



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Community Development	Carolyn Poissant - Senior Planner	August 6, 2024

### **AGENDA ITEM**

Ordinance 2024-16: First reading and setting a public hearing on the proposed zoning of High Density Residential (R-3) for the Suesse Annexation.

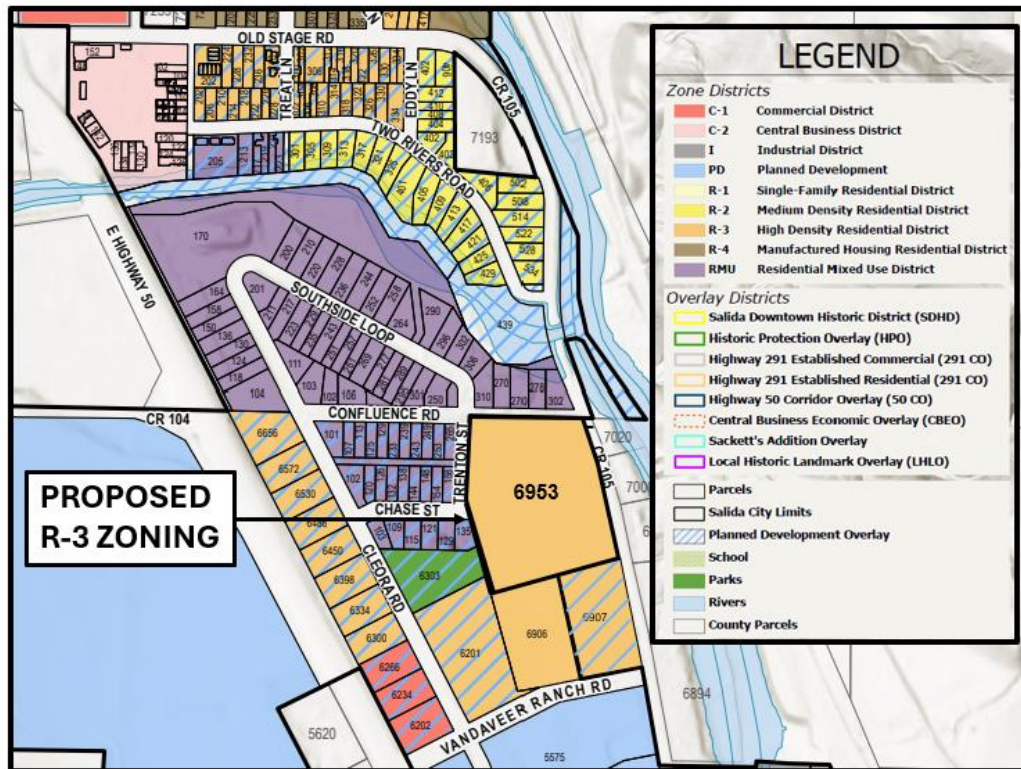
### **BACKGROUND**

On May 22, 2024, Ned Suesse submitted a complete application to annex the 5.71-acre property located at 6953 County Road 105 plus a 0.27-acre a portion of Confluence Road right-of-way.



