

CITY OF ALAMOSA PLANNING COMMISSION

December 8, 2021
6:00 PM
300 Hunt Ave. Alamosa CO 81101

Mission Statement: We are committed to providing balanced, effective and efficient public services for our residents, visitors and businesses by cultivating a vibrant, resilient and livable city.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

AGENDA

I. Call to Order

II. Roll Call

III. Agenda Approval

IV. Approval of Minutes

- A. Minutes from Oct. 27, 2021

V. Public Comments

VI. Regular Business

Request for 10 Foot Rear Setback Reduction at 938 Douglas Drive/Court

VII. Other Business

- A. Work Session on Rezoning

VIII. Staff Updates

IX. Adjournment

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:

Minutes from Oct. 27, 2021

ATTACHMENTS:

Description		Type
▢	Minutes from Oct. 27, 2021	Minutes

**City of Alamosa
Planning Commission
October 27, 2021
6:00 p.m.
Minutes of the Meeting**

The regular meeting of the Planning Commission was called to order on September 22, 2021 at 6:00 p.m. by Chairman Mark Manzanares. Present were the following members: Reyna Martinez, John Adams, David Mize, Mark Manzanares, Kindra Lambert and Sandra Ortega. A quorum was declared. Staff present: Deacon Aspinwall, Rachel Baird and Nicole Valdez.

Agenda Approval: M/S/C. Mize/Adams. Motion approved to approve agenda as presented. All approved, none opposed.

Approval of the Minutes: M/S/C. Mize/Martinez. Motion approved to approve minutes of the September 22nd, 2021 meeting as presented. All approved, none opposed.

Public Comments: None.

Regular Business: None.

Other Business: Discussion about potential UDC updates to facilitate Housing Development.

Staff Updates:

Aspinwall discussed development updates about Maverik, Pre development for Friar's Fork, Friday Health Plans, Locavores, Xcel Energy conduit permit, zoning map updates, Fence ordinance, November and December Work Session, downtown and Mark Manzanares will represent Planning Commission at the upcoming Council Meeting.

After no further business, the meeting was adjourned at 7:14 p.m.

Respectfully Submitted,

Nicole Valdez
Recording Secretary

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:

Request for 10 Foot Rear Setback Reduction at 938 Douglas Drive/Court

Background:

The subject property is located at 938 Douglas Drive/Court (formerly known as Cottonwood Drive/Court), otherwise known as Lot 13, Block 3, of the Replat of the Carroll Addition #2, Assessor's Parcel Number 541304204022. The lot is zoned Residential Medium (RM) and is currently vacant, consisting of 11,860 square feet. *See the attached location map.* The subject lot is located on the corner of Douglas Drive and Douglas Court. Note the address has not been officially assigned since there is no primary entrance for the subject property at this time.

The applicant is requesting a variance for relief from the *Suburban Lot (RM) (Street Access)* standards in **Table 21-4-202B**. Specially, the applicant is requesting a rear setback reduction for the principal building of 10 feet from 25 feet to 15 feet. *See the owner's site plan, attached.* The applicant believes that the location of the lot on a corner makes it difficult to build a home that is consistent with the square footage of the other neighborhood lots. *See the owner's request narrative, attached.* Additionally, the applicant references and includes a restrictive covenant on the lot in their narrative. The UDC explicitly states that under no circumstances may the Planning Commission evaluate the request in light of private covenants. **Section 21-1-201(c) -**

Relationship to covenants, conditions, and restrictions states explicitly: "This Code does not abrogate private restrictions that affect the use, development, or maintenance of property. The city has no duty to search for the existence of private restrictions on property, and the city will not interpret, enforce, or apply private restrictions unless it is a party to them." Regardless of any covenants binding the property, it holds no bearing whatsoever upon this hearing.

Analysis and Impact:

The completed and sufficient Land Use Application was delivered to the Development Services Department on 11/8/2021. Per **Sec. 21-8-702(b)**, variances may be granted by the Zoning Board of Adjustments when:

- (1) The strict application of this UDC would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property;
- (2) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this UDC;
- (3) There are unique physical circumstances or conditions such as exceptional irregularity, narrowness, or shallowness of a specific piece of property at the time of the enactment of this UDC, or by reason of exceptional topographic or other physical conditions, or other extraordinary and exceptional situation or condition peculiar to the affected property;
- (4) That the unusual circumstances or conditions do not exist throughout the neighborhood or zone in which the subject property is located;
- (5) That because of such physical circumstances or conditions, the subject property cannot reasonably be developed in conformity with the provisions of this UDC;
- (6) That such unnecessary hardship has not been created by the applicant;
- (7) That the variance, if granted, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjoining property;

(8) That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions which are in question.

Mailing and posting requirements have been met pursuant to **Table 21-8-511**.

Since the lot is on a corner, there are two available building envelopes, pictured below. The standard setbacks adjacent to streets are 25 feet in either case. However, depending on the location of the front door (and therefore front setback), the rear setback changes. The rear setback is defined as being opposite from the front setback. In the illustration below, the blue building envelope has the front setback along Douglas Drive (west lot line) and is approximately 4,875 square feet. The yellow building envelope has the front setback along Douglas Court (south lot line), and has a building envelope of approximately 4,180 square feet. The applicant is choosing to use the yellow building envelope, and therefore requesting the reduction along the north yellow lot line. Additionally, there is a 10' wide public utility easement that passes through the north east corner of the lot, as indicated by the grey hashed area in the illustration below. See *attached snippet of plat #220402, Replat of Carroll Addition No. 2*. Pursuant to **Sec. 21-4-403(b)(4)**, no building element may encroach into this area, except under a recorded agreement which allows for access to the utility and for the encroachment to be efficiently removed at the property owner's expense.



In evaluating this request to the standards referenced above, staff finds that it does not meet any of the standards for which Planning Commission may grant a variance. In reference to the applicant's claims as they pertain to the standards of **Sec. 21-8-702(b)**, staff finds that:

(1) There is no hardship on the applicant due to the UDC. The blue building envelope provides a large building area, and many corner lots in Alamosa are developed with an attached garage on the side street. In this instance, the front door could face Douglas Drive, while a garage could face Douglas Court. As stated previously, any alleged hardship created by covenants has no bearing on these standards.

(2) Granting this request is detrimental to public good because it sets an untenable precedent. Variances should not be granted without meeting the set standards. Variances are designed for situations when there is no feasible option to meet the provisions of the UDC or the UDC provisions do not apply. Neither of those cases is true in this situation. The property is vacant and has few constraints on development, and a generous building envelope is available for construction, albeit a professional architect would be beneficial in this case for the applicant to achieve what they would like. Waiving the standards or granting special permission in this instance disregards the intent of the development code and variance process.

(3) While the lot has unique geometry, there is more than sufficient area to build a large single family dwelling if placed within the blue building envelope as already demonstrated. The minimum width of the blue building envelope is 39 feet.

(4) All the vacant properties in this zone are required to meet these standard setbacks – including several on corners. This property is not unusual in that regard.

(5) The property can very easily be developed in accordance with the city's standards, particularly by using the blue building envelope.

(6) There is no hardship on the applicant; if the applicant desired a specific house floor plan, then it remains their responsibility to ensure that they could build it accordingly before purchasing the property as a part of their due diligence. The variance process is not intended to be a relief for a lack of due diligence. Again, any arguments made by invoking covenants are inherently legally unsupportable and have no bearing in this matter.

(7) Granting this variance will permanently impede future development of this neighborhood. The setbacks exist for a reason, and when there is a reasonable code-conforming option for development, a variance should not be granted. Granting this variance is not a defensible decision, because any other vacant property in this neighborhood must be afforded the same opportunity for a variance.

(8) No variance is needed to grant relief. Any variance granted is excessive, since the lot is of ample size for the construction of a large home as is.

Recommended Action:

Staff recommends that Planning Commission, acting as the Zoning Board of Adjustments, **deny** the variance request to reduce the rear setback requirement from 25 feet to 15 feet because the request violates all of the provisions set forth in **Sec. 21-8-702(b)**. Granting the variance is not a defensible decision and goes against every standard the City promulgates for development. Any potential property buyer or developer must do their own due diligence prior to purchasing or developing property to ensure their desires can become reality. In this instance, if the applicant desires a specific size and layout for a home, then it is much more appropriate for them to hire an architect to design a home that conforms to the City standards than for the City to waive the rules out of convenience for the applicant. This is the appropriate recourse for the applicant – not a variance.

Sample findings and motion: I find that the request to reduce the rear setback requirement on the corner of Douglas Drive and Douglas Court does not meet the requirements for which a variance can be granted under Section 21-8-702(b). Granting a variance when none is warranted frustrates the intent of the Unified Development Code and sets a bad precedent for future residential development in this zone. For those reasons, I move to deny the variance request for a rear setback reduction.

Alternatives:

The following is a non-exclusive list of actions that Planning Commission may take. Motions are provided for suggestion and template only, and are not required to be followed.

(Recommended action) Planning Commission, acting as the Zoning Board of Adjustments, may choose to **deny** the variance request for a reduction of the rear setback requirements from 25 feet to 15 feet.

Sample findings and motion: I find that the request to reduce the rear setback requirement on the corner of Douglas Drive and Douglas Court does not meet the requirements for which a variance can be granted under Section 21-8-702(b). Granting a variance when none is warranted frustrates the intent of the Unified Development Code and sets a bad precedent for future residential development in this zone. For those reasons, I move to deny the variance request for a rear setback reduction.

Planning Commission, acting as the Zoning Board of Adjustments, may choose to **approve** the variance, should it find that the request does meet the requirements of **Sec. 21-8-702(b)** as listed above. If Planning Commission decides to grant the variance, it must provide findings of fact outlining how the facts of the specific request meet the standards of **Sec. 21-8-702(b)**. Any approval may also include conditions.

Relevant Code:

Sec. 21-8-702. - Variances

(a) **Subdivision and Planned Unit Development Plan Variances.** The Planning Commission may authorize variances from provisions of this UDC that apply to a proposed subdivision or planned unit development plan in cases where, due to exceptional topographical conditions or other conditions peculiar to the subject property, an unnecessary hardship is placed on the applicant. Such variances shall not be granted if it would be detrimental to the public good or impair the intent and purposes of this UDC. The variance shall be in keeping with the intent of the Comprehensive Plan.

(b) **Other Variances.** The Board of Adjustment may grant or deny variances from the provisions of this UDC when:

- (1) The strict application of this UDC would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property;
- (2) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this UDC;
- (3) There are unique physical circumstances or conditions such as exceptional irregularity, narrowness, or shallowness of a specific piece of property at the time of the enactment of this UDC, or by reason of exceptional topographic or other physical conditions, or other extraordinary and exceptional situation or condition peculiar to the affected property;
- (4) That the unusual circumstances or conditions do not exist throughout the neighborhood or zone in which the subject property is located;
- (5) That because of such physical circumstances or conditions, the subject property cannot reasonably be developed in conformity with the provisions of this UDC;
- (6) That such unnecessary hardship has not been created by the applicant;

(7) That the variance, if granted, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjoining property;

(8) That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions which are in question.

(c) **Referral to Planning Commission.** The Zoning Board of Adjustment may request a recommendation from the Planning Commission to assist it in determining if the above requirements have been satisfied. Further, the Zoning Board of Adjustment may require that a special variance application form be completed by the appellant to ensure that the appellant fully understands the criteria on which the board must base its findings.

(d) **Prohibitions.** The Zoning Board of Adjustment may not grant variances from the provisions of this UDC covering the use or density or land or buildings, or the provisions governing planned unit developments. In granting any variance, the Zoning Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this UDC.

Sec. 21-4-403. - Projections into Required Setbacks

(b) **Limitations.** No building, building element, or structure shall cross a lot line:

(4) Into utility easements, unless the design of the improvement and a recorded agreement allows access to the utility and allows the utility or the City to efficiently remove the encroachment at the property owner's expense.

Sec. 21-1-201. – Applicability

(c) **Relationship to Covenants, Conditions, and Restrictions.** This Code does not abrogate private restrictions that affect the use, development, or maintenance of property. The City has no duty to search for the existence of private restrictions on property, and the City will not interpret, enforce, or apply private restrictions unless it is a party to them.

Table 21-4-202B (EXCERPT) Single-Family Detached Lot and Building Standards								
Single-Family Lot Type	Minimum						Maximum	
	Lot Area	Lot Width	Front Setback	Side Setback	Street Side Setback	Rear Setback	Stories	BCR ¹
Suburban Lot (RM, RH, EN, MU & CA) (Street Access)								
Principal Building	7,000 sf.	60 ft.	25 ft.	7 ft.	25 ft.	25 ft.	2	35%
Accessory Buildings			35 ft.	5ft. ²	25 ft.	5 ft. ^{3,4}	1	
TABLE NOTES:								
¹ BCR = Building Coverage Ratio								
² Increased setback may be required if required by fire code.								
³ No garage with an overhead door that faces an alley shall be set back to create a driveway that								

is more than 20 feet between the 20 feet long.

Single-Family Detached may approve Building Standards down to 3 feet for alley-accessed detached garages.

