is adjacent to the above referenced property. This is a medical building providing healthcare services to the community. Two thirds of the building is leased to the Veterans Administration and Heart of the Rockies Regional Medical Center to provide medical services.

Our big concern is that the strong odor emitted from growing hemp in such close proximity to our building will infiltrate in to the building through our roof mounted HVAC system. This odor can be offensive to the patients being treated and the staff working at the 920 Rush Drive medical building.

Our lease with the VA clearly, and with great length, delineate our responsibility as the landowners to maintain a clean indoor air environment for them. The odor of hemp inside of our building could jeopardize our lease agreement with the VA and other tenants causing us financial harm.

There are other means of soil remediation that will not have a negative impact on the neighbors. Please strongly consider our concerns not approve the application.

Dr. and Mrs. Ralph Wentz



Bill Almquist <bill.almquist@cityofsalida.com>

Industrial Hemp Growing Proposal for 440 W. Grand Avenue, Salida, Colorado

1 message

Robert Morasko <robert.morasko@hrrmc.net>

Tue, Feb 19, 2019 at 12:59 PM

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Hi Mr. Almquist,

Thanks for taking time to discuss the process whereby I can express concern to the City staff regarding the hospital's concern regarding the request from Greg Bayne to grow industrial hemp at 440 W. Grand Avenue, Salida, Colorado. We are opposed to the proposed growing if the hemp creates an unpleasant odor, is harmful to plants or animals, is unsightly, and/or can be accessible by the public. Please contact me with questions or clarification.

Thanks,

Robert Morasko, CEO

Heart of the Rockies Regional Medical Center

**Bill Almquist** <bill.almquist@cityofsalida.com>

Planning Commission Meeting of 2/25/2019

1 message

K McGuinness <kkmcguinness@yahoo.com>

Mon, Feb 11, 2019 at 5:18 PM

Reply-To: K McGuinness <kkmcguinness@yahoo.com>

To: "bill.almquist@cityofsalida.com" <bill.almquist@cityofsalida.com>

Dear Bill:

My name is Kenneth McGuinness , I live at 542 Crestone Ave in Salida with my wife Karen. Today we received a letter from The Planning Commission informing us of a hearing scheduled for February 25th requesting a limited impact review for conditional use of bio-remediation of soils via industrial hemp. Never having heard of this process, a few Google searches reveled that this type of land reclamation has proven quite successful in many places around the country and the world. Having said that, I also investigated what down sides there could be to the cultivation of industrial hemp particularly in an urban setting. The most concerning of these down sides is the odor. Industrial hemp is reported to emit the same odor as marijuana , especially when cultivated. I'm know that my wife and I would not want to deal with the often offensive odor that would be emitted. We and I are in Arizona and will not be able to attend the 2/25/19 meeting but plan to watch with interest on You Tube. To say the very least ,we are skeptical about the use of land for agricultural production in an urban setting and would ask that the Commission give weight to the concerns of nearby neighbors.

Sincerely

Ken and Karen McGuinness

542 Crestone Ave

Salida , CO 85248

and

9014 E Fairway Blvd

Sun Lakes AZ 85248

GREG POWELL, P.C.
ATTORNEY AT LAW

417 West 1st Street
P.O. Box 1380
Salida, CO 81201

Telephone: 719-539-8604
Facsimile: 719-539-8642

August 19, 2002

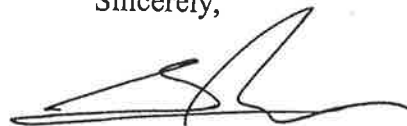
Mr. Donald L. Smith
Ms. Anna Smith
440 West Grand Avenue
Salida, CO 81201

Re: Dillon and Pintane

Dear Don and Anna:

Enclosed please find a copy of the letter from Roger Moore of STTI verifying that Don Long indicated he will accept the contaminated soil at the Chaffee County Landfill. I have also enclosed a copy of STTI's Final Results. If you have any questions in this regard, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Powell', with a stylized flourish at the end.

Greg Powell

GP:bf

Enclosures

xc: Mr. Timothy P. Dillon

August 15, 2002

Mr. Tim Dillon
P.O. Box 1211
Salida, CO 81201

Dear Tim:

Today, I talked with Mr. Don Long of the Chaffee County Landfill. Based on the information in the letter I sent him on August 5, 2002, he can accept the oily soil from the property at 440-444 West Grand Avenue. You should call him when you are ready to haul the soil for disposal.

Under separate cover, I am sending you four sample jars in a cooler. After you have dug out the oily soil, collect samples of the soil. Make a sketch of the area dug out and where you collected the samples. Tightly pack the jars with soil, put the cover on tight and label the jars with an indelible pen. Ship the samples back to us and we will run oil and grease to document that all was removed.

I have attached a final report with the laboratory results on the TCLP lead analysis with the proper conclusions that the soil is not a hazardous waste and can go to the local landfill for disposal.

If you have any questions about the soil sampling, please call to discuss them.

Yours truly,



Roger E. Moore

FINAL RESULTS
SITE INVESTIGATION

AT

440-444 WEST GRAND AVENUE
SALIDA, CO

FOR

MR. TIM DILLON
P.O. BOX 1211
SALIDA, CO 81201

AUGUST 15, 2002

BY: R.E. MOORE

Final Results
Site Investigation
At
440-444 West Grand Avenue
Salida, CO

Mr. Tim Dillon requested that Storage Tank Technology, Inc. (STTI) investigate a former gasoline station located at 440-444 Grand Avenue in Salida, CO. The site had been a gasoline station that was shut down and the tanks removed in about 1976. The location of the site is shown in Figure 1. Reportedly, there were two 500-gallon tanks. In addition, there was an area near a warehouse where waste oil had been dumped on the dirt and an area where drums of oil were stored to feed an oil burner. Mr. Dillon is planning to purchase the property and was conducting due diligence in looking for contamination.

On July 1, 2002, Mr. Roger Moore of STTI visited the site in Salida. Since the site was not paved, a backhoe was used to dig trenches and obtain soil samples.

Gasoline Tanks

The current owner had a picture of the site showing the building and two gasoline dispensing pumps in front of the door of the building, which fixed the location of the pumps and tanks. The dispensers were located about 10-feet from the building to allow vehicles to drive between the dispensers and the building. Figure 1 is a sketch of the site, approximately to scale. A fence sits about on the location of the former dispenser island. A new gas line and underground telephone lines crossed over or near where the tanks would have been.

The first trench was at the end of the fence and was about 6-feet deep. Only undisturbed native soils was encountered, indicating no tanks or lines. There were no odors or staining of the soil. The soil was checked with a Photo Ionization Detector (PID) for gasoline vapors, and none were detected.

The second trench was dug across an area where the tanks may have been. We dug to a depth of 8-feet. We encountered native soil at both ends of the trench, and bricks and a backfill in the center. The shape of a tank was visible at the side. Native sand was at the bottom of the trench. No staining or odor was noted. The soil at the bottom was checked with the PID and no gasoline vapors were detected. A soil sample, DS1, was collected and analyzed, and found to be clean. The laboratory reports are included in Appendix I.

The third trench was dug farther away from the building parallel to trench two. Native soil was encountered on the far side away from the building, and bricks and fill on the side next to trench 2. We dug to a depth of 8-feet. Native sand was at the bottom of the trench. No staining or odor was noted. The soil at the bottom was checked with the PID and no gasoline vapors were detected. A soil sample, DS2, was collected and analyzed, and was clean. The laboratory reports are included in Appendix I.

The fourth trench was dug between the fence and trench 2 and was probably at the dispenser island area. Native soil was located next to the fence and backfill on trench 2 side. We only dug to 2-feet looking for contamination from the dispensers. No staining or odor was noted. The soil at the bottom was checked with the PID and no gasoline vapors were detected.

Oil at Warehouse Building

The warehouse had been used as a garage where used oil had been poured on the soil outside the garage door and also an oil heater fed from drums behind the building. Tim Dillon encountered oily soil when a loading ramp was installed on the warehouse. Two holes were dug to collect soil samples. The first hole was inside the loading ramp and was dug to native soil, which was probably about 3-feet below original grade. The second hole was dug on the outside of the loading ramp into the native soil. A slightly darker than normal soil was encountered and then normal soil down to 2-feet. We sampled the slightly darker soil probably at about 1-foot below original grade.

The sample from the first hole at about 3-feet, DS3, had 113 mg/Kg of oil and grease. The second sample from the second hole, DS4, had 5,125 mg/kg of oil and grease. Due to the finding of used oil we submitted the samples for lead and chrome analysis, which would have been present in the used oil. The total lead for DS3 and DS4 are 12 mg/Kg and 330 mg/kg, respectively. Chrome was below the detection level.

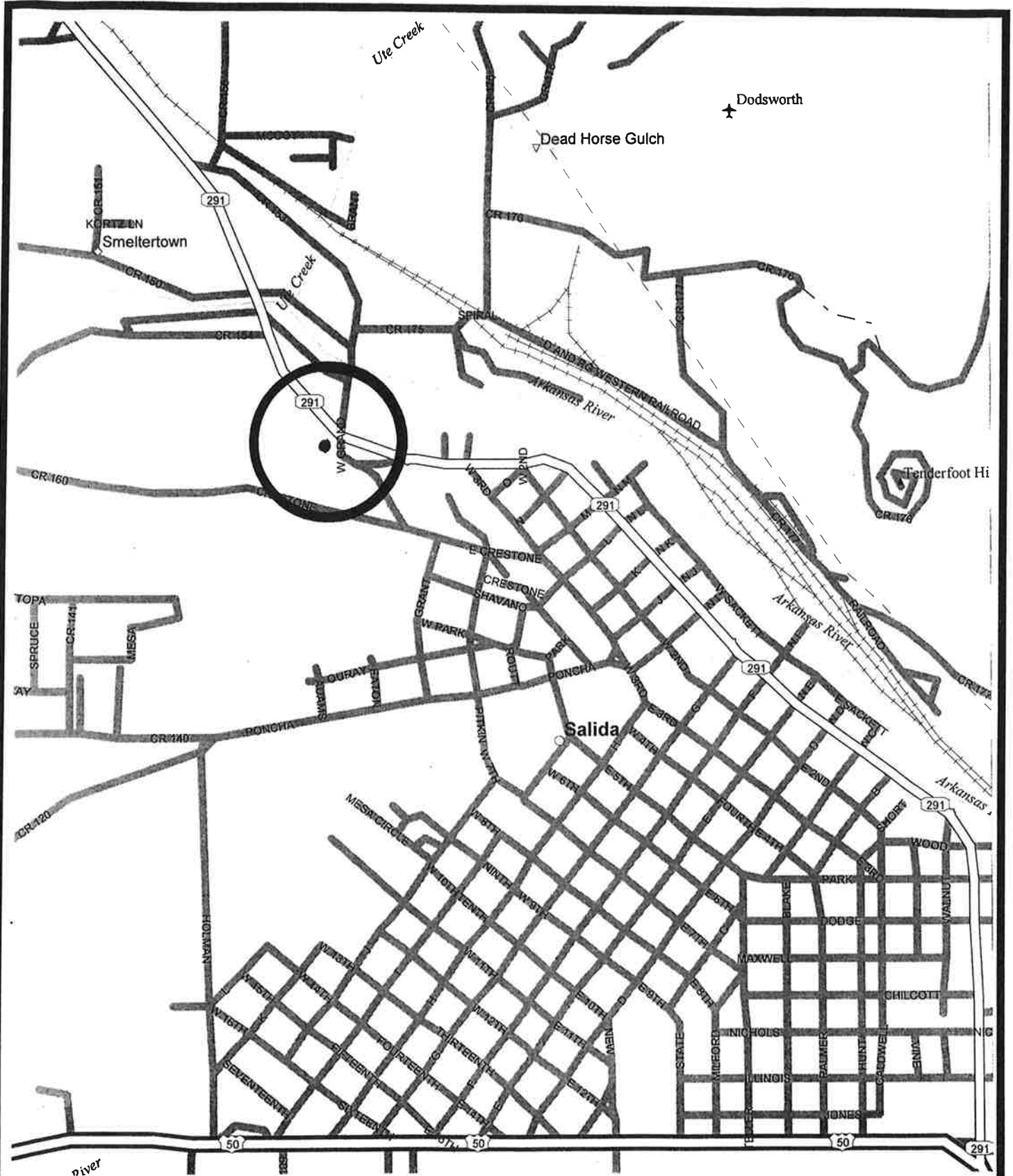
The oil level in the soil in the second hole, DS4, is above the current recommended level of 500 mg/kg. The "total lead" is an indicator of the level of "TCLP lead" (soluble lead), which would cause the soil to be characterized as a hazardous waste. DS3 is low enough that it would not exceed the TCLP lead standard. Sample DS4 was submitted for TCLP lead analysis to determine if the top several feet is hazardous (i.e., where the waste oil had been poured). The TCLP (soluble) lead is 0.65 mg/L well below the 5.0 mg/L standard for hazardous materials.

We visually inspected behind the warehouse for any indications at the storage area for the drums of oil for the oil burner. We could not find where the oil fed the burner or any stained soil areas indicating where the drums had been stored. No samples were collected since no evidence of contamination was detected.

Conclusions

The former gasoline tanks were removed and the tank pit was found. Visual evidence and samples collected at the bottom found no evidence of any gasoline contamination.

The area by the warehouse door did have elevated levels of oil and lead in the soil. The penetration of the oil and lead is probably less than 4-feet below grade since the sample from the first hole was below State cleanup guidelines. Laboratory results for lead were below the level that would have classified the waste oil contaminated soil as a hazardous waste. Removal and disposal of the oily soil should be planned. The soil can be disposed of at the Chaffee County landfill.



SITE LOCATION
FORMER GASOLINE STATION
440-444 WEST GRAND AVENUE
SALIDA, COLORADO

Figure
1

August 5, 2002

Mr. Don Long
Chaffee County Landfill
P.O. Box 699
Salida, CO 81201

Dear Don:

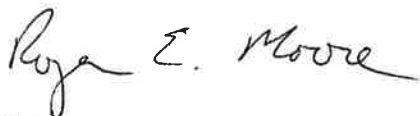
Mr. Ron Furlina of CDPHE said that I should contact you about disposal of some oil contaminated soil from a site in Salida. STTI was retained to investigate a site of a former small gasoline station, which closed in the mid 1970's as part of a property sale. We sampled at the site of the dispensers and tanks and it was clean.

However, by the service bay there was stained soil from used oil that was put on the ground. We collected two samples. The near surface soil has high levels of oil (5,125 mg/kg at 0.5 feet), which decreased quickly with depth (113 mg/Kg at 3 feet). We ran total lead on the two samples. The deep sample had 12 mg/Kg total lead. The near surface, high oil level sample had high total lead 330 mg/Kg so we ran TCLP lead, which was only 0.65 mg/L. The laboratory reports are attached. If you need additional characterization, please advise.

We estimate 10-to-20 yards of soil; although it may be more depending on how deep it sunk into the soil.

If you have any questions, please call to discuss them.

Yours truly,



Roger E. Moore

Encls.

cc: Mr. Tim Dillon

KEY LABORATORIES, INC.
2479 River Road, Unit A
Grand Junction, CO 81505

BTEX REPORT FORM
SOIL

Client: STTI

Client's Project Number: DILLON

Client's Sample Number DS - 3

Sampling Information:

Date	Time	Sample type	Sampler
07-01-02	12:00	SOIL	RM

CUSTODY SEAL: NONE, HAND DELIVERED BY SAMPLER
PRESERVATIVES: 4 °C

Laboratory Information:

Laboratory Sample Number: 02-0643

Date Received	Date Analyzed	Method	Technician	Dilution
07-02-02 14:40	07-02-02	5030A/8020	TE	1

ANALYTICAL RESULTS


			MDL
MTBE		µg/Kg	1.0
Benzene		µg/Kg	0.8
Toluene		µg/Kg	3.0
Ethylbenzene		µg/Kg	0.4
Xylene (Total)		µg/Kg	1.6
Naphthalene		µg/Kg	2.0
TPH-GASOLINE --BY P&T/GC/MSD		mg/Kg	0.2
TPH-DIESEL --BY GC/FID (MOD 8015)		mg/Kg	20
TPH-OIL & GREASE --BY METHOD 1664	113	mg/Kg	10
pH -- 9045C - pH of soil in water			
MOISTURE	4.7	%	

Quality Control:
Spike Recoveries: 02-0642

MTBE	82.5	(35-205)
Benzene	89.2	(29-188)
Toluene	85.5	(31-192)
Ethylbenzene	89.5	(36-162)
m/p-Xylene	98.2	(37-172)
o-Xylene	88.0	(20-189)
Naphthylene	91.2	(43-183)

Surrogate Recoveries:

BFB (63-136)

Signature: 

KEY LABORATORIES, INC.
2479 River Road, Unit A
Grand Junction, CO 81505

BTEX REPORT FORM
SOIL

Client: STTI

Client's Project Number: DILLON
Client's Sample Number DS - 4

Sampling Information:

Date	Time	Sample type	Sampler
07-01-02	12:15	SOIL	RM

CUSTODY SEAL: NONE, HAND DELIVERED BY SAMPLER
PRESERVATIVES: 4 °C

Laboratory Information:

Laboratory Sample Number: 02-0644

Date Received	Date Analyzed	Method	Technician	Dilution
07-02-02 14:40	07-02-02	5030A/8020	TE	1

ANALYTICAL RESULTS


		MDL
MTBE	µg/Kg	1.0
Benzene	µg/Kg	0.8
Toluene	µg/Kg	3.0
Ethylbenzene	µg/Kg	0.4
Xylene (Total)	µg/Kg	1.6
Naphthalene	µg/Kg	2.0
TPH-GASOLINE --BY P&T/GC/MSD	mg/Kg	0.2
TPH-DIESEL --BY GC/FID (MOD 8015)	mg/Kg	20
TPH-OIL & GREASE --BY METHOD 1664	5,125 mg/Kg	10
pH -- 9045C - pH of soil in water		
MOISTURE	4.6 %	

