



## City Council Regular Meeting

448 E 1st Street, Room 190 Salida, Colorado 81201

April 7, 2026 at 6:00 PM

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### Agenda

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Please register, **BY 4:30 pm the day of the meeting** for Regular City Council Meeting

[https://zoom.us/webinar/register/WN\\_IJlzcmlQTggcTEDomhRz5A](https://zoom.us/webinar/register/WN_IJlzcmlQTggcTEDomhRz5A)

After registering, you will receive a confirmation email containing information about joining the webinar. To watch live meetings:

<http://www.youtube.com/@cityofsalidacolorado>

#### Call to Order

Pledge of Allegiance

Roll Call

#### Amendment(s) to Agenda

#### Consent Agenda

All matters listed under the Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.

1. Approve Agenda
2. Approve March 17, 2026 Minutes
3. **Ordinance 2026-11** An Ordinance of the City Council of the City of Salida, Colorado Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding Administration and Personnel, to add Removal and Sanction Procedures for All Elected Officials. **Approve on first reading and set second reading and public hearing for May 05, 2026**

#### Citizen Comment—Three (3) Minute Time Limit

#### Proclamations

4. Celebrating April 2026 as Arab American Heritage Month

#### Liquor Licensing Authority

5. City Council, as the Local Licensing Authority, to conduct a public show cause hearing to determine if there is substantial evidence to impose a disciplinary action, in the form of revocation, revocation held in abeyance, suspension, suspension held in abeyance, a fine, a fine in lieu of suspension or any other another action decided by City Council, against the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale's Jug

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph.719-530-2626 at least 48 hours in advance.

Liquor located at 220 North F Street, license # 03-22462. **Public Hearing**

**Unfinished Business / Action Items**

- 6. **Ordinance 2026-10** An Ordinance of the City Council of 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 (area also known as the South Ark Neighborhood) to make clarifications, update architectural and dimensional standards, revise affordable housing workforce provisions, and outline review procedures. **Second Reading and Public Hearing**

**New Business / Action Items**

- 7. **Resolution 2026-12** A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy.

**Councilors, Mayor and City Treasurer Reports**

**Council Reports**

- Martin - Sustainability Committee
- Rovinsky - PROST Board
- Schreiner - Finance Committee and ACAC
- Stephens - Airport Board
- Fontana - Finance Committee and Greater Salida Recreation Corporation Board
- Pappenfort - CHA

Mayor Report

Attorney Report

Treasurer Report

Department Updates

**Adjourn**



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City Clerk | Deputy City Clerk

Mayor

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## City Council Regular Meeting

448 E 1st Street, Room 190 Salida, Colorado 81201  
March 17, 2026 at 6:00 PM

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### Minutes

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Please register for Regular City Council Meeting

[https://zoom.us/webinar/register/WN\\_IJlzcmlQTggcTEDomhRz5A](https://zoom.us/webinar/register/WN_IJlzcmlQTggcTEDomhRz5A)

After registering, you will receive a confirmation email containing information about joining the webinar. To watch live meetings:

<http://www.youtube.com/@cityofsalidacolorado>

**Call to Order** at 6:00 PM

**Pledge of Allegiance**

**Roll Call**

PRESENT

Council Member Joey Rovinsky  
Council Member Wayles Martin  
Council Member Shelley Schreiner  
Council Member Alisa Pappenfort  
Council Member Suzanne Fontana  
Treasurer Ben Gilling  
Mayor Justin Critelli

ABSENT

Council Member Aaron Stephens

**Amendment(s) to Agenda**

**Consent Agenda**

All matters listed under the Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.

Council Member Martin moved to move Item #6 to New Business and combine and approve the remaining items on the consent agenda, seconded by Council Member Pappenfort.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

Approve Agenda

Approve March 3, 2026 Minutes

Approve a Special Event Liquor License for April 18, 2026 at A Church

Approve MOU between the City of Salida and the Salida School District R-32-J

Approve Relationship Agreement with the Salida Council for the Arts  
Approve Final Settlement for the Oak Street Improvements Project  
Approve Final Settlement for the Downtown Streetscape Improvements Project

## **MOTION PASSED**

**Citizen Comment–Three (3) Minute Time Limit** Vicki Sue Vigil and Deb Ophus, Deidre Wilda, Heidi Krivanek, Mike LeFever and Adam Martinez spoke during citizen comment.

## **Liquor Licensing Authority**

Council Member Fontana recused herself from the liquor license hearing.

New Hotel and Restaurant Liquor License for Graystone Roadhouse, LLC, dba Graystone Roadhouse located at 720 E. Highway 50.

Mayor Critelli opened the Public Hearing. Heidi Krivanek spoke in support of the new liquor license. Hearing no further comments, the mayor closed the public hearing.

Council Member Martin moved to approve a new Hotel and Restaurant Liquor License for Graystone Roadhouse, seconded by Council Member Schreiner.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Martin, Council Member Rovinsky, Council Member Schreiner

## **MOTION PASSED**

City Council, as the Local Licensing Authority, to review, and potentially issue an Order to Show Cause and schedule public hearing relating to the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale's Jug Liquor located at 220 North F Street

Council Member Schreiner moved to issue an Order to Show Cause and schedule a public hearing for April 7, 2026, seconded by Council Member Martin.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Martin, Council Member Rovinsky, Council Member Schreiner

## **MOTION PASSED**

## **Unfinished Business / Action Items**

### **New Business / Action Items**

**Ordinance 2026-10** An Ordinance of the City Council of 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 (area also known as the South Ark Neighborhood) to make clarifications, update architectural and dimensional standards, revise affordable housing workforce provisions, and outline review procedures. **Approve on first reading and set second reading and public hearing for April 7, 2026**

Council Member Schreiner moved to approve Ordinance 2026-10 on first reading and set second reading and public hearing for April 7, 2026, seconded by Council Member Fontana.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Schreiner, Council Member Martin, Council Member Rovinsky

**MOTION PASSED**

Gain direction from City Council regarding purchasing fireworks for 4th of July and the Parade of Lights.

Council Member Fontana moved to approve a budget amendment in the amount of \$20,000 to purchase fireworks for the 4th of July, seconded by Council Member Rovinsky.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Rovinsky

Voting Nay: Council Member Schreiner, Council Member Martin

**MOTION PASSED**

**Resolution 2026-10** A Resolution of the City Council for the City of Salida, Colorado approving Citizen appointments to the Historic Preservation Commission.

Council Member Schreiner moved to approve Resolution 2026-10 re-appointing Ryan Short to the Historic Preservation Commission, seconded by Council Member Martin.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Stephens, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

**MOTION PASSED**

**Resolution 2026-11** A Resolution of the City Council of the City of Salida, Colorado, Amending the 2026 Fee Schedules and Establishing the Dates of the F Street Closure.

Council Member Martin moved to approve Resolution 2026-11, seconded by Council Member Pappenfort.

Voting Yea: Council Member Pappenfort, Council Member Fontana, Council Member Martin, Council Member Schreiner, Council Member Rovinsky

**MOTION PASSED**

**Councilors, Mayor and City Treasurer Reports**

**Council Reports**

Pappenfort - CHA

Martin – Sustainability Committee

Stephens - Airport Board

Fontana - Finance Committee and Greater Salida Recreation Corporation Board

Rovinsky – PROST Board

Schreiner - Finance Committee

Reports were given.

**Mayor Report**

Report was given.

**Attorney Report**

**Treasurer Report**

Report was given.

**Department Updates**

Reports were given.

**Adjourn** Meeting adjourned at 8:29 pm



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City Clerk | Deputy City Clerk

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Mayor



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Kristi Keller - City Clerk	<b>Date</b> April 7, 2026
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## **Agenda Item**

Ordinance 2026-11 - An Ordinance of the City Council of the City of Salida, Colorado Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding Administration and Personnel, to add Removal and Sanction Procedures for all Elected Officials. First Reading and Setting Second Reading and Public Hearing for May 5, 2026.

## **Background**

At the February 17<sup>th</sup> City Council meeting, Council directed staff to prepare language in the Salida Municipal Code establishing removal and sanction procedures applicable to all Elected Officials. In response, the City Attorney drafted Ordinance 2026-11 for Council's consideration.

## **Recommendation**

Staff recommend approval of Ordinance 2026-11 on first reading and setting the second reading and public hearing for April 21, 2026.

## **Fiscal Impact**

There is no fiscal impact associated with this ordinance.

## **Motion**

A City Councilmember should make a motion to "combine and approve the items on the consent agenda setting second reading and a public hearing for Ordinance 2026-11 for May 5, 2026, followed by a second and a roll call vote.

**City Of Salida, Colorado  
Ordinance No. 11  
(Series of 2026)**

**An Ordinance of the City Council of the City of Salida, Colorado  
Enacting Section 2-2-90 of Chapter 2 of the Salida Municipal Code, Regarding  
Administration and Personnel, to add Removal and Sanction Procedures for All  
Elected Officials**

**WHEREAS**, the City of Salida, Colorado (the “City”) is a statutory city, duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, Chapter 2 of the Salida Municipal Code (“Code”) addresses Administration and Personnel. Article II addresses the elected Mayor and elected City Council and Article III, section 2-3-50, addresses the elected City Treasurer.

**WHEREAS**, C.R.S. § 31-4-307 establishes that officers of a statutory town may be removed by a majority vote of all members of the Board of Trustees for any reason after a written charge has been filed with the Board of Trustees and an opportunity to be heard has been provided to the officer to be removed; and

**WHEREAS**, under C.R.S. § 31-4-108, statutory cities may remove any member of the city council for good cause by a two-thirds vote of all members of the elected city council; and

**WHEREAS**, under C.R.S. § 31-4-111, the City Treasurer has the powers and duties prescribed by state statute and by the ordinances of the City Council; and

**WHEREAS**, the Code currently does not have a procedure for removal or sanctions of elected officials; and

**WHEREAS**, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents to amend Chapter 2 of the Code, regarding the elected Mayor, City Council, and City Treasurer, to clarify removal and censure procedures.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by Council.

**Section 2.** Article II of Chapter 2, Section 2-2-90, “Removal and Sanctions of Council Members” is hereby added to read as following:

2-2-90. - Removal and Sanctions of Council Members

(a) Definitions

(1) "Conviction" shall mean:

- I. A guilty verdict;
- II. A plea of guilty accepted by the court or the entry of a guilty plea;
- III. A plea of nolo contendere (no contest) accepted by the court; or
- IV. The imposition of a deferred sentence accepted by the court.

(2) "Crimes of moral turpitude" include the following felony, misdemeanors or municipal offenses:

- I. Any of the offenses against the person set forth in 18-3-101, et. seq. C.R.S.;
- II. Any of the offenses against property set forth in 18-4-101, et. seq. C.R.S.;
- III. Any of the offenses involving fraud set forth in 18-5-101, et. seq. C.R.S.;
- IV. Any of the offenses involving the family relations set forth in 18-6-401, et. seq. C.R.S.;
- V. (5) Any of the offenses constituting wrongs to at-risk adults set forth in 18-6.5-101, et. seq. C.R.S.;
- VI. Any of the offenses relating to morals set forth in 18-7-101, et. seq. C.R.S.; or
- VII. Any conspiracy, solicitation, or criminal attempt to commit any of the above offenses, or participation as an accessory to any of the above offenses.

(b) Cause for removal.

The following enumerated matters shall be the reasons for removal of a Council member from the Council:

- (1) Four (4) absences from regular City Council meetings during a twelve (12) month period;
- (2) Willful or habitual neglect or refusal to perform the duties of his or her office;
- (3) Attending Town Council meetings in an intoxicated state;
- (4) A conviction of a crime of moral turpitude;
- (5) A violation of the Remote Participation Policy; or
- (6) For any other reason as indicated in the City Council Handbook.

(c) Procedure.

- (1) A charge for removal shall be brought against a Council member by at least four Council members at a regular or special meeting;
- (2) The charged Council member shall be provided written notice of the charge(s) and the date, time, and place of the hearing on said charge(s), with at least ten (10) days prior notice of the hearing, which shall be publicly held before Council;
- (3) Council shall appoint special counsel to conduct the hearing and present evidence on its behalf;
- (4) The hearing shall be conducted in a quasi-judicial forum. The allegations shall be presented on behalf of the City by and through special counsel selected by the City through its City Council; and
- (5) At the hearing, which shall be open to the public, the parties shall have the right to:

- a. Present testimony;
- b. Produce evidence;
- c. Cross-examine witnesses; and
- d. Be represented by legal counsel.

(d) Removal.

- (1) Council shall have the power to remove its members from office for cause upon a concurring vote of five (5) members of Council.
- (2) A Council member who is the subject of the removal charge(s) shall not vote on the question of removal.
- (3) A Council member who is not removed by Council after conducting a hearing shall not be subject to removal in a future hearing based on identical charges arising out of the same incident that forms the basis of the charge from which they were not removed.

(e) Vacancy.

A vacancy created on Council due to removal of a Council member shall be filled as provided by City Ordinance, section 2-2-10(d).

(f) Sanctions.

Upon a vote of four (4) members of Council, City Council may impose sanctions on fellow Council members; including reprimand or public censure, pursuant to the following:

- (1) Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the City Charter, City Ordinances, or the Handbook Rules could lead to sanctions as deemed appropriate by the Council.
- (2) It is the responsibility of the Mayor (or Mayor Pro-tem if appropriate) to initiate action if a Council member's behavior may warrant sanction. If no action is taken by the Mayor, the allegations may be brought to a public meeting at the request of at least two (2) Council members with notice provided to the public. Any sanction shall be by a four (4) vote of the Council.
- (3) If the alleged violation occurred outside the direct observation of the Mayor or Council members, the matter should be referred to the Mayor. The Mayor, or the majority of Council, may request the matter be referred to a third-party investigator to determine if a violation occurred.

**Section 3.** Section 2-3-50, regarding the elected City Treasurer, is hereby amended to include the following:

**(d) Removal and sanctions. The City Treasurer shall be subject to the same removal and sanction procedures contained in section 2-2-90 as the elected Mayor and elected City Council. A vacancy to the City Treasurer position due to removal shall be filled as provided by City Ordinance, section 2-3-50(a).**

**Section 4.** Severability: The provisions of this Ordinance are severable and the

invalidity of any section, phrase, clause, or portion of this 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 the 7<sup>th</sup> day of April, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 16<sup>th</sup> day of April, 2026, and set for Second Reading and Public Hearing on the 5<sup>th</sup> day of May, 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Salida, Colorado

\_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

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

Published in Full in the Mountain Mail after First Reading on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and by Title only, after final adoption on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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



## Proclamation

### Celebrating April 2026 as Arab American Heritage Month

**Whereas**, for over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society: in medicine law, business, education, technology, government, military service, culture; and

**Whereas**, since migrating to America, individuals of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants; and

**Whereas** they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy; and

**Whereas**, Arab Americans have also enriched our society by sharing in the entrepreneurial American spirit that makes our nation free and prosperous; and

**Whereas**, the contributions of Arab Americans in the US often can be neglected or defaced by misconceptions, bigotry, and anti-Arab hate in the forms of crimes and speech; and

**Whereas**, Arab American issues, such as civil rights abuses, harmful stereotyping, and bullying must be combated in the forms of education and awareness; and

**Whereas**, they join all Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; and

**Whereas**, the incredible contribution and heritage of Arab Americans have helped us build a better nation.

**Now, therefore, the City of Salida does hereby proclaim and declare** the month of April 2026 as Arab American Heritage Month in Salida, Colorado and further encourages all Salidans to observe this month with appropriate programs, ceremonies and activities.

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Mayor Justin Critelli

April 7, 2026  
Date



# CITY COUNCIL ACTION FORM

<b>DEPARTMENT</b> Administration	<b>PRESENTED BY</b> Kristi Keller – City Clerk Russ Johnson - Police Chief	<b>DATE</b> April 7, 2026
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## **AGENDA ITEM**

City Council, as the Local Licensing Authority, to conduct a public show cause hearing to determine if there is substantial evidence to impose a disciplinary action, in the form of revocation, revocation held in abeyance, suspension, suspension held in abeyance, a fine, a fine in lieu of suspension or any other another action decided by City Council, against the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462.

## **BACKGROUND**

City Council received complaints on March 5, 2026, related to the conduct of the licensee, Chad Thornton, occurring at the Arlie Dale’s Jug Liquor located at 220 North F Street. Upon receiving the complaints, charging the licensee with an alleged violation of law and rule/regulation adopted by the State Licensing Authority on March 17, 2026, City Council issued an Order to Show Cause, and set a Public Hearing at its regularly scheduled meeting on April 7, 2026.

The Notice of Order to Show Cause and Set for Public Hearing (“Notice”) was in writing and served on the licensee to the address contained in the license. Service of the Notice was done via personal delivery on March 18, 2026. The contents of the Notice provided that the licensee is alleged to have violated:

**Code of Colorado Regulations, Liquor and Tobacco Enforcement Division, 1 CCR 203.2, Regulation 47-900: Conduct of Establishment – Orderliness, loitering, serving of intoxicated persons**

Each person licensed under Article 3, Article 4, and Article 5 of Title 44, and any employee or agent of such licensee shall:

- Conduct the licensed premises in a decent, orderly, and respectable manner;
- Shall not serve a known habitual drunkard or any person who displays any visible signs of intoxication;
- Shall not permit a known habitual drunkard or any person who displays any visible signs of intoxication to remain on the licensed premises without an acceptable purpose;
- Shall not permit the licensee, employee, or agent to knowingly permit any activity or acts of disorderly conduct as defined and provided for in C.R.S. 18-9-106;
- Shall not permit rowdiness, undue noise, or other disturbances or activity offensive to the scenes of the average citizen, or to residents of the neighborhood in which the licensed establishment is located.

At the public show cause hearing, the City Council will hear evidence supporting the charges, then the licensee may offer evidence or statements in his defense. City Council may consider mitigating or aggravating factors.

Those factors include but are not limited to:

Mitigating Factors:

- The licensee and/or its employees maintain responsible vendor training certification;
- The licensee has a substantial history of compliance with liquor laws and rules;
- The violation is a first violation (first violation in a twelve (12) month period);
- The violation was self-reported;
- The extent to which the licensee took prompt and effective self-initiated action to correct the violation and to prevent future violations of the same type from occurring;
- The violation did not demonstrably result in harm, only the potential for harm;
- The violation was negligent, not willful;
- The violation is not part of a pattern or practice of violations;
- The implicated licensee did not encourage others to participate in the same or similar violations;
- The violation did not result in serious bodily injury or death;
- The owner or management personnel was not involved in the violation, and/or did not direct their employees to violate the law;
- The licensee did not substantially benefit, monetarily or otherwise, from committing the violation.

Aggravating Factors:

- The licensee and/or its employees do not maintain responsible vendor certification when certification is required by statute or regulation;
- The licensee has a substantial history of non-compliance with liquor laws and rules;
- The violation is a second, or subsequent offense;
- The violation was discovered, and later substantiated through investigation, as a result of a complaint, or multiple complaints;
- The violation demonstrably resulted in harm, not just the potential for harm;
- The violation was willful, not negligent; The violation is part of a pattern or practice of violations;
- The implicated licensee encouraged others to participate in the same, or similar violations;
- The violation resulted in serious bodily injury or death;
- The owner or management personnel engaged in the violation and/or directed an employee to violate the law;
- The licensee substantially benefited.

At the end of the hearing, City Council will decide whether there is substantial evidence (preponderance of the evidence standard) that a violation occurred or not.

If no violation is found to have occurred, the charges must be dismissed.

If City Council finds there is a violation(s), they will determine what level of violation occurred. See **Exhibit A** for the levels of violations.

Upon finding a violation, City Council may revoke, revoke but hold in abeyance, suspend, suspend but hold in abeyance the license; impose a fine or a fine in lieu of suspension; or impose another action deemed appropriate by City Council. A brief description of available disciplinary actions is below:

- (1) Revocation would entail withdrawing the liquor license granted to the licensee, so there would no longer be a license to operate and sell liquor at the location;
- (2) Revocation held in abeyance would entail the City Council imposing a revocation of the license but holding it in abeyance for one year. The revocation would be imposed if the licensee is found to have violated any law, any provision of the Liquor Code, or any provision of the Liquor Rules and Regulations within that one-year period;
- (3) Suspension of a license would entail the licensee not having a liquor license to sell liquor under for a set period of time and notices would be posted at the retail liquor store notifying the public of the suspension. Any suspension shall not be longer than six (6) months;
- (4) Suspension held in abeyance would entail City Council imposing a set number of days whereby the license would be suspended but hold that suspension in abeyance for one year. The suspension would be imposed if the licensee is found to have violated any law, any provision of the Liquor Code, or any provision of the Liquor Rules and Regulations within that one-year period;
- (5) A fine may be assessed *per violation* based on the level of violation. See **Exhibit B** for calculation of a fine based on the violation level; or
- (6) A fine in lieu of suspension means suspension is imposed, however a fine is calculated and ordered to be paid based on the number of days the liquor license is suspended. City Council may hold a determined number of days of suspension in abeyance for future violations. See **Exhibit B** for calculation of the fine.

## **MOTIONS**

*A City Councilmember should state* “I move to **find or not find** that there is substantial evidence, by preponderance of the evidence, that the licensee of the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462, violated the Code of Colorado Regulations, Liquor and Tobacco Enforcement Division, 1 CCR 203.2, Regulation 47-900: Conduct of Establishment. Specifically, the licensee is found to have violated **(insert what bullet point was violated)** \_\_\_\_\_,” followed by a second and a roll call vote.

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***If a violation is found, subsequent motions are to be made.***

*A City Councilmember should state*, “I move to find a level \_\_\_\_\_ violation occurred for the purpose of imposing a penalty for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462,” followed by a second and a roll call vote.

*A City Councilmember should then state*, “I move to **(choose)** **revoke, revoke but hold it in abeyance for one year, suspend, impose a suspension but hold it in abeyance for one year, impose a fine, impose a fine in lieu of suspension or** \_\_\_\_\_ **for** the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license #03-22462,” followed by a second and a roll call vote.

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***If suspension is imposed, a City Councilmember should state,*** “I move to suspend the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462, for \_\_\_\_ number of days with two notices to be posted in conspicuous places, one on exterior and one on interior, for the duration of the suspension. The notices must measure two feet in length, 14 inches in width, and read as follows:

NOTICE OF SUSPENSION

ALCOHOLIC BEVERAGES LICENSES ISSUED FOR THE PREMISES HAVE BEEN SUSPENDED BY ORDER OF THE LOCAL LICENSING AUTHORITY FOR VIOLATION OF THE COLORADO LIQUOR/BEER AND WINE CODE,”

followed by a second and a roll call vote.

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***If suspension held in abeyance is imposed, a City Councilmember should state,*** “I move to suspend the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462, for \_\_\_\_ number of days but hold the suspension in abeyance for one calendar year from today’s date,” followed by a second and a roll call vote.

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***If a fine is imposed, a City Councilmember should state,*** “I move to impose a fine against the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462, with the fine being determined based on the licensee’s financial sale records for the month of February 2026. The sales records must be maintained and made available to the City Clerk within seven (7) days of today’s date. Failure of the licensee to provide the records within seven (7) days shall result in the presumption that the maximum fine for the offense category the violation falls under applies. Upon receiving the sales records, the City Clerk shall calculate the fine using the formula provided in Exhibit B and the fine shall be paid by the licensee within thirty (30) days,” followed by a second and a roll call vote.

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***If a fine in lieu of suspension is imposed, a City Councilmember should state,*** “I move to impose a fine in lieu of suspension for the Retail Liquor Store liquor license for Nine Stripes LLC dba Arlie Dale’s Jug Liquor located at 220 North F Street, license # 03-22462, with the fine in lieu of suspension imposing \_\_\_\_ days of closure with \_\_\_\_ number of days of suspension being held in abeyance. The fine will be determined based on the licensee’s financial sale records for the last six (6) months. The sales records must be maintained and made available to the City Clerk within seven (7) days of today’s date. Failure of the licensee to provide the records within seven (7) days shall result in the presumption that the maximum fine for the offense category the violation falls under applies. Upon receiving the sales records, the City Clerk shall calculate the fine using the formula provided in Exhibit B and the fine shall be paid by the licensee within thirty (30) days,” followed by a second and a roll call vote.

## EXHIBIT A

When determining the type of penalty to impose for a violation, the Local Licensing Authority shall consider the severity of the violations based on categories set forth in the Code of Colorado Regulations, Liquor and Tobacco Enforcement Division, Regulation 47-603.

### 1. Level 1 Violations

- *Least severe. May result in license suspension, suspension held in abeyance, a fine for each violation, or a fine in lieu of suspension. Licensing authority may issue a warning or accept voluntary compliance.*
- Any fine, including a fine in lieu of suspension, shall not exceed \$5,000 for a first violation. Fines for second or subsequent violations shall not exceed \$15,000, per violation.
- Includes:
  - o Compliance check failures
  - o Licensing infractions that do not affect health, safety, and welfare of public at large
  - o Failure to report premises or licensing changes
  - o Product registration/labeling violations that do not affect public health, safety, welfare
  - o Mandatory posting violations
  - o Trade name violations
  - o Record keeping violations
  - o Minor advertising violations

### 2. Level 2 Violations

- *May result in license suspension, suspension held in abeyance, a fine for each violation, or a fine in lieu of suspension. Licensing authority may issue a warning or accept voluntary compliance.*
- Any fine, including fine in lieu of suspension, shall not exceed \$25,000, per violation.
- Includes:
  - o Marketing and minor trade practice violations that do not directly affect the health, safety, and welfare of the public at large
  - o Sales to minors that are not a part of compliance check, that are a first violation and that do not result in substantial bodily injury or death
  - o Sales to intoxicated persons that are a first violation and that do not result in substantial bodily injury or death
  - o Minor delivery or shipping violations
  - o Improper storage of alcohol beverages
  - o Sale of non- permitted items
  - o Allowing the removal of alcohol beverages from an on-premises licensed premises
  - o Allowing an open container on an off-premises licensed premises
  - o Minor sanitation control violations
  - o Minor conduct of establishment violations
  - o Allowing minor gambling activities on the licensed premises
  - o Minor refilling violations
  - o Minor improper source violations
  - o Operating with an expired license
  - o Minor tasting violations

- Sale to non-members for a club license.

### 3. Level 3 Violations

- *More severe. May result in license suspension, suspension held in abeyance, license revocation, a fine for individual violations, and/or a fine in lieu of suspension. Licensing authority may but is not required to accept assurance of voluntary compliance.*
- Any fine assessed, including fine in lieu of suspension, shall not exceed \$75,000, per violation.
- Includes:
  - Substantial delivery/shipping violations
  - Food requirement violations
  - Substantial refilling violations
  - Substantial improper source violations
  - Exercising privilege of a license other than which licensee holds
  - Gambling activities on premises
  - Substantial tasting violations
  - Unlawful financial interests
  - Substantial sanitation control violations
  - Employee age violations
  - Hours of operation violations

### 4. Level 4 Violations

- *Most severe. This includes violations that may directly affect the health, safety, and welfare of the public at large. The range of penalties may include license suspension, license suspension held in abeyance, license revocation, a fine per violation, and/or a fine in lieu of suspension.*
- Any fine assessed, including fine in lieu of suspension, shall not exceed \$100,000, per violation.
- Includes:
  - Sales to minors that are not a part of compliance check and that are a second or subsequent violation or that result in substantial bodily injury or death
  - Sales to intoxicated persons that are a second or subsequent violation or that result in substantial bodily injury or death
  - Substantial trade 89 practice violations
  - Substantial conduct of establishment violations
  - Permitting the consumption of marijuana or marijuana products on the licensed premises

In imposing a penalty, City Council may take aggravating and mitigating factors into consideration. These aggravating and mitigating factors may result in the movement of a violation into a lower or higher category on a case-by-case basis.

## EXHIBIT B

Fines must be between \$500 and \$100,000, but a first violation in the least severe level of license violation may not exceed \$5,000. C.R.S. § 44-3-601(1)(c).

### Calculation of fine:

- Based on the level of violation and is per violation
- The time frames used for the fine calculation shall be within the same or similar month in which the violation occurred.
- Fine shall be equivalent to 20% of the licensee's estimated gross revenues from sales of alcohol beverages for the following time frames, per violation:
  - o For a Level One violation, seven (7) days;
  - o For a Level Two violation, fourteen (14) days;
  - o For a Level Three violation, at least twenty-one (21) days; and
  - o For a Level Four violation, at least twenty-eight (28) days.
- Fine =  $0.20 \times (\text{Licensee's Estimated Gross Revenues from Sales of Alcohol Beverages for } X \text{ days in the month of February 2026})$ 
  - o Gross revenue = how much alcohol is sold x how much it is sold for

### Calculation of fine in lieu of suspension:

Total gross liquor sales for most recent 6 months = X

Total days open for most recent 6 months = Y

Average Daily Sale (Z) =  $X \div Y$

Fine for 1 day =  $0.2Z$

Fine for 2 days =  $0.4Z$

Fine for 3 days =  $0.6Z$

Fine for 4 days =  $0.8Z$

Upon payment of the fine, the City Council, as the Local Licensing Authority, shall enter its further order permanently staying the imposition of the suspension.

If the fine is paid to a local licensing authority, the governing body of the authority shall cause such money to be paid into the general fund of the local licensing authority.



448 E. 1<sup>st</sup> Street, Suite 274  
Salida, CO 81201  
Phone (719) 539-6880  
Fax (719) 530-0328

03/05/2026

To: Mayor Justin Critelli  
Cc: Salida City Council

### **Re: Liquor License Violation**

Mayor and Council, I am writing this to inform you of some very concerning issues that have been occurring at the Jug Liquor, located at 220 N. F St. When the liquor license was in the process of being transferred to Chad Thornton, Salida PD brought up concerns based on the Criminal History of the applicant. Salida City Council, the Local Licensing Authority, held a hearing and issued a liquor license to Mr. Thornton.

Over the last several months, we have had multiple complaints about this business. All of the complaints have been directly related to the licensee, Chad Thornton or have occurred while Mr. Thornton was in the store. Below I have included a google review from an incident that occurred two weeks ago. We never received a formal complaint at the PD about this, but the behavior indicates a trend at the establishment, and Salida PD is well aware of the "Vic" that is mentioned in the complaint who frequents the store on a very regular basis.

