



## STAFF REPORT

**MEETING DATE:** July 26, 2021

**AGENDA ITEM TITLE:** Wood Minor Subdivision – Limited Impact Review

**AGENDA SECTION:** Public Hearing

### REQUEST:

The request is for limited impact review approval to subdivide Tract A of the Hillside Minor Subdivision into two (2) individual lots to be known as Wood Minor Subdivision.

### APPLICANT:

The applicant is Wood Development Company, LLC, PO Box 237, Salida, CO 81201. The applicants' representative is P.T. Wood.

### LOCATION:

The subject property known as Wood Minor Subdivision is located within Tract A Hillside Minor Subdivision and is located at the base of Tenderfoot Hill and on the north side of County Road 177.

### PROCESS:

This application is a limited impact review process for a minor subdivision. The purpose of the limited impact review is to assure that the proposal, in adequate detail, is drawn and submitted according to the requirements of the Land Use Code.



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

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

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

- 1) The property is zoned Industrial (I).

- 2) The proposed subdivision will create two (2) lots. The minimum lot size in the Industrial (I) zone requires is 5,625 square feet. The proposed lots meet the minimum lot requirement: Tract A is .40 acres, approximately 17,424 square feet and Tract B is .17 acres, approximately 7,405 square feet. There is also a 21' Public access and Electric Line Easement between the proposed lots.
- 3) The applicant is in the process of constructing two single-family dwellings on the parcel. Each of the single-family dwellings will be on its own parcel with this subdivision request. Multiple principal structures are permitted in the Industrial zone district.
- 4) The proposed lots are not currently served by City water or sewer. Due to the location, City infrastructure is not available and extensions to this area of the City are not planned. The applicant has individual well and wastewater treatment systems designed by a professional engineer as required by the Chaffee County Building Department.

Staff is recommending the following plat note as a condition of approval: "According to Salida Municipal Code Section 13-2-60 –if the properties are developed with well and on-site wastewater treatment systems, either individual or central, and a new water or sewer main is extended within (four hundred) 400 feet of the property they will be allowed to continue such use until such time as the well or septic system either fails or needs enlargement. At that time, the property owner will be required to connect to a water or sewer main that is within four hundred (400) feet."



- 5) There is a central septic system and well for water that serves both residences. Easements must be shown on the plat for both the septic and well systems that will serve the newly created parcels.
- 6) The previously approved Final Subdivision Plat for Hillside Minor Subdivision included a plat note capping the maximum lot coverage at forty (40) percent. This is an appropriate lot coverage and similar to other residential districts. A similar plat note should be considered.
- 7) Access to the site will be via County Roads 176 and 177. Chaffee County currently provides only minimum maintenance on County Road 176 and no maintenance to County Road 177. There is a recorded Roadway maintenance covenant recorded for the Lots in Hillside Minor Subdivision. The Covenant states that each owner of the lots within the Hillside Minor Subdivision agree to pay a share of all monetary amounts necessary to maintain the road in a good, safe and drivable condition.
- 8) City design standards require local streets to have a detached sidewalk of a least five (5) feet wide. Detached sidewalks are required to be separated by a distance of at least five and one half (5 ½) feet from the curb or street pavement edge.

Staff recommends deferral of this requirement at this time due to the lack of existing road infrastructure adjacent to the site.

## REVIEW AGENCY COMMENTS:

**Salida Public Works:** No concerns.

**Salida Fire Department:** No concerns.

**Salida Police Department:** No comments.

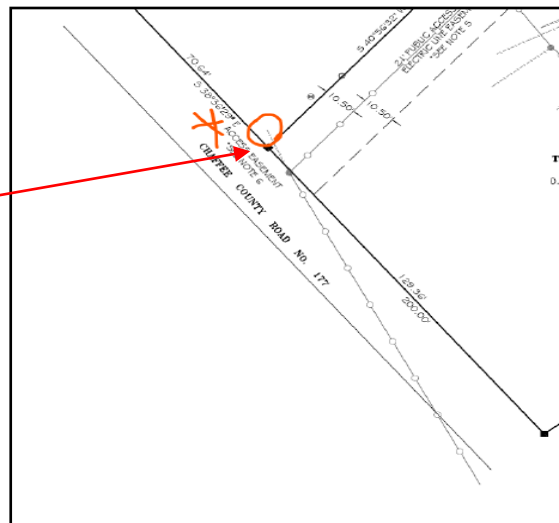
**Atmos Energy:** No comments.

