



AGENDA
CITY OF SALIDA PLANNING COMMISSION

MEETING DATE: Monday, September 25, 2017
MEETING TIME: 6:00 p.m.
MEETING LOCATION: City Council Chambers, 448 East First Street, Salida, CO

AGENDA SECTION:

- I. CALL TO ORDER BY CHAIRMAN – 6:00 p.m.**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – August 28, 2017**
- IV. UNSCHEDULED CITIZENS**
- V. AMENDMENT(S) TO AGENDA**
- VI. UPDATES**
- VII. PUBLIC HEARINGS-**

- VIII. UNFINISHED BUSINESS-**
 - 1) Work force housing continued discussion from the community meeting.
 - 2) Review Land Use Code amendment for Downtown Street Patio's – Public hearing on October 10, 2017.

- IX. NEW BUSINESS –**
- X. COMMISSIONERS' COMMENTS-**
- XI. ADJOURN**

MEETING DATE: Monday, August 28, 2017

MEETING TIME: 6:00 PM

MEETING LOCATION: City Council Chambers, 448 E. First Street, Suite 190, Salida, CO

Present: Wood, Kasper, Mandelkorn, Follet, Berg, Thomas, Bommer, Burnette, Van Nimwegen, Jefferson, Franklin

Absent: Denning

AGENDA SECTION:

I. CALL TO ORDER BY - Wood: - 6:00 PM

II. ROLL CALL:

III. APPROVAL OF THE MINUTES – August 10, 2017 - Berg made a motion to approve the minutes as written. Motion was seconded by **Kasper**. All voters were unanimous and the motion carried.

IV. UNSCHEDULED CITIZENS – Ken Matthews – 5633 Pinon Ridge Trail Salida, CO. He would like to see the City values referenced in the affordable housing table, as well as the degree of importance within the tables.

V. AMENDMENTS TO AGENDA- None

VI. UPDATES: The two commissioners attending the 2017 APA Conference, October 4-6 are **Bommer** and **Denning**.

VII. PUBLIC HEARINGS –

- 1. Season's Café Creative Sign permit -** The request is for approval to install signage in the Commercial (C-1) zone district that will exceed the maximum allotted sign area by 36.5 square feet at 330 W. Sackett Avenue.

A. Open Public Hearing - 6:11 PM

B. Proof of Publication – Yes

C. Staff Review of Application – Franklin gave an overview of the creative sign application. The request is for approval to install 26.98 square feet of signage for the business known as Season's café on the property located at 330 West Sackett.

D. Applicant's Presentation – Julie Kimbrough gave an overview of her application and added that they have improved the exterior of the building with new paint and hired a professional sign maker produce the sign. She explained the business location/setback and the need to advertise. She would like the commissioner's to allow them to use the grandfathered signs on the silo as well. Shawn Gillis spoke about the grandfathered signs, the need to be able to use them for advertisement and how this represents the history of the building.

E. Public Input- Nick Chambers supports the sign and believes in the business.

F. Close Public Hearing - 6:21PM

G. Commission Discussion – Woods 16-10-90 Sec (2) (d) – A creative sign may be appropriate to provide reasonable visibility of a business. **Wood** believes there is not a change of use with regards to the non-conforming signs and that Season’s Café should be able to use all signs. **Berg** agreed that they should have the opportunity to advertise. **Mandelkorn** agreed with both Berg and Wood.

H. Commission Action - A motion was made by **Bomer** to accept the recommended action for approval removing the condition to require the silo signs be removed. **Follet** seconded the motion and the motion carried.

2. **Limited Impact Review -Wood Minor Subdivision** - The request is for approval to subdivide one (1) parcel into two lots at 354 E. Sackett Avenue, Salida, CO 81201.

A. Open Public Hearing - 6:28 PM

B. Proof of Publication – Yes

C. Staff Review of Application – Jefferson gave an overview of the application the owners would like to further subdivide their lot, straightening out the property line. Staff recommends approval with two conditions.

D. Applicant’s Presentation – Jon Wood- One of the owners of the property explained they are drawing only one line to clearly separate the duplex properties. The other lot will be known as Lot A1.