"DANGEROUS! Was stalked & assaulted by the owner's friend in this store at 4pm on a Wednesday. As the business owner he should have told his friend to leave his customers alone & asked him to leave when he followed me around the store but he didn't and the man, Vic, blocked my exit and grabbed me by the waist without my consent.

I was just picking up a 6-pack to pair with chili after work at Jug's on F St. This guy, Vic(5'8-10, big gut, bald/wears a baseball hat, late 40s-50s, caucasian), who had been hanging out with the owner when I walked in, everyone seemed drunk and I didn't think much of it. I gave everyone space, took the long way around the store and when I went to the beer cooler this guy's friend (Vic) was blocking it and staring at me saying things I couldn't understand. I politely asked him if he needs to get by he says something about calories and doesn't move. I grab an accessible 6-pack and go to the counter to check out. This man goes outside the store and holds open the front door while I'm checking out. At this point I'm feeling something is off and it's more than just some friends having a few drinks at the end of the day. I tried talking to the owner and his fellow coworker about my dog they've met, work, etc. until this drunk predatory man leaves but this guy just held the door open & blocked my exit for like 5 mins. I needed to get home, so I went to leave and walk around him and he grabs my waist! Owner says "Vic don't do that" but doesn't move from his spot behind the register, I say "don't touch me" and ran to my bike and go down the street, I turn around to see the liquor store owner with his arm around this guy in a partial hug. I seemed to be the only sober person in the store as everyone's eyes were glazed & speech slurred. Truly horrifying experience and I've been going to Jug's for years. I've talked to a few people around town and this doesn't seem like a one off scenario at this shop.

---

Russ Johnson, Chief of Police



CACP Professional  
Standards Compliance



448 E. 1<sup>st</sup> Street, Suite 274  
Salida, CO 81201  
Phone (719) 539-6880  
Fax (719) 530-0328

Don't support this business. They support predators and should be shutdown. This is suppose to be a nice liquor store in a central location but apparently they think a woman being assaulted in their store is fine behavior. Do better."

In a separate incident, Mr. Thornton was arrested on 02/28/2026. During this incident, Mr. Thornton was heavily intoxicated while working at the liquor store. He approached a male that was on the sidewalk between the Soggy Surfer and Jug Liquor getting a drink of water. The male subject turned around and grabbed his fishing pole. At that time, Mr. Thornton approached him screaming about the USA being at war. Mr. Thornton got really close to the male and grabbed him by the collar of his shirt. Mr. Thornton began to call him names like "bitch and faggot." The male subject was shaken up by Mr. Thornton grabbing him by the shirt and calling him names. The male subject stepped away from him and attempted to walk across the street at the crosswalk. Mr. Thornton followed him continually yelling and calling him names before the police arrived.

While driving to the Jail, Mr. Thornton continued to say, "You can't arrest me, all I did was call him a bitch and fag." Mr. Thornton repeated this approximately 10-15 times in the three-minute drive to the Jail. Once at the jail his PBT was 0.192. To put that in perspective Colorado only requires .050 to be charged with DWAI. Mr. Thornton was fully in care and control of the liquor store as the only employee working during this event. It was also only 3:00 PM at the time of the incident. This level of intoxication is very concerning for anyone to be at, especially if you are operating liquor establishment.

I am writing this as a formal complaint about Arlie Dale's Jug Liquor. I am requesting that the Salida City Council, the Local Licensing Authority, hold a compliance review of the liquor license. This type of behavior and level of intoxication while operating a liquor establishment cannot be tolerated in this community. It clearly puts the safety of our citizens and guests at risk. I request council orders a suspension or termination of this liquor license immediately.

I have included the police report from the incident above and a formal letter of complaint from the victim in this case.

Thanks,

Chief Russell Johnson  
Salida Police Department



# City Council Action Form

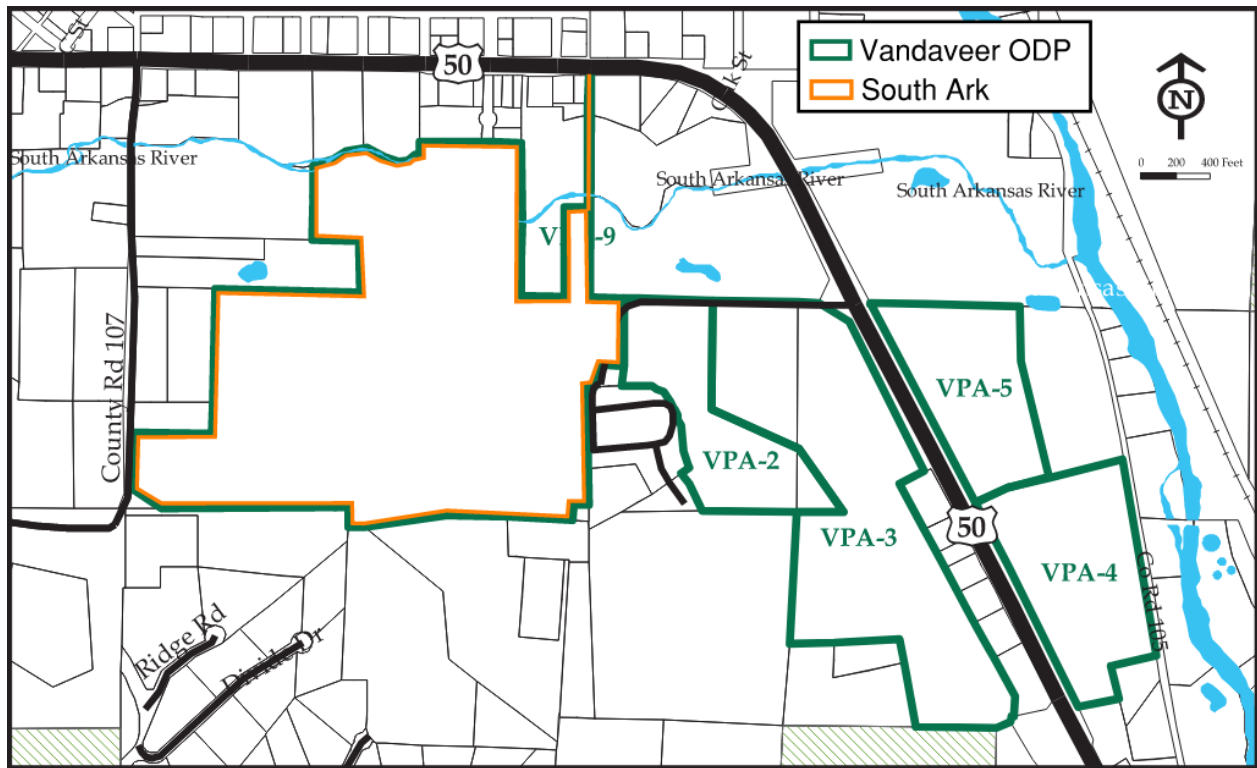
<b>Department</b>	<b>Presented By</b>	<b>Date</b>
Community Development	Bill Almquist - Community Development Director	April 7, 2026

## Agenda Item

Ordinance 2026-10: A 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 (area also known as the South Ark Neighborhood) to make clarifications, update architectural and dimensional standards, revise affordable housing workforce provisions, and outline review procedures.  
**Second Reading and Public Hearing.**

## Background and Context

The request is to make amendments to the substantial modification of parcels VPA-1, VPA-7, VPA-8, and VPA-9 of the Vandaveer Ranch Overall Development Plan (ODP). This area is also known as the South Ark Neighborhood and the initial PD Modification was approved via Ordinance 2023-16. The subject property is approximately 93.5 acres in size and consists of four Vandaveer Planning Areas (VPAs): 1, 7, 8, & 9. The property is owned by the City of Salida, which is the applicant, and is located south of Highway 50 east of CR 107 and west of CR 104.



**Vandaveer Ranch ODP + South Ark Neighborhood**



### **South Ark Neighborhood Illustrated Master Plan**

The PD modification request proposes a variety of general clarifications, as well as updates to architectural and dimensional standards, affordable (and other workforce) housing provisions, and review processes. Details of these proposed changes are described below under “Details of Request.”

#### **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. The public hearing with Planning Commission occurred on February 23, 2026 where the Commission recommended approval with conditions.

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, if applicable, 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**

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.

Between 2016 and 2018, following additional planning efforts and projects that did not materialize, approximately half of the entire ODP area (east of the subject site) was sold off to a variety of private developers and other public entities. This left approximately 93.5 acres remaining on the western side of the ODP with the City of Salida.

The ODP was amended again in 2020 via the Confluent Park PD Modification which affected only VPA-5.

In late 2022, City Council directed staff to initiate a new master planning process for the remaining city-owned property (the “South Ark Neighborhood”) to respond to the growing housing crisis in the city. The end result was the “South Ark Neighborhood PD Modification” (Ord 2023-16) which established a plan for primarily residential uses (up to 400 primary units) on the southwestern roughly 30-acre portion of the site, plus 60 acres of parks and open space uses on the rest of the site. A number of affordability requirements were also established for the property including:

- Minimum 50% affordable workforce units overall and per phase
- 25% non-income-based units restricted specifically for workforce
- Maximum rent and for-sale prices based on Chaffee County AMI's
- Mix of affordable housing types
- Other parameters

Since adoption of the South Ark Neighborhood PD Modification, in fall of 2025, the city went to bid for the initial phase of infrastructure and selected a general contractor to begin work immediately. At the same time, the Major Subdivision for Phase 1 was also reviewed and approved by City Council. This consisted of 55 total lots with capacity for up to approximately 150 residential units; 10 tracts for open space, drainage, and stormwater; and public street rights-of-way on 4.8 acres. Shortly after the subdivision was processed, the City of Salida issued a Request for Proposal for an Owner’s Representative (OR) for the South Ark Neighborhood. The primary role of the OR is to assist with strategic planning for the financial side of the development plans and to help identify developer(s) to build out Phase I residential.

The City has been successful in receiving multiple grants and local funding commitments to provide support for design of all three phases and construction of Phase 1 infrastructure. The City has been working with the OR to work towards this goal, and together, the team has identified language in the South Ark Neighborhood Planed Development that need updating in order to better reach these goals.

The City will be working with the Owner’s Representative this year to initiate lot sales within the PD area. The City’s intent is to market and sell lots in bulk through a competitive Request for Proposals (RFP) or Request for Qualifications (RFQ) process in order to attract qualified development partners and support timely implementation. As part of this process, the City anticipates further coordination and negotiation regarding the specific affordable workforce housing obligations, including how required units will be distributed to meet the current affordability framework. The RFP/RFQ process will also provide an opportunity for the City and OR to

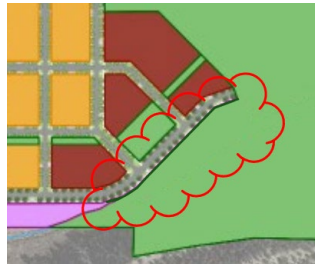
confirm compliance with applicable architectural and design standards and to evaluate proposals for consistency with the intended character and quality of development within the PD.

## **Details of Request**

The proposed modifications consist of mainly four categories and are reflected in language of the attached ordinance text:

### **1. General Clarifications.**

- a. Streetscape design and modification language clarified
- b. Exhibit B has been updated to show a previous portion of SA-1 changing to POS as the land is too steep and not buildable



i.

- c. Exhibit D has been updated to show the new POS portion, mentioned above, now a part of the Ridgeline/Wash Area



i.

- d. Caps on ADUs eliminated (1 allowed on every lot with a principal use)
- e. Instances of “Single Family” change to “Single Family Detached” to clarify use and utilize more consistent nomenclature
- f. Other minor grammatical edits
- g. Street Type D language added from the Insubstantial Modification to the South Ark PD Modification approved administratively September 4<sup>th</sup>, 2025

### **Purpose of Requested Changes:**

Now that the infrastructure for Phase 1 is underway, there is more information on site regarding existing conditions and buildable areas. What was previously identified as SA-1 is too steep for feasible construction and is better suited to act as parks & open space. Additionally, Public Works Director has reviewed and approved infrastructure construction drawings which are accepted for this phase of development.

In late 2025, City Council directed staff to update the Land Use Code (LUC) to allow Salida to become an ADU Supportive Jurisdiction. As a result, 1 ADU shall be allowed on all residential lots, accessory to

a principal dwelling unit. To align with the code updates, the caps on ADUs have been eliminated from the PD.

Uses of “Single Family” in the PD updated to “Single Family Detached” to create better distinction between stand-alone single family units and “Single Family Attached” which is used to specify townhomes and duplexes.

## **2. Architectural and Dimensional Standards Updated**

- a. Side setbacks for attached units clarified
- b. Minimum Density for SA-2 increased per new Subdivision Plat needs
- c. Language around roof forms, courtyards, and front door design standards updated for greater flexibility and feasibility

### **Purpose of Requested Changes:**

For clarification for developers, specifically those unfamiliar with Salida’s LUC, the side setbacks between attached units has been specified.

Now that the Phase 1 Major Subdivision has been approved and recorded, details of the subdivision’s implementation of the South Ark PD have become clearer. The minimum density of SA-2 needs to be slightly increased to allow lots identified in the Master Plan as intended for single-family detached homes to act as such. Similarly, some original language in the PD regarding orientations of courtyards and front doors also needs to be updated to respond to the layout of the subdivision.

Language around roof design is proposed to be changed to allow more design flexibility across lots and respond to larger multi-family structure needs. Additionally, this will relieve staff burden from administering the PD.

## **3. Affordable & Workforce Housing Provisions Updated**

- a. Total affordable workforce housing unit percentages for the entire development decreased from 50% to 33%; phasing language also reflects this change
  - i. **Note:** Planning Commission’s recommendation in the February 23<sup>rd</sup> public hearing was for this change to only apply to Phase 1, keeping the original percentage at 50% for remaining Phases.
- b. Refining eligibility of public and non-profit housing units towards affordable housing minimum requirements
- c. The minimum required share of affordable workforce housing units provided as for-sale and as rental units has been reduced from 40% to 25% each
- d. Non-income-based workforce housing unit percentages decreased from 25% to 10% for entire development and per phase, plus eliminate 90-day first-right-of-refusal for rental units of this type (make them only available to workforce).
  - i. **Note:** Planning Commission’s recommendation in the February 23<sup>rd</sup> public hearing was for this change not to take place, keeping the percentage at 25%. Planning Commission also recommended that the 90-day first right of refusal for workforce only apply to for-sale units, not rental units.

- ii. **Note:** Staff requests City Council consider allowing the change to 10% non-income-based workforce units to apply to Phase 1 only. (See comments under Staff Recommendation section below).
- e. Language added for units constructed within a bulk lot development by a single developer in Phase I. A minimum of 1 in 6 total units shall be restricted as affordable workforce housing *and* a minimum of 1 out of 6 total units shall be restricted either as affordable workforce housing or non-income-based workforce housing for total residential units.
  - i. **Note:** This provision has been clarified since the Planning Commission hearing to more clearly distinguish the requirements for the affordable workforce units from the requirements for the non-income-based workforce units.
- f. Certificate of Occupancy ratios of 1 in 4 restricted unit to total unit timing (pacing) updated to 1 in 6 restricted unit to total units constructed within a bulk lot development by a single developer in Phase I.

**Purpose of Requested Changes:**

Since adoption of the initial PD modification in 2023, market conditions and the practicalities of maintaining/enforcing high affordable housing requirements have evolved. The initial PD modification was approved during a period of lower construction costs and early-stage inclusionary housing policy implementation. As the project moves from concept into execution, updated cost estimates, infrastructure obligations, and financing conditions have highlighted the need to refine certain requirements to ensure development can proceed while still advancing the community’s housing goals.

The proposed amendments adjust the unit mix and affordability framework by recalibrating workforce and affordable workforce housing requirements, including updates to the non-income-based workforce housing percentage, the for-sale and for-rent affordable workforce housing percentages, and the overall affordable workforce housing minimum. Additional revisions clarify how affordable housing requirements apply across phases, update timing/concurrency provisions to provide greater flexibility between development partners, and refine eligibility standards so that qualifying public and nonprofit housing units may count toward the affordable housing requirements. Collectively, these changes are intended to improve clarity, strengthen implementation, and preserve a meaningful affordable housing commitment while supporting a development structure that can realistically move forward.

**4. Review Procedures Clarified**

- a. Procedure for principal uses permitted by right clarified
- b. Procedure for Administrative Review updated to reflect recent Land Use Code adoption language and process
- c. Review by other boards and commissions clarified
- d. Clarifying review processes for various use types and intensities in each residential district, inc. certain use types that were inadvertently omitted from the original PD Modification (e.g. multi-family in SA-2)

**Purpose of Requested Changes:**

To better align with Salida’s recently adopted new LUC, language has been added to clarify review procedures. Additionally, for clarity for developers, specifically those unfamiliar with Salida’s LUC, general review procedures have been outlined directly in the PD language.

## **Requirements For Approval of Substantial Modifications to a PD:**

Section 16-8-30(g) "Post-Decision Actions and Limitations," Section (5) "Modification or Amendment of Approval" states that any substantial modifications to approved plans shall require a new application submitted and reviewed in accordance with the full procedure.

Section 16-8-40(b) "Rezoning to Planned Development Overlay" Section (3)e2a) Rezoning to PD Approval Criteria: In reviewing a proposed PD, the Planning Commission and City Council shall consider whether and to what extent the PD:

### **Meets the general approval criteria in 16-8-30(f)(4):**

- 1) Compliance with this Code: The proposed use and development shall comply with the applicable standards in this Code, including but not limited to zoning districts, use regulations, and development standards, unless the standard is lawfully modified.
  - The proposed modification use and development complies with the applicable standards in this Code and those defined in the PD Modification.
- 2) Compliance with Other Applicable Regulations: The proposed use and development shall comply with all other City regulations and with all applicable standards or requirements of federal, state, or other local government control of the property or the current or proposed use of the property.
  - The proposed modification use and development complies with all other City regulations and with all applicable standards with the proposed use of the property.
- 3) Compliance with Prior Approvals: The proposed use and development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval for all or part of the property that is in effect and not proposed to be changed. This criterion includes consistency with approved development phasing plans and the installation of public improvements.
  - The proposed modification use and development is consistent with the terms and conditions of the prior land use approvals for this property. This modification does not change the originally proposed phases or the planned installation of public improvements.
- 4) Consistency with Adopted Plans: The proposed use and development are consistent with applicable City policies of the Comprehensive Plan and other adopted City plans and policies.
  - The proposed modification use and development is consistent with the applicable City Policies, including the Comprehensive Plan. The development works towards the City's goals including but not limited to affordable housing, open space, providing a variety of housing types, etc.

### **Meets the approval criteria for rezonings in 16-8-40(a)(3)e.2.a):**

- 5) The proposed amendment is generally consistent with the Comprehensive Plan.
  - The proposed modification is consistent with the Comprehensive Plan for the reasons mentioned in 4) above.
- 6) The proposed amendment is consistent with the purpose of the zoning district which the property is proposed to be designated.
  - The proposed modification use and development is not changing the zoning designations identified within the PD.
- 7) The development allowed by the proposed zoning would be compatible with surrounding zoning districts, land uses, and neighborhood character of properties within City limits; or compatible with

future anticipated zoning districts, land uses, and neighborhood character of properties within City limits.

- The proposed modification use and development retains its original compatibility with the surrounding zoning districts, land uses, and neighborhood character of properties within City limits.

### **And Meets the Following:**

- 8) Addresses a unique situation, provides substantial benefit to the City, or incorporates innovative design that achieves a higher quality standard than could otherwise be achieved through strict application of a base zoning district.
  - The South Ark Neighborhood is a unique property and provides substantial benefit to the City with its affordable housing efforts.
- 9) Meets all applicable standards of this Code not expressly modified by the PD application, including but limited to standards in Article 16-4, Development & Design Standards, and Article 16-9, Inclusionary Housing.
  - The proposed modification use and development meets all other applicable standards of this Code not modified by the PD .
- 10) Provides a variety of housing types and densities, if residential is proposed as part of the PD.
  - The proposed modification use and development provides adequate development space for single-family detached, attached (townhomes and duplexes) and several multi-family lots.

### **Planning Commission Recommendation**

Planning Commission reviewed the application on February 23, 2026 during a public hearing. The motion, as discussed in the Details of Request section above, was to recommend City Council approve the Amendment to the South Ark Neighborhood Planned Development Modification as proposed, as it meets the intent of the applicable review standards and housing goals of the City and included the following amendments:

1. Proposed changes shall only apply to Phase 1 (It was assumed from the nature of the conversation that the limitation to Phase I was intended to apply only to the numerical/percentage requirements for affordable housing and non-income-based workforce housing).
2. Keep non-income-based workforce housing units at 25%, not 10% in Phase I.
3. The existing 90-day first-right-of-refusal for non-income-based workforce housing units shall only apply to for-sale units, not rental units.

### **Staff Recommendation**

The application is in compliance with the review standards for Substantial Modifications to a Planned Development and is consistent with the efficient development and preservation of the South Ark Neighborhood PD. The modification will accommodate appropriate development to support the housing goals of the city.

The redlined PD text has been updated to reflect Planning Commission's direction to separate out affordable housing minimum requirements between Phase 1 and remaining Phases. Staff's original request to decrease the non-income-based workforce housing requirement from 25% to 10% remains but has been updated to adopt the same phased approach as the affordable housing requirement (apply to Phase 1 only, keep remaining Phases at 25%). While the Commission did not discuss this requirement on a phase-by-phase basis, staff and owner's representative maintain that this adjustment would provide additional flexibility in Phase 1 to support project feasibility, advance pro forma objectives, and facilitate timely construction and occupancy. Therefore, staff recommends that City Council consider reducing this minimum to the originally proposed 10% for Phase 1 only.

### **Fiscal Impact**

The proposed amendments are not expected to have an immediate fiscal impact on the City's General Fund. Rather, the adjustments are intended to support the financial viability and timely implementation of the project so that planned infrastructure construction and lot sales can move forward. Aligning the affordability requirements and phasing provisions with current market conditions helps reduce the risk of delay and supports the City's ability to recover infrastructure costs through future development. Long-term fiscal impacts will ultimately depend on the timing of lot sales, RFQ process, and overall buildout of the site throughout the phases.

### **Motion**

A City Councilmember should state "I move to \_\_\_\_\_ Ordinance 2026-10 Approving a Substantial Modification of Parcels VPAs 1, 7, 8, and 9 of the Vandaveer Ranch Planned Development (also known as the South Ark Neighborhood)", followed by a second and a roll call vote.

#### Attachments:

- Ordinance 2026-10 (with amended exhibits)
- Ordinance 2023-16 with all exhibits
- 2011 Vandaveer Ranch ODP as amended
- Application Materials
- Proof of Publication

**City Of Salida, Colorado  
Ordinance No. 10  
(Series of 2026)**

**An Ordinance of the City Council of 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 (area also known as the South Ark Neighborhood) to make clarifications, update architectural and dimensional standards, revise affordable housing workforce provisions, and outline review procedures.**

**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**, the City of Salida is the owner of all of Vandaveer Planning Area (VPA) Parcels 1, 7, 8, and 9 which encompass approximately 93.5 acres on the far western side of the Overall Development Plan area (known as the “South Ark Neighborhood”); and

**WHEREAS**, The City of Salida City Council approved Ordinance 2023-16 on December 5, 2023 further modifying the Overall Development Plan for the City-owned South Ark Neighborhood;

**WHEREAS**, Section 16-8-30 of the Salida Municipal Code (SMC) adopted on December 22, 2025 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 has made an application to further amend the South Ark Neighborhood portion of the Overall Development Plan in accordance with the SMC, to make clarifications, update architectural and dimensional standards, revise affordable workforce housing provisions, and outline development review procedures; and

**WHEREAS**, the City of Salida Planning Commission held a duly noticed public hearing on February 23, 2026 to review the proposed changes and made a recommendation that the City Council approve the proposed substantial modification of

the Planned Development, with recommended changes, 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.

**Now, therefore, be it ordained by the City Council of the City of Salida, Colorado, that:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and finding by Council.

**Section 2.** The South Ark Neighborhood Zone District Map (Exhibit B of the South Ark Neighborhood PD Modification) shall be amended as shown in Exhibit A attached hereto.

**Section 3.** The South Ark Neighborhood Parks and Open Space Map (Exhibit D of South Ark Neighborhood Planned Development Modification) shall be amended as shown in Exhibit B attached hereto.

**Section 4.** Section 3.01, the Planning Area Entitlements Chart of Article 3 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be amended to read as follows:

**Planning Area Entitlements Chart**

<b>Planning Areas</b>	<b>Zoning</b>	<b>Gross Area</b>	<b>Dwelling Units and Commercial Lodging Units<sup>1</sup></b>	<b>Non-residential<sup>2</sup> Development Square Footage</b>
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	100,000

			lodging units)	
VPA-5	R-3, RMU and C-1 per Article 10. Confluent Park <sup>3</sup>	15	289 <sup>3</sup>	125,000 <sup>3</sup>
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
<b>Total</b>		<b>189.9</b>	<b>1,124 units</b>	<b>622,500 SF</b>

<sup>1</sup> This represents the total number of units but does not specify if they are single family [detached](#), attached, or stacked units.

<sup>2</sup> 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

<sup>3</sup> See Article 10, Confluence Park Standards

[Notwithstanding anything to the contrary contained in this Article 3 or elsewhere in this Overall Development Plan, development for public occupancies shall not count against the maximum non-residential square footage allowed in each Planning Area.](#)

**Section 5.** Section 4.03, “South Ark Neighborhood” of Article 4 of the Vandaveer Ranch Planned Development District Overall Development Plan, shall be amended to read as follows:

**4.03 South Ark Neighborhood**

~~The t~~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. [An additional subarea zone district \(POS\) shall be reserved for a mix of park and open space uses, both within the residential subareas and within the future Vandaveer Regional Park.](#) 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 [detached](#) dwelling units

- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than ~~eight-four~~ (84) units per structure

Principal Uses Allowed by Administrative Review:

- Attached townhomes with no more than 5-8 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 associated with ~~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 detached dwelling units
- Duplex dwelling units
- Residential Multi-Family (3-4 units)
- Attached townhomes with no more than ~~eight-four~~ (84) units per structure
- ~~Residential Multi-Family (5-19 units)~~

Principal Uses Allowed by Administrative Review:

- Attached townhomes with no more than 5-8 units per structure
- Residential Multi-Family (5-19 units)
- Residential Multi-Family (20+ units)

Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be associated with ~~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~~ four (84) 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~~

#### Principal Uses Allowed by Administrative Review:

- Attached townhomes with no more than 5-8 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
- 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.)

#### Accessory Uses Permitted with Conditions (conditions in parentheses):

- Accessory dwelling units (shall comply with ADU dimensional requirements in code requirements and be associated with ~~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 [subarea](#) 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 [satisfy the ODP satisfies the Planned Development District](#) requirement for open space dedication. The POS [subarea](#) zone district exists within all four separate planning areas [existing within the South Ark Neighborhood PD Modification area](#). The allowed uses for those planning areas are listed below and expand upon the uses outlined at Section 4.06 of the ODP [further below](#):

***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 [also](#) 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 [a recreation center](#), fishing facilities, ballfields and courts, play fields and playgrounds, trails, dog park, community supported agriculture, community gardens, passive recreational and [Open sSpace](#) areas.

- [Public/Institutional Uses \(transit center, church/religious, clubs, community buildings, government administrative facility, group homes, public parking facility, school, etc.\)](#)

- A future daycare facility shall also be allowed.

**Section 6.** The “South Ark Neighborhood” columns of Section 5.06, entitled Table of Dimensional Standards, within Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, shall be amended as follows:

**5.06 Table of Dimensional Standards**

DIMENSIONAL STANDARD	SA-1	SA-2	SA-3
Minimum Lot Area	2,400 sq. ft. single family <a href="#">detached</a> 1,600 sq. ft. attached	2,000 sq. ft. single family <a href="#">detached</a> 1,200 sq. ft. attached	3,200 sq. ft. 5,000 non-res sq.ft.
Minimum Lot Width	30' single family <a href="#">detached</a> 20' attached	25' single family <a href="#">detached</a> 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 <a href="#">detached</a>	30', no more than 2-stories	30', no more than 2-stories	N/A
Maximum Height –	30', no more than 2-	40', no more than 3	40', no more than

<a href="#">attached</a> , multi-family, non-residential, and mixed use	stories	stories 30', no more than 2 stories fronting CR 107	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, <del>50</del> 00 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.*

*\*\*\*[No side setbacks for interior attached units](#)*

**Section 7.** Section 5.07, within Article 5 of the Vandaveer Ranch Planned Development District Overall Plan, the new section from the South Ark Neighborhood PD Modification, entitled “Affordable and Workforce Housing Standards,” shall be amended to read as follows:

**5.07** Affordable [Workforce](#) and [Non-Income-Based](#) Workforce Housing Standards

This South Ark Neighborhood PD modification shall ensure and require that a minimum of ~~fifty percent (50%)~~ [thirty-three percent \(33%\)](#) of all housing units constructed within [Phase I of](#) the PD modification area be “affordable workforce housing” as defined herein and as further specified below. [A minimum of fifty percent \(50%\) of all housing units constructed within the remaining Phases of the PD modification area shall be “affordable workforce housing” as defined herein and as further specified below.](#)

[Also, A](#) ~~a~~ minimum of an additional ~~ten percent (10%)~~ [twenty-five percent \(25%\)](#) of all housing units [within Phase I](#) shall be prioritized for the local Chaffee County workforce, either through affordable workforce housing or [through](#) non-income-based workforce housing, [as defined herein and as further specified below, \(i.e., through reoccurring first-rights-of-refusal\)](#) to be agreed upon via future development agreements. [A minimum of an additional twenty-five percent \(25%\) of all housing units within the remaining Phases shall be restricted as affordable or as non-income-based workforce housing.](#) 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 (or otherwise-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 reserved only for members of the Chaffee County local workforce via reoccurring 90-day first-rights-of-refusal for for-sale units, prior to being offered to non-workforce members. Non-income-based workforce housing rental units shall not have such first-rights-of-refusal and therefore shall be offered to local workforce members only.

