



TOWN OF PAONIA
THURSDAY, SEPTEMBER 21, 2023
PLANNING COMMISSION MEETING AGENDA 4:00 PM
[HTTPS://US02WEB.ZOOM.US/J/85170928096](https://us02web.zoom.us/j/85170928096)
MEETING ID: 851 7092 8096
17193594580

Roll Call

Correspondence Received

Approval of Agenda

Actions & Presentations

[Public Hearing for Blue Sage Center for the Arts requesting a Special Variance on Alley Setbacks and Parking Requirements.](#)

Adjournment

I. RULES OF PROCEDURE

Section 1. Schedule of Meetings. Regular Board of Trustees meetings shall be held on the second and fourth Tuesdays of each month, except on legal holidays, or as re-scheduled or amended and posted on the agenda prior to the scheduled meeting.

Section 2. Officiating Officer. The meetings of the Board of Trustees shall be conducted by the Mayor or, in the Mayor's absence, the Mayor Pro-Tem. The Town Clerk or a designee of the Board shall record the minutes of the meetings.

Section 3. Time of Meetings. Regular meetings of the Board of Trustees shall begin at 6:30 p.m. or as scheduled and posted on the agenda. Board Members shall be called to order by the Mayor. The meetings shall open with the presiding officer leading the Board in the Pledge of Allegiance. The Town Clerk shall then proceed to call the roll, note the absences and announce whether a quorum is present. Regular Meetings are scheduled for three hours, and shall be adjourned at 9:30 p.m., unless a majority of the Board votes in the affirmative to extend the meeting, by a specific amount of time.

Section 4. Schedule of Business. If a quorum is present, the Board of Trustees shall proceed with the business before it, which shall be conducted in the following manner. Note that all provided times are estimated:

(a) Roll Call - (5 minutes)

(b) Approval of Agenda - (5 minutes)

(c) Announcements (5 minutes)

(d) Recognition of Visitors and Guests (10 minutes)

(e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)

(f) Mayor's Report (10 minutes)

(g) Staff Reports: (15 minutes)

(1) Town Administrator's Report

(2) Public Works Reports

(3) Police Report

(4) Treasurer Report

(h) Unfinished Business (45 minutes)

(i) New Business (45 minutes)

(j) Disbursements (15 minutes)

(k) Committee Reports (15 minutes)

(l) Adjournment

* This schedule of business is subject to change and amendment.

Section 5. Priority and Order of Business. Questions relative to the priority of business and order shall be decided by the Mayor without debate, subject in all cases to an appeal to the Board of Trustees.

Section 6. Conduct of Board Members. Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion, asking a question or making a suggestion are not counted as speaking in a debate.

Section 7. Presentations to the Board. Items on the agenda presented by individuals, businesses or other organizations shall be given up to 5 minutes to make a presentation. On certain issues, presenters may be given more time, as determined by the Mayor and Town Staff. After the presentation, Trustees shall be given the opportunity to ask questions.

Section 8. Public Comment. After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

Section 9. Unacceptable Behavior. Disruptive behavior shall result in expulsion from the meeting.

Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings. These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

II. CONSENT AGENDA

Section 1. Use of Consent Agenda. The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

Section 2. General Guidelines. Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

Section 3. Removal of Item from Consent Agenda. One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

III. EXECUTIVE SESSION

Section 1. An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

Section 2. During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

Section 3. Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

IV. SUBJECT TO AMENDMENT

Section 1. Deviations. The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

Section 2. Amendment. The Board may amend these Rules of Procedures Policy from time to time.



**TOWN OF PAONIA
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STAFF REPORT**

REPORT OF THE TOWN ADMINISTRATOR

APPLICATION FOR ZONING VARIANCE V-23-02

(Real Estate Parcel Number: 324506128015,

Commonly known as: 226 Grand Avenue Paonia, CO 81428)

August 29, 2023

Background

V-23-02 Application for variance as outlined in § 18-10-40 of the Town of Paonia's Municipal Code of Ordinances for Blue Sage Center for the Arts for the property commonly known as: 226 Grand Avenue.