E. Public Input- Michael Kiplin neighbor wanted to know if the property would follow the C-1 zoning. **Wood** confirmed any new development would follow current zoning.

F. Close Public Hearing – 6:30 PM

G. Commission Discussion – Bomer asked if the owner had plans to build, he does not currently have plans, however they are allowed up to five units. Commission agrees this is a reasonable request.

H. Commission Action - A motion was made by **Mandelkorn** to approve the minor subdivision with the following conditions that the signature block is removed and the following plat note be added, for fee in lieu of schools. **Berg** seconded the motion and the motion carried.

3. **Limited Impact Review -Desmond Townhomes Minor Subdivision** - The request is for approval to subdivide one (1) parcel into three townhome lots at 414, 416 and 418 Blake Street, Salida, CO 81201.

A. Open Public Hearing - 6:33 PM

B. Proof of Publication – Yes

C. Staff Review of Application – Jefferson gave an overview of the application. The applicant is requesting to subdivide the lot creating three townhome lots. **Jefferson** confirmed with the County that the common wall has a two hour fire rating. Staff recommended approval with five conditions.

D. Applicant’s Presentation – Chris Lau 505 River Drive – **Kasper** asked applicant if he had any issues regarding the conditions, he said no.

E. Public Input- Melanie Cymansky - Asked why the builder’s do not submit plans for townhouses? **Wood** explained it is a use by right to build condominiums, however the financing is easier to obtain when purchasing a townhouse rather than a condo. When you purchase a condo it is only the building and not the land. **Jefferson** stated that most builders know which type of structure they are going to build ahead of time. A condo only requires a one hour fire rating and a townhouse requires two hour.

F. Close Public Hearing – 6:39 PM

G. Commission Discussion – Thomas agreed with Cymansky’s line of questioning and believes that we need to look at the code, with the possibility of changing it. **Wood** agreed that we may need to go back and look at this particular code.

H. Commission Action – A motion was made by **Bomer** to make the recommend motion and the recommended action be taken. **Kasper** seconded the motion and the motion carried.

4. **Limited Impact Review –Wood Avenue Homes Minor Subdivision** - The request is for approval to subdivide one (1) parcel into three townhome lots at 401, 403 and 405 Wood Avenue, Salida, CO 81201.

A. Open Public Hearing - 6:44 PM

B. Proof of Publication – Yes

C. Staff Review of Application – Jefferson gave an overview of the application. The applicant is requesting to subdivide the lot within the C-1 Highway 291 Overlay, creating three townhome lots. **Jefferson** confirmed verbally with the County that the common wall has a two hour fire rating. Staff recommended approval with three conditions.

D. Applicant’s Presentation – Adam Radle satisfied public works, everything is ready to go except for the gutters.

E. Public Input- None

F. Close Public Hearing – 6:46 PM

G. Commission Discussion – Commissioners agreed this is straight forward and falls in line with the two previous subdivision.

H. Commission Action – A motion was made by **Berg** to make the recommend motion and the recommended action be taken.

Kasper seconded the motion and the motion carried.

5. **Limited Impact Review –Park Avenue Townhomes Minor Subdivision** - The request is for approval to subdivide one (1) parcel into four townhome lots at 300, 324, 332 Park Avenue and 345 B Street, Salida, CO 81201.

A. Open Public Hearing - 6:48 PM

B. Proof of Publication – Yes

C. Staff Review of Application – Jefferson gave an overview of the application for the properties known as 300, 324, 332, Park Avenue and 345 B Street. **Jefferson** confirmed verbally with the County that the common wall has a two hour fire rating. Staff recommended approval with three conditions.

D. Applicant’s Presentation – Walt Harder 112 F Street – No questions for the applicant.

E. Public Input- None

F. Close Public Hearing – 6:51 PM

G. Commission Discussion – Dan Thomas commented on the negotiation and that the majority of it took place at the beginning of the building process. There were no other comments from the commission.

H. Commission Action – A motion was made by **Follet** to make the recommended findings and take the recommended action. **Berg** seconded the motion.