Additional-Specific Requirements:

- A minimum of ~~thirty-three percent (33%)~~ fifty percent (50%) of the total residential units within Phase I of the South Ark Neighborhood PD modification area shall be permanently deed-restricted affordable workforce housing as defined herein and as further specified immediately below. For the remaining Phases, a minimum of fifty percent (50%) 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 twenty-five percent (25%) ~~forty percent (40%)~~ shall be reserved for affordable workforce housing *rental* units, and no fewer than twenty-five percent (25%) ~~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, including but not limited to: such as the Chaffee Housing Authority, 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. ~~Regardless, but~~ such residential units shall may not count however toward the required fifty percent (50%) overall and per-phase affordable workforce housing units requirements.
  - A minimum of an additional ten percent (10%) of all housing units within Phase I shall be prioritized for the local Chaffee County workforce, either through affordable workforce housing or through non-income-based workforce housing, as defined above, and to be agreed upon via future development agreements. A minimum of an additional twenty-five percent (25%) of all housing units within the remaining Phases shall be restricted as affordable or as non-income-based workforce housing.
  - In Phase I, for bulk lot developments by a single developer other than public or non-profit entities as described above, the requirements for restricted units are as follows:
    - A minimum of 1 out of 6 total units shall be restricted as affordable workforce housing, as defined herein.
    - An additional minimum of 1 out of 6 total units shall be restricted either as affordable workforce housing or non-income-based workforce housing, as defined herein.

- ~~Furthermore, the deed-restricted (or otherwise-restricted) affordable workforce housing units and non-income-based workforce housing units provided in each zone district (and phase) phase shall be delivered in a manner that is reasonably concurrent built at substantially the same time as the non-deed-restricted residential units. Therefore:~~
  - ~~In Phase I, Certificate of Occupancies (COs) shall be issued at a ratio of not less than one (1) restricted unit (whether affordable workforce housing or non-income-based workforce housing) for every six (6) total units constructed within a bulk lot development by a single developer. In subsequent Phases, Certificates of occupancy (COs) shall be given issued at a maximum of ratio of not less than three (3) non-deed-restricted residential units for every one (1) deed-restricted or otherwise-restricted unit for every four (4) total residential units, as defined herein.~~
- Short Term Rental Unit(s) shall not be permitted anywhere in the South Ark Neighborhood PD modification area.
- 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 maximum 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 Minimums/Maximums

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

**Section 8.** Section 8.02 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled “South Ark Neighborhood: Development and Design Standards”, shall be amended 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 strongly encouraged, permitted, though low-sloping or "flat" roofs should be avoided but may be allowed when integrated into an overall architectural design that is consistent with the neighborhood character. ~~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 [where site conditions, circulation patterns, and project design allow](#).

- Front doors and porches of residential units [should generally be oriented toward adjacent courtyards or common spaces where feasible and appropriate](#). ~~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.

### **REVIEW PROCEDURES**

#### **8.02.19 Review and Approval**

a. Residential single-family detached units, duplex dwelling units, attached townhomes with no more than four (4) total units, and multi-family with no more than four (4) units per lot that are permitted by right within a specific South Ark Neighborhood zone district do not require additional discretionary review and may proceed directly to the building permit application.

b. All other residential or commercial uses permitted by right or designated as “Principal Uses Allowed by Administrative Review” shall follow the review process of SMC Section 16-8-50(a) Minor Site Plan Review;

c. Minor Site Plan Review approvals shall be limited to a determination of compliance with this Planned Development, applicable provisions of the Salida Municipal Code, and any approved development agreements.

d. Upon Minor Site Plan Review approval, an applicant may proceed directly to building permit review and issuance, subject to compliance with applicable building, fire, engineering, and safety codes.

e. The City may require reasonable technical revisions/conditions as part of the Minor Site Plan Review process but shall not impose additional discretionary design requirements beyond those set forth in this Planned Development.

f. Planning Commission or City Council review shall only be required in cases involving:

- Amendments to this Planned Development;
- Requests for variances or deviations from approved standards that are not/cannot be approved via the Minor Modification process outlined in SMC Section 16-8;
- Modifications that materially alter approved entitlements, densities, or development standards; or

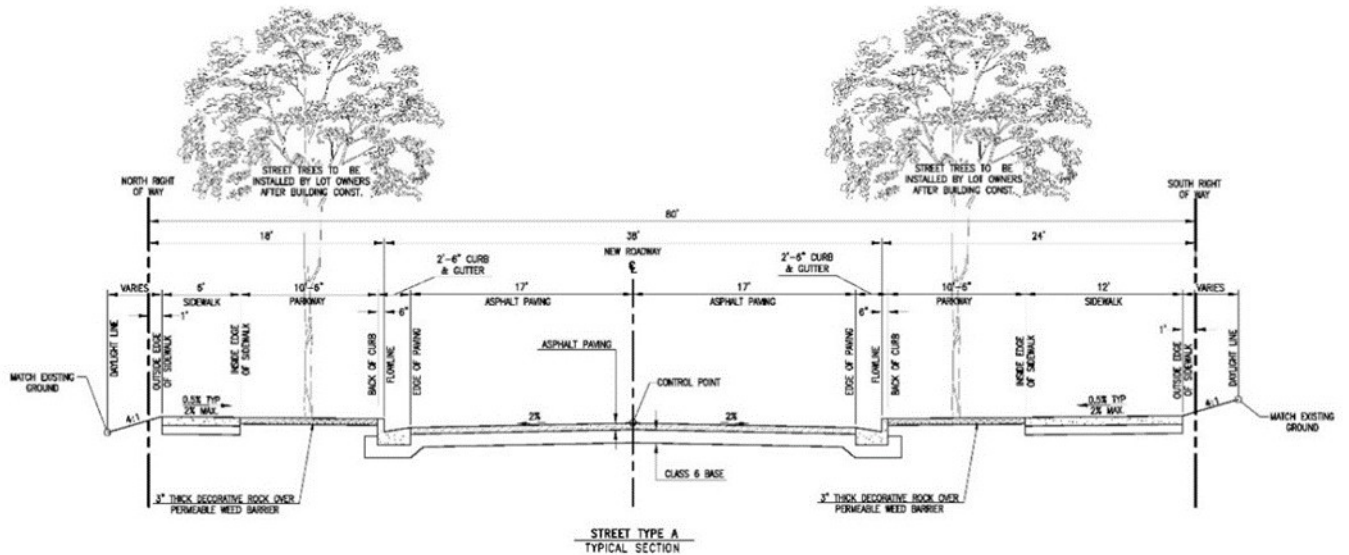
- [Any open space dedications or dedications of public improvements.](#)

**Section 9.** Section 8.05.4.1 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled “Vandaveer Ranch Overall Development and Design Standards to ensure compatibility between different developments,” shall be amended to read as follows:

**8.05.4.1** Street and Streetscape Design Specific to the South Ark Neighborhood Planned Development Modification area [\(any modifications to the proposed street sections shall be presented with proper reasoning and determined appropriate by the Public Works Director\)](#):

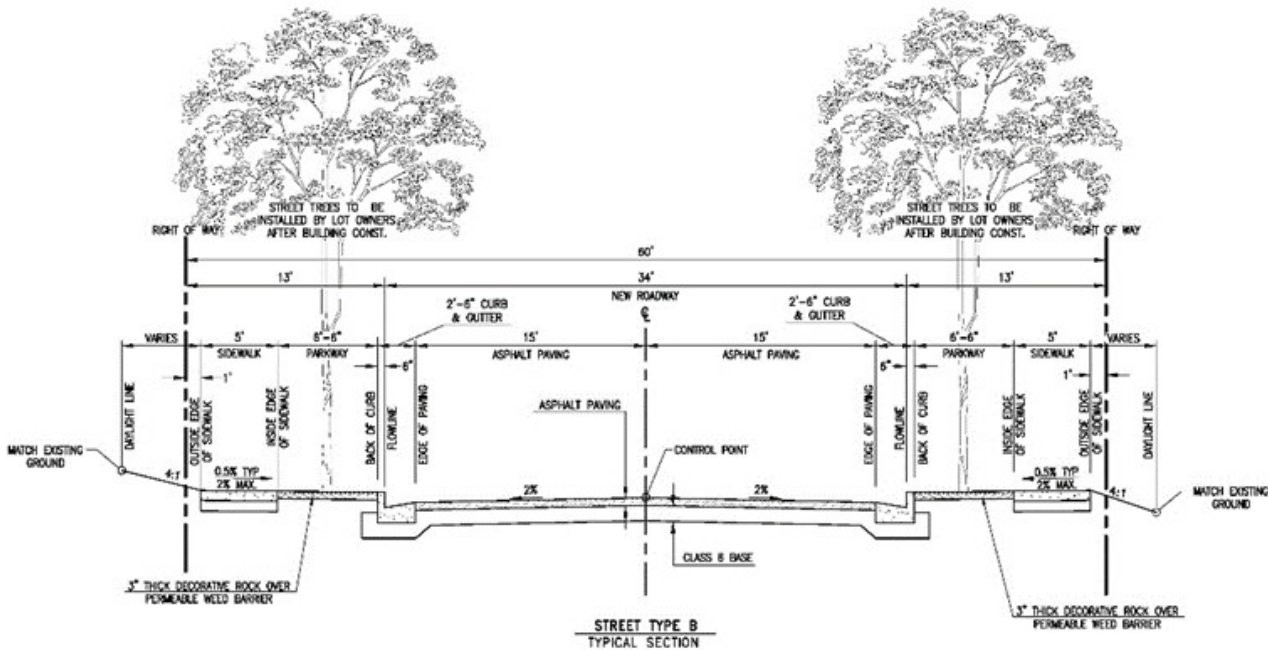
- **Street Type ‘A’** (80’ R.O.W.) – An east-west “spine road” connecting CR107 at the west to CR104 to the east, provides two points of access to the South Ark Neighborhood and Vandaveer Regional Park, while also providing helpful emergency access in the case of a county roadway closure. While this 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. [This road type may also serve as an approved street type to meet the frontage requirements of a lot.](#)

## 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 10.**

**Severability:** The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of this 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 the 17th day of March, 2026, adopted and ordered published in full in a newspaper of general circulation in the City of Salida by the City Council on the 26<sup>th</sup> day of March, 2026, and set for Second Reading and Public Hearing on the 7<sup>th</sup> day of April , 2026.

Introduced on Second Reading, finally adopted and ordered published by Title only, by the City Council on the 7th day of April, 2026.

City of Salida, Colorado

\_\_\_\_\_  
Mayor

[SEAL]

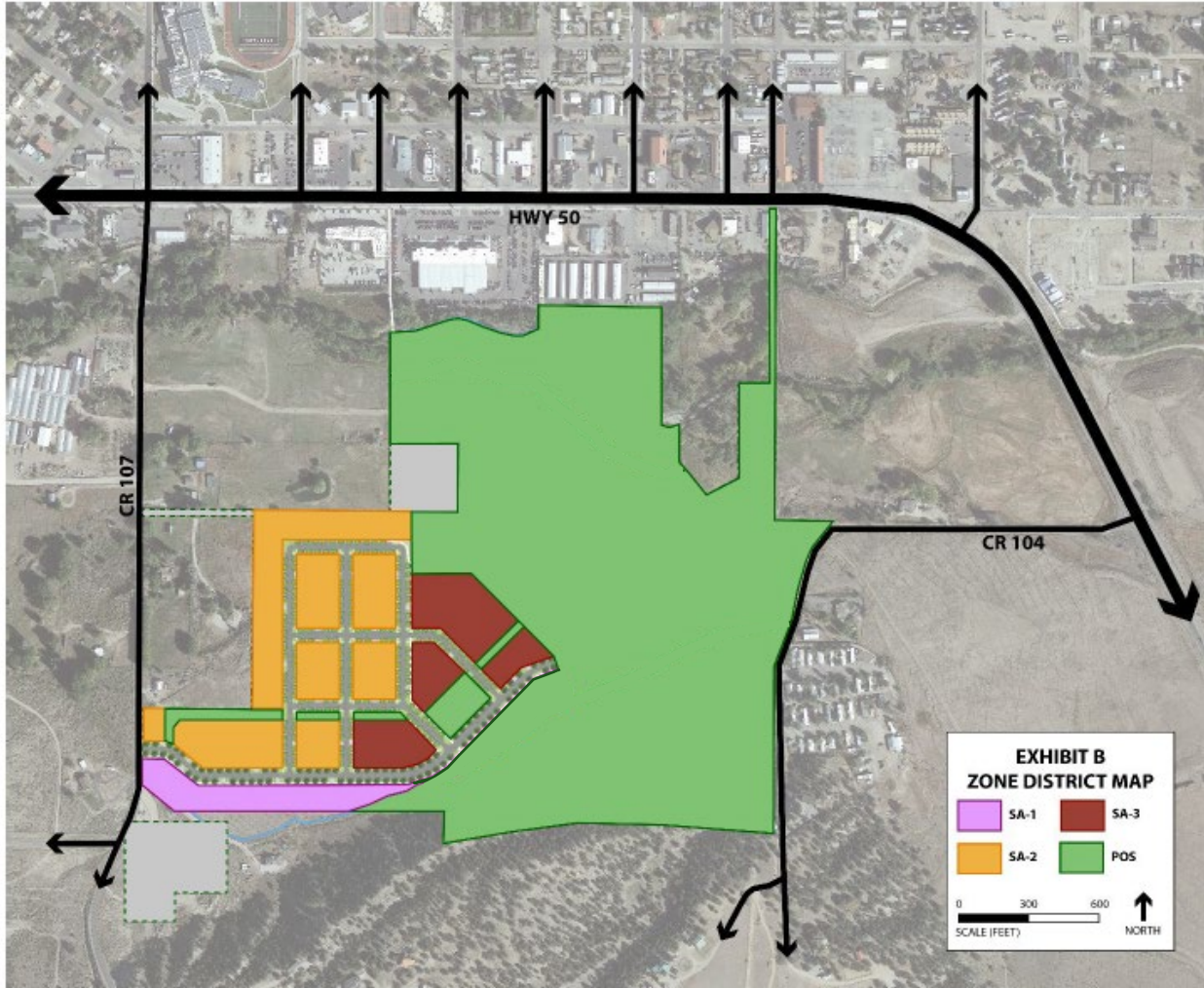
ATTEST:

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City Clerk/Deputy Clerk

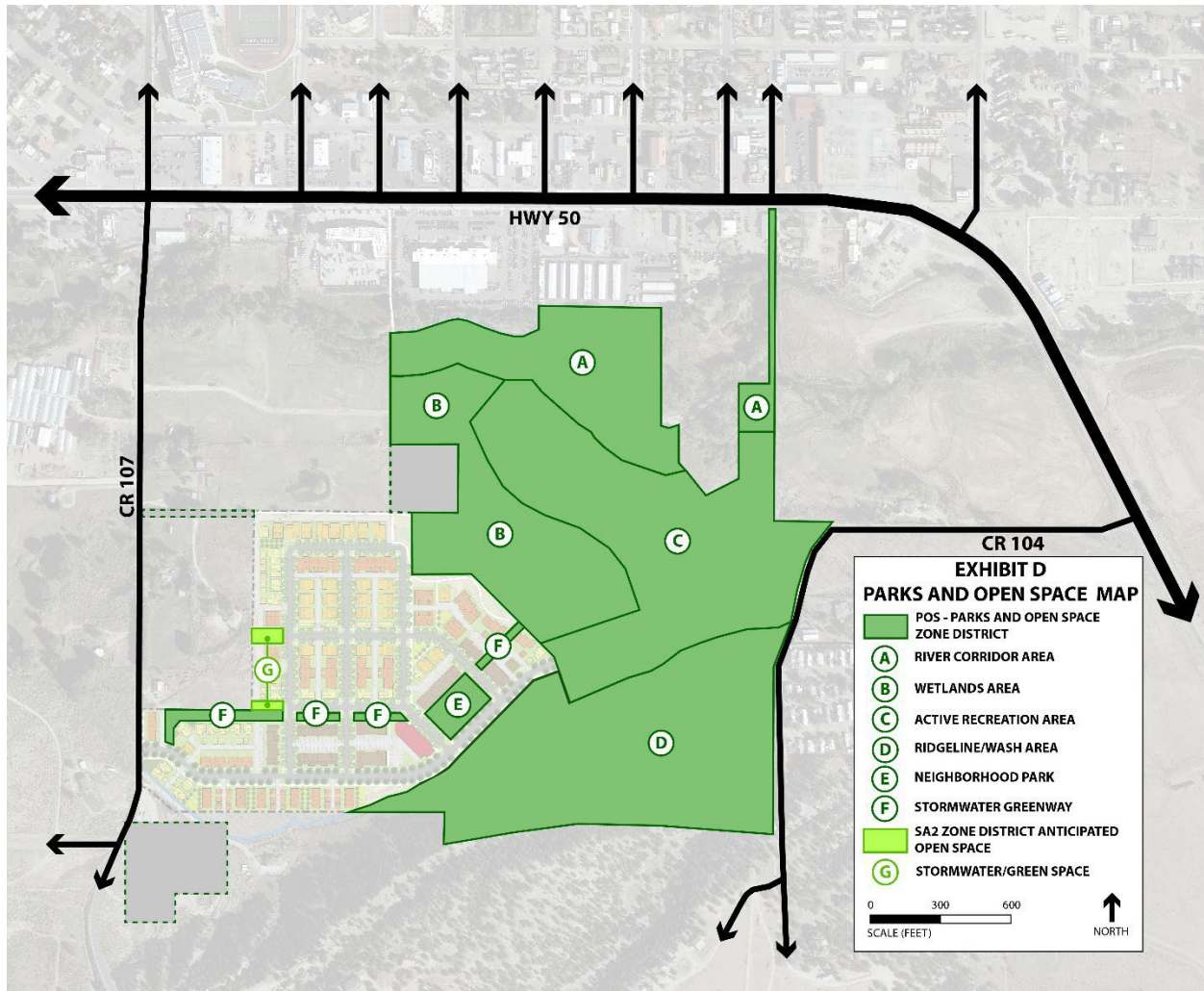
Published in Full in the Mountain Mail after First Reading on the 17th day of March, 2026, and by Title only, after final adoption on the 7<sup>th</sup> day of April, 2026.

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

# Exhibit B: South Ark Neighborhood Zone District Map



## Exhibit D: South Ark Neighborhood Parks and Open Space Map



Ordinance 2023-16 (Original South Ark Neighborhood PD Modification)

**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 Units <sup>1</sup>	Non-residential <sup>2</sup> 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 <sup>3</sup>	15	289 <sup>3</sup>	125,000 <sup>3</sup>
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
<b>Total</b>		<b>189.9</b>	<b>1,124 units</b>	<b>622,500 SF</b>

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

<sup>2</sup> 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

<sup>3</sup> 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 fifty percent (50%) of all housing units constructed within the PD modification area be “affordable

workforce housing” as defined herein and as further specified below. A minimum of an additional twenty-five percent (25%) of all housing units shall be prioritized for the local Chaffee County workforce, either through affordable workforce housing or non-income-based workforce housing (i.e., through reoccurring first-rights-of-refusal) to be agreed upon via future development agreements. 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 (or otherwise-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 reserved only for members of the Chaffee County local workforce via reoccurring 90-day first-rights-of-refusal.

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, 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 not count however toward the fifty percent (50%) overall and per-phase affordable workforce housing units requirement.

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 maximum 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 Minimums/Maximums

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

**Section Eight**

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 Nine**

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.

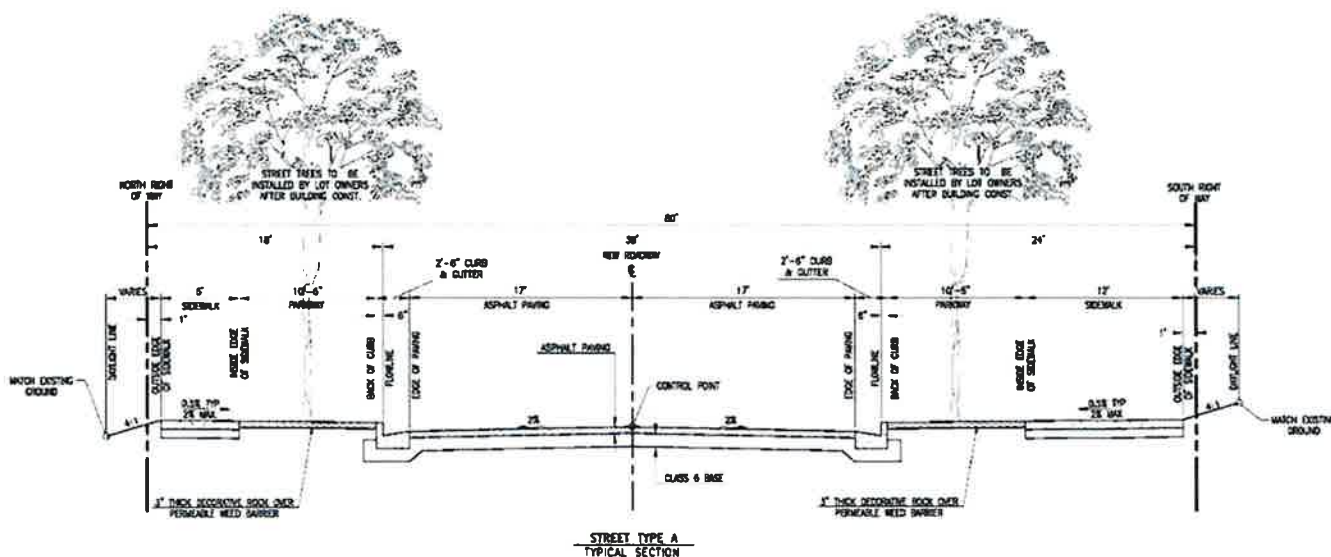
Additionally, Section 8.05.4 of Article 8 of the Vandaveer Ranch Planned Development District Overall Development Plan, entitled “Street and Streetscape Design,” shall be amended to by the addition of subsection 8.05.4.1, to read in its entirety as follows:

**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

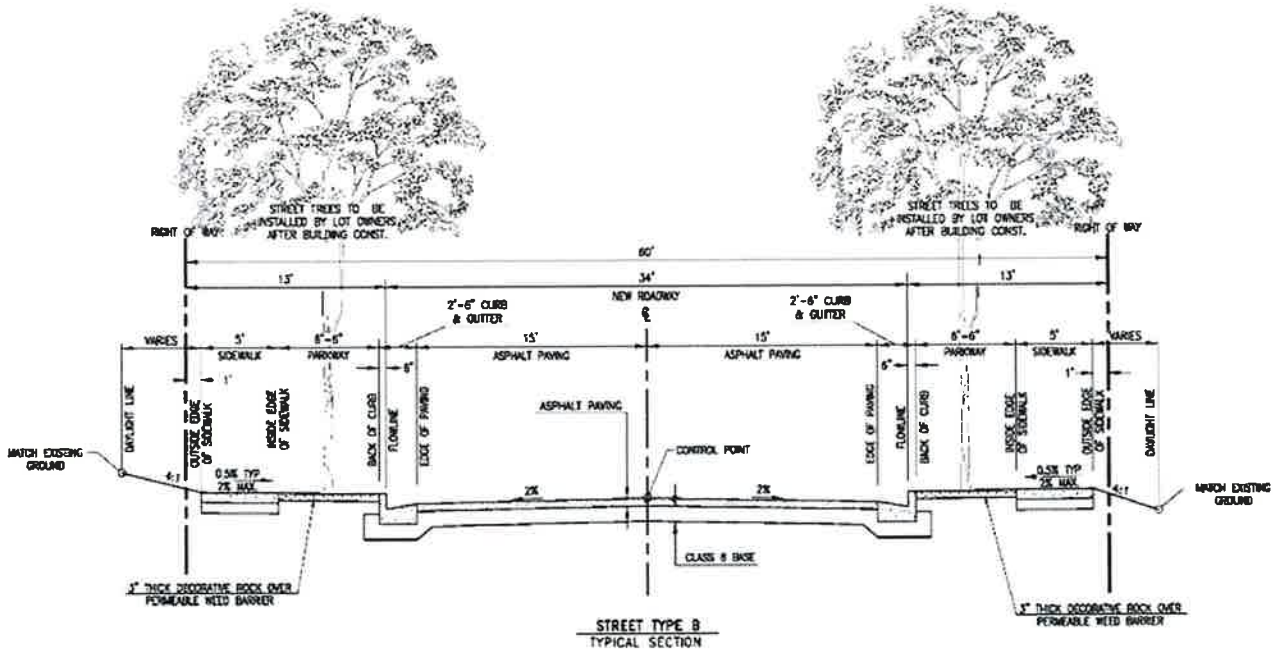
roadway; a 6' sidewalk on the north side of the roadway; a 12' multi-use path on the south side of the roadway; and a 1' buffer from back of sidewalk/multi-use path to the adjacent property line. Note that depending on parking demand estimated at time of development, the spine road could potentially 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 curb 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 Ten**

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 Eleven**

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 10<sup>th</sup> day of November, 2023 and set for second reading and public hearing on the 5<sup>th</sup> 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]

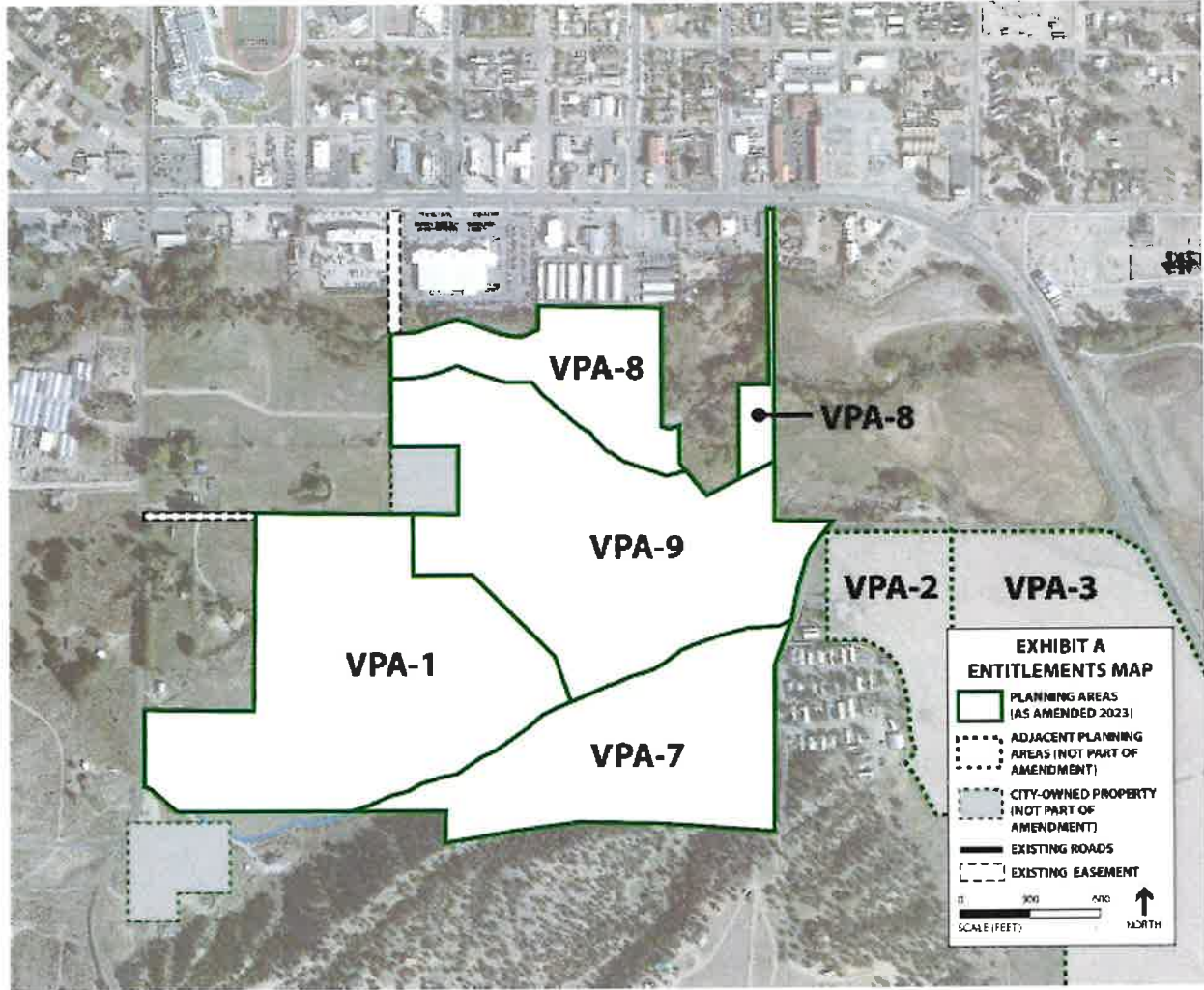
ATTEST:

