



CITY COUNCIL ACTION FORM

DEPARTMENT Community Development	PRESENTED BY Bill Almquist - Community Development Director Cheney Bostic – Studio Seed, Inc. (Master Plan Consultants)	DATE December 5, 2023
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ITEM:

(Continued) Second Reading and Public Hearing for Ordinance 2023-16: An Ordinance of the City Council for the City of Salida, Colorado Approving a Substantial Modification of Parcels VPA-1, VPA-7, VPA-8, and VPA-9 of the Vandaveer Ranch Planned Development to Modify the Overall Development Plan by Changing Various Map, the Entitlements, Dimensional Standards, and Other Standards Regarding the South Ark Neighborhood

UPDATE SINCE CONTINUATION (11/21/23):

At the November 21st public hearing, City Council directed staff to provide a slate of alternative options to the original proposal that a minimum of 25% of all units (up to approximately 100 units in all) be reserved for market-rate (i.e. “non-income-based”) workforce housing, subject to a minimum 5-year deed restriction. Staff and consultants from Studio Seed subsequently discussed several options that would still protect the financial viability of the project (including the approximately 200 affordable units proposed for the site). Previous case studies of similar developments were reviewed, but none were found that included non-income-based workforce deed restrictions. Further research on the topic determined that this concept is fairly new and primarily geared toward very high-priced resort markets (e.g. Vail, Summit County, Telluride, Jackson Hole, etc.) where these communities offer individual market-rate homeowners a significant financial incentive to deed-restrict their own property for the local workforce—it is uncommon in new construction, however. Therefore, staff is recommending that Council consider the on-the-ground implications and feasibility of implementation when reviewing the following four options which are listed from least-restrictive to most restrictive below. Pros and cons are listed for each to assist with decision-making:

Option #1 – Eliminate the market-rate workforce housing requirement (simplify requirements to a minimum of 50% of all units permanently affordable and a maximum of 50% of all units at general market rate)

Pros:

- Simpler, more straightforward.
- The risk to the potential developer partner(s) is lower than with the non-income-based deed restriction model, thereby providing the highest likelihood of finding a developer(s) to build out the project, including all the affordable units.
- The overall requirements of administering deed-restrictions (anticipated by the Housing Authority) would be the least (no non-income-based workforce units to oversee).
- Leaves negotiation room for offering some market-rate units to the local workforce first, or potentially a slightly larger % of affordable units via developer agreements that Council would review and approve.

Cons:

- Members of the local workforce who do not qualify for the affordable units would have no competitive advantage in buying the other units on the open market.



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Option #2 – Extend the Deed Restriction Duration of the Original Proposal but Reduce the Required Percentage of Units (minimum of 10% of all units, or min. of approx. 40 units, deed-restricted as market-rate workforce housing, for a min. of 7 years, with options to increase the percentage in later phases)

Pros:

- This could provide a minimum of approximately 40 “bonus” units to give a competitive advantage to the local workforce over other potential buyers/renters. Could increase to greater numbers if proven successful.
- Provides an opportunity to “test” out the market-rate workforce housing concept, which is unproven as an integral part any other comparable developments, to determine its potential for success.
- A minimum of 7 years is long enough to ensure that a buyer would not simply “flip” the home for significant profit and would remain a contributing member of the community/workforce. Additionally, many of the homes could be expected to be occupied by the same households for considerably longer.
- If the home were to be sold within 7 years of completion, it would still need to be sold to another member of the local workforce.

Cons:

- There is risk to a potential developer(s) being able to sell the market-rate workforce units (which will help pay for building the affordable units) due to the deed restrictions, though that risk is minimal given the relatively low number of those units and the limited deed-restriction duration. This risk may jeopardize the project as a whole.
- Over time, and after the deed restrictions have expired, these units may be passed on to individuals/households outside of the local workforce.
- Those fortunate enough to initially purchase the units could possibly see disproportionate profit once the deed restriction has expired and the home is sold on the general market (if general market prices have increased significantly). There is still risk involved, however.
- More complicated for the potential development partner(s) than just a min. 50% affordable, max. 50% market model—additional uncertainty involved.
- As some of the homes could potentially be resold within the deed restriction timeline, there would likely be additional requirements for the Housing Authority to administer these units, and the requirements could increase if the percentage of such units were increased in later phases.



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Option #3 – Original Proposal (25% of all units, or up to approx. 100 units, deed-restricted as non-income-based workforce housing, at market rate, for a minimum of 5 years)

Pros:

- This could provide a minimum of approximately 100 “bonus” units to give a competitive advantage to the local workforce over other potential buyers/renters.
- If the home were to be sold within 5 years of construction, it would still need to be sold to another member of the local workforce.

Cons:

- There is considerable risk to a potential developer(s) being able to sell the market-rate workforce units (which will help pay for building the affordable units) due to the required number of deed restrictions. This risk may jeopardize the project as a whole.
- There are concerns from some that a minimum of only 5 years may not be long enough to ensure that some buyers would not “flip” the home for profit on the general market and potentially leave the workforce after 5 years?
- Over time, and after the deed restriction has expired, these units may be passed on to individuals/households outside of the local workforce.
- Those fortunate enough to initially purchase the units could possibly see disproportionate profit once the deed restriction has expired and the home is sold on the general market (if general market prices have increased significantly). There is still risk involved, however.
- More complicated for potential project developers than just a min. 50% affordable, max. 50% market model—additional uncertainty involved.
- As some of the homes would likely be resold within the deed restriction timeline, there would be additional requirements for the Housing Authority to administer these units.

Option #4 – Original Proposal Plus a Revolving First-Right of Refusal (25% of all units, or up to approx. 100 units, deed-restricted as non-income-based workforce housing, at market rate, for a minimum of 5 years, plus first-right of refusal (FRR) for every sale transaction thereafter, in perpetuity)

• Pros:

- This could provide a minimum of approximately 100 “bonus” units to give a competitive advantage to the local workforce over other potential buyers/renters.
- If the home were to be sold within 5 years of construction, it would still need to be sold to another member of the local workforce.
- If the home were to be sold *after* 5 years, a first right of refusal grace period would be required to provide opportunity for the local workforce to bid on the home without competition from others.



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- Cons:
 - There is considerable risk to a potential developer(s) being able to sell the market-rate workforce units (which will help pay for building the affordable units) due to the required number of deed restrictions. This risk may jeopardize the project as a whole.
 - There are concerns that a minimum of only 5 years may not be long enough to ensure that some buyers would not “flip” the home for profit on the general market and potentially leave the workforce after 5 years.
 - Over time, and after the deed restriction has expired, these units may be passed on to individuals/households outside of the local workforce (though the FRR may help prevent some).
 - Those fortunate enough to initially purchase the units could possibly see disproportionate profit once the deed restriction has expired and the home is sold on the general market (if general market prices have increased significantly). There is still risk involved, however.
 - More complicated for potential project developers than just a min. 50% affordable, max. 50% market model—additional uncertainty involved.
 - As some of the homes would likely be resold within the deed restriction timeline, there would be additional requirements for the Housing Authority to administer these units. Additionally, the FRR would apply to all in perpetuity, which would require additional administration and oversight to ensure the rule is being followed correctly.
 - Issues could arise over time with tracking and enforcing a FRR (reliant on title companies).

STAFF RECOMMENDATION

Although the original proposal included a provision for an additional 100 units that could be reserved for the local workforce at market rate, additional analysis and consideration leads Staff to strongly recommend that Council choose the simplest option (Option #1—minimum of 50% of all units as permanently affordable and a maximum of 50% of all units as general market rate, eliminating the non-income based local workforce units). This option will provide a development partner with the greatest level of certainty and the lowest amount of risk to better ensure eventual development of at least approximately 200 permanently-restricted affordable units. This option would also simplify the development agreement and put the smallest relative administrative burden on the Chaffee Housing Authority—which is still a relatively new organization with no permanent or stable funding source and few staff—but will already be tasked with administering many other inclusionary housing units constructed around the City. It should also be noted that unit sizes and lot sizes in the South Ark Neighborhood are limited via the proposed PD modification, which may keep the market-rate costs from being inflated to costs that are seen in other parts of town (where units and lots are larger). These units may naturally be more suited for the local workforce anyhow, both in size and cost. Subsequent development agreement(s) with development partner(s) would also provide opportunities to negotiate prioritization of the local workforce when offering market rate units, and perhaps even more affordable units.



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If an option with market-rate local workforce units absolutely must be chosen, staff would strongly recommend Option #2, which will provide a potential developer with the smallest level of uncertainty relative to all other options and allow for this unproven new concept (within new development, anyways) to be tested to see if those units can actually sell. The risk (with this option as well as all other options that include this concept) is that, if those units do not sell, the project will likely stall and permanently affordable units (as well as other market rate units) will not be built. But, if the concept proves to be successful, it has the opportunity to be expanded in future phases. It should be noted, however, that when a local developer was recently posed with a similar proposal during a public hearing, they pushed back at the idea noting that it limited the pool of potential buyers and would significantly increase their risk.

Note: A “clawback” option for potentially disproportionate profits was considered but was determined to add so much risk and administration as to make the project untenable. Additionally, the vast majority of subsidization in this process is going towards the minimum 50% of affordable units, via defrayed land and infrastructure costs. The amount of subsidy that would potentially be realized via any market-rate local workforce units (shown by the difference in those unit sales prices from general market sales prices) would be minimal—and, if it were to be more substantial, then the timely construction of affordable units would be jeopardized anyways.



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APPLICANT: The applicant is the City of Salida, 448 E. 1st Street, Salida, CO 81201.

REQUEST SUMMARY:

The request is to amend the Vandaveer Ranch Overall Development Plan (ODP) specifically for the 93.5 acres owned by the City of Salida on the west side of the ODP area. The area currently encompasses four “Vandaveer Planning Areas” (VPAs) of the ODP: the primarily residential area (VPA-1) —formerly referred to as the “Vandaveer Neighborhood” which is now referred to as the “South Ark Neighborhood”—and three parks and open space areas (VPA-7, VPA-8, and VPA-9) which are intended, collectively, to be named “Vandaveer Regional Park.” The remaining VPAs to the east of the subject site are not part of this modification request.