- VIII. UNFINISHED BUSINESS – Affordable housing discussion –Van Nimwegen** gave an overview of his Work Force Housing Chart, he used the housing needs assessment as a guide, the categories are Land Use Policy, Develop Code Amendments, Organizations, and Financial Tools. He would like to come up with a strategic plan, and also asked, what role the City plays in the need for affordable housing. He shared his agenda for the September 13, public meeting. **Mandelkorn** asked to define what level of AMI we are aiming for with regards to housing. **Thomas** has talked with builders; there is little interest in building, because of a lack of grant funding at this 80% AMI. Less than 60% could have more funding available; **Van Nimwegen** agreed that this would be more of federal program. **Paige Judd** the future predicted job growth is lower than 60%. **Kasper** asked why **Van Nimwegen** thought it would be an 18 month process. **Van Nimwegen** thought because of the elections, this may slow down the process along with the time needed to get the questions out to the voters. **Wood** suggested going through the chart. **Van Nimwegen** reminded the commission that there is some negotiating involved within the land use policy. **Kasper** pushed getting a new Lexus study, **Wood** wants to make sure it is necessary, as it is expensive. **Harder** reminded the commission of the fees that they spend prior to building. The fees have swayed them to build to sell and not build for rent. **Ken Matthews** discussed the need for a multi-jurisdictional agency. **Wood** questioned how we protect the city’s interest, while increasing density and lower parking requirements. **Kasper** is for deed restriction. **Mandelkorn** agrees that a multi-jurisdictional housing task force is necessary to see projects through. **Bomer** asked about tax credit programs and can we apply for some grants. **Van Nimwegen** suggests

we need to find a property owner interested in a development and possibly re-zone for a multi-housing project. **Berg** asked about investing in infrastructure and how to make it more affordable for the builders. Looking into the public utilities may be something to look at down the road. Commission agreed unanimously there is a need for a multi-jurisdictional housing authority. Commission discussed taxing issues; this would need to be looked at carefully. **Wood** asked if the commission to go through the charts on their own and if they have any questions or ideas to pass them on to staff.

IX. NEW BUSINESS – Thomas is concerned about the vitality of downtown and replacing storefronts with living units. He asked if we could discuss a change in the code to no longer allow storefront/first floor housing in the C-1 zones.

X. COMMISSIONER'S COMMENTS-

XI. ADJOURN: With no further business to come before the Commission, the meeting adjourned at **8:06** PM.



PLANNING COMMISSION STAFF REPORT

MEETING DATE: September 25, 2017

AGENDA ITEM TITLE: Work Force Housing

AGENDA SECTION: 1) Unfinished Business

FROM: Glen Van Nimwegen, AICP
Community Development Director

BACKGROUND:

The attached spreadsheet incorporates the “votes” from our public work shop held September 13th. Staff has color coded the actions that received five or greater Green dots (GO) and five or greater Red dots (STOP). At the bottom of the spreadsheet were the additional actions that were added from the table top exercise. Staff would like to discuss these new ideas to see if they should be incorporated into the proposed actions. Our goal will be to take this document and work it into a formal strategic plan with timelines for action. **We are tentatively scheduled to discuss with Council at their October 2 work session.**

An interesting article is attached about a startup that is helping buyers with down payments in exchange for Airbnb income

Attachments

Work Force Housing Strategies

Article: This Startup Helps You Buy a House (If You Hand Over Your Airbnb Income)