**Vicinity Map**

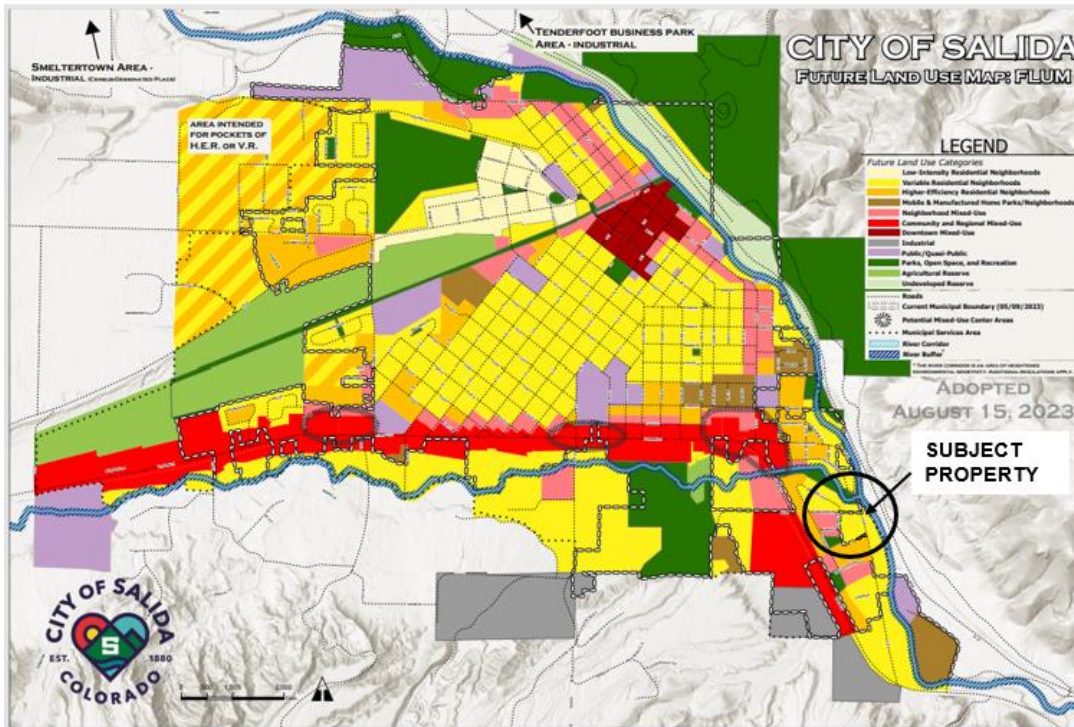
**Surrounding Land Uses and Zoning:** The site is currently zoned RES (Residential Zone District) in Chaffee County. Properties to the east remain in Chaffee County and are zoned RES. Properties to the north and west are within city limits and include the Confluent Subdivision Planned Development Overlay, comprised of a residential mixed-use development (RMU); a 1.24-acre park dedication (P); and Salida Ridge (Low Income Housing Tax Credit) Apartments (R-3). The approved Bike Baker (Flour Mill) annexation and Magpie Apartments zoned R-3 High Density Residential are on the southern boundary.



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

- 1. Consistency with the Comprehensive Plan.** The proposed amendment shall be consistent with the Comprehensive Plan.
  - The Comprehensive Plan indicates:
    - New development shall be within the Municipal Services Area (MSA) and be developed at maximum densities to make the best use of available infrastructure.
      - The proposed annexation lies within the MSA and will accommodate urban densities.
    - Proposals should include connections to pedestrian and bicycle corridors, have sufficient water, and promote innovative and energy efficient design.
      - A proposed 8-foot wide shared-use path is planned to be extended along County Road 105. The exact location and costs have yet to be determined. Additional appropriate public right-of-way improvements (including sidewalks) meeting city standards will be required upon development of the property. City water will be provided when needed and updated electrical / energy code requirements will be in effect.
    - Zoning should continue existing patterns of development.

- Split zoning is not allowed, however, zoning R-3 High-Density Residential would allow for greater density to be applied to a specific the portion of the property, helping to preserve the site's existing historic resources.
- While the Future Land Use Map calls for Variable Residential Neighborhoods, the proposed R-3 designation is generally consistent with the zoning found in the adjacent properties and would continue the surrounding patterns of development.



**FUTURE LAND USE MAP - ADOPTED AUGUST 15, 2023**

- Consistency with Purpose of Zone District.** The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
  - Per the land use code, the purpose of the R-3 High-Density Residential zone district is to provide for relatively high-density duplex and multi-family residential areas, including primarily triplex, townhouse and apartment uses. Complementary land uses may also include such supporting land uses as parks, schools, churches, home occupations or day care, among other uses.
    - The proposed zoning has the capability for providing relatively high-density residential developments, which are needed to address housing demand and affordability.
- Compatibility with Surrounding Zone Districts and Uses.** The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses and neighborhood character.
  - While the underlying zoning of some adjacent properties is R-2, the pattern of townhome-style developments is compatible with the proposed R-3 zoning.