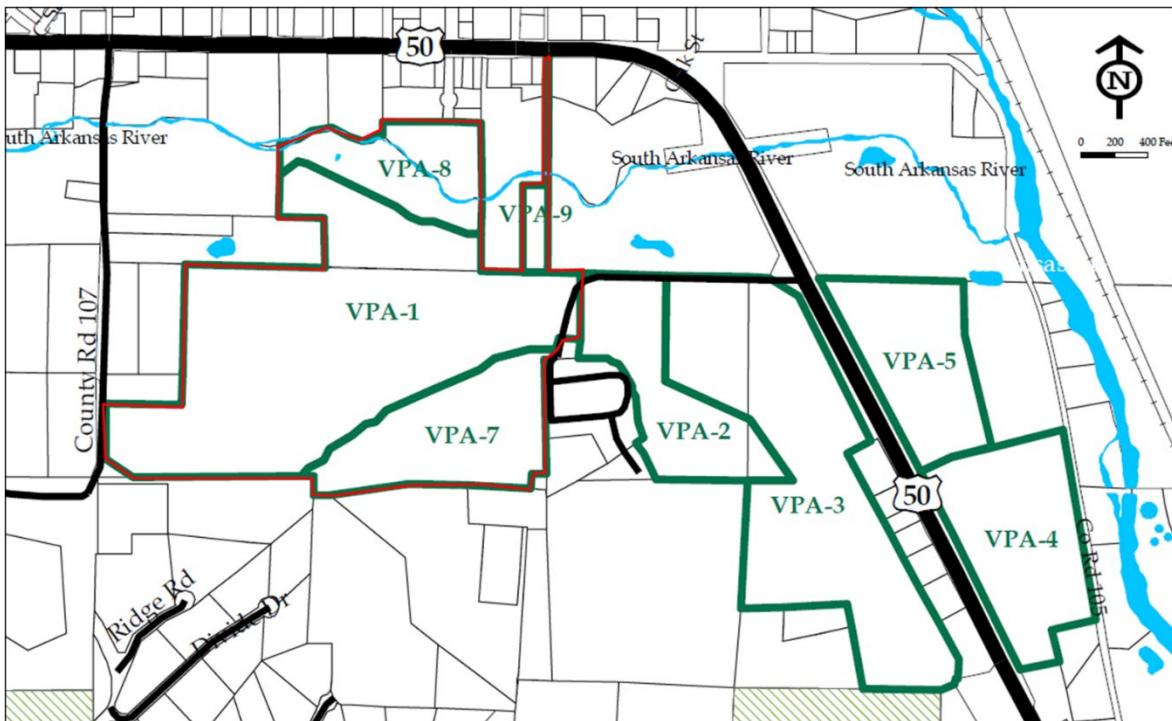


Figure 1: Existing Vandaveer Ranch Overall Development Plan (ODP) Map with PD Modification Area Outlined in Red



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The PD modification request proposes the following:

- Revisions to the boundaries and sizes of the 4 subject VPAs (VPA-1 is reduced significantly due to natural features and other factors; VPA-9 is increased significantly to account for park uses and the recent City of Salida/Snyder land swap; VPA-7 remains primarily the same; and VPA-8 is adjusted slightly to account more river corridor and the recent land swap.
- Amendments to the purposes and goals of the various VPAs.
- The creation of three subarea zone districts within VPA-1: SA-1, SA-2, and SA-3.
- Revisions to the use and dimensional standards for the three subareas.
- Revisions to the use standards for VPA-7, VPA-8, and VPA-9.
- Revisions to non-residential development square footage allowed in VPA-8 & VPA-9.
- Unique affordable and workforce housing requirements and definitions above and beyond those of the City’s current inclusionary housing requirements.
- Specification of desired street sections and connections to surrounding areas.
- Specification around utilities and stormwater management.
- Updated Development and Design Standards for the South Ark Neighborhood area.
- Inclusion of updated maps specific to entitlements, zone districts, multi-modal circulation, and open space/parks.
- Guidance regarding phasing and implementation of the project.
- Other relevant language.

The overall number of primary units allowed on the site (up to 400) does not change, nor does the maximum residential building height that was allowed within the original ODP (up to 40 feet for multi-family in relevant zones), though some areas would be limited to 30 feet. If approved, final development/subdivision plans would also be required to be approved prior to issuance of any building permits.



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SITE LOCATION: South of Highway 50, East of CR 107 and West of CR 104

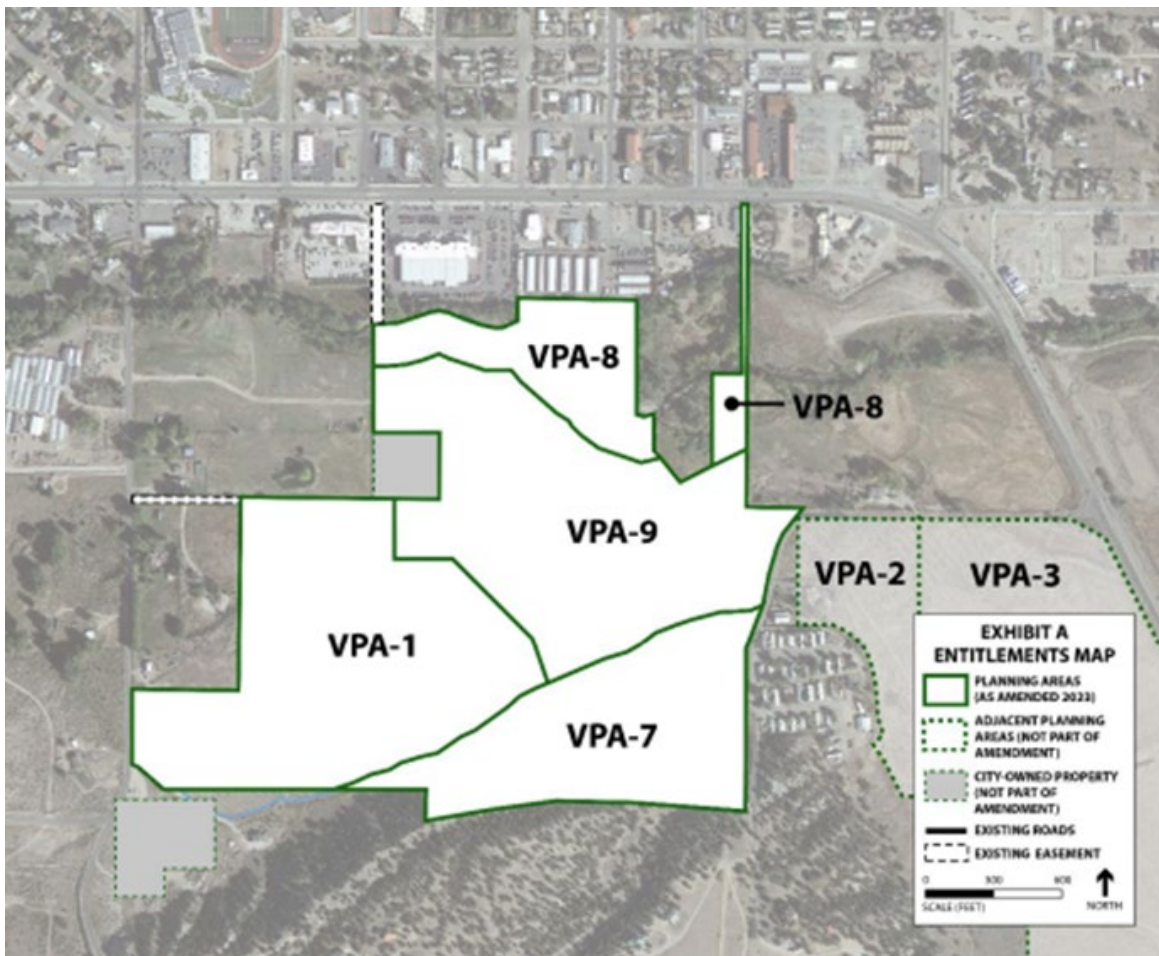


Figure 2: Site Location and Proposed Entitlements Map with Revised Planning Area Boundaries



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PHOTOS OF SUBJECT AREA:



PROCESS:

An application for a substantial modification to an approved Planned Development must follow a two-step process. The request is first addressed by the Planning Commission through a public hearing process. The Commission makes a recommendation of approval, approval with conditions, or denial of the request to City Council. The Commission may also remand the application back to the applicant for further information or amendment.



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The City Council has final decision-making authority in such applications. During the review of any proposed substantial modification to the PD, the City Council may require such new conditions of approval as are necessary to ensure that the development will be compatible with the current community standards and regulations. This shall include, but not be limited to, applying the portions of the PD which have not obtained building permits, or are subject to the proposed amendment, any new community policies or regulations which have been implemented since the PD was originally approved. An applicant may withdraw a proposed modification at any time during the review process. A request for a substantial modification shall be accompanied by the same type and quality of information as was necessary for the original PD Development Plan approval and shall include a map of the entire PD Development Plan area which clearly defines that portion which is proposed for modification and a written justification of the proposed modification, including a discussion of any changes in impact which would result from the modification.

BACKGROUND AND DETAILS OF REQUEST:

In 2004, the City of Salida purchased approximately 200 acres of the former Vandaveer Ranch for the purposes of water rights and future development potential. An overall development plan (ODP) was created for the entire site in 2006 to provide for a variety of residential, commercial, recreational and open space opportunities and was subsequently updated in 2011. Attempts to develop out portions of the property around that timeframe failed for a variety of reasons, and the property was eventually transferred to a quasi-governmental board in 2012 to steward. Between 2016 and 2018, following additional planning efforts and projects that did not materialize, approximately half of the entire ODP area (west of the subject site) was sold off to a variety of private developers and other public entities. The remaining approximately 93.5 acres on the western side of the ODP area was then returned to the City of Salida in 2018. The ODP was amended once more in 2020 via the Confluent Park PD Modification which affected only VPA-5. In 2022, the City conducted a minor .9-acre land swap with an adjacent property owner northeast of the City property in order to increase the usability near the eastern entrance to the site. That swap is reflected in the mapping changes proposed.

In light of the current housing crisis and dwindling vacant/developable lands within city limits, City Council directed staff to initiate a new master planning process for the remaining parcel. The process kicked off January 2023 with the assistance and expertise of Studio Seed, a multi-discipline consulting organization. The process included a host of public engagement opportunities, including open houses, presentations, site tours, design charrettes, several Planning Commission and City Council work sessions, and more. The site was originally designated for a combination of primarily residential, recreational, and some commercial use as part of VPA-1 (Vandaveer Neighborhood), while VPAs 7, 8, and 9 were designated primarily for parks and open space—the preferred master plan concept for the South Ark Neighborhood that resulted out of the recent master planning process (which is the basis for this proposed PD modification) maintains and expands upon the purpose and intent of the original ODP while also reflecting some of the underlying constraints of the site.



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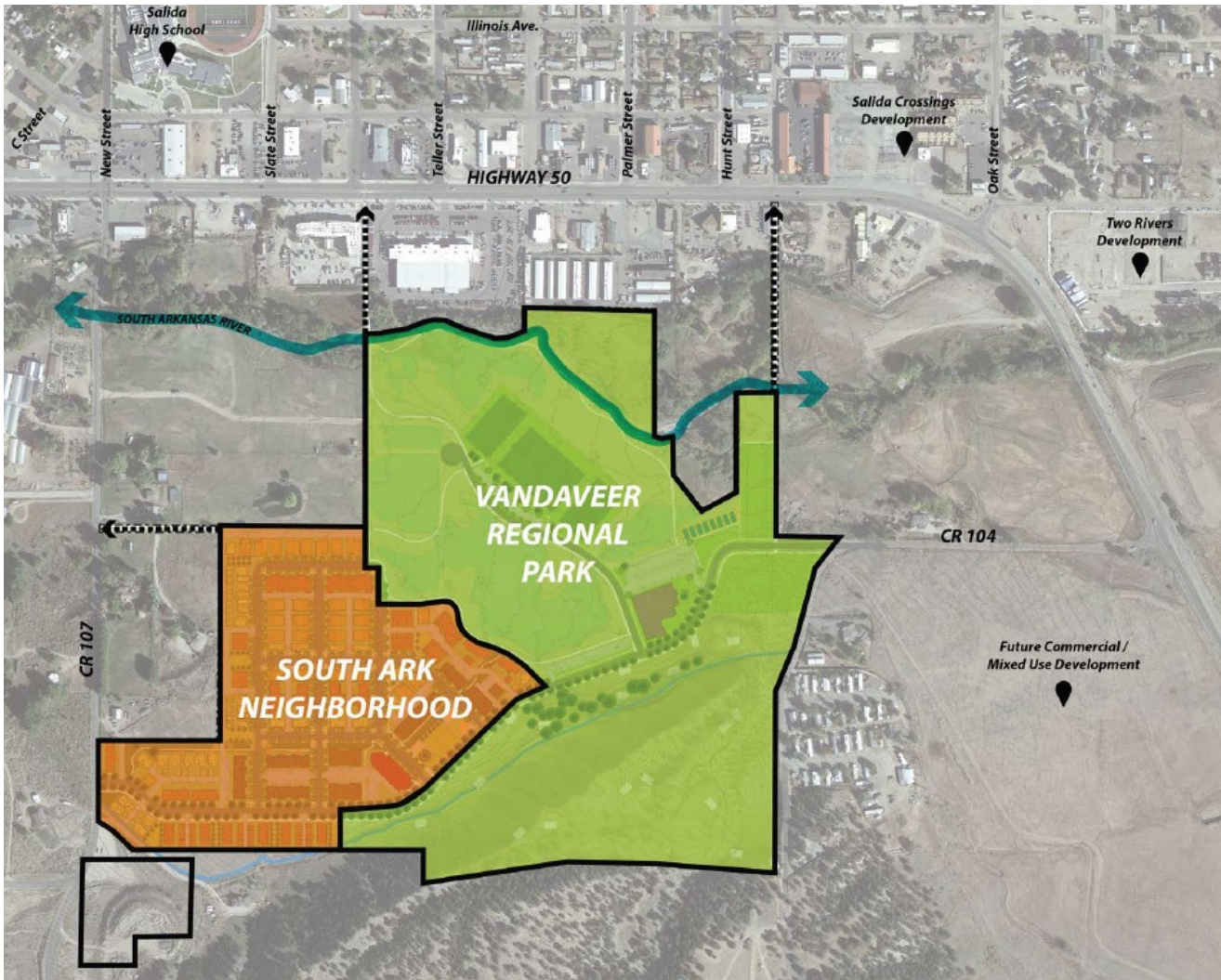