CITY OF SALIDA WORK FORCE HOUSING STRATEGIES

Action	Responsibility Center			Recom- mended by CCHNA?	Degree of Difficulty	Time Frame (Months)	Average Median Income Levels				PC		Public		Total	
	Salida	Chaffee County	Others ?				< 60%	60-80%	80-120%	> 120%	Green	Red	Green	Red		
A Land Use Policy																
1	Negotiate % of WF Housing through Annexation	Yes	No	No	Yes	Low	3		●	●	●	1			-2	-1
2	Negotiate % of WF Housing through Planned Development	Yes	No	No	Yes	Low	3		●	●	●	1			-1	0
3	Pursue Inclusionary Zoning Ordinances and Linkage Fee	Yes	No	No	No	High	12 or >	●	●	●	●	3		1	-1	3
4	Identify and Market Low Income Housing Tax Credit Project	Yes	Yes	Land Owner	N A	High	12 or >	●	●	●	●	3		5		8
5	Identify and Zone Additional Land for Multi-Family Housing	Yes	No	Land Owner	Yes	Low	12		●	●	●	1		8		9
6	Invest in Infrastructure	Yes	No	No	Yes	High	12	●	●			1		8		9
B Development Code Amendments																
1	Increase Density for Rental in R-3, R-4 and RMU	Yes	No	No	Yes	Medium	3 - 6		●	●	●	2		10		12
2	Increase Building Coverage for Rental in R-3, R-4 and RMU	Yes	No	No	Yes	Medium	3 - 6		●	●	●			1		1
3	Increase paving coverage for rental in R-3, R-4 and RMU	Yes	No	No	Yes	Medium	3 - 6		●	●	●			1		1
4	Increase Height for WF Housing	Yes	No	No	Yes	High	3 - 6		●	●	●	1		3	-10	-6
5	Reduce parking requirements for MF Housing	Yes	No	No	Yes	Medium	3 - 6		●	●	●			7		7
6	Reduce Process for Multi-Family Development	Yes	No	No	N A	Low	3 - 6			●	●	1		4		5
C Organization																
1	Form County Housing Authority	Support	Yes	No	Yes	Med-High	18	●	●	●	●	1		1	-1	1
2	Expand Salida Housing Authority	Yes	No	B of Directors	Yes	Medium	12	●	●	●	●		-1		-2	-3
3	Form Multi-Jurisdictional Housing Authority	Yes	Yes	UAACOG	Yes	Med-High	18	●	●	●	●	6		19		25
4	Form Community Housing Development Organization (CHDO)	Yes	Yes	Yes	Yes	CHT	Exists	●	●	●	●			4		4
D Financial Tools																
1	Delay Payment of Fees	Yes	Maybe	No	Yes	Med-High	6		●	●	●			4		4
2	Create Fund to Pay Sewer and Water Taps (ED Fund)	Yes	No	No	Yes	Low	3	●	●	●	●	1		9		10
3	Pay or Waive Open Space Fees	Yes	No	No	N A	Medium	6	●	●	●	●		-3	1		-2
4	Pay School Impact Fees	Yes	No	No	N A	Medium	6	●	●	●	●			2		2
5	Dedicated Property Tax	No	Yes	Voters	Yes	High	18	●	●	●	●	2	-1		-1	0
6	Dedicated Lodging Tax	Yes	Yes	Voters	No	High	18	●	●	●	●			2	-3	-1
7	Dedicated Sales Tax	Yes	Yes	Voters	Yes	High	18	●	●	●	●	1		2	-2	1
8	Implement Head Tax per employee	Yes	Yes	Voters	Yes	High	18	●	●	●	●				-2	-2
9	Implement Use Tax	Yes	Yes	Voters	Yes	High	18	●	●	●	●					0
10	Excise Tax on per square foot of new development	Yes	Yes	Voters	Yes	High	18	●	●	●	●				-5	-5
11	Tax Short Term Rentals	Yes	No	No	N A	High	18	●	●	●	●	2			-7	-5
12	Receive Bond Approval to Construct WF Housing Project	Yes	No	Voters	N A	Medium	18	●	●			1		7		8
E Other...																

- Find funds to bring empty downtown apartments up to code so they can be rented. UACCOG has these funds.
- Support the landlords who currently own lower priced rentals - or buy them when they are ready to sell (CHT, etc)
- Sliding scales for water / sewer tap, open space (fees) and schools based on the size of the dwelling.
- Open Space fees should be calculated on a per square foot of residence scale.
- Lower tap fees for multi-family projects.
- Possibly (utilize) a trust mechanism like microlans for local residents to purchase or rent long term safe housing.
- Land banking.
- Tax Increment Financing (TIF)
- Accessory Dwelling Units (ADU)
- Preserve open space

- Height limit questioned. (Should be) average of other homes.
- Grant writer
- Real estate transfer tax
- Property tax freeze (pt). Excess dedicated to housing service employees. 2B increased.
- Fee upon subdivision.
- Transfer fee - floats based on square footage of house
- Take back Vandaveer (once paid off). Down the road. NRCCD are doing OK right now
- A1-3 and 6; B5-6; D1-12 actions are tied to deed restrictions.
- Reallocation of current lodging tax (D6) to housing work force.