**Xcel Energy, Sterling Waugh:** I would request that all access easements are also utility easements and all existing utilities, including guy wires, be placed in an utility easement.

I have a screen shot of the guy wire that is Xcel's that should be in an easement and the access easement that should also be an utility easement.

**Chaffee County Development Services:** No Comments received.

**Chaffee County Planning Department:** No Comments received.



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

1. **Conformance with the Comprehensive Plan.** The proposed subdivision shall carry out the purpose and spirit of the Comprehensive Plan and conform to all of the Plan's applicable objectives, guiding principles and recommended actions. It shall be designed to be compatible with surrounding land uses and to protect neighbors from undesirable noise, glare and shadows, and shall not cause adverse effects on their privacy, solar access and views.
  - The Comprehensive Plan Land Use Map (3.1) does not specifically assign a land use classification to the parcels under consideration. However, the Comprehensive Plan does encourage a range of housing types to serve a variety of lifestyles, ages, and income levels. Previous changes to the land use code encourage development of residential dwellings across all zoning districts. Therefore, this development is in conformance with the Comprehensive Plan.
  - New development should complement the neighborhood's mass and scale. The lots proposed are in conformance with the land use code and will support development similar to existing homes in the area.
2. **Complies with the Zone District Standards.** The proposed subdivision shall comply with the use and dimensional standards of the underlying zone district and shall provide off-street parking as required for those uses.
  - The newly created lots are zoned Industrial (I) and meet the zone district standards.

- New development must comply with the zone district standards. The new construction of the two single-family dwellings meets the Industrial zone district standards.
- There is adequate space on each of the proposed lots to accommodate any required off-street parking.

3. **Complies with the Improvement Standards.** The proposed subdivision shall be provided with improvements which comply with Article VIII and landscaping which complies with Section 16-8-90.

- a. Streets. Existing and proposed streets shall be suitable and adequate to carry anticipated traffic within and in the vicinity of the proposed subdivision.
  - County Road 177 provides access to the site and is adequate to carry anticipated traffic generated by development of this subdivision.
  - There are currently no curb, gutter or sidewalks in the immediate area. Sidewalks, curb, and gutter are not appropriate for construction at this time. However, when such improvements are brought to the area the property owners should be responsible for the installation of streetscape improvements at that time which may include, but not limited to, sidewalks, streetlights, and street trees as required by the Municipal Code.
- b. Utilities. Existing and proposed utility services shall be suitable and adequate to meet the needs of the proposed subdivision.

Municipal utilities are not available to the site at this time.

According to Salida Municipal Code Section 13-2-60 – Existing domestic wells. (a) Any property within the Water Service Plan Area which is supplied with potable water using an adequate, safe, and adjudicated existing well may continue to use such well to provide potable water. (b) Upon the occurrence of one of the following events, all properties in the Water Service Plan Area within four hundred (400) feet of an established water line or situated on a block abutting an established water line shall be required to connect to the City's water system, in accordance with the specifications, and pay the applicable fees, charges, and costs for new service then in effect:

- (1) The failure of an existing well, i.e., the well cannot provide adequate and safe water, or requires redrilling; or
- (2) Expansion of existing structures served by private well that increase the square footage by one hundred percent (100%) or more; or
- (3) The construction or installation of additional structures on the property served by a private well.

Staff has added a condition of approval that a plat note be added with this requirement so that subsequent buyers of the lots are aware of this requirement.