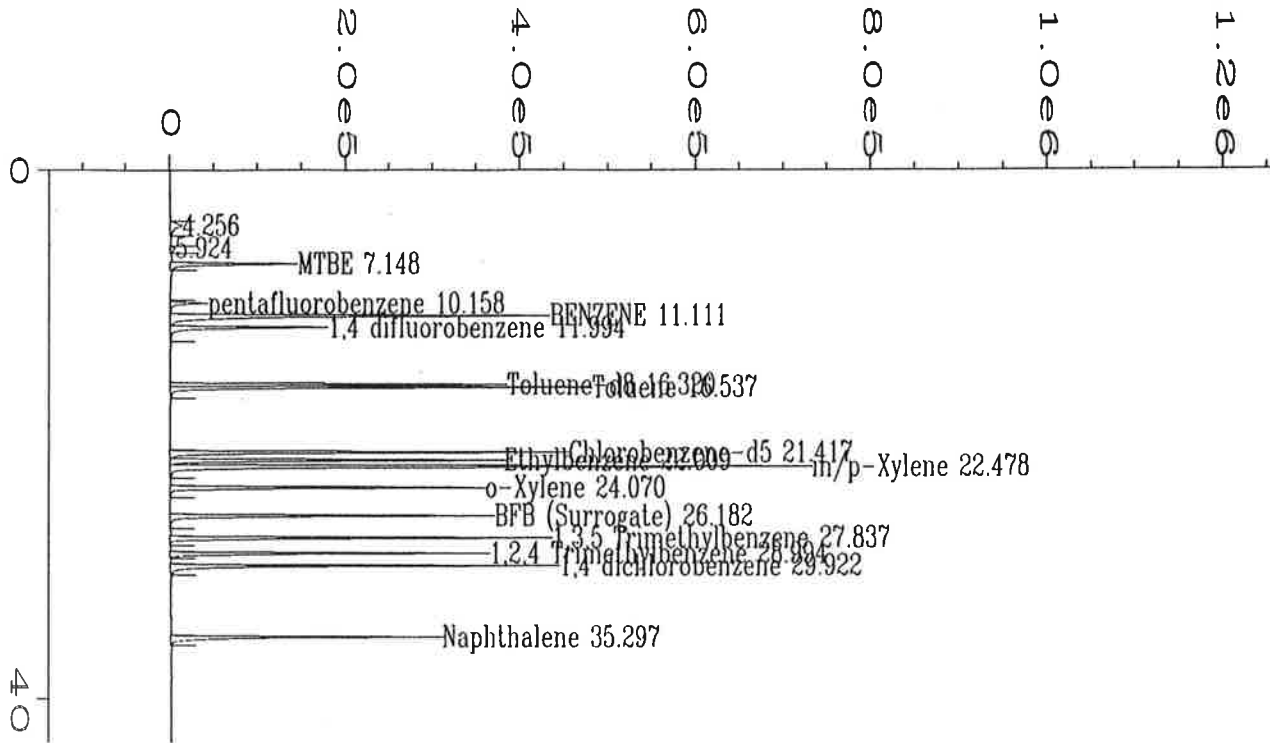
Quality Control:

Spike Recoveries:	02-0642	
MTBE	82.5	(35-205)
Benzene	89.2	(29-188)
Toluene	85.5	(31-192)
Ethylbenzene	89.5	(36-162)
m/p-Xylene	98.2	(37-172)
o-Xylene	88.0	(20-189)
Naphthylene	91.2	(43-183)

Surrogate Recoveries:

BFB (63-136)

Signature: 



External Standard Report

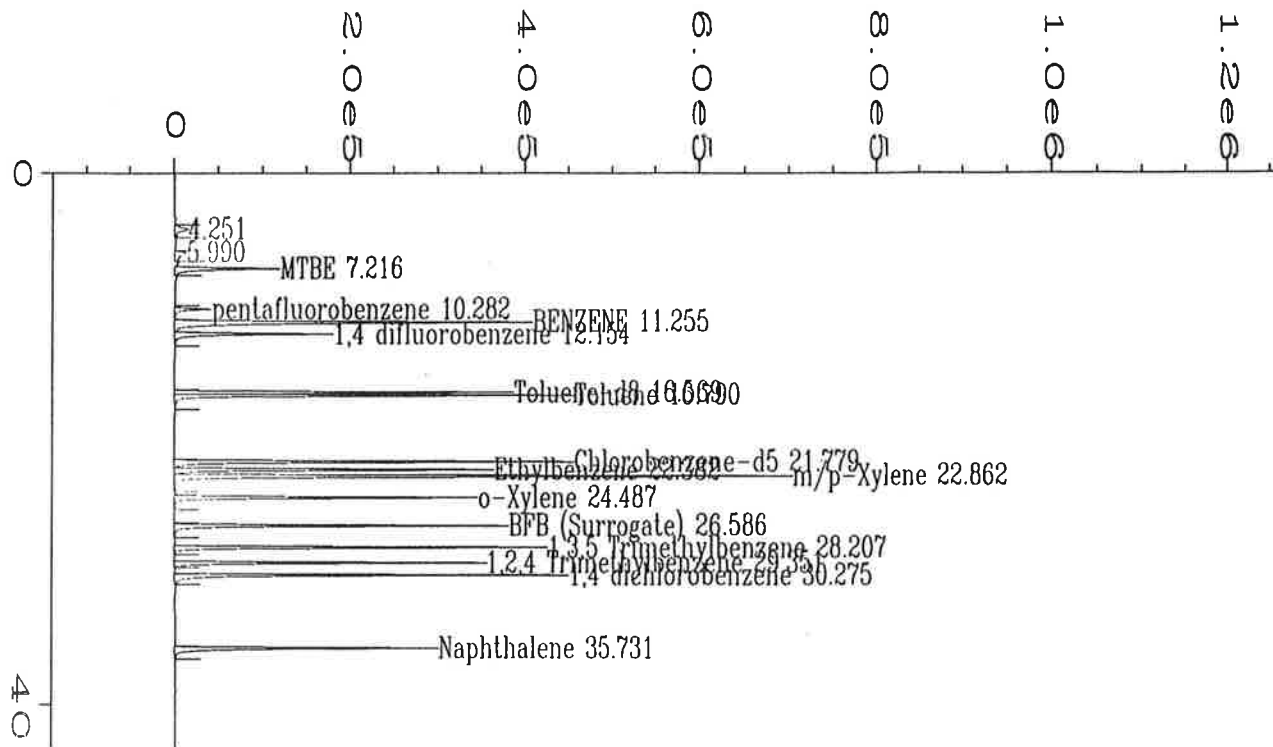
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Data File Name      : C:\HPCHEM\1\DATA\PID00004.D
Operator            : Tom Easterling
Instrument          : UNOCAL
Sample Name        : 02-0642 ds-2 sp
Run Time Bar Code :
Acquired on       : 02 Jul 02 05:50 PM
Report Created on : 03 Jul 02 07:51 AM
Last Recalib on  : 11 JUN 02 08:05 AM
Multiplier        : 1
Page Number       : 1
Vial Number      : 1
Injection Number  : 1
Sequence Line    : 2
Instrument Method: HF-SHORT.MTH
Analysis Method  : BTEX.MTH
Sample Amount    : 0
ISTD Amount      :
  
```

Sig. 2 in C:\HPCHEM\1\DATA\PID00004.D

Ret Time	Area	Type	Width	Ref#	ug/L	Name	
7.148	1420611	VV	0.136	1	32.970	MTBE	82.5
10.158	422302	BV	0.144	1-R	0.000	pentafluorobenzene	
11.111	4903237	VV	0.157	1	35.673	BENZENE	89.2
11.994	1739248	VV	0.143	1-R	0.000	1,4 difluorobenzene	
16.320	2983905	PV	0.121	1-R	0.000	Toluene-d8	85.5
16.537	4333933	VV	0.134	1	34.178	Toluene	
21.417	3943648	VV	0.133	1-R	0.000	Chlorobenzene-d5	89.5
22.009	3399642	VV	0.133	1	35.793	Ethylbenzene	
22.478	7170289	VV	0.143	1	78.589	m/p-Xylene	98.2
24.070	3230239	VV	0.135	1	35.188	o-Xylene	88.0
26.182	3049662	PV	0.123	1-R	0.000	BFB (Surrogate)	
27.837	3503957	VV	0.116	1	31.784	1,3,5 Trimethylbenzene	
28.124	2750799	PV	0.108	1	32.072	1,2,4 Trimethylbenzene	
29.922	3268364	VV	0.105	1-R	0.000	1,4 dichlorobenzene	
35.297	2401992	VV	0.108	1	36.492	Naphthalene	91.2

Time Reference Peak Expected RT Actual RT Difference



External Standard Report

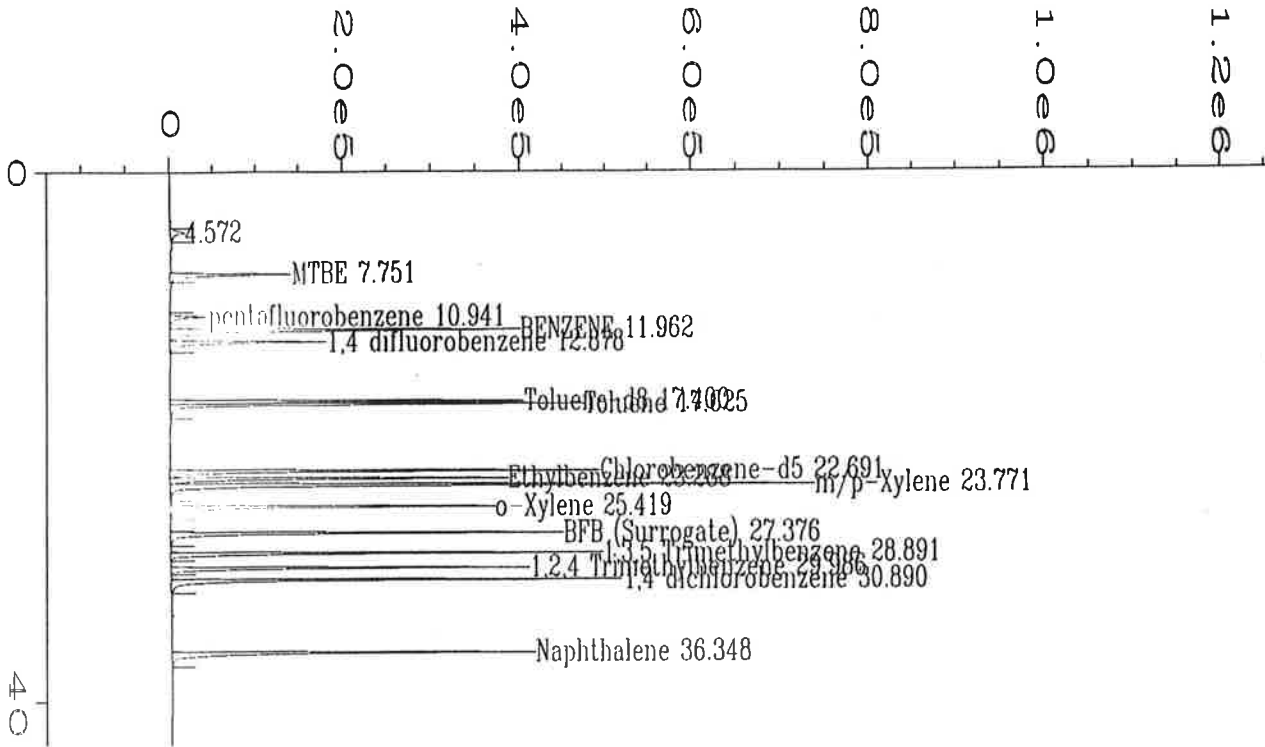
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Data File Name   : C:\HPCHEM\1\DATA\PID00005.D
Operator        : Tom Easterling
Instrument       : UNOCAL
Sample Name     : 02-0642 ds-2 sd
Run Time Bar Code:
Acquired on    : 02 Jul 02 06:40 PM
Report Created on: 03 Jul 02 07:52 AM
Last Recalib on : 11 JUN 02 08:05 AM
Multiplier    : 1
Page Number    : 1
Vial Number    : 2
Injection Number : 1
Sequence Line  : 2
Instrument Method: HF-SHORT.MTH
Analysis Method : BTEX.MTH
Sample Amount  : 0
ISTD Amount    :
  
```

Sig. 2 in C:\HPCHEM\1\DATA\PID00005.D

Ret Time	Area	Type	Width	Ref#	ug/L	Name	
7.216	1280465	VV	0.157	1	27.942	MTBE	69.8
10.282	417741	PV	0.146	1-R	0.000	pentafluorobenzene	80.0
11.255	4617087	PV	0.165	1	31.985	BENZENE	80.0
12.154	1710002	VV	0.141	1-R	0.000	1,4 difluorobenzene	77.0
16.569	3026284	PV	0.121	1-R	0.000	Toluene-d8	77.0
16.790	4139697	VV	0.135	1	30.799	Toluene	81.5
21.779	3995220	VV	0.131	1-R	0.000	Chlorobenzene-d5	81.5
22.382	3246972	VV	0.137	1	32.573	Ethylbenzene	
22.862	6908570	VV	0.145	1	72.132	m/p-Xylene	
24.487	3085692	VV	0.134	1	32.415	o-Xylene	90.1
26.586	3114666	PV	0.121	1-R	0.000	BFB (Surrogate)	81.0
28.207	3330803	VV	0.113	1	28.768	1,3,5 Trimethylbenzene	
29.736	2630909	VV	0.107	1	29.736	1,2,4 Trimethylbenzene	
30.275	3320976	VV	0.106	1-R	0.000	1,4 dichlorobenzene	90.8
35.731	2389760	VV	0.111	1	36.296	Naphthalene	

Time Reference Peak Expected RT Actual RT Difference



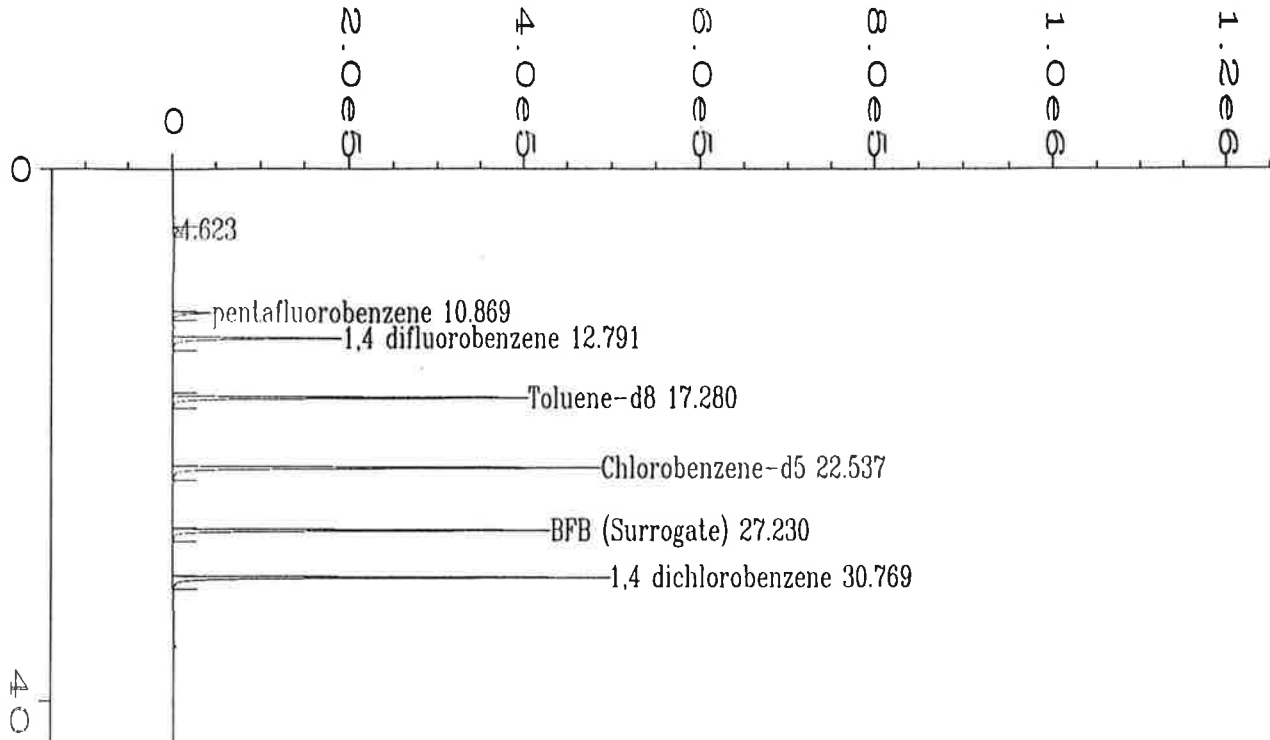
External Standard Report

Data File Name : C:\HPCHEM\1\DATA\PID00007.D
 Operator : Tom Easterling
 Instrument : UNOCAL
 Sample Name : 40 std
 Run Time Bar Code:
 Acquired on : 02 Jul 02 08:18 PM
 Report Created on: 03 Jul 02 07:57 AM
 Last Recalib on : 11 JUN 02 08:05 AM
 Multiplier : 1
 Page Number : 1
 Vial Number : 4
 Injection Number : 1
 Sequence Line : 2
 Instrument Method: HF-SHORT.MTH
 Analysis Method : BTEX.MTH
 Sample Amount : 0
 ISTD Amount :

Sig. 2 in C:\HPCHEM\1\DATA\PID00007.D

Ret Time	Area	Type	Width	Ref#	ug/L	Name	
7.751	1467729	VV	0.156	1	34.662	MTBE	86.8
10.941	445049	BV	0.150	1-R	0.000	pentafluorobenzene	88.8
11.962	4889680	PV	0.171	1	35.498	BENZENE	
12.878	1888116	VV	0.148	1-R	0.000	1,4 difluorobenzene	
14.025	3888105	PV	0.122	1-R	0.000	Toluene-d8	88.2
17.405	4331512	VV	0.137	1	35.320	Toluene	
22.691	4428612	PV	0.135	1-R	0.000	Chlorobenzene-d5	95.2
23.238	3599768	VV	0.136	1	38.093	Ethylbenzene	
23.771	7386896	VV	0.147	1	83.934	m/p-Xylene	104.9
25.419	3378585	VV	0.138	1	38.035	o-Xylene	95.0
27.376	3625726	PV	0.118	1-R	0.000	BFB (Surrogate)	
28.891	3871376	VV	0.113	1	38.185	1,3,5 Trimethylbenzene	
29.986	3952795	VV	0.106	1	37.918	1,2,4 Trimethylbenzene	
30.890	3938314	VV	0.107	1-R	0.000	1,4 dichlorobenzene	
36.348	3588114	VV	0.118	1	54.832	Naphthalene	137.0

Time Reference Peak Expected RT Actual RT Difference



External Standard Report

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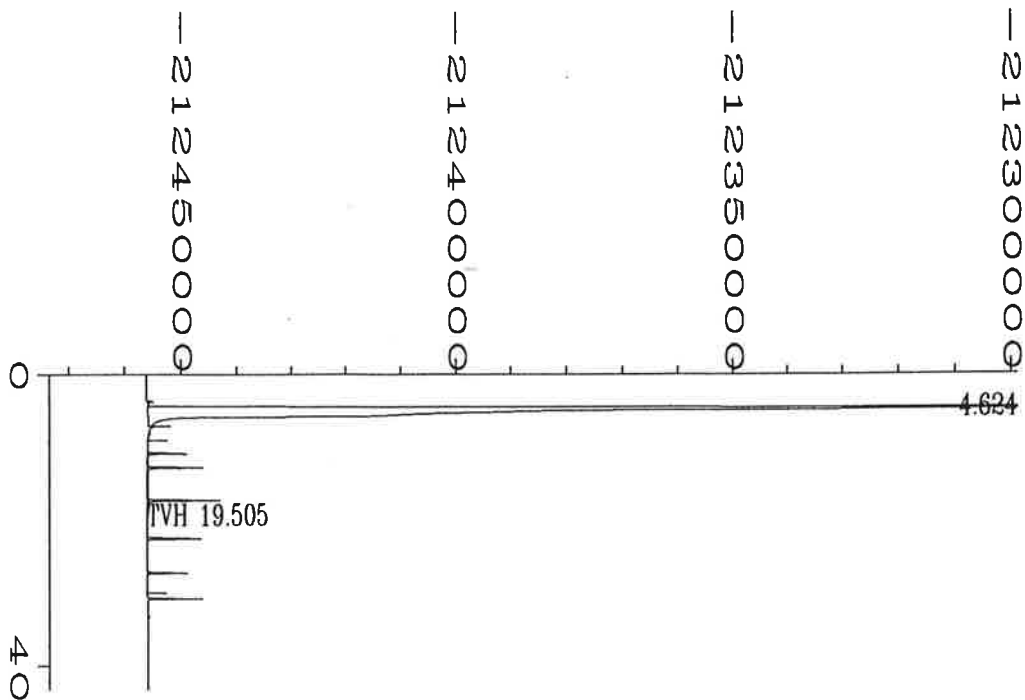
Data File Name   : C:\HPCHEM\1\DATA\PID00006.D
Operator        : Tom Easterling
Instrument       : UNOCAL
Sample Name     : blank 07-02-02a
Run Time Bar Code:
Acquired on    : 02 Jul 02 07:29 PM
Report Created on: 03 Jul 02 07:54 AM
Last Recalib on : 11 JUN 02 08:05 AM
Multiplier    : 1