- Abbreviations**
- CCHNA Chaffee County Housing Needs Assessment and Strategy
 - WF Work Force Housing
 - NA Not Addressed in Chaffee County Housing Needs Assessment and Strategy
 - HA Housing Authority
 - ED Economic Development
 - MF Multi-Family Housing

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Home prices in Seattle have skyrocketed; // Chris Helgren/Reuters

This Startup Helps You Buy a House (If You Hand Over Your Airbnb Income)

KRISTON CAPPS SEP 20, 2017

For buyers in hot real-estate markets, a new kind of mortgage offered by a company called Loftium might offer a way to purchase a home.

Laura Coe wasn't planning on joining Airbnb as a host. She wasn't exactly set on buying a house, either. She was interested and looking, but until recently, buying a home in Seattle's white-hot housing market still seemed like a long ways off.

Then she heard about Loftium, a startup that ponies up the down payment for first-time buyers. And then everything snapped into place. With that financial support, she was able to put 5 percent down on a two-bedroom Craftsman home in a quiet alley in Seattle's Capitol Hill neighborhood. Coe says that she's closing on the house any day now.

"I started a conversation with [Loftium] not that long ago—probably six weeks ago," says Coe, 29, a senior finance manager at Microsoft. "A couple weeks later, I had gone through the pre-approval process. It moved super quickly. My offer was accepted within 24 hours, and before you know it, I'm closing on a home."

There's a catch: For the next year, Coe will have to rent out the mother-in-law unit attached to the house via Airbnb. Most of that revenue from that will go back into the coffers of Loftium, and at least part of her time will be occupied with making sure the rental stays clean, giving guests maps to local neighborhood haunts, placing mints on pillows and the like. Coe says it's worth it.

Loftium is attempting to pioneer an all-new kind of mortgage. The company itself isn't providing a loan at all, its founders say. Loftium pays the down payment. The buyer pays it back through passive, short-term rental revenue. Not through interest, not through equity, but through Airbnb. The startup, which launched this week, plans to back down payments for 50 home buys like Coe's across Seattle over the next 6 months.

"Not only do we give an upfront down-payment assistance portion, we also split the [Airbnb] income with the new homeowner post purchase," says Adam Stelle, cofounder and chief operating officer at Loftium. "The nice part is, they don't have to pay us back directly. It's not structured as a loan."

In surveys, renters list the down payment as the biggest block to buying a home, above student debt, lack of credit, and job instability. "Down payments are a primary obstacle to home purchase for a large share of renters," says Jonathan Spader, senior research associate at Harvard University's Joint Center for Housing Studies. "That's been true for a number of years."

According to the Fed's 2013 Survey of Consumer Finances, the median renter household has a net worth of \$5,400. Meanwhile, costs continue to rise: In June, the median U.S. home price eclipsed \$200,000 for the first time ever, per Zillow. In the Seattle metro area—where the median home value hovered around \$400,000 in 2016—a homebuyer laying out a 20 percent down payment would need more than \$78,000. Even an FHA loan-friendly 3.5 percent means nearly \$14,000 for Seattle buyers. That's a lot of avocado toast.

For would-be buyers without ample savings—or inheritances from wealthy aunts or handouts from generous parents—that's where Loftium steps in. Buyers who work with the startup agree to sign up as an Airbnb host to rent one of their rooms (or basement units) to work off the down payment. The contract period typically lasts one to three years, during which Loftium takes the check from Airbnb but kicks some back to the owner—typically, about 30 percent.

“The vast majority of people who are able to buy early were all getting help from their family and friends,” says Stelle, who started Loftium with cofounder and CEO Yifan Zhang about a year ago. “People without access to friends and family support basically are not able to afford because of the down-payment hurdle.”

The setup is unprecedented but above board: Loftium has partnered with a regional lender, Umpqua Bank, to serve as the mortgage lender. The startup received regulatory approval from Fannie Mae, which has been sniffing around for solutions about how to qualify millennial borrowers with student debt for home loans. (More on that in a moment.)

“There's a lot of controversy around people buying investor properties taking housing supply out of the market. I think we're using Airbnb for good.”