The request is to vary from §13-3-80, C-1 District Rear Yard Setback Requirement of twenty (20) feet (Attachment A); and vary from §16-6-10 Off-Street Parking Spaces Required (Attachment B).

General Information

The applicant seeks a variance request to construct a covered and shaded porch on the rear of the property within the applicant's property line, within the existing fence and in line with the character of other buildings abutting the alleyway. The applicant has designed and fabricated the trellises and other architectural pieces associated with the project and were recently notified that they would need to seek a variance request.

The Applicant would like to use the structure to hold outdoor events during the summer months and the shaded nature of the structure will shelter patrons from the sun and rain. During the height of the recent pandemic, the Town approved a temporary tent structure allowing for outdoor events to be held. The Applicant is seeking approval of a permanent shaded structure that utilizes a footprint very similar to the temporary tent within the same location.

Including with this application is a cover letter from the Applicant, Blue Sage Center for the Arts, that details the Applicant's plan for improving the rear of the building (Attachment C).

The current zoning for the property is C-1, defined by §16-2-70 C-1, Core Commercial District as:

It is the intent of this District to provide for the orderly development of those commercial and business uses, government, educational and cultural facilities that are characteristic of downtown areas and promote comparison shopping and pedestrian activity in the core area. This District is not intended for businesses and commercial uses that are oriented to the automobile and require extensive ground-level floor area.

The current zoning and building code contemplates minimum lot coverages for Residential Zoning, but does not contemplate maximum lot coverages and makes no further consideration for maximum or minimum lot coverages within the C-1 Zoning District.



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The proposed addition of an accessory structure, shaded back porch/deck, does not exceed the maximum lot coverage for the C-1 Zoning District since it's not contemplated within the Code. Instead, the code contemplates in §16-1-100 Definitions, *Buildable Area*, as, "the portion of a lot, parcel or tract of land excluding all required yard area (setbacks) where a building could be located in accordance with provisions of this chapter." This guidance in the definitions of a *Buildable Area*, effectively give no limit on lot coverages.

Adjacent properties to the Applicant's property are non-conforming to the Code and utilize a zero-lot line setback to the Town's Rights of Way within the alley. The Code contemplates how to measure a rear yard setback, §16-1-100, Definitions, *Setbacks*, "are measured from the front yard, side yard and rear property lines... Rear setbacks are measured from the front edge of any porch or wall of a structure excluding an eave with a maximum of a twenty-four-inch projection into the setback area."

The Applicant is requesting an encroachment into the rear yard setback of fifteen (15) feet and seven (7) inches.

Should the Planning Commission consider the Applicant's proposed Shaded Porch as an accessory building, §16-11-60 Requirements for Accessory Buildings and Uses¹ (Attachment D), may apply. If the Planning Commission considers the proposed shaded porch as an accessory building, then the applicant is only requesting a setback encroachment of five (5) feet and seven (7) inches.

The applicant currently has an occupancy limit of one-hundred and forty-four (144) for Curtis Hall (assembly), and one-hundred and ten (110) for the Gallery and Gift Shop (Retail) for a total of Two-Hundred and Fifty-Four (254) amongst both uses.

§16-6-10, Off-Street Parking Spaces Required, specifically Table 16-5, requires, "Places of public assembly such as churches, auditoriums, meeting rooms, funeral homes," to have, "1.0 space for every four seats or benches in the principal place of assembly." Should the Plan Commission consider the Blue Sage Center for the Arts to be a place of public assembly, this would require a minimum of thirty-six (36) off-street parking spaces for Curtis Hall.

§16-6-10, Off-Street Parking Spaces Required, specifically Table 16-5, requires, "Retail businesses except for furniture and appliance stores," to have, "1.0 space for every three-hundred (300) square feet of floor area." The Gallery and Gift Shop has a retail area of approximately One-Thousand Five-Hundred square feet (1,500), this would require a minimum of five (5) off-street parking spaces for the Gallery and Gift Shop.