Page Number     : 1
Vial Number     : 3
Injection Number: 1
Sequence Line  : 2
Instrument Method: HF-SHORT.MTH
Analysis Method : BTEX.MTH
Sample Amount   : 0
ISTD Amount     :
  
```

Sig. 2 in C:\HPCHEM\1\DATA\PID00006.D

Ret Time	Area	Type	Width	Ref#	ug/L	Name
7.660	* not found *			1		MTBE
10.869	434086	PV	0.142	1-R	0.000	pentafluorobenzene
11.100	* not found *			1		BENZENE
12.791	1743110	VV	0.135	1-R	0.000	1,4 difluorobenzene
17.280	3538903	PV	0.132	1-R	0.000	Toluene-d8
17.300	* not found *			1		Toluene
22.537	4356892	PV	0.133	1-R	0.000	Chlorobenzene-d5
22.600	* not found *			1		Ethylbenzene
23.100	* not found *			1		m/p-Xylene
24.600	* not found *			1		o-Xylene
27.230	3360859	PV	0.114	1-R	0.000	BFB (Surrogate)
28.700	* not found *			1		1,3,5 Trimethylbenzene
29.700	* not found *			1		1,2,4 Trimethylbenzene
30.769	3538660	PV	0.101	1-R	0.000	1,4 dichlorobenzene
35.100	* not found *			1		Naphthalene

Time Reference Peak Expected RT Actual RT Difference



=====
 External Standard Report
 =====

```

Data File Name   : C:\HPCHEM\1\DATA\FID00006.D
Operator        : Tom Easterling
Instrument       : UNOCAL
Sample Name     : blank 07-02-02a
Run Time Bar Code:
Acquired on    : 02 Jul 02 07:29 PM
Report Created on: 03 Jul 02 08:30 AM
Last Recalib on : 21 JAN 02 08:44 AM
Multiplier     : 1

Page Number     : 1
Vial Number    : 3
Injection Number : 1
Sequence Line  : 2
Instrument Method: HF-SHORT.MTH
Analysis Method : TVH.MTH
Sample Amount   : 0
ISTD Amount    :
  
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Sig. 1 in C:\HPCHEM\1\DATA\FID00006.D

Ret Time	Area	Type	Width	Ref#	ug/L	Name
19.505	215990	BB +	0.000	1	83.926	TVH

83.9

CHAIN OF CUSTODY RECORD / ANALYTICAL SERVICES REQUEST

Page ____ of ____ (Date)*

Evergreen Analytical Inc.

4036 Youngfield St.
 Wheat Ridge, Colorado 80033
 (303) 425-6021
 FAX (303) 425-6854
 (800) 845-7400
 E-Mail info@EvergreenAnalytical.com



COMPANY _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 PHONE# 970 243 1642 FAX# 970 243 1959

REPORT TO (Mr/Ms) Rolen Moore
 INVOICE TO RTI

PROJECT I.D. Dillon

P.O. # _____ EAL QUOTE # _____

Sampler Name: Rolen Moore
 (print)
 (signature) Roy Moor

PRINT

Please all information:

SAMPLE IDENTIFICATION DATE SAMPLED TIME

DS 1	7/01/02	1130	1
DS 2	"	1145	1
DS 3	"	1200	1
DS 4	"	1215	1

MATRIX	ANALYSIS REQUESTED											For Laboratory use only					
	Water-Drinking/Discharge/Ground (circle)	Soil / Solid / Air / Gas	Oil / Sludge / Multi-phase	TCLP VOA/BNA/Pest/Herb/Metals (circle)	VOA 8260/624/524.2 (circle)	BNA 8270/625 (circle)	Pesticides 8080/608 (circle)	Pest/PCBs 8080/608/508 (circle)	PCB Screen 8080 mod.	Herbicides 8150/515 (circle)	BTEX 8020/602 (circle)/MTBE (circle)		TVPH 8015mod. (Gasoline)	TEPH 8015mod. (Diesel)	Total Metals-DW / NPDES / SW846 (circle & list metals below)	Dissolved Metals - DW / SW846 (circle & list metals below)	Oil & Grease 413.1
		✓								✓	✓						641
		✓								✓	✓						642
		✓															643 47 108
		✓															644 46 4920

Instructions: _____
 Sample Fraction _____
 Container _____
 Loc _____

Important Note: See reverse side for Terms and Conditions.

Relinquished by: (Signature) <u>Roy Moore</u>	Date/Time <u>7/6/02</u>	Received by: (Signature) <u>Jon Sautter</u>	Date/Time <u>7/6/02</u>
			Date/Time <u>7/6/02</u>

PRELIMINARY RESULTS

**FINAL RESULTS FOR METALS AND TCLP METALS TO BE PROVIDED
WHEN RECEIVED FROM LABORATORY**

4036 Youngfield St., Wheat Ridge, CO 80033
(303) 425-6021

Client Sample ID : DS-3

Lab Sample ID : 02-4207-01A

Date Collected : 07/01/2002

Date Received : 07/18/2002

Client Project ID : DS

Lab Work Order : 02-4207

Sample Matrix : Soil

Method: SW-6010

6010 METALS, SOIL & SOLIDS

Date Prepared : 07/18/2002

Lab File ID : 0719PM

Effective Dilution : 1

Date Analyzed : 07/20/2002

Method Blank : MB-12182

Compound Name	CAS Number	Concentration	RL	Units
Chromium	7440-47-3	6.2 B	0.0083	mg/Kg
Lead	7439-92-1	12	5.8	mg/Kg

PRELIMINARY DATA
SUBJECT TO REVISION

Qualifiers: U - Not Detected at the Reporting Limit (RL)
J - Analyte detected below Practical Quantitation Limit (PQL)
E - Extrapolated value. See rerun at dilution.
S - Spike Recovery outside accepted recovery limits

B - Analyte detected in the associated Method Blank. This value was not subtracted from the sample result.
* - Value exceeds maximum contamination limit (MCL)
R - Dilution Test RPD >10% indicates possible interference.

Analyst

Approved

7/24/2002 4:11 PM

4036 Youngfield St., Wheat Ridge, CO 80033
(303) 425-6021

Client Sample ID : DS-4

Lab Sample ID : 02-4207-02A

Date Collected : 07/01/2002

Date Received : 07/18/2002

Client Project ID : DS

Lab Work Order : 02-4207

Sample Matrix : Soil

Method: SW-6010

6010 METALS, SOIL & SOLIDS

Date Prepared : 07/18/2002 Lab File ID : 0719PM Effective Dilution : 1
Date Analyzed : 07/20/2002 Method Blank : MB-12182

Compound Name	CAS Number	Concentration	RL	Units
Chromium	7440-47-3	5.1 B	0.0079	mg/Kg
Lead	7439-92-1	330	5.5	mg/Kg

PRELIMINARY DATA
SUBJECT TO REVISION

Qualifiers: U - Not Detected at the Reporting Limit (RL)
J - Analyte detected below Practical Quantitation Limit (PQL)
E - Extrapolated value. See rerun at dilution.
S - Spike Recovery outside accepted recovery limits

B - Analyte detected in the associated Method Blank. This value was not subtracted from the sample result.
* - Value exceeds maximum contamination limit (MCL)
R - Dilution Test RPD >10% indicates possible interference.

Analyst

Approved


7/24/2002 4:11 PM



Hemp for Remediation and Green Spaces

by NHA | Mar 30, 2018 | AGRICULTURE NEWS, ENERGY NEWS, HEMP NEWS, MANUFACTURING NEWS |

One of the most underrated aspects of industrial hemp is its use for land reclamation and remediation. Below are excerpts from a very insightful report written by T.J. Cole for Messiah College. With the combination of brilliant young minds and this type of vision for hemp, we will help ensure a greener, healthier and sustainable future for all of us. The full report here.

While it is universally known in  garden-shot sustainability that urban areas lack access to healthy, local food, and green space, few people outside the field seem to know amelioration tactics. Brownfields redevelopment has long been accepted as a means of urban restoration, but it hardly seems to hold true to a scientific dogma. "Gary", Executive Director of an urban farm non-profit in Pennsylvania, claims to have spent several years adding organic material to his vacant lots and eventually bringing in his own topsoil. Though this method worked, and "Gary's" farm has flourished immensely, it does not seem to have been the most efficient means of conditioning a dilapidated and contaminated soil plot for vegetative growth. Industrial hemp, which is on the verge of legalization in the state of Pennsylvania, has the proven ability to not only withstand contaminated soils, but accumulate the toxins within. Such poor soil qualities are characteristic of brownfields, defined as "real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant."

 trinity-at-a-distance

Vacant lots in urban areas are all potential brownfield sites, which may be phytoremediated via industrial hemp by a state Voluntary Cleanup Program (VCP) for future development of green spaces or community gardens. A main struggle for starting urban farming businesses seems to be fertile, healthy soil- the state of the ground's health and its requirements for revitalization discourage one's initiative for garden growth. Brownfield development in conjunction with industrial hemp will eliminate the first step for urban gardeners' careers. Proposed here is a phase-oriented restorative research framework on using higher education institutes to do research on hemp as a phytoremediator on urban brownfields, which will facilitate creation of green spaces and urban gardens for local communities.

Brownfields redevelopment is a trademark of sustainable land use 1 due to the economic and societal benefits of restoring an underused urban parcel being greater than similar development on greenfields. Goals of the smart-growth movement mesh well with those of brownfield redevelopment. Successful restoration of urban land includes integrated decision making, public involvement, and measureable outcomes for sustainability embodied in program designs. A challenge of brownfields redevelopment is the enormity of such a task- a 2004 report by the National Association of Local Government Environmental Professionals (NALGEP) and the Northeast-Midwest Institute (NEMW) predicts that there could be as many as one million brownfield sites nationwide.



One acre of hemp has the ability to produce as much fiber as two to three acres of cotton. Little to no pesticides are used for hemp as well, and a single acre of hemp can produce as much paper as two to four acres of trees; paper is also sturdier than tree paper, can be recycled more frequently, and requires fewer

chemical inputs in **manufacture**. Harvest only comes after about 120 days. The plant's intricate properties contribute to its four basic uses: food, fiber, fuel, and **medicine**.

Fibers from **hemp** are extensively used in products including, but not limited, to fabrics and textiles, spun fibers (rope, yarn), paper, carpeting, home furnishings, construction and insulation



materials, composites, and auto

parts. Hurds, short and woody fibers in hemp's stalk interior, are used for animal bedding, papermaking, composites and material inputs. Hemp seed and oilcake are useful in various foods and beverages, while having value as an alternative protein source. Oil from hemp seed is found widely in body-care items and nutritional supplements; the seed is also utilized as industrial oils, cosmetics, and pharmaceuticals. The global market for hemp may include more than 25,000 products in the nine submarkets: agriculture, recycling, automotive, textiles, food items, paper, construction materials, furniture, and personal care. A commonly overseen use for hemp, especially before the plant gets to manufacturing operations, is its usefulness in phytoremediation of contaminated soil.


Overall, hemp plants are exceptional against heavy metals in soils, as shown by a study conducted in China. Eighteen cultivars of hemp were tested for tolerance and accumulation of cadmium (Cd) contaminated soils, screened for its potential bioenergy production in Cd-rich soils, and identified for its phytoremedial use. Results showed that all but three of the studied cultivars were considered to be good biodiesel crop candidates for phytoremediation in Cd contaminated soils. Research associates in Pakistan contributed further to deepen the knowledge pool research on hemp's phytoremedial potential cadmium plus other heavy metals.


 cannabis2Bradiation-1

Hemp makes a premium candidate for phytoremediation due to high biomass, long roots and a



short life cycle. Hemp also has a high capability to absorb and accumulate heavy metals (HMs) lead (Pb), nickel (Ni), cadmium (Cd), zinc (Zn), and chromium. Hemp was planted in the contaminated soils of the Chernobyl disaster site in the Ukraine, and it was revealed that the plant can take up considerable amounts of HMs from contaminated soil thanks to high biomass and deep roots. Another reported study elected hemp as the best bioaccumulator of Cd out of eight potential energy crops. In the future, the brownfields redevelopment industry may want to consider phytoremediation hemp as the starting tool for urban improvement, but progress does not stop here.

Hemp phytoremediation is a new  potential first step in the process of brownfields redevelopment. Once the soil is detoxified, and the hemp is cleared, implementation of cover crops must ensue to nurture the soil. State voluntary cleanup programs (VCPs) and volunteers of the surrounding community must band together for the formation of green spaces. In a perfect world, the green space will either remain in place indefinitely, or be transformed into a garden for local food if a willing and qualified gardener shows interest. However, zoning laws will render transformation of a public botanical refuge to a food garden to be a cantankerous endeavor. It would be best to determine into what the brownfield will be converted during the project's infancy. The EPA offers grants for tasks to make green-space creation possible. Regardless of whether a redeveloped parcel of urban land is rebirthed into green sanctuary in the concrete jungle, or becomes transformed into the community's supply of local food, there is a broad acknowledgement that a good environment can enhance quality of life while advancing economic competitiveness.

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With the rise in urban population, cities must take initiatives to secure future quality of life and food supply with a focus on low income communities, as hierarchical oppression never disappears. Gardens, whether used for green space or food, are important for mental and psychological health for those who live in close proximity. Sprawling land-use patterns and fragmented governance inhibit localities' abilities for smart-growth strategies and phase-oriented restorative research.



Local and city governments must bring together the three tenants of sustainability into decision-making processes by necessity for future healthy food supply and physiological justice for urbanites. The Mayors Climate Protection Act (MCPA), endorsed by the U.S. Conference of Mayors, is in support of reducing sprawl, promoting transportation alternatives, supporting green buildings, and cutting city power use. Reason behind this event in June of 2005 was the view upon U.S. mayors that the federal government was failing to enact on climate change and conservation. Urban gardens fall under the MCPA by ameliorating a city's dependence on imported food and condensing the spread of food sources.

To conclude, industrial hemp has a long, rigorous path ahead, and higher education institutions, state and city governments, local communities, non-profits, and the hemp industry must collaborate to foster a needed renaissance of urban life. Multidisciplinary approaches must be made, and the states must think critically in its implementation of this revitalized crop to avoid corruption and scandal. End products of industrial hemp will exceed the expertise of every party involved; risks must be taken, money must be spent, and the public must be educated. Life, liberty, and the pursuit of happiness is the United States' founding principle; if the government exists to protect the peoples' three basic rights, it must also implement economy, environment, and social justice. Physical health brings about life and happiness, so when the tools and resources exist to fix the lack of urban residents' accessibility for life and happiness, but the government fails to enact, then two entities occur: 1.) The government has failed its people, and 2.) Responsibility has been placed on smaller political bodies at the origins and sinks of injustice to help bring about a new era of equality.

Log In

Username or Email Address



Why Industrial Hemp?

The subject of why or whether to grow industrial hemp in the United States is often debated yet much misunderstood. The controversy surrounding the plant obscures much of its historical and potential impact – and its adaptability to diverse industries.

It never used to be that way. From the first plantings in Jamestown, when it was illegal not to grow hemp, to our founding fathers' hemp plantations, to the hemp sails and rigging of the clipper ships that sailed the 19th century seas, to the hemp canvas-covered wagons of the pioneers headed west, to the sturdy hemp Levi's pants of the original 49ers seeking their gold fortunes in the California hills, to the massive "Hemp for Victory" government program of WWII, hemp has developed a long and illustrious history in America. In fact, hemp has been used extensively for millennia in cultures around the world and belongs to humanity's common agricultural and commercial heritage.

The seed was known for its healthy protein and rich oil. The outer bast fiber from the stalk was used for clothing, canvas and rope. The useful inner core fiber (or hurds) was used for construction and paper production. In fact, the Declaration of Independence was drafted on hemp paper, and the finest Bible paper remains hemp-based even today. In the early 20th century, some researchers were beginning to look at using the cellulose from hemp as an affordable and renewable raw material for plastics. Henry Ford actually built a prototype car made out of agricultural fiber composites, including hemp.

Despite large renewed domestic production during WWII, hemp's cultivation and use in the U.S. was discontinued in the mid-20th century. This was due largely to misinformed and misguided fears that industrial hemp is marijuana, and hemp became demonized during the "reefer madness" craze that swept the country over much of the last century. Despite easily discernable and widely accepted differences between the two distinct plant varieties, serious misconceptions continue to persist today.

However, common sense has an ability to shine through even the cloudiest situations. Environmental and economic interests are beginning to cut



through the policy murk, and support for hemp is forming into a broad political base, including:

► **Farmers:** Hemp can help farmers looking to diversify their farm operations. Hemp fits well into increasingly popular organic, low-input and sustainable methods of agriculture.

► **Reform-minded businesses:** Hemp's valuable fiber and large biomass productivity can help companies "go green" by creating a wide variety of opportunities and supplementing or replacing more commonly used, problematic and stressed raw material sources.

► **Nutritionists and health food advocates:** Hemp's oil-rich seed has an exceptionally high content of vital Essential Fatty Acids (or EFAs, omega-3 and omega-6) that nutritionists have found to be deficient in our diets. A diet rich in EFAs can help alleviate and prevent many

common ailments. For similar reasons, hemp oil is increasingly employed in the natural body care industry as well.

► **Environmental, student and community activists:** Hemp can be a key to creating a "green" future and sustainable, value-added industries in our neighborhoods, cities, states and country.

► **Green shoppers:** Hemp is attractive to people willing to vote with their dollars and buy products that reflect their values.