For buyers who sign with Loftium, the terms are strict: Owners get eight free “block” nights a year on the rental room or unit, meaning that they're listing it on Airbnb for the other 357 days. Loftium aims to make the process painless for the buyer-slash-host, so they throw in some support elements, such as a smart lock-pad and software for automating interactions with guests. Hosts take the cleaning fees. (Loftium has no formal relationship with Airbnb.)

“As long as you are performing the core duties of an Airbnb host—being friendly to guests and not being rude, keeping your unit listed as available for the duration of the contract—if for whatever reason it doesn’t perform well, you’re not on the hook to pay us back,” Stelle says. “We’re taking a lot of the risk on our end, because we obviously don’t want to get into a position where we’re jeopardizing people’s first homes.”

Loftium clients who do default on their hosting duties risk paying a buyout clause (with a 15 percent cancellation fee) or getting hit with a lien. Given the relatively small figures for the loans and the quick turnaround on the contracts (36 months or less), though, the greater risk to Loftium may be the precarious politics of Airbnb itself. For example, the Seattle City Council is weighing an Airbnb bill that would require a new operator’s license for short-term rentals and limit licensed renters to two dwelling units.

Another way to look at this bill, though, is that it fully legalizes the private-room-for-let Airbnb model, Stelle says. Most municipal regulations aimed at Airbnb target institutional investors. That’s true in several of the cities that Stelle mentions as possible markets for Loftium as the company expands its partnerships with lenders: Chicago, Nashville, Washington, D.C.

“There’s obviously a lot of controversy around people buying investor properties and renting the whole thing and taking housing supply out of the market,” Stelle says. “I think we’re using Airbnb and that technology platform for good and helping first-time homebuyers, primary residents, buy and afford to stay in their homes.”

So is this legal? When a parent helps out their kid with a down payment for a home, they would need to give the lender a letter—and more like an affidavit—saying that the gift comes with no strings attached. Clearly, there are strings attached to Loftium’s not-quite-a-loan deal. Umpqua Bank created a special financial product that treats Loftium’s contribution as neither a gift nor loan. “It’s a new mortgage product restricted to a single lender [Umpqua] and a single provider [Loftium],” Stelle says.

The need plainly exists beyond Seattle. A 2016 paper from the [University of Southern California's Sol Price School of Public Policy](#) shows that adult children who received a cash transfer (\$5,000, for any reason) from their parents within a two-year period were 23 percent more likely to transition into homeownership (and 13 percent more likely after controlling for various wealth factors). Another study from the [Lindner College of Business at the University of Cincinnati](#) finds that parental gifts contribute mightily to the homeownership gap between white and nonwhite adults.

A startup like Loftium widens the possibilities for would-be homeowners who simply can't make up the savings gap as rising rents and home prices mount. Down-payment assistance programs come in a few different forms, providing direct assistance through grants, a soft second loan, or [individual development accounts](#). Loftium may be the only service that makes another startup—in this case Airbnb, which is often characterized as a factor causing rents to rise—work for would-be homeowners.

For Coe—who received \$9,000 from Loftium, which she will repay over the next year—the assistance on her down payment allowed her to free up more cash for the upfront costs of renovating the mother-in-law unit. She says that she always intended to buy a house with a separate unit for rental income (a tip from her father, a real-estate investor).

Once her contract with Loftium is up, Coe intends to keep renting the unit out, either as a landlord or via Airbnb.

“It wouldn't have been impossible” to become a homeowner without the boost from Loftium, Coe says. “But it wouldn't have happened as early as it did.”

About the Author



Kriston Capps

[@KRISTONCAPPS](#) / [FEED](#)

Kriston Capps is a staff writer for *CityLab* covering housing, architecture, and politics. He previously worked as a senior editor for *Architect* magazine.