- c. Phases. If the subdivision is to be developed in phases, each phase shall contain the required parking spaces, landscape areas, utilities and streets that are necessary for creating and sustaining a stable environment.

- There will not be phases with this development.
4. **Natural Features.** The layout of lots and blocks shall provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for residents and protecting them from adverse noise and vehicular traffic. The system of roadways and the lot layout shall be designed to take advantage of visual qualities of the area. Natural features and native vegetation shall be preserved whenever possible. Tree masses and individual trees of six-inch caliper or greater shall be preserved.
    - The proposed lots are located at the base of the Tenderfoot Hill that provides the backdrop for downtown Salida. The downhill portion of each lot provides the least amount of slope and access to County Road 177.
  5. **Floodplains.** Tracts of land or portions thereof lying within the one-hundred-year floodplain may only be subdivided for open space until the subdivider has shown that compliance with the requirements of the City's floodplain regulations can be met.
    - The subject property is not located within the 100-year floodplain.
  6. **Noise Reduction.** Where a subdivision borders on or contains a highway right-of-way, the City shall require adequate provisions for reduction of noise. A parallel street, landscaping, screening, easement, greater lot depth, increased rear yard setbacks and fencing are potentially appropriate solutions, among others.
    - This subdivision does not border a highway right-of-way.
  7. **Future Streets.** When a tract is subdivided into lots or parcels which are intended for future resubdivision, such lots or parcels shall be arranged so as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connectors for such resubdivision.
    - This subdivision is not intended for future resubdivision.
  8. **Parks, Trails and Open Space.** Each subdivision, minor or major, or condominium project with five (5) units or more, shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails or other public purposes as determined by the City for the benefit of those who occupy the property and be made accessible to the public. The intent of this regulation is to ensure that a comprehensive, integrated network of parks, trails and open spaces is developed and preserved as the community grows.

The development plan for this subdivision has two (2) residential lots. However, per plat note number 10 of the Final Subdivision Plat for the Hillside Minor Subdivision, *"land dedication for parks and open space have been provided for one (1) unit for each Tract A, B, and C of this subdivision. In the event that additional residential units are constructed on either Tract A, B, or C, either by subdivision or Building Permit approval, fees in lieu of land dedication for parks and open space in the amount then in effect shall be payable to the City prior to issuance of building permits"*.

This lot had one (1) credit toward the open space fee in lieu and the applicant paid the fee in lieu for the additional residential unit being constructed. A payment of fee-in-lieu of the parks, trails and open space dedication for all additional units will be required prior to approval of residential building permits.

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

➤ This development does not include any common recreation facilities.

**10. Lots and Blocks.**

- a. **Pattern.** The size, shape and orientation of lots shall be appropriate to the design and location of the proposed subdivision and to the type of development contemplated. Where appropriate, lots shall be laid out to respect the existing City pattern. Blocks generally shall not be less than three hundred (300) feet nor more than one thousand two hundred (1,200) feet in length.

➤ The proposed lots follow the City grid pattern.

- b. **Frontage.** Residential lots should front only on local streets; however, when necessary, lots designated to face a collector street shall provide adequate means for automobile turnaround within the lot and should provide consolidated access points to the maximum extent feasible.

➤ The proposed lots are regular in shape and front on a County Road.

- c. **Right angles.** Side lot lines shall be approximately at right angles or radial to street lines.

➤ This standard has been met.

- d. **Double frontage lots.** Double frontage lots are prohibited, except where they are necessary to provide for the separation of residential development from collector or arterial streets or to overcome specific limitations of topography or orientation. A planting and screening easement of at least ten (10) feet shall be provided along the portion of the lot which abuts such a collector or arterial street. There shall be no right of access across a planting and screening easement. The screening easement shall be maintained by the property owner.

➤ Double frontage lots are not proposed.

- e. **“T” intersections.** The building area of lots shall not face directly into the oncoming traffic of an intersecting street of a “T” intersection.

➤ There will not be any building areas facing a “T” intersection.

- f. **Solar energy.** This standard applies to detached single family homes and not attached units.