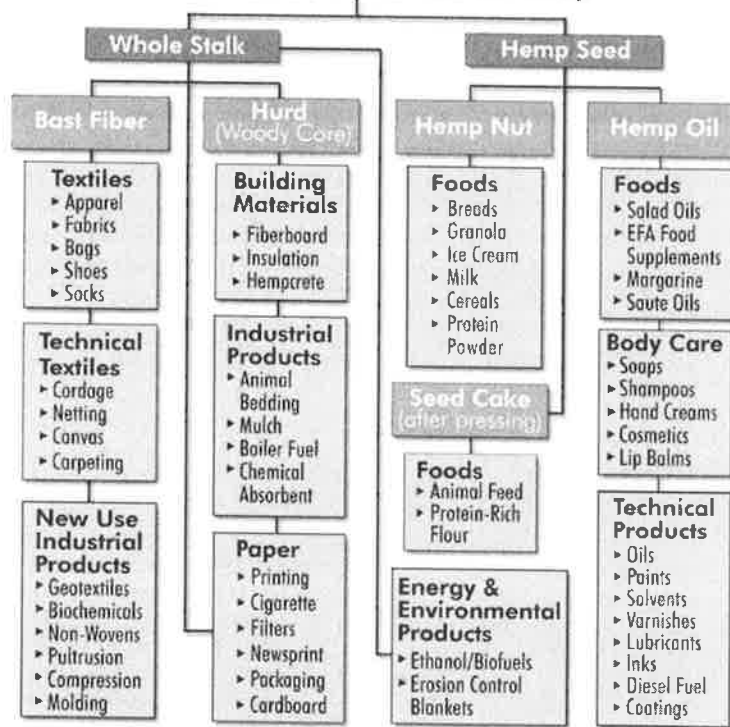
Hemp, of course, is not in itself a total panacea for the social, economic and environmental woes that plague our planet today. Indeed, no single crop can be. But, with focused and sustained research and development in both the public and private sectors, hemp and other qualified annual crops are poised to spur dramatic – and certainly vital – change. These renewable resources will transition our major industries away from depending on non-renewable, fast-disappearing

resource bases to being driven and supported on a sustainable economic basis by the annual agri-industrial produce of the Earth's fertile fields.

With over thirty other nations growing industrial hemp today, and the U.S. representing the largest consumer and industrial market for hemp raw materials and products, we are poised to take advantage of an unprecedented opportunity. Americans are becoming aware of the significant possibilities and benefits that hemp presents. America is getting ready to Vote Hemp.

VH

Modern Uses of Industrial Hemp



Industrial Hemp Defined

Industrial hemp varieties of *Cannabis*, also referred to as "fiber" or "non-drug" hemp, should not be confused with marijuana. Industrial hemp and marijuana are genetically distinct varieties of *Cannabis*, much like a St. Bernard and a Chihuahua are very different breeds of *Canine*. It is not possible to extract a drug from the industrial hemp plant, and industrial hemp can't "get you high."

Industrial hemp contains virtually no THC (delta-9-tetrahydrocannabinol), the active ingredient in mari-

juana. Industrial hemp has less than 0.3% THC, while marijuana typically has 5-25% THC. Additionally, industrial hemp contains a relatively high percentage of CBD (cannabidiol), which negates THC's psychoactive effects.

Every other industrialized nation in the world permits the farming of industrial hemp for fiber and seed, and industrial hemp is recognized in international law. Article 28(2) of the 1961 United Nations' Single Convention on Narcotic Drugs, to which the U.S. is a signatory, states "This Convention shall not apply to the cultivation of the *Cannabis* plant exclusively for

industrial purposes (fiber and seed) or horticultural purposes."

In spite of this, the U.S. Drug Enforcement Administration (DEA) continues to intentionally confound industrial hemp and marijuana. This has resulted in an absurd policy: hemp seed, oil and fiber are all currently legal for trade in the U.S., and domestic industry imports industrial hemp for diverse uses. Yet, at the same time, U.S. farmers are prevented from producing industrial hemp for the domestic market. It is time to remove unnecessary barriers to the domestic production of legal industrial hemp.

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION FOR THE
CITY OF SALIDA CONCERNING
A LIMITED IMPACT REVIEW APPLICA-
TION**

**TO ALL MEMBERS OF THE PUBLIC AND
INTERESTED PERSONS: PLEASE TAKE
NOTICE:** that on February 25, 2019 at or
about the hour of 6:00 p.m., a public hear-
ing will be conducted by the City of Salida
Planning Commission at City Council Cham-
bers, 448 East First Street, Suite 190, Salida,
Colorado on the application of Greg Bayne.
The application is for Limited Impact Review
approval for a conditional use for bio-remedi-
ation of soils via industrial hemp propagation
at 440 W. Grand Ave.
Approval of the limited impact review applica-
tion shall constitute authorization to proceed
with the conditional use. Further information
on the application may be obtained from the
Community Development Department, (719)
530-2634.
Published in The Mountain Mail February 8,
2019



STAFF REPORT

MEETING DATE: February 25, 2019

AGENDA ITEM TITLE: Papp Minor Subdivision – Limited Impact Review

AGENDA SECTION: Public Hearing

REQUEST:

The request is minor subdivision approval to subdivide 2.0 acres located at 6792 County Road 105 into five lots. The subject site has the zoning district of Medium Density Residential (R-2).

APPLICANT:

Deborah Papp as represented by William F. Smith.

LOCATION / BACKGROUND:



The Papp property was part of the Anglers Ridge Annexation which Council approved on February 2, 2016. This annexation also included the Salida Wastewater Treatment facility and the Sprout Tiny Home development. This property acted as the bridge in the annexation to the city's boundary which was the Vandaveer property. The Council approved zoning of the site to Medium Density

Residential (R-2) at the same meeting. The Anglers Ridge Annexation Agreement did not address this property.

The applicant wishes to split the parcel into five lots which are all approximately 16,238 square feet. An application was made by the applicant prior to the effective date of Ordinance No. 2018-14, which requires addressing affordable housing in minor subdivisions. Therefore the minor subdivision will not be required to meet these standards.

On the north side of the property is the sewer trunk line for the city which traverses over the Arkansas River to the treatment plant. The applicant is proposing upgrading the easement to a utility and public access right-of-way which will then allow public trail access to the river. This could be considered an Extraordinary Contribution by the Commission, thereby meeting open space requirements.

Staff is recommending additional right-of-way dedication for CR 105, providing a fee-in-lieu of street improvements for the frontage on CR 105; and the extension of sewer and water mains.

PROCESS:

The purpose of the limited impact review is to assure that the proposal is according to the requirements of the Land Use Code.

A public hearing is conducted by the Planning Commission after public notice in a newspaper of general circulation and posting on the property 15 days prior. The Commission shall approve, approve with conditions, or deny the application, or remand it back to the applicant with instructions for modification or additional information or action.

Approval of the minor subdivision shall constitute authorization to proceed with recording the plat and commencing with the Subdivision.

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

- 1) The proposed subdivision will create five lots that conform to the Table 16 F. Schedule of Dimensional Standards.

Dimensional Standard	R-1	R-2
Min. lot size (sq. ft.)	7,500	5,625
Density (Lot s.f./Min. lot area per dwelling unit)	3,750	3,125
Min lot size (sq. ft.) - attached units	N/A	3,125
Min. lot frontage	50'	37' – 6"
Min. lot frontage – attached units	N/A	20'

- 2) The parcel is encumbered by a 15 foot wide Sewer Easement along the north edge of the property (Lot 1). The applicant is proposing to dedicate this easement to the city for the sewer line access and public access to the river. The Planning Commission may consider this an Extraordinary Contribution per Section 16-6-120 (8) meaning the subdivision has met the open space requirements. The area of the dedication is only about 5% of the site, where the maximum standard would require approximately 28%.

However, the city code gives a high value to "...public access to a waterway or important trail connection." (Section 16-6-120 (8) (v)). The site includes a bridge structure that supports the city sewer trunk main on its way to the wastewater treatment plant. Public Works staff have hired structural engineers to evaluate the bridge for pedestrian travel and found it to be viable, though there would be some expensive retrofitting required. Therefore, staff recommends the Commission allow the dedication to be an Extraordinary Contribution.

- 3) The applicant submitted the application for the minor subdivision prior to the effective date of Ordinance 2018-14 which requires 12.5% of the residential units to be affordable. Therefore these requirement do not apply to the minor subdivision.
- 4) County Road 105 is yet to be improved and is only a 50 foot wide right-of-way. Staff is recommending an additional ten feet of right-of-way be dedicated adjacent to the site and a fee-in-lieu equal to the following improvements along the frontage be provided:
 - One-half street a paving; and
 - Curb, gutter and sidewalks.
- 5) The Fair Contributions for public school fees will be paid for each unit constructed in the subdivision. A note to this effect is included on the plat.
- 6) The applicant will have to extend sewer and water lines along the subdivision frontage per Section 16-8-50(b).
- 7) Staff has not received any inquiries, comments or concerns from surrounding property owners.

REVIEW AGENCY COMMENTS: The Public Works Director, Fire Chief, Finance Department and the Chaffee County Director of Development Services were invited to comment on the subdivision plat application. The following comments were received in response to this request.

Public Works Director: "Provide signed and stamped engineered plans for public water and sewer extensions. Hydrant shall be located at end of water main and manhole at end of sewer main. Fees in lieu of road improvements would be acceptable due to adjacent road cross section. PW would recommend that there be ROW dedication (no easement) for sewer trunk line (approximately 15 feet beyond centerline of pipe). This is also the access for the sewer aerial crossing bridge." David Lady, Public Works Director

Fire Department: "Fire Department has no concerns." Doug Bess, Fire Chief

Police Department: “I have reviewed the plans that have been submitted and have no concerns at this time.” Russ Johnson, Police Chief

Finance Department: “Once the water main has been extended, water and sewer taps will need to be purchased for each parcel.” Renee Thonhoff, Senior Accountant

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

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan’s applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
 - Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
 - The lots created by the Papp Minor Subdivision meet the dimensional standards for R-2 zoning.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
 - a. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
 - An in-lieu fee for the street improvements will be required for CR 105.
 - b. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.
 - Water and sewer line extensions will be required with the subdivision.
 - c. **Phases.** If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.
 - There are no phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
 - Tree masses are shown on the proposed site plan. The applicant shall preserve if possible individual trees of six-inch caliper or greater.

5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
 - A portion of the subdivision is within the floodplain and the City's floodplain regulations must be met.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.
 - This subdivision does not border a highway right-of-way.
7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.
 - There are adequate streets to serve future re-subdivision of the parcels.
8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.
 - Staff recommends the Planning Commission consider the applicant's dedication of a tract to provide access to the existing sewer and trail access to the river as an Extraordinary Contribution.
9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.
 - This development does not include any common recreation facilities.
10. **Lots and Blocks.**
 - a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.
 - b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

- c. Right angles. Side lot lines shall be approximately at right angles or radial to street lines.
- d. Double frontage lots. Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
- e. “T” intersections. The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.
- f. Solar energy. This standard applies to detached single family homes and not attached units.
 - The proposed minor subdivision meets these criteria.

11. **Architecture.** The following architectural standard is intended to prevent monotonous streetscapes and offer consumers a wider choice of housing styles. To avoid uniformity and lack of variety in design among housing units within the subdivision, no residential façade elevation shall be repeated more than once every five (5) lots on the same side of the street (e.g., the first and fifth lots in a row may contain the same façade elevation, but the second, third, and fourth lots must contain some different façade elevations). No residential elevation shall be repeated directly across the street from the same façade elevation. Mirror images of the same residential façade shall not count as two (2) distinctly different façades. In unusual circumstances, the Planning Commission may grant a petition seeking waiver of this requirement. Such an exception may be granted if the petitioner demonstrates that the proposed plan uses repetition for an architectural purpose, such as allusion to historical repetition that would not create a monotonous streetscape of the type this standard seeks to prevent.

- The applicant intends to sell the lots for custom home construction which will avoid the architectural monotony this standard addresses. However, if a production builder purchases the subdivision this standard must be met.

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

- Development within the project will meet the above codes.

13. **Inclusionary Housing.** Minor and major subdivisions; and condominium plats of five (5) units or greater must meet the requirements of Article XIII. Inclusionary Housing.

- The subdivision request was submitted prior to this requirement becoming effective.

16-6-140. Fair Contributions for Public School Sites.

- The Fair Contribution for Public School Sites fee will be required for the homes built within the Papp Minor Subdivision.

REQUIRED ACTIONS BY THE COMMISSION:

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

RECOMMENDED FINDINGS:

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

Recommended Findings:

1. This application complies with the Comprehensive Plan because it would create an additional residential uses on a vacant lot and advance the objectives of the Comp Plan.
2. The minor subdivision satisfies the review standards for subdivisions.

RECOMMENDED ACTION:

Based upon the observations, review standards, and findings outlined above, staff recommends the following:

That the Commission APPROVE the Papp Minor Subdivision subject to the following conditions of approval:

1. Owner shall dedicate up to 30 feet of right-of-way from centerline of CR 105 so the total right-of-way for the road equals 60 feet.
2. Prior to issuance of a building permit for the project, Developer shall enter into a subdivision improvement agreement that:
 - a. Provides a fee-in-lieu for the required street improvements to the half of CR 105 adjacent to the subdivision to include additional paving, curb, gutter and sidewalk as determined by the Public Works Director; and
 - b. Guarantees the construction of sewer and water mains across the frontage of the site. The water line shall terminate at a fire hydrant and sewer main at a manhole.
3. Owner shall dedicate a 15 foot wide tract (fee-simple) on the north side of the subdivision to the City of Salida for the continued maintenance of the city sewer trunk line and to provide pedestrian trail access to the Arkansas River. This shall constitute an Extraordinary Contribution to open space as described in Section 16-6-120 (8) (v).
4. Amend note on the plat to read: "Pursuant to section 16-6-120(8), Parks Trails and Open Space of the Salida Municipal Code, as may be amended, neither land dedication nor fees-in-lieu have been paid for this subdivision. At the time that residential dwelling units are

constructed on any of the lots herein, either by further subdivision or building permit approval, land dedication and/or fees in lieu for parks, trails and open space in the amount then in effect shall be payable to the City prior to issuance of building permits.”

5. Prior to recording the Papp Minor Subdivision, it shall be amended as follows:
 - Show dedications as described in #1 and #3 above;
 - Amend note as described in #4;
 - Correct dates to 2019;
 - Delineate 100 year floodplain; and
 - Remove City Administrator Approval

RECOMMENDED MOTION:

That the recommended findings be made and the recommended action be taken.

Attachments: Minor Subdivision Application
Written Description
Papp Minor Subdivision
Papp Site Plan
Published Notice



GENERAL DEVELOPMENT APPLICATION

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

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

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

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

A. Applicant Information

Name of Applicant: Deborah Papp
Mailing Address: PO Box 598, Salida, CO 81201
Telephone Number: 719-539-4802 FAX:
Email Address: wfsmith05@gmail.com
Power of Attorney/ Authorized Representative: William F. Smith
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: Papp Minor Subdivision
Street Address: 6792 COUNTY ROAD 105
Legal Description: Lot Block Subdivision (attach description)

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

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

Signature of applicant/agent [Signature] Date 11/1/10
Signature of property owner Date

CITY OF SALIDA
SPECIAL FEE AND COST REIMBURSEMENT AGREEMENT

This Special Fee and Cost Reimbursement Agreement is entered into by and between the City of Salida, whose address is 448 East First Street, Suite 112, Salida, Colorado 81201 (hereinafter the "City") and Deborah J. Papp, whose address is PO Box 598, Salida, CO 81201, (hereinafter "Petitioner");

WITNESSETH:

WHEREAS, Petitioner is the owner of that certain real property described in Exhibit A, attached hereto and incorporated herein by this reference, and desires to undertake the projects or activities described in Paragraph 1; and

WHEREAS, the above activity or project will require the City to provide the special services and incur the costs set forth in Paragraph 2; and

WHEREAS, Section 16-2-10 of the Salida Municipal Code provides that the City may assess land use and development applicants minimum fees for review of applications submitted to the City as well as actual review costs and fees for outside professional services; and

WHEREAS, the special fees and costs paid and collected by virtue of this Agreement shall be used solely to pay for the City's minimum application fees as well as actual fees and costs for review by outside professional services, including, but not limited to, engineering and legal review, incurred by the City in relation to the anticipated project; and

WHEREAS, the City and Petitioner desire to set forth their agreements and understandings concerning this matter.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties, and for other good and valuable consideration, the adequacy and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Petitioner desires to undertake the following projects or activities involving the City or its utility services:

- | | |
|---------------|---|
| <u> </u> | Annexation |
| <u> x </u> | Limited Impact Review |
| <u> </u> | Major Impact Review |
| <u> </u> | Conditional Use |
| <u> </u> | Variance |
| <u> </u> | Review of Title 32 Special District |
| <u> </u> | Can and Will Serve Letter for Utility Service |
| <u> </u> | Other (describe) _____ |

2. The activity or project being undertaken by Petitioner will require the City to provide the following special services or incur the following costs:

<u> x </u>	Engineering review and advice
<u> x </u>	Legal review and advice
<u> </u>	Preparation of plats or plans
<u> </u>	Inspections
<u> x </u>	Recording fees
<u> </u>	Filing fees
<u> x </u>	Publication Costs
<u> </u>	Other (describe) _____

3. Petitioner agrees to pay the City in full for all special services provided or actual costs incurred by the City in relation to the project or activity described above on receipt of an itemized billing for those services from the City. All such amounts are due within thirty (30) days of the date of the bill, with interest on any overdue amounts to be assessed at one and one-half percent (1.5%) per month. In the event that such amounts remain unpaid thirty (30) days after the date they are billed, the City reserves the right to cease review and processing of the Petitioner's land use and development applications. In the event the City is forced to pursue collection of any amounts due and unpaid under this provision, it shall be entitled to collect attorney's fees, filing, and recording fees incurred in such collection efforts in addition to the unpaid amounts due, plus interest.

4. Petitioner agrees to provide a deposit to the City in the amount of \$ 750 at the time of making the initial application for the Papp Minor Subdivision. The City shall not commence to provide any of the services desired by the applicant, or advance any costs, until this deposit is received by the City. Any amount by which the applicant's deposit exceeds the cost assessed under this Paragraph shall be refunded to the applicant within a reasonable time after final action has been taken on the project. Any amount by which the deposit is less than the total costs due to the City under this Agreement shall be due and payable subject to the provisions of Paragraph 2, above.

5. The City specifically does not agree to act favorably on the application made by Petitioner in exchange for payment of the special fees set forth above.

6. This Agreement constitutes the entire and complete agreement of the parties on the subject matter herein. No promise or undertaking has been made by any party, and no understanding exists with respect to the transaction contemplated, except as expressly set forth herein. All prior and contemporaneous negotiations and understandings between the parties are embodied and merged into this Agreement.

7. This Agreement may be amended from time to time by amendments made by the parties in written form and executed in the same manner as this Agreement.

8. This Agreement shall be binding upon and inure to the benefit of the parties and their assigns and successors in interest.

9. If any covenant, term, condition, or provision under this Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein.

10. The parties agree and intend that this Agreement shall run with the land described in Exhibit A, attached hereto, and be a burden upon that property until final payment has been made to the City of all fees due and payable under this Agreement, or until the earlier termination of this Agreement.

IN WITNESS WHEREOF, the parties have executed this SPECIAL FEE AGREEMENT on the day and year adjacent to their respective signatures.

CITY OF SALIDA, COLORADO

Date: _____ By _____
City Administrator

ATTEST

Deputy City Clerk

STATE OF COLORADO)
 ss.
COUNTY OF CHAFFEE)

Acknowledged, subscribed, and sworn to before me this ____ day of _____,
20____, by _____, as City Administrator, and by
_____, as Deputy City Clerk, on behalf of the City of Salida.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary Public

PETITIONER:

William F. Smith

Date: 1/11/18

STATE OF COLORADO)

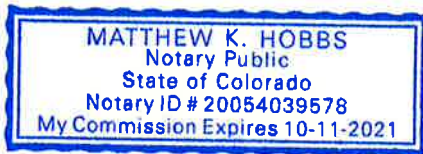
) ss.