Figure 3: Overview of Master Plan for South Ark Neighborhood



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Figure 4: Master Plan Details for South Ark Neighborhood



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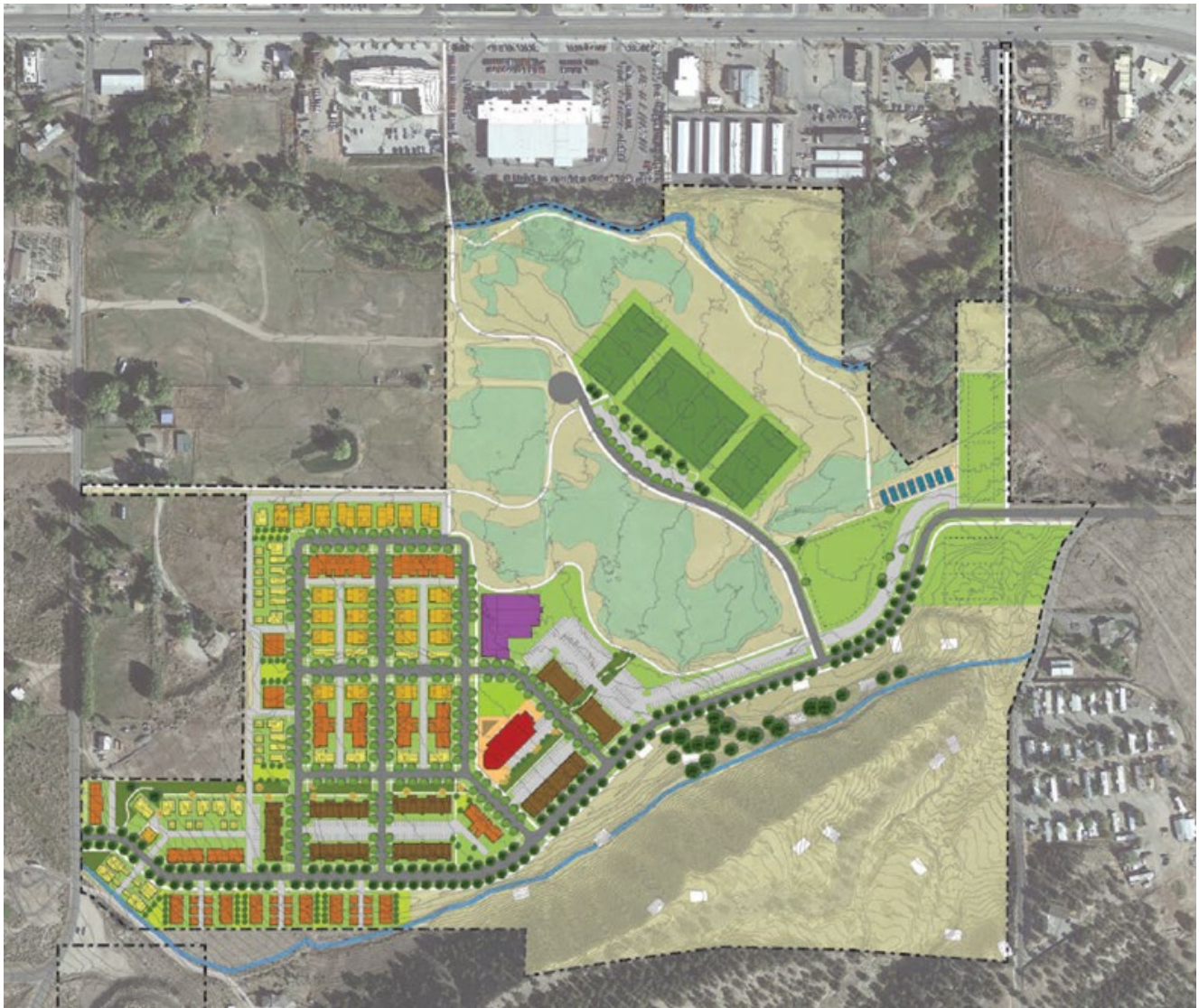


Figure 5: Master Plan Details for South Ark Neighborhood (Alternative Option)



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The preferred master plan for the site (Figure 4) allows for up to 400 primary units within VPA-1 and shows a future civic/educational/recreational facility towards the eastern edge of the site, within VPA-9. An alternative option (Figure 5) would allow for 350 – 400 units (in greater concentration within VPA-1), with a civic/educational/recreational facility in the northeastern portion of that VPA, in the case that housing is no longer the top priority by the time that specific area is developed in a final phase (and assuming such a facility has not already been constructed). The modification request provides flexibility for both scenarios and maintains the original 400-unit maximum for primary housing units over approximately 33 developable acres, plus over 60 acres for parks, open space, recreational and other civic purposes (proposed as “Vandaveer Regional Park”).

The primary modifications to the ODP involve the boundaries of the four planning areas and the concentration of the residential units into the southwestern portion of the site. These changes reflect the constraints of a variety of natural features identified on the site: including floodplain, fluvial and alluvial hazards, topography, seasonal springs, and a more extensive wetlands delineation than was previously known. The modification also proposes a variety of refinements to allowed uses and dimensional standards, especially in VPA-1, as well as greater specificity in regard to the planned transportation network, utility connections, and the like. Highlights of these changes are described in greater details in the sections below.



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Planning Area Entitlements Chart

Planning Areas	Zoning	Gross Area	Dwelling Units and Commercial Lodging Units ¹	Non-residential ² Development Square Footage
PROPOSED DEVELOPMENT	Corresponding Zone District	(Acres)	(up to and including)	(up to and including)
VPA-1	SA-1, SA-2, SA-3, POS per South Ark Neighborhood PD Mod	32.7	400	25,000
VPA-2	Transitional Residential	15.6	130	30,000
VPA-3	Mixed Use Village	44.1	180 (includes commercial lodging units)	300,000
VPA-4	Mixed Use Village	21.7	125 (includes commercial lodging units)	100,000
VPA-5	R-3, RMU and C-1 per Article 10. Confluent Park ³	15	289 ³	125,000 ³
VPA-7	Open Space/Parks	19.4	0	2,500
VPA-8	Open Space/Parks	11.3	0	0
VPA-9	Open Space/Parks	30.1	0	40,000
Total		189.9	1,124 units	622,500 SF

¹ This represents the total number of units but does not specify if they are single family, attached, or stacked units.

² Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development.

³ See Article 10, Confluence Park Standards



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Subarea Creation for VPA-1 (South Ark Neighborhood)

The modification changes the zoning of VPA-1 from “Vandaveer Neighborhood” to three zoning subareas within the residential South Ark Neighborhood (SA-1, SA-2, and SA-3) reflecting varying levels of development intensity that generally increases as you move from southwest to northeast, as shown below:

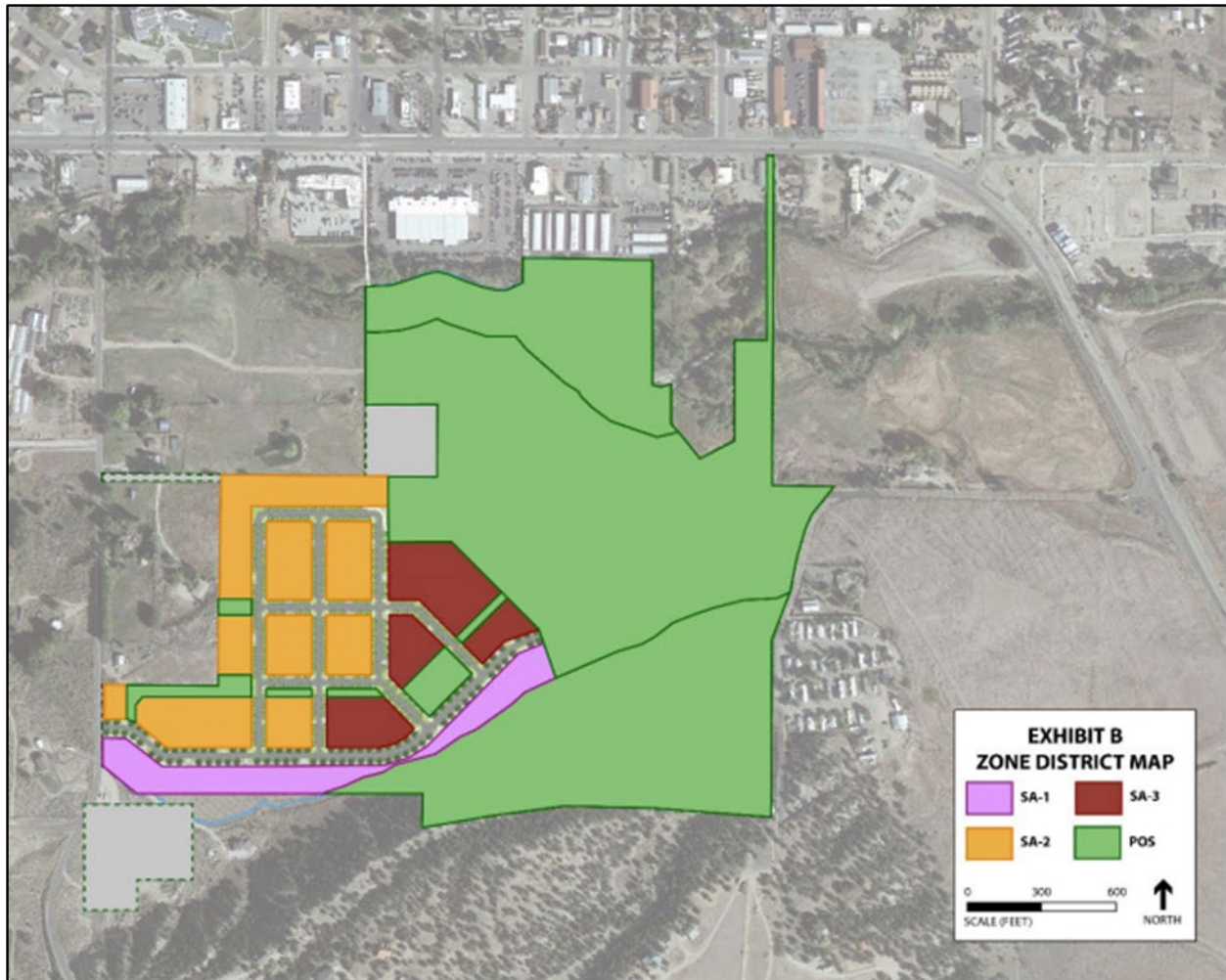


Figure 7: VPA-1 Zone District Subarea Map



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Uses

The use standards at Sections 4.03 and 4.06 of the ODP are updated to reflect the above subareas for VPA-1 as well as the three parks and open space planning areas (VPA-7, VPA-8, and VPA-9). In general, SA-1 allows for a variety of low-to-mid-density residential development, SA-2 allows for a variety of mid-to-high-density residential development, and SA-3 allows for primarily high-density residential development, along with some limited commercial uses (inc. daycare facilities). This represents considerably more concentration of units than is permitted in the current Vandaveer Neighborhood district uses in order to maintain the same number of residential units. SA-3 also allows for a variety of public, institutional, and recreational uses via administrative review, provided housing is not prioritized by the time the northeast extent of the neighborhood is developed (such public and non-profit uses are already exempted from total allowable development square footage, per the ODP). It is also worth mentioning that neither detached single-family dwellings nor short-term rentals would be permitted in SA-3. A maximum of 30 accessory dwelling units (not to count towards the 400-unit maximum) would be allowed throughout the entire site, along with other accessory uses (per code requirements).