➤ The Wood Minor Subdivision lots generally face south/southwest and will have excellent solar exposure.

**11. Architecture.** This standard applies to residential subdivisions of five lots or more.

**12. Fair Contributions for Public School Sites.**

➤ The applicant has paid the fee in lieu for the two residential units under construction. Any additional units will be required to pay the fee in lieu at the time of building permit application.

**13. Inclusionary Housing Requirement – 16-13-20** Minor and major subdivisions; and condominium plats of five (5) units or greater must meet the requirements of Article XIII. Inclusionary Housing.

- Approval of the minor subdivision carries the responsibility to meet the affordable housing requirements. Therefore the fees-in-lieu have to be paid for the two (2) units created. The current fees-in-lieu for a minor subdivision is the lessor of \$7,874, or \$3.94 per habitable square foot of each unit built within the subdivision. Since both of the units are less than 2,000 square feet the fee in lieu in the amount below shall be paid prior to recording the subdivision plat.
  - 4 Hillside Drive Unit A is 1819 square feet - (1,819 x \$3.94=\$7,166.86)
  - 4 Hillside Drive Unit B is 1819 square feet - (1,819 x \$3.94=\$7,166.86)
- As a condition of approval a plat note must be added that future residential development must meet the current requirements of the Salida Municipal Code regarding Inclusionary Housing which may require deed restricted affordable housing and/or fees-in-lieu.

**RECOMMENDED FINDINGS:**

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

**Recommended Findings:**

1. This application complies with the Comprehensive Plan because it would create two lots that can be developed for residential uses in compliance with the zone district standards.
2. The review standards for subdivisions has been satisfied.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Commission approve the Wood Minor Subdivision to subdivide one (1) parcel into two (2) parcels, subject to the conditions listed below:

**RECOMMENDED MOTION: “I make a motion to approve the Wood Minor Subdivision as it meets the review standards for a subdivision, subject to the following conditions:**

**Prior to printing the mylars of the Wood Minor Subdivision Plat:**

1. Remove the City Administrator signature block.
2. Easements for the central water and wastewater systems must be shown on the plat.
3. The requirement of Xcel for utility easements must be shown on the plat.
4. A plat note be added stating that “Pursuant to Section 13-2-60 of the Salida Municipal Code: If the properties are developed with well and on-site wastewater treatment systems, either individual or central, and a new water or sewer main is extended within (four hundred) 400 feet of the property they will be allowed to continue such use until such time as the well or

septic system either fails or needs enlargement. At that time, the property owner will be required to connect to a water or sewer main that is within four hundred (400) feet”.

5. That plat note capping the maximum lot coverage at forty (40) percent be added.
6. A plat note must be added that future residential development must meet the current requirements of the Salida Municipal Code Article XIII - Inclusionary Housing which may require deed restricted affordable housing and/or fees-in-lieu.
7. A payment of fee-in-lieu of the parks, trails and open space dedication for two (2) units have been paid for Tract A of the Hillside Minor Subdivision. As a condition of approval the following plat note must be added to the plat:
  - Pursuant to section 16-6-120 (8), Parks, Trails and Open Space, of the Salida Municipal Code, as may be amended, land dedication fees-in-lieu have been paid for two residential units in this subdivision. At the time that additional residential dwelling units are constructed on any of the lots herein, either by further subdivision or building permit approval, land dedication and/or fees-in-lieu for parks, trails and open space in the amount then in effect shall be payable to the City prior to issuance of building permits.

**Prior to recording the Wood Minor Subdivision:**

1. The Inclusionary Housing fee in lieu be paid, as recommended, for the two (2) units built on this property.
  - 4 Hillside Drive Unit A is 1819 square feet - (1,819 x \$3.94=\$7,166.86)
  - 4 Hillside Drive Unit B is 1819 square feet - (1,819 x \$3.94=\$7,166.86)

Attachments: Application Packet  
Subdivision plat  
Roadway Maintenance Covenant