COUNTY OF CHAFFEE)

Acknowledged, subscribed, and sworn to before me this 1 day of November,
20 18, by William F. Smith.

WITNESS my hand and official seal.

My Commission expires: 10-11-21.



[Signature]
Notary Public



LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

1. PROCEDURE (Section 16-3-80)

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

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
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:

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

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

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

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

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

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

7. Any subdivision request including a plat meeting the requirements of Section 16-6-110;

8. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The plan is entirely supported by the Comprehensive Plan

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

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

The proposed subdivision is zoned R-2. R-2 is Medium Density Residential. The

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

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

The proposed use is compatible with the existing uses, and with the growing development and annexation in the surrounding area.

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

None

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

The applicant will need to extend water and sewer main lines across the West side of the property from North to South.

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

None

REVISED WRITTEN DESCRIPTION OF THE PAPP MINOR SUBDIVISION

The proposed minor subdivision will divide one two acre parcel into 5 parcels of approximately equal size. The property is entirely within the boundaries of the City of Salida. The five lots front on CR 105. When the property was annexed in 2016 it was zoned as R-2. No change is requested with this application. The five lots meet all of the dimensional standards of the R-2 zone.

Per 16-6-120 (8) of the land use code the applicant shall provide a written statement re dedication of land for open space. The City of Salida has an easement that runs across the northern boundary of the property. The Applicant has proposes the City of Salida exchanging ownership of the property the easement lies upon with the City for a release from any open spaces fees-in-lieu.

The easement is approximately 4500 square feet which is slightly more that .10 of an acre. Since the Property is divided into 5 lots and each lot is 16,240+/- then each lot could contain 5 units @ 3125 sqft each per the code. 5 lots with 5 units on each would be 25 units. Using the .02 acres per unit in the code would yield a required dedication of .5 Acres.

Applicant believes a more rational way to approach this is to consider that a large portion of each lot is steep river bank and river bottom. The more realistic projection would be a single family home on each lot with an ADU which would be 10 units, or .01 acres. Additionally the applicant believes that this proposed dedication would qualify as "extraordinary Contribution under 16-6-120 (8)(v). The proposed dedication would allow river access. It would allow the city to own in fee simple the land it only has a utility easement on at this point in time. Such an easement cannot be used for anything other than having utilities cross it. The dedication would allow unrestricted use on the property, including river access and a trail/bridge across the Ark.

PAPP MINOR SUBDIVISION

LOCATED IN THE
 W 1/2 NW 1/4 of SECTION 9, T 49 N, R 9 E, N.M.P.M.
 IN THE
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL OF THE OWNERS, MORTGAGEE AND LIEN HOLDERS OF CERTAIN LAND IN THE CITY OF SALIDA, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A tract of land located in the W 1/2 of the NE 1/4 of Section 9, Township 49 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, being described as follows:
 Commencing at a point on the east boundary of the county road whence the NE corner (brass cap) of said Section 9 bears North 24°10' East 3273.5 feet;
 thence North 13°04' West 516.5 feet, then North 11°06' West 243.4 feet along said east boundary of the county road to the center of Loggie Gulch and then North 10°02' West 572.8 feet to the point of beginning of the tract herein described;
 thence proceeding around the tract North 10°02' West along the east boundary of the county road 347.6 feet more or less to the south line of the easement described in Book 242 at Page 326 as recorded in Chaffee County, Colorado;
 thence South 89°10' East along said easement line 255.2 feet more or less to the centerline of the Arkansas River;
 thence S 1/4 along said river centerline to a point which is South 89°10' East of the beginning point;
 thence North 89°10' West 150 feet more or less to a point marked (as is the beginning point) by a 5/8 inch steel reinforcing bar 2 feet long driven in the ground and having a 1 1/2 aluminum cap;
 thence continuing North 89°10' West for an additional 99.4 to the point beginning.

DO HEREBY LAY-OUT, FLAT AND SUBDIVIDE THE ABOVE DESCRIBED PROPERTY INTO FIVE (5) LOTS, WITH DISTANCES AND DIRECTIONS, AS SHOWN ON THIS PLAT, TO BE KNOWN AS:

PAPP MINOR SUBDIVISION
 LOCATED IN THE
 W 1/2 NW 1/4 of SECTION 9, T 49 N, R 9 E, N.M.P.M.
 IN THE
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

AND THE NORTHERLY 15.0 FEET OF THE ABOVE DESCRIBED PROPERTY IS HEREBY DEDICATED AND GRANTED TO THE CITY OF SALIDA FOR THE CONTINUED USE OF A SEWER PIPELINE AND SUSPENSION BRIDGE.

ACKNOWLEDGEMENT:

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THESE PRESENTS TO BE EXECUTED ON THIS _____ DAY OF _____, 2018.

DEBORAH J. PAPP (OWNER)

FOR HIGH COUNTRY BANK, MORTGAGEE

STATE OF COLORADO }
 COUNTY OF CHAFFEE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2018.

WITNESS MY HAND AND OFFICIAL SEAL
 MY COMMISSION EXPIRES _____

NOTARY PUBLIC
 ADDRESS _____

CERTIFICATE OF TITLE INSURANCE COMPANY:

I, BRETT M. EAKINS, A LICENSED TITLE INSURANCE AGENT REPRESENTING FIRST AMERICAN TITLE INSURANCE COMPANY IN THE STATE OF COLORADO DO CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE REAL PROPERTY SHOWN AND DESCRIBED ON THESE PLATS AND FOUND TITLE VESTED IN DEBORAH J. PAPP, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT:

BRETT M. EAKINS

LAND SURVEYOR'S STATEMENT:

I, MICHAEL K. HENDERSON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS PLAT WAS PREPARED BY ME AND/OR UNDER MY DIRECT SUPERVISION, AND IS BASED ON A MONUMENTED LAND SURVEY OF THE PROPERTY AND LOTS SHOWN AND DESCRIBED HEREON, WHICH SURVEY WAS PERFORMED UNDER MY RESPONSIBLE CHARGE, AND THAT SAID PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 DATED THIS _____ DAY OF _____, 2018.

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

GENERAL LAND SURVEYOR'S NOTES:

- 1) PROPERTY DESCRIPTION BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY CERTIFICATE OF OWNERSHIP AND ENCUMBRANCE PREPARED BY CENTRAL COLORADO TITLE & ESCROW DATED OCTOBER 16, 2018.
- 2) DEED LINES ARE BASED ON AFOREMENTIONED PROPERTY DESCRIPTION, ON THE LOCATIONS OF THE RECOVERED REBAR SURVEY MONUMENTS SHOWN AND DESCRIBED ON THIS PLAT AND ON DATA FOUND IN DECREE (DISTRICT COURT CASE NO. 80CV75) FOR THE CITY OF SALIDA SEWER LINE EASEMENT DESCRIBED IN EXHIBIT B CONTAINED THEREIN.
- 3) THAT PORTION OF THE SEWER LINE EASEMENT DESCRIBED IN THE ABOVE DESCRIBED DECREE WHICH IS LOCATED WITHIN THE ABOVE DESCRIBED PROPERTY IS BEING GRANTED TO THE CITY OF SALIDA BY THIS PLATTING.
- 4) THE PROPERTY WAS ANNEXED TO THE CITY OF SALIDA BY CITY OF SALIDA, COLORADO ORDINANCE NO. 5, SERIES OF 2016

CITY OF SALIDA PLANNING COMMISSION APPROVAL:

THIS PLAT IS APPROVED BY THE CITY OF SALIDA PLANNING COMMISSION ON THIS _____ DAY OF _____, 2018.

CHAIRMAN

CITY ADMINISTRATOR APPROVAL:

THIS PLAT IS APPROVED BY THE SALIDA CITY ADMINISTRATOR ON THIS _____ DAY OF _____, 2018.

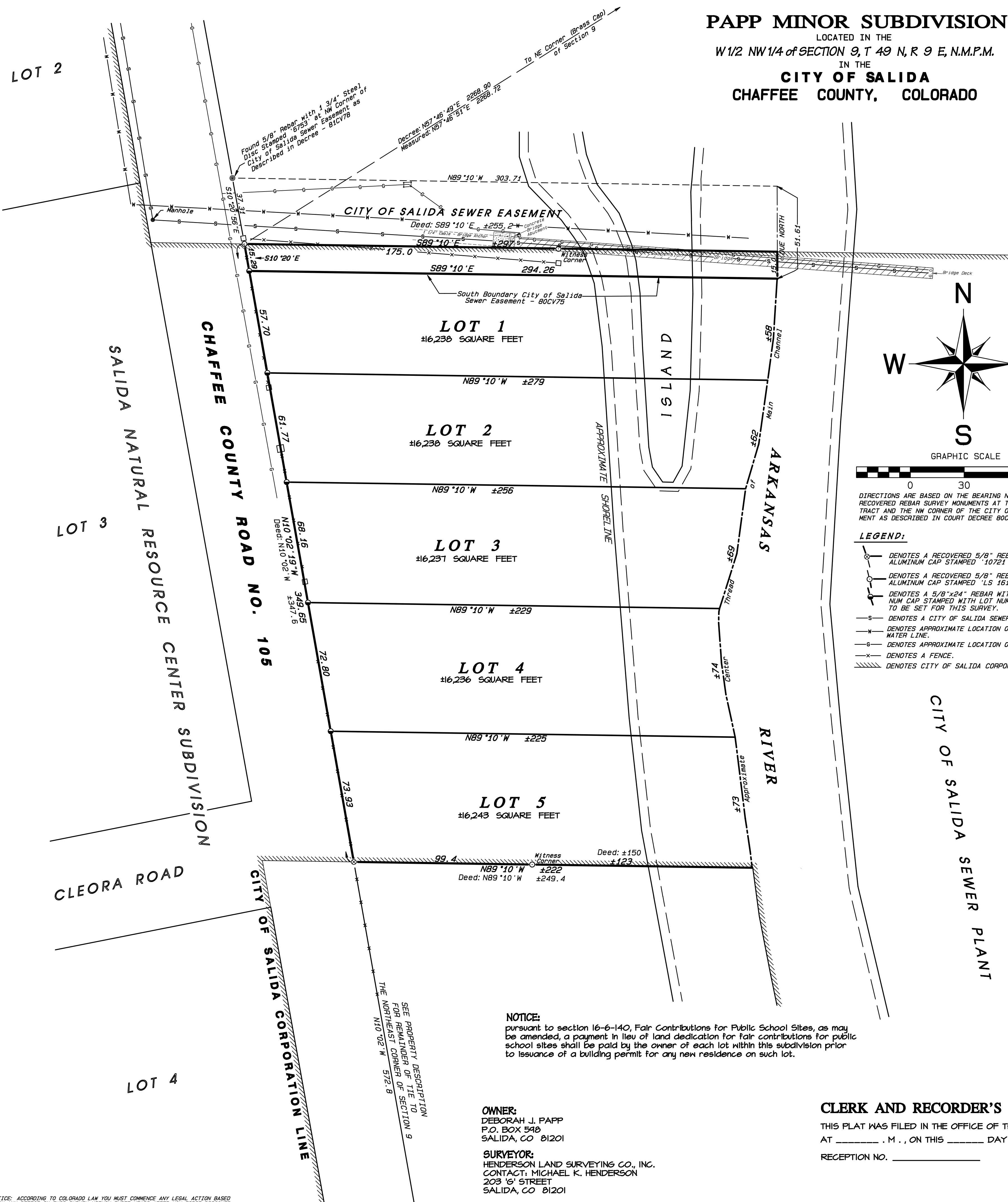
CITY ADMINISTRATOR, CITY OF SALIDA

CLERK AND RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT _____ M., ON THIS _____ DAY OF _____, A.D., 2018.

RECEPTION NO. _____

CHAFFEE COUNTY CLERK & RECORDER



LEGEND:

- DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "10721".
- DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED "LS 16117".
- DENOTES A 5/8"x24" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED WITH LOT NUMBERS & "LS 16117" TO BE SET FOR THIS SURVEY.
- DENOTES A CITY OF SALIDA SEWER MAIN.
- DENOTES APPROXIMATE LOCATION OF CITY OF SALIDA WATER LINE.
- DENOTES APPROXIMATE LOCATION OF A GAS LINE.
- x- DENOTES A FENCE.
- ||||| DENOTES CITY OF SALIDA CORPORATION LINE.

NOTICE:
 pursuant to section 16-6-140, Fair Contributions for Public School Sites, as may be amended, a payment in lieu of land dedication for fair contributions for public school sites shall be paid by the owner of each lot within this subdivision prior to issuance of a building permit for any new residence on such lot.

OWNER:
 DEBORAH J. PAPP
 P.O. BOX 548
 SALIDA, CO 81201

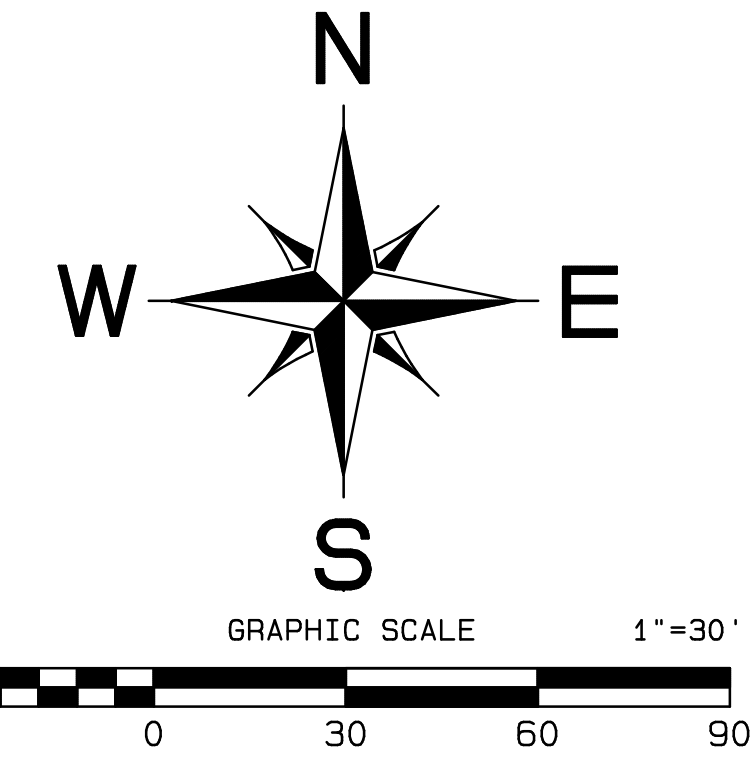
SURVEYOR:
 HENDERSON LAND SURVEYING CO., INC.
 CONTACT: MICHAEL K. HENDERSON
 203 G STREET
 SALIDA, CO 81201

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

PAPP MINOR SUBDIVISION	
Located in the W 1/2 NW 1/4 of SECTION 9, T 49 N, R 9 E, N.M.P.M. CHAFFEE COUNTY, COLORADO	
Job Number: J-18-184 DESIGNED BY: M. K. H. DRAWN BY: TMO CAD CHECKED BY: B. S. H. P.L.C. BOOK: S238 Pgs. 8, 11, 12 & 18	HENDERSON LAND SURVEYING CO., INC. 203 G STREET SALIDA, COLORADO
DATE: 10/31/18	DRAWING NO. L-18-85

PAPP MINOR SUBDIVISION

LOCATED IN THE
 W 1/2 NW 1/4 of SECTION 9, T 49 N, R 9 E, N.M.P.M.
 IN THE
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO
SHEET 2 OF 2



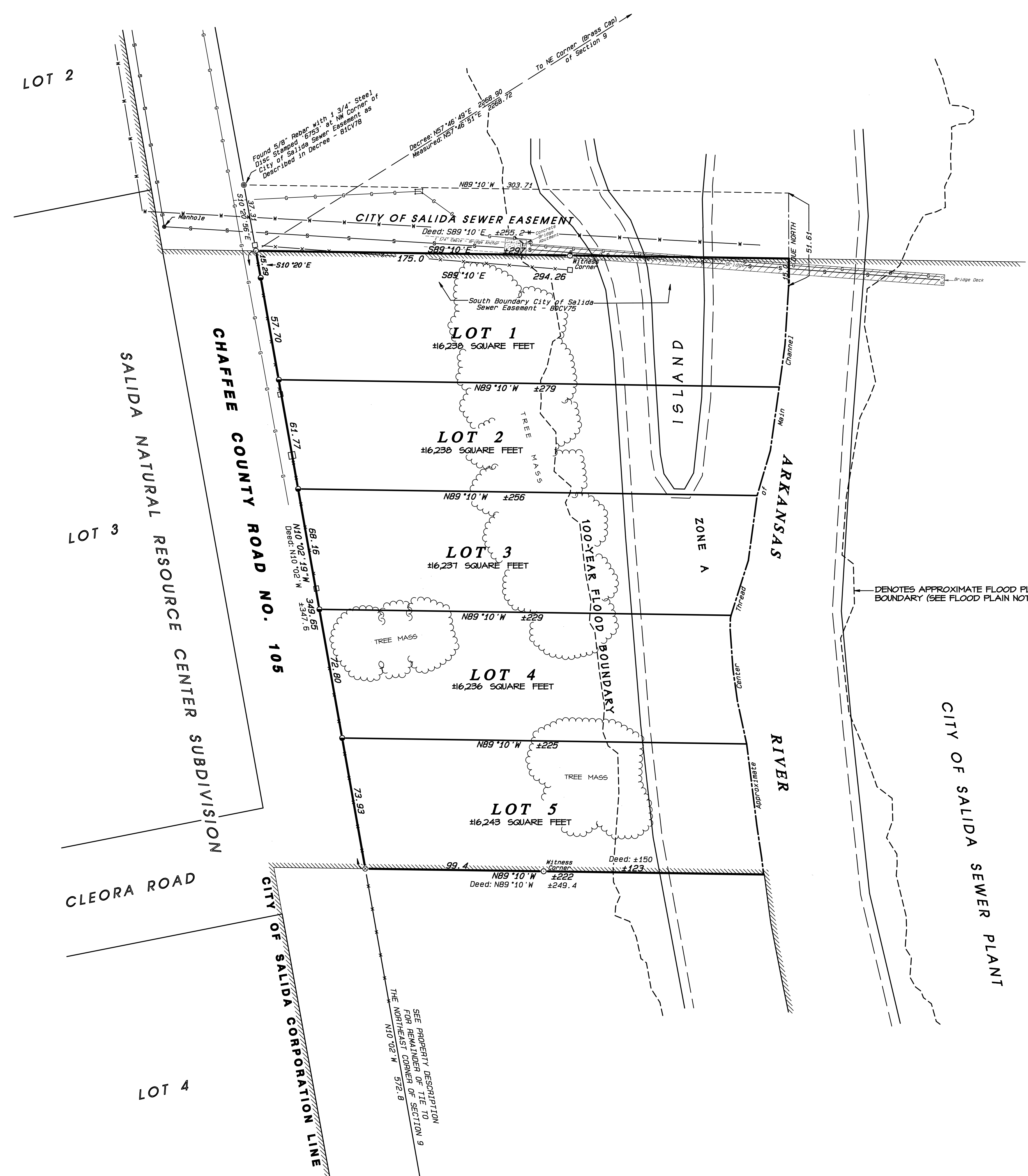
DIRECTIONS ARE BASED ON THE BEARING N10°04'06"W BETWEEN RECOVERED REBAR SURVEY MONUMENTS AT THE SW CORNER OF THE TRACT AND THE NW CORNER OF THE CITY OF SALIDA SEWER EASEMENT AS DESCRIBED IN COURT DECREE 80CV75.