The uses for the various planning areas of the to-be-created Vandaveer Regional Park are as follows: The uses within VPA-7 (Ridgeline/Wash Area) would be limited primarily to primitive existing uses such as a disc golf course, hiking trails, as well as a dog park, bike skills track, etc., while the uses within VPA-8 (River Corridor Area) would be sensitive to natural ecological processes of that area and limited to trail access, fishing, outdoor education signage, etc. The permitted uses within VPA-9 (Active Recreation Area) would be much more diverse, including a variety of sports fields and recreation facilities, other civic and educational facilities, daycare facilities, community gardens, dog park, and other potential uses.

Dimensional Standards

The PD modification request outlines proposed dimensional standards for the VPA-1 subareas in a corollary revision to Section 5.06 Table of Dimensional Standards as shown below. The changes correspond to the increased concentration of units and choices of housing types, while actually reducing the allowable height in specific areas along the far southern and western edges of VPA-1. Note that several other dimensional standards have been added for these subareas, specifically, including specific setbacks, maximum unit size, and minimum and maximum densities.



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DIMENSIONAL STANDARD	(former) Vandaveer Neighborhood	SA-1	SA-2	SA-3
Minimum Lot Area	3,000 sq. ft. per unit – res. 5,000 sq. ft. non res.	2,400 sq. ft. single family 1,600 sq. ft. attached	2,000 sq. ft. single family 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.
Minimum Lot Width	30'	30' single family 20' attached	25' single family 15' attached	15' attached N/A multi-family/non-residential
Minimum Front Setback*	18' on one side, 5' on all other sides	15'	10'	10' residential 5' non-residential
Minimum Side Setbacks		3' accessory structure 5' primary structure	3' accessory structure 5' primary structure	3' accessory structure 5' primary structure
Minimum Rear Setbacks		5'	5'	5'
Maximum Lot Coverage (paved parking and structures)	60%	60%	60% 75%	90%
Maximum Height – single family	35'	30', no more than 2-stories	30', no more than 2-stories	N/A
Maximum Height – multi-family, non-residential, and mixed use	40', no more than 3 stories	30', no more than 2-stories	40', no more than 3 stories 30', no more than 2 stories fronting CR 107	40', no more than 3 stories
Maximum Height – accessory buildings	25'	25'	25'	25'
Maximum unit size (above grade)		2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
Minimum Density (Max. lot SF per unit)		4,800 sq. ft./unit	4,000 sq. ft./unit	3,200 sq. ft./unit
Maximum Density (Min. lot SF per unit)		1,600 sq. ft./unit	1,200 sq. ft./unit	N/A

*Up to 5-ft. encroachment allowed for covered porches.

Figure 8: Dimensional Standards Table (5.06) for VPA-1 Subareas with Comparison to Existing Standards



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Affordability and Workforce Housing Requirements

As this property is considered one of the best opportunities to address the current workforce housing challenges, the modification proposes specific affordability and employment requirements for the South Ark Neighborhood that is well above and beyond the requirements of the City’s Inclusionary Housing policies. In particular, it proposes that a minimum of 50% (up to 200 primary units) of all housing is to be legally-restricted affordable for the Chaffee County local workforce (certain exceptions are made for qualifying seniors) and an additional 25% (up to 100 primary units) of all housing is to be legally-restricted for the local Chaffee County workforce (non-income-based) for a minimum of 5 years.

The modification states that the breakdown between rental units and for-sale units shall be approximately equal, with affordable rental units restricted affordable to households between 30% and 100% Area Median Income (AMI), with at least half at 80% AMI or below; and for-sale units restricted affordable to households between 60% and 160% AMI, with the average being at 130% AMI or lower and no more than 15% of such units being restricted above 140% AMI. Furthermore, language is proposed that will ensure affordable units are being built at a roughly proportionate rate to market-rate units in each zone and throughout each phase of development.

Additionally, as mentioned above, short-term rentals would not be allowed in the development, but a limited number of accessory dwelling units would be, in order to further meet affordability needs. Single-family detached dwellings would also be limited throughout the development to a maximum of 30 units. ADUs would only be allowed with single-family attached and detached units. The table below shows the minimum and maximum numbers of allowable units in each subarea of the South Ark Neighborhood:

Residential Minimums/Maximums

Zone District	NetArea (acres)	Units (min)	Units (max)	ADUs (max)
SA-1	3.9	20	30	10
SA-2	10	140	155	15
SA-3	6.4	190	215	5
Total	20.3	350	400	30

Figure 9: Residential Minimum/Maximums

Street Types and Access

The modification proposes a handful of street types desired throughout the development represented via a variety of street sections. The main “spine” road (Type A) connecting CR 104 to CR 107 is a wider boulevard-style street with an adjacent but separated and wide multi-use path, on-street parking, and larger parkways



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conducive for the establishment of larger mature trees. Type B and B2 streets are more like typical local urban roads, while Type C would function more like rural county roads which would access recreation facilities and open space areas, specifically. Type D would function as alley access for buildings in the South Ark Neighborhood. The modification also spells out other multi-modal connections to Hwy 50, CR 107, and CR 104.

Parks and Open Space, Utilities and Stormwater

The modification distinguishes the three VPAs zoned Open Space/Parks into separate categories (VPA-7 as “Ridgeline/Wash Area”, VPA-8 as “River Corridor Area”, and VPA-9 as “Active Recreation Area”). As discussed above, it also provides additional specification of uses and functions for each of those areas. Additionally, the modification discusses the timing for construction of the small neighborhood park to be located within SA-3 of VPA-1. It also discusses the stormwater greenway that will carry potential floodwaters from the CR 107/CR 108 area towards the Crippen Spring and eventually to the river. Lastly, it discusses additional drainage area/green spaces that may one day take on other uses such as additional right-of-way connections. The modification also provides guidance for installation of infrastructure, inc. water, sewer, and other utilities, including surface stormwater conveyance mentioned above.

Development and Design Standards

The modification updates the previous development and design standards for the Vandaveer Neighborhood (VPA-1) in order to provide some additional architectural/aesthetic standards, parking standards, safety and accessibility for bikes and pedestrians, as well as list of basic environmental and natural hazard resiliency standards.

Phasing

The preferred South Ark Neighborhood master plan proposes development in primarily 3 phases, as shown below (though it is not technically part of the PD modification—the graphics are shown for reference and context purposes only). The PD modification request acknowledges the unpredictability inherent in such a large project and allows for quite a bit of variability in such phasing. At the same time, the modification request emphasizes the importance of having a diversity of housing types, a wide mix of income levels spread throughout the site, and the importance of delivering affordable housing units as quickly as possible.

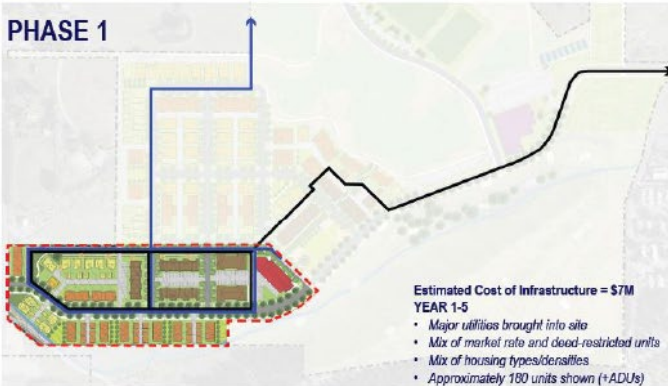


CITY COUNCIL ACTION FORM

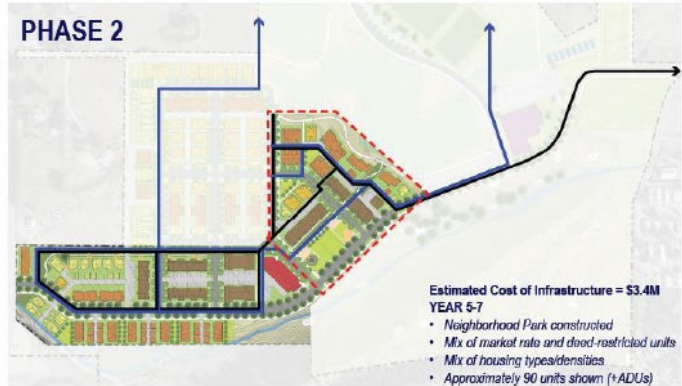
DEPARTMENT	PRESENTED BY	DATE
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POSSIBLE SOUTH ARK NEIGHBORHOOD PHASING

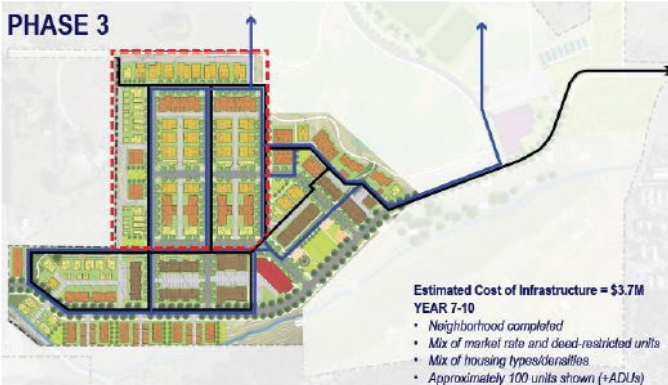
PHASE 1



PHASE 2



PHASE 3



PHASING:

- It is anticipated that it could take up to 10 years (or more, depending on market forces) to build out the South Ark Neighborhood.
- The first phase will bring water from Hwy 50 to the north and sewer from Hwy 50 to the east and take utilities to the furthest point - CR107 neighborhood entrance.
- Each phase would include a mix of market rate and affordable units to make development feasible and a mix of densities and housing types to appeal to a wide variety of people.

NOTE: Phasing diagrams illustrate Site Plan #2 - but similar phasing approach (and cost) would occur for Site Plan #1

REQUIREMENTS FOR APPROVAL OF SUBSTANTIAL MODIFICATIONS TO A PD:

Section 16-7-150 Modifications describes the conditions of when and how a PD may be modified.

(a) All provisions of the PD Development Plan authorized to be enforced by the City may be modified, removed or released by the City subject to the following:

- (1) No modification, removal or release of the provisions of the PD Development Plan by the City shall affect the rights of the residents, occupants and owners of the PD to maintain and enforce those provisions in law or in equity; and



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(2) No substantial modification removal or release of the provisions of a PD Development Plan by the City shall be permitted except upon a finding by the City Council, following a public hearing upon notice as required by this Chapter, that the modification, removal or release is:

- (i) Consistent with the efficient development and preservation of the entire PD;
- (ii) Does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest; and
- (iii) Is not granted solely for a special benefit upon any person.