- Existing historic structures on the property are of regional and national significance, including an outbuilding that may be one of the oldest known structures in Chaffee County. The applicant wishes to preserve these historic resources on the property. The R-3 zoning could accommodate a concentration of residential units outside of the southern portion of the property, thus preserving its historic integrity.
- If a future subdivision of the property should occur after an agricultural zone district is established in the Municipal Code, the portion of the property containing agricultural uses may be required to be rezoned.

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

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

### **PLANNING COMMISSION RECOMMENDATION:**

A public hearing with the Planning Commission was held on July 9, 2024 and the Commission unanimously (7-0) recommended City Council approve the proposed zoning of the Suesse Annexation property as High Density Residential (R-3) as it meets applicable review standards.

### **FISCAL IMPACT**

No fiscal impact.

### **MOTION**

A City Councilmember should state, "I move to \_\_\_\_\_ Ordinance 2024-16 on first reading and set the second reading and public hearing for August 20, 2024," followed by a second and a roll call and vote.

Attachments: Ordinance 2024-16  
Application materials

**CITY OF SALIDA, COLORADO  
ORDINANCE NO. 16  
SERIES OF 2024**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE SUESSE ANNEXATION AS HIGH DENSITY RESIDENTIAL (R-3) ZONE DISTRICT**

**WHEREAS**, on May 22, 2024, Ned Suesse filed a General Development Application (the "Petition") to commence proceedings to annex to the City of Salida (the "City") a certain unincorporated tract of land comprised of a 5.71-acre parcel located at 6953 County Road 105 and a 0.27-acre portion of Confluence Road right-of-way in the County of Chaffee, State of Colorado (the "Property"), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

**WHEREAS**, by Ordinance No. 15, Series of 2024 the City of Salida annexed the Suesse Annexation to the City; and;

**WHEREAS**, Petitioner has filed an application to zone the Property within the High Density Residential (R-3) zone district, and on July 9, 2024 the City of Salida Planning Commission considered the zoning application for the Property at a duly noticed public hearing and recommended that the City Council zone it as High Density Residential (R-3); and

**WHEREAS**, as required by the Salida Municipal Code, the public hearing on the zoning application for the Suesse Annexation will be held on August 20, 2024 at a regularly scheduled meeting of the Salida City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, THAT:**

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property described on Exhibit A is hereby zoned R-3 High Density Residential.
3. Promptly following adoption of this Ordinance, the City Administrator shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 16-4-210 of the Salida Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Chaffee County Clerk and Recorder. The City staff is further directed to comply with all provisions of the Salida Land Use Regulations, SMC §16-1-10, et seq., to implement the provisions of this Ordinance.

**INTRODUCED ON FIRST READING**, on the 6<sup>th</sup> day of August, 2024, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 9<sup>th</sup> day of August, 2024, and set for second reading and public hearing on the 20<sup>th</sup> day of August, 2024.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF SALIDA, COLORADO

\_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and BY TITLE ONLY, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Clerk/Deputy City Clerk