  
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City Clerk/Deputy Clerk

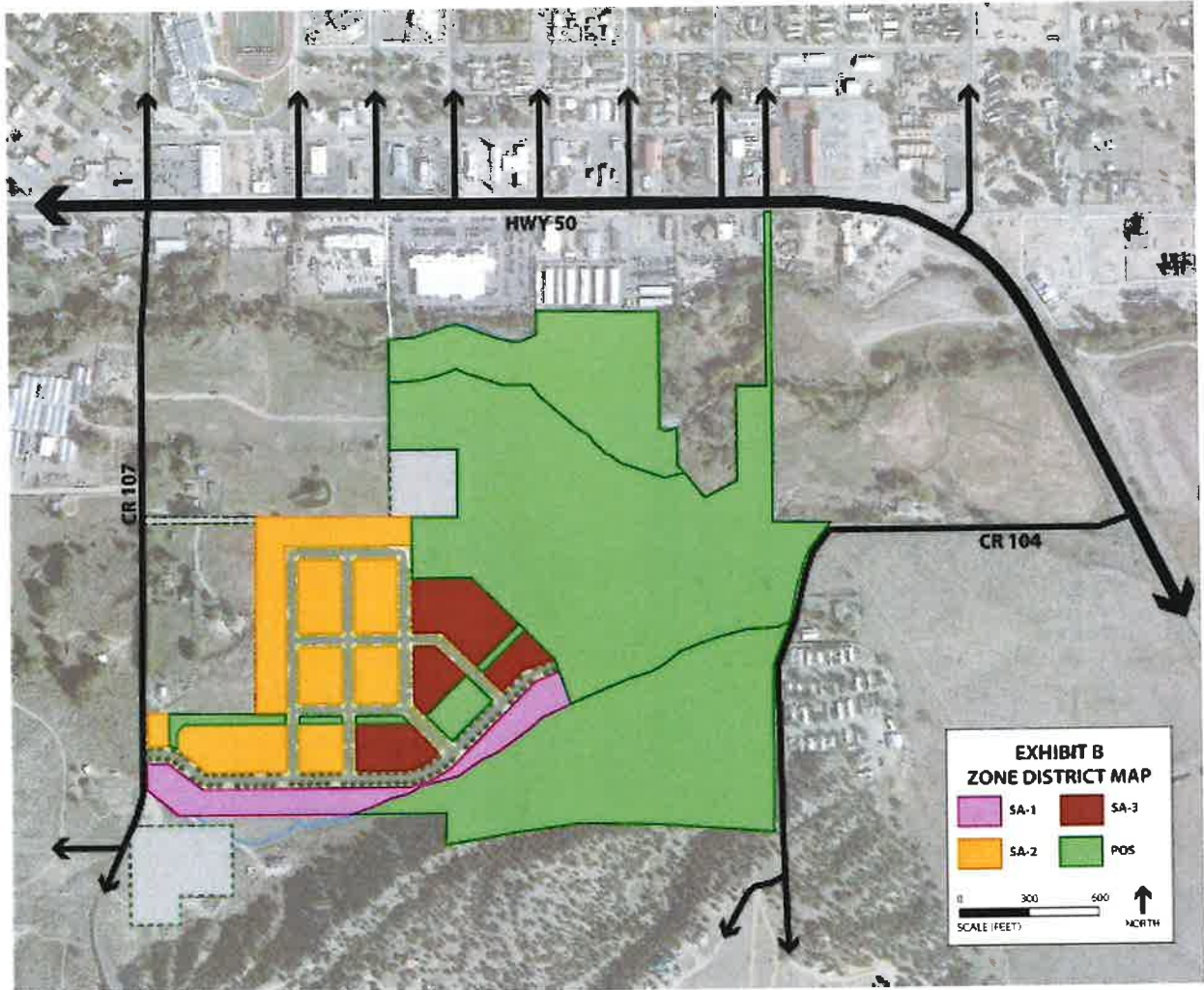
PUBLISHED IN FULL in the Mountain Mail after First Reading on the 10<sup>th</sup> day of November, 2023, and ~~BY TITLE ONLY~~, after final adoption on the 5<sup>th</sup> day of December, 2023.  
**IN FULL**

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

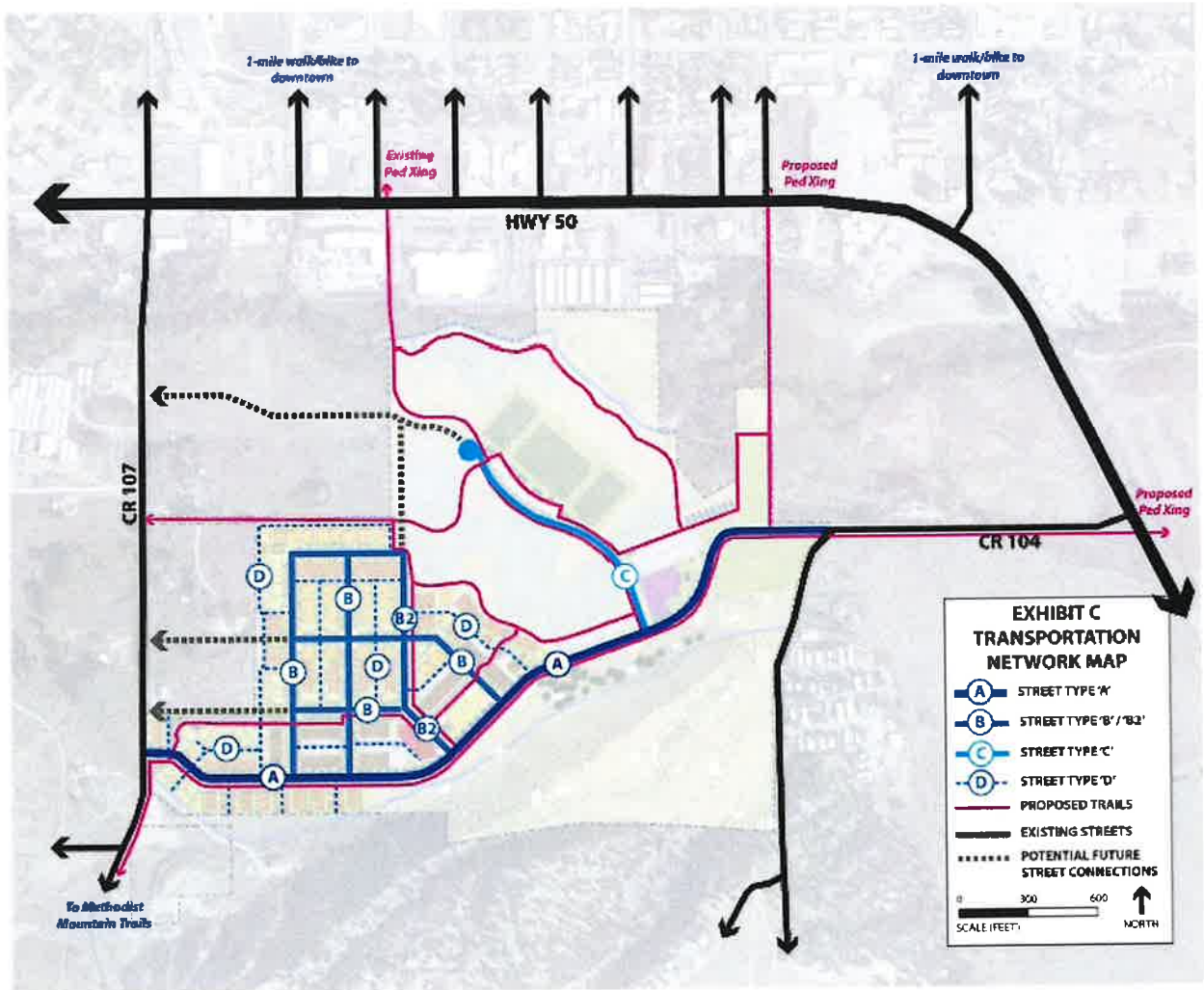
**Exhibit A: South Ark Neighborhood Entitlements Map**



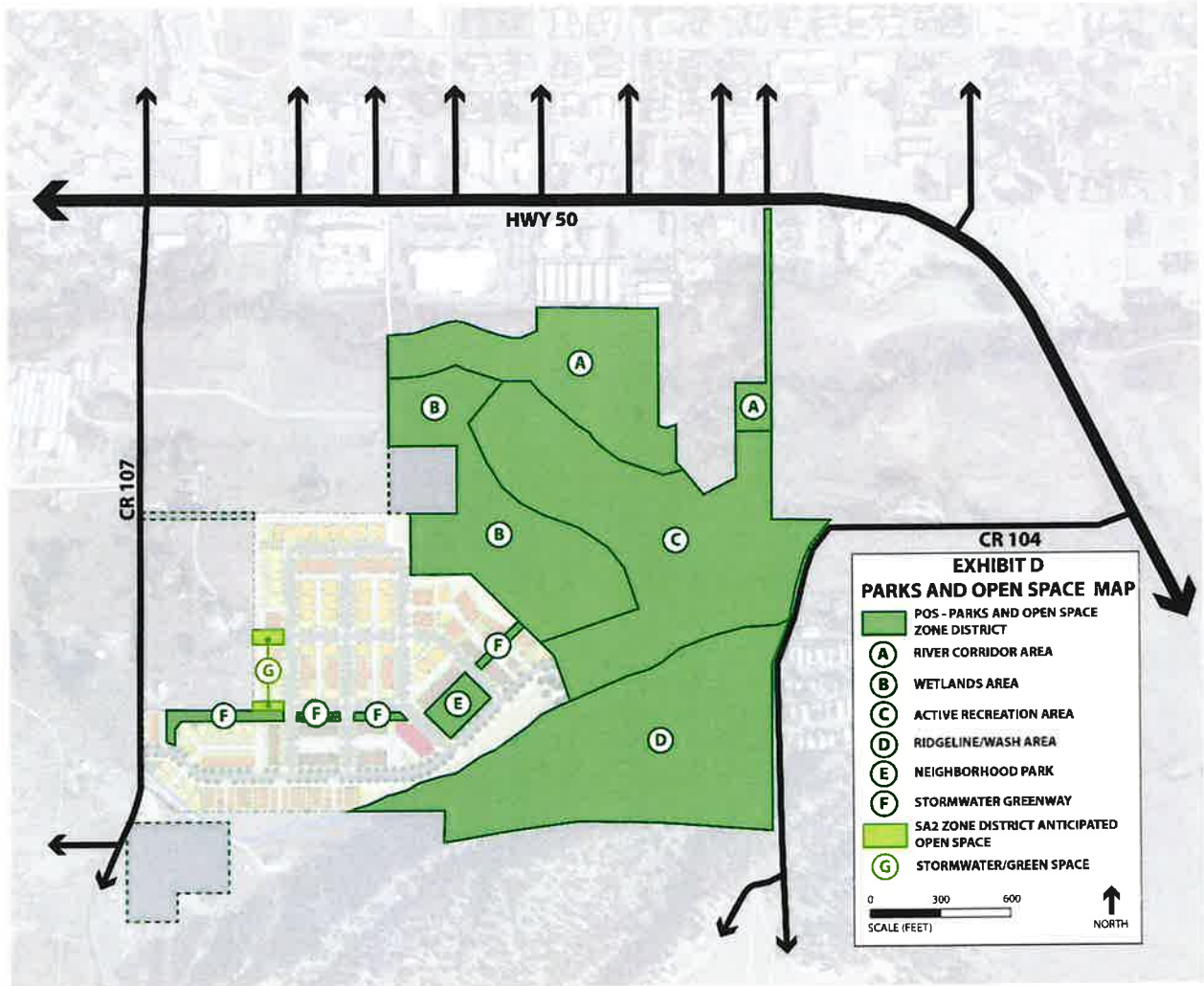
**Exhibit B: South Ark Neighborhood Zone District Map**



### Exhibit C: South Ark Neighborhood Transportation Network Map



**Exhibit D: South Ark Neighborhood Parks and Open Space Map**



## Overall Development Plan (ODP) as Amended 2011

**Vandaveer Ranch Planned Development District  
Overall Development Plan**

**ARTICLE 1: DEFINITIONS**

In addition to the definitions set forth in the Salida Land Use Code Section 16-5-20, the following terms shall be defined as follows.

**Applicant or Developer** will initially refer to the current owner of the property, as well as any entity that subsequently acquires a fee simple interest of record in any portion of the Project as a transferee of Developer. Applicant or Developer will include, collectively, all of the foregoing persons or entities, all of whom will be jointly and severally liable for the obligations and liabilities of the Developer to the extent such liability relates to the portion of the Project they purchase or otherwise obtain. Notwithstanding the foregoing, the term Applicant or Developer will not include (1) purchasers of subdivided residential lots or units or non-residential space in an approved PD or subdivision area or (2) holders of a security interest in the Project or a portion thereof.

**Council or City Council** means the City Council of the City.

**Code** means the same as **City of Salida Land Use Code**

**Land Use Plan** means the graphical Entitlements Map approved in connection with this PD Overall Development Plan, a copy of which is attached hereto as Exhibit A.

**PD** means the Planned Development District hereby approved for the Property

**Postponed Submittal(s)** means those items the City has determined are more appropriately postponed to the final development plan or subdivision stages of developing the Development as set forth in Article 2 of this agreement.

**Project** means that parcel of real property described on Exhibit B and which is referred to as The Vandaveer Ranch

**Project Records** means the various reports, maps, written documents, graphic documents and other data submitted by the Applicant in connection with this Project.

**ARTICLE 2: BASIC INFORMATION REQUIRED FOR SUBMITTAL**

**2.01** This Planned Development District includes the following exhibits, all of which are attached hereto and incorporated herein by this reference:

Exhibit	Description
A	Vandaveer Planned Development District Entitlements Map
B	Vandaveer Planned Development Zone Districts Map
C	Vandaveer Planned Development District Circulation Map
D	Vandaveer Planned Development District Open Space and Parks Map
E	Vandaveer Environmental and Physiographic Map
F	Vandaveer Utilities Map
G	Warranty Deed and Legal Description of the Vandaveer Ranch Property

Exhibit	Description
H	Policy of Title Insurance

**2.02** A legal description of the total site including any recorded easements proposed for development, including a statement of present and proposed ownership. This statement shall include the address of the Applicant, all the property owners, developers, parties of interest, and any lien holders.

- The site is owned by the City of Salida, P.O. Box 417, Salida, CO 81201. The warranty deed and legal description, including recorded easements, is attached hereto as Exhibit G.

**2.03** Evidence of the present ownership or agents thereof of all lands included within the Planned Development in the form of a current commitment for Title Insurance or Title Insurance Policy.

- A copy of the policy of title insurance has been submitted and is attached hereto as Exhibit H.

**2.04** A statement of planning objectives.

This PD District provides for new mixed use and residential facilities within the community. The objectives of this Planned Development District are:

- Create a range of housing types and housing styles to serve all ages and income groups within Chaffee County;
- Allow for a mix of retail, educational, research and development, incubator business spaces, eating and entertainment, recreation, accommodations and other desired non-residential uses;
- Encourage alternative modes of transportation through the provision of trails and paths
- Encourage innovations in non-residential and residential development through the use of flexible dimensional requirements so that the growing demands of the population may be met by greater variety and types, design and layout of buildings and the conservation and more efficient use of open space ancillary to said buildings;
- Provide needed transportation connections between the County Road 107 and County Road 104 as adopted in both the Salida Comprehensive Plan and Chaffee County Transportation Plan;
- Conserve the value of the land and preserve environmental quality through the protection of the floodplain and associated wetlands and the provision of park land and useable open space.
- Provide for building and site design that is energy and resource efficient, allows for local community power generation and reduces the amount of energy consumption and demand of typical development.

**2.05** A statement of proposed ownership of public and private open space areas

- This plan provides for parks and open space as depicted in Exhibit D: Vandaveer Planned Development District Open Space, Parks and Trails Map. The Plan includes open space and park lands adjacent to the river, including the location of Vandaveer family picnics, and creates desired trail connections along the river corridor. Additional open space is created on the bluff overlooking the property. This Plan dedicates a total of 16.6% of the Vandaveer Ranch site as parks and open space.
- At the time of subdivision or development of VPA-1 identified on Exhibit A VPA 7, 8 and 9 shall be dedicated to the City for parks and open space purposes. Any trails in the City rights-of-way shall be dedicated to the City at the time of subdivision or development of the VPA at the City's discretion. Ownership of additional parks or dedication of additional open space areas will be negotiated at the time of Final Development Plan or subdivision approval.

**2.06** A proposed development phasing schedule

- The development phasing schedule has not been determined at this time. The applicant is planning to sell the entire property to a developer who will determine the development phasing. Additional

information regarding overall phasing of the development will be required at the time of Final Development Plan review.

- The years 2006 thru 2008 will focus on seeking a master developer to fund needed infrastructure improvements and develop a Final Development Plan for the property. It is expected that in the years 2008 to 2009, the design of the infrastructure necessary to support development will occur. Planned activities include:
  - Refine site plan and access requirements,
  - Develop a more detailed phasing schedule,
  - Prepare grading and erosion control plans,
  - Prepare overall utility and roadway plans, and
  - Prepare preliminary and final plat for phases of the project.
  - Complete Final Development Plan for each phase of the project.

**2.07** Any general physiographic and environmental studies of the proposed site.

- These are included herein as Exhibit E: Environmental and Physiographic Map and conditions.

**2.08** A statement of the proposed method for controlling architectural design through-out the development.

- Article 8 of this Overall Development Plan addresses development and design standards for the Vandaveer Ranch including each of the zone districts within the PD. More specific design guidelines will be developed at the time of Final Development Plan for each phase of the development. These more detailed design guidelines will be reviewed for compliance with the planning objectives stated in Section 2.04, Article 5 - Dimensional Standards, Article 7- Special Provision to Cluster Developments and Article 8 – Development and Design Standards.
- In addition to the site development standards contained within this Overall Development Plan, architectural design will be controlled by protective covenants which will include design guidelines and a design review committee comprised of property owners within the Vandaveer Ranch.

**2.09** A generalized drainage plan for the entire project indicating proposed on-site facilities and treatment and abatement of drainage to adjoining properties.

- A generalized drainage plan for the entire project indicating proposed on-site facilities and treatment and abatement of drainage to adjoining properties shall be completed upon submission of a Final Development Plan.

**2.10** Water and sewer demand for projected uses.

- The City has adequate water rights and sewer treatment capacity to serve the projected uses at this time. At each submission for Final Development Plan the applicant will be required to provide detailed information regarding the projected demand of that phase so that the City can ensure that adequate capacity to serve is still available.

**2.11** Letters from the City, appropriate utility districts and boards stating their ability to serve the development with water, sewer, electricity, natural gas, telephone and fire protection service.

- The City, as the applicant, states that it can serve the development with water and sewer. Further system development may be required as the site develops including, but not limited to construction of an additional water storage tank. Utility extensions to serve the site will be the responsibility of the developer. Fire and police protection services are also available from the City.

**2.12** A generalized trip generation study for the entire development and its sub-parts. Also a statement of the general intent of the applicant as regards the designation of public versus private roads.

- The Trip Generation Study shall be submitted as part of the approval process for a Final Development Plan. The Planned Development implements the City’s adopted Transportation Plan, the County’s Transportation Improvement Plan and CDOT access control standards.
- All roads shall be constructed according to Article IX of the City of Salida Land Use Code. It is expected that all roads will be dedicated public roads. The City may consider the creation of private roads at the time of Final Development Plan if the plan meets all other review criteria of this PD and the Land Use Code.

**2.13** A statement explaining how the development shall be served and what measures have been taken to reduce the fiscal impacts of the development on the City.

- The development shall be served by municipal utilities and streets. The developer will bear the burden of infrastructure extension and construction. System improvements, including the eventual provision of a new water storage tank in this area will also be the responsibility of the developer unless the City agrees otherwise during Final Development Plan approval.

**ARTICLE 3: OVERALL DEVELOPMENT DISTRICT ENTITLEMENTS BY PLANNING AREA**

**3.01** Planning Areas Identified and Entitlements.

The Entitlement Map delineates the nine [9] Planning Areas within the Property (each, a "Planning Area" and, collectively, the "Planning Areas"). The purpose of the Planning Areas is to identify the maximum number of residential units and square footage of non-residential space allowed within each portion of the Property designated as a Planning Area. Subject to the provisions of Section 3.03 below, the maximum number of residential units and maximum square footage of non-residential development (not including any public, not-for-profit or religious facilities) allowed within each such Planning Area shall be as set forth in the following chart (the "Planning Area Entitlements Chart"):

**Planning Area Entitlements Chart**

<b>Planning Areas</b>	<b>Zoning</b>	<b>Gross Area</b>	<b>Dwelling Units and commercial lodging units *</b>	<b>Non-residential** Development Square Footage</b>
<b>PROPOSED DEVELOPMENT</b>	Corresponding Zone district	(Acres)	(up to and including)	(up to and including)
VPA-1	Vandaveer Neighborhood	63.4	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] plus	100,000
VPA-5	Mixed Use Village-Pinto Barn	~15	25,000 square feet for residential uses ***	150,000
VPA-7	Open Space/Parks	18.0	0	2,500
VPA-8	Open Space/Parks	11.7	0	2,000
VPA-9	Open Space/Parks	2.1	0	500
<b>Total</b>		<b>191.6</b>	<b>950 units</b>	<b>610,000</b>

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

\*\* 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

\*\*\* See Article Ten, "Pinto Barn Parcel Standards"

Notwithstanding anything to the contrary contained in this Article 3 or elsewhere in this Overall Development Plan, development for public occupancies shall not count against the maximum non-residential square footage allowed in each Planning Area.

**3.02** Minor Modification to Planning Area Boundaries.

The precise boundaries of the Planning Areas on the Entitlement Map shall be established by Final Development Plans. Such boundaries may be modified by the Property Owner or his/her designee from the boundaries shown on the Planning Areas Map in connection with an application for a Final Development Plan, without requiring any amendment to this Overall Development Plan, provided that the total acreage of the Planning Area is not increased or decreased by more than 10%. If such change is made, the Property Owner or his/her designee shall submit to the City Administrator or his/her designee a revised Entitlement Map indicating which Planning Area(s) have increased in size and which Planning Area(s) have decreased in size. The City Administrator or his/her designee shall cause such revised Entitlements Map to be recorded promptly in the real property records of Chaffee County, Colorado.

**3.03** Transfer of Density among Planning Areas.

The maximum number of residential dwelling units and/or non-residential square footage allowed in any Planning Area may be increased by the Property Owner or his/her successor by up to ten percent [10%] of the amount specified for such Planning Area in Section 3.01 above, without requiring any amendment to this Overall Development Plan, provided that there is a corresponding decrease in the maximum number of residential units and/or square footage of permitted non-residential development in one or more of the other Planning Areas, so that the maximum number of 950 residential dwelling and accommodation units and 480,000 square feet of non-residential development for the entire Property is not exceeded. If such change is made, the Property Owner or his/her successor shall submit to the City Administrator or his/her designee a revised Entitlements Map, with a revised Planning Area Entitlements Chart indicating which Planning Area(s) have increased in number of residential units and/or amount of non-residential square footage and which Planning Area(s) have decreased in number of residential units and/or amount of non-residential square footage. The City Administrator or his/her designee shall cause such revised Entitlements Map and revised Planning Area Entitlements Chart to be recorded promptly in the real property records of Chaffee County, Colorado.

**3.04** Transfer of Density into Planning Areas from Other Areas.

At such time as a Transfer of Development Rights (TDR) program is established in Chaffee County, this Plan may be amended to accommodate additional density through such a program. This change would be made as part of a TDR plan established by the City Council and would designate how much additional density would be permitted in each planning area.

**3.05** Allocation of Density by the Property Owner or his/her successor.

Within each Planning Area, the Property Owner or his/her successor shall have the exclusive right to allocate the allowed residential units and/or non-residential square footage to parcels of land within such Planning Area. Such allocations may be set forth in a deed, deed of trust, plat or other document signed by the Property Owner or his/her successor and recorded in the real property records of Chaffee County, Colorado, a copy of which shall be provided to the City. Once so allocated, such densities may be reallocated by the Property Owner or his/her successor (in the same manner as set forth in the previous sentence) only with the consent of the owner of the land to which the densities have been allocated, or, in the case of an allocation set forth in a deed of trust signed by the Property Owner or his/her designee, the consent of the beneficiary of such deed of trust (provided, however, that if the deed of trust has been released, then such consent shall not be required). The Property Owner or his/her successor may, from time to time, assign the right to allocate the densities within any Planning Area(s) to any owner of land within the Property, or to a lender, by a written assignment signed by the Property Owner or his/her successor and recorded in the real property records of Chaffee County, Colorado, a copy of which shall be provided to the City. The assignee shall have all of the rights of the Property Owner or his/her successor under this Section 3.03 with respect to such Planning Area(s).

**ARTICLE 4: OVERALL DEVELOPMENT PLAN ZONE DISTRICTS**

**4.01 Purpose of the Development Zones.**

All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

**Vandaveer Neighborhood.** This district is intended to provide an area for residential uses that 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 Vandaveer Neighborhood allows individual homes be oriented to take advantage of views and solar access.

**Transitional Residential.** The purpose of this district is to permit multi-family residential units in multi-story stacked structures along with conveniently located non-residential uses, small retail and professional offices that serve the neighborhood. The development will take measures to ensure compatibility with adjacent properties of lower densities and to provide adequate open space.

**Mixed Use Village.** This district is intended to permit a vertical mixture of compatible commercial and residential uses. Ground floor commercial uses are intended to serve the immediate surrounding residential areas and employment centers with convenience oriented retail sales and personal services establishments. Upper floor residential uses would be oriented to the local resident housing needs in terms of cost, finish and size.

**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 Open Space, Parks and Recreation Map. These areas 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 facilities, roads and drainage facilities may be constructed in such open space areas.

**4.02 Uses by Zone District.**

All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

**4.02.1 Principal Uses (permitted by right)**

These principle uses, as set forth below for each zone district, are permitted anywhere within such zone district, subject to approval of a Final Development Plan, subdivision plat and issuance of a building permit. Site plans will be required for any non-residential development, and all residential development of three units or more. All structures require building permit approval.

**4.02.2 Accessory Uses (permitted by right)**

Accessory Uses are permitted only if they are clearly subordinate to the principal use. They may constitute no more than 35% of the lot area and will be constructed concurrently with, or subsequent to the construction of the main building.

**4.02.3 Conditional Uses (requiring approval)**

A conditional use may be allowed in accordance with the Conditional Use Review Process set forth in the City of Salida Land Use Code if the location and the site proposed for the use is appropriate, the use is consistent with the purposes of the zone district within which it is proposed to be located, and the use is compatible with adjacent properties and uses.

**4.02.4 Temporary Uses**

Temporary uses are allowed in all zones as provided in the City’s Land Use Code.

**4.02.5 Uses Not Specifically Provided For**

When a proposed use is not specifically enumerated it may still be allowed if deemed to be similar to an enumerated use by the City Administrator or his/her designee. This applies to all types of uses (i.e. principal, accessory, conditional and temporary) described above.

#### **4.02.6 Zone Districts Created**

The following zone districts are hereby created for the Project: Vandaveer Neighborhood; Transitional Residential; Mixed Use Village Center and Open Space/Parks and Recreation. The land areas are shown on the Vandaveer Planned Development Zone Districts Map Exhibit B.

#### **4.03 Vandaveer Neighborhood**

This PD zone district is intended to accommodate all types and sizes of single detached and attached residential dwelling units at varying densities. Limited non-residential uses providing amenities for the development are also allowed as a convenience to residents as well as incidental recreational, institutional, public and accessory uses compatible with the character of the district and customarily found to be viewed as an amenity by residents, thereby reducing vehicle trips are encouraged. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

##### **4.03.1 Principal Uses Permitted by Right**

- Single family dwellings
- Attached Residential Dwellings with no more than six [6] residential dwelling units per structure
- Non-residential uses including neighborhood restaurants, professional offices, convenience retail establishments and service establishments under three thousand [3,000] square feet, however, no drive-up facilities shall be permitted.
- Active or passive recreational areas including ancillary support facilities such as restrooms or shelters of less than one thousand [1,000] sq. ft. without lighting

##### **4.03.2 Accessory Uses Permitted by Right.**

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot
- Accessory Dwelling Units
- Parking for the principal use
- Home occupations and home businesses which occupy less than thirty-five (35%) of the gross floor area of the residence, and which have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.
- Garages and carports
- Private greenhouses, swimming pools, patios or recreation facilities customarily incidental to residential uses
- Storage of materials, provided all such storage is located within a structure
- Home based day care serving not more than six [6] children for less than twenty-four [24] hours per day
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

##### **4.03.3 Conditional Uses.** The following conditional uses shall be allowed, subject to compliance with the Conditional Use Review Process set forth in Article XI of the City of Salida Land Use Code:

- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such snack bars and restroom facilities, instruction, equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields and playgrounds.
- Public and private schools
- Public buildings and civic facilities
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

#### 4.04 Transitional Residential

This PD zone district is intended to promote the development of residential buildings that encourages pedestrian activity through the incorporation of pedestrian oriented uses at the ground level street frontage such as porches, stoops, walkups and living room windows. This district also is intended to accommodate higher density multi-family and attached residential dwelling units at varying densities with limited non-residential uses providing convenient amenities for area residents. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

##### 4.04.1 Principal Uses Permitted by Right

- Single family dwellings
- Attached Residential Dwellings
- Multi- Family Residential Dwellings
- Professional offices, business offices, and studios
- Retail stores and commercial establishments, eating and drinking establishments, not exceeding six thousand [6,000] square feet (exclusive of outside dining areas)
- Outdoor dining areas at ground level
- Recreational services and support facilities of less than six thousand [6,000] square feet
- Personal/consumer services, such as: barber shops, beauty shops, and travel and ticket agencies of less than six thousand [6,000] square feet
- Active or passive recreational areas or facilities, both public and private, open or covered, Clubs, spas, health facilities (public or private, whether operated for monetary gain or otherwise)
- Cultural facilities, including but not limited to, museums, art studios, educational facilities, and amphitheatres (open or enclosed) for musical and/or theatrical performances
- Churches, if the traffic impacts can be mitigated and if adequate parking arrangements are made either on site or on an adjacent site
- Transit and parking lots and facilities, whether or not accessory to a principal use
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

##### 4.04.2 Accessory Uses Permitted by Right.

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot
- Accessory Dwelling Units
- Parking for the principal use
- Home occupations and home businesses which occupy less than thirty-five (35%) of the gross floor area of the residence, and which have no exterior indication of nonresidential activity. The business owner or operator must reside within the dwelling unit in which the business is conducted.
- Garages and carports
- Home based day care serving not more than six [6] children for less than twenty-four [24] hours per day
- Private greenhouses, swimming pools, patios or recreation facilities customarily incidental to residential uses
- Storage of materials, provided all such storage is located within a structure
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

**4.04.3** Conditional Uses. The following conditional uses shall be allowed within the areas of the Property designated Transitional Residential [TR], subject to compliance with the Conditional Use Review Process set forth in Article XI of the City Land Use Code.

- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such snack bars and restroom facilities, band shells and pavilions, instruction, equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields and playgrounds.
- Public and private schools
- Public buildings and civic facilities
- Day care facilities serving seven [7] or more children
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

#### 4.05 Mixed Use Village

This PD zone district is a mixed use business land use category located on both sides of State Highway 50. This land use classification reflects the difference in traffic volumes and accessibility to businesses along this corridor. It differs from Salida's Historic Downtown since this highway is controlled by the Colorado Department of Transportation [CDOT] with the purpose of serving as an important regional arterial and direct access to properties along this length of highway must be through a series of collector roads. Highway 50 is classified by CDOT as a Non-Rural Arterial—this means moderate travel speeds and relatively moderate to high traffic speeds. Any new or redeveloping business is required to get an access permit from CDOT. Given the function of this corridor and the fact that CDOT allows only one access point to any lot or combination of lots under one ownership, a wide range of complementary uses that can share access to the Highway are encouraged. This area is also the gateway to the City, so a focus of the area is the image presented to the public. Improved landscape, beautification efforts, parking and screened or enclosed storage to the side or back of the building and any other efforts are encouraged. All uses must meet parking and other use specific criteria of the Code unless stated otherwise in this PD.