Staff: In regards to (1), a modification would not affect said rights and, in regards to (2), staff finds that the request is consistent with the efficient development and preservation of the entire PD as described above; does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest (other than that the current open views would eventually include that of the proposed development, which is situated in locations and at height and densities allotments that would minimize those impacts); and is not granted solely for a special benefit upon any person (but rather to the entire community via large percentages of affordable workforce housing).

(b) Residents and owners of land in the PD, may to the extent and in the manner expressly authorized by the provisions of the PD Development Plan, modify, remove or release their rights to enforce the provisions of the plan; but no such action shall affect the right of the City to enforce the provisions of the plan.

Staff: No such modification shall affect the right of the City to enforce provisions of the plan as approved.

(c) An insubstantial modification to an approved PD Development Plan may be authorized by the Administrator. However, insubstantial modifications may only be approved if they promote the terms, purposes and conditions of the original PD Development Plan and approval. The applicant shall make a written request to the Administrator justifying the proposed modification and clearly showing on the PD Development Plan and accompanying written narrative that portion which is proposed for modification. A record of such approved insubstantial modification shall be filed and recorded in the same manner as the original. The following shall NOT be considered an insubstantial modification:

- (1) A change in land use or development concept.
- (2) An increase in residential density levels or building coverage of nonresidential uses.
- (3) An increase in the permitted height.
- (4) A realignment of major circulation patterns or a change in functional classification of the street network.
- (5) A reduction in approved open space or common amenities.



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(6) Other significant changes which involve policy questions or issues of overriding importance to the community.

Staff: The proposed modification is not an insubstantial modification of the PD. This criterion is not applicable.

(d) During the review of any proposed substantial modification to the PD, the City Council may require such new conditions of approval as are necessary to ensure that the development will be compatible with the current community standards and regulations. This shall include, but not be limited to, applying the portions of the PD which have not obtained building permits, or are subject to the proposed amendment, any new community policies or regulations which have been implemented since the PD was originally approved. An applicant may withdraw a proposed modification at any time during the review process. A request for a substantial modification shall be accompanied by the same type and quality of information as was necessary for the original PD Development Plan approval and shall include a map of the entire PD Development Plan area which clearly defines that portion which is proposed for modification and a written justification of the proposed modification, including a discussion of any changes in impact which would result from the modification.

Staff: The workforce/affordable housing requirements of the PD modification, along with provisions for ample recreation and open space more than satisfy any conditions that the City might apply in this situation. Therefore, no conditions are suggested. The applicant has also made a complete application that defines which portions are proposed for modification. The modification meets the above requirements.

PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed the PD Modification proposal at a public hearing on October 10, 2023 and unanimously recommended approval subject to the following conditions (all of which have already been incorporated into the updated narrative portion of the application) :

1. Provide more specific definitions of “Chaffee County local workforce” and “Affordable workforce housing”, including refined language regarding exceptions for seniors.
2. City Attorney will provide legal and non-substantive amendments to the wording of Section 3.3.
3. Accessory Dwelling Units (ADUs) may only be allowed with single-family attached and detached units.
4. Specify that any shared-use bike/pedestrian trails be separated from the primary roads and, where practicable, provide separated bike and pedestrian lanes within such trails, if right-of-way space will allow.



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RECOMMENDED FINDINGS:

The application is in compliance with the review standards for Substantial Modifications to a Planned Development found at Section 16-7-150 of the Land Use Code and is consistent with the efficient development and preservation of the entire PD; does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across the street from the PD or the public interest; and is not granted solely for a special benefit upon any person.

RECOMMENDED MOTION:

“I make a motion to approve Ordinance 2023-16 to approve a Substantial Modification to the Vandaveer Ranch Overall Development Plan for the South Ark Neighborhood, as it is in compliance with the review standards for Substantial Modifications to a Planned Development found at Section 16-7-150 of the Land Use Code.”

Note: Should Council decide to amend the Ordinance with one of the “options” listed above, staff and City Attorney recommend that Council make said motion to amend (and indicate their direction) and add at the end of the amendment, “which final technical language shall be finalized and approved by the City Attorney before publication of the ordinance, with no substantive changes being made.”

Attachments:

- Ordinance 2023-16
- Application materials for Substantial PD Modification
- Narrative of PD Modification (with appendices)
- 2011 Amended Vandaveer Ranch Overall Development Plan
- 2020 Confluent Park PD modification/amended ODP Ordinance
- Description of 2021 Land Swap with Jodie and Barry Snyder
- Public comment letters
- Proof of publication

ORDINANCE NO. 16
(Series 2023)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A SUBSTANTIAL MODIFICATION OF PARCELS VPA-1, VPA-7, VPA-8, AND VPA-9 OF THE VANDAVEER RANCH PLANNED DEVELOPMENT TO MODIFY THE OVERALL DEVELOPMENT PLAN BY CHANGING VARIOUS MAPS, THE ENTITLEMENTS, DIMENSIONAL STANDARDS, AND OTHER STANDARDS REGARDING THE SOUTH ARK NEIGHBORHOOD

WHEREAS, the City Council approved the original Overall Development Plan for the Vandaveer Ranch Planned Development by Ordinance 2006-19 on December 22, 2006; and

WHEREAS, the Overall Development Plan was modified by changing the entitlements, zone district map, dimensional standards and adding new Article 10: Pinto Barn Parcel Standards for Parcel VPA-5 by Ordinance 2011-16 on October 18, 2011; and

WHEREAS, the Overall Development Plan was modified once again by changing the entitlements, zone district map, dimensional standards and Article 10: Pinto Barn Parcel Standards via the Confluent Park Planned Development Amendment; and

WHEREAS, Section 16-7-150 of the Salida Municipal Code (SMC) states substantial modifications to a Planned Development may be amended by the City Council after a public hearing and subject to certain criteria; and

WHEREAS, the City of Salida is the owner of all of Vandaveer Planning Area (VPA) parcels 1, 7, 8, and 9 which encompasses approximately 93.5 acres on the far western side of the Overall Development Plan area; and

WHEREAS, the City of Salida has made an application to amend the Planned Development in accordance with the SMC, to allow development of VPAs 1, 7, 8, and 9 in accordance with new land uses and development standards; and

WHEREAS, the City of Salida Planning Commission held a duly noticed public hearing on October 10, 2023 to review the proposed changes and made a recommendation that the City Council approve the proposed substantial modification of the Planned Development, with conditions, as it met the criteria stated in Section 16-7-150; and

WHEREAS, the proposal for the subject territory is consistent with the policies and goals of the City's land use regulations and Comprehensive Plan, and will advance the public interest and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO as follows:

Section One

The Entitlements Map of the Vandaveer Ranch Planned Development District Overall Development Plan shall be amended for VPAs 1, 7, 8, and 9 (only) as shown in Exhibit A attached hereto.

Section Two

The Zone Districts Map (Exhibit A of Confluent Park PD Amendment) shall be amended as shown in Exhibit B attached hereto.

Section Three

The South Ark Neighborhood portions (VPAs 1, 7, 8, and 9) only of the Circulation Map (Exhibit C of the 2011 Vandaveer Ranch PD Amendment) shall be amended as shown in Exhibit C attached hereto.

Section Four

The Open Space and Parks Map of the Vandaveer Ranch Planned Development District Overall Development Plan shall be replaced with Exhibit D Parks and Open Space Map attached hereto.

Section Five

Section 3.01, the Planning Area Entitlements Chart of Article 3 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be replaced in its entirety, to read as follows:

Planning Area Entitlements Chart

Planning Areas	Zoning	Gross Area	Dwelling Units and Commercial Lodging Units¹	Non-residential² Development Square Footage
PROPOSED DEVELOPMENT	Corresponding Zone District	(Acres)	(up to and including)	(up to and including)
VPA-1	SA-1, SA-2, SA-3, POS per South Ark Neighborhood PD Mod	32.7	400	25,000
VPA-2	Transitional Residential	15.6	130	30,000
VPA-3	Mixed Use Village	44.1	180 (includes commercial lodging units)	300,000
VPA-4	Mixed Use Village	21.7	125 (includes commercial lodging units)	100,000
VPA-5	R-3, RMU and C-1 per Article 10. Confluence Park ³	15	289 ³	125,000 ³
VPA-7	Open Space/Parks	19.4	0	2,500
VPA-8	Open Space/Parks	11.3	0	0
VPA-9	Open Space/Parks	30.1	0	40,000
Total		189.9	1,124 units	622,500 SF

¹ This represents the total number of units but does not specify if they are single family, attached, or stacked units.

² Non-residential square footage includes employment centers, retail, commercial, educational centers, active and passive recreational uses requiring built facilities, commercial lodging, services, arts and cultural facilities, research and development

³ See Article 10, Confluence Park Standards

Section Six

Section 4.01 “Purpose of the Development Zones” of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be amended by replacing the paragraph beginning with “Vandaveer Neighborhood” in its entirety, to read as follows:

South Ark Neighborhood. This district is intended to provide an area for residential uses that will increase the range of housing types and choice of housing styles within the community. Site and dimensional requirements are more flexible than what is allowed under the City’s residential zone districts and are designed to promote innovative design and a greater choice of housing, promote housing affordability, and diverse home sizes to serve a mix of income levels. The size and location of the South Ark Neighborhood allows individual homes to be oriented to take advantage of views and solar access.

Section 4.01 “Purpose of the Development Zones” of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be further amended by replacing the paragraph beginning with “Open Space/Parks and Recreation” in its entirety, to read as follows:

Open Space/Parks and Recreation. Lands designated as Open Space or Parks and Recreation are shown on the zone district map as well as the Parks and Open Space Map. The areas within VPAs 7, 8, and 9 make up the proposed “Vandaveer Regional Park” and shall remain as permanent open space and parks unless alternative open space or parks acceptable to the City is substituted. No improvements other than recreational/civic/educational facilities, trails, roads, and drainage facilities may be constructed in such open space areas, as specified per planning area below.

Section 4.02.6 “Zone Districts Created” of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan shall be replaced in its entirety to read as follows:

The following zone districts are hereby created for the Project: South Ark Neighborhood (along with the three subarea zone districts SA-1, SA-2, and SA-3); Transitional Residential; Mixed Use Village Center; Confluent Park (along with the three subarea zone districts R-3, RMU, and C-1); and Open Space/Parks and Recreation. The land areas are shown on the Vandaveer Planned Development Zone Districts Map Exhibit B along with the South Ark Neighborhood PD Modification Zone Districts Map Exhibit B.

Section 4.03, “Vandaveer Neighborhood” of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be renamed and replaced in its entirety to read as follows:

4.03 South Ark Neighborhood

The three South Ark Neighborhood subarea zone districts (SA-1, SA-2, and SA-3, as described below and all within VPA-1) shall be reserved for a mix of residential types and sizes. Non-residential (commercial/mixed use/public) is allowed in SA-3 only. Single-family detached units are not allowed in SA-3. Short-term rentals shall not be allowed anywhere in the South Ark Neighborhood. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD. The following principal and accessory uses are allowed:

SA-1: South Ark Variable Residential

This subarea zone includes residential lots south of the primary east-west “spine” road connecting CR107 to CR104. These lots are arranged around common courtyards to preserve views and provide areas for water to naturally drain toward the South Arkansas River from the south. This zone allows for single unit and attached-unit residential types at slightly lower densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts.

