



## PLANNING COMMISSION MEMO

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**MEETING DATE:** November 8, 2022

**AGENDA ITEM TITLE:** Extension of a Conditional Use Permit

**AGENDA SECTION:** Public Hearing

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### REQUEST:

On November 22, 2021, the Planning Commission approved with conditions a limited impact request to allow a school in the C-1 zone, and to allow a dwelling unit on the same site as a commercial use in the C-1 zone. The applicant, Salida Circus Outreach Foundation, is requesting an extension to the Conditional Use Permit.

Section 16-4-120 (a) of the Salida Land Use Code states that the Conditional Use Permit holder has one-year to either being construction or establish the land use authorized by the permit. Failure to do so shall result in automatic expiration of the conditional use permit. Paragraph (b) states that prior to expiration of the permit, the applicant may submit a request to extend the conditional use approval. Jennifer Dempsey of the Salida Circus Foundation has requested an extension.

The original permit contained seven conditions of approval. Condition #7 was to remove the tiny home from the property which has been done. Conditions 1 through 6 were:

1. A Building Permit and Change of Use Permit must be received prior to construction commencing.
2. A site development plan must be submitted with the building permit demonstrating compliance with all applicable Land Use Code criteria, with the addition of a minimum of 5 bicycle parking spaces.
3. Applicant must obtain a Special Event Permit prior to hosting a public performance at the site.
4. The application will be reviewed in one (1) year if the City has received any complaints regarding operation of the site.
5. Public Works to inspect disconnection of well from plumbing system for backflow compliance.
6. System development fees must be paid for a commercial water and sewer tap. The existing residential sewer tap will be credited toward the amount owed for the commercial sewer tap. Fifty percent of the payment is required at time of Building Permit and the remaining 50% at time of Certificate of Occupancy.

### STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve the extension of the Conditional Use Permit.

### RECOMMENDED MOTION:

“I make a motion to approve the Extension of the Conditional Use Permit for the Salida Circus Outreach Foundation as originally approved on November 22, 2021 with Conditions of Approval 1 through 6.”