## **EXHIBIT A**

ALL THAT TRACT OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, ALSO BEING LOT 1-R, "CONFLUENCE ROAD SUBDIVISION EXEMPTION FOR PUBLIC BENEFIT", CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WITNESS CORNER TO THE NORTH QUARTER CORNER OF SAID SECTION 9, BEING MARKED BY A 3 1/4" B.L.M. BRASS CAP, FROM WHENCE THE TRUE NORTH QUARTER CORNER OF SAID SECTION 9 BEARS SOUTH 88°48'25" EAST, A DISTANCE OF 74.51 FEET;  
THENCE SOUTH 88°48'25" EAST ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 380.68 FEET TO THE WEST RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD 105;  
THENCE SOUTH 25°25'46" EAST, A DISTANCE OF 16.62 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHERLY A DISTANCE OF 16.89 FEET ALONG THE ARC OF A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 1°10'48", A CHORD LENGTH OF 16.89 FEET AND A CHORD BEARING OF SOUTH 25°05'57" EAST;  
THENCE CONTINUING SOUTHERLY ALONG SAID ARC A DISTANCE OF 152.25 FEET DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 10°35'15", A CHORD LENGTH OF 152.03 FEET AND A CHORD BEARING OF SOUTH 19°11'24" EAST TO A POINT OF TANGENCY;  
THENCE SOUTH 13°53'16" EAST, A DISTANCE OF 268.86 FEET;  
THENCE SOUTH 12°48'58" EAST A DISTANCE OF 60.18 FEET, THIS AND THE PRECEDING 4 COURSES ARE ALONG SAID WEST RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD 105;  
THENCE SOUTH 73°55'54" WEST A DISTANCE OF 466.73 FEET;  
THENCE NORTH 15°21'10" WEST A DISTANCE OF 343.21 FEET;  
THENCE NORTH 03°10'18" EAST A DISTANCE OF 300.18 FEET TO THE POINT OF BEGINNING.  
CONTAINING 5.98 ACRES, MORE OR LESS.

### ***SUESSE ANNEXATION TO THE CITY OF SALIDA***

A PORTION OF CONFLUENCE ROAD AND LOT 1-R  
CONFLUENCE ROAD SUBDIVISION EXEMPTION  
FOR PUBLIC BENEFIT  
CHAFFEE COUNTY, COLORADO



**LANDMARK**

**SURVEYING & MAPPING**

P.O. BOX 668 SALIDA, CO. 81201  
PH: 719.538.4051 FAX: 719.538.4051

To: Salida City Council  
RE: Letter of Intent – Annexation of 6953 CR 105

Salida City Council:

My name is Ned Suesse and I own the property located at 6953 CR 105, Salida CO 81201. Attached, you will find an annexation application for my property. The City is requiring this annexation due to a pre-annexation agreement that was executed prior to my purchase of the property. I have no development plans for the property once annexed.

Following are a list of conditions for my annexation that will need to be incorporated into an Annexation Agreement that is approved concurrently with the approval of the annexation.

1. R3 Zoning for the property;
2. No requirement to cost share for any non-contiguous road or bridge improvements;
3. Acknowledgment and documentation of the City's intent to serve my property with utilities;
4. Acknowledgment and documentation of all existing cost recovery agreements and agreement that no cost recovery will be required of improvements made by other parties beyond those specifically referenced in an Annexation Agreement;
5. Expressly allow use of the existing well until failure, after which time the owner shall connect to city water;
6. Existing agricultural uses are allowed to continue and associated structures may remain on the property;
7. Existing structures and a surrounding envelope of 200' or the property boundary, whichever is greater, as pre-existing, non-conforming structures, are exempt from future minimum density calculations; and
8. Acknowledgment that .27 acre Confluence Road dedication was made by the owner free from any compensation.
9. Short term rental permit made available at the time of annexation for the primary residence;

Because I have no current plans for development, the following issues will be tabled until such time that a future owner or myself move forward with a development plan since these items will be based on the requested units and density and subject to the city code requirements at time of development:

1. Dedication of rights-of-way;
2. Dedication of parks and open space;
3. Affordable and inclusionary housing requirements; and
4. Building envelopes and plans.

These items have been discussed with City staff over the course of several years. You will find an application fee included with this application as well as the most recent plat of the property. Feel free to reach out to me with any questions.

