



CHAFFEE COUNTY
COMMERCIAL
LAND USE POLICY

Developed by
Chaffee County Planning Commission
1989

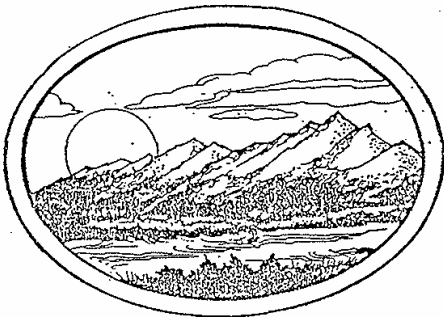
The Chaffee County Board of Commissioners
adopted this policy on
September 12, 1989
with Resolution 1989-25

ACKNOWLEDGMENT

The development of this Commercial Land Use Policy was made possible by the excellent cooperation of many Chaffee County citizens. Therefore, our thanks go to all those who participated in the outreach and input phases, but particularly to the Councils, Town Boards of Trustees and Planning Commissions of Buena Vista, Poncha Springs and Salida for their contribution in time and thought.

We also wish to here acknowledge the expertise and many hours of time devoted to this effort by Jeff Ollinger, Donna Nevens and Mervin Aude who collected, analyzed and assimilated the data used in these policy statements.

Chaffee County Planning
Commission



THE CHAFFEE COUNTY PLANNING COMMISSION

and

THE BOARD OF COUNTY COMMISSIONERS

In consideration of all the citizens and property owners in this County, we have developed this "Land Use Policy" as a guide to be used by various officials of the County along with the County's citizens and visitors in making decisions on the proper use and development of the land in Chaffee County.

Hopefully, a close adherence to this policy will help preserve the beauty, economics, resources and atmosphere of Chaffee County so that it remains or develops in a manner that produces a quality life style for all its citizens and guests.

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Authority

This Commercial Land Use Policy was developed under the authority and instruction of the Chaffee County Board of Commissioners as shown in the Board's Minutes of December 13, 1998 in the Findings #7 on Page 7 of this booklet.

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Chaffee County Land Use Policy

The Commercial Land Use Policy for Chaffee County shall be composed of the following:

I. LOCATION AND TYPE OF DEVELOPMENT

(Commercial in this policy includes business and light industrial use.)

A. Future commercial development should be located:

1. To maintain the rural and scenic character of the environment.
2. To protect the ranching economy by preserving the existing agricultural areas.
3. To development the tourism and recreational potentials of the County, keeping within the guidelines set forth in other parts of this policy.
4. To encourage business, commercial and industrial development in Salida, Buena Vista and Poncha Springs.
5. In areas that provide adequate water supply in terms of quality, quantity and dependability.
6. To be compatible with public land and uses.
7. In either existing Commercial Zones or at prime market locations. (Prime market locations may be intersecting arterial thoroughfares.)
8. Outside municipalities only when necessary for specific locations functions, market or service requirements. Also, proposals for retail and service businesses typically found in central business districts will be directed and encouraged to locate in existing urban areas.

B. Future commercial development should NOT be located in areas that:

1. Require intensive septic systems that will ultimately become obstacles for future waste water systems and those which will degrade water quality.
2. Create traffic congestion, safety or access problems.

3. Create strip-type commercial or unsightly municipal entrances.

II. DEVELOPMENT STANDARDS AND PERFORMANCE FEATURES

- ### **A. Future developments should provide performance features that will:**
1. Be non-polluting.
 2. Be compatible with adjoining land uses (including agricultural, residential and recreational).
 3. Have water supply/waste water collection and treatment capability for the short and long time needs of the development.
 4. Have adequate water supply in terms of quality, quantity and dependability.
 5. Have safe access, proper ingress-egress and traffic flow for the development site.
 6. Not reduce the carrying capacity of the highway or roadway adjoining the development site.
 7. Provide compatibility with adjoining public lands and uses.
 8. Prevent or mitigate increased demands on County services.
 9. Provides for efficient use of land and prevents undesirable "strip-type" commercial development, including signs.

For added explanation of this policy, contact the Board of Commissioners who may refer your questions to the Chaffee County Land Use Administrator or the Building Inspector at the Courthouse in Salida, Colorado.

III. Appendix

History and Findings

Introduction: Early in 1988 the Chaffee County Commissioners, meeting with the Summit Group, determined that the emerging Arkansas River State Park plan disclosed a need for a county land use policy to apply on some of the unincorporated private lands in the County. At this time it appeared that considerable commercial and economic pressures related to the private lands might accompany the development of this large unique recreational park located on some of the public lands in the County.