ATTACHMENTS:									
Single Family Lot		Street		Side		Rear		Stories	
Description	Lot	Front	Side	Type	Side	Back	Material	Setback	BCR ¹
Type	Location	Man	Area	Width	Setback	Setback	Setback	Setback	Setback

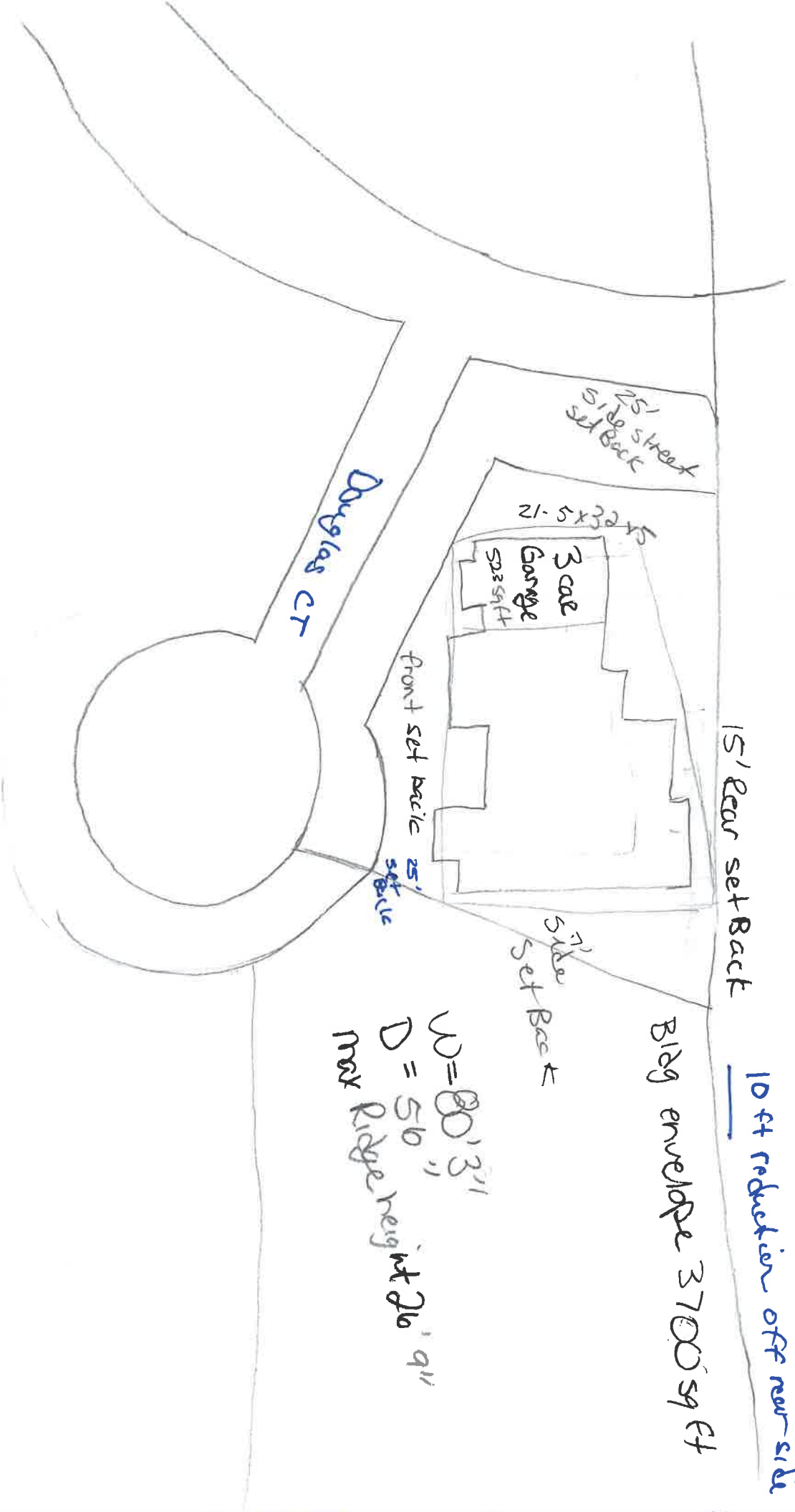
938 Douglas Variance Request



Site Plan

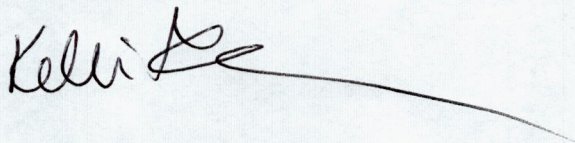
N
W + E
S

Other house



I am writing this letter to seek a variance for my single-family home located at Parcel #541304204022. Current setback rules make it difficult to build a home that consists with the square footage of the surrounding neighbors in this specific lot. The lot is oddly shaped with a narrow side on the west side of the lot which then widens to the east side. I am asking for 10 additional feet towards the rear of the lot (the north end). With the additional 10 feet this allows my contractor Teddy Archuleta to efficiently position a house to get the best usage of the lot. By doing such this will not affect any existing houses as the neighboring house is a considerable distance away from the north property boundary. This lot is considered a corner lot therefore it requires additional setbacks in the front and side which already reduces the buildable area of the lot. For the above reasons I ask that you take into consideration this variance.

Thank you,
Kelli Garcia

A handwritten signature in dark ink, appearing to read 'Kelli Garcia', followed by a long, sweeping horizontal line that extends to the right.

(1)The strict application of this UDC would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property;

- The strict application if this UDC would result in a residence that must fit a peculiar layouts and difficulties to work on the property. The shape of this lot will require a cost increase to be in conformance with requirement of restrictive covenants from replat of Carroll Subdivision – Addition No 2 recorded December 9, 1982 (attachment 1) Item #4, requiring a minimum size of 1600 square feet living area. Without this variance, an undue hardship in cost will be incurred by the owner as building a two story house to meet this covenant will greatly increase the cost of building.

(2)The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this UDC;

- There will be no substantial detriment to the public good with granting of this variance. The only neighboring house is to the north of the property. There is significant distance (greater than 50 feet) from the property boundary to the neighboring house to the north. Allowing this variance should not have any significant impact on any neighboring houses. Allowing this variance will ease the building process to the north. Alleviating the north boundary set back allows the property owner to stay away from building closer to public right of way to the south and west of the property.

(3)There are unique physical circumstances or conditions such as exceptional irregularity, narrowness, or shallowness of a specific piece of property at the time of the enactment of this UDC, or by reason of exceptional topographic or other physical conditions, or other extraordinary and exceptional situation or condition peculiar to the affected property;

- The shape of the lot is significantly narrower toward the west side of the property boundary. As this is a corner lot, set backs on each side facing a street are greater, reducing the area the already peculiar shaped lot that may be used. With existing set back requirements, the buildable area of the lot is over 30 feet shorter on the west side of the lot than on the east side of the lot.

(4)That the unusual circumstances or conditions do not exist throughout the neighborhood or zone in which the subject property is located;

- The issues regarding the request for this variance do not affect other properties in the neighborhood or zone. The main circumstance contributing to this condition is the location of the property being a corner lot with a significantly shorter property boundary on the west side.

(5)That because of such physical circumstances or conditions, the subject property cannot reasonably be developed in conformity with the provisions of this UDC;

- The property owner would like to construct a single family home with required setbacks facing the public right of way intact. To allow for the minimum setbacks on the front and side of the building, the variance to the north of the property is required. General Contractor, Teddy Archuleta, will be able to develop this property with the requested variance.

(6)That such unnecessary hardship has not been created by the applicant;

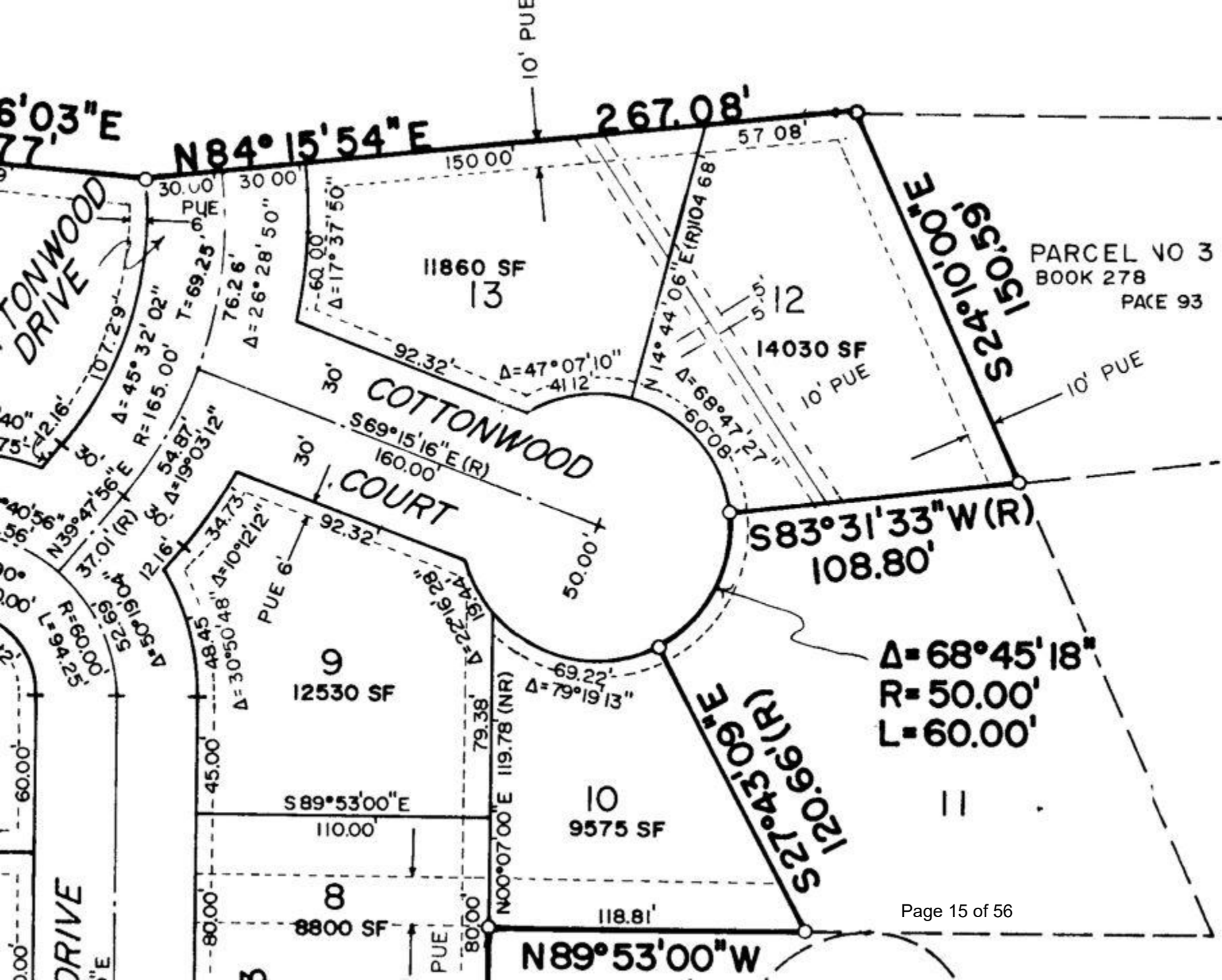
- This hardship was not created by the applicant. The shape of the lot was created prior to purchase of the property by applicant.

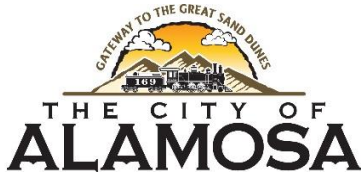
(7)That the variance, if granted, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjoining property:

family house that is more congruous with existing houses in the development area. Other properties have been allowed to build multi-family homes in the area in direct conflict with restrictive covenants of replat of Carroll Subdivision – Addition No 2 recorded December 9, 1982 (attachment 1). Allowing this variance will allow the property to construct a house that best follows these restrictive covenants as opposed to the condominium units that have been built in violation of the protective covenants filed on the properties in the neighborhood. The easement of setback requirements to the north will have no impact on the appropriate use of the property to the east, which is the only other vacant property adjoining the parcel being reviewed.

(8) That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions which are in question.

- The requested variance is the minimum amount of distance needed to allow usage of the lot as requested for the construction of a single family home.





Memo

To: Planning Commission Members, acting as the Zoning Board of Adjustments
From: Deacon Aspinwall, Planning and Development Specialist
Subject: Request for 10 Foot Rear Setback Reduction at 938 Douglas Drive/Court
Date: 23 November 2021

BACKGROUND

The subject property is located at 938 Douglas Drive/Court (formerly known as Cottonwood Drive/Court), otherwise known as Lot 13, Block 3, of the Replat of the Carroll Addition #2, Assessor's Parcel Number 541304204022. The lot is zoned Residential Medium (RM) and is currently vacant, consisting of 11,860 square feet. *See the attached location map.* The subject lot is located on the corner of Douglas Drive and Douglas Court. Note the address has not been officially assigned since there is no primary entrance for the subject property at this time.

The applicant is requesting a variance for relief from the *Suburban Lot (RM) (Street Access)* standards in **Table 21-4-202B**. Specially, the applicant is requesting a rear setback reduction for the principal building of 10 feet from 25 feet to 15 feet. *See the owner's site plan, attached.* The applicant believes that the location of the lot on a corner makes it difficult to build a home that is consistent with the square footage of the other neighborhood lots. *See the owner's request narrative, attached.* Additionally, the applicant references and includes a restrictive covenant on the lot in their narrative. The UDC explicitly states that under no circumstances may the Planning Commission evaluate the request in light of private covenants. **Section 21-1-201(c) - Relationship to covenants, conditions, and restrictions** states explicitly: "This Code does not abrogate private restrictions that affect the use, development, or maintenance of property. The city has no duty to search for the existence of private restrictions on property, and the city will not interpret, enforce, or apply private restrictions unless it is a party to them." Regardless of any covenants binding the property, it holds no bearing whatsoever upon this hearing.

ANALYSIS AND IMPACT

The completed and sufficient Land Use Application was delivered to the Development Services Department on 11/8/2021. Per **Sec. 21-8-702(b)**, variances may be granted by the Zoning Board of Adjustments when:

- (1) The strict application of this UDC would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property;
- (2) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this UDC;
- (3) There are unique physical circumstances or conditions such as exceptional irregularity, narrowness, or shallowness of a specific piece of property at the time of the enactment of this UDC, or by reason of exceptional topographic or other physical conditions, or other extraordinary and exceptional situation or condition peculiar to the affected property;
- (4) That the unusual circumstances or conditions do not exist throughout the neighborhood or zone in which the subject property is located;
- (5) That because of such physical circumstances or conditions, the subject property cannot reasonably be developed in conformity with the provisions of this UDC;

- (6) That such unnecessary hardship has not been created by the applicant;
- (7) That the variance, if granted, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjoining property;
- (8) That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions which are in question.

Mailing and posting requirements have been met pursuant to **Table 21-8-511**.

Since the lot is on a corner, there are two available building envelopes, pictured below. The standard setbacks adjacent to streets are 25 feet in either case. However, depending on the location of the front door (and therefore front setback), the rear setback changes. The rear setback is defined as being opposite from the front setback. In the illustration below, the blue building envelope has the front setback along Douglas Drive (west lot line) and is approximately 4,875 square feet. The yellow building envelope has the front setback along Douglas Court (south lot line), and has a building envelope of approximately 4,180 square feet. The applicant is choosing to use the yellow building envelope, and therefore requesting the reduction along the north yellow lot line. Additionally, there is a 10' wide public utility easement that passes through the north east corner of the lot, as indicated by the grey hashed area in the illustration below. *See attached snippet of plat #220402, Replat of Carroll Addition No. 2.* Pursuant to **Sec. 21-4-403(b)(4)**, no building element may encroach into this area, except under a recorded agreement which allows for access to the utility and for the encroachment to be efficiently removed at the property owner's expense.