LEGEND:

- DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED '10721'.
- DENOTES A RECOVERED 5/8" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED 'LS 16117'.
- DENOTES A 5/8"x24" REBAR WITH A 1 1/2" ALUMINUM CAP STAMPED WITH LOT NUMBERS & 'LS 16117' TO BE SET FOR THIS SURVEY.
- S— DENOTES A CITY OF SALIDA SEWER MAIN.
- W— DENOTES APPROXIMATE LOCATION OF CITY OF SALIDA WATER LINE.
- G— DENOTES APPROXIMATE LOCATION OF A GAS LINE.
- X— DENOTES A FENCE.
- ||— DENOTES CITY OF SALIDA CORPORATION LINE.

FLOOD PLAIN NOTE:

FLOOD PLAIN BOUNDARIES SHOWN HEREON WERE IMPORTED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DIGITAL FILES. ZONE A REFERS TO A SPECIAL FLOOD HAZARD AREA SUBJECT TO A 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD) WHERE NO BASE FLOOD ELEVATIONS HAVE BEEN DETERMINED AND FLOOD BOUNDARIES ARE APPROXIMATE. THE SUBJECT PROPERTY IS LOCATED ON FEMA FLOOD INSURANCE RATE MAP NO.08015C0618D, EFFECTIVE DECEMBER 1, 2011.



SHEET 2 OF 2

ADDITIONS: 12/27/18 M.K.H.

PAPP MINOR SUBDIVISION	
Located in the W 1/2 NW 1/4 of SECTION 9, T 49 N, R 9 E, N.M.P.M. in the CITY OF SALIDA, COLORADO	
CHAFFEE COUNTY	COLORADO
Job Number: J-18-184	HENDERSON LAND SURVEYING CO., INC.
DESIGNED: M.K.H.	208 G STREET SALIDA, COLORADO
DRAWN BY: TMOO CAD	DATE: 10/31/18
CHECKED: B.S.H.	DRAWING NO. L-18-85
Fid. book: 5238 Pgs. 8	11, 12 & 18

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

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING BEFORE
THE PLANNING COMMISSION FOR THE
CITY OF SALIDA CONCERNING
A LIMITED IMPACT REVIEW APPLICA-
TION**

**TO ALL MEMBERS OF THE PUBLIC AND
INTERESTED PERSONS: PLEASE TAKE
NOTICE:** that on February 25, 2019 at or
about the hour of 6:00 p.m., a public hearing
will be conducted by the City of Salida Plan-
ning Commission at City Council Chambers,
448 East First Street, Suite 190, Salida, Colo-
rado on the application of Deborah Papp.
The application is for Limited Impact Review
approval for a minor subdivision to subdivide
the parcel at 6792 County Road 105 into five
individual lots.

Approval of the limited impact review applica-
tion shall constitute authorization to proceed
with recording the plat and commencing with
the Subdivision. Further information on the
application may be obtained from the Com-
munity Development Department, (719) 530-
2634.

Published in The Mountain Mail February 8,
2019



STAFF REPORT

MEETING DATE: February 25, 2019

AGENDA ITEM TITLE: Tibbetts Minor Subdivision – Limited Impact Review

AGENDA SECTION: Public Hearing

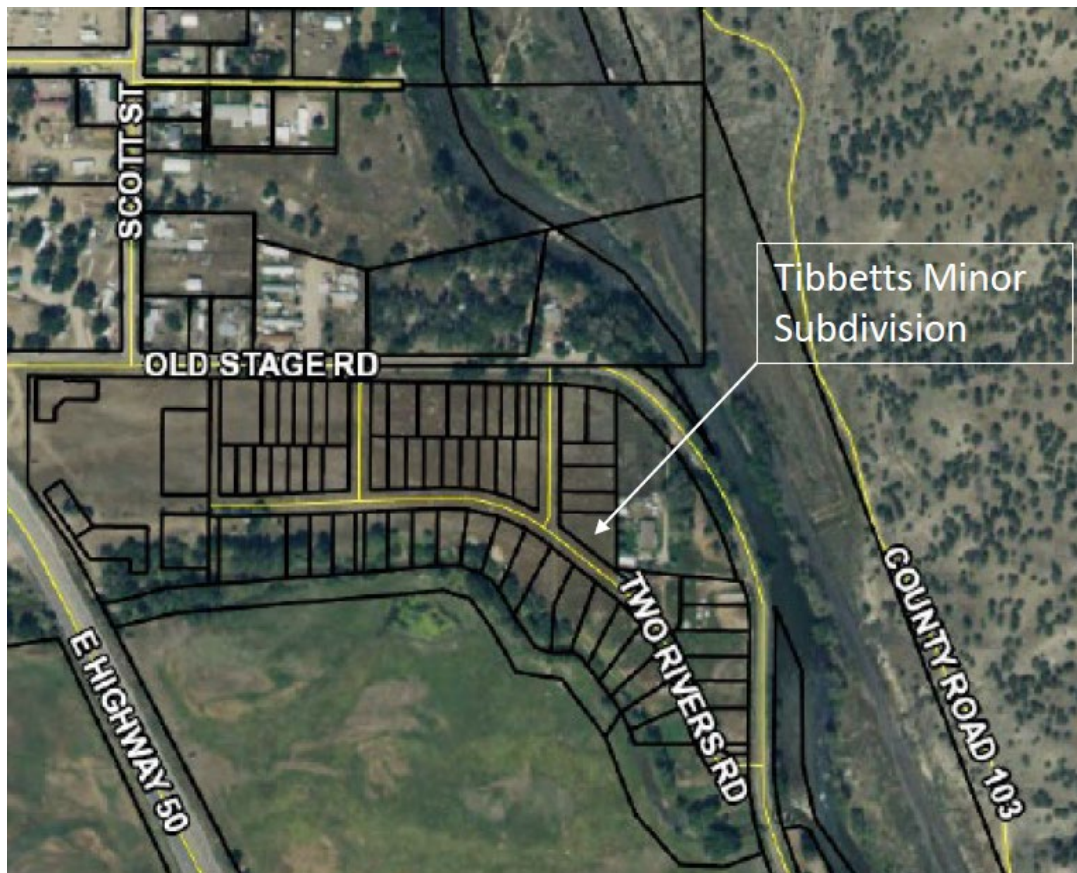
REQUEST:

The request is minor subdivision to subdivide Lot 29 of Two Rivers Subdivision, Phase I into two lots of approximately .13 of an acre each. The lot is located at 402 Two Rivers Road and is zoned Planned Development. The subject site has the underlying district of Medium Density Residential (R-2).

APPLICANT:

Dan Tibbetts as represented by William R. Smith.

LOCATION / BACKGROUND:



The Two Rivers Subdivision received Planned Development approval on October 16, 2016. Through the PD the subdivision has different dimensional standards than Chapter 16 of the Salida Municipal Code. Those standards are listed below:

TABLE OF DIMENSIONAL STANDARDS for TWO RIVERS PLANNED DEVELOPMENT
(COMPARED WITH CITY STANDARDS)

NOTE: "NC" INDICATES NON-COMPLIANCE WITH UNDERLYING ZONE DISTRICT

DIMENSIONAL STANDARD for Underlying Zoning	★ LOTS 1-6 RMU	★ LOTS 7-27 R-2	LOTS 28-34 R-2	LOTS 35-63 R-3	PARCEL 1 APARTMENTS (AFFORDABLE UNITS) R-3
MIN. LOT SIZE (SQ. FT.)	5,625	5,625	5,625	4,400 NC	5,625
DENSITY (LOT S.F./MIN. LOT AREA PER DWELLING UNIT)	2,540 NC	3,125	3,125	3,125	2,400
MIN. LOT SIZE (SQ. FT.) - ATTACHED UNITS	3,125	3,125	3,125	2,400	2,400
MIN. LOT FRONTAGE	37'-6"	37'-6"	37'-6"	37'-6"	37'-6"
MIN. LOT FRONTAGE - ATTACHED UNITS	20'	20'	20'	15'	15'
MAX. LOT COVERAGE: STRUCTURES (ADDITIVE COVERAGE TOTAL FOR STRUCTURES AND UNCOVERED PARKING CANNOT EXCEED 90% EXCEPT IN C-2)	45%	40%	40%	45%	45%
MAX. LOT COVERAGE: UNCOVERED PARKING/ACCESS (ADDITIVE COVERAGE TOTAL FOR STRUCTURES AND UNCOVERED PARKING CANNOT EXCEED 90% EXCEPT IN C-2) *****	25%	15%	15%	25%	25%
MIN. LANDSCAPE AREA	30%	45%	45%	30%	30%
MIN. SETBACK FROM SIDE LOT LINE FOR A PRIMARY BLDG.	5'	5'	5'	5'	5'
MIN. SETBACK FROM SIDE LOT LINE FOR A DETACHED ACCESSORY BLDG.	3'	3'	3'	3'	3'
MIN. SETBACK FROM REAR LOT LINE: PRINCIPAL BLDG.	15'	20'	20'	20'	20'
MIN. SETBACK FROM REAR LOT LINE: ACCESSORY BLDG.	5'	5'	5'	5'	5'
MIN. SETBACK FROM FRONT LOT LINE	10' NC	10' NC	10' NC	10' NC	10' NC
MAX BUILDING HEIGHT FOR A PRIMARY BLDG.	35'	35'	35'	35'	35'
MAX BUILDING HEIGHT FOR A DETACHED ACCESSORY BLDG.	25'	25'	25'	25'	25'

NOTES:

** - LOTS 7-27 SHALL BE RESTRICTED TO ONLY ONE PRIMARY RESIDENCE AND ONE A.D.U.

★ - SHORT TERM RENTALS ARE ALLOWED ON LOTS 1-27

PROCESS:

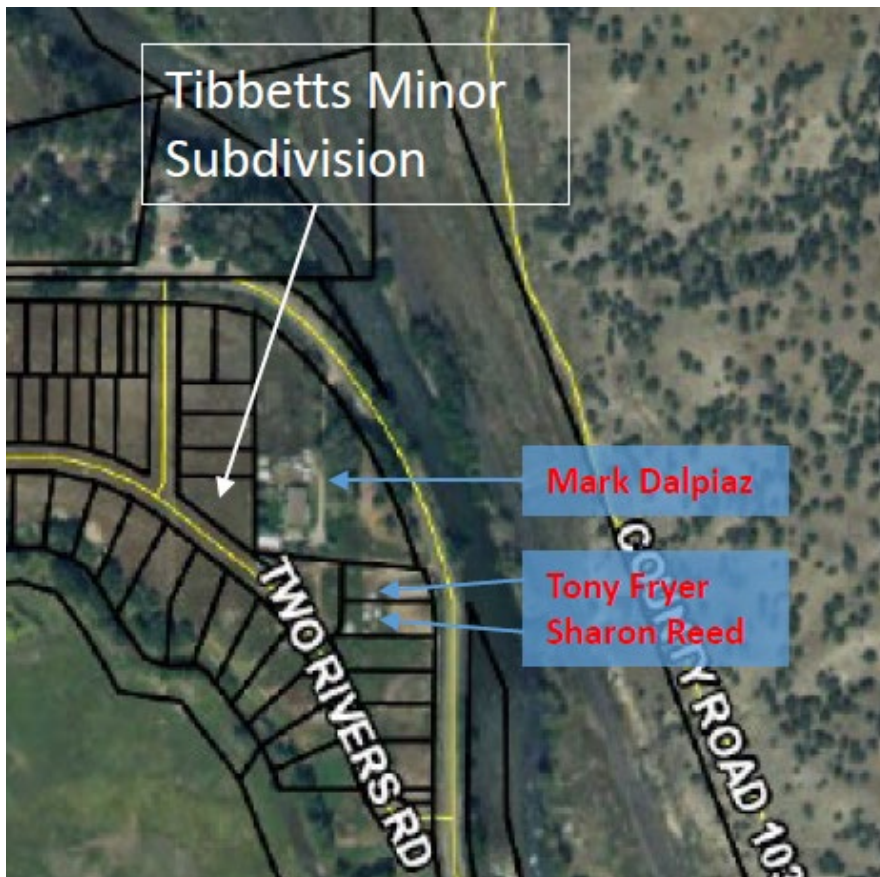
The purpose of the limited impact review is to assure that the proposal is according to the requirements of the Land Use Code.

A public hearing is conducted by the Planning Commission after public notice in a newspaper of general circulation and posting on the property 15 days prior. The Commission shall approve, approve with conditions, or deny the application, or remand it back to the applicant with instructions for modification or additional information or action.

Approval of the minor subdivision shall constitute authorization to proceed with recording the plat and commencing with the Subdivision.

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

- 1) The proposed subdivision will create two (2) lots that conform to the Table of Dimensional Standards for Two Rivers Planned Development: 5,625 square feet.
- 2) The lot is encumbered by a 20 foot wide shared access and sewer easement; a ten foot wide utility easement and Drainage Easement in the southeast corner of the lot. The Access and Utility Easement is provided for the benefit of Lot 30 and the adjoining property to the east.
- 3) The Two Rivers Planned Development provided affordable housing through the annexation agreement for the project. Therefore the plat is not subject to the new Inclusionary Housing requirements.
- 4) Each unit has separate utilities and will metered individually.
- 5) An in-lieu fee for open space is not required because the project received Extraordinary Contribution approval per Section 16-6-120 (8)(v).
- 6) The Fair Contributions for public school fees will be paid for each unit constructed in the subdivision. A note to this effect is included on the plat.
- 7) Staff has received comments from three neighbors which are attached. The property owner adjacent to the east side of the subdivision, Mark Dalpiaz, raised concerns about possible encroachment on their shared easement. Staff has added a condition to ensure the building setbacks include the easement.



Regarding the concerns raised by Tony Fryer and Sharon Reed, the applicant has pointed out that in the recorded Covenants, Conditions, Restrictions and Easements (recorded at reception number 438659) it states:

“3.5 c. Subdivision. A Lot may be subdivided into two or more Lots only in conformance with the PUD and Salida Code.”

REVIEW AGENCY COMMENTS: The Public Works Director, Fire Chief, Finance Department and the Chaffee County Director of Development Services were invited to comment on the subdivision plat application. The following comments were received in response to this request.

Public Works Director: “Connect to 8” sewer main at the rear lot. No other concerns.” David Lady, Public Works Director

Fire Department: “Fire Department has no concerns.” Doug Bess, Fire Chief

Police Department: “I have reviewed the plans that have been submitted and have no concerns at this time.” Russ Johnson, Police Chief

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

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan’s applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
 - Infill, redevelopment and maximizing the density allowances are encouraged in Chapter 3, Land Use and Growth. The proposed minor subdivision creates two lots that are compatible in size with other lots in the subdivision.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
 - The Two Rivers Planned Development includes dimensional standards specific to the subdivision. Development within the two lots will have to meet these standards.
3. **Design Standards.** The proposed subdivision shall be provided with improvements which comply with Article VII and landscaping which complies with Section 16-8-90 of this Chapter.
 - a. **Streets.** Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
 - Street improvement are complete within the subdivision.
 - b. **Utilities.** Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.

- Utilities are complete within the subdivision. This includes an 8 inch sewer main within an easement on the north edge of the lots. This provides sewer to Lots 29 and 30, and the property on the east side.
- c. Phases. If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.
- There are no phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
- There are no major natural features located within this subdivision.
5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
- The subject property is not located within the 100-year floodplain.
6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.
- This subdivision does not border a highway right-of-way.
7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.
- There are adequate streets to serve future re-subdivision of the parcels.
8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.
- The Two Rivers development was granted Extraordinary Contribution status for the construction of open space and trails along the South Arkansas River.

9. **Common Recreation Facilities.** Where a development is proposed to contain common recreation facilities, such facilities shall be located within the development so as to be easily accessible to the residents and to least interfere with neighboring developments.

- This development does not include any common recreation facilities.

10. **Lots and Blocks.**

- a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.
- b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.
- c. **Right angles.** Side lot lines shall be approximately at right angles or radial to street lines.
- d. **Double frontage lots.** Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.
- e. **“T” intersections.** The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.
- f. **Solar energy.** This standard applies to detached single family homes and not attached units.
 - The proposed minor subdivision meets these criteria.

11. **Architecture.** The following architectural standard is intended to prevent monotonous streetscapes and offer consumers a wider choice of housing styles. To avoid uniformity and lack of variety in design among housing units within the subdivision, no residential façade elevation shall be repeated more than once every five (5) lots on the same side of the street (e.g., the first and fifth lots in a row may contain the same façade elevation, but the second, third, and fourth lots must contain some different façade elevations). No residential elevation shall be repeated directly across the street from the same façade elevation. Mirror images of the same residential façade shall not count as two (2) distinctly different façades. In unusual circumstances, the Planning Commission may grant a petition seeking waiver of this requirement. Such an exception may be granted if the petitioner demonstrates that the proposed plan uses repetition for an architectural purpose, such as allusion to historical repetition that would not create a monotonous streetscape of the type this standard seeks to prevent.

- Does not apply as there are not five or more lots.

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

- Development within the project will meet the above codes.

13. **Inclusionary Housing.** Minor and major subdivisions; and condominium plats of five (5) units or greater must meet the requirements of Article XIII. Inclusionary Housing.

- The Two Rivers Development provided affordable housing per their annexation agreement which preceded this requirement.

16-6-140. Fair Contributions for Public School Sites.

- The Fair Contribution for Public School Sites fee will be required for the homes built within the Papp Minor Subdivision.

REQUIRED ACTIONS BY THE COMMISSION:

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

RECOMMENDED FINDINGS:

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

Recommended Findings:

1. This application complies with the Comprehensive Plan because it would create an additional lot for residential uses on a vacant lot and advance the objectives of the Comp Plan.
2. The minor subdivision satisfies the review standards for subdivisions.

RECOMMENDED ACTION:

Based upon the observations, review standards, and findings outlined above, staff recommends the following:

That the Commission APPROVE the Tibbetts Minor Subdivision subject to the following conditions of approval:

1. The building setbacks shall include the easements shown on the plat, thereby not allowing any encroachments into the recorded easements.

2. Prior to recording the Tibbetts Minor Subdivision shall be amended as follows:
 - Correct the zoning from R-4 to Planned Development R-2;
 - Correct dates to 2019;
 - Dimension the Shared Access and Utility Easement;
 - Add note that structures cannot encroach onto easements; and
 - Add note that residential structures must connect to existing eight inch sewer main located within Shared Access and Utility Easement.

RECOMMENDED MOTION:

That the recommended findings be made and the recommended action be taken.