Purpose and intent of a land use policy is to give reliable and consistent guidance to decision making processes as well as give better understanding of land management and land use planning processes to landowners, land developers and the several boards and commissions who are responsible for administration of planning and zoning in this County of Chaffee, Colorado.

Historical Background: In order to develop a policy that will address the “need” and “purposes” outlined above, it is advisable to re-examine a number of previously made declarations and resolutions. It is also advisable to preface some observations with remarks which will hereinafter be referred to as FINDINGS. The order of listing of these findings does not assign any priority, one over the other, but may in the end involve or reflect each in the overall policy.

Finding #1: The Chaffee County Comprehensive Plan of 1976 states in part:

A. Page #1 of the introduction sets forth the County “Goals” in this Comprehensive Plan:

Chaffee County realizes that growth is inevitable and has set for itself goals which it strongly wishes to realize during this growth process. They include:

1. To arrange for compatible land use.

2. To maintain the rural and scenic character of the environment.
3. To protect the ranching economy by preserving the existing agricultural areas.
4. To development the tourism and recreational potential of the County.
5. To attract non-polluting industrial operations, which would contribute to the County’s basic economy.
6. To strive for a better quality of life for all Chaffee County residents.

The achievement of these goals will development and maintain the type of environmental quality and character which the people of Chaffee County envision for their future.

B. Section 2 “Water, Sewer, Solid Waste” page 17, addresses waste water disposal with these extractions from the Comprehensive Plan:

Both Salida and Buena Vista have water treatment plants and sewerage treatment facilities. These systems will have to be improved and enlarged to accommodate future growth in the surrounding areas.

“Leapfrog development should be avoided since this leads to the use of septic tanks as an interim system. Existing septic tank systems will create an obstacle to providing sewers. Existing agencies should extend sewer lines from their systems into un-sewered areas.

The extension of sewer facilities into the already developed areas is essential if adequate water quality is to be maintained. If individual septic systems use continues and increases, pollution of ground and stream water supplies is inevitable. Pollution of these water supplies will then put an added burden on water treatment facilities.

C. Section 3 subsection 5 “Urban Expansion” page 4 of the Comprehensive Plan states in part:

Expansion of the existing communities of Salida, Buena Vista, Poncha Springs, Johnson Village and Nathrop is inevitable. As these

areas grow and offer more extensive services (schools, shopping facilities, employment, water/sewer facilities, etc.) the areas adjacent to them become more attractive to development. City/County cooperation in guiding growth is essential since both the cities and the County will require resources of which there are limited supplies. Urbanized growth should complement growth in the County and not compete with it. The basic resources for the County are the same as for the cities and a unified City/County planning effort can extend the use of the resources more effectively than by competition. The cities can only expand into the County and County developments generally move toward the cities. Cooperative planning is the only feasible alternative for directing urban growth into County areas to maximize and extend available services and to prevent unsound, isolated County developments which can afford no services of their own. Urban areas can only expand to the limits of the services they can offer and the County should not overtax municipal facilities and services by permitting unregulated, improperly located growth.

D. Section 3 subsection 6 “Water Quality” pages 5 and 6 of the Comprehensive Plan in part:

Growth in the County will place an added burden on water quality. Federal and State regulations in this area are becoming more and more stringent and locations will, in many cases, find compliance difficult. Pressures on water quality include the following:

1. Non-point discharge from mountain run-off.
2. Point discharge from mining activities.
3. Waste treatment facilities or lack of.
4. Growth areas on fringes of cities.
5. Proliferation of special districts.
6. Development along the Arkansas River Bank.
7. Increasing recreational use of the Arkansas River.
8. Lack of regulatory measures.
9. Lack of management plans.

These are not the only pressures which the County will face in terms of growth but at this time they appear the most important and volatile.

Finding #2: Section 1 subsection D “Purposes” on page 1 of the Chaffee County Zoning Resolution, 1984 revised edition states:

Purposes: These regulation shall be for the purpose of promoting the health, safety, morals, convenience, order, propriety and welfare of the present and future inhabitants of Chaffee County, Colorado by: The lessening of congestion on streets; reducing the waste of land by preventing the building of an excessive number of roads and highways; securing safety from fire and other dangers; classification of land uses and the distribution of land developments and utilization; protection of the tax base; securing economy in governmental expenditures; fostering and promoting agriculture, recreation and other industries within the County of Chaffee.

Finding #3: Approximately 20% of Chaffee County’s land area is private ownership, with the remaining 80% being public land owned or controlled by municipal, State or Federal entities. County planning therefore, not only applies to private lands, but must address, in many instances, effective, efficient and/or compatible relationships with public land which are administered by Forest Service, BLM and State agencies as well as the municipalities and their environs.