In evaluating this request to the standards referenced above, staff finds that it does not meet any of the standards for which Planning Commission may grant a variance. In reference to the applicant's claims as they pertain to the standards of **Sec. 21-8-702(b)**, staff finds that:

- (1) There is no hardship on the applicant due to the UDC. The blue building envelope provides a large building area, and many corner lots in Alamosa are developed with an attached garage on the side street. In this instance, the front door could face Douglas Drive, while a garage could face Douglas Court. As stated previously, any alleged hardship created by covenants has no bearing on these standards.
- (2) Granting this request is detrimental to public good because it sets an untenable precedent. Variances should not be granted without meeting the set standards. Variances are designed for situations when there is no feasible option to meet the provisions of the UDC or the UDC provisions do not apply. Neither of those cases is true in this situation. The property is vacant and has few constraints on development, and a generous building envelope is available for construction, albeit a professional architect would be beneficial in this case for the applicant to achieve what they would like. Waiving the standards or granting special permission in this instance disregards the intent of the development code and variance process.
- (3) While the lot has unique geometry, there is more than sufficient area to build a large single family dwelling if placed within the blue building envelope as already demonstrated. The minimum width of the blue building envelope is 39 feet.
- (4) All the vacant properties in this zone are required to meet these standard setbacks – including several on corners. This property is not unusual in that regard.
- (5) The property can very easily be developed in accordance with the city's standards, particularly by using the blue building envelope.
- (6) There is no hardship on the applicant; if the applicant desired a specific house floor plan, then it remains their responsibility to ensure that they could build it accordingly before purchasing the property as a part of their due diligence. The variance process is not intended to be a relief for a lack of due diligence. Again, any arguments made by invoking covenants are inherently legally unsupportable and have no bearing in this matter.
- (7) Granting this variance will permanently impede future development of this neighborhood. The setbacks exist for a reason, and when there is a reasonable code-conforming option for development, a variance should not be granted. Granting this variance is not a defensible decision, because any other vacant property in this neighborhood must be afforded the same opportunity for a variance.
- (8) No variance is needed to grant relief. Any variance granted is excessive, since the lot is of ample size for the construction of a large home as is.

RECOMMENDATION

Staff recommends that Planning Commission, acting as the Zoning Board of Adjustments, **deny** the variance request to reduce the rear setback requirement from 25 feet to 15 feet because the request violates all of the provisions set forth in **Sec. 21-8-702(b)**. Granting the variance is not a defensible decision and goes against every standard the City promulgates for development. Any potential property buyer or developer must do their own due diligence prior to purchasing or developing property to ensure their desires can become reality. In this instance, if the applicant desires a specific size and layout for a home, then it is much more appropriate for them to hire an architect to design a home that conforms to the City standards than for the City to waive the rules out of convenience for the applicant. This is the appropriate recourse for the applicant – not a variance.

Sample findings and motion: I find that the request to reduce the rear setback requirement on the corner of Douglas Drive and Douglas Court does not meet the requirements for which a variance can be granted under Section 21-8-702(b). Granting a variance when none is warranted frustrates the intent of the Unified Development Code and sets a bad precedent for future residential development in this zone. For those reasons, I move to deny the variance request for a rear setback reduction.

ALTERNATIVES

The following is a non-exclusive list of actions that Planning Commission may take. Motions are provided for suggestion and template only, and are not required to be followed.

(Recommended action) Planning Commission, acting as the Zoning Board of Adjustments, may choose to **deny** the variance request for a reduction of the rear setback requirements from 25 feet to 15 feet.

Sample findings and motion: I find that the request to reduce the rear setback requirement on the corner of Douglas Drive and Douglas Court does not meet the requirements for which a variance can be granted under Section 21-8-702(b). Granting a variance when none is warranted frustrates the intent of the Unified Development Code and sets a bad precedent for future residential development in this zone. For those reasons, I move to deny the variance request for a rear setback reduction.

Planning Commission, acting as the Zoning Board of Adjustments, may choose to **approve** the variance, should it find that the request does meet the requirements of **Sec. 21-8-702(b)** as listed above. If Planning Commission decides to grant the variance, it must provide findings of fact outlining how the facts of the specific request meet the standards of **Sec. 21-8-702(b)**. Any approval may also include conditions.

RELEVANT CODE PROVISIONS:

Sec. 21-8-702. - Variances

(b) **Other Variances.** The Board of Adjustment may grant or deny variances from the provisions of this UDC when:

- (1) The strict application of this UDC would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property;
- (2) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this UDC;
- (3) There are unique physical circumstances or conditions such as exceptional irregularity, narrowness, or shallowness of a specific piece of property at the time of the enactment of this UDC, or by reason of exceptional topographic or other physical conditions, or other extraordinary and exceptional situation or condition peculiar to the affected property;
- (4) That the unusual circumstances or conditions do not exist throughout the neighborhood or zone in which the subject property is located;
- (5) That because of such physical circumstances or conditions, the subject property cannot reasonably be developed in conformity with the provisions of this UDC;
- (6) That such unnecessary hardship has not been created by the applicant;
- (7) That the variance, if granted, will not alter the essential character of the neighborhood or zone in which the property is located, nor substantially or permanently impair the appropriate use or development of adjoining property;

(8) That the variance, if granted, is a minimum variance that will afford relief and is the least modification possible of the provisions which are in question.

- (c) **Referral to Planning Commission.** The Zoning Board of Adjustment may request a recommendation from the Planning Commission to assist it in determining if the above requirements have been satisfied. Further, the Zoning Board of Adjustment may require that a special variance application form be completed by the appellant to ensure that the appellant fully understands the criteria on which the board must base its findings.
- (d) **Prohibitions.** The Zoning Board of Adjustment may not grant variances from the provisions of this UDC covering the use or density of land or buildings, or the provisions governing planned unit developments. In granting any variance, the Zoning Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this UDC.

TABLE 21-4-202B (EXCERPT)								
SINGLE-FAMILY DETACHED LOT AND BUILDING STANDARDS								
Single-Family Lot Type	Minimum						Maximum	
	Lot Area	Lot Width	Front Setback	Side Setback	Street Side Setback	Rear Setback	Stories	BCR ¹
Suburban Lot (RM, RH, EN, MU & CA) (Street Access)								
Principal Building	7,000 sf.	60 ft.	25 ft.	7 ft.	25 ft.	25 ft.	2	35%
Accessory Buildings			35 ft.	5ft. ²	25 ft.	5 ft. ^{3,4}	1	
TABLE NOTES: ¹ BCR = Building Coverage Ratio ² Increased setback may be required if required by fire code. ³ No garage with an overhead door that faces an alley shall be set back to create a driveway that is more than 3 ft. but less than 20 feet long. ⁴ The Administrator may approve a reduced setback down to 3 feet for alley-accessed detached garages.								

Sec. 21-4-403. - Projections into Required Setbacks

- (b) **Limitations.** No building, building element, or structure shall cross a lot line:
- (4) Into utility easements, unless the design of the improvement and a recorded agreement allows access to the utility and allows the utility or the City to efficiently remove the encroachment at the property owner's expense.

Sec. 21-1-201. – Applicability

- (c) **Relationship to Covenants, Conditions, and Restrictions.** This Code does not abrogate private restrictions that affect the use, development, or maintenance of property. The City has no duty to search for the existence of private restrictions on property, and the City will not interpret, enforce, or apply private restrictions unless it is a party to them.

ALAMOSA PLANNING COMMISSION

COMMISSION COMMUNICATION

Subject/Title:

Work Session on Rezoning

Background:

For over two years, staff has identified a number of properties to propose a zoning change. The reasons behind each specific change will be discussed. Broadly, each change can be classified into at least one of the city's standards for rezoning:

1. Plan implementation (Comp Plan, Downtown Plan, Housing Plan, etc.)
2. Facilitate growth trends and to allow for reasonable development.
3. Promote a balance of uses and increase the stock of specific zones that are needed more.
4. House-keeping and fixing errors.

The majority of these changes reduce non-conforming uses, such as residential uses in CB zones north of downtown, but a few of these changes will result in new non-conforming uses - meaning a use that was allowed but will no longer meet the requirements of the code. Non-conforming uses are allowed to continue to operate, but may not be altered or expanded. These kinds of changes may create additional discussions and some difficult decisions. Staffs position on all of these is two-fold:

1. Non-conforming uses are intended to be phased out because they no longer meet the communities goals or fit the location where they exist.
2. Non-conforming uses that are integrated into the fabric of our community and should be allowed to expand have the ability to apply for a conditional use permit.

Staff is looking to introduce these changes to Planning Commission for discussion and input prior to a work session with City Council next year. Following that work session, staff will begin the public outreach campaign where we intend to conduct a social media blitz, utility bill stuffers, and individual letters to all those affected. Staff anticipates holding the public hearing and recommendation from Planning Commission at its February meeting.

Analysis and Impact:

This mass rezone is anticipated to have a number of impacts. Largely, these changes reduce non-conformities and allow for certain development to take place. Many of these changes may result in an increase in development, which could put additional pressure on city infrastructure; residential development requires more municipal services than commercial development, for example. However, increased development can also have broader economic impacts and benefits, and the cost of doing nothing in many cases has high impacts that are difficult to assess.

Recommended Action:

No action is being taken. This is for discussion only.

Relevant Code:

Sec. 21-2-106. - Standards for Rezoning

(a) Generally.

- (1) The City Council may approve an application for rezoning if it finds that:
 - i. The policy set out in Subsection B., below, is implemented;
 - ii. The standards set out in Subsection C., below, are met; and
 - iii. One or more of the alternatives set out in Subsection D., below are met.
- (2) If the proposed rezoning is to a CA Zone, the subject property shall be at least 20 acres in area and under single ownership or control.

(b) Historic Resource Protection and Hazard Mitigation

- (1) It is the policy of the City not to rezone land in a manner that would tend to create or facilitate the creation of development rights or entitlements that would either:
 - a. Reduce the level of protection for significant historical resources that exist on the Subject Property; or
 - b. Expose additional people or personal property to unmitigated natural or man-made hazards that are present on the Subject Property.
- (2) This policy may be waived upon a finding by the City Council that:
 - a. Alternative means have been implemented (or will be implemented as a condition of development approval) to achieve a comparable or better level of historic resource protection or hazard mitigation; or
 - b. The policy is outweighed by a substantial community interest that is served by approval of the rezoning.

(c) Compatibility and Public Benefits. All applications for rezoning shall meet all of the following standards:

- (1) The proposed zone is in conformance with the Comprehensive Plan's future land use map;
- (2) The proposed zone will provide a benefit (or degree of benefit) to the community or immediate area that cannot be provided in the existing zone, and which is sufficient to offset potential adverse impacts of the proposed zone, if any;
- (3) Public facilities are addressed in at least one of the following ways:
 - a. Adequate public facilities are available to serve development in the proposed zone; or
 - b. The proposed zone would limit demands upon public facilities more than the existing zone; or
 - c. Reasonable assurances are provided that adequate facilities will be made available to serve new development by the time the new development places demands on the facilities.

(d) Alternative Standards. All applications for rezoning shall meet at least one of the following four alternative standards:

- (1) *Alternative #1.* The proposed zone is more appropriate than the existing zone to implement the most recent adopted City plan that:
 - a. Was developed with public input (e.g., the Comprehensive Plan or a special area, corridor, redevelopment, or strategic plan); and
 - b. Includes the Subject Property.
- (2) *Alternative #2.* The proposed zone is more appropriate than the existing zone because:
 - a. There has been a change in character or capacity of public infrastructure in the area

- (e.g., installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.); and
- b. The proposed zone allows for the reasonable development or redevelopment of the subject property in a manner that will be compatible with its existing or planned context.
- (3) *Alternative #3*. The proposed zone is more appropriate than the existing zone because:
- a. There is greater need in the City for land in the proposed zone than the existing zone; and
- b. The proposed zone will promote a balance of land uses in the City that will improve economic opportunity for City residents.
- (4) *Alternative #4*. The proposed zone is more appropriate than the existing zone because:
- a. The existing zoning for the property was erroneously assigned; or
- b. Development has not proceeded in reliance on the erroneous zone.

ATTACHMENTS:

Description	Type
▣ UDC Standards for Rezoning	Ordinance
▣ Comp Plan Zones	Backup Material
▣ Alamosa Housing Action Zoning	Backup Material

Sec. 21-2-106. Standards for rezoning.

(a) *Generally.*

- (1) The city council may approve an application for rezoning if it finds that:
 - a. The policy set out in subsection (b), below, is implemented;
 - b. The standards set out in subsection (c), below, are met; and
 - c. One (1) or more of the alternatives set out in subsection (d), below are met.
- (2) If the proposed rezoning is to a CA Zone, the subject property shall be at least twenty (20) acres in area and under single ownership or control.

(b) *Historic resource protection and hazard mitigation.*

- (1) It is the policy of the city not to rezone land in a manner that would tend to create or facilitate the creation of development rights or entitlements that would either:
 - a. Reduce the level of protection for significant historical resources that exist on the subject property; or
 - b. Expose additional people or personal property to unmitigated natural or man-made hazards that are present on the subject property.
- (2) This policy may be waived upon a finding by the city council that:
 - a. Alternative means have been implemented (or will be implemented as a condition of development approval) to achieve a comparable or better level of historic resource protection or hazard mitigation; or
 - b. The policy is outweighed by a substantial community interest that is served by approval of the rezoning.

(c) *Compatibility and public benefits.* All applications for rezoning shall meet all of the following standards:

- (1) The proposed zone is in conformance with the comprehensive plan's future land use map;
- (2) The proposed zone will provide a benefit (or degree of benefit) to the community or immediate area that cannot be provided in the existing zone, and which is sufficient to offset potential adverse impacts of the proposed zone, if any;
- (3) Public facilities are addressed in at least one (1) of the following ways:
 - a. Adequate public facilities are available to serve development in the proposed zone; or
 - b. The proposed zone would limit demands upon public facilities more than the existing zone; or
 - c. Reasonable assurances are provided that adequate facilities will be made available to serve new development by the time the new development places demands on the facilities.

(d) *Alternative standards.* All applications for rezoning shall meet at least one (1) of the following four (4) alternative standards:

- (1) **Alternative #1.** The proposed zone is more appropriate than the existing zone to implement the most recent adopted city plan that:
 - a. Was developed with public input (e.g., the comprehensive plan or a special area, corridor, redevelopment, or strategic plan); and
 - b. Includes the subject property.

-
- (2) Alternative #2. The proposed zone is more appropriate than the existing zone because:
- a. There has been a change in character or capacity of public infrastructure in the area (e.g., installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.); and
 - b. The proposed zone allows for the reasonable development or redevelopment of the subject property in a manner that will be compatible with its existing or planned context.
- (3) Alternative #3. The proposed zone is more appropriate than the existing zone because:
- a. There is greater need in the city for land in the proposed zone than the existing zone; and
 - b. The proposed zone will promote a balance of land uses in the city that will improve economic opportunity for city residents.
- (4) Alternative #4. The proposed zone is more appropriate than the existing zone because:
- a. The existing zoning for the property was erroneously assigned; or
 - b. Development has not proceeded in reliance on the erroneous zone.