The purpose of this district is to promote the development of a village center for retail, service commercial, recreational, educational, office and research and development uses and secondary residential uses by:

1. Providing convenient business and other services for residents, and visitors to Salida;
2. Providing a broad mixture of uses within a compact pedestrian oriented environment;
3. Facilitating small business development and vitality;
4. Provide land sufficient in size for the development of employment centers; and
5. Allowing for the development of educational facilities.

##### 4.05.1 Principal Uses Permitted by Right

- Commercial establishments engaged in providing personal or financial services to the general public. Examples include banking, dry cleaning, laundromats, tailoring, shipping and receiving services, barber and beauty shop and businesses that offer goods and services for sale.
- Offices used for the transaction of business, professional, or medical services and activities including, without limitation, real estate brokers, non-profit organizations, travel agents, advertising or insurance agents, lawyers, physicians, dentists, architects, engineers, accountants, and other licensed professionals
- Day care facilities.
- Eating and drinking establishments, including but not limited to bakeries and delicatessens, cocktail lounges, taverns and bars, coffee shops, fountain and sandwich shops, restaurants and brew pubs, and nightclubs (with or without live entertainment), all of which may provide off site catering services.
- Fabrication or assembly relating to retail sales with no outside storage if the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems.
- Clubs, spas, medical, health and wellness facilities and the like (public or private, whether operated for monetary gain or otherwise).
- Public and private schools and colleges
- Arts and Cultural facilities including but not limited to, museums, art studios, educational facilities, and amphitheaters (open or enclosed) for musical and/or theatrical performances
- Public buildings and civic facilities
- Commercial Accommodations including hotels and other lodging facilities,
- Multi-family dwelling units only if located above ground floor retail uses or if associated with on-site education facilities or employment centers.
- Employment Centers including light industrial uses, commercial retail and professional office and research and development if the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems. Light industries are small-scale, non-polluting industries with limited heavy truck traffic
- Transit and parking lots and facilities, whether or not accessory to a principal use.

##### 4.05.2 Accessory Uses Permitted by Right.

- Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot or on an adjacent lot.
- Inside storage of materials and equipment accessory to any of the permitted uses.

- Outdoor dining areas located on the ground level or above ground level and operated in conjunction with permitted eating and drinking establishments if they are adequately screened from adjacent residential uses and have provided adequate mechanisms to ensure that noise, light and odor emitted from the site is not heard on adjacent land parcels under a different ownership
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

**4.05.3** Conditional Uses. The following conditional uses shall be allowed within the areas of the Property designated Mixed Use Village Center subject to compliance with the Conditional Use Review Process set forth in Article XI of the City Land Use Code.

- Sports complexes and active recreational fields, whether public, semi-public or private which may include related commercial uses, such snack bars and restroom facilities, band shells and pavilions, instruction, equipment storage and maintenance facilities, including, but not limited to ball fields and courts, playfields and playgrounds.
- Distribution centers provided that sixty [60%] of the building area is dedicated to a retail use and the proposed use can demonstrate that it will not create traffic hazards, noise, dust, noxious fumes, odors, smoke, vapor, vibration or industrial waste disposal problems.
- Religious buildings, if the traffic impacts can be mitigated and if adequate parking arrangements are made either on site or on an adjacent site.
- Theaters, meeting rooms and convention centers
- Other uses not listed above that are deemed similar by the City Administrator or his/her designee.

**4.06** Open Space/Parks and Recreation

This PD zone district is intended to prohibit intensive development, to provide open space and recreational facilities, 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 which is as follows: “Residential developments shall dedicate twenty [20 %] of the gross land area for use as publicly accessible parks, open spaces, or trails. Such sites and land areas are intended for the use and benefit of the owners and future owners in the proposed PD. Non-residential developments shall dedicate eight percent (8%) of the gross land area within the PD as open areas for use as one or more of the following: Parks; Open spaces; Pathways including trails, recreation and bicycle paths that are separate and distinct from any parking area or lot; Landscaped areas including buffers and berms to separate dissimilar uses; Public or private outdoor seating areas; Plazas; Courtyards; and Play areas.”

- 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, community supported agriculture, community gardens, passive recreational and Open Space areas.

## ARTICLE 5: DIMENSIONAL STANDARDS

**5.01** Applicability of Dimensional Standards. The dimensional requirements set forth in this Article 5 apply to the siting and massing of buildings and structures within each of the Vandaveer Ranch Zone Districts. Variances from these requirements will be permitted only in accordance with Article 16-12 of the City's Land Use Code (Variances).

**5.02** Height and Transition between Uses. When a non-residential or mixed-use building that is over fifteen [15] feet in height locates next to an existing subdivided lot on which there has been or will be constructed a detached single family residence, the non-residential or mixed-use building shall be required to be set back at least twenty-five [25] feet from the common lot line.

The maximum height of all structures is as follows:

- Single Family Detached Residential = Thirty-five [35] ft
- Single Family Attached Residential = Thirty-five [35] ft
- Multiple family Residential = Forty [40] ft or no more than 3 stories
- Non-Residential = Forty [40] ft or no more than 3 stories
- Mixed Use - Residential and Commercial = Forty [40] ft or no more than 3 stories
- Accessory Buildings or Structures = Twenty-five [25] ft
- Mechanical equipment, chimneys, elevator penthouses, church spires and steeples, and similar appurtenances are exempted from height restrictions if those elements are usually appurtenant to a building. Mechanical equipment shall be setback or screened from view such that it cannot be seen from across any adjacent streets or rights-of-way.

### **5.03** Vandaveer Neighborhood [VR-VN]

Dimensional Standards for Areas within VR-VN are designed to allow for a full range of types and mixes of residential units at varying densities, and to allow clustering of development, and to allow convenience amenities including retail, office and recreational facilities. The following dimensional standards shall apply to those portions of the Property designated VR-VN on the Vandaveer Ranch Zone District Map:

#### **5.03.1** Minimum lot area:

- Residential structures: three thousand [3,000] square feet per unit,
- Non-residential development or land parcels that include a mixture of land uses: five thousand [5,000] square feet

#### **5.03.2** Minimum lot width:

- Thirty [30] feet, and building code requirements regarding minimum separation between structures are met.

#### **5.03.3** Minimum setback requirements with no differentiation between front, side and rear:

- Eighteen [18] feet on one side, and five [5] feet on all other sides; attached residential structures do not require an interior setback

**5.03.4** Maximum Impervious Coverage: Sixty percent [60%]; all areas that are impervious shall be landscaped as specified in Article VII of the Salida Land Use Code

### **5.04** Transitional Residential [VR-TR]

Dimensional Standards for Areas within VR-TR are designed to allow for a full range of types and mixes of products and uses, and to allow clustering of development. The following dimensional standards shall apply to those portions of the Property designated VR-TR on the Vandaveer Ranch Zone District Map:

#### **5.04.1** Minimum lot area:

- Twenty-five Hundred [2,500] square feet

#### **5.04.2** Minimum lot width:

- Twenty-five [25] feet

**5.04.3** Minimum setback requirements: No minimum setbacks from lot lines, so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street

**5.04.4** Maximum Impervious Surface: Eighty percent [80%]; all areas that are not impervious shall be landscaped as specified in Article VII of the Salida Land Use Code.

**5.05** Mixed Use Village [VR-MUV]

Dimensional Standards for Areas within VR-MUV are designed to allow for a full range of types and mixes of products and uses, and to allow clustering of non-residential development thereby encouraging pedestrian-oriented development. The following dimensional standards shall apply to those portions of the Property designated VR-MUV on the Vandaveer Ranch Zone District Map:

**5.05.1** Minimum lot area:

- None

**5.05.2** Minimum lot width:

- Forty [40] feet (measured at the front building footprint)

**5.05.3** Minimum setback requirements: No minimum setbacks from lot lines, so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street. Visitor parking may be provided on street. [Reference Streetscape cross-section in Section 8.5.4]

**5.05.4** Maximum Impervious Surface: Eighty percent [80%]; all areas that are not impervious shall be landscaped.

**5.05** Open Space/Parks and Recreation [VR-POS]

There are no dimensional requirements associated with this land use designation.

**5.06** Table of Dimensional Standards

<b>Dimensional Standard</b>	<b>Vandaveer Neighborhood</b>	<b>Transitional Residential</b>	<b>Mixed Use Village</b>
Minimum Lot Area	3,000 sq ft per unit – residential 5,000 sq ft – non-residential	2,500 sq ft	None
Minimum Lot Width	30'	25'	40'
Minimum Setback	18' on one side, 5' on all other sides	None*	None*
Maximum Impervious Coverage	60%	80%	80%
Maximum Height - single family	35'	35'	35'
Maximum Height - multi-family, non-residential and mixed use	40', no more than 3 stories	40', no more than 3 stories	40', no more than 3 stories
Maximum Height - accessory buildings	25'	25'	25'

\* No minimum setbacks from lot lines so long as building code requirements regarding minimum separation between structures are met and required parking is provided off-street

## **ARTICLE 6: SUBSTANTIVE LAND USE PROVISIONS**

### **6.01 Lighting**

The Project will utilize lighting techniques that minimize the impact of lighting on the night sky as provided for in Section 16-7-60 Illumination Standards of the City of Salida Land Use Code. In addition to said standards, the Project will also adhere to the following:

**6.01.1** Neither the direct nor reflected light from any light source may create a traffic hazard to operators of motor vehicles on public roads, and no colored lights may be used in such a way as to be confused or construed as traffic control devices. Background spaces, such as parking lots and circulation drives, will be illuminated to be as unobtrusive as reasonably possible while meeting the functional needs of safe circulation and of protecting people and property.

**6.01.2** The style of light standards and fixtures will be consistent with the style and character of the architecture proposed on the site. Poles (if other than wood) will be anodized or coated to minimize glare from the light source.

**6.01.3** Light sources must minimize contrast with the light produced by surrounding uses, and must produce an unobtrusive degree of brightness in both illumination levels and color rendition. The light source must be a white or pale yellow color.

### **6.02 Development in Phases**

It is anticipated that applications for Final Development Plans for various portions of the Property will be made from time to time as the development progresses. Materials to be submitted with each application for a Final Development Plan (traffic studies, drainage reports, etc.) shall only be required to address the impacts from the proposed development within such Final Development Plan, including any off-site impacts created as a direct result of such development. All applications for Final Development Plans shall be consistent with this Overall Development Plan, as it may be amended.

### **6.03 Postponed Submittals**

The applicant has provided all submittal requirements as outlined in Article 2 with the exception of the following items. The applicant has worked with City staff regarding these items and the following determinations have been made:

- Ownership of additional parks or open space areas not included in Exhibit D will be determined at the time of Final Development Plan or subdivision approval.
- Phasing of development will be determined with each Final Development Plan application.
- Protective covenants which include further design guidelines and establish a design review committee will be considered at the time of Final Development Plan.
- A generalized drainage plan for the entire property will be required with the first Final Development Plan and site specific facilities and treatment and abatement of drainage will be required with each Final Development Plan.
- Detailed information regarding the projected demand for water and sewer services of that phase will be required for each Final Development Plan to ensure that adequate capacity to serve is still available.
- Trip generation studies will be required for each Final Development Plan. Consideration of any private roads will also be done at this stage.

### **6.04 Ownership and Maintenance of Roads**

All roads shall be constructed according to Article IX of the City of Salida Land Use Code. Sidewalks shall follow the parkway; ramps; and curb return standards found in Section 16-9-20. Multi-purpose paths and trails shall be a minimum of eight [8] feet with ten [10] feet preferred.

### **6.06 Landscaping**

The landscape preferences for the Vandaveer Ranch Project shall be predominantly native plants. All landscaping shall meet the requirements of 16-7-40 of the City of Salida Land Use Code.

## **ARTICLE 7: SPECIAL PROVISIONS TO CLUSTER DEVELOPMENTS**

### **7.01 Purpose and Intent**

The purpose and intent of this Section is to permit an administratively uncomplicated method to cluster residential development as a means to achieve imaginative, well-designed subdivisions that preserve Open Space, respect the physical qualities of the land and reduce overall development costs. More specifically, this development option is intended to permit clustered residential development, which will:

**7.01.1** Allow for flexibility in design, site planning, and the allocation of density in exchange for increased preservation of Open Space to serve recreational, scenic and public service purposes, within the densities established by the Planning Areas and PD zone districts;

**7.01.2** Promote more economically efficient subdivision layout by reducing street lengths, utility installations, and energy savings in street and utility line maintenance and garbage collection;

**7.01.3** Encourage ingenuity in subdivision design to promote a variety of housing types;

**7.01.4** Ensure that approval of clustered residential development is granted only if the subject parcel is large enough to make innovative and creative site planning possible;

**7.01.5** Ensure that the applicants wishing to utilize the clustered residential development land planning option have the professional capability to produce a creative plan;

**7.01.6** Ensure that the public interest in achieving goals stated in the Salida Comprehensive Plan will be better served by the clustered residential development provision and that the advantages to land owners afforded by the clustered residential development will be balanced by public benefits; and

**7.01.7** Ensure that the Dwelling Units are concentrated on the most buildable portion of a parcel, so that natural drainage systems, Open Space, wildlife habitat, wetlands and other significant natural features that help control runoff and soil erosion are preserved.

### **7.02 Use and Density Requirements**

Every clustered residential development will conform to overall density allocation within the Planning Area in which the Property is located and the uses set forth in the PD district.

### **7.03 Reduction in lot sizes**

The size of all parcels may be reduced from the general lot size of the PD district, to a specific minimum lot size to allow for the clustering of Dwelling Units. All such lot reductions will be justified and compensated for by an equivalent amount of land in Open Space to be reserved as permanent Open Space and maintained for its scenic or recreational enjoyment or as wildlife habitat.

### **7.04 Dimensional Requirements; Modifications Allowed**

#### **7.04.1 Minimum Lot Area**

The area of each lot within any subdivision may be reduced below the minimum lot size required by the PD zone district, provided that the total number of lots created within the subdivision is not more than what would have been allowed by applying the minimum lot size required by the PD district.

#### **7.04.2 Setback Requirements**

The minimum Setback requirements established by the PD district may be reduced, so long as at least one Setback has a minimum depth of eighteen [18] feet.

#### **7.05 Eligibility Criteria**

##### **7.05.1 Land Area**

A clustered residential development project will comprise at least four acres.

**7.05.2 Clustered Residential Development Application Processed with Subdivision Plat.** A request for clustered residential development will be processed and approved during the subdivision platting procedure.

#### **7.06 Open Space**

The amount of Open Space required for a clustered residential development will be equal to the amount that is equivalent to the total reduction in lot size for all lots in the development. Land reserved for Open Space will be preserved and maintained for scenic value, recreation or conservation uses, or to provide wildlife habitat. Any improvements will be consistent with such purposes. All Open Space resulting from the application of this clustered residential development provision will be protected by legal arrangements, reasonably satisfactory to the City, sufficient to assure its maintenance and preservation for the purpose intended. Covenants or other legal arrangements will specify the owner and maintenance responsibility which will be an owners association or Special District unless otherwise approved by the City.

### **ARTICLE 8: DEVELOPMENT AND DESIGN STANDARDS FOR THE VANDAVEER RANCH**

#### **8.01 Purpose and Intent**

The purpose and intent of this Section is to set forth performance criteria that enhance and protect the environmental, geographic, historic, and visual qualities of the Vandaveer Ranch. The Standards are intended to promote the general health, safety, and welfare of the area by encouraging environmentally sensitive development. The Vandaveer Ranch presents a significant opportunity for development that reflects the unique characteristics of the area and protects and preserves environmentally sensitive areas. This Section first describes site development and design standards for each of the identified PD sub areas. More specific design guidelines as required by the City of Salida's Planned Development District will be forthcoming at the time of Final Development Plan submittal for each phase of development. [Refer to Section 2.12]

Following these subarea standards, there are overall standards and guidelines that address how different subareas which may be developed by different developers and builders should create transitions and unifying streetscape elements that ensure that the entire Vandaveer Ranch is perceived as a unified development.

Site plans, building form, landscape elements, street design and signs should be harmonious and result in projects that promote the following objectives:

**8.01.1** The provision of necessary commercial, recreational and educational facilities conveniently located to housing to reduce the necessity and length of automobile trips;

**8.01.2** The provision of well located, clean, safe and pleasant industrial sites involving a minimum impact on transportation facilities and adjacent uses;

**8.01.3** The encouragement of innovations in residential, commercial, and limited industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and lay-out of buildings and by the conservation and more efficient use of open space ancillary to said buildings;

**8.01.4** A better distribution of induced traffic on the streets and highways;

- 8.01.5** Conservation of the value of the land;
- 8.01.6** Preservation of the site's natural characteristics and significant environmental resources;
- 8.01.7** Allows innovative housing choices within predominately single-family neighborhoods;
- 8.01.8** Provision of a range of housing types and price levels to accommodate diverse ages and incomes;
- 8.01.9** Promotion of the use of bicycles and walking as effective modes of transportation; and
- 8.01.10** Reduction of energy consumption and demand.

**8.02** Vandaveer Neighborhood District: 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 natural 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** Home-based businesses shall only receive delivery of supplies between the hours of 8:00 a.m. and 6:00 p.m.

**8.02.4** All structures shall be set back a minimum of two hundred and fifty [250] feet from the edge of the stream channel.

**8.02.5** 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.

**8.02.6** 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 building massing and scale

**8.02.7** A variety of housing styles is strongly encouraged; therefore, model type shall vary. No two houses adjacent to one another shall have the same profile, roofline, and architectural features.

**8.02.8** Linear width of garage doors shall not exceed forty [40] percent of the linear width of a building's principal façade when the garage doors are part of the principal façade facing a street. If the garage is flush with the front façade, a covered porch or eave shall be extended forward from the front wall of the house at least six feet. Side-loaded and detached garages located behind the primary structure are encouraged.

**8.02.9** Orient buildings to take best advantage of solar access.

**8.03** Transitional Residential District: Development and Design Standards

**8.03.1** 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 natural features.

**8.03.2** 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.

**8.03.3** Home-based businesses shall only receive delivery of supplies between the hours of 8:00 a.m. and 6:00 p.m.

**8.03.4** All structures shall be set back a minimum of 250 feet from the edge of the stream channel.

**8.03.5** 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 an arterial 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.

**8.03.6** Orient buildings to take best advantage and solar access.

**8.03.7** Linear width of garage doors shall not exceed forty [40] percent of the linear width of a building's principal façade when the garage doors are part of the principal façade facing a street. If the garage is flush with the front façade, a covered porch or eave shall be extended forward from the front wall of the house at least six [6] feet. Side-loaded and detached garages located behind the house are encouraged.

**8.03.8** Parking lots shall be located to the side or rear of any structure.

- Avoid locating parking between the front setback and the street or open space.
- Improve the efficiency of parking areas by encouraging multiple uses to share parking spaces, curb cuts and circulation drives.
- Consider the comfort, compatibility with the overall site design, convenience and safety of pedestrians and bicyclists in parking lot design.

**8.03.9** 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 contiguous with abutting properties;
- Compatible building massing and scale

**8.03.10** In order to create useable 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 outdoor storage of anything other than patio/porch furniture.

**8.03.11** Development in the Transitional Residential District, including buildings, walls and fences shall be so sited to:

- Complement existing development in scale and location.
- Provide sidewalks as specified in the Section 6.4 or an off road system of pedestrian and bicycle trails of greater than five (5) feet in width.
- Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping.

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

#### **8.04** Mixed Use Village District: Development and Design Standards

**8.04.1** 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 natural features.

**8.04.2** 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.

**8.04.3** Arrange residential, employment, retail, service and open space uses to be convenient to and compatible with each other.

**8.04.4** Orient buildings and entrances to the street and/or public open spaces in order to create a defined street space and strong visual character.

**8.04.5** All development including buildings, walls and fences shall be so sited to:

- Complement existing development within one hundred feet (100') of the site in scale and location.
- Provide sidewalks at least five feet (5') in width; and
- Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping.

**8.04.6** New development shall minimize unused or unusable public or private areas in the side or rear yards.

**8.04.7** Parking and loading areas for commercial and office uses must be paved and screened from view of any adjacent residential properties or public parks or public trail systems. In addition, loading and unloading facilities shall be located in the rear of buildings and shall be screened from public view.

**8.04.8** In general, parking lots shall be located at the side or rear of the buildings. Avoid locating parking between a buildings frontage and the street or open space except where the size of the use/building or the size of the parking lot makes this infeasible. No parking lots shall be located between structures facing Highway 50.

**8.04.9** All development including buildings, walls and fences shall:

- Complement existing development within one-hundred feet (100') in scale and location;
- Provide an adequate system of sidewalks or an off-street system of pedestrian and bicycle paths greater;
- Provide pocket parks, plazas, or green spaces that at a minimum provide seating and landscaping.

**8.04.10** 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 ground floor uses are oriented toward the pedestrian with storefronts that open onto the sidewalk as well as other pedestrian oriented spaces,
- 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.
- Minimize the visual impact of service areas, refuse storage and mechanical/electrical equipment on streets, open space and adjoining development. Storage and refuse containers must be screened with impervious fencing or plantings.

**8.04.11** Entrances to buildings shall be designed to ensure smooth and safe pedestrian circulation, and ease of snow removal.

**8.04.12** Buildings will be designed so as to minimize snow shedding and runoff onto pedestrian areas and public ways.

**8.04.13** Driveways crossing sidewalks on arterial streets may serve parking and loading only, but may not serve any drive-in, drive-through or auto service facility.

**8.04.14** The ground floor of building frontages shall be primarily occupied by active commercial or institutional uses.

**8.04.15** Buildings shall orient facades and main entries toward the street, toward a plaza or pedestrian way that leads directly to a street.

**8.04.16** All auto-oriented uses shall provide a distinct edge to separate the impacts of the automobile from nearby residential and office uses. Each development shall include acceptable edge treatments. Representative examples include but are not limited to: back buffer landscaping, the screening of trash and loading facilities, and the introduction of alleyways, streets or pedestrian walkways. Facility entrance drives shall be readily observable to the first time visitor;

**8.04.17** All development shall provide at least three or more of the following design features as a condition of development approval:

- Public or private outdoor seating areas
- Useable public spaces located in sunny places
- Pathways to civic uses and amenities
- Primary structure built to the sidewalk so as to create a reasonably continuous building edge that adds to the intensity and activity of this mixed-use subarea
- Inviting street level storefront that is oriented toward pedestrians and provides visually interesting forms or displays for the pedestrian ; and/or
- Parking placed totally behind the primary structure, below grade, in a parking structure, or limit parking to one side of the building. In larger mixed- use projects, consider placing the parking within the interior of the project.

**8.04.18** Subsequent new construction shall be of comparable quality and compatible design to that approved in the initial final development plan filed in the district.

**8.05** Vandaveer Ranch Overall Development and Design Standards to ensure compatibility between different developments.

**8.05.1** Gateways:

- Vandaveer Ranch presents an opportunity to create an important defined gateway to the City of Salida along Highway 50 on the southern edge of the community. As part of the development of the Vandaveer Ranch, two way-finding monuments that point the traveling public to downtown Salida shall be developed along property abutting Highway 50. The first large monument is to be placed at the southern entrance to the Salida at the intersection proposed in the Overall Development Plan, and a smaller version of the monument shall be placed at the river crossing along Highway 50.
- To define the passage from one subarea to another, particularly from the predominantly residential neighborhoods to commercial areas, buildings or streetscape elements shall create a clear entry into the development at the main vehicular access points to the development. The use of coordinated architectural, landscape and lighting elements should be used at gateway opportunities between subareas or neighborhoods.
- Gateway elements should be primarily architectural elements and not signs, although graphic elements are allowed.
- All buildings elevations that face Highway 50 shall include architectural features and patterns since this corridor serves as the entryway into Salida [See specific standards for this subarea.]
- No fence, freestanding wall or berm located within 50 feet of Highway 50 shall exceed four [4] feet in height above grade except for screening required by State, or Federal law or by City ordinance.
- Landscaping shall be installed and maintained to a minimum depth of fifteen [15] feet along seventy percent [70%] of all property fronting on Highway 50.

**8.05.2** Transportation System/Vehicular Access:

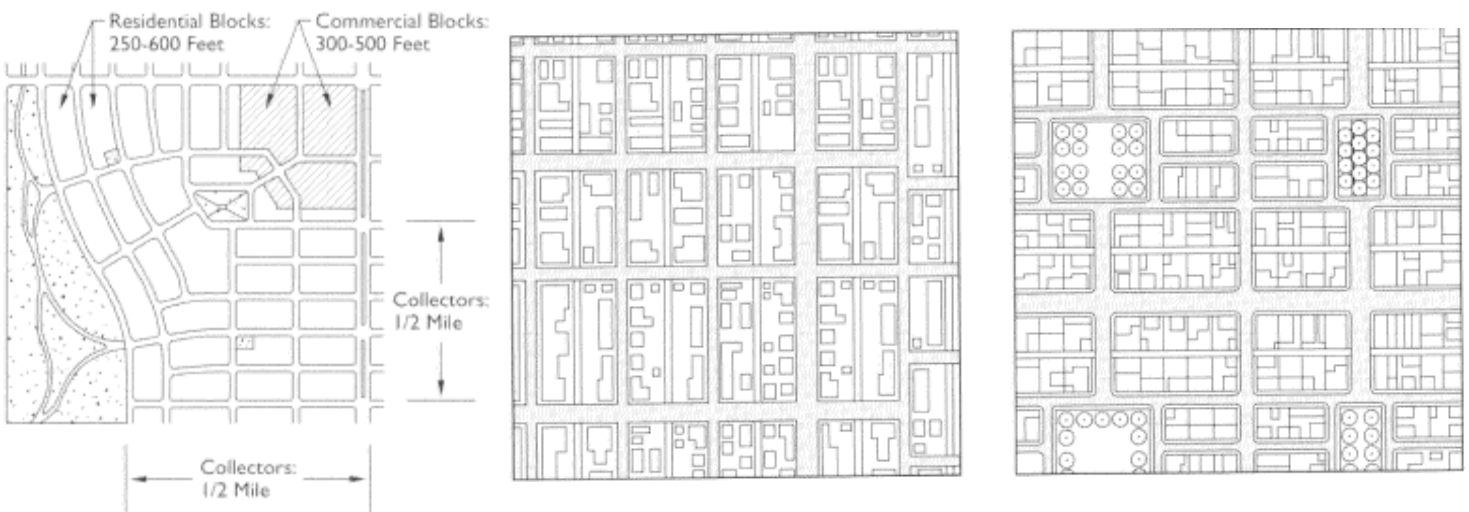
- All subdivisions within the Vandaveer Ranch shall provide an adaptable and interconnected transportation system that encourages alternate modes of transportation, disperses traffic, and provides streets that accommodate multiple modes of transportation including motor vehicles, bicycles, and pedestrians.
- Safe and efficient movement of vehicles, pedestrians and bicyclists is an important attribute of the Vandaveer Ranch. 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.

**8.05.3 Transition between Subareas**

- Arrange residential, employment, retail, service and open space uses to be convenient to and compatible with each other.
- Minimize the impacts of lighting on all predominately residential areas.
- Develop an identity for each neighborhood that reinforces the overall quality and character of the Vandaveer Ranch.
- Utilize the streetscape as a means to create cohesion between different developments.
- All buildings within the Vandaveer Ranch shall include buildings that break the building down into smaller forms and elements to maintain a neighborhood feel.

**8.05.4 Street and Streetscape Design**

- Streets should be designed equitably for pedestrians, bicycles and vehicles with pedestrian comfort as a primary concern.
- The street network shall form a generally connected pattern, with a minimum of cul-de-sacs. Rectangular grids shall be varied with boulevards, diagonal streets, curving crescents, eyebrows, ovals and courts providing visual interest.



**Examples of preferred street network**

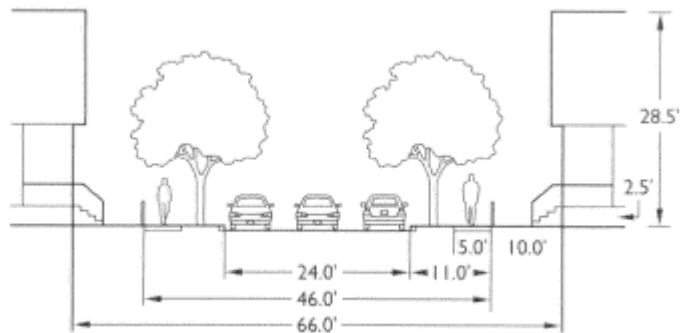


**Curvilinear & Irregular street network – not preferred**

- Alleys and driveways that serve multiple properties are encouraged to increase pedestrian comfort by reducing curb cuts and driveways and eliminating garage door dominance of the streetscape.
- Street widths shall be appropriate for the street type (i.e. local, collector, arterial) and shall conform to the dimensional standards of Article IX of the Land Use Code. Exception from these standards may be considered if the new design is found to further the goals of this Plan and satisfy all safety and maintenance concerns. The following are examples of local streets that may be compatible within the Vandaveer Ranch depending on the specific context including parking configuration, building use, degree/type of nonmotorist activity, truck traffic percentage, Americans with Disabilities Act (ADA) requirements and location within the urban fabric:

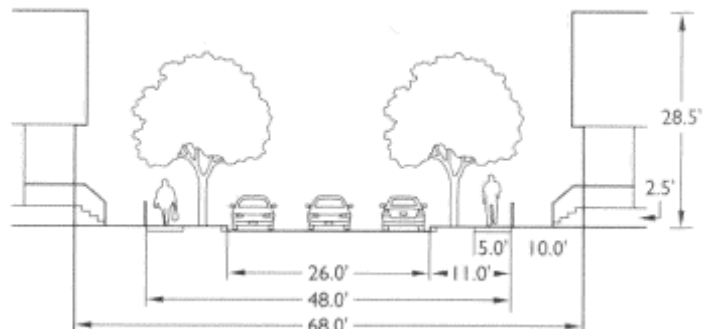
**Edge Yield Street**

This street type belongs on short blocks and between the edge and center of a neighborhood. Average daily trips (ADT) should not be more than 250 vehicles per day. Single-family detached building types should predominate.