Attachments: Minor Subdivision Application
Tibbetts Minor Subdivision
Two Rivers Subdivision Phase 1 (page 2)
Two Rivers Subdivision Phase 2 (page 2)
Email from Mark Dalpiaz
Email from Tony Fryer
Email from Sharon Reed



GENERAL DEVELOPMENT APPLICATION

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

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

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

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

A. Applicant Information

Name of Applicant: Trailside Investments Inc.
Mailing Address: 6 Trailside Cir, Salida, CO 81201
Telephone Number: 719-338-1111 FAX: _____
Email Address: danjtibbetts@outlook.com
Power of Attorney/ Authorized Representative: William F. Smith
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: Tibbetts Minor Subdivision
Street Address: 402 Two Rivers Road, Salida, CO
Legal Description: Lot 29 Block _____ Subdivision Two Rivers (attach description)

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

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

Signature of applicant/agent: W.F. Smith Date: 1/23/19

Signature of property owner: Dan Tibbetts, managing member Date: 1/25/2019



LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

448 East First Street, Suite 112
Salida, CO 81201

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

Email: planning@cityofsalida.com

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

1. PROCEDURE (Section 16-3-80)

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

1. Pre-Application Conference (Limited Impact and Major Impact Review Applications)
2. Submit Application
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:

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

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

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

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

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



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

7. Any subdivision request including a plat meeting the requirements of Section 16-6-110;

8. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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

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

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

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

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

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


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

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

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

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

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

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

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

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

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

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

The proposed subdivision meets the comprehensive plan.

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

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

The proposed subdivision meets all of the dimensional standards of the existing F

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

No required

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

The use is exactly the same as the entire Two Rivers subdivision.

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

None

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

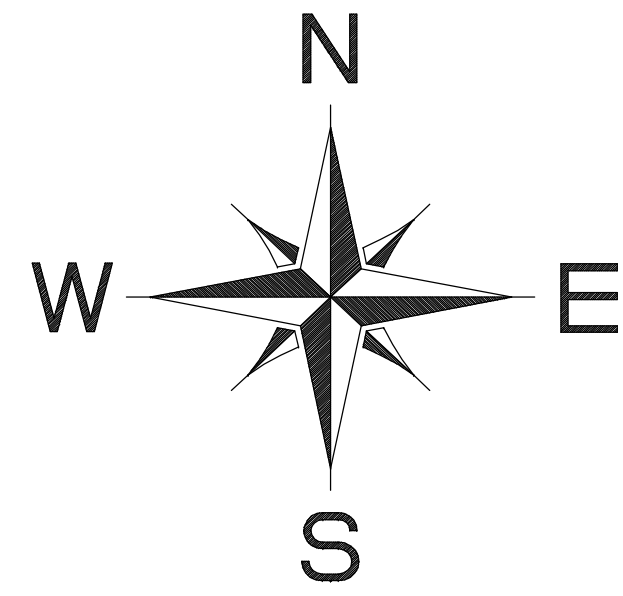
They are in place

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

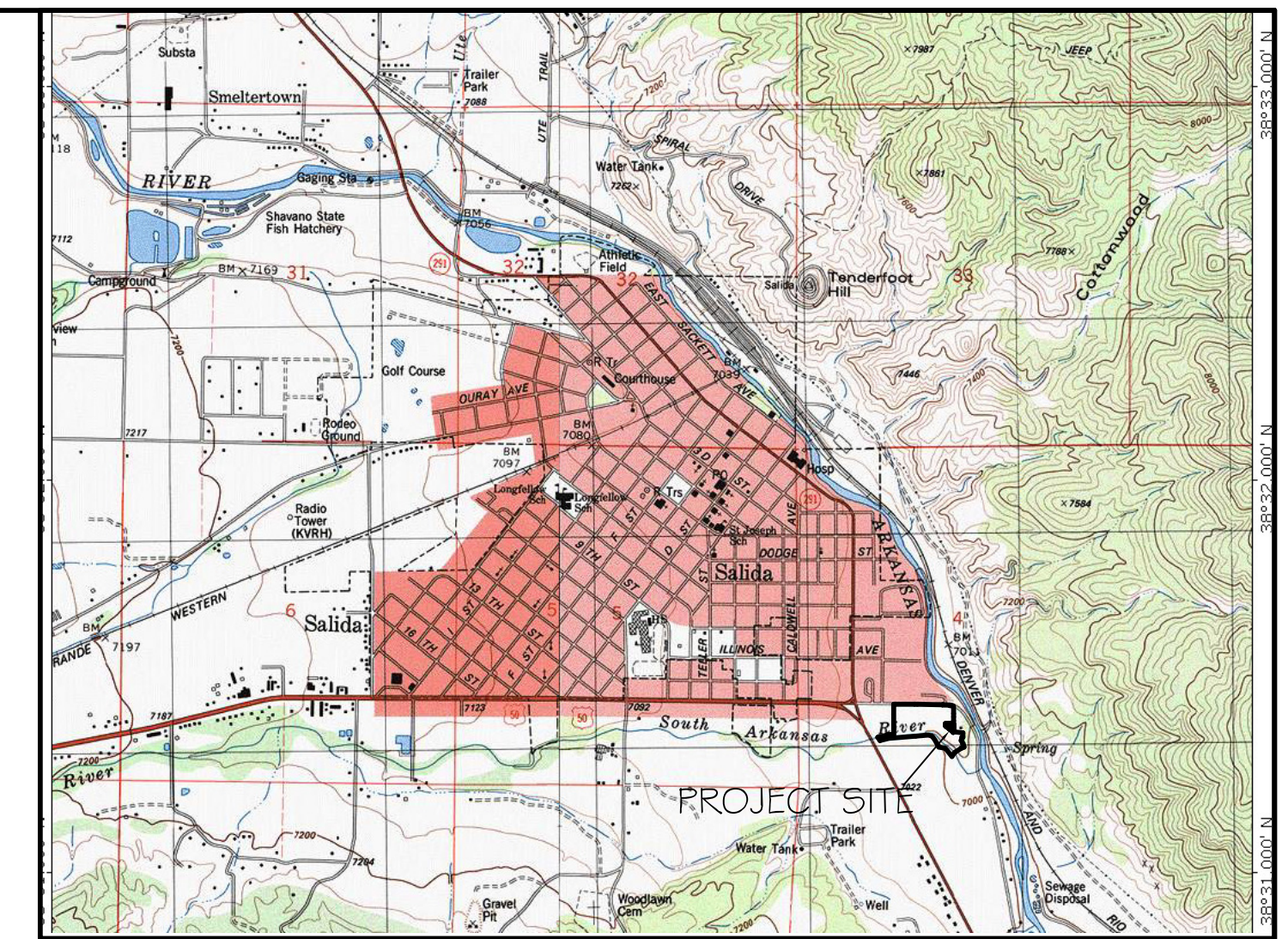
No Impact.

TIBBETTS MINOR SUBDIVISION

LOCATED WITHIN LOT 29
TWO RIVERS SUBDIVISION, PHASE I
CITY OF SALIDA,
CHAFFEE COUNTY, COLORADO



SCALE
1" = 10'



VICINITY MAP
NOT TO SCALE

LEGEND

- ⊙ FOUND MONUMENT AS NOTED
- ◇ 1 1/2" ALUMINUM CAP LS 37937 PREVIOUSLY SET
- ◆ SET 1 1/2" ALUMINUM CAP LS 37937
- S - S - UNDERGROUND SEWER
- W - W - UNDERGROUND WATER LINE
- ⊕ MAN HOLE

GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE NORTH RIGHT-OF-WAY OF TWO RIVERS ROAD BETWEEN TWO 1 1/2" ALUMINUM CAPS ON #5 REBAR STAMPED LS 37937 HAVING A BEARING OF NORTH 51°21'23" WEST
- 2) UNDERGROUND UTILITIES SHOWN AS MARKED ON THE SURFACE BY UTILITY NOTIFICATION CENTER OF COLORADO AND OTHERS. LANDMARK SURVEYING AND MAPPING ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY UNDERGROUND UTILITIES DEPICTED HEREON.
- 3) ZONE: R-4
- 4) AS REQUIRED UNDER SECTION 16.6.140 OF THE SALIDA MUNICIPAL CODE, A PAYMENT IN LIEU OF LAND DEDICATION FOR FAIR CONTRIBUTIONS FOR PUBLIC SCHOOL SITES SHALL BE PAID BY THE OWNER OF EACH LOT WITHIN THIS SUBDIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY NEW RESIDENCE ON SUCH LOT

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL PERSONS BY THESE PRESENTS THAT TRILSIDE INVESTMENTS, INC., THE FEE OWNER OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 29
TWO RIVERS SUBDIVISION, PHASE I
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

HAVE LAID-OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND EASEMENTS, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF:

TIBBETTS MINOR SUBDIVISION
IN THE CITY OF SALIDA
CHAFFEE COUNTY, COLORADO

IN WITNESS WHEREOF THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS ____ DAY OF _____, 2018.

BY: DAN TIBBETTS, MANAGING MEMBER

COUNTY OF CHAFFEE)
) SS.

STATE OF COLORADO)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2018 BY DAN TIBBETTS. WITNESS MY HAND AND SEAL.

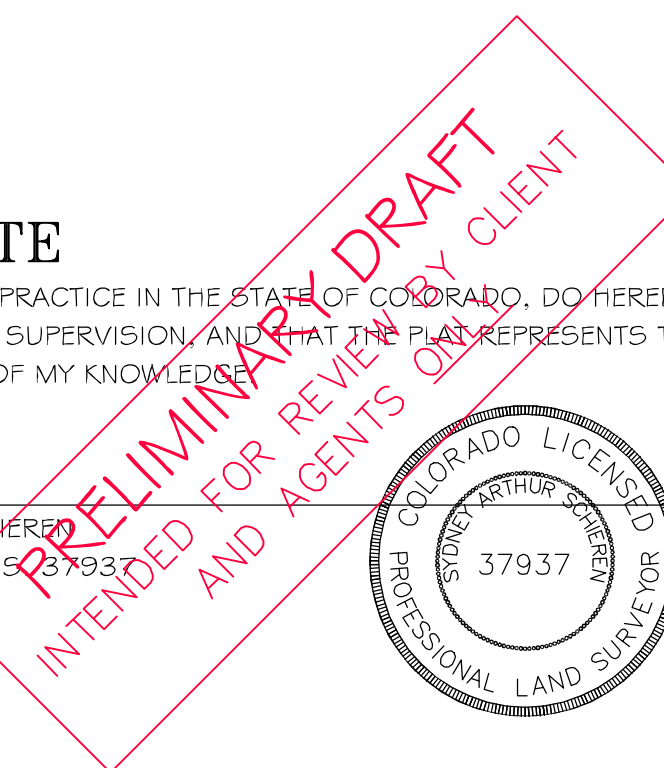
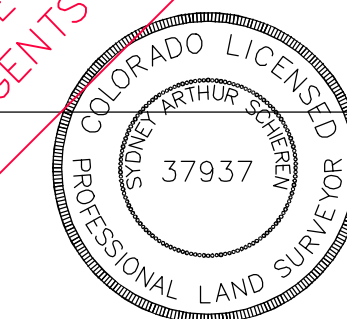
MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SYDNEY A. SCHIEREN
COLORADO P.L.S. 37937



CERTIFICATION OF TITLE

I, _____, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN TRILSIDE INVESTMENTS, INC., FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

DATED THIS ____ DAY OF _____, 2018.

TITLE AGENT

CITY OF SALIDA ACCEPTANCE

THE UNDERSIGNED CHAIR OF THE PLANNING COMMISSION OF THE CITY OF SALIDA, COLORADO, DOES HEREBY ACKNOWLEDGE AND ACCEPT THIS MINOR SUBDIVISION PLAT. DATED THIS ____ DAY OF _____, 2018.

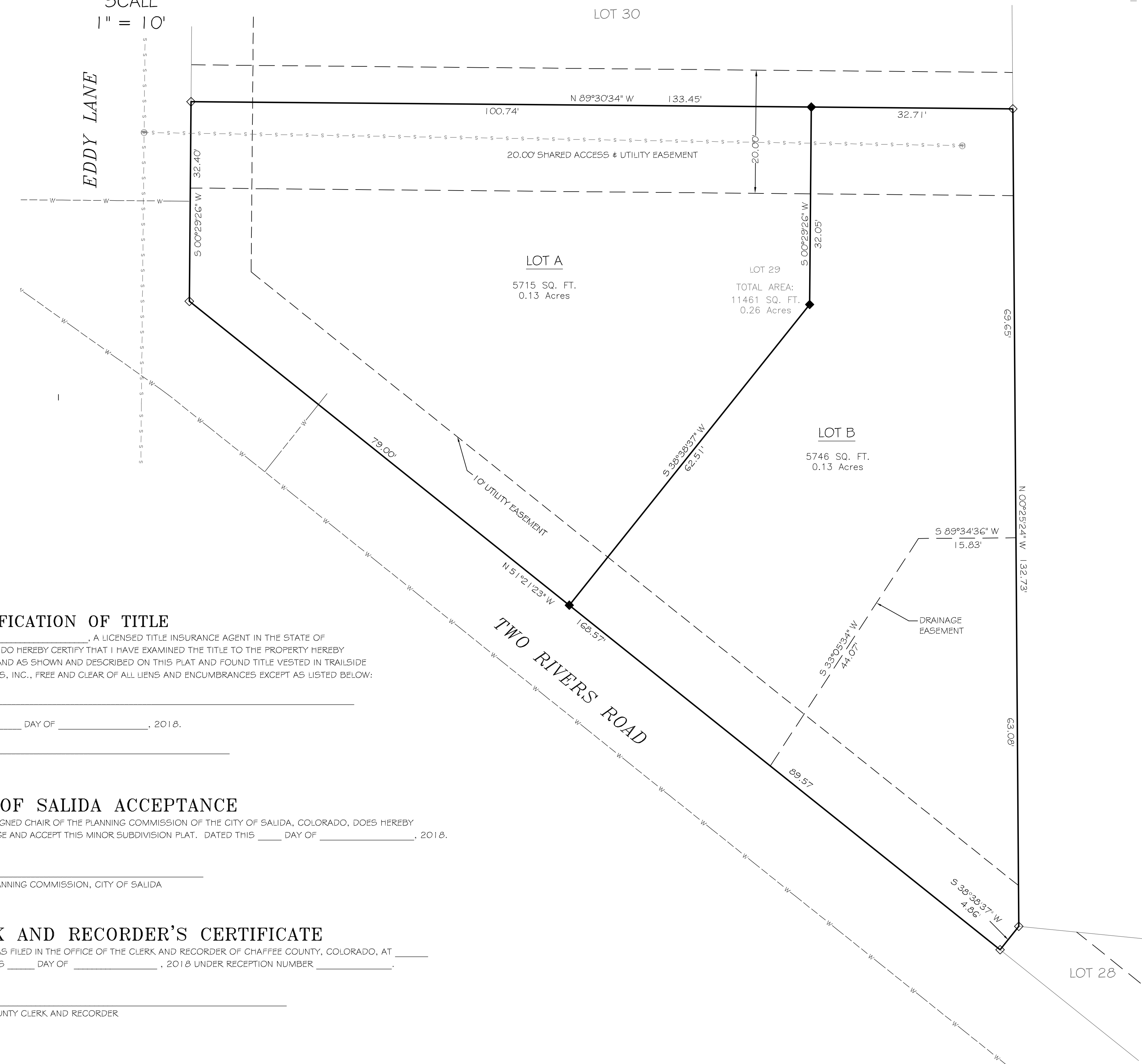
CHAIR OF PLANNING COMMISSION, CITY OF SALIDA

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT ____ M. ON THIS ____ DAY OF _____, 2018 UNDER RECEPTION NUMBER _____.

CHAFFEE COUNTY CLERK AND RECORDER

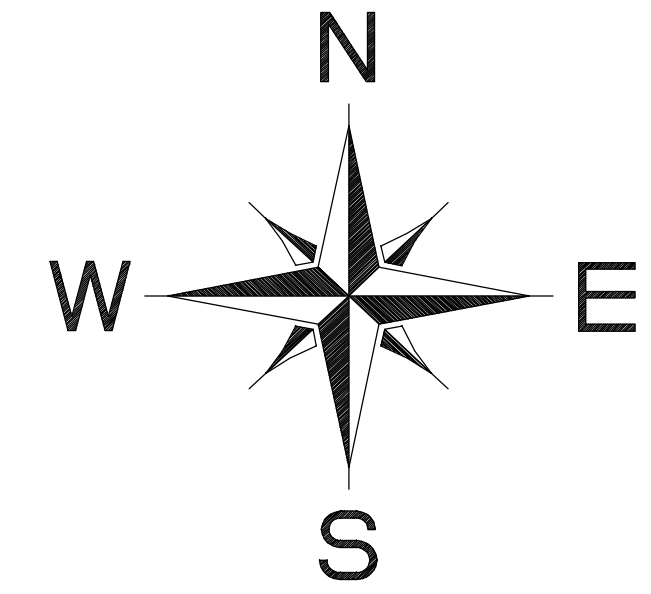
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT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



REVISED:	TIBBETTS MINOR SUBDIVISION LOCATED WITHIN LOT 29 TWO RIVERS SUBDIVISION, PHASE I CITY OF SALIDA, CHAFFEE COUNTY, COLORADO
DATE:	
JOB # 18237	LANDMARK SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031
DATE: NOVEMBER 5, 2018	
SHEET 1 OF 1	