(Ord. No. 33-2017 , § 1, 12-6-17)

CHAPTER 4 – FUTURE LAND USE PLAN AND DESIGNATIONS

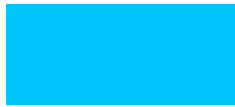


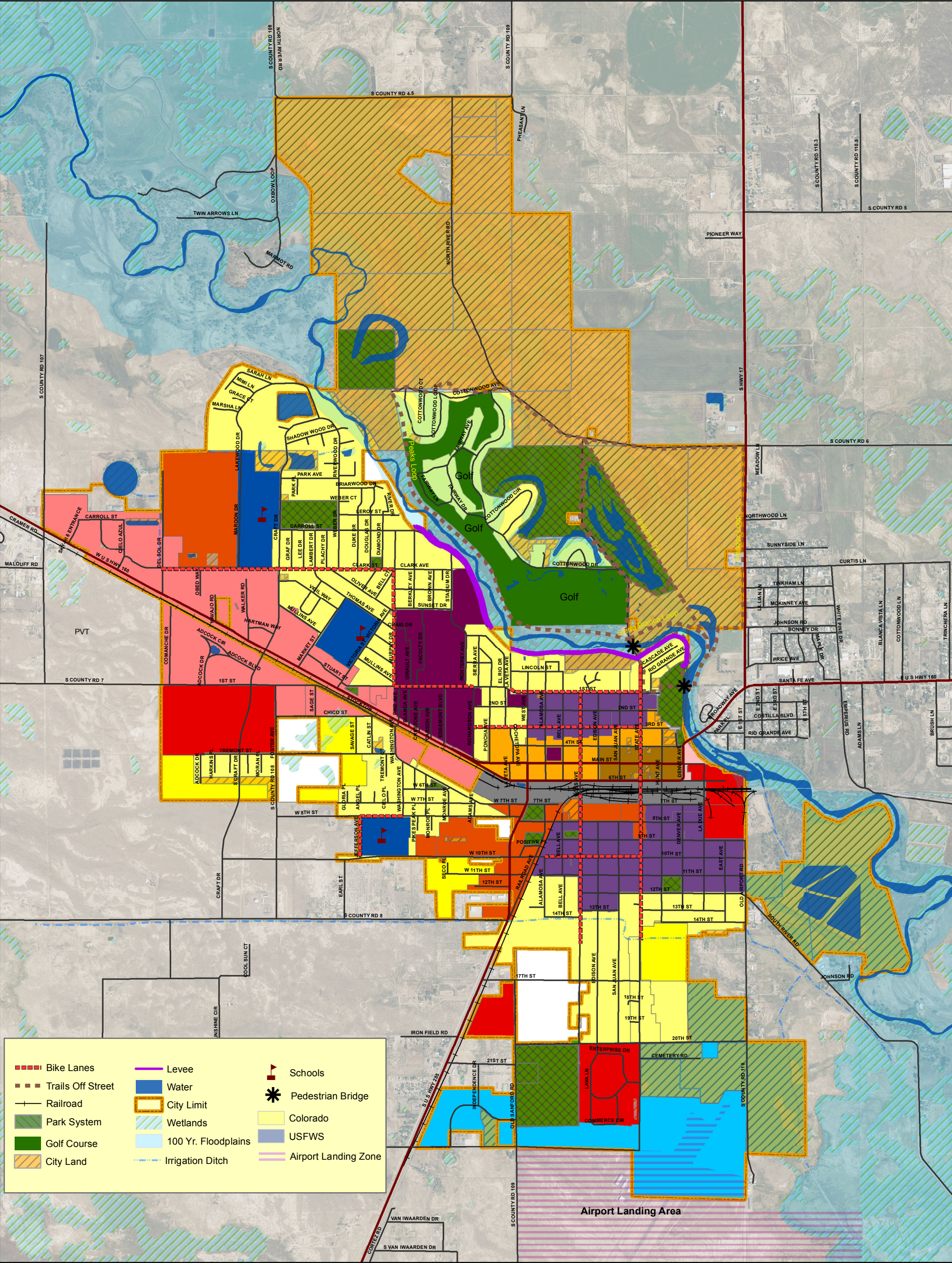
FUTURE LAND USE PLAN DESIGNATIONS AND MAP

The Future Land Use Plan Designations and Map articulate a physical planning strategy to implement the goals and strategies of this Comprehensive Plan. It is not regulatory like zoning, but it does articulate desired future conditions and provides support for willing property owners to rezone and develop their properties as described in the Future Land Use Plan. Together, the Future Land Use Designations and the Future Land Use Map provide an additional layer of physical specificity to guide implementation of the goals and strategies contained in the other plan elements.

The land base within the current city boundaries can accommodate demand for residential, commercial and primary job development for many years to come. The future land use plan designations and map balances future residential neighborhoods, commercial areas, mixed use areas, highway commercial corridors, the downtown, education and healthcare campuses, local government facilities and open space for outdoor recreation. The plan also reflects the reality that some neighborhoods are almost entirely built out and are unlikely to change much in the foreseeable future. The land use designations and map follow.

Designation	Description
Historic Town Site Residential 	Built-out residential neighborhoods near downtown with an intact streets grid pattern and alleyways.
Developed Residential Neighborhoods 	Mostly built-out platted residential neighborhoods that are not part of the historic town grid pattern.
Residential Opportunity Areas 	Vacant or underdeveloped residential land or vacant platted residential subdivisions.
Downtown Periphery 	The area north and west of downtown and with a mix of commercial and residential uses.
Campus 	Adams State University, Trinidad State Junior College and the medical facilities campuses.

Designation	Description
Railroad Heritage Gateway 	Area along US Highway 160 (6 th Street) that eastbound motorists see as they pass through the city just south of Downtown.
Mixed Use Opportunity Areas 	One vacant parcel located on the northwest side of town by Maroon Drive and Clark Avenue and another area along the southern edge of the railroad right of way extending southward along US Highway 285
Commercial Opportunity Areas 	Four mostly vacant commercial areas south of US Highway 160.
West Highway Corridor 	West side commercial corridor along US Highway 160 with regional commercial along the northern side of the highway and alternating commercial uses and vacant lands on the south side.
Downtown 	The historic commercial core of the city framed by 4 th 6 th Streets and on the North and South and Denver and Edison Avenues on the East and West.
Local Government Facilities 	Areas in south Alamosa occupied by city and county government facilities.
City Periphery	One mile area around the current boundaries.



Future Land Use Designations

Future Land Use Designation

- | | |
|-----------------------------|------------------------------|
| East Hwy Gateway | Residential Opportunity Area |
| Campus | Schools |
| Commercial Opportunity Area | Unincorporated Enclave |
| Developed Residential | Mixed Use Opportunity Area |
| Downtown | Parks |
| Downtown Periphery | Railroad Gateway |



THE CITY OF
ALAMOSA

Community Plan



HISTORIC TOWN SITE RESIDENTIAL

Existing Conditions – This designation includes residential neighborhoods near downtown with an intact grid streets pattern and alleyways. These areas have a long established identity and a pattern of single family and small scale multi-family residential use, mostly developed with just a few vacant lots remaining.

Vision – Continuing the historic character in residential portions of the historic town site is important to the appeal and viability of these neighborhoods, and to the appeal of Alamosa as a historic small town. Mature trees and a visual emphasis on the homes themselves rather than parking and garages as seen from the street make these neighborhoods aesthetically appealing. Perpetuating these components of physical character is encouraged as properties are developed or redeveloped. Proximity to downtown, parks and community facilities make walking and biking an attractive option for people living in these neighborhoods. This designation represents an opportunity for infill with single family and small-scale multi-family housing. Opportunities for accessory dwelling units also exist on lots that can accommodate an additional unit and required off-street parking.

Infrastructure – Continue to connect and repair sidewalks and ensure safe street crossings, especially along priority bike and pedestrian corridors (See page 67 for Priority Bike & Pedestrian Routes Map). Better utilize the alleys to expand alley-loaded parking and rear outbuildings thereby minimizing the need for curb cuts along the front sidewalk. Underground water and sewer utilities are old in some locations, so leak detection and incremental replacement of underground utility infrastructure will be required in many areas.

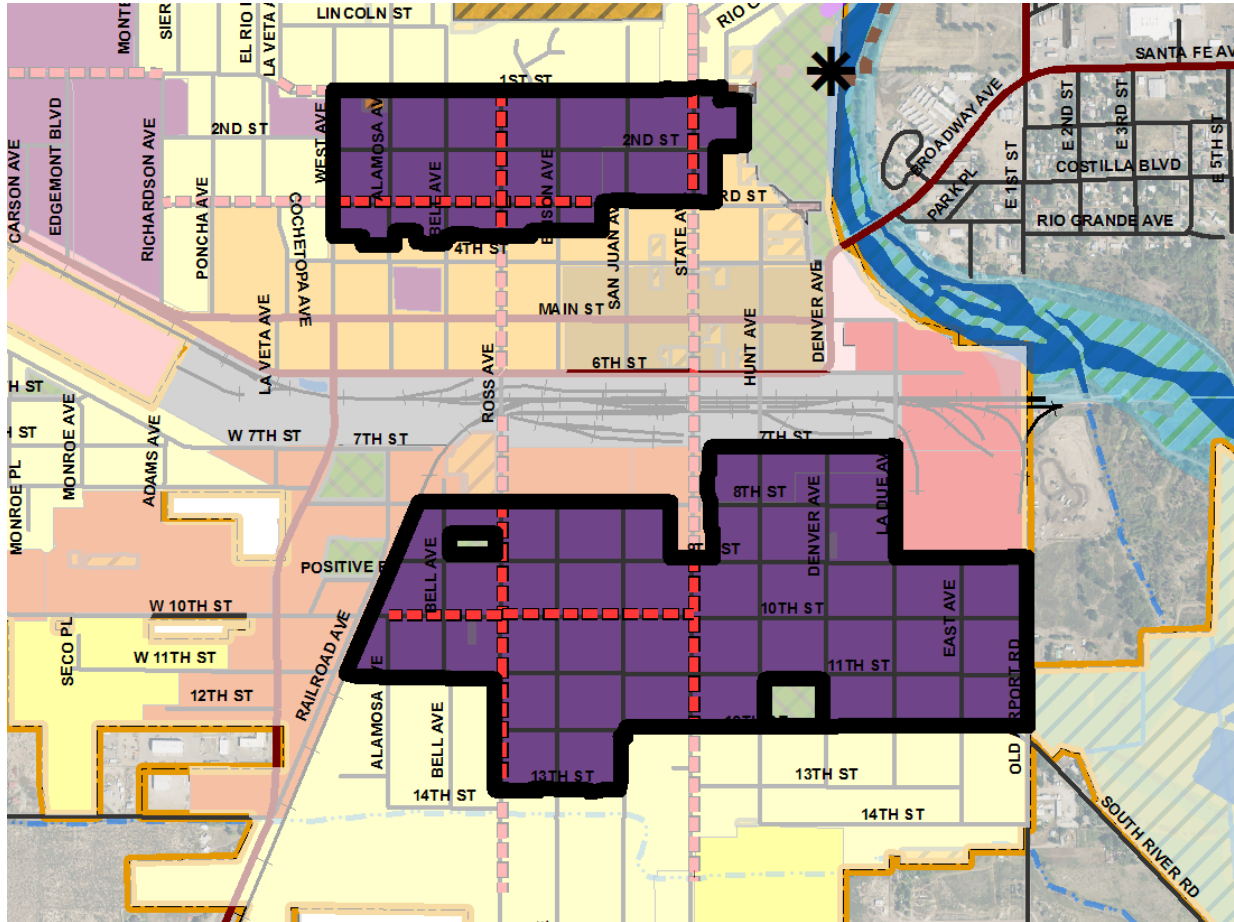


Historic Town Site Residential – North on
Hunt Ave



Historic Town Site Residential – West on
2nd Ave

Figure 50. Historic Town Site Residential



DEVELOPED RESIDENTIAL NEIGHBORHOODS

Existing Conditions – These are platted residential neighborhoods that are not part of the historic town grid streets pattern. Uses are predominantly single family dwelling units with multi-family attached units in concentrated clusters. Most of these neighborhoods are built-out but some more recently developed subdivisions are partially built-out and contain vacant lots. Street patterns range from linear block patterns to curvilinear street patterns. The layout and residential use in these neighborhoods is unlikely to change.

Vision – The desired future in Developed Residential Neighborhoods is to maintain existing neighborhood character and encourage ongoing maintenance and replacement of the structures and yards so that these neighborhoods continue to be viable and attractive.

Infrastructure – Maintain underground infrastructure including water, sanitary sewer and storm water sewer. Connect and repair existing sidewalks and complete bike and pedestrian networks to schools, recreation areas, and downtown (See page 67 for Priority Bike & Pedestrian Routes Map). If these neighborhoods are expanded by subdivision of adjacent vacant land, ensure that the road network is planned to achieve safe and convenient connectivity that does not overload collector streets and intersections in the existing neighborhoods. While most developed neighborhoods in the city have ready access to city parks, those neighborhoods south of U.S. Highway 160 and west of U.S. Highway 285 are further from neighborhood and community parks. As development in the city's southwestern quadrant continues, a new park should be sited and developed to ensure that these neighborhoods have nearby access to parks.