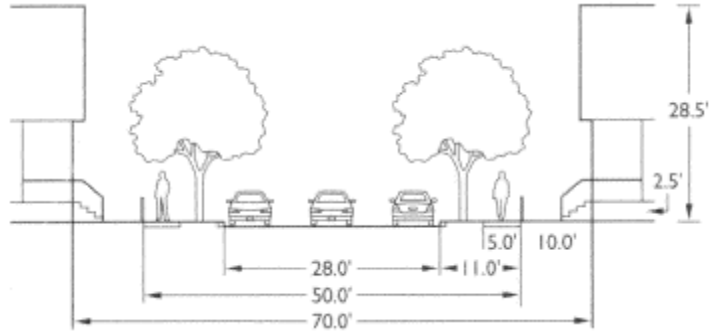
**Residential Street**

This is a typical residential street. Parking density must be evaluated to accommodate emergency vehicle access and operation.



**Yield Street**

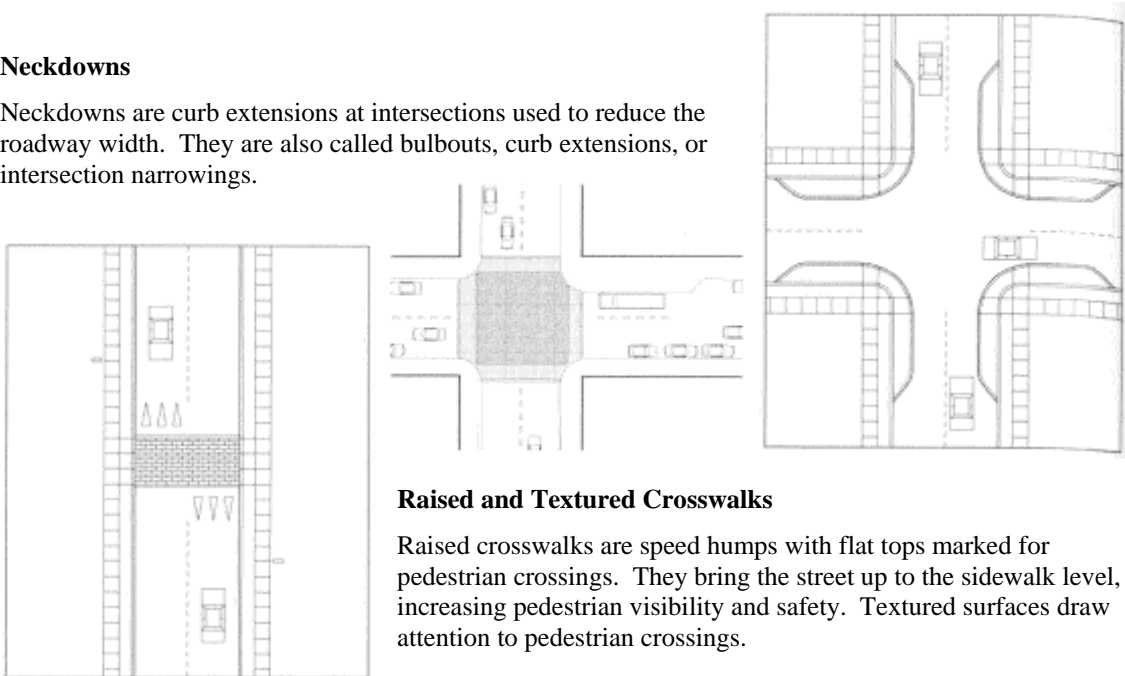
Detached residential and attached residential and mixed-use buildings front this street type, though the character of the street is still predominantly residential. Sidewalks generally are detached (5-foot minimum), but in areas of higher density the sidewalks can be attached and at least 10 feet wide. A retail condition may require 12- to 15-foot wide sidewalks.



- The streetscape within the Vandaveer Ranch should generally include a travel lane(s), parking lane, adequate space for street trees and detached sidewalk that separate pedestrian paths from traveled rights of way.
- Differentiate between sidewalks, crosswalks, and hardscaped areas such as plazas by utilizing different pavement patterns, colors and materials.
- Utilize techniques such as reduced crossing widths and textured surfaces to calm traffic and facilitate pedestrian crossing.

**Neckdowns**

Neckdowns are curb extensions at intersections used to reduce the roadway width. They are also called bulbouts, curb extensions, or intersection narrowings.



**Raised and Textured Crosswalks**

Raised crosswalks are speed humps with flat tops marked for pedestrian crossings. They bring the street up to the sidewalk level, increasing pedestrian visibility and safety. Textured surfaces draw attention to pedestrian crossings.

Graphics used in this section are examples taken from Planning and Urban Design Standards, American Planning Association, published by John Wiley and Sons, 2006.

## **ARTICLE 9.0: GENERAL PROVISIONS**

### **9.01 Recording**

The City will record this Overall Development Plan with the appropriate graphic documents in the office of Chaffee County Clerk and Recorder. The Applicant will pay all recording costs.

### **9.02 Assignment**

Developer may transfer any of the duties, obligations, burdens, benefits or rights set forth herein, to any person or entity, including but not limited to an Owner's Association. The liabilities and obligations of a transferee of Developer under this Agreement will extend only to liabilities and obligations that relate to the specific property identified in the transfer instrument and will not impose any liabilities or obligations relating to other portions of the Project. All such persons and entities will be deemed to have had actual and constructive notice of the provisions of this Agreement. Likewise, as the result of transfer by Developer, it will be relieved of the liabilities and obligations relating solely to the specific site described in the transfer instrument that have no effect or impact, either direct or indirect, on any of the other portions of the Project.

### **9.03 Vested Property Rights**

This Overall Development Plan is a site specific development plan for the purposes of developing the Project. Approval of this Overall Development Plan creates a vested property right pursuant to Section 16-13-110 of the Salida Municipal Code and Article 68 of Title 24, C.R.S as amended.

### **9.04 Severability**

If any provision of this Plan is declared to be unenforceable by a Court of competent jurisdiction, the remaining provisions will remain in full force and effect and the Court will construe the Plan to reflect the intent of the Parties to the maximum extent permitted by law.

### **9.05 Venue**

Venue for any litigation will be solely in the County or District Court in and for the County of Chaffee and State of Colorado.

### **9.06 Integration**

This Plan, in conjunction with the site plan drawings, represents the full and complete Planned Development District Plan.

### **9.07 Grammar; Construction**

Unless the context requires otherwise, the use of the singular will include the plural, the disjunctive will include the conjunctive, and *vice versa*, and the use of any gender will include all genders. The various headings, captions and titles are for convenience only. In the interpretation or construction of this Contract they will be given no effect unless the context requires otherwise.

### **9.08 Notices**

Notices will be in writing and will be mailed to the other party, postage prepaid, at the party's address set forth herein. If a fax number is provided any notice may be transmitted to same and will be deemed given on the date of transmission. Any mailed notice will be deemed given five days after mailing. Any address or number provided herein may be changed by notice in writing to the other party.

City of Salida  
c/o City Administrator  
P.O. Box 45  
Salida, CO 81201  
Phone (719) 539-4555  
Fax (719) 539-5271

**9.09** Attorney's Fees

In the event of any litigation arising between the City and Developer regarding the terms of this Plan, the prevailing party will be entitled to collect all costs, including reasonable attorney's fees.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Salida:

1. This Planned Development District Plan for the real property described in Article 2 and referred to as the Vandaveer Ranch is hereby approved and the Planned Development District designation is granted.
2. This Plan will constitute a new zone district. The portion of the Official Zoning Map of the City of Salida is hereby amended accordingly.
3. The City Clerk will record the pertinent site plan drawings for the Planned Development Overall Development Plan with the Chaffee County Clerk and Recorder. All recording costs are to be paid by the Applicant. Copies of all records will also be kept in the City Hall.
4. Upon filing and recording of the Planned Development District Plans, the terms and provisions of the approved Plan incorporated therein will govern and control the use and development of the Project.
5. The Developer will execute this Planned Development District Plan for the Vandaveer Ranch and will pay such fees as are required by the City of Salida Land Use Code.

**ARTICLE 10: PINTO BARN PARCEL STANDARDS**

Notwithstanding the foregoing standards and use restrictions for Vandaveer Ranch Zone Districts, the following standards shall apply to the Pinto Barn Parcel, a parcel of land within Vandaveer Ranch VPA 4, Mixed Use Village. Each phase of development of the Pinto Barn Parcel shall be subject to approval of a final development plan by the City that complies with the standards and use restrictions set forth below. To the extent that the provisions of this Article 10 do not expressly amend the standards and use restrictions established elsewhere in this Overall Development Plan, all such standards and uses shall remain in full force and effect and apply directly to development of the Pinto Barn Parcel.

**10.01** Pinto Barn Parcel Accessory Uses

Notwithstanding the provisions of Article IV of this Overall Development Plan, the following uses shall be Accessory Uses Permitted by Right within the Pinto Barn Parcel:

- Dormitories with common dining facilities
- Multi-family buildings that are ancillary to and affiliated in ownership with education or employment centers within the Pinto Barn parcel
- Single-family residences that are ancillary to and affiliated in ownership with education or employment centers within the Pinto Barn parcel

**10.02** Pinto Barn Parcel Parking Requirements

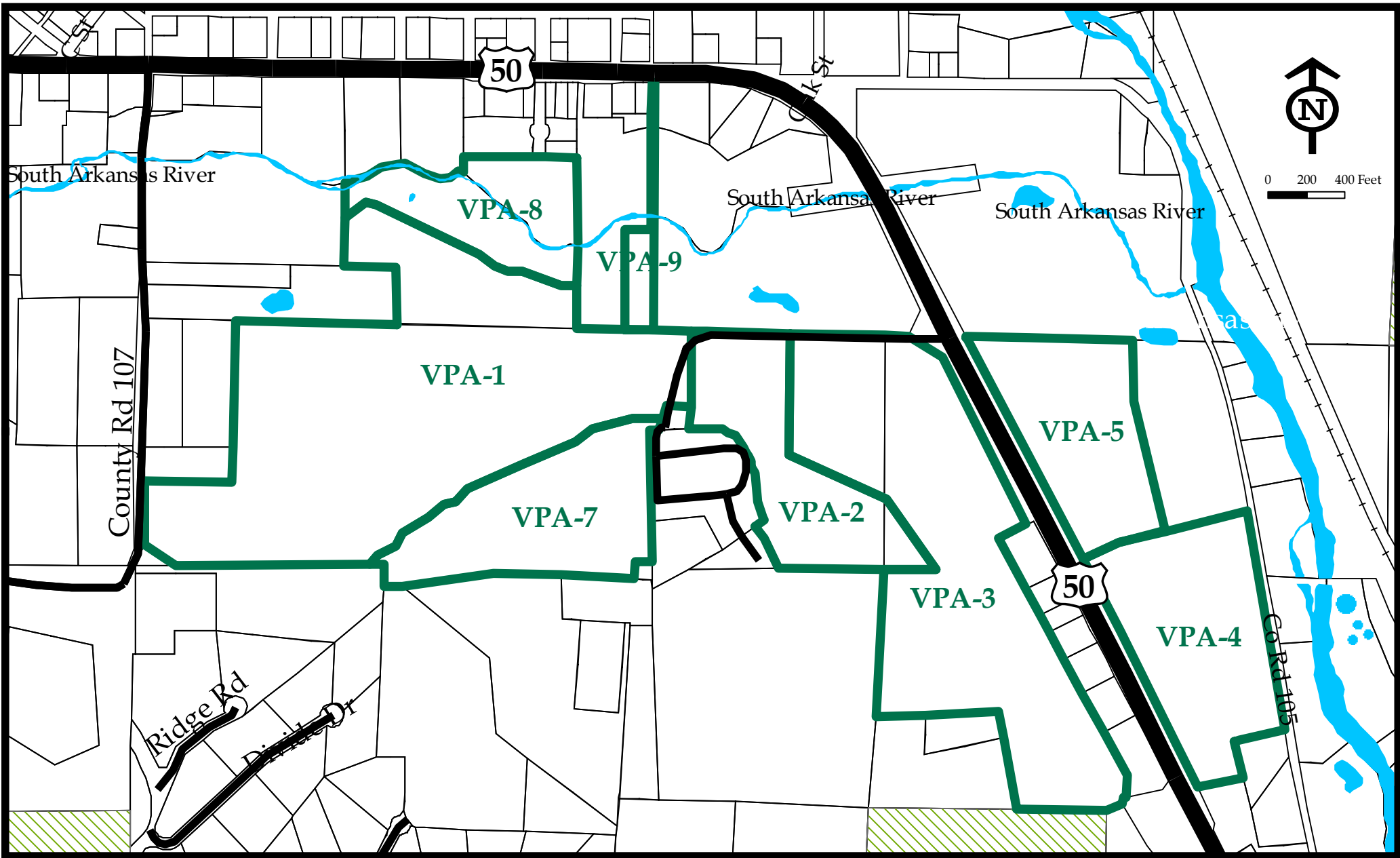
**10.02.1** Within the Pinto Barn Parcel, on-street parallel parking spaces may be used to satisfy up to fifty percent (50%) of the total parking requirements for each phase of development of the Parcel; provided,

however, that such on-street parking spaces shall count towards no more than fifty percent (50%) of the total parking requirement associated with the final development plan for each phase.

**10.02.2** Loading and unloading facilities within the Pinto Barn Parcel may be located directly off a dedicated street as long as the facilities are not visible from Highway 50.


**10.02.3** One parking space will be required for each 1,000 square feet of light industrial use within the Pinto Barn parcel.

**10.02.4** Except as provided herein, parking within the Pinto Barn Parcel shall comply with Salida Municipal Code standards.

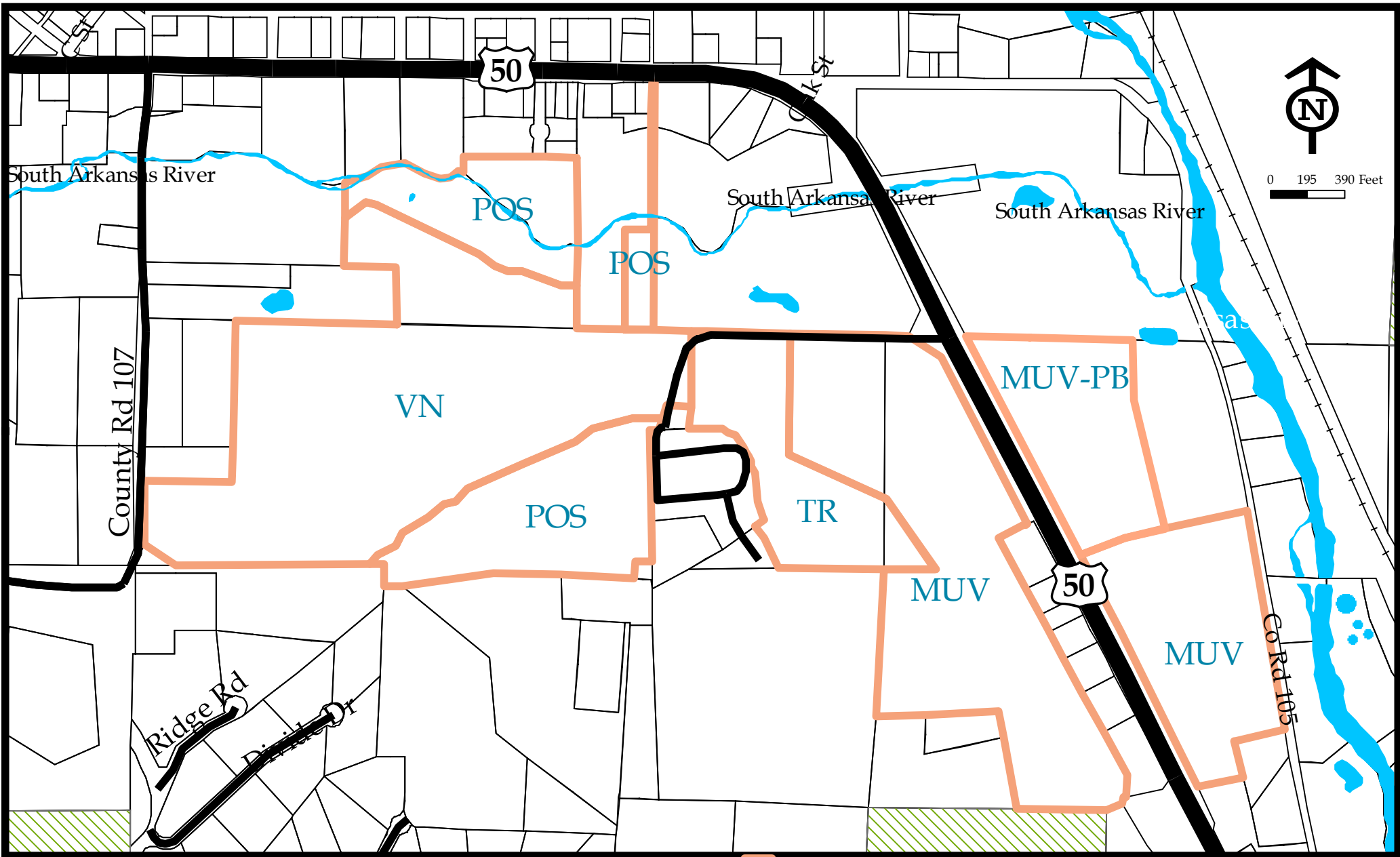


Vandaveer Ranch Planned Development District  
 2011 Amendment to the Overall Development Plan  
 City of Salida, Colorado

**Exhibit A**  
**Entitlements Map**

 Planning Areas

September 2011

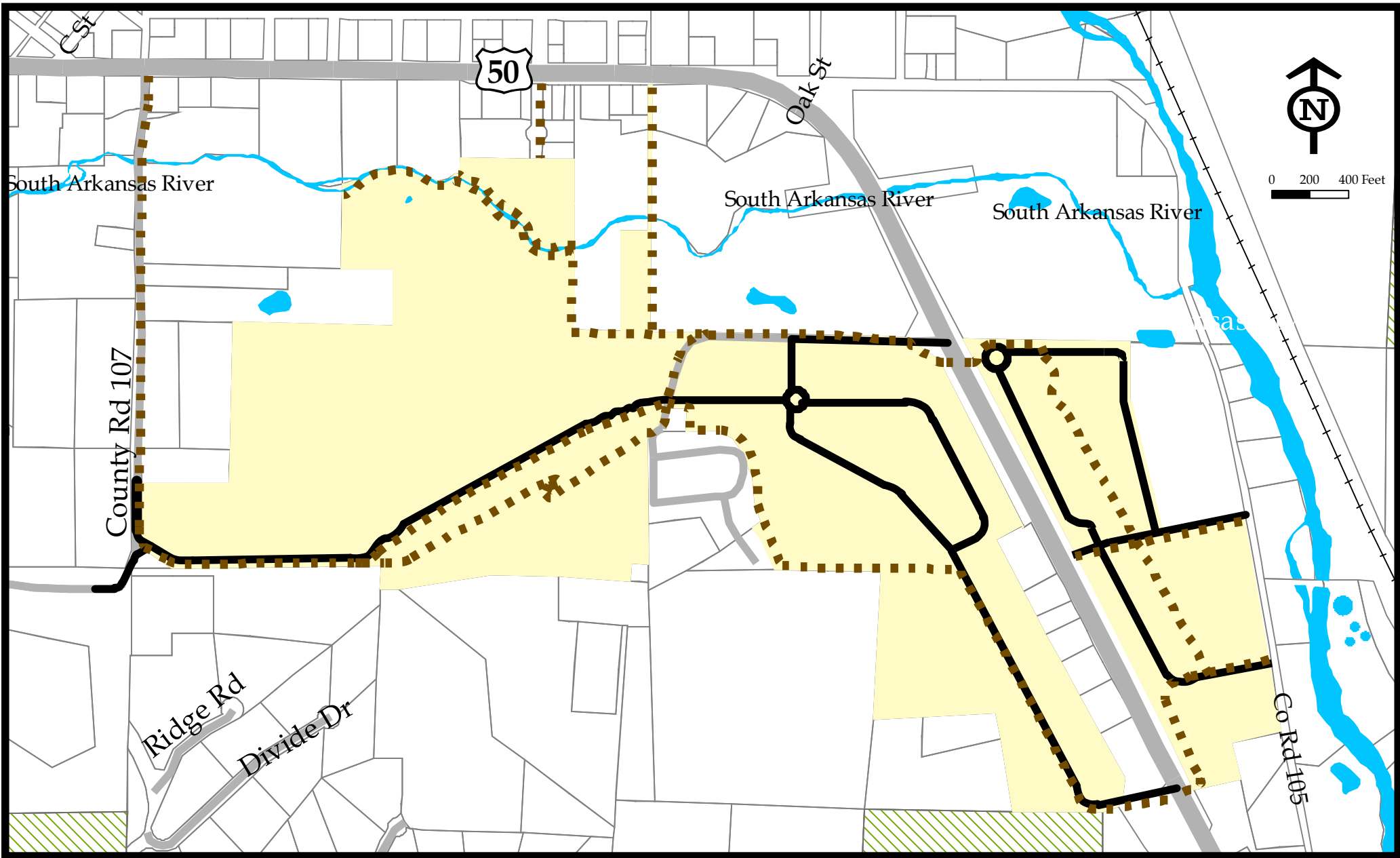


Vandaveer Ranch Planned Development District  
 2011 Amendment to the Overall Development Plan  
 City of Salida, Colorado

### Exhibit B Zone Districts Map

- MUV Mixed Use Village
- MUV-PB Pinto Parrn
- POS Parks/Open Space
- TR Transitional Residential
- VN Vandaveer Neighborhood

September 2011

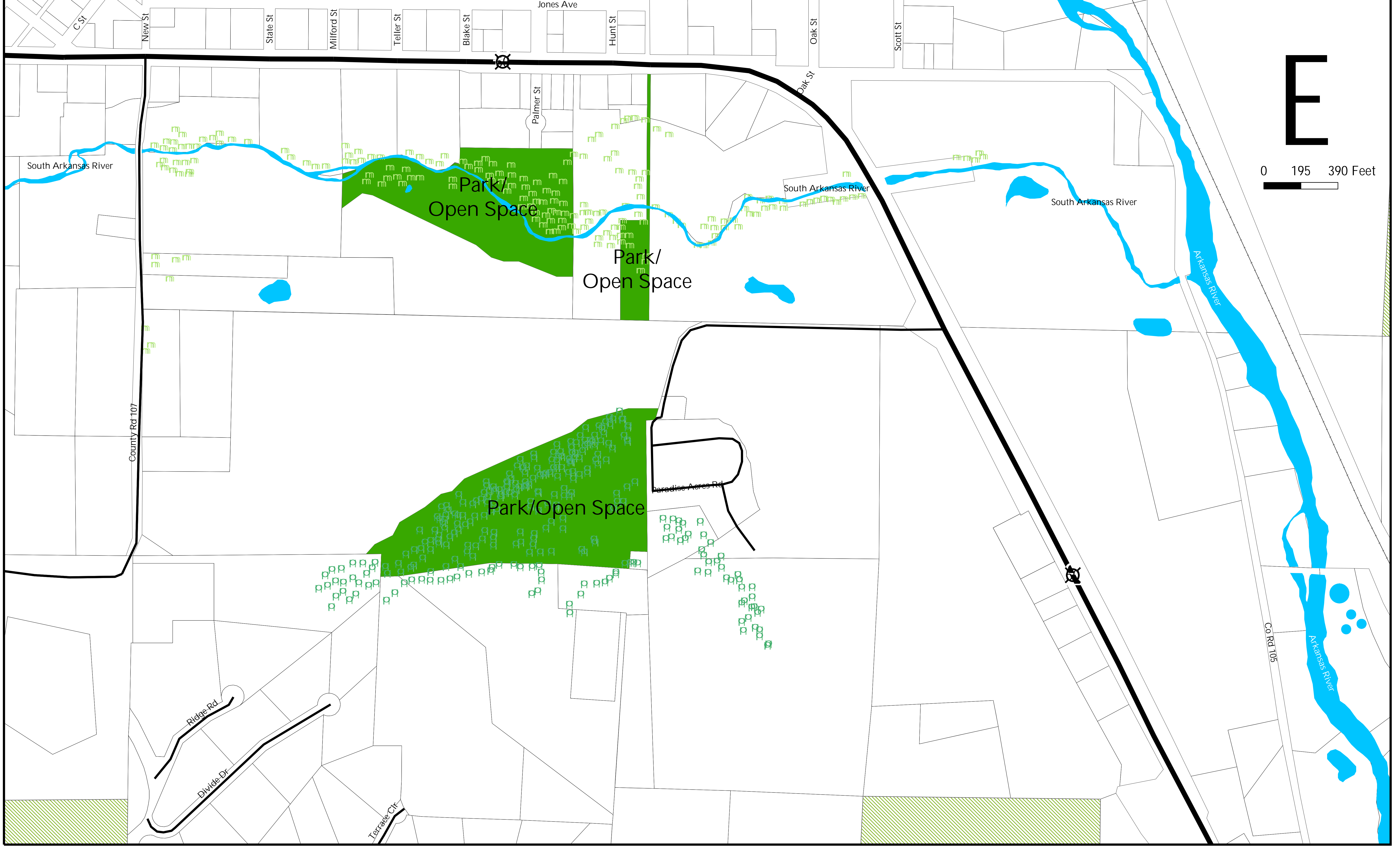


Vandaveer Ranch Planned Development District  
 2011 Amendment to the Overall Development Plan  
 City of Salida, Colorado

### Exhibit C Circulation Map

- Proposed Non-Motorized Trails
- Major Roadway Connections

October 2011



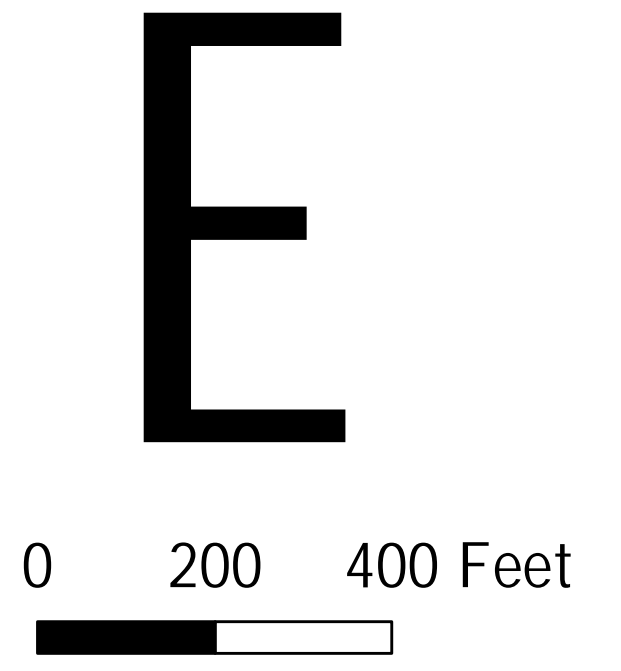
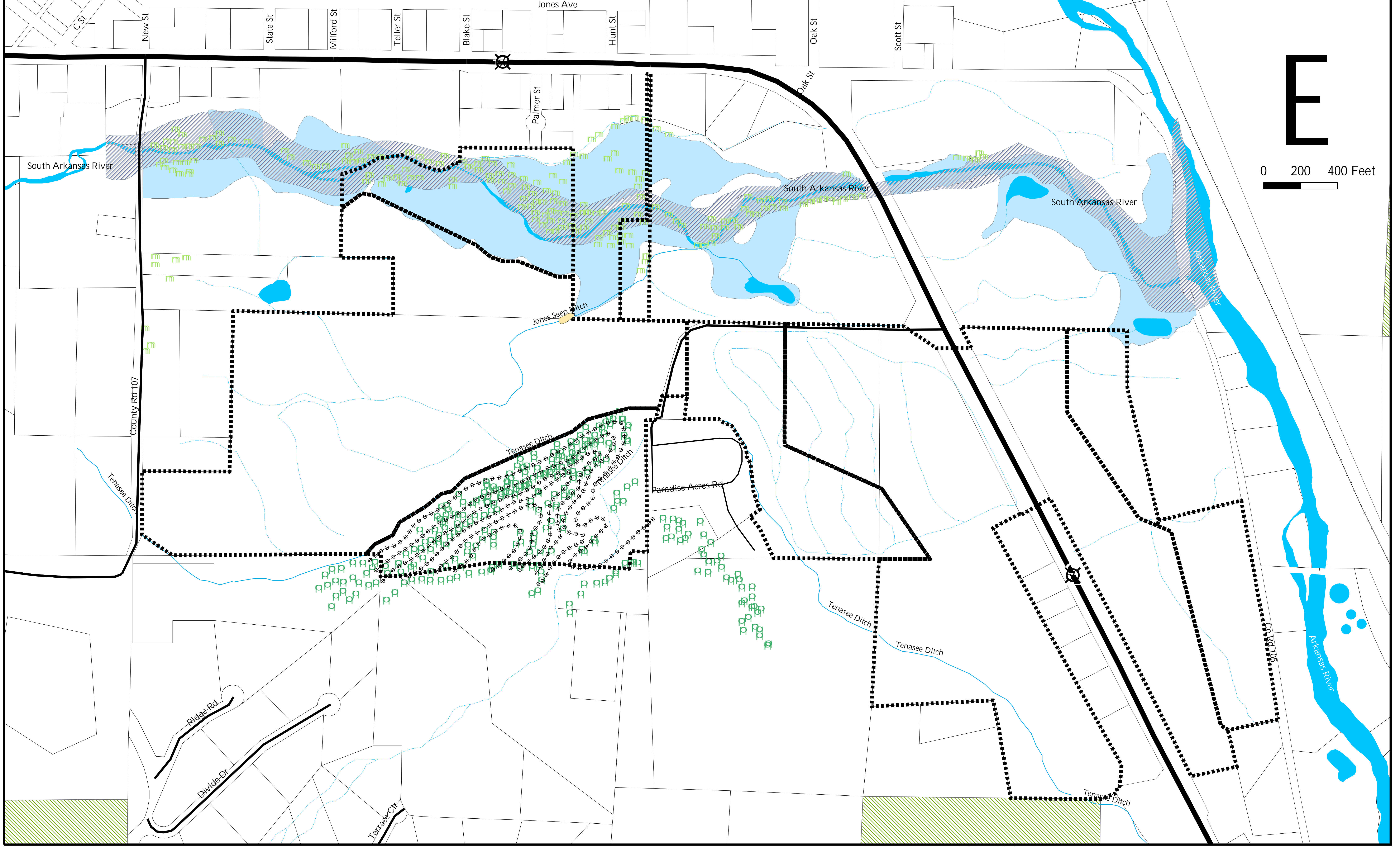
Vandaveer Ranch Planned Development District  
 Overall Development Plan  
 City of Salida, Colorado