Principal Uses Permitted by Right:

- Single-family dwelling units

- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures (e.g., garage, shed, art studio, etc.)
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-2: South Ark Higher-Efficiency Residential

This subarea zone district includes residential lots along the western and northern edges of VPA-1 as well as the central four blocks. These lots orient onto the public streets or the neighborhood greenway and allow for single unit, attached unit, and small multi-unit residential types at medium densities and heights compared to other zone districts. Vehicular access is provided via alleys.

Principal Uses Permitted by Right:

- Single-family dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure
- Residential Multi-Family (5-19 units)

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures (e.g., garage, shed, art studio, etc.)
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

SA-3: South Ark Residential Mixed-Use Center

This subarea zone district includes the lots and blocks adjacent to the public park and regional park. These lots orient onto the public streets, neighborhood greenway, and the neighborhood park or regional park. Attached, multi-unit, and commercial/mixed uses are allowed at the highest densities and heights compared to other zone districts. Vehicular access is provided via alleys or shared parking courts. Single-unit housing is not allowed in this zone.

Principal Uses Permitted by Right:

- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than eight (8) units per structure

- Residential Multi-Family (5-19 units)
- Residential Multi-Family (20+ units)
- Eating and drinking establishments less than 10,000 SF
- Retail sales and rental establishments less than 10,000 SF
- Daycare facility

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be located behind a principal use)
- Accessory buildings and structures
- Home occupations (shall occupy no more than 30% of the gross floor area of the residence and have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.)

Uses Allowed by Administrative Review:

- Public/Institutional Uses (transit center, church/religious, clubs, community buildings, government administrative facility, group homes, park, public parking facility, recreation facility, school)
- Other Commercial Uses (e.g., offices, retail, etc.)
- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such as snack bars and restroom facilities, instruction, equipment storage and maintenance facilities, including but not limited to ball fields and courts, playfields and playgrounds.
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

POS: Open Space/Parks and Recreation

This zone district is intended to prohibit intensive development, to provide open space and civic/educational facilities (including potentially a recreation center) and to protect the floodplain and wetlands. Areas designated as either Parks or Open Space satisfies the Planned Development District requirement for open space dedication. The POS zone district exists within all four separate planning areas. The allowed uses for those planning areas are listed below and expand upon the uses outlined at Section 4.06 of the ODP:

VPA-1: South Ark Neighborhood

Principal Uses Permitted by Right:

- Neighborhood Park with uses that support surrounding residences such as: playground, grilling areas, lawn space, plaza area, shade structure(s), benches, kiosks/signage, etc.
- Neighborhood Greenway designed to support the flow of stormwater through the neighborhood to VPA-9. This area may include passive recreation spaces such as overlooks, small plazas with seating, etc.
- Stormwater/Green Space areas that are intended to be preserved as open space in the short term but may be converted to street right-of-way in the future if redevelopment occurs to the west along CR 107.

VPA-7: Ridgeline/Wash Area

Principal Uses Permitted by Right:

- Trails, benches, kiosks/signage, disc golf, dog park, other active outdoor recreation, and public restrooms are allowed.

VPA-8: River Corridor

Principal Uses Permitted by Right:

- Trails, benches, kiosks/signage, outdoor education, and fishing are allowed.

VPA-9: Active Recreation Area

Principal Uses Permitted by Right:

- Active or passive recreational areas or facilities, both public and private, open or covered, (and which may include related recreational amenities such as, snack bars and restroom facilities, band shells, picnic areas, instruction, equipment storage and maintenance facilities), including, but not limited to fishing facilities, ballfields and courts, play fields and playgrounds, trails, dog park, community supported agriculture, community gardens, passive recreational and Open Space areas.
- A future daycare facility shall also be allowed.

Section 4.06 Open Space/Parks and Recreation shall be replaced in its entirety to read as follows, including the reference and incorporation of Exhibit D, Parks and Open Space Map, attached hereto:

Note that the original Vandaveer Ranch PD open space requirements were satisfied via the inclusion of VPAs 7, 8, and 9 and therefore no additional open space dedication or fees in lieu will be required. The Vandaveer Regional Park will be a City-owned and maintained public park of 60.8 Acres, with three distinct use zones, as described below. Trails within the site are to be provided by the City – 8’ minimum for paved and 5’ for unpaved – when feasible, and in locations generally aligned with the Exhibit C: Transportation Network Map.

A - Vandaveer Regional Park – River Corridor Area

This 11.3-acre area of open space in VPA-8 within the Vandaveer Regional Park is intended to be one of the most undisturbed and natural open spaces in the area. It should be the backbone of a South Arkansas River sanctuary, in which trees, naturally shifting channels, wetlands, beaver ponds, etc. are all preserved, and only supplemented with environmentally sensitive trails. This area should remain an area for birding and wildlife habitat and should include opportunities for environmental education along the river corridor. Initiatives by local environmental groups for grants to design and build river restoration projects should be encouraged.

The northeast portion of this area should leverage the connectivity opportunity presented by the 15’ north-south easement extending up to Hwy 50. This easement can help to provide north-south bicycle and pedestrian access to the site – extending over the river with a future bike/pedestrian bridge – and should be accompanied by a safe crossing (RRFB and/or pedestrian refuge island) across Hwy 50 to Caldwell Street.

B - Vandaveer Regional Park – Wetlands Area

The approx. 12.7-acre Wetlands Area (as mapped in 2023) in VPA-9 within the Vandaveer Regional Park is intended to be kept natural/undisturbed. This area is distinct in that it should include trail connectivity to the broader Vandaveer Regional Park and the South Ark Neighborhood. However, any disturbance to the existing jurisdictional wetlands areas should be carefully considered and studied to minimize any detrimental impacts to the wetland habitats. Any future efforts to relocate/mitigate existing jurisdictional wetlands should be studied prior to implementation.

C - Vandaveer Regional Park – Active Recreation Area

The approx. 19.4-acre Active Recreation Area in VPA-9 within the Vandaveer Regional Park is the best opportunity for the City to expand its footprint of City-serving active recreational opportunities and needed community facilities. Appropriate active recreation and supplementary uses in this area include:

- Flexible fields for recreation and festivals
- Various sport courts
- Trails
- Small restroom facilities
- Public parking (to support active recreation uses and trailhead access)
- Additional active recreation uses as identified by the PROST Board and approved by the City

Administrator

- Recreation center
- Daycare
- Educational facilities
- Maintenance facilities
- Civic facilities
- Non-profit space
- Dog park (separate from VPA-7)

It is highly recommended that this area consider well irrigation for maintenance and watering of the flexible field uses.

This area is also allowed to accommodate a future civic/education facility, as outlined in VPA-9 above, of up to 40,000 SF. If located in Active Recreation Area, such a building shall be sited in a location that maximizes access to the supporting recreation fields/courts, while minimizing the obstruction of view corridors.

D - Vandaveer Regional Park – Ridgeline/Wash Area

The 19.4 acre Ridgeline/Wash Area in VPA-7 within the Vandaveer Regional Park currently includes the Heart of the Rockies Disc Golf Course, which is intended to remain as a use in this area (note that some tee boxes/hole locations may need to be moved over time to facilitate the implementation of the South Ark Neighborhood and other uses for the Vandaveer Regional Park, including corresponding infrastructure needs). Uses in this area should leverage the natural topography and mature vegetation, while minimizing the disturbance of each. Appropriate uses in this area include:

- Approximately 1-acre dog park, planned to be located under the cottonwood grove, adjacent to the spine road, and associated parking.
- Small picnic area(s)/restrooms
- Maintenance facility
- Disc Golf Course (existing Heart of the Rockies Disc Golf Course)
- Adventure Recreation, such as a zipline course, treehouses, etc.
- Trails (walking & biking)
- Pump Track/Bike Park
- Additional active recreation uses as identified by the PROST Board and approved by the City Administrator

E - Neighborhood Park

The Neighborhood Park within the South Ark Neighborhood/VPA-1 is intended to serve the surrounding neighborhood as a place for formal and informal community gathering among South Ark Neighborhood residents. Accordingly, the park area should include community amenities such as seating areas, shared grills, etc. This park area should include opportunities for shade and respite from the sun, whether through tree planting and/or a pavilion or shade structure as well as opportunities for small neighborhood events.

The construction of the park should occur prior to, or concurrently to, the immediate adjacent land uses, so that the park will become an active gathering space upon its completion. The park will be constructed to City Standard by the vertical developer of the adjacent land uses (to be determined through a developer's agreement) but it will be owned and maintained in perpetuity by the City following the completion of its corresponding development phase.

F - Stormwater Greenway

As noted in Section 7.2 below, a stormwater swale should be incorporated in the neighborhood greenway to convey storm events from the existing detention facility at the northeast corner of the County Road 107 / County Road 108 intersection. This stormwater greenway, while serving essential stormwater conveyance use, should be designed in a manner that also makes it an amenity to the South Ark Neighborhood. Where possible, a multi-use path should be incorporated into its design, so that connectivity across the site is further increased, and pedestrians and cyclists can utilize this corridor to move east-west across the site from the Vandaveer Regional Park through the South Ark Neighborhood to CR 107. The area should be well-planted with tree and plant species that will not disturb the stormwater conveyance functions of the greenway.

G - Stormwater/Green Space

A pair of small stormwater/green spaces are located on the western edge of the central part of the South Ark Neighborhood. These green spaces are strategically located to align with the roadways running east-west adjacent to them, to facilitate the potential for future roadway connections to CR 107. The need/desire for future connections from the neighborhood to CR107 is currently unknown, so they should be designed in a manner that allows near-term neighborhood use and informal gathering, but would not require extensive demolition (i.e., strategically planting any trees so that they would not require removal).

Section Seven

Article 5 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be amended by: (1) amendments to Section 5.03, "Vandaveer Neighborhood [VR-VN]"; (2) amendments to Section 5.06, "Table of Dimensional Standards," and; (3) the creation of a new Section 5.07, "Affordable and Workforce Housing Standards", as follows:

Section 5.03 within Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, entitled Vandaveer Neighborhood [VR-VN] shall be re-named and replaced in its entirety to read as follows:

5.03 South Ark Neighborhood (VPA-1)

Dimensional Standards for the subarea zone districts of the South Ark Neighborhood (SA-1, SA-2, and SA-3) are listed in the columns of Section 5.06 Table of Dimensional Standards, within the section of the table titled "South Ark Neighborhood."

5.06 Table of Dimensional Standards

The column titled “Vandaveer Neighborhood,” within Section 5.06, “Table of Dimensional Standards”, of Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, shall be replaced in its entirety to read as follows: “South Ark Neighborhood”

DIMENSIONAL STANDARD	SA-1	SA-2	SA-3
Minimum Lot Area	2,400 sq. ft. single family 1,600 sq. ft. attached	2,000 sq. ft. single family 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.
Minimum Lot Width	30’ single family 20’ attached	25’ single family 15’ attached	15’ attached N/A multi-family/non-residential
Minimum Front Setback**	15’	10’	10’ residential 5’ non-residential
Minimum Side Setbacks	3’ accessory structure 5’ primary structure	3’ accessory structure 5’ primary structure	3’ accessory structure 5’ primary structure
Minimum Rear Setbacks	5’	5’	5’
Maximum Lot Coverage (paved parking and structures)	60%	75%	90%
Maximum Height – single family	30’, no more than 2-stories	30’, no more than 2-stories	N/A
Maximum Height – multi-family, non-residential, and mixed use	30’, no more than 2-stories	40’, no more than 3 stories 30’, no more than 2 stories fronting CR 107	40’, no more than 3 stories
Maximum Height – accessory buildings	25’	25’	25’
Maximum unit size (above grade)	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
Minimum Density (Max. lot SF per unit)	4,800 sq. ft./unit	4,000 sq. ft./unit	3,200 sq. ft./unit
Maximum Density (Min. lot SF per unit)	1,600 sq. ft./unit	1,200 sq. ft./unit	N/A

**Up to 5-ft. encroachment allowed for covered porches.

A new Section 5.07, of Article 5 of the Vandaveer Ranch Planned Development District Overall Development Plan, Article 5, entitled “Affordable and Workforce Housing Standards”, shall be created to read as follows:

Affordable and Workforce Housing Standards

This South Ark Neighborhood PD modification shall ensure and require that a minimum of seventy-five percent (75%) of all housing units constructed within the PD modification area be either “affordable workforce housing” or “non-income-based workforce housing,” as defined

herein and as further specified below. The additional requirements listed below shall override and supersede the City of Salida's Inclusionary Housing Ordinance requirements as found within the Salida Municipal Code:

“Chaffee County local workforce” shall be defined as those individuals earning their primary (80% or more) source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service and as further defined and certified by the City Administrator and his/her designee. Individuals over sixty (60) years of age shall be considered part of the Chaffee County local workforce if they have: (1) maintained their sole and primary residence within Chaffee County a minimum of 10 years; or (2) earned 80% or more of their primary source of income at a business or employer within Chaffee County, as documented with the United States Internal Revenue Service, for a minimum of four (4) years over the last ten (10) years; *and* if they otherwise qualify for the deed-restricted units (or otherwise-restricted units as defined herein).