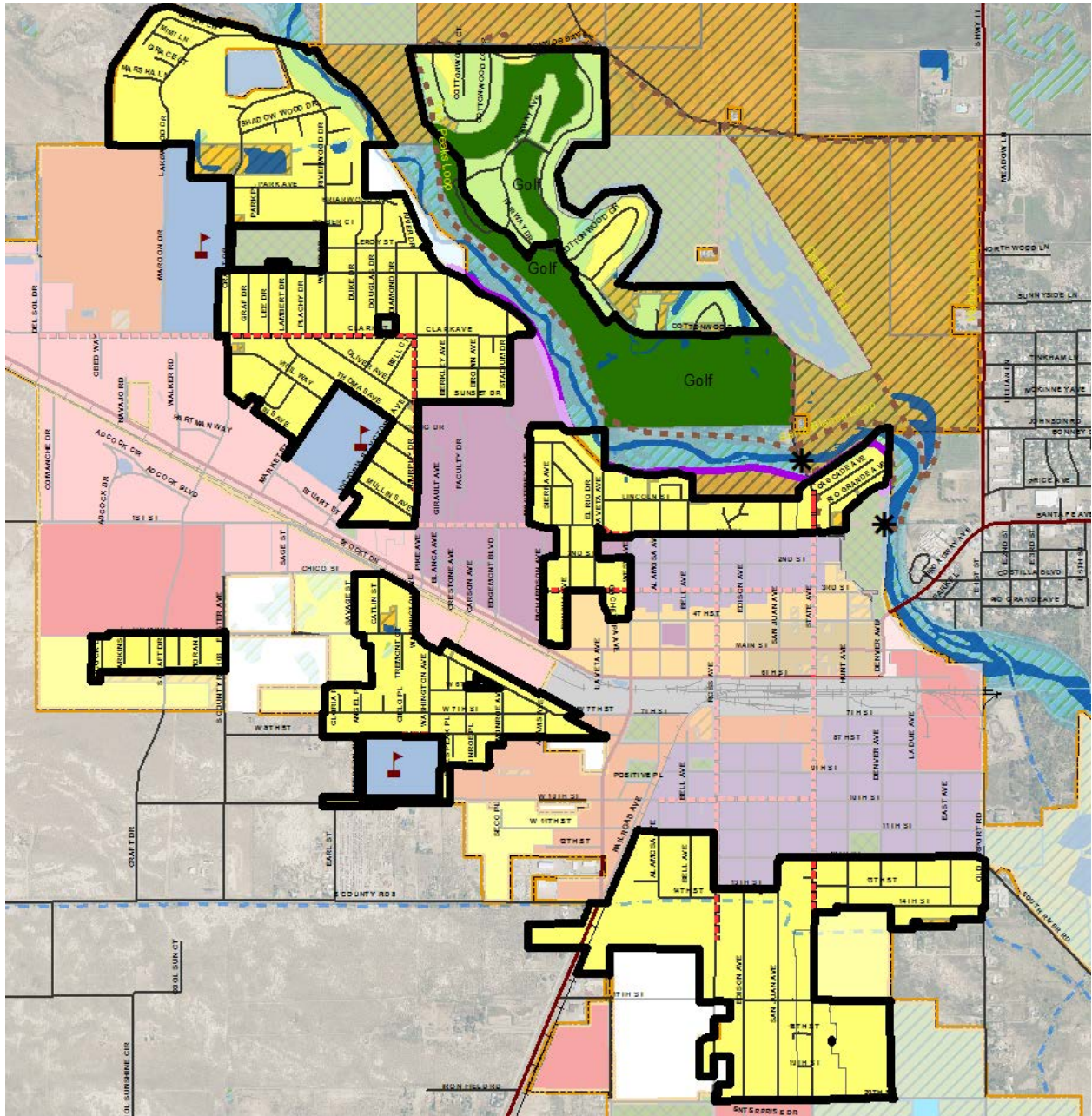


Developed Residential - Lee Drive



Developed Residential – Craft Drive

Figure 51. Developed Residential



RESIDENTIAL OPPORTUNITY AREAS



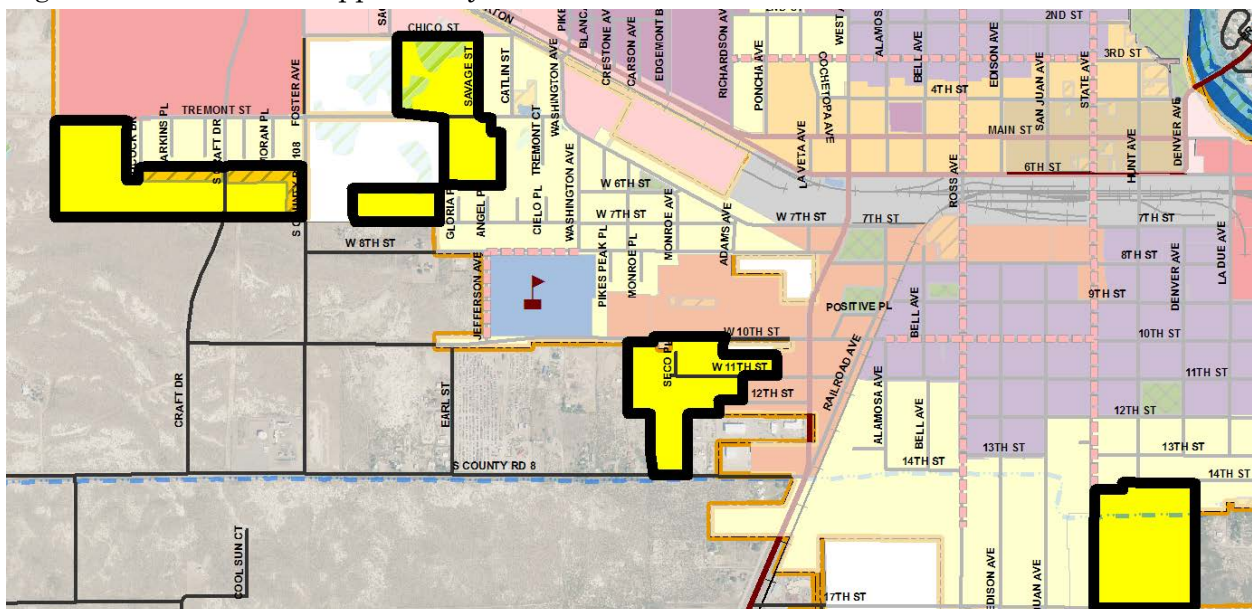
**Residential Opportunity Area –
Treemont St. and Foster Ave.**

Existing Conditions – These areas consist of vacant, underdeveloped, or platted residential subdivisions that are mostly or entirely vacant. All four residential opportunity areas are south U.S. Highway 160.

Vision – This designation is suitable for a mix of single family and multi-family housing and presents an opportunity to revisit and possibly modify existing zoning and lot configurations in the existing platted subdivisions. The large parcels could be developed as planned communities, integrating a diversity of housing types, parks and green space.

Infrastructure – As the areas buildout, there will need to be safe bike and pedestrian routes to schools, recreation areas, community destinations and safe highway crossings. Sidewalks should connect to the existing city sidewalk network. Additional railroad crossings and highway access would facilitate buildout in these areas. While water and sewer utilities exist in nearby developments, development on these largely vacant properties will require line extensions at minimum and may require new or upgraded infrastructure such as larger main lines and sanitary sewer lift stations. Parks are limited in southwest Alamosa so neighborhood parks and green spaces will be needed as the area grows and population increases.

Figure 52. Residential Opportunity Areas

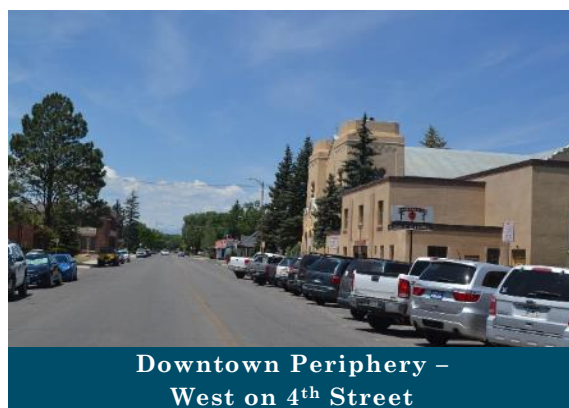


DOWNTOWN PERIPHERY

Existing Conditions – This designation includes the area north and west of the Downtown designation and includes a vibrant mix of commercial and residential uses. The Downtown designation transitions into the Downtown Periphery designation on Main Street where the character shifts from the pedestrian oriented historic feel of Downtown to the more auto-oriented commercial environment where parking lots face the street and vehicle circulation has been prioritized in the layout of commercial development. Similarly, 4th Street is the northern boundary between the Downtown designation and the Downtown Periphery designation because the continuity of the block face on the north side of 4th Street is broken up by parking lots and gaps between buildings, and the uses shift from customer oriented retail and restaurants Downtown to offices, churches, community services, non-profits and interspersed single family residences in the Downtown periphery.



Downtown Periphery –
Corner of Hunt Ave. & 4th Street

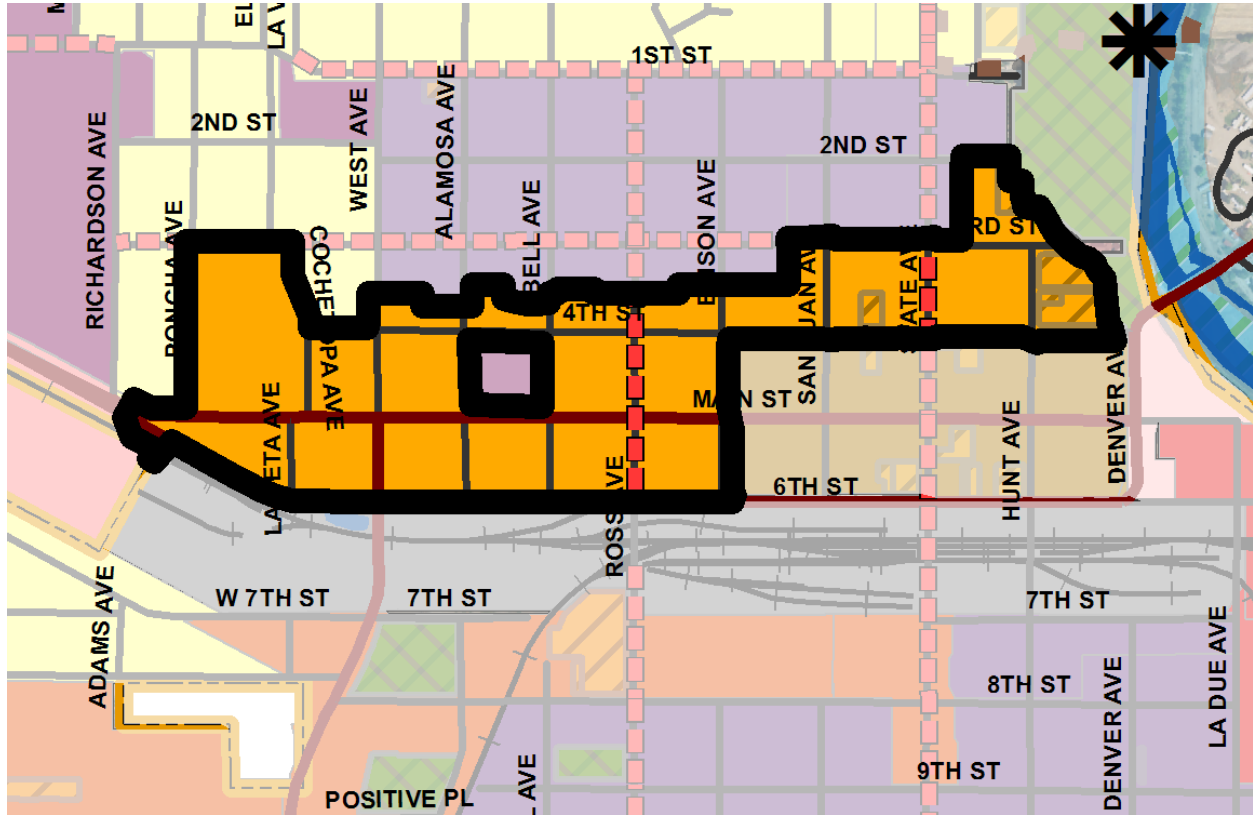


Downtown Periphery –
West on 4th Street

Vision – Proximity to the hospital, Adams State and Trinidad State Junior College campuses make this area ideal for campus oriented commercial. As growth occurs, downtown may expand to encompass more of the periphery. High traffic uses such as non-residential buildings should focus on block corners where multiple entries/exits exist, while residential uses should locate in the interior of the blocks. There has been an incremental transition of residential uses to commercial uses in the Downtown Periphery over many decades and this trend is likely to continue. Ideally, it continues to serve as a mixed use residential/commercial area in the future as it evolves. By providing adequate on-site parking and landscape buffering, residential and non-residential uses can continue to coexist as this area evolves.

Infrastructure – Visual clues in the streetscape such as consistent landscaping and sidewalk treatments/materials combined with signage will guide people towards Downtown from the Downtown Periphery. Alleys can be better utilized for parking and additional access. The downtown periphery should balance vehicle circulation with bike and pedestrian mobility and safety. Fourth Street is an ideal east-west bike route and improvements to bike and pedestrian safety and mobility along this key corridor should be prioritized.

Figure 53. Downtown Periphery



CAMPUS

Existing Conditions – Adams State University and the medical campuses are right next to one another creating a unique opportunity for the City of Alamosa and the two entities to work together. Trinidad State Junior College is located on Main Street and is also positioned in the core of the community. Adams State University not only has all of the educational and athletic facilities associated with a state university, it also contains several hundred student housing units, representing the most densely developed residential areas in the entire city.



Campus – Adams State University



Campus – Adams State University

Vision – The university and healthcare entities can lead by example on investment and design, and show what is possible in Alamosa. Adams State University and the medical campuses are located just outside of the entrance to downtown for motorists traveling east on US 160 and form a visual impression for those traveling towards Downtown.

Infrastructure – Linking the campuses to the commercial areas Downtown and in the Downtown Periphery will promote better integration of students into the community. Bike and pedestrian connections to Downtown, the Rio Grande River and to other community destinations is critical for facilitating a more authentic connection of students and medical personnel to the community. Because the campuses generate significant volumes of traffic, parking and efficient traffic circulation are equally important. Adams State University has a substantial acreage of grass and landscaped areas, coordination on water conservation will also be important as the city works to balance growing water demand with a limited supply and a finite water treatment capacity.

RAILROAD HERITAGE GATEWAY

Existing Conditions – This is the area along US Highway 160 (6th Street) that eastbound motorists see as they pass through the city just south of Downtown. To the south, motorists see an assortment of mostly metal sided buildings that give way to a large gravel area and the railroad. There have been some improvements to the south side of this corridor, for example, the restored train depot/visitors center and the curvilinear pathway and trees, but much work remains to be done. To the north, there is a lack of continuity with an assortment of occupied and vacant buildings. There are several parking lots fronting 6th Street and a sidewalk that is right against the travel lane in many places. Community members agree that this corridor does not offer a good impression, particularly the view to the south.