## Exhibit D Open Space and Parks Map

- Tree Type
- Coniferous
  - Deciduous



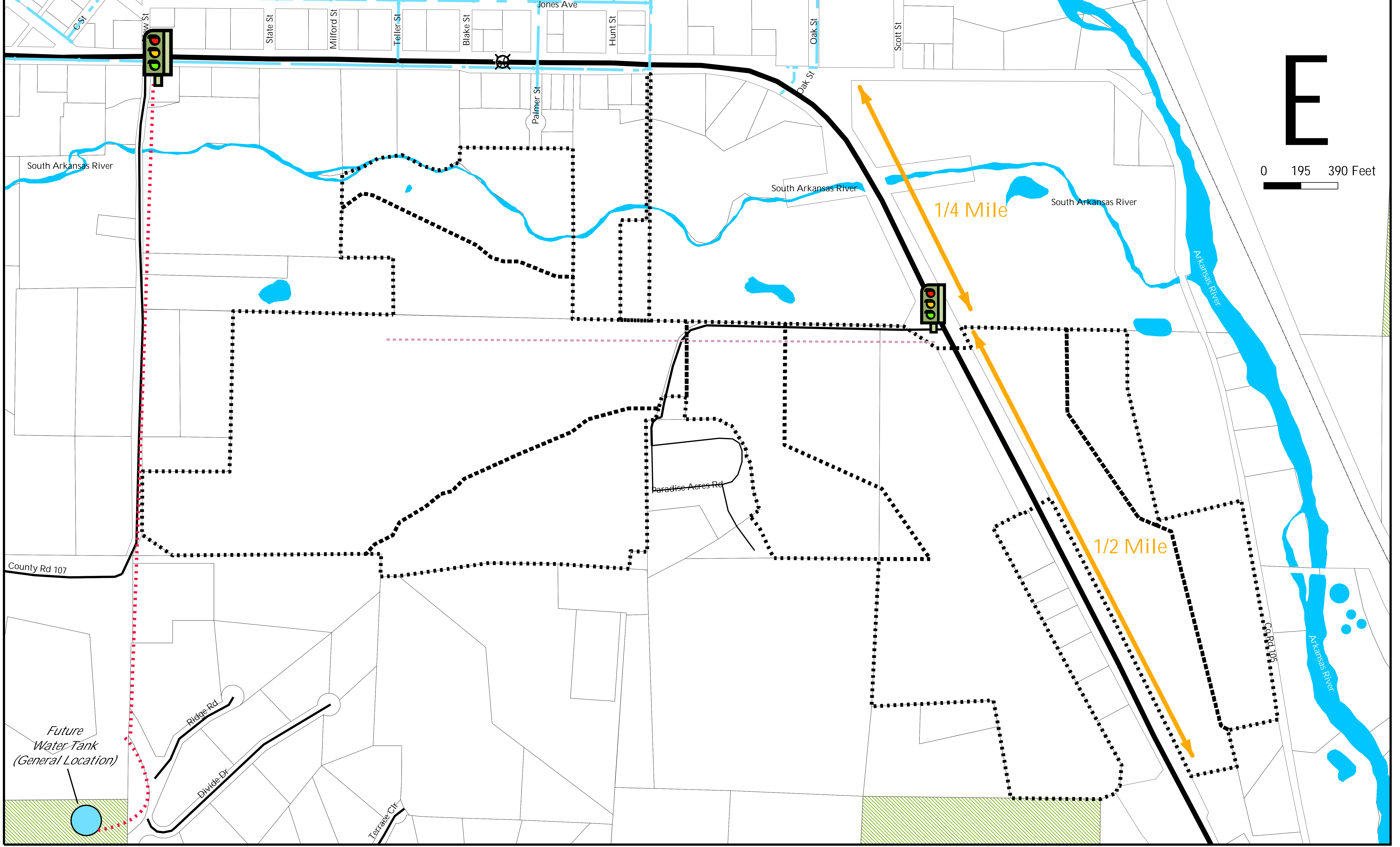
November 30, 2006



Vandaveer Ranch Planned Development District  
 Overall Development Plan  
 City of Salida, Colorado

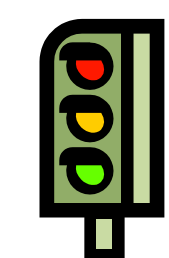
## Exhibit E Environmental & Physiographic Map

- Major Ditches
- Minor Ditches
- 100 Year Flood Boundary
- Wet Alluvial Land
- Areas of Steep Slopes
- Wet Areas - UA Army Corp Field Identification



Vandaveer Ranch Planned Development District  
 Overall Development Plan  
 City of Salida, Colorado

### Exhibit F Utilities Map



Proposed Signalized Intersection

Existing Water Lines

Proposed Water Line

Proposed Sanitary Sewer Line



November 30, 2006

## Application Materials



**Amendment to a Planned Development  
Overlay**

448 East First Street, Suite 112  
Salida, CO 81201

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

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

**Applicant Information**

Name of Applicant: City of Salida

Mailing Address: 448 E 1st St, Suite 112, Salida CO 81201

Telephone Number: 719-530-2625

Email Address: \_\_\_\_\_

**A. Owner Information (if different from the applicant)**

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**B. Site Data**

Name of Development: South Ark Neighborhood PD

Street Address: 1 South Ark Drive

Parcel number: 380708100035

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

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

Signature of property owner Christy Boen \_\_\_\_\_ Date 2/4/26



**D. DEVELOPMENT PROCESS** (City Code Section 16-8-40)

Please indicate which type of amendment you are applying for below (See 16-8-40(f)4 for thresholds;

- Substantial Amendment to an existing Planned Development
- Minor Amendment to an existing Planned Development

**D. DEVELOPMENT PROCESS** (City Code Section 16-8-40)

1. Pre-Application Conference. Required for Substantial Amendment. Optional for Minor Amendment.
2. Submit Application
3. Staff Review
4. Public Notice (Substantial Amendment only)
5. Public Hearing with Planning Commission (Substantial Amendment only)
6. Public Notice (Substantial Amendment only)
7. Public Hearing with City Council (Substantial Amendment only)

**F. APPLICATION CONTENTS** (City Code Section 16-8-40(b))

- 1. Amendment to a Planned Development Overlay Application**
- 2. Resubmittal of any recorded Planned Development documents that will change as a result of the Amendment.** Planned Development Overlay narrative and/or Planned Development Plan with any changes from the original submittal clearly identified (i.e. redlined.) Include any relevant dimensional standards or development standards that will be changed.
- 3. Public Notice Materials (For Substantial Amendment only)**
  - a. Postage Paid Envelopes. A list will be provided by staff to the applicant of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201. Staff will provide the notice, stuff, and send envelopes.
  - b. Staff will provide the notice to be posted on site by the applicant. Applicant is responsible for picking up and posting the notice on the property. The notice shall be visible from the closest right-of-way. Applicant is also responsible for submitting photo evidence of posting the public notice a minimum of 15 days prior to the public hearing.
- 4. Written Statement.** Describe all changes from the original submittal and how the application continues to meet the general approval criteria 16-8-30(f)(4) and the approval criteria for Rezoning 16-8-40(a)(3)e.2.a. as well as the specific Rezoning to a Planned Development Criteria, 16-8-40(e)(2)(a).
- 5. Other Information.** Staff may request additional information as deemed necessary to evaluate the impacts of the application such as updated construction schedule, phasing information, Drainage Study/Plan, Traffic Impact Study, Grading Plan (If required by Public Works Director)
- 6. Application Fee** (Per Fee Schedule, cash or check made out to City of Salida)
- 7. Special Fee and Cost Reimbursement Agreement completed (For Substantial Amendment only).**



February 4, 2026

City of Salida  
448 E 1<sup>st</sup> St, Ste 112  
Salida, CO 81201

Narrative: Substantial Modification to the South Ark Neighborhood Planned Development

On behalf of the City of Salida,

City staff, in collaboration with the South Ark Owner's Representative, Civistruct Strategy + Development, has submitted a request for the substantial modification to the South Ark Neighborhood Planned Development. Proposed changes are solely within the Planned Development Narrative, and a redlined version of the original Ordinance 2023-16 has been provided as a part of the application materials.

The proposed amendments generally include updates to clarify standards and definitions for single-family detached and attached units, including associated dimensional requirements. Additional revisions address affordable and workforce housing provisions, including rental and for-sale requirements, to improve project feasibility while maintaining the intended neighborhood character and purpose. Amendments also include allowing qualifying public and nonprofit housing units to count toward affordability requirements, adjusting the timing and delivery of affordable and workforce units, and incorporating minor design and development standard refinements to provide greater flexibility. Finally, the amendments clarify applicable review procedures and approval processes.

These amendments do not change the original application's ability to meet the general approval criteria 16-8-30(f)(4) and continues to meet the approval criteria for Rezoning 16-8-40(a)(3)e.2.a. as well as the specific Rezoning to a Planned Development Criteria, 16-8-40(e)(2)(a).

For any questions regarding these changes, please reach out to Senior Planner Kristen Hodges at [Kristen.Hodges@cityofsalida.com](mailto:Kristen.Hodges@cityofsalida.com) and Civistruct Principal [david@civistructsd.com](mailto:david@civistructsd.com)

Thank you,

City of Salida Staff & Civistruct Strategy + Development

## Proof of Noticing

**PUBLIC NOTICE**

**Notice of Public Hearing Before the Salida City Council Concerning a Planned Development Modification Application to Amend a Portion of the Vandaveer Ranch Overall Development Plan via Ordinance.**

**To All Members of the Public and Interested Persons: Please Take Notice** that on

**April 7, 2026**, at or about the hour of 6:00 p.m., a public hearing will be conducted by the **Salida City Council**, at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link:

[https://zoom.us/webinar/register/WN\\_IJlzc-miQTgqcTEDomhRz5A](https://zoom.us/webinar/register/WN_IJlzc-miQTgqcTEDomhRz5A)

The hearing is regarding an application for Amendments to the Vandaveer Ranch Overall Development Plan (ODP), specifically for the "South Ark Neighborhood" portion on the west side of the ODP. The proposed amendments generally include clarifications to standards for single-family detached and attached units, including dimensional requirements. Additional revisions update affordable and other workforce housing provisions, including unit types, timing, and eligibility of public or nonprofit units toward required totals. Minor design-related adjustments are also proposed to provide development flexibility, along with clarifications to review procedures.

Recommendations made by the Planning Commission from the public hearing on February 23, 2026 shall be forwarded to the City Council for this review and public hearing.

Interested persons are encouraged to attend the public hearing. Further information on the applications may be obtained from the Community Development Department by contacting [kristen.hodges@cityof-salida.com](mailto:kristen.hodges@cityof-salida.com) (719) 530-2625.  
Published in The Mountain Mail March 19, 2026.



# City Council Action Form

<b>Department</b> Administration	<b>Presented By</b> Christy Doon - City Administrator	<b>Date</b> April 7, 2026
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## **Agenda Item**

Resolution 2026-12 - A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy.

## **Background**

The Council Handbook was last updated pursuant to Resolution 2024-49, which adopted an email retention policy and amended the Salida City Council Handbook to incorporate that policy.

At the February 17<sup>th</sup> City Council meeting, Council directed staff to prepare language for inclusion in the Salida Municipal Code establishing procedures for the removal and sanction of elected officials. Such language has now been incorporated into the Handbook.

In addition, non-substantive revisions were made to correct, clarify, and improve the overall consistency of the document.

## **Recommendation**

Staff recommends the adoption of Resolution 2026-12

## **Fiscal Impact**

There is no fiscal impact.

## **Motion**

A City Councilmember should state "I move to \_\_\_\_\_ Resolution 2026-12, A Resolution of the City Council of the City of Salida, Colorado, Amending the Salida City Council Handbook to Include a Decorum, Removal, and Sanctions Policy", followed by a second and a roll call vote.

**City Of Salida, Colorado  
Resolution No. 12  
(Series of 2026)**

**A Resolution of the City Council of the City of Salida, Colorado, Amending the  
Salida City Council Handbook to Include a Decorum, Removal, and Sanctions  
Policy**

**WHEREAS**, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, the City Council amended the Salida City Council Meeting Rules of Procedure at various times; most recently on August 6<sup>th</sup>, 2024, via Resolution 2024-49; and

**WHEREAS**, the City Council desires to amend said meeting rules with a Decorum, Removal, and Sanction Policy addressing: civility, causes for removal, removal procedure, vacancy procedure; and sanctions for Councilmembers; and

**WHEREAS**, it is the desire of the City Council to adopt an amendment to the City Council Handbook to ensure transparency and to allow the Council to function at its highest ability to serve the City of Salida.

**Now, therefore, be it resolved by the City Council of the City of Salida, Colorado that:**

**Section 1.** The City Council incorporates the foregoing recitals as finding by the City Council.

**Section 2.** The Salida City Council Handbook with the Decorum, Removal, and Sanctions Policy amendment, attached and incorporated herein as Exhibit A, is hereby approved and adopted.

**Section 3.** Resolution 2024-49, and the most recent version of the Salida City Council Meeting Rules of Procedure is hereby replaced and superseded by this Resolution 2026-12 and by the attached and approved Salida City Council Handbook.

**Resolved, Approved and Adopted** this 7th day of April, 2026.

City of Salida, Colorado

By \_\_\_\_\_  
Mayor

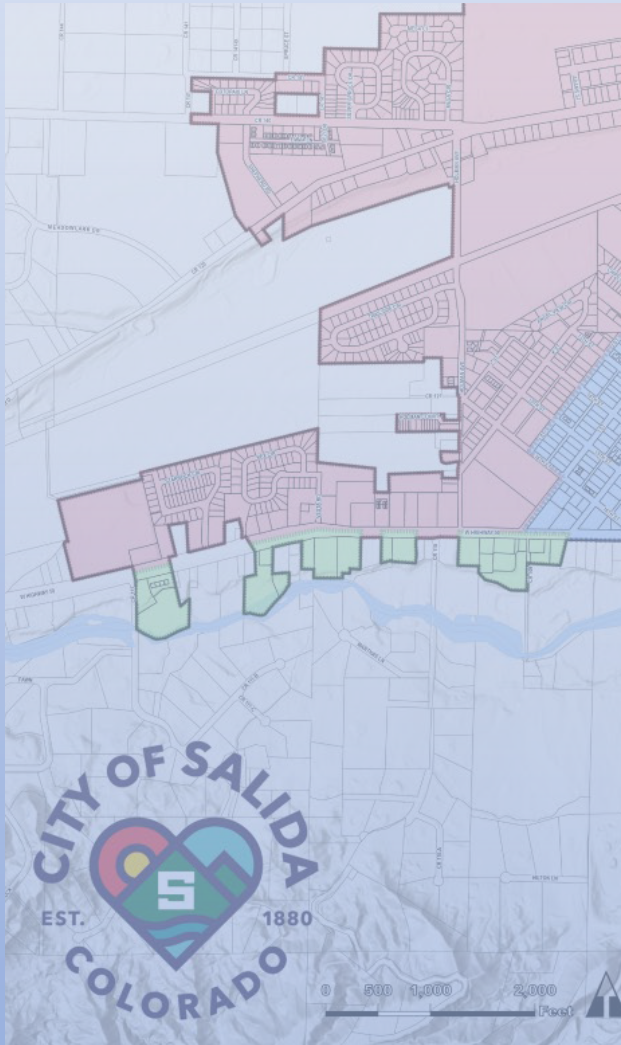
[SEAL]

[ATTEST] \_\_\_\_\_  
City Clerk/Deputy City Clerk

**Exhibit A**  
**Salida City Council Handbook**



# Salida City Council Handbook



**AMENDED April 7, 2026, via Resolution 2026-12**  
**AMENDED August 6, 2024, via Resolution 2024-49**  
**ADOPTED May 7, 2024, via Resolution 2024-33 Amended**  
**April 6, 2021, via Resolution 2021-08 Amended August 3,**  
**2021, via Resolution 2021-29**  
**(Replaced previous "Council Meeting Rules of Procedure")**

# Chapter 1: Introduction of City Government

## **Mission Statement**

It is the mission of the Salida City Council to guide the City through constructive, thoughtful and inclusive decision-making, preserving what makes Salida unique and focusing on the most positive outcomes.

## **Roles and Responsibilities of City Council**

Council members are the leaders and policy makers of the City. The City Council has the authority to create and approve laws, regulations and policies that guide City Government. The City Council serves as the Local Liquor Licensing Authority, the Marijuana Licensing Authority and hears appeals of certain decisions made pursuant to the Municipal Code.

Council members also serve as City representatives on Boards of several external organizations such as, but not limited to, Chaffee Housing Authority and Harriet Alexander Field Airport Board.

The City Council appoints the City Administrator, City Clerk, City Attorney, Municipal Prosecutor and Municipal Judge. These appointed positions serve at the will of the City Council, and all have written agreements with the City specifying the parameters and expectations.

## **Role of the City Council as the Local Liquor & Marijuana Licensing Authority**

Liquor & Marijuana Licenses in Colorado must be approved by both the State Liquor/Marijuana Authority and the local jurisdiction. The City Council acts as the Local Liquor Licensing Authority (LLA) and Marijuana Licensing Authority (MLA) for the City of Salida. All new liquor and marijuana licenses must be approved by the LLA or MLA following a public hearing. Liquor license/Marijuana license renewals are approved administratively by the City Administrator or City Clerk as long as no violations have occurred, and no complaints have been made against a liquor license/marijuana license holder. If complaints are filed, renewals must be considered by the LLA or MLA.

The LLA or MLA has the authority to hold hearings and impose sanctions against liquor license or marijuana license holders if an establishment violates state liquor or marijuana codes. Sanctions may include fines, suspension or in severe circumstances revocation of a liquor/marijuana license. Sanctions may only be imposed in conjunction with a legal proceeding called a show/cause hearing conducted by the LLA or MLA.

## **Role of City Council on Boards and Committees**

City Council members are appointed to serve on various external task forces, boards and committees. Council members serve as voting members on several boards such as but not limited to the Chaffee Housing Authority and Harriet Alexander Field Airport Board and may be appointed to serve as ex-officio members of several boards such as the Sustainability Committee. Initial appointments are made soon after the Council's organizational meeting following elections. Council members who serve on external boards and committees are expected to report to the full Council regarding the activities of the board or committee on which they serve. These updates can occur verbally during the Council Reports section of the regular City Council meeting, or through written reports submitted to the City Clerk by 5:00 pm on the Tuesday prior to a Council meeting for inclusion in the meeting packet. Council members may also be appointed to a committee for special projects or to review and make recommendations regarding service grant applications.

### **City Administrator**

The City Administrator is the chief administrative officer of the City and is responsible for carrying out the Council's directives and administering the day-to-day operations of the City.

"The purpose of the office of the City Administrator is to provide the centralization of the administrative responsibilities of the City, with the City Administrator to be the administrative head of the City government under the direction and control of the Mayor and City Council and to be responsible to the Mayor and City Council for the efficient conduct of the office." (SMC 2-3-70(a))

"The City Administrator is the personnel director of the City and is charged with establishing appropriate personnel rules and regulations in compliance with state and federal laws, subject to the approval of the City Council. As the chief administrative officer, the City Administrator shall have the responsibility and authority to appoint, supervise and discharge all non-elected department heads and employees, excepting" appointed officials. (SMC 2-3-70(b))

### **City Attorney**

The City Attorney is the legal advisor for the Council, Administrator and Department Heads. The general legal responsibilities of the City Attorney include:

- Provide legal assistance necessary for the formulation and implementation of legislative policies.
- Represent the City's interests, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings.
- Prepare ordinances, contracts and other legal documents.
- Keep the City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
- Attend City Council meetings, and where necessary, other board and commission's meetings

# Chapter 2: Council and Staff Interaction

The governance of a City relies on the clear, honest, cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be civil, professional, and show mutual respect for the contributions made by each individual for the good of the community.

## **Communications through appropriate senior City staff**

In general, the City Council should communicate all directives to the City Administrator and the City Administrator, in turn, directs staff. Questions and requests for information should be directed to the City Administrator, City Attorney, City Clerk, Municipal Judge, or their designees, including relevant Department Heads. When in doubt about what staff contact is appropriate, Councilmembers can ask the City Administrator or the affected appointed official for direction.

## **Requests for routine research by staff**

To ensure proper coordination and an efficient allocation of City resources, routine requests for research by City staff should be made to the City Administrator, who will determine what follow-up to which staff member is appropriate.

## **Policy or program modifications**

Requests to research and analyze the viability of new or modified legislation, policy, or programming should be presented as a request at a Council meeting, where it shall be decided whether the request is something that merits an investment of staff time.

## **Political support from staff**

Councilmembers must refrain from soliciting any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff at work. Staff certainly may, as any other citizen, support political candidates away from the workplace, and on their own personal time. The City as an employer request that personal mail for employees, including campaign material, be sent to their home address.

## **Administrative functions**

Councilmembers should avoid staff interactions that may be construed as trying to direct or shape staff operations.

## **Same information to all Councilmembers**

Council should expect that staff will make every attempt to provide each individual member of Council with the same information for decision-making. (i.e., requests made of staff for research will be distributed to all; correspondence to one Councilmember on policy issues will be distributed to all).

## **Whistleblowers**

In the event a Councilmember is approached by an employee with concerns that there is an illegal activity, including the alleged violation of City policy, the Councilmember shall direct that complaint to the Mayor. The Mayor will provide the information to the appropriate appointed official for investigation. If the complaint is made against an appointed official, then the Mayor shall determine what action should be taken. Where the Mayor desires legal advice he or she should use the City Attorney, or if the complaint is

against the City Attorney, then he or she has the authority to obtain outside legal counsel to assist with investigation and advice.

**Personnel**

Members of the Council shall not attempt to individually direct the City Administrator, the City Clerk, the City Attorney, the Municipal Judge or any City Staff on employment or personnel matters or decisions, awarding of contracts, selection of consultants, processing of development applications, or the granting of City licenses or permits.

# Chapter 3: City Council Meeting Essentials

## **Regular Meetings of City Council**

Regular meetings are typically conducted in Council Chambers at City Hall on the first and third Tuesday of the month, excluding holidays, and begin at 6:00 p.m., unless another day or time is set by prior approval of a majority of the City Council. Regular meetings shall adjourn no later than 9:00 p.m. unless a later time is agreed upon by a majority vote of the council members present at said meeting. In the event one or more agenda items have not been called prior to 9:00 p.m., and majority approval for extension of the meeting has not been obtained, such item or items shall be automatically continued to the next regular city council meeting.

## **Work Sessions of City Council**

Work Sessions are typically held in Council Chambers in City Hall on the first and third Monday of the month, as needed, and usually begin at 6:00pm. The purpose of a Work Session is for general informal discussion, review and education of policy or operational topics. No formal action or decisions may be taken at a Work Session, and minutes are not taken. However, the council may direct appointed officials during Work Sessions to prepare information for a discussion and possible decision at a regular City Council meeting.

## **Special Meetings of City Council**

The Mayor and any three (3) members of the City Council may call a special meeting by having written notice of such meeting personally served on all other Council members, or let at their usual place of residence. Except in cases of emergency, special meetings shall not be conducted except upon twenty-four-hours notice.

Special meetings may also be called by majority vote of the membership of the City Council taken and announced at a regular Council meeting. Notice of such meeting shall be given to any member of City Council not in attendance.

Should the City Council convene for a special meeting pursuant to a request of an interested party for the purpose of accommodating time constraints of said interested party, the City Council may, in its discretion, assess fees for the special meeting against the interested party. The City Council may from time to time by resolution adopt a schedule of fees which may be assessed for special meetings. Said fees shall reasonably compensate the staff of the City and the City Attorney for time spent in preparation for attendance at special meetings.

## **Council Meeting Agenda and Packets**

Council meeting agendas are set by the City Clerk by end of day on the Tuesday before the Council meeting. The City Clerk manages the scheduling of agenda items and the publication and posting of agendas. Council meeting packets are assembled and the link is delivered via e-mail to council members by the Wednesday evening prior to regular Council meeting. City Council agendas and e-packets are posted on the City website by the Wednesday evening prior to regular meetings.

Packet information is meant to notify the public and assist Council members in preparing for the meetings. If you have questions regarding an agenda item, you may discuss it in advance with the City Administrator, or (if applicable) the City Attorney.

## **Public Hearings**

Public hearings are held before the City Council to hear testimony from the public regarding specific

matters. Public hearings are held on all ordinances and on items such as the approval of certain quasi-judicial liquor licenses, marijuana licenses and land use decisions. During a public hearing certain procedural rules must be followed, which are discussed in greater detail within this Handbook.

### **Budget**

The City's fiscal year begins on the first day of January and ends the last day of December. The purpose of the budget is to keep expenditures within the City's estimated revenues. The budget consists of two parts: a carefully prepared estimate of revenues and a tabulation of the estimated cost of each item in the budget. In the budget process, the Council essentially decides what the community needs and wants, what the community is willing and able to pay for, and what services the community can expect for its tax dollars. City staff prepares a proposed budget for City Council review and deliberation each year. The budget process usually begins in late June with work sessions to review draft budget documents and to discuss priorities, proposed projects, and the ongoing fiscal responsibilities of the City. Further drafts of the budget are reviewed until the budget is ready for final consideration and approval. The budget contains both an operational budget and a capital budget. The capital budget contains a list of all capital improvements which are proposed to be undertaken during the following fiscal year. By law, the budget must be approved no later than December 15 of each year.

# Chapter 4: City Council Meeting Procedures

## **Quorum for City Council**

Three (3) Council members and the Mayor, or four (4) Council members, shall constitute a quorum to do business at all meetings of the City Council.

## **Attendance**

Attendance at meetings is crucial to allow the City to conduct business, therefore, Councilmembers are expected to attend all meetings within reason. In the event a member of Council is unable to attend a meeting of the Council, such member is requested to make a reasonable effort to so advise the City Clerk, City Administrator, or Mayor in advance of the meeting. If a member accrues more than four (4) absences to regular City Council meetings within a twelve (12) month period, such member shall be removed, and their seat will be deemed vacant.

### **Order of Business on City Council Meeting Agendas**

All business of the council shall be considered in the order of the agenda unless otherwise directed by motion adopted by the majority of the members present. Agenda order is currently, and should normally be:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Amendment(s) to the Agenda
- Consent Agenda
  - Approval of Agenda
  - Approval of the Minutes
- Public Comment - three (3) minute time limit. (for items not on the agenda and/or agenda items that are not scheduled for public hearings)
- Unfinished Business/Action Items
- New Business/Action Items
- Reports (from Council members, appointed officials, departments, boards or commissions)
- Executive session, if applicable
- Adjournment

### **Consent Agenda**

The Consent Agenda allows the Council to approve several items of routine business with one vote. All of the consent items shall be voted on as a group. If a Council Member requests discussion or requests that any item(s) be removed from the consent items, such item(s) shall be acted upon after consideration of the remaining consent items by the Council. The individual items will then be considered for adoption.

Consent Agenda items may include, but are not limited to:

- Approval of the Meeting Agenda;
- Approval of the Minutes of prior meetings;
- Approval of contracts or awards of bids previously presented in a work session and/or approved by City Council in the annual budget;
- Approval of Memoranda of Understanding with various entities;
- Approval of administrative, organizational or employment policies;
- First reading and setting second reading and the public hearing for Ordinances

The consent items will be listed as separate items on the Agenda for the Regular Meeting and we recommend the following explanation for the general public:

*“All matters listed under Item X, Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.”*

### **Public Comment**

During the Citizen Comment portion of the meeting, the following guidelines should be followed:

- All speakers must be recognized by the presiding official before speaking.
- Each speaker must provide their name before speaking.
- All remarks shall be addressed to the entire governing body.
- Questions posed to the relevant governing body or to the City Staff may not be directly addressed during public comment.
- Each speaker from the public will be allotted a maximum of three (3) minutes to provide their comments. Speakers are not allowed to yield their time to someone else.
- Disorderly conduct, harassment, or obstruction of or interference with meetings by physical action, verbal utterance, nuisance, or any other means are prohibited.
- Members of the public may submit written comments at least 24 hours in advance of the scheduled meeting. Such written comments will be forwarded to the entire Council.
- Members of the public who are attending the meeting remotely will have the opportunity to speak, following the same guidelines listed above.

At the beginning of Citizen Comments, the Mayor should state, “This is an opportunity for the City Council to hear from our community. The public will be limited to three minutes each during citizen comments. The City council may not respond to your comment this evening, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate department for follow-up. If necessary, the City Administrator will correct the public record.”

Citizen comment opportunities are different than formal public hearings. The public has the opportunity to comment during the citizen comment period at the beginning of every regular Council meeting. At this time people may speak for up to three minutes on any topic that is not on the agenda. The public comment period is a time for the Council to listen to the people. Council generally should not engage in two-way conversation at this time, nor should the Council feel compelled to respond to the comments. If Council chooses to discuss or take action on a subject brought up during Public Comment that discussion should be held at the end of the Council meeting under Council Reports.

### **Public Hearings**

Typical Order of a Public Hearing shall be as follows:

- Mayor/presiding officer opens the public hearing.
- City Staff summarizes their report; explains what is being requested; applies relevant Code provisions; makes recommendations; confirms proper notice of the public hearing.
- Applicant/Appellant presents its request and basis for same; possibly brings forward persons speaking in support of the application.