TWO RIVERS SUBDIVISION PHASE 1

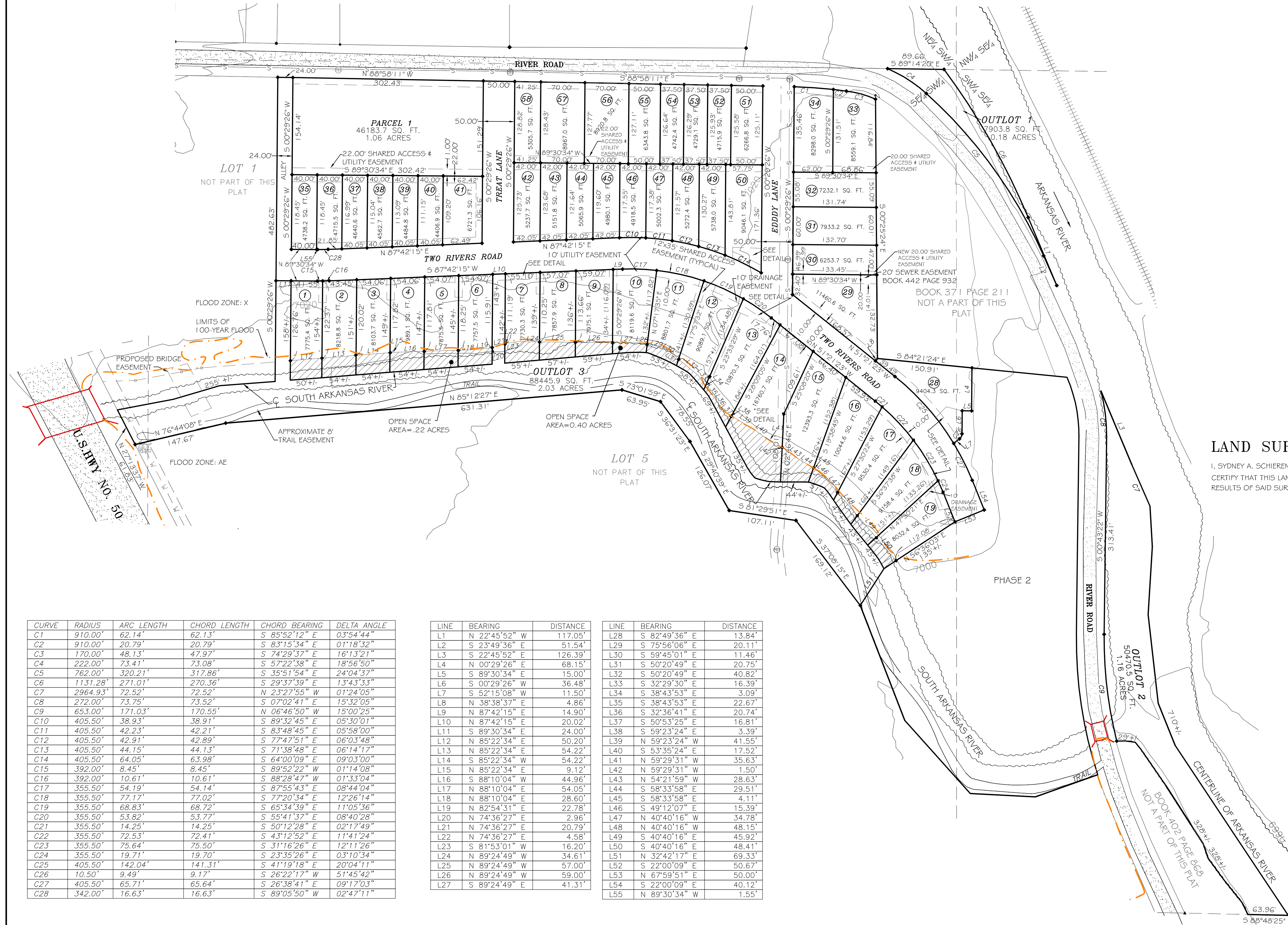
LOCATED WITHIN OUTLOT 1, OUTLOT 2, AND LOTS 2, 3 & 4 OF THE
LITTLE RIVER PROPERTIES, LLC SUBDIVISION
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



SCALE
1" = 80'

LEGEND

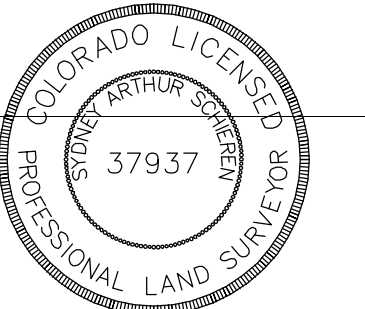
- ◆ FOUND 1 1/2" ALUMINUM CAP L5 37937, SET PREVIOUSLY
- ▲ FOUND 1 3/4" STEEL WASHER, L5 6753, UNLESS OTHERWISE NOTED
- FOUND 1 1/2" ALUMINUM CAP, L5 16117
- FOUND 1" ALUMINUM CAP, L5 1776
- WATER VALVE
- WATER METER
- SEWER MAN HOLE
- FIRE HYDRANT
- - - UNDERGROUND SEWER
- x - FENCE
- w - UNDERGROUND WATER
- ① LOT NUMBER



LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY DRAFT
INTENDED FOR REVIEW BY CLIENT



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	910.00'	62.14'	62.13'	S 85°52'12" E	03°54'44"
C2	910.00'	20.79'	20.79'	S 83°15'34" E	01°18'32"
C3	170.00'	48.13'	47.97'	S 74°29'37" E	16°13'21"
C4	222.00'	73.41'	73.08'	S 57°22'38" E	18°56'50"
C5	762.00'	320.21'	317.86'	S 35°51'54" E	24°04'37"
C6	1131.28'	271.01'	270.36'	S 29°37'39" E	13°43'33"
C7	2964.93'	72.52'	72.52'	N 23°27'55" W	01°24'05"
C8	272.00'	73.75'	73.52'	S 07°02'41" E	15°32'05"
C9	653.00'	171.03'	170.55'	N 06°46'50" W	15°00'25"
C10	405.50'	38.93'	38.91'	S 89°32'45" E	05°30'01"
C11	405.50'	42.23'	42.21'	S 83°48'45" E	05°58'00"
C12	405.50'	42.91'	42.89'	S 77°47'51" E	06°03'48"
C13	405.50'	44.15'	44.13'	S 71°38'48" E	06°14'17"
C14	405.50'	64.05'	63.98'	S 64°00'09" E	09°03'00"
C15	392.00'	8.45'	8.45'	S 89°52'22" W	01°14'08"
C16	392.00'	10.61'	10.61'	S 88°28'47" W	01°33'04"
C17	355.50'	54.19'	54.14'	S 87°55'43" E	08°44'04"
C18	355.50'	77.17'	77.02'	S 77°20'34" E	12°26'14"
C19	355.50'	68.83'	68.72'	S 65°34'39" E	11°05'36"
C20	355.50'	53.82'	53.77'	S 55°41'37" E	08°40'28"
C21	355.50'	14.25'	14.25'	S 50°12'28" E	02°17'49"
C22	355.50'	72.53'	72.41'	S 43°12'52" E	11°41'24"
C23	355.50'	75.64'	75.50'	S 31°16'26" E	12°11'26"
C24	355.50'	19.71'	19.70'	S 23°35'26" E	03°10'34"
C25	405.50'	142.04'	141.31'	S 41°19'18" E	20°04'11"
C26	10.50'	9.49'	9.17'	S 26°22'17" W	51°45'42"
C27	405.50'	65.71'	65.64'	S 26°38'41" E	09°17'03"
C28	342.00'	16.63'	16.63'	S 89°05'50" W	02°47'11"

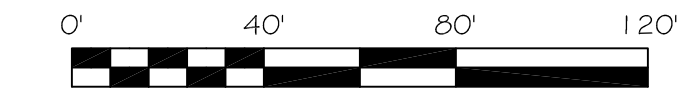
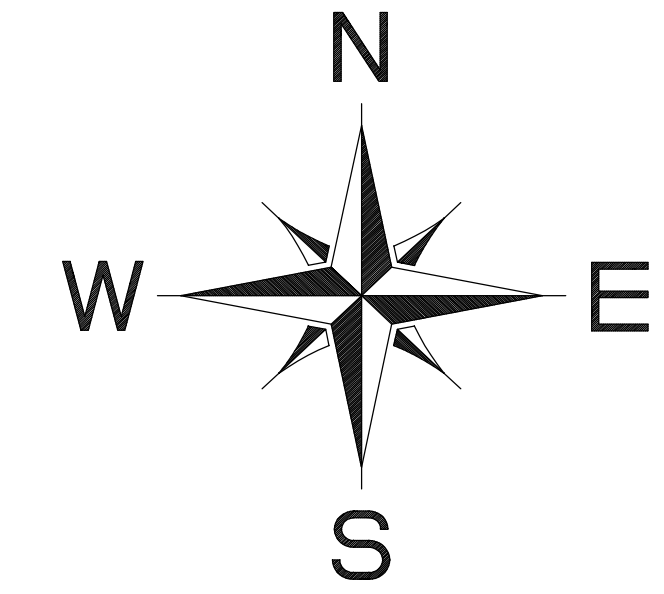
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 22°45'52" W	117.05'	L28	S 82°49'36" E	13.84'
L2	S 23°49'36" E	51.54'	L29	S 75°56'06" E	20.11'
L3	S 22°45'52" E	126.39'	L30	S 59°45'01" E	11.46'
L4	N 00°29'26" E	68.15'	L31	S 50°20'49" E	20.75'
L5	S 89°30'34" E	15.00'	L32	S 50°20'49" E	40.82'
L6	S 00°29'26" W	36.48'	L33	S 32°29'30" E	16.39'
L7	S 52°15'08" W	11.50'	L34	S 38°43'53" E	3.09'
L8	N 38°38'37" E	4.86'	L35	S 38°43'53" E	22.67'
L9	N 87°42'15" E	14.90'	L36	S 32°36'41" E	20.74'
L10	N 87°42'15" E	20.02'	L37	S 50°53'25" E	16.81'
L11	S 89°30'34" E	24.00'	L38	S 59°23'24" E	3.39'
L12	N 85°22'34" E	50.20'	L39	N 59°23'24" W	41.55'
L13	N 85°22'34" E	54.22'	L40	S 53°35'24" E	17.52'
L14	S 85°22'34" W	54.22'	L41	N 59°29'31" W	35.63'
L15	N 85°22'34" E	9.12'	L42	N 59°29'31" W	1.50'
L16	S 88°10'04" W	44.96'	L43	N 54°21'59" W	28.63'
L17	N 88°10'04" E	54.05'	L44	S 58°33'58" E	29.51'
L18	N 88°10'04" E	28.60'	L45	S 58°33'58" E	4.11'
L19	N 82°54'31" E	22.78'	L46	S 49°12'07" E	15.39'
L20	N 74°36'27" E	2.96'	L47	N 40°40'16" W	34.78'
L21	N 74°36'27" E	20.79'	L48	N 40°40'16" W	48.15'
L22	N 74°36'27" E	4.58'	L49	S 40°40'16" E	45.92'
L23	S 81°53'01" W	16.20'	L50	S 40°40'16" E	48.41'
L24	N 89°24'49" W	34.61'	L51	N 32°42'17" E	69.33'
L25	N 89°24'49" W	57.00'	L52	S 22°00'09" E	50.67'
L26	N 89°24'49" W	59.00'	L53	N 67°59'51" E	50.00'
L27	S 89°24'49" W	41.31'	L54	S 22°00'09" E	40.12'
			L55	N 89°30'34" W	1.55'

REVISED:	TWO RIVERS SUBDIVISION PHASE 1 LOCATED WITHIN OUTLOT 1, OUTLOT 2, AND LOTS 2, 3 & 4 OF THE LITTLE RIVER PROPERTIES, LLC SUBDIVISION CITY OF SALIDA CHAFFEE COUNTY, COLORADO
JOB # 1629	
DATE: JULY 19, 2016	
SHEET 2 OF 3	
LANDMARK SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031	

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TWO RIVERS SUBDIVISION PHASE 2

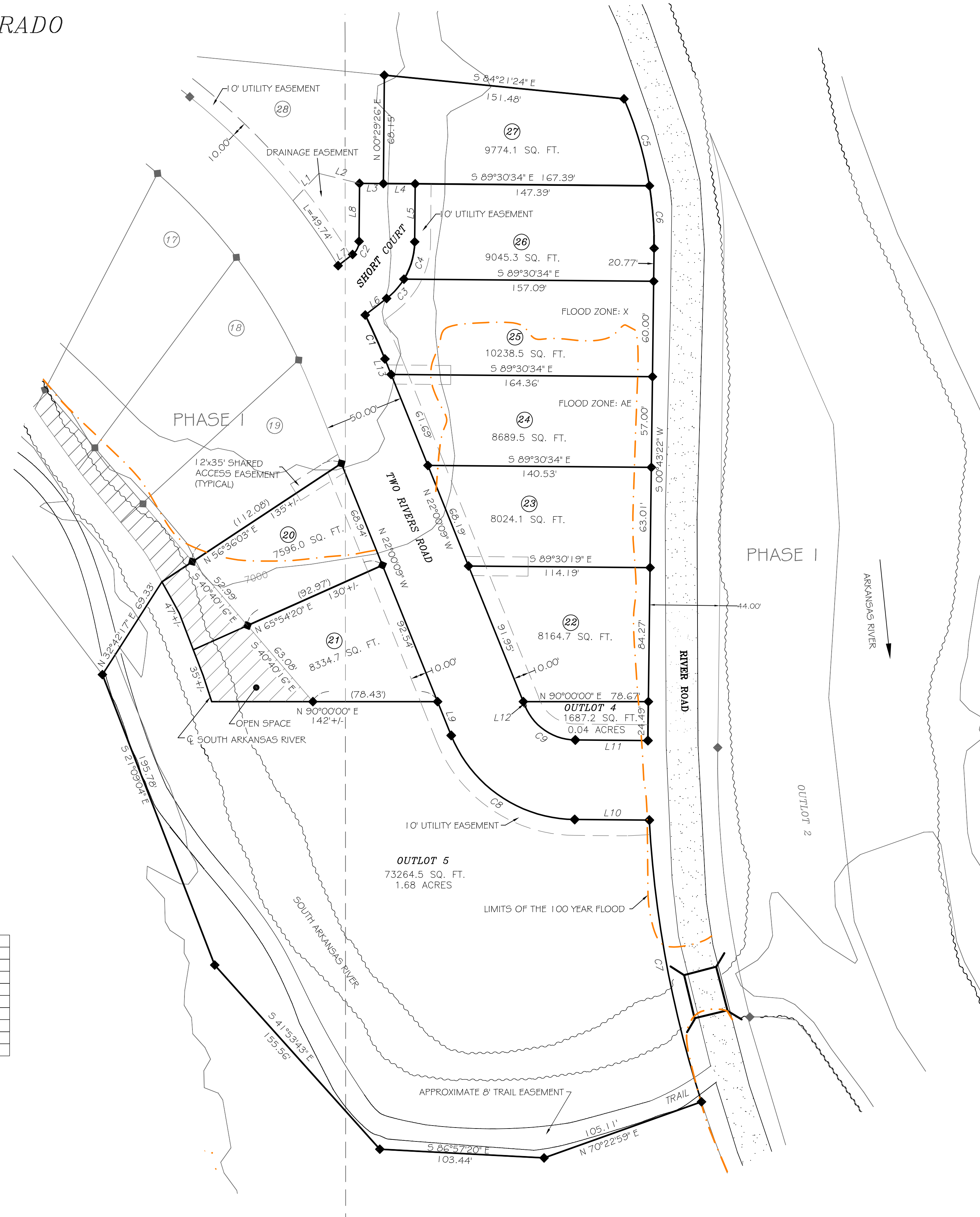
LOCATED WITHIN LOT 3 OF THE
LITTLE RIVER PROPERTIES, LLC SUBDIVISION
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



SCALE
1" = 40'

LEGEND

- ◆ FOUND 1 1/2" ALUMINUM CAP, L5 37937, SET PREVIOUSLY
- ⊙ FOUND 1 3/4" STEEL WASHER, L5 6753, UNLESS OTHERWISE NOTED
- ▲ FOUND 1 1/2" ALUMINUM CAP, L5 16117
- ① LOT NUMBER



LINE	BEARING	DISTANCE
L1	N 43°23'47" E	23.63'
L2	N 76°15'41" W	26.36'
L3	S 89°30'34" E	15.00'
L4	S 89°30'34" E	20.00'
L5	N 00°29'26" E	36.48'
L6	N 52°15'08" E	17.02'
L7	N 52°15'08" E	11.50'
L8	N 00°29'26" E	36.48'
L9	S 22°00'09" E	22.93'
L10	N 89°30'57" W	46.97'
L11	S 89°30'57" E	45.65'
L12	N 22°00'09" W	2.72'
L13	S 22°00'09" E	10.55'

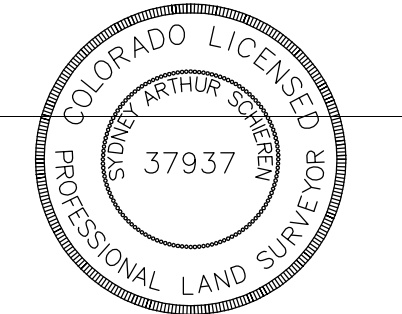
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	405.50'	30.26'	30.26'	S 24°08'26" E	04°16'34"
C2	10.50'	9.49'	9.17'	S 26°22'17" W	51°45'42"
C3	45.50'	16.38'	16.30'	S 41°56'12" W	20°37'51"
C4	45.50'	24.72'	24.42'	S 16°03'21" W	31°07'51"
C5	228.00'	57.14'	57.00'	S 16°21'42" E	14°21'37"
C6	228.00'	39.41'	39.36'	S 04°13'46" E	09°54'15"
C7	697.00'	180.63'	180.13'	N 10°29'42" W	14°50'55"
C8	84.50'	99.57'	93.91'	N 55°45'33" W	67°30'48"
C9	34.50'	40.65'	38.34'	N 55°45'33" W	67°30'48"

LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY DRAFT
INTENDED FOR REVIEW BY CLIENT

SYDNEY A. SCHIEREN
COLORADO P.L.S. 37937



REVISED:	
JOB # 1629	
DATE: JULY 19, 2016	
SHEET 2 OF 2	

**TWO RIVERS SUBDIVISION
PHASE 2**
LOCATED WITHIN LOT 3 OF THE
LITTLE RIVER PROPERTIES, LLC
SUBDIVISION
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



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From: [Mark Dalpiaz](#)
To: glen.vannimwegen@cityofsalida.com; kristi.jefferson@cityofsalida.com; bill.almquist@cityofsalida.com
Subject: Tibbetts Minor Subdivision
Date: Friday, February 15, 2019 7:59:41 AM

Hi, we're the owners of the property due east of the proposed Tibbetts Minor Subdivision (our place is located at 7193 County Road 105).

I just wanted to remind zoning and planning that we have an easement running through this property for sewage, so that needs to be taken into account. I'm not sure what kind of setbacks are required to protect this easement, but given the proposed size of the lots (5,200 square feet), that might severely restrict where anyone could build.

Regards,

Mark Dalpiaz & Lynne Steinman

From: [Tony Fryer](#)
To: glen.vannimwegen@cityofsalida.com
Subject: Feedback: Public hearing on subdivision of Lot 29
Date: Wednesday, February 20, 2019 11:42:32 AM

Hi, Glen - good chatting with you earlier today. While I recognize that the subdivision of Lot 29 is likely within the limits allowed under City Code, I'd like to at least put it on record with the Planning Commission that I am generally against the subdividing of lots. We purchased our lot (27) with a view to building a spacious single family home to retire to, and we were given the general impression that this would be the character of the neighborhood. It would be a shame to see many of the lots carved up into smaller parcels, potentially each with a home on.

Please do send me the document which you referenced during the call.

Thanks!

- Tony

From: [Sharon Reed](#)
To: glen.vannimwegen@cityofsalida.com
Subject: Public Hearing - subdivide of Lot 29 of Two Rivers Subdivision
Date: Tuesday, February 19, 2019 7:24:05 PM

Hi Glen,

Thank you very much for letting me send written comments in for the Public Hearing. I would be very interested to gather a copy of the short-term rental rules that apply to Two Rivers. Many thanks - Sharon Reed, Lot 26, Two Rivers

Comments - -

We look forward to moving to Salida and retiring to our land in the Two Rivers Subdivision. I believe we were among the very first to buy a lot in the development. We were impressed with the HOA guidelines, the sizes of the lots and the general aesthetic of the community. We felt confident of the picture being painted and the genuine nature of those whom we were dealing with - and what the area would be when completed. Additionally, we felt secure that the city was a partner in the process and an extra layer of consideration to the success of the plans. Already there have been changes and now smaller lots proposed, just under a year later. We feel this does not set a good precedent and will encourage more changes later and do not support the subdivision of 402 Two Rivers Road and the smaller lot size being proposed.