Railroad Heritage Gateway – 6th Street
Looking East

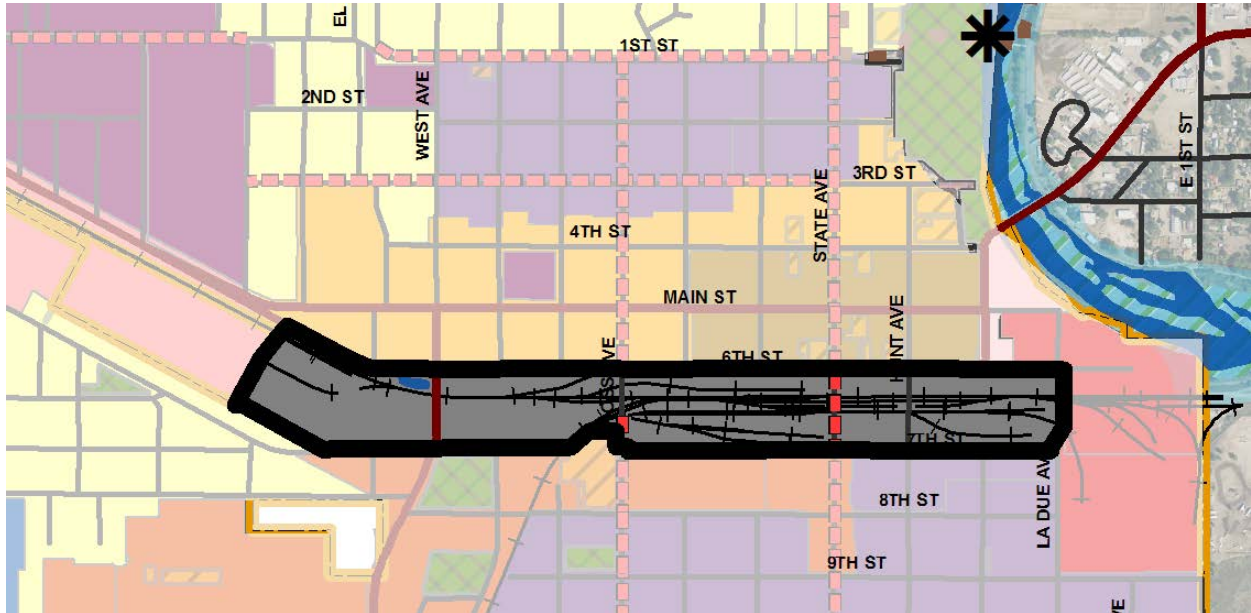


Railroad Heritage Gateway – 6th Street
Looking East

Vision – This area possesses a unique opportunity to create an attractive gateway to Downtown. The most immediately achievable improvements would be wayfinding to downtown and the installation of landscaping, landscape walls/fencing, lighting and public art to screen the gravel lot and railyard. These improvements would visually frame the streetscape and make the area more attractive. The gravel lot between 6th Street and the railroad could be redeveloped with formalized parking lots and although this strip of land is difficult to develop, there are opportunities for commercial development and redevelopment. Adaptive reuse of railcars should be encouraged to improve the attractiveness of this gateway and capitalize on the city's railroad history. This area could also be developed with visitor service commercial and facilities.

Infrastructure – The most immediate needs are the streetscape elements listed above: landscaping, landscape walls/fencing, wayfinding, public art, lighting and the utilities needed to support this infrastructure. Design of the streetscape elements will need to plan for eventual parking lots and commercial uses. Access to any eventual parking lots, commercial or services need to be carefully designed and marked with tasteful signage.

Figure 55. Railroad Heritage Gateway



MIXED USE OPPORTUNITY AREAS (NORTHWEST AREA)

Existing Conditions – There are two distinct mixed use opportunity areas in Alamosa. The first is a large piece of vacant land located on the northwest side of town bounded by Maroon Drive and Clark Avenue. This area is surrounded by existing residential and highway commercial development, and is just across Maroon Drive from the high school. The current zoning is Residential Medium (RL) on the northern portion and Commercial Business (CB) on the southern portion.



Vision – This is a prime location for a combination of mixed commercial and residential uses and could be re-planned as a mixed use development rather than as separate residential and commercial areas. Its location next to the high school could provide an opportunity for student oriented commercial and a convenient commercial location for parents and school staff. Proximity to major retailers such as Walmart could also draw customers to this mixed use area.

Infrastructure – This area can be accessed from Highway 160, on both its east and west sides via a signalized intersection at Craft Drive and a right-in/right-out intersection at Del Sol Drive. Currently, water and sewer lines border the area on 3 sides, but lines would need to be extended into the properties to provide service for development. There may be a need for an additional lift station or an upgrade to an existing station as this area is not positioned for gravity flow to the city sewer treatment plant. Carroll Park is nearby for neighborhood recreation and the city owns two parcels along the southern boundary of the opportunity area that could be utilized for infrastructure or future public facilities.

Figure 56. Mixed Use Opportunity Area (Northwest)



MIXED USE OPPORTUNITY AREAS (SOUTH CENTRAL AREA)

Existing Conditions – The second mixed use opportunity area is located south of the railroad tracks. This area extends out along Highway 285, with a large piece of vacant land to the north of 10th Street. The current use in this area is interspersed residential and commercial and the land surrounding this area is primarily residential. Although many dwelling units exist in this area, the current zoning for this area is Commercial Business (CB).

Vision – A combination of mixed residential densities, highway commercial and local-oriented commercial make sense in this location. This mixed use area presents an opportunity to rethink existing zoning and approvals. The area extending along State Avenue from 6th Street (Highway 160) south to 9th Street is a unique area consisting of a mix of neighborhood commercial uses, regional businesses, residential units, churches and non-profit facilities. This mixed use area represents an opportunity for developing a commercial hub to serve neighborhoods in the southern portion of the Historic Town Site Residential designation. This is also an area where live-work format development with work spaces and living spaces in the same unit would be viable and present an attractive option for small businesses and start-ups. The residential uses in this area may to transition incrementally to commercial uses, but pockets of mixed residential and commercial uses will also likely continue for many decades. Landscape screening and buffer fences/walls will be of key importance for adjacent commercial and residential uses to coexist.

Infrastructure – Because this is a mixed use area, pedestrian and bike facilities, sidewalks and safe street/highway crossings will be of key importance. As this area builds out, commercial water users may strain the existing water and sewer capacity and line and service upgrades may be necessary. Utilization of the alleys in the northern portion of this opportunity area will provide additional parking and rear access to outbuildings.

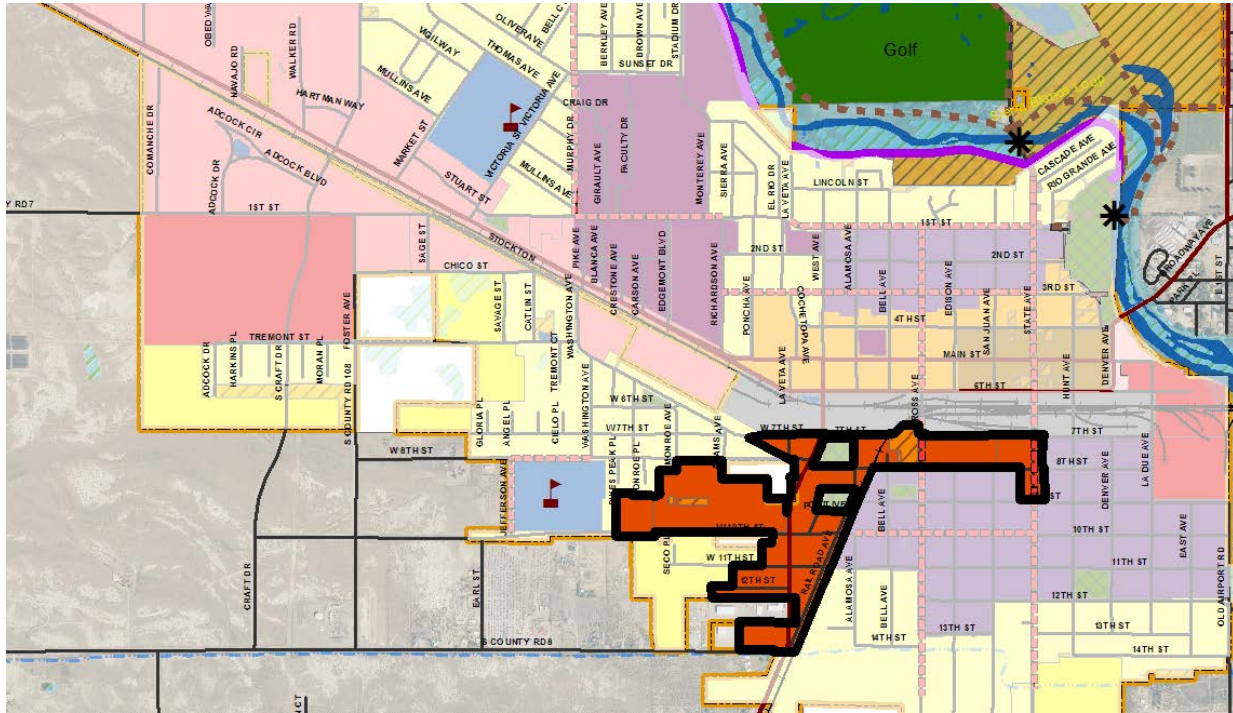


Mixed Use Opportunity Area – Looking West on 10th Street at West Avenue



Mixed Use Opportunity Area –South on State Avenue at 7th Street

Figure 57. Mixed Use Opportunity Areas (South Central Area)



COMMERCIAL OPPORTUNITY AREAS

Existing Conditions – There are four commercial opportunity areas, one is a mostly vacant property in southwest Alamosa currently zoned Commercial Business (CB) and two areas in south Alamosa, one of which is the platted Alamosa Industrial Park which has several lots available and the other is a large mostly vacant parcel along U.S. Highway 285 that is also zoned Industrial (I) and is currently owned by the State of Colorado. The fourth commercial opportunity area is another mostly vacant property also zoned industrial is located just east of Downtown between Denver Avenue and the Rio Grande River.

Vision – These properties represent significant opportunities for commercial development on the south side of town. The land area represented by these properties is significant and they should be promoted to businesses for development of a variety of commercial and/or industrial uses. Because they are not located in highly visible places that are highly convenient for heavily customer oriented uses, they are most suitable for primary industries such as research and development, light industrial uses and specialized equipment sales and services. Ideally, the large parcels would be developed under a master plan for the entire property so that as development is built incrementally, the infrastructure and layout of the development lend towards a desirable outcome for the entire property.

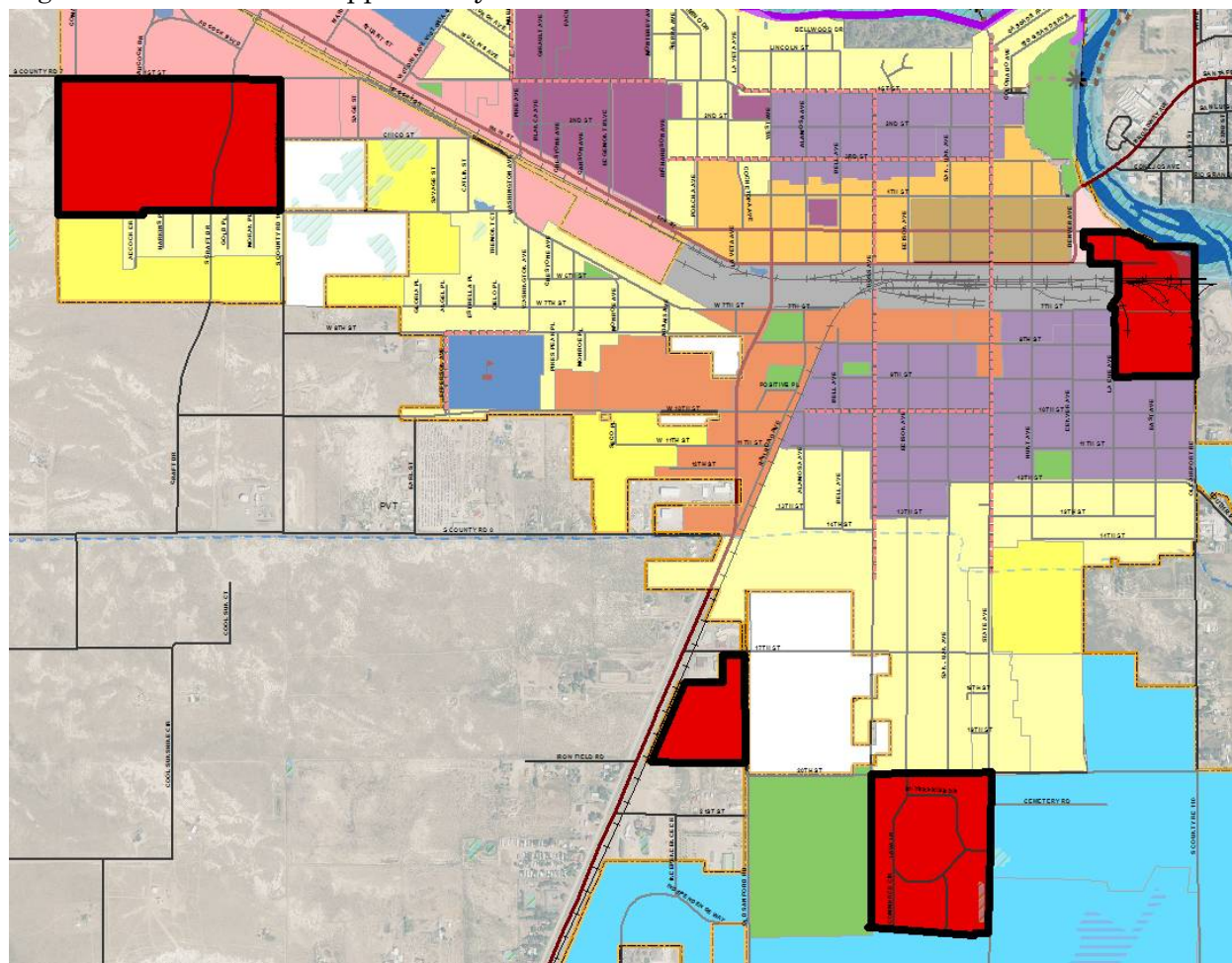
Infrastructure – These areas face access and visibility challenges, most properties in this designation are not directly off of a highway. Wayfinding, improved access to highways and railroad crossings will encourage development of land in this designation. Because these areas are primarily designated for business, priority should be placed on vehicle access and circulation and pedestrian safety associated with this infrastructure. Water and sewer infrastructure are adjacent to all of these properties, but infrastructure will need to be extended into the properties and main line upgrades may be necessary.



Commercial Opportunity Area – Corner of
9th Street and La Due



Commercial Opportunity Area – Northeast
Corner of Craft Drive and Tremont Street



WEST HIGHWAY CORRIDOR

Existing Conditions – This gateway has regional commercial on the north, including hotels, gas stations, grocery stores, and other large commercial businesses, and has the railroad running parallel to the highway on the south. The corridor is primarily auto-urban, with regional commercial and high volumes of vehicle traffic on Highway 160.

Vision – This designation presents an opportunity to continue to build the businesses and service providers that make Alamosa a regional center. The area should continue its auto-urban orientation while balancing bike and pedestrian safety by enhancing highway crossings. The corridor would benefit greatly by perimeter landscaping around parking lots, so that trees and shrubs frame the roadway rather than parking lots and cars. Most of the lots on the north side of the highway are developed, but as they redevelop, landscaping will improve the appearance of this regional commercial corridor.