Sincerely,



Ned Suesse



## ANNEXATION PETITION

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### "INSERT A"

(Description of territory proposed for annexation)

Lot No. 1

TRIPLE T RANCH MINOR SUBDIVISION

per Plat filed November 30, 2015 at Reception No. 423912

Chaffee County, Colorado

also know by street and number as: 6953 County Road 105, Salida CO 81201



## GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-539-4555 Fax: 719-539-5271

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

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Annexation               | <input type="checkbox"/> Administrative Review:<br>(Type) _____                    |
| <input type="checkbox"/> Pre-Annexation Agreement            |  |
| <input type="checkbox"/> Appeal Application (Interpretation) | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____                    |
| <input type="checkbox"/> Certificate of Approval             |  |
| <input type="checkbox"/> Creative Sign Permit                | <input checked="" type="checkbox"/> Major Impact Review:<br>(Type) <u>Rezoning</u> |
| <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: NED SUESSE

Mailing Address: 6953 CR 105, SALIDA, CO 81201

Telephone Number: 719-338-4077 FAX: \_\_\_\_\_

Email Address: NED @ NED SUESSE, 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: SUESSE ANNEXATION

Street Address: 6953 CR 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 5/22/24

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



## LIMITED IMPACT & MAJOR IMPACT SUBMITTAL REQUIREMENTS

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

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

### 1. PROCEDURE (Section 16-3-80)

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

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

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

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

- ☐ 6. Developments involving construction shall provide the following information:
- (i) A development plan map, at a scale of one (1) inch equals fifty (50) feet or larger with title, date, north arrow and scale on a minimum sheet size of eight and one-half (8½) inches by eleven (11) inches, which depicts the area within the boundaries of the subject lot, including:
    - a. The locations of existing and proposed land uses, the number of dwelling units and the square footage of building space devoted to each use;
    - b. The location and dimensions, including building heights, of all existing and proposed Buildings or structures and setbacks from lot lines or building envelopes where exact dimensions are not available;
    - c. Parking spaces;
    - d. Utility distribution systems, utility lines, and utility easements;
    - e. Drainage improvements and drainage easements;
    - f. Roads, alleys, curbs, curb cuts and other access improvements;
    - g. Any other improvements;
    - h. Any proposed reservations or dedications of public right-of-way, easements or other public lands, and
    - i. Existing topography and any proposed changes in topography, using five-foot contour intervals or ten-foot contour intervals in rugged topography.
  - (ii) 24" x 36" paper prints certified by a licensed engineer and drawn to meet City specifications to depict the following:
    - a. Utility plans for water, sanitary sewer, storm sewer, electric, gas and telephone lines;
    - b. Plans and profiles for sanitary and storm sewers; and
    - c. Profiles for municipal water lines; and
    - d. Street plans and profiles.
  - (iii) Developments in the major impact review procedure shall provide a development plan map on paper prints of twenty-four (24) inches by thirty-six (36) inches, with north arrow and scale, and with title and date in lower right corner, at a scale of one (1) inch equals fifty (50) feet or larger which depicts the area within the boundaries of the subject lots and including those items in Section 16-3-40(a)(3).

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

- ☐ 8. Any subdivision request including a plat meeting the requirements of Section 16-6-110;
- ☐ 9. Any other information which the Administrator determines is necessary to determine whether the proposed development complies with this Code, including but not limited to the following:

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

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

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

(iv) Engineering specifications for any improvements.

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

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

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

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

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

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

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



water needed on an average day and at peak time, and the resulting amounts of sewage to be treated shall be expressed in gallons per day.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THE ZONING IS IN RESPONSE TO CITY REQUEST, SO  
I ASSUME IT IS CONSISTENT

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.

PER CITY REQUEST

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

NO DEVELOPMENT OR CHANGE

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.

NO CHANGE OR DEVELOPMENT

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.

NO DEVELOPMENT OR CHANGE

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.

NO DEVELOPMENT OR CHANGE

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 DEVELOPMENT OR CHANGE