“Affordable workforce housing” is housing that is available and affordable to very low-income, low-income and middle-income households where members of such households are part of the Chaffee County local workforce as defined herein, and further specified immediately below:

- **“Affordable workforce housing rental units”** shall be defined as permanently deed-restricted residential rental units which are affordable to households earning between thirty percent (30%) and one hundred percent (100%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).
- **“Affordable workforce housing for-sale units”** shall be defined as permanently deed-restricted residential for-sale units which are affordable to households earning between sixty percent (60%) and one hundred sixty percent (160%) of Area Median Income (AMI) for Chaffee County, as defined annually by the Colorado Housing Finance Authority (CHFA).

“Non-income-based workforce housing” shall be defined as deed-restricted housing that is available to individuals who are part of the Chaffee County local workforce as defined herein. Such housing shall not be based on income but shall be deed-restricted only for members of the Chaffee County local workforce for a minimum of 5 years from the date of initial sale.

Additional Requirements:

- A minimum of fifty percent (50%) of the total residential units within the South Ark Neighborhood PD modification area shall be permanently deed-restricted affordable workforce housing as defined herein and as further specified immediately below:
 - This requirement of a minimum of fifty percent (50%) of units permanently deed-restricted as affordable workforce housing shall apply to each phase of development.
 - Of all the affordable workforce housing units, no fewer than forty percent (40%) shall be reserved for affordable workforce housing *rental* units, and no fewer than forty percent (40%) shall be reserved for affordable workforce housing *for-sale* units. This requirement shall apply to each phase of development.

- A minimum of half of the affordable workforce housing *rental* units must be deed-restricted affordable to households earning eighty percent (80%) or less of the AMI for Chaffee County, as defined annually by CHFA. This requirement shall apply to each phase of development.
- The average of all affordable workforce housing *for-sale* units must be deed-restricted affordable to households earning one hundred thirty percent (130%) or less of the AMI for Chaffee County, as defined annually by CHFA. Additionally, no more than fifteen percent (15%) of affordable workforce housing for-sale units shall be sold at prices affordable to households earning above one hundred forty percent (140%) of the AMI for Chaffee County, as defined annually by CHFA. This requirement shall apply to each phase of development.
- Any residential units within the South Ark Neighborhood PD modification area owned by public or non-profit entities, such as the Chaffee Housing Authority, ~~or the~~ Chaffee Housing Trust, Chaffee County, City of Salida, Colorado Mountain College, or Salida School District, are exempt from the AMI and deed-restriction requirements set forth herein, as long as the use of such units are restricted to the Chaffee County local workforce or students of a local educational institution, but such residential units may count however toward the fifty percent (50%) overall and per-phase affordable workforce housing units requirement.

o A minimum of twenty-five percent (25%) of total residential units within the PD amendment area shall be deed-restricted non-income-based workforce housing as defined herein. Such deed restrictions on all non-income-based workforce housing shall apply for a minimum of 5 years. It is preferred that these units remain available and occupied by the Chaffee County local workforce following the termination of the deed-restriction.

o The deed-restricted (or otherwise-restricted) affordable workforce housing units and non-income-based workforce housing units in each zone district (and phase) shall be built at substantially the same time as the non-deed-restricted residential units.

- Certificates of occupancy (COs) shall be given at a maximum of three (3) non-deed-restricted residential units for every one (1) deed-restricted or otherwise-restricted unit, as defined herein.

o Short Term Rental Unit(s) shall not be permitted anywhere in the South Ark Neighborhood PD modification area.

o Accessory Dwelling Units (ADUs) are encouraged but not required. They are permitted on attached and detached single family lots to assist in furthering the goals of serving the affordable and workforce housing needs of the County and City, but do not count towards the residential unit maximum or affordable or workforce housing requirements. See maximums ADU allotments further below.

Each of the zone districts include a minimum and maximum number of units allowed, as defined in the table below with the goal that the sum of deed-restricted (and otherwise-restricted) affordable units in total for VPA-1 is at least 50% as defined above.

Residential Minimum/Maximums

Zone District	Net Area (acres)	Units (min)	Units (max)	ADUs (max)
SA-1	3.9	20	30	10
SA-2	10	140	155	15
SA-3	6.4	190	215	5
Total	20.3	350	400	30

Section Seven

Section 8.02 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled “Vandaveer Neighborhood District: Development and Design Standards”, shall be replaced in its entirety to read as follows:

8.02 South Ark Neighborhood: Development and Design Standards

8.02.1 Development must be located with the existing topography in mind and shall minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive features.

8.02.2 The design and siting of all structures shall protect and preserve wetlands and riparian areas, critical wildlife habitats, natural features and landmarks and shall minimize the visual impact from Highways 50 and CR 107.

8.02.3 All permanent buildings shall be set back a minimum of two hundred and fifty (250) feet from the edge of the South Arkansas River channel.

8.02.4 All development shall be designed so that for the given location, egress points, grading and other elements of the development could not be reasonably altered to:

- Reduce the number of access points onto a collector or local street.
- Minimize adverse impacts on any existing or planned residential uses.
- Improve pedestrian or vehicle safety within the site and exiting from it.
- Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.

8.02.5 All development shall respect and complement existing development on abutting sites. This shall include:

- Provision for consolidating access points with abutting properties through joint access easements or other negotiated means;
- Provision for making sidewalks, trails and paths contiguous with abutting properties;
- Compatible massing and scale

8.02.6 A variety of housing styles is strongly encouraged; therefore, model types shall vary.

- A variety of roof forms is permitted, though low-sloping or “flat” roofs shall be limited to two for every eight structures.
- Natural materials such as wood siding and masonry are encouraged.
- Affordable units shall be designed with the same quality of exterior finishes as market-rate units.

8.02.7 Vehicular access and garages, carports, or other private vehicle storage shall be accessed from an alley or parking court.

- Provide either a building or a landscaped area at least ten (10) feet wide containing dense planting between the front property line of any use and an outdoor parking or service area.
- Surface parking lots are encouraged to use permeable surfaces (gravel, permeable paving, or other permeable surface.)
- No street-facing garages shall be allowed.

8.02.8 Parking Standards

- Commercial uses shall be required to provide a minimum of 1 parking space per 1,000 SF of the commercial use
- Residential uses shall be required to provide a minimum of 1 parking space per unit.

8.02.9 Orient buildings to take best advantage of solar access.

8.02.10 In order to create usable private open spaces for residences in this area, front yards shall be used for outdoor patio space or for a landscaped buffer space. It shall not be used for the storage of anything other than patio/porch furniture.

8.02.11 Primary building entrances should be oriented towards streets, parks, or pedestrian ways. Any multi-story building should have one clearly identifiable “front door.”

8.02.12 Ensure exterior walls are designed on a pedestrian scale by:

- Fragmenting them into smaller or multiple structures;
- Providing mature landscaping and manipulating the land form;
- Placing wall texture at eye-level;
- Clustering of small scale elements such as planter walls around the primary structure;
- Ensure that the ground floor uses are oriented toward the pedestrian with storefronts (where applicable), front porches, stoops, or patios that open onto the sidewalk as well as other pedestrian oriented spaces;
- Minimize the visual impact of service areas, refuse storage and mechanical/electrical equipment on streets, open space and adjoining development. For multifamily, mixed use, or commercial, civic, or education

facilities, storage and refuse containers must be screened with impervious fencing or plantings.

8.02.13 Courtyards or green spaces between residential uses shall be designed to accommodate a sidewalk/path and outdoor amenities such as, but not limited to: seating areas, garden beds (edible or aesthetic), pollinator gardens, small pavilions, stormwater gardens, or other amenity.

- Front doors and porches of residential units shall front onto the courtyard/common space.

GATEWAYS AND CIRCULATION DESIGN STANDARDS

8.02.14 Gateways:

- Gateway elements at entry points to the neighborhood (at CR 107 entry and Highway 50/CR 104 intersection) shall be provided and be primarily architectural elements and not signs, although graphic elements are allowed.

8.02.15 Transportation System/Vehicular Access:

- The “spine” road connecting CR 107 to CR 104 shall serve as a primary connection to the South Ark Neighborhood and shall be designed as a multi-modal street with ample space adjacent to the curb to promote healthy, long-term tree growth.
- The street network shall be laid out as shown in Exhibit C. Any modifications to the proposed street grid shall be presented with proper reasoning and determined appropriate by the Community Development Director.
 - Rectangular blocks shall be a minimum of 180-feet wide.
 - The street network shall consider opportunities for future connections to CR 107, as shown in Exhibit C.
- All subdivisions within the South Ark Neighborhood shall provide an adaptable and interconnected transportation system that encourages alternative modes of transportation, disperses traffic, and provides streets that accommodate multiple modes of transportation including motor vehicles, bicycles, and pedestrians.
- Safe and efficient movement of vehicles, pedestrians and bicyclists is an important attribute of the South Ark Neighborhood. Uninterrupted pedestrian ways shall be maximized in order to improve or support the subarea as a walkable neighborhood.
- The width of driveways and curb cuts shall be minimized to reduce the overall impact of vehicular access across a planned pedestrian path or trail.
- Sharing of vehicle entries between two adjacent lots is strongly encouraged.
- Ensure all subareas have included a clearly defined connection to the regional trail system.

ENVIRONMENTAL DESIGN STANDARDS

Note that the model energy code and building codes shall supersede these standards, whichever is more stringent.

8.02.16 Orient buildings to take best advantage of solar access.

- Buildings should be designed to plan for the application of solar panels.
- Consideration of passive solar design opportunities should be provided.

8.02.17 Limit water use.

- Buildings should utilize water-saving fixtures and appliances.
- Landscaping should include water-wise, indigenous plant species.
- Consider the use of well irrigation for maintenance and watering of the flexible field uses.

8.02.18 Natural disaster preparedness.

- Buildings within the fluvial hazard buffer shall be elevated or the site shall be graded to alleviate the risk of flooding.
- Buildings shall include an appropriate buffer around their perimeter that does not include combustible materials.
- Stormwater detention elements should be considered in common areas such as courtyards, public parks, and yards to prevent the risk of flooding.

Section Eight

The Transportation Network Map shall be created as shown in Exhibit C, attached hereto, which shall amend the South Ark Neighborhood portion of Exhibit C “Circulation Map” as shown in the 2011 Vandaveer Ranch Overall Development Plan amendment.