Infrastructure – Monumentation and wayfinding at this gateway will create more of a sense of entry into Alamosa. Wayfinding signage to Downtown, recreation areas and other attractions will entice visitors and pass-through traffic to stop and explore the city. Greenspace and trees along the railroad will beautify the southern side of the highway, while varied facades and landscaping will enhance the north side of the west highway gateway. The only railroad crossings in this area are at Pike Avenue and Craft Drive. Additional railroad crossings and access to these properties would add tremendously to their attractiveness and development potential. Because there are neighborhoods to the north and south of this corridor, safe pedestrian street and highway crossings are essential. There are many pedestrians in this auto-oriented corridor because this is where many of the day to day goods and services are located, so carefully designed sidewalks and pedestrian crossings will help prevent accidents. The city should investigate a signalized crossing near Pike Avenue. There are several newer hotels clustered on the western most reach of this corridor and the river is nearby. Establishing access to and a trail along the river would add greatly to the amenities for guests staying at one of these hotels.

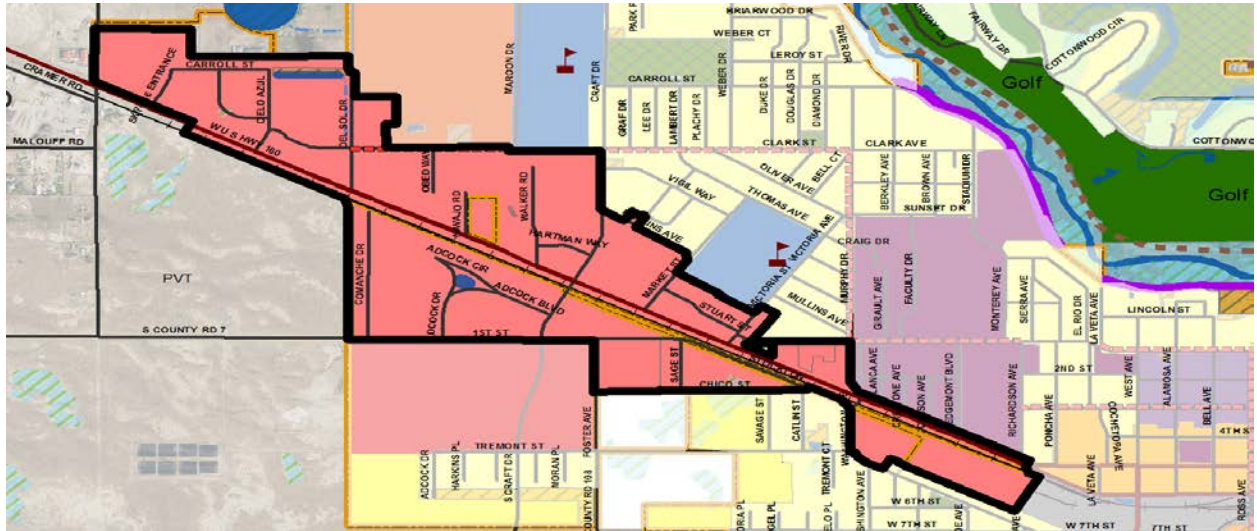


West Highway Corridor – Looking West on Highway 160



West Highway Corridor – Looking East on Highway 160

Figure 59. West Highway Corridor



DOWNTOWN

Downtown Alamosa consists of eight blocks between Denver and Edison Avenues on the east and west and 4th and 6th Streets on the north and south. This area is the heart of the community and has the ingredients to be a great downtown, but much work needs to be done, that is why the comprehensive plan includes Chapter 5 – Downtown Needs Assessment which outlines recommended physical improvements to the public realm and an organizational strategy to support growth in existing businesses and attract new businesses.

Existing Conditions - This is the area surrounding the part of Main Street that possesses the classic western downtown form where buildings forming a nearly continuous block face along the sidewalk with only a few interruptions. There are ten foot sidewalks along Main Street and the avenues that connect to it. The streetscape includes a variety of treatments, including moderate bump-outs at intersections, an assortment of sparse street furnishings, wayfinding and standard Colorado Department of Transportation lighting and signals. Most buildings are occupied, but there always seem to be several vacant storefronts, including a theater. Architecture alternates between relatively in-tact historic buildings and more modern buildings built in the past five decades. Parking consists of several public parking lots that are mostly accessed from the alleyways along Main Street or from 6th and 4th Streets as well as on-street parking on all streets except for 6th Street.



Downtown – Main Street

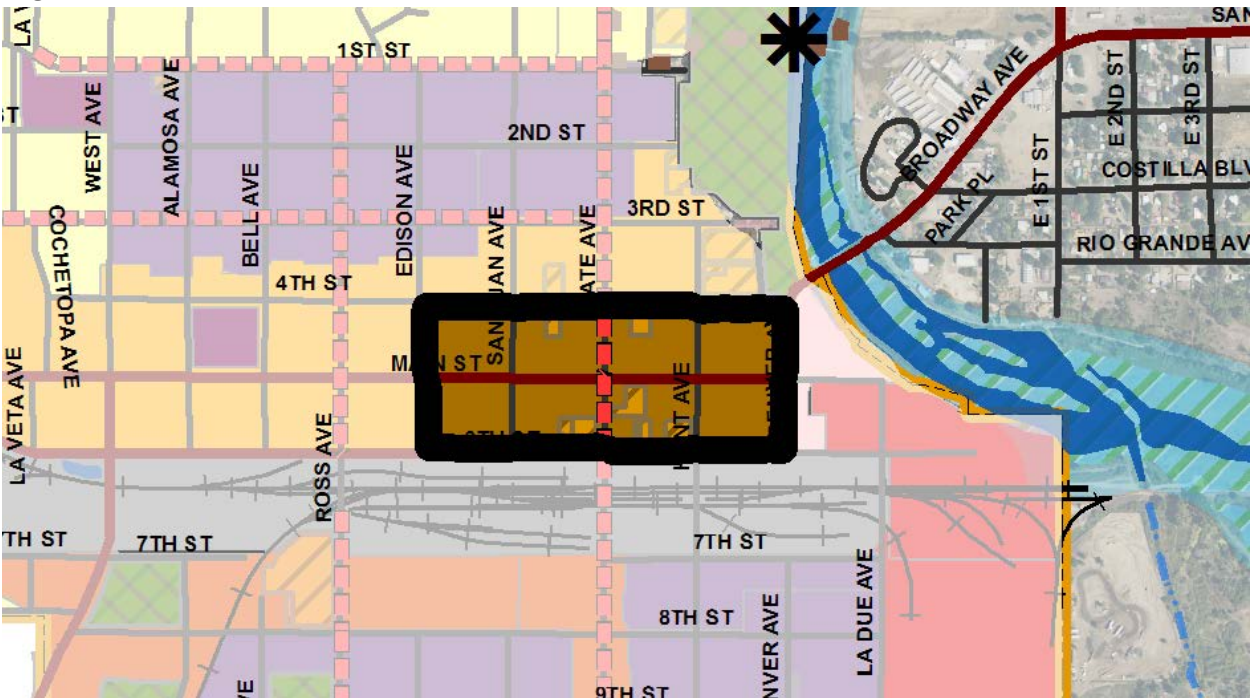


Downtown – Main Street

Vision – Downtown needs to be the pride of Alamosa as a thriving, walkable, pedestrian scale center for shopping, entertainment, dining, arts and community celebrations. Downtown should emphasize people over automobiles and encourage passersby to get out of their vehicles and enjoy Downtown. Vehicle traffic is accommodated and obvious and easily accessible parking encourages vehicle traffic to become foot traffic. Land use codes need to be adjusted to ensure that the classic downtown form with store fronts right along the sidewalk is preserved and perpetuated. It is hoped that downtown businesses will coordinate to take advantage of the opportunities that exist today and in the future.

Infrastructure – Several physical elements taken together will create an identifiable and consistent character in the city’s commercial and cultural core: classic themed, matching sidewalk furnishings (lighting, wayfinding, seating, bicycle parking rails, trash cans, planters); landscaping (trees, planters, landscaped pockets); intersections with enhanced bump-outs and crosswalks; wayfinding and gateways combined with public art; enhanced public parking lots that are easy to see and access; and renovated alleyways that provide pedestrian connections from parking lots to businesses, provide alley-loaded parking and allow alley access into businesses. These improvements should focus on the eight block area designated as Downtown where the historic development pattern already supports the classic western downtown environment.

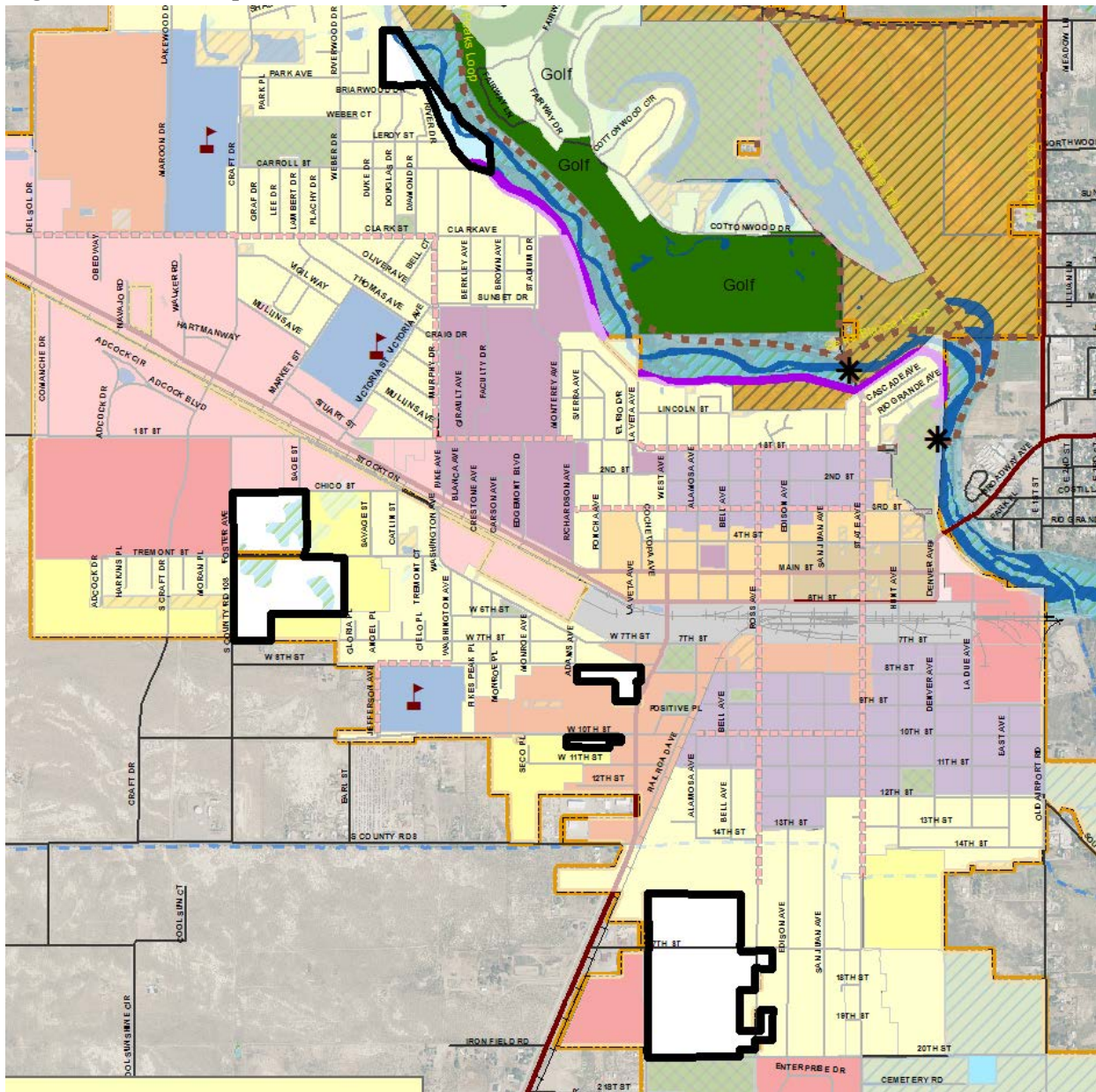
Figure 60. Downtown



UNINCORPORATED ENCLAVES

These are unincorporated parcels of land surrounded on all sides by the City of Alamosa. There are unincorporated enclaves dispersed throughout the city. As the city boundaries expanded, these parcels were never annexed. As they stand now, they cause confusion for dispatch and law enforcement, even though the city surrounds them, they are under Alamosa County Sheriff's Department jurisdiction. Most enclaves are vacant and possess future development opportunities. The City of Alamosa should encourage property owners in unincorporated enclaves to petition for annexation.

Figure 61. Unincorporated Enclaves



LOCAL GOVERNMENT FACILITIES

Existing Conditions – This designation includes property and facilities owned by either the City of Alamosa and Alamosa County. This includes the Green Waste Yard, Public Works Compound, Recycling Center, Alamosa Family Recreation Center, Wastewater Treatment Plant, Fairgrounds, the northern portion of the Airport and the Alamosa County Offices/Facilities.

Vision – The purpose of these properties and the facilities on them is to best serve the public today and in the future. Work in partnership with Alamosa County as it plans for and constructs the facilities it needs while ensuring that infrastructure, parking, storm drainage and public health and safety are taken into consideration in accordance with the city codes and standards. Local governments have the opportunity to lead by example by developing these sites to be functional, safe, visually/aesthetically pleasing and cost effective.

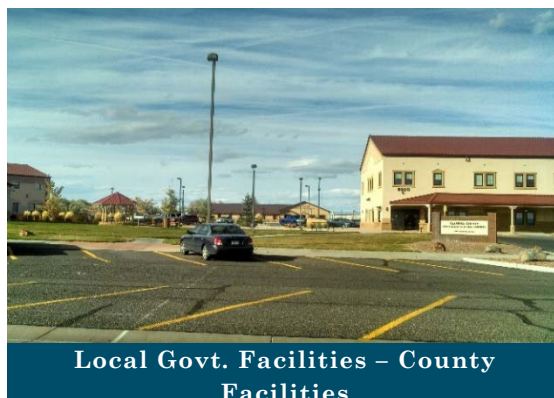
Infrastructure – Public facilities require high capacity traffic circulation infrastructure, adequate parking, fire safety infrastructure and high capacities for water, sewer and storm water management. As local governments, the city and county are obligated to make the investments that are needed to ensure that the on-site and off-site infrastructure is installed and upgraded to accommodate the demand. This will require consistent partnership and communications between the county and the city.