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PLANNING COMMISSION STAFF REPORT

MEETING DATE: September 25, 2017

AGENDA ITEM TITLE: Downtown Street Patios

AGENDA SECTION: 2) Unfinished Business

FROM: Glen Van Nimwegen, AICP
Community Development Director

DISCUSSION:

Staff made the changes that were discussed at the September 12 work session. They are shown as redlines on the attached new standards for the conditional use. The purpose of this agenda item is to further refine the proposed changes with the Planning Commission. We have advertised the code changes for a public hearing with the Commission on October 10 and City Council on November 7. We have also provided a copy to legal staff to review. The proposed timeline:

September 25:	Work Session with PC to finalize amendments
October 10:	Recommendation by PC on code amendments
October 17:	First reading and setting public hearing by City Council
November 7:	Second reading, hearing and adoption by City Council
December 7:	Changes become effective.

Attachments

Exhibit A: New Review Standards

EXHIBIT B

PROPOSED ADDITION TO Sec. 16-4-190. Review Standards Applicable to Particular Uses

- (r) Downtown Street Patios. The Downtown Street Patio program allows the use of public street right-of-way in the downtown for outdoor dining activities. Downtown is defined as that area zoned Central Business (C-2). The purpose of this policy is to enliven the outdoor pedestrian environment by providing additional area to the streetscape for dining within a framework that promotes economic vitality while protecting the health, safety and welfare of residents, businesses, and visitors.

(1) Siting Standards

- a. Downtown Street Patios will be allowed from May 1 to October 1 of each year. The Patios must be removed from October 8 to April 24 each year. Additional time may be granted through the conditional use process if the additional review standard to Section 16-4-110 (d) is met that:

8. Downtown Street Patio Time Extension. ~~The patio will be in use~~The impact of the use of the patio beyond the prescribed time has been mitigated by the applicant making during the additional period and adequate accommodations ~~have been made~~ for snow and ice removal ~~by the applicant; and may agreeing to remove the patio upon request be removed for other~~for special events.

It shall be the applicant's responsibility to provide justification that the request for additional time meets this standard.

- b. Patios ~~must~~shall not exceed a size of eight (8) feet by twenty (20) feet within the roadway. The structures may extend over the sidewalk up to one (1) foot.
- c. ADA ramps shall be integral to the design wherein they do not further encroach into the sidewalk.
- d. Generally patios should not be located at intersections of streets or alleys in such a way as to block appropriate sight triangles.
- e. There shall be no more than one (1) Downtown Street Patio per block to include both street frontages. An additional patio may be allowed per block through the conditional use process if the additional review standard to Section 16-4-110 (d) is met ~~that~~:

9. Additional Downtown Street Patio per Block. The additional patio will allow safe vehicle movements in the street; clear pedestrian passage and not overly restrict parking within the block.

It shall be the applicant's responsibility to provide justification that the additional patio meets this standard.

- f. The location of the patio must be in proximity to the business being served.
- g. Signage is not allowed on the patios except for public purposes.

(2) Use Standards.

- a. Use of the patios shall ~~generally~~ be for retail food and beverage establishments and retail establishments that serve specialty foods and beverages (e.g. ice cream shops, coffee houses, and bars/distilleries/brew pubs) located within buildings in the downtown. ~~Mobile food vendors are not eligible for the main street patio program.~~ Alternative uses may be considered through the conditional use process if an additional review standard to Section 16-4-110(d) is met that:

10. Alternative Uses for Downtown Street Patios. The ~~proposed alternative~~ use meets the intent of the Downtown Street Patio program by enlivening the outdoor pedestrian

environment to an equivalent level as outdoor dining and drinking establishments. The alternative use would meet this criteria by having a high pedestrian turnover; be an attraction; provides interest to pedestrian level views; and allowing the use al fresco will add to the intrinsic value of the use.

It shall be the applicant's responsibility to provide justification that the alternative use meets this standard.

- b. The applicant shall reduce the impact on zoning-parking in the downtown by providing a minimum of one (1) off-street parking space for customers or employees. The parking space shall either be ~~provided~~-owned or leased on-site or off-site. Verification shall be provided with the application. This requirement may be met by providing a fee-in-lieu of the parking space in an amount equal to and in addition to the lease amount as provided in the revocable license agreement.
 - c. Construction of the Downtown Street Patio shall meet the specifications of the Community Development Department.
- (3) Revocable License Required. Business owners who receive conditional use approval for a Downtown Street Patios will have to enter into a revocable license agreement with the City of Salida, as approved by the City Council, prior to installation of the patio.

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