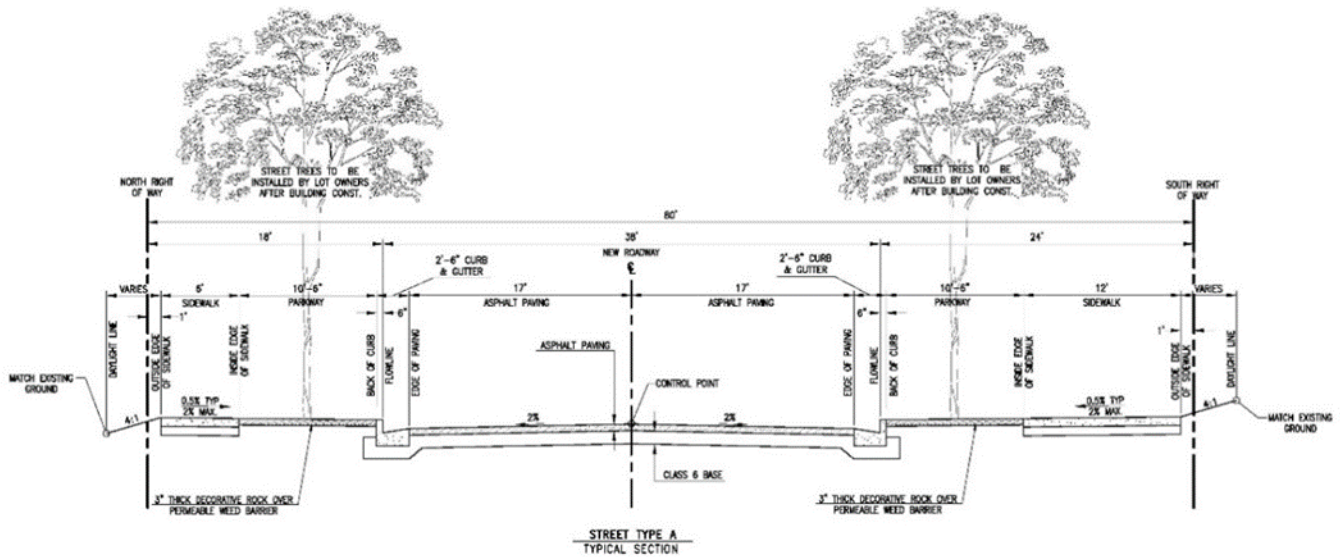
Additionally, Section 8.05.4 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled “Street and Streetscape Design,” shall be amended to by the addition of subsection 8.05.4.1, to read in its entirety as follows:

8.05.4.1 Street and Streetscape Design Specific to the South Ark Neighborhood Planned Development Modification area:

- **Street Type ‘A’** (80’ R.O.W.) – An east-west “spine road” connecting CR107 at the west to CR104 to the east, provides two points of access to the South Ark Neighborhood and Vandaveer Regional Park, while also providing helpful emergency access in the case of a county roadway closure. While this roadway is primarily responsible for east-west circulation across the site for vehicles, it is still intended to have a slower design speed, with ample tree lawns, and a clear multi-modal emphasis by way of a well-separated multi-use path on the south side of the roadway. As shown in the street section below, the street type includes a 38’ roadway (two 11’ travel lanes, along with 8’ parallel parking on each side of the roadway); an 11’ tree lawn (6” curb and 10’-6” parkway) on each side of the

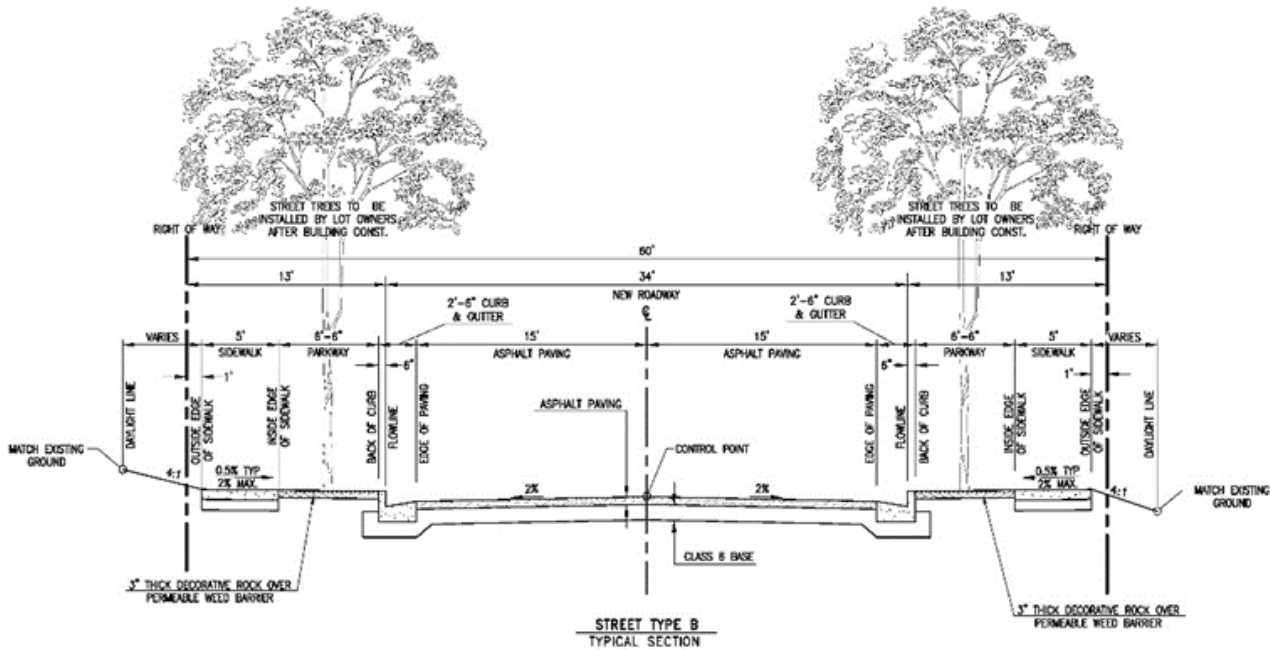
roadway; a 6' sidewalk on the north side of the roadway; a 12' multi-use path on the south side of the roadway; and a 1' buffer from back of sidewalk/multi-use path to the adjacent property line. Note that depending on parking demand estimated at time of development, the spine road could potentially eliminate the southern parking lane in some areas (especially where no residences are adjacent to the street) in lieu of more space for landscaping, bicyclists, and pedestrians. Final street section should be determined during final design.

- The full build-out of Street Type 'A' will likely be constructed in phases, to help distribute the infrastructure costs to the project over time. The interim condition of the roadway shall be similar to that of Street Type 'C,' outlined below, so that access is maintained across the site, and to the recreation amenities, but at a lesser infrastructure expense.
 - The interim condition of the spine road (similar to that of Street Type 'C') shall be constructed to the specification of Street Type 'A' as the development advances from one phase into another, or whenever the City deems it to be necessary for the circulation and safety of the development.



- **Street Type 'B'** (60' R.O.W.) – The typical street type within the South Ark Neighborhood, Street Type 'B' is intended to be a pedestrian-friendly, lower design speed street, with ample tree lawns. As shown in the street section below, the street will include a 34' roadway (two 9' travel lanes, along with 8' parallel parking on each side of the roadway); a 7' tree lawn (6" curb and 6'-6" parkway) on each side of the roadway; a 5' sidewalk on each side of the roadway; and a 1' buffer from back of sidewalk to the adjacent property line.
 - **Street Type 'B2'** (65' R.O.W.) – A slight variation of Street Type 'B' that would be applicable only to the north-south street shown on Exhibit C. This

variation expands the R.O.W. 5' to the east, in order to facilitate a 10' multi-use trail (in lieu of the 5' sidewalk in the typical Street Type 'B' section below) to provide enhanced connectivity from Street Type 'A' up to the pedestrian bridge over the South Arkansas River, and to the trail amenities in



Vandaveer Regional Park.

- **Street Type 'C'** (60' – 80' R.O.W.) – A more rural street type that will serve as a recreation access road and, as noted above, an interim condition for the spine road, until the full build-out to Street Type 'A.' The street will include a minimum of 11' wide travel lanes, surfaced with a minimum of four-inch compacted aggregate base with a dust control application; and shoulders that are a minimum of 8' wide, constructed with a compacted road base.
 - The 60' to 80' of dedicated R.O.W. is intended to provide flexibility to the City long-term, should there be a desire to build-out the roadway in a manner similar to that of Street Type 'A' or 'B' in the future.
- **Street Type 'D'** (20' R.O.W.) – While not technically a “street,” this serves as the typical alley R.O.W. within the South Ark Neighborhood. There shall be a minimum width of 16' within the center of the R.O.W., and 20' of width is encouraged adjacent to commercial uses.

Connectivity to Surrounding Area

Hwy 50 – Comfortable bicycle and pedestrian connections to/across Hwy 50 will provide critical connectivity to the South Ark Neighborhood and Vandaveer Regional Park.

- The existing connection and pedestrian crossing at Hwy 50 and Milford Street, which connects to the pedestrian bridge at the northwest corner of the Vandaveer Regional Park should be retained and enhanced, if necessary.
- At the northeast corner of Vandaveer Regional Park, there is a 15' easement providing connectivity to/from Hwy 50. A trail should be constructed along this easement, along with an additional pedestrian bridge over the South Arkansas River at this location. At Hwy 50, a pedestrian crossing should be implemented - RRFB and/or pedestrian refuge island, similar to the crossing at Hwy 50 and Milford Street – to ensure a safe crossing from this new trail to/from Caldwell Street.

CR 104 – This is the main existing vehicular access point to Vandaveer Regional Park. It will continue to function in its current state until development of the adjacent parcels. CR 104 should be upgraded to include pedestrian and bicycle facilities when adjacent development allows for dedication of additional right of way. The utility highway crossing installed as part of the South Ark Neighborhood will make the large parcels on both sides of CR 104 more development-ready. The challenges to development of these adjacent parcels are entitlement (annexations or PD amendments are required) and highway access. A traffic signal will likely be required when the 48-acre parcel south of CR 104 develops.

CR 107 – This is the main vehicular connection between the City of Salida and South Ark Neighborhood due to proximity and the existing traffic signal at Highway 50. There are currently no pedestrian or bicycle facilities, and the addition of such is not currently feasible due to right of way constraints. Cooperation between adjacent private property owners, Tennessee Ditch water users, the City of Salida, and Chaffee County is needed to secure right of way for pedestrian and bicycle facilities as soon as possible. Until then, the existing ped/bike bridge will provide safe access to the South Ark Neighborhood and Vandaveer Regional Park for those who aren't comfortable using CR 107. In addition, the City of Salida and Chaffee County should follow up with SSG Holdings, LLC to the southwest of the site, to facilitate ped and bike access from South Ark Neighborhood to the Methodist Mountain trail system.

Future potential transit connections and locations should be explored in the future to provide additional connectivity and access to the South Ark Neighborhood and Vandaveer Regional Park from Hwy 50.

Section Nine

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Ten

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

INTRODUCED ON FIRST READING, on November 7, 2023, ADOPTED and ORDERED PUBLISHED IN FULL, other than Exhibits A, B, C, and D described herein which shall be on record with the City Clerk’s office, in a newspaper of general circulation in the City of Salida by the City Council on the ____ day of _____, 2023 and set for **second reading and public hearing on the 5th day of December, 2023.**

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED IN FULL, by the City Council on the **5th day of December, 2023.**

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]

ATTEST:

City Clerk/Deputy Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the ____ day of _____, 2023, and BY TITLE ONLY, after final adoption on the ____ day of _____, 2023.

City Clerk/Deputy City Clerk