Finding #4: The Planning Commission conducted several studies and inventories in 1986 and 1987. The one dealing with commercially zoned land was completed in early 1988. This disclosed a total highway frontage presently zoned commercial as approximately 35.94 miles and involves a land area of 1306 acres. Only 29.7% of this frontage is presently in commercial use. 18.6% or 5.5 miles is in residential use and 50.94% remains undeveloped or in agricultural use.

Finding #5: An outreach effort in mid-1988 circulated a “Land Use Input” questionnaire to all planning and economic development groups in the County. The returns indicated a positive need for a land use policy and gathered a wide variety of comments. When summarized, these comments address such factors as : balanced conditions, commercial activity allowed only at proper locations, protective measures for neighboring properties, commercial activities that do not adversely affect traffic patterns or systems, concern for rural waste disposal and water quality, water availability and long term waste disposal, with top priority being placed on development of commercial activity near or in the municipalities where utility services are more readily available along with fire and police services.

Finding #6: The late 1988 distribution of the final “Arkansas River Recreation Management Plan” and its projected adoption in early 1989 prompts the County to consider adequate policy to cope with the commercial pressures that may develop along with this large recreational park.

Finding #7: At the December 6, 1988 Summit meeting the County Commissioners unofficially endorsed the need “to go” with development of a land use policy. The official endorsement and a directive to the Planning Commission is contained in the minutes of the Board of Commissioners December 13, 1988 meeting, quote:

Commissioner McFarland noted that at the recent Summit meeting the members decided to task the Planning Commission to draft a policy in regard to zoning so that zoning can follow an established policy. Commissioner McFarland moved to ask the Planning Commission to work with the County and the municipalities in working up a policy statement. Commissioner Eve was second to the motion and a unanimous vote was recorded.

Four of the five regulars members of the Planning Commission were in attendance at the December 6, 1988 Summit meeting and participated in the discussions. Two mayors and

two administrators of the municipalities were also in attendance at this meeting and each gave positive endorsement to the “GO” declaration.

Finding #8: Municipal input from the City and Town Boards, Councils and Planning Commissions in condensed statements are:

Salida:

To encourage both commercial and business ventures be established in or near the existing municipalities.

To encourage only those commercial, industrial and business developments that will enhance our natural scenic beauty and our quality rural environment.

To maintain a high standard of appearances for commercial development along our highways and municipal entrances.

To establish the necessary planning in the County that reflects the intended use for properties that have potential for annexation in order to be compatible with the municipalities plan, particularly with respect to the extension of utilities.

Buena Vista

That the County encourage commercial development within the currently constituted municipalities rather than in unincorporated County Land.

That the County refrain from any additional commercial zoning in the County until the current inventories of unoccupied commercial properties are substantially exhausted.

That the County do everything possible to discourage strip commercial development and to control signs along the state and federal highways outside the municipalities in order to preserve as much as possible the rural and scenic qualities which attract tourism in the Arkansas Valley, keeping in mind that those same tourists will cease to come here if those qualities are

further debased (such as in the Fisherman’s Bridge Area).

That the County particularly discourage any development which tends to produce an atmosphere that runs counter to the spirit and to the reality of the New Arkansas River State Park (tourists don’t want to float past the backyards of tacky business developments and/or residences – they want wild beauty!).

That the County insist that all commercial development along state and federal highways and particularly within a mile or two of municipalities be neat, well-constructed and otherwise contributing to – rather than detracting from – the ambience of the municipalities.

Poncha Springs:

The Planning Commission urges that any future use for the three mile area along Highway 50 between Poncha Springs and Salida be consistent with the Poncha Springs Plan.

PLANNING/ZONING ADMINISTRATIVE PROCEDURE POLICY RECOMMENDATIONS:

A. Distribution – The Commercial Land Use Policy should be distributed to real estate offices, chambers of commerce, land developers, development representatives and other development interests in the County.

B. Applicant Contact – Commercial development interests and inquiries approaching County Planning Staff should be given the Commercial Land Use Policy during initial contact.

C. Type of Application Guidance – Development applications for projects of a temporary type (usually small size and/or with limited time of use involved) should be guided into special use permit applications. Applications with permanent type projects (usually of large size with multiple land uses involved) should be directed toward Planned Unit Development, zone change or special use applications, which ever best fits the project.

These various applications are then processed so that the Commercial Land Use Policy Development standards and performance features can be achieved through review and application process.

D. Pre-application Conference – Applicants should be directed to meet with County planning staff, planning commission representatives and/or county commissioners to provide guidance to applicants on county policies, processes and land use intentions that apply to the applicant’s proposal.

E. Policy’s Use in Decision Making – The Commercial Land Use Policy should be used as development “review criteria” by the Planning Commission and the County Commissioners when rendering recommendations and decisions on applications.