- Public Comment. Interested persons from the general public may speak, testify, address Council. (3 minute limit)  
     The Mayor/presiding officer will invite public in the following order:  
         In-person speakers, followed by  
         Online speakers (if applicable)
- Applicant may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- City Staff may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- Council may ask questions of any party or any person who as offered comment at the hearing.
- Mayor closes public hearing.
- Preliminary Council Discussion. Council reviews all testimony and evidence presented, applies appropriate Code provisions, and then objectively discusses and deliberates the requested application(s). The Council may ask additional questions of (or seek clarification or assistance from) the applicant, City Staff, Attorney, and anyone else present.
- Call for Motion. A council member proposes a final decision on the application, in the form of a motion.
- Council deliberates on the motion, and makes any applicable amendments to the motion.
- A roll call vote of all councilmembers occurs on the final version of the motion.

**Reports**

City Council reports at the end of regular City Council meetings should aim to be approximately 3 to 5 minutes each. These reports should include report outs of any board or commission to which the Council member is a liaison.

Each department will provide a written report, monthly, which is included in the Council packet. The reports will highlight projects and programs from the previous month.

Each action item on the agenda will also contain a Council Action Form prepared by City Staff. This CAF will provide a background of the materials before the Council, any fiscal impact the decision will have, staffs' recommendations and the suggested motion.

**Placement of a Work Session or Regular Meeting agenda item**

The direction of either the Mayor or a minimum of two (2) City Councilmembers is required in order to place a topic or item on a work session or regular City Council meeting agenda. Such a request should be made publicly at regular meeting, if at all possible; however, that is not required if time or other circumstances do not allow.

**Removal of a Work Session or Regular Meeting agenda item**

An item previously added to either a work session or regular City Council meeting agenda may be removed from the agenda by a two-thirds (2/3) vote of the City Council.

**Executive Sessions**

The policy basis for executive sessions, which are not open to the public, is the recognition that the public interest can best be served if certain specified matters are discussed in private. The purpose of an executive session is to deliberate, not to make final decisions. No formal action shall be taken in an executive session to adopt a proposed policy, position, resolution, rule, regulation or ordinance.

**The Colorado Revised Statutes permit Executive Sessions in the following limited situations:**

1. *Real and Personal Property*: to discuss the purchase, acquisition, lease, transfer, or sale of property interests, so long as the executive session is not held to conceal an official's personal interest in the property. (CRS §24-6-402(4)(a))
2. *Attorney Conferences*: for the purpose of receiving legal advice on specific legal questions. (CRS §24-6-402(4)(b))
3. *Confidential Matters Under State or Federal Law*: for the purpose of discussing any topic required by state or federal law to be kept confidential. The governing body must announce the specific statutory citation or rule that requires the confidentiality of the matter to be discussed. (CRS §24-6-402(4)(c))
4. *Security Arrangements or Investigations*: for the purpose of discussing specialized details of security arrangements or investigations. (CRS §24-6-402(4)(d))
5. *Negotiations*: for the purpose of determining positions, strategy, or instructions to negotiators. (CRS §24-6-402(4)(e))
6. *Personnel Matters*: for the purpose of discussing general personnel matters. However, if the discussion involves a specific employee, that employee may request an open meeting. If the discussion involves more than one employee, the executive session may be held unless all

of the employees request an open meeting. 'Personnel Matters' does not include discussions of any member of a local public body, any elected official, the appointment of any person to fill a vacancy in a local public body or elected office, or discussion of personnel policies that do not require discussion of particular employees. (CRS §24-6-402(4)(f))

7. *Documents Protected Under Open Records Act*: for discussions that involve consideration of documents protected by the mandatory non-disclosure provision of the Open Records Act. Discussion of documents protected under the 'work product' or 'deliberative process' privileges in the Open Records Act must occur in an open meeting unless an independent basis for an executive session concerning such documents exists. (CRS §24-6-402(4)(g))

Executive Session Procedures:

- Executive sessions may only be conducted during a regular or special meeting of the City Council.
- The City must first announce the topic of discussion to the public, including the specific citation to the Open Meetings Law (CRS section) that authorizes consideration of the announced topic in executive session, as well as "identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized."
- A City Councilmember must make an official motion to go into Executive Session (i.e. "I move to go into Executive Session for the purpose of a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b))."
- Two-thirds of the quorum present must vote affirmatively on the motion before the governing body can close the meeting to the public.
- Discussions that occur in Executive Session must be electronically recorded. The recordings must be retained for at least ninety (90) days after the date of the session. If, in the opinion of the City Attorney present, all or a portion of the discussion constitutes a privileged attorney-client communication, no record or electronic recording is required to be kept of that part of the discussion.

# Chapter 5: Conflicts of Interest

## Common Good

- City Council Members shall work for the common good of the people of the City and not for any private or personal interest; and
- City Council Members will ensure fair and equal treatment of all persons, claims, and transactions coming before the City Council.

## Definitions

For purposes of this Section, these terms shall have the following assigned meaning:

- *Financial Interest* means any interest equated with money or its equivalent.
- *Financial Interest* shall not include:
  - The interest that a City Council Member or relative has as an employee of a business, or as a holder of an ownership interest in such business, in a decision of any public body when the decision financially benefits or otherwise affects such business but entails no foreseeable, measurable financial benefit to the officer, employee, or relative;
  - The interest that a City Council Member or relative has as a non-salaried officer or member of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization in the holdings of such corporation, association, or organization;
  - The interest that a City Council Member or relative has as a recipient of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens regardless of whether such recipient is a City Council Member or relative;
  - The interest that a City Council Member or relative has as a recipient of a commercially reasonable loan made in the ordinary course of business by a lawfully established financial or lending institution;
  - The interest that a City Council Member or relative has as a shareholder in a mutual or common investment fund in the holdings of such fund unless the shareholder actively participates in the management of such fund;
  - The interest that a City Council Member or relative has as a policyholder in an insurance company, a depositor in a duly established savings association or bank, or a similar interest-holder unless the discretionary act of such person, as a City Council Member, could immediately, definitely, and measurably affect the value of such policy, deposit, or similar interest;
  - The interest that a City Council Member or relative has as an owner of government-issued securities unless the discretionary act of such owner, as a City Council Member, could immediately, definitely, and measurably affect the value of such securities; or
  - The interest that a City Council Member has in the compensation received from the City for services provided to the City as a City Council Member.
- *Personal Interest* means any interest (other than a financial interest) by reason of which a City Council Member, or a relative of such City Council Member, would, in the judgment of a

reasonably prudent person, realize or experience some direct and substantial benefit or detriment different in kind from that experienced by the general public.

- Examples of personal interest include an increase in the value of a real property interest or advancement of an employment opportunity.
- *Personal Interest* shall not include:
  - The interest that a City Council Member or relative has as a member of a board, commission, committee, or authority of another governmental entity or of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization;
  - The interest that a City Council Member or relative has in the receipt of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens; or
  - The interest that a City Council Member has in the compensation, benefits, or terms and conditions of his or her service to the City.

### **Disclosure and Abstention Procedures**

*Disclosure:* A City Council Member who has a personal or private interest in any matter proposed or pending before the Council shall disclose the interest to the other members prior to action on the matter by the Council.

*Abstention:* A City Council Member shall be excused from voting on any matter on which he or she has a conflict of interest.

- The City Council Member who has the conflict of interest shall refrain from attempting to influence the other members of the Council who are or will be voting on the matter.
- The City Council Member excused from voting because of a conflict of interest shall leave the meeting during the deliberations and the vote on the matter.

### **Privileges, Exemptions, and Services**

A City Council Member shall not use his or her official position to secure a special privilege, exemption or service for himself or herself or for others, nor shall any member of the Council seek or grant any special consideration, treatment, or advantage to or for any citizen beyond that which is generally available to every other citizen.

This provision shall not be interpreted to prohibit or hinder a member from presenting citizen concerns to the Council or to City Staff and requesting a response to the citizen concern.

### **Personal Gain and Use of Public Resources**

A City Council Member shall not take any special advantage of services or opportunities for personal gain, by virtue of his or her public office, that are not available to the public in general. City Council Members shall refrain from accepting any benefit or promises of future benefits which compromises their independence of judgment or action or gives the appearance of such compromise.

A City Council Member shall not use public resources not available to the public in general, such as City Staff time, equipment, supplies or facilities, for private gain or personal purposes, except for privileges generally available or granted to employees of the City.

### **Appearance of Impropriety**

An appearance of impropriety is created when a City Council Member takes or may take a direct official action that, although not constituting a conflict of interest, will create a reasonable perception that his or her ability to carry out his or her official duties with integrity, impartiality, and competency is impaired.

As non-exhaustive examples only, appearances of impropriety may be created in the following circumstances:

- When the direct official action involves or will involve a close friend of the City Council Member;
- When the City Council Member is a recipient of an official notice of a quasi-judicial hearing due to the City Council Member's ownership or lease of property to be affected by such hearing; or
- When the City Council Member will be called upon to consider taking official action of a quasi-judicial nature and the City Council Member has previously and publicly expressed an opinion, position, or bias regarding the matter.

A City Council Member who determines that that his or her actions may cause an appearance of impropriety may disclose the appearance of impropriety and abstain from voting as provided in the *Disclosure and Abstention Procedure* section above.

### **Employment**

It is in the interest of the City to hire the most qualified people to work in the City.

Due to the potential conflict of interest that exists when a Council member applies for an open position with the City, any councilmember that intends to apply for an open position with the City must resign their council seat at the next regular meeting after an application is submitted.

If an employee is elected to City Council, they must resign their position with the City at the first regular meeting after they take office.

# Chapter 6: Open Meetings Law

(Colorado Revised Statutes 24-6-401, et seq.)

**Meeting** means: any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication. However, Meeting does not include electronic communications that do not relate to the merits or substance of pending legislation or other public business. Examples include communications regarding scheduling and availability, forwarding information, responding to a public inquiry, or posing a question for later discussion by the public body.

**Local public body** means: any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of the City and any public or private entity to which the City, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body.

- Note the exclusion in the foregoing definition for “administrative staff.”

## **What meetings are required to be “open to the public” at all times?**

- All meetings of a quorum or three or more members of any local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken.

**Notice:** Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than 24 hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

- OML does not define “full and timely notice,” but provides an example of notice by posting. The General Assembly recently authorized this posting to be on the public entity's website.

**Chance meetings and social gatherings:** The requirements of the OML do “not apply to any chance meeting or social gathering at which discussion of public business is not the central purpose.”

## **Open Meetings Law may apply to the following discussions:**

- a. Emails
- b. Zoom Webinar chat box
- c. Text messages
- i. Messaging during a meeting: councilmember to councilmember could violate OML; or councilmember to an applicant or the public may violate other quasi-judicial provisions.

# Chapter 7: Legislative v. Quasi-Judicial Proceedings

Applying constitutional due process (fair hearing) requirements, state and federal courts have characterized certain governmental entity decisions as legislative, and others as quasi-judicial. It is important to understand the differences between the two because the courts require that special procedures be followed for quasi-judicial matters.

## **Legislative Matters**

Legislative matters are matters of general concern or with applicability throughout a municipality. In the legislative role, the City Council reviews, recommends, creates and amends regulations on a citywide basis. Legislative matters are frequently referred to as “policy making.”

*Examples:* Resolutions or Ordinances with broad application; amending Municipal Code.

The City Council may freely discuss legislative matters with the general public.

## **Quasi-Judicial Matters**

Quasi-Judicial matters have a narrower application. Unlike legislative matters, the Council does not *set* new policy in a quasi-judicial proceeding, but rather *applies* policy established in existing law to specific facts gathered at the hearing to arrive at its decision on the case presented.

*Examples:* special use permits, zoning variances, subdivision plat approvals, liquor license issuance, nuisance abatement.

In quasi-judicial hearings, the City Council is acting in a manner similar to a judge, and must make an objective decision that is based upon the evidence presented at the hearing and the current law and applicable legal standard.

Because these proceedings impact the property rights of one individual, entity or small group of individuals, fairness and due process must be ensured. Everyone with an interest in the case, as well as all members of the decision-making body, must hear the same evidence, at the same time, from the same sources. The applicant, appellant or property owner deserves the opportunity for a fair, impartial hearing before unbiased, impartial decision makers, each of whom have had the benefit of the same input and testimony. During quasi-judicial hearings, Council will not engage in reflective listening.

### **Council’s Impartiality in a Quasi-Judicial Proceeding may be affected by:**

(1) **Pre-judgment or bias.** An individual Councilmember’s desires, personal preferences or prejudices must not be a factor for consideration, or enter into their decision-making. A councilmember must not have their mind made up before the hearing, and must remove themselves from the process if they have advocated one way or the other on a quasi-judicial matter. Each member participating in the hearing must have the ability to decide the case fairly, impartially and based solely on the evidence and testimony presented at the hearing.

(2) **Conflicts of Interest.** Described earlier in Chapter 5 of this Handbook.

- (3) **Ex-Parte Communications.** Ex-Parte communication refers to information received “outside of the record,” whether verbal, written, electronic, or graphic. Ex-parte communications are also defined as communication between a councilmember and one party, outside the presence of the other parties to the case, or other affected individuals.

Because of the legal constraints of this process, councilmembers may not discuss quasi-judicial issues outside of a hearing. Council must refrain from listening to opinions outside of the public hearing, and should not form opinions until the hearing. Council also should not research the issue outside of the hearing. Should a member of the public, or the applicant, attempt to share opinions or discuss the issue, Council must explain that because it is a quasi-judicial matter, they cannot not engage in ex-parte communication. Councilmembers may direct the individual to provide written comments to City Staff, which will be included in the public record, and considered by all Council at the proper time.

Courts generally hold that such communications are improper and may provide legal grounds for overturning a Council’s decision. These rules promote impartial decisions by ensuring disclosure of all evidence and arguments presented to the Council in its deliberation and decision. These rules also gives everyone involved a fair chance to respond to all information that may affect the decision. If any Councilmember believes that their ability to participate in the hearing fairly and impartially has been compromised, they must cure the issue by disclosing the issue on the record or recusing themselves from the hearing.

# Chapter 8: City of Salida Remote Participation Policy

*(Adopted via Resolution 2024-33)*

The preference and expectation of all Councilmembers is to attend regular and special Council meetings in-person, in City Hall, whenever possible, in recognition of the efficiency and effectiveness of in-person participation when conducting the public business of the City of Salida. However, there may be occasional times when in-person attendance is not possible. The City finds that remote attendance by Councilmembers is preferable to not permitting participation or delaying the conduct of public business. Members of Council may therefore participate remotely in council meetings subject to the following rules and procedure.

This Policy shall also apply to all quasi-judicial proceedings in front of any City board or commission. When considering a quasi-judicial matter, City boards and commissions, and its members, shall follow this Policy in the same manner intended for Councilmembers.

This Policy applies when a local disaster emergency is not in effect.

When an emergency has been declared, the City's "Electronic Participation Policy for City Council Meetings and Meetings of City Boards and Commissions During a Local Disaster Emergency" adopted by City Council via Resolution 2020-42 shall apply.

**"Remote Attendance"** means participation by video or audio means, such as Zoom, GoToMeeting, Webex, Microsoft Teams or similar platform approved by the City, which is clear, uninterrupted and allows two-way communication for the participating Councilmember.

## **Circumstances permitting remote participation**

Councilmembers may participate in a meeting by remote attendance when travelling out-of-town, when ill, when a family or personal emergency arises, or when unforeseen circumstances do not allow in-person attendance. Councilmembers who are ill are encouraged and expected to participate by remote attendance. Councilmembers may participate remotely no more than four (4) times in a twelve (12) month period for Regular City Council meetings. This provision does not apply to Work Sessions. If a Councilmember violates this provision, they shall be removed, and their seat will be deemed vacant.

## **Meeting requirements concerning remote participation**

Council may permit remote participation in a meeting, provided that all of following standards are met:

1. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.
2. Councilmembers and members of the public present at the meeting location can hear or read all discussion, testimony and votes.
3. At least one member of the City Council is present at the meeting location.
4. All votes are conducted by roll call.

### **Arranging for remote participation**

To arrange to participate remotely, a Councilmember shall contact the City Clerk in writing, as far in advance of the meeting as possible, and include the circumstance in which the Councilmember is making the request. Upon receipt of such written request, the City shall use its best efforts to provide the technical means necessary to fulfill the request from City Hall; provided, however, that it shall be incumbent upon the Councilmember who desires to participate by remote attendance to provide the technical means necessary to facilitate remote attendance from their location. Such Councilmember are expected to be situated in a stationary location with adequate internet service with video camera on and presenting in a professional manner similar to in-person Council meeting attendance.

### **Public Participation**

For meetings where it is practical for City Council to utilize an electronic communication platform, members of the public may participate in such meetings and make comments at such times as are designated by the Mayor. The City may impose requirements on public participation by electronic means such as requiring a member of the public to send an email to the Clerk prior to the meeting if they desire to present on an item not on the agenda or requiring a member of the public to give notice to City staff in advance or during the meeting of their desire to comment on a specific agenda item.

### **A Councilmember participating through remote attendance:**

- shall be entitled to participate in all Council matters in the same capacity as a Councilmember in physical attendance, including participation quasi-judicial matters and executive sessions;
- shall be counted for purposes of establishing a quorum;
- shall have the opportunity to express comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and adopted procedures;
- shall be heard, considered, and counted as to any vote taken;
- shall be called during any vote taken and shall have such Councilmember's vote counted and recorded by the City Clerk and placed in that meeting's minutes; and,
- may leave a meeting and return as in the case of any member upon announcement of such leaving and returning.

In the event that City Council holds an executive session, participants shall be authorized to attend remotely. A Councilmember participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are the only person in the room and that no other person has access to the executive session. Any executive session conducted under this Policy shall be recorded electronically as provided for by statute.

### **Presiding Officer**

The Mayor, Mayor Pro Tem or other designated person who is presiding over the meeting shall have the discretion to mute any Councilmember who is participating through remote attendance when distracting and extraneous noise is occurring through the remote attendance. The officer who is presiding over the meeting may delegate the ability to mute Councilmembers to the meeting host who controls the meeting platform. The presiding officer shall use best efforts to recognize and provide opportunity for Councilmembers who are participating via remote attendance the ability to contribute to the discussion and express comments. The presiding officer during the meeting shall designate the individual who councilmembers should contact during the meeting in the event of technical difficulties

or in connection with other matters related to items not appearing on the agenda for the meeting in which the Councilmember is participating remotely.

**Reasonable Accommodations**

The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of members of the City Council, commission, board or the public with a disability.

# Chapter 9: Travel and Mail

## **Travel**

The City will pay for ordinary and necessary expenses incurred by City Council members which are directly related to City business. Actual or per diem travel expenses should be itemized on a Travel Expense Form (available in the Finance Office) and submitted along with necessary documentation. This includes mileage when you need to travel using your personal vehicle. Efforts should be made to travel with staff who are able to drive City-owned vehicles.

The City Administrator's office can assist you in registering for classes, conferences and booking travel arrangements. Council members should always use discretion in their use of City-related business travel. Travel expenses incurred by public officials are typically subject to a high level of public scrutiny.

## **Council Mail**

Correspondence/mail addressed to the City Council is placed in the Council mailboxes, located in the mail room, accessible through the Finance Office. Please check your mailbox when you visit City Hall. E-mail correspondence addressed to City Council is forwarded to all Council members and the Clerk's Office retains a copy for the public record.

# Chapter 10: Decorum, Removal, and Sanctions

## Civility

It is the intention of the Salida City Council to promote civil communication among council members and the public by adopting these guidelines for speaking in the City Council Chambers.

## Robert's Rules of Order

Regular City Council Meetings are conducted by the Mayor, according to "Bob's Rules of Order," the abbreviated Robert's Rules of Order (SMC 2-2-80).

## Removal of Council Members

When used in this chapter, the terms below will have the following definitions:

- (a) "Conviction" shall mean:
  - (1) A guilty verdict;
  - (2) A plea of guilty accepted by the court or the entry of a guilty plea;
  - (3) A plea of nolo contendere (no contest) accepted by the court; or
  - (4) The imposition of a deferred sentence accepted by the court.
- (b) "Crimes of moral turpitude" include the following felony, misdemeanors or municipal offenses:
  - (1) Any of the offenses against the person set forth in 18-3-101, et. seq. C.R.S.;
  - (2) Any of the offenses against property set forth in 18-4-101, et. seq. C.R.S.;
  - (3) Any of the offenses involving fraud set forth in 18-5-101, et. seq. C.R.S.;
  - (4) Any of the offenses involving the family relations set forth in 18-6-401, et. seq. C.R.S.;
  - (5) Any of the offenses constituting wrongs to at-risk adults set forth in 18-6.5-101, et. seq. C.R.S.;
  - (6) Any of the offenses relating to morals set forth in 18-7-101, et. seq. C.R.S.; or
  - (7) Any conspiracy, solicitation, or criminal attempt to commit any of the above offenses, or participation as an accessory to any of the above offenses.

## Cause for removal

A City Council member may be removed for one of the following reasons:

- (1) Four (4) absences to regular City Council meetings within a twelve (12) month period;
- (2) Willful or habitual neglect or refusal to perform the duties of his or her office;
- (3) Attending City Council meetings in an intoxicated state;
- (4) A violation of the Remote Attendance Policy;
- (5) A violation of any provision of the City Council Handbook; or
- (4) A conviction of a crime of moral turpitude.

City Council has the power to remove its members from office for cause upon a concurring vote of four (4) members of Council. A Council member who is the subject of the removal charge(s) shall not vote on the question of removal.

A Council member who is not removed by Council after conducting a hearing shall not be subject to removal in a future hearing based on identical charges arising out of the same incident that forms the basis of the charge from which they were not removed.

## Procedure

A charge for removal shall be brought against a Council member by at least four (4) Council members at a regular or special meeting. The charged Council member shall be provided written notice of the charge(s), as well as the date, time, and place of the hearing on said charge(s), with at least ten (10) days prior notice of the hearing, which will be publicly held before Council. City Council shall appoint special counsel to conduct the hearing and present evidence on its behalf. The hearing will be conducted in a quasi-judicial forum. At the open and public hearing, the parties have the right to present testimony, produce evidence, cross-examine witnesses, and be represented by legal counsel.

### **Vacancy**

A vacancy created on Council due to removal of a Council member shall be filled as provided by City Ordinance, Section 2-2-10(d).

### **Sanctions**

Upon a vote of four (4) members of Council, City Council may impose sanctions on fellow Council members; including reprimand or public censure, pursuant to the following:

- (1) Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the City Charter, City Ordinances, or these Handbook Rules could lead to sanctions as deemed appropriate by the council.
- (2) It is the responsibility of the Mayor (or Mayor Pro-tem if appropriate) to initiate action if a Council member's behavior may warrant sanction. If no action is taken by the Mayor, the allegations may be brought to a public meeting at the request of at least two (2) Council members with notice provided to the public. Any sanction shall be by a four (4) vote of the Council.
- (3) If the alleged violation occurred outside the direct observation of the Mayor or Council members, the matter should be referred to the Mayor. The Mayor, or the majority of Council, may request the matter be referred to a third-party investigator to determine if a violation occurred.

## Chapter 11: Additional Resources

Colorado Municipal League – [www.cml.org](http://www.cml.org)

The Colorado Municipal League (CML) is a non-profit organization that has served and represented Colorado cities and towns since 1923. In 2021, 270 of Colorado's 271 municipalities are members of CML. CML provides advocacy, information and training to its members. CML's mission is twofold: to represent cities and towns collectively in matters before the state and federal government, and to provide a wide range of information services to assist municipal officials in managing their government. The Town of Crested Butte is a member of CML and the organization sends an informational welcome packet to newly elected council members. Council members also receive newsletters from CML.

Colorado Association of Ski Towns – [www.coskitowns.com](http://www.coskitowns.com)

The Colorado Association of Ski Towns is an organization of 26 municipalities whose economies are largely dependent upon the ski industry and tourism. Members include the mayors, managers and council members of these resort towns. CAST has more than a dozen Associate Members that include Colorado counties as well as out-of-state towns and counties.

The Association was formed in part to recognize that resort communities face unique challenges in providing municipal services to residents and visitors.

Member municipalities share the benefits of diverse knowledge, experience and leadership through

meetings, conferences, surveys and other informational venues, as decided by the members. CAST members use the power of the coalition to seek support for legislation that will benefit and sustain the mountain communities. CAST supports actions that keep our communities livable, protect our pristine environment, and promote affordable housing, multi modal transportation, climate action and sustainable tourism. CAST's goal is to ensure an exceptional quality of life for citizens and a positive experience for visitors.

Colorado Communities for Climate Action – [www.cc4ca.org](http://www.cc4ca.org)

Colorado Communities for Climate Action is a coalition of 42 local governments across the state advocating for stronger state and federal climate policy. CC4CA is governed by a Board of Directors representing all of the member communities.

Colorado Intergovernmental Risk Sharing Association – [www.cirsa.org](http://www.cirsa.org)

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) was formed by Colorado municipalities, for Colorado municipalities. More than 285 communities and public entities are members, because the advantages of working collectively as a community far outweigh what commercial providers offer.

National Incident Management System - [g402\\_complete\\_ig.pdf](#)

The National Incident Management System (NIMS) provides guidance and support to elected officials in managing incidents. It is recommended that the Mayor and City Council complete NIMS training G402.

# Chapter 11: Email Retention Policy

## PURPOSE

## RETENTION POLICY

To ensure that the City of Salida, each Department, and staff member is responsible for maintaining and retaining those files identified under this policy's "General Information" for the periods of time indicated as referenced by the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE, adopted by the City of Salida. Any changes in computer systems or record formats that affect the retained files must be identified and documented. The "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE" is an exhibit at the end of this policy.

## POLICY

1. Departments and Staff maintain program and system documentation in conjunction with the files listed under General Information for the required retention period as referenced by the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE". This documentation should include record formats, label descriptions, flowcharts, and/or a narrative description in sufficient detail to explain the use of programs that process the identified files.
2. IT Management ensures that all backup archived copies of the retained files are clearly labeled and secured to prevent inadvertent release or destruction by means of off-site storage and archiving. The IT Administrator or designee shall be responsible for preserving all electronic public records either on or off the system for a length of time consistent with the City ordinances and Colorado State Statues.
3. IT Management ensures that the program and application systems that process the identified files are retained and archived when new versions or replacement systems are implemented. Alternatively, the IT Management may elect to convert the archived historical information to the record format supported by the new version of the application software.
4. Departments and Staff will provide, as necessary, computer time to the auditors to conduct audits with retrieval programs at mutually agreed upon times.
5. All electronic communications via the Internet and online services are considered transitory writing and are not retained in the City of Salida's normal course of business.
6. E-mail is not backed-up on a permanent basis. The City stores E-mail only to the degree that allows it to be restored in case of a disaster or system failure, usually, a one day system backup.
7. E-mail is a form of sending/receiving information and documents. As such, E-mail is not a separate category of document for which there is a separate retention schedule. All electronic communications via the Internet and online services are considered transitory writing and are not retained in the City's normal course of business. As with any other form of communication received or sent, the sending/receiving employee must determine if the content of the E-mail has lasting value and whether the same should be preserved.

8. It is the user's responsibility to determine if the E-mail is important enough to retain, and if so, to save the E-mail to an appropriate location, locally or on the network. All Email senders/recipients share the custodial responsibility for the proper handling of E-mail messages sent/received. All City E-mail senders/recipients are required to understand and determine the retention, deletion, and archiving requirements for all E-mail messages sent/received by the employee. Saved E-mail messages should be complete, reasonably accessible (if a public record), manageable, and secure for the life of the record. To be complete, the archived email message should include the following information: recipient(s), sender, subject, text, date sent, time sent, complete attachment(s), and group list member names.

9. If retention is warranted because the content of the E-mail message makes it a City record, the E-mail message must be retained outside of the employee's E-mail inbox for the period of time specified in the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE."

10. There is no mechanism for restoring deleted or purged E-mail messages.

11. E-mail is not a permanent storage medium. Users are responsible for purging the E-mail "Deleted Items" and "Drafts", on a regular basis not to exceed 30 days. The City will purge any Emails that are 6 months or older, read or unread.

12. E-mail messages that are announcements of meetings, routine exchanges of information, and other documents that have no informational value, should be deleted as soon as they have served their purpose.

13. Employees are responsible for retaining documents sent via the E-mail system in accordance with retention schedules and guidelines established by the City Administrator.

14. Employees who will be absent for an extended period of time must make arrangements to review and purge their E-mail messages, either personally or through a designee.

15. Employees who leave or are terminated from the organization must make arrangements with IT to review and purge their E-mail messages by their final day.

16. If an employee is unsure whether an e-mail message should be saved, the employee should contact either the Office of the City Clerk or the City Attorney.

17. Retired, obsolete, disposed, or auctioned equipment shall have their internal storage device physically removed and stored for physical destruction by a 3rd Party at the request of the IT Management.

#### Suggested Retention Period for City of Salida Records

- Records retention is necessary to protect the Organization and provide historical documentation of the Organization's actions and processes. Please reference the "COLORADO MODEL MUNICIPAL RECORDS RETENTION SCHEDULE". Generally, if there are multiple rules of retention for various documents or files, the strictest rule of retention prevails.

## EXHIBIT A

### 40.100 CORRESPONDENCE AND GENERAL DOCUMENTATION

*Correspondence* is a written communication that is sent or received via the U.S. mail, private courier, facsimile transmission or electronic mail, including letters, postcards, memoranda, notes, telecommunications and any other form of written communications. The term *general documentation* is intended to cover a wide variety of records created in the normal course of business.

#### A. **Enduring Long-Term Value**

Documentation or correspondence, including e-mail messages, with lasting long-term administrative, policy, legal, fiscal, historical or research value; records that relate to policy issues and actions or activities in which an important precedent is set; records of historic events; and other similar records and documentation.

Retention: Permanent

#### B. **Routine Value**

Routing operating documentation or correspondence with limited administrative, legal, fiscal, historical, informational or statistical value. Includes routine e-mail messages, letters or memoranda, reading or chronological files that contain duplicates of memos or letters also filed elsewhere, routine requests for information, transmittal documents, etc.

Retention: 2 years

#### C. **Transitory Value**

General documentation or correspondence of extremely short-term value, including advertisements, drafts and worksheets, desk notes, copies of materials circulated for informational "read only" purposes, other records, including e-mail messages, with preliminary or short-term informational value.

Retention: Until material has been read