Local Govt. Facilities – Wastewater Treatment Plant Aeration Ponds

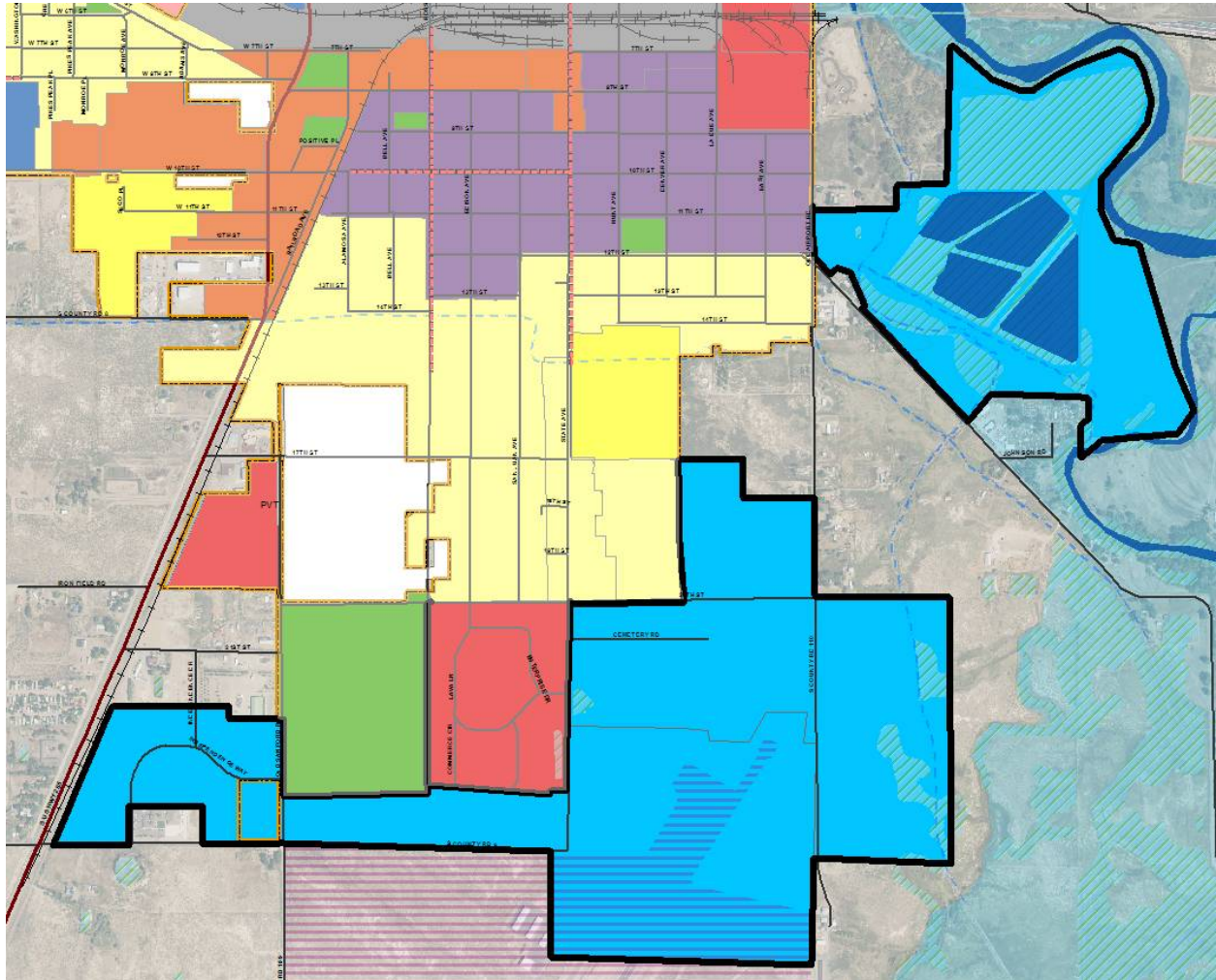


Local Govt. Facilities – Airport Terminal

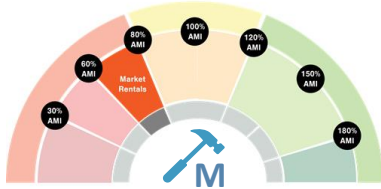
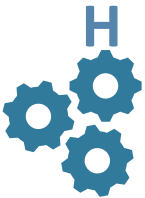
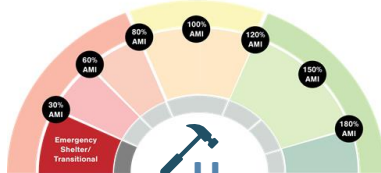
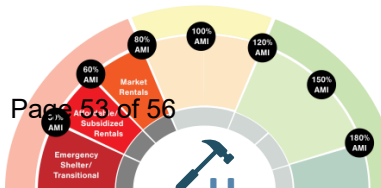
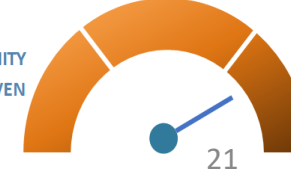


Local Govt. Facilities – County Facilities

Figure 62. Local Government Facilities



Top 5 Priority Actions

	COMPLEXITY	IMPACT	COST	
Better Align Zoning Code/Housing Goals			\$	OPPORTUNITY DRIVEN  ACTION ORIENTED
Facilitate and Promote ADU Development			\$	OPPORTUNITY DRIVEN  ACTION ORIENTED
Targeted Utility Infrastructure & Cost of Development			\$\$\$\$	OPPORTUNITY DRIVEN  ACTION ORIENTED
Supportive Housing			\$\$\$\$	OPPORTUNITY DRIVEN  ACTION ORIENTED
Mobile Home Park Improvements		 Page 53 of 56	\$\$\$\$	OPPORTUNITY DRIVEN  ACTION ORIENTED

Better Align Zoning Code with Housing Goals

Current conditions/Local Issues

The City completed a robust code update in 2018 that was very beneficial, but experience with its implementation indicates that additional updates could further facilitate more diverse housing development, including smaller units, that would increase housing choices and assist with addressing missing price points.

Action Items

- Understand where barriers exist in the current code, particularly with regard to lot size, density, allowed uses, and storm water management.
- Address “doesn’t quite work in Alamosa” items.
- Reduce residential nonconformities in old, historically mixed-use neighborhoods (like near downtown).
- Adapt code to fit with Comprehensive Plan Future Land Use Map and better meet community needs, including increasing opportunities for residential uses.
- Assess where zones that historically disallow housing could be updated for current economic realities; encourage mixed use and flexible zone designations.
- Assess “edge conditions” in the transition between business and residential districts.
- Seek opportunities to allow for townhouses, condos, and small multi-family buildings.
- Expand residential opportunities in commercial and business zones.
- Coordinate this work with updating the ADU standards.

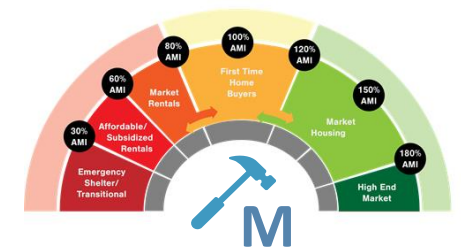
COMPLEXITY



COST



IMPACT



OPPORTUNITY
DRIVEN



ACTION
ORIENTED

Better Align Zoning Code with Housing Goals

What's needed to move it forward?

- Development Services Director hire in place with sufficient time to be familiar with community and code.
- Ability to safely hold in-person meetings with the community.

Who needs to be involved?

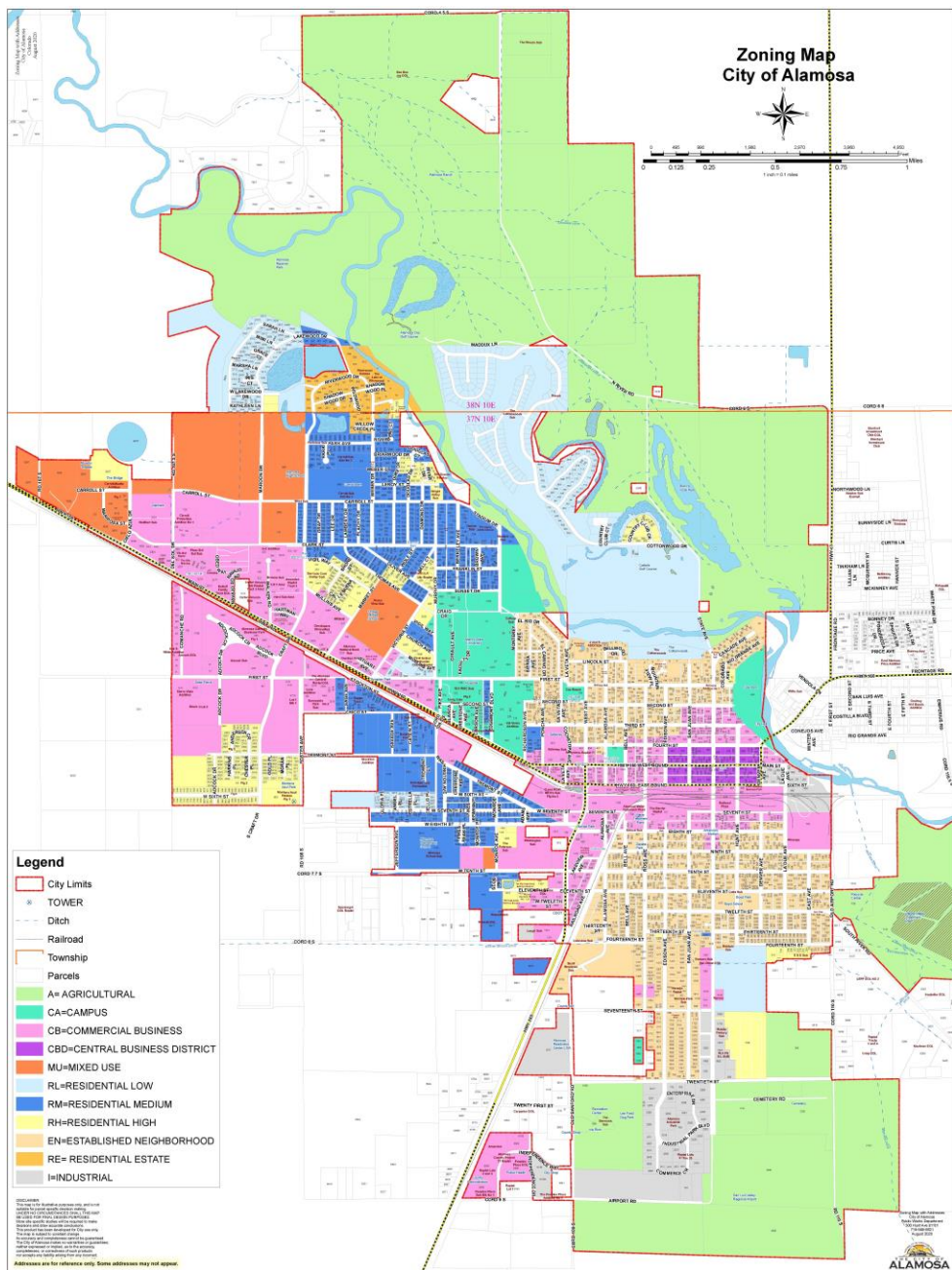
- City Staff, Development Services Director, City Council, Alamosa residents, lenders

Timing

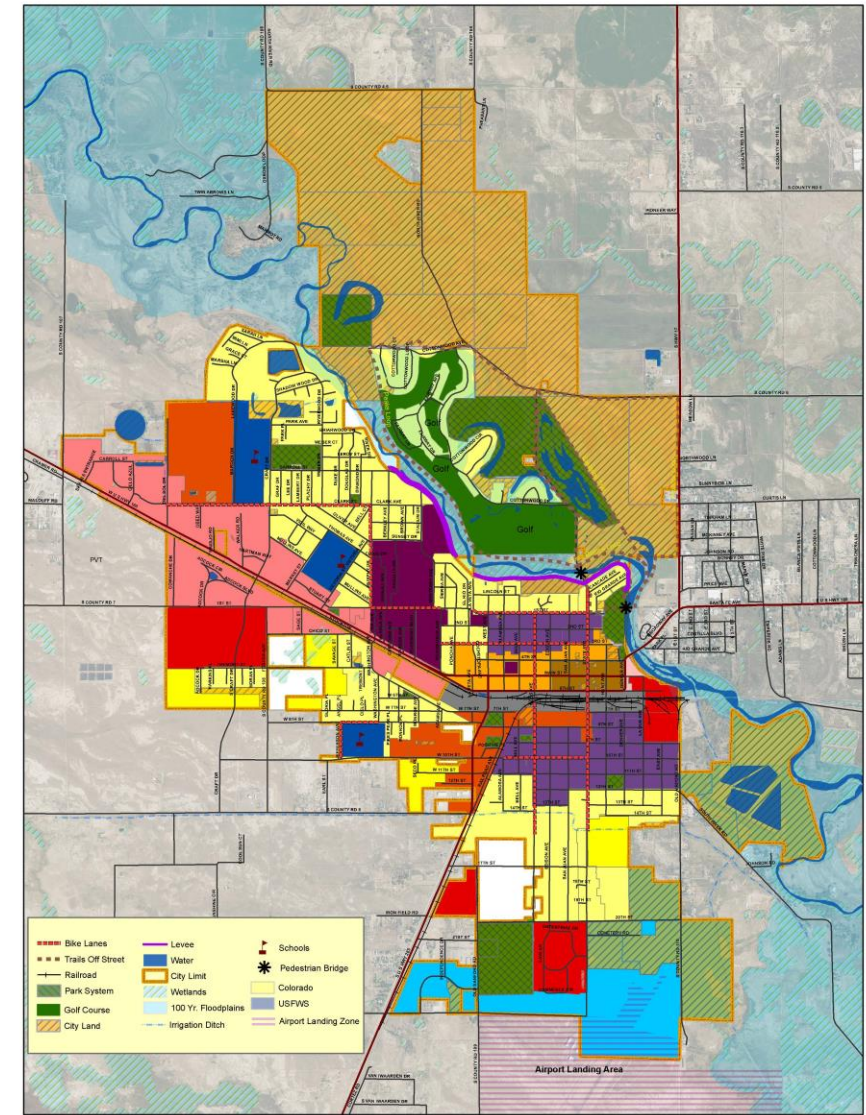
- 2022

Funding

- Fairly significant staff time commitment, but can mostly/entirely be done in-house
- Funding outlay only if consultant hired



Adapt code to fit with Comprehensive Plan Future Land Use Map and better meet community needs, including increasing opportunities for residential uses.



Future Land Use Designations