Based off of the calculations for both Curtis Hall and the Gallery and Gift Shop, there would need to be a total of Forty-One (41) parking spaces required.

Should the Planning Commission determine that the intended use of the Blue Sage Center for the Arts not fit within the definitions of Public Assembly and Retail businesses, then §16-6-30, Parking Requirements for Uses Not Listed, *for specific uses not listed, the Planning Commission shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses*, would apply.

¹Note, §16-11-60 mentions maximum lot coverages, but it is not contemplated in any other provision of the Code.

²Note: This is the only mention of a Comprehensive Plan, all other documents from the Town reference a Master Plan. This is the correct term for the document that the Town would like to use for future land use considerations.

³Note: The Town does not employ a Town Engineer.



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The Applicant has offered an agreement to the Town in consideration of the variance for the shaded porch to maintain the current occupancy limit of one-hundred and forty-four (144) for Curtis Hall, and one-hundred and ten (110). This agreement considers maintaining the total occupancy limit of two-hundred and fifty-four (254) amongst all of the improvements, including the shaded porch (Attachment E).

In consideration of meeting the required off-street parking minimums, the Applicant has offered an agreement to utilize the public parking lot located in the alley between Grand Avenue and Main Street and the public parking lot located on Main Street, to the Town (Attachment F).

Required Findings Needed to Issue a Variance and/or Considerations for a Special Review

§16-4-50, Site plan review criteria and performance standards

- (a) (1) Compliance of the application with this Code in general. Staff find that the Applicant's situation is unique and peculiar to the property and that an exceptional and unique hardship exists. Adjacent property owners, including but not limited to, Town Hall, have utilized the entire length of their commercial properties, and have encroached into the rear yard setback. The Applicant has operated a not-for-profit organization that offers free music and art to the general public, and has generally complied with the Code.
- (a) (2) The compatibility of the proposed use and site plan with the character of the surrounding area. Adjacent property owners currently encroach into the rear yard setback for their principal structure/buildings. The Applicant wishes add an accessory structure to the property up to the existing rear property line so that patrons can participate in an outdoor music venue that is open to the public. Staff believe that allowing for the proposed use is compatible with other and similar uses in the area.
- (a) (3) The desirability and need for the proposed use. Town Staff determined during the pandemic that an outdoor venue at the location was needed and desirable. The Applicant operated a temporary tent structure in the location throughout the pandemic and would like to make the use permanent through the construction of a shaded porch structure.
- (a) (4) The potential for adverse environmental influences that might result from the proposed use. Staff find that the potential for adverse environmental influences does not exist for the proposed use or for the variances being requested.
- (a) (5) Compatibility of the proposed use and site plan with the policies and guidelines in the Comprehensive Plan². Staff find that the proposed use and variances follow with the existing Comprehensive Plan from 1996. Specifically, LU/D-10 Improve the physical appearance of existing commercial land uses; LU/D-12 Preserve, and when necessary, expand the downtown core, and LU/D-26 Enhance opportunities for active recreation within the Town to provide safe, local and inexpensive recreational opportunities for children, the elderly and others.

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- (b) Lights and Signs shall be located in a manner that will not be distracting to adjoining properties or passing motorists. The applicant states in their application that all string lighting shall be dark skies compliant. Staff have determined that the string lighting and other lighting will comply with other provisions of the Town's code and will not provide a distraction to adjacent property owners or passing motorists.
- (c) Landscaping shall be provided in areas near the public right-of-way and located with consideration for energy conservation. An acceptable plan must be provided for maintenance of the required landscaped areas. Staff have determined that this provision is not applicable to the proposed use or the variances being sought by the applicant.
- (d) Control of storm drainage shall be provided so as to not damage adjoining properties. The plan must be approved by the Town Engineer³. Staff believe that the proposed improvement will not need a full storm drainage plan since the proposal will utilize the existing drainage patterns for the site and the shaded structure's pitched roof will not add additional stress on the existing system.
- (e) Site design and building plans shall include provisions for needs of handicapped individuals as required by the Building Code or other ordinances of the Town. The proposed site plan and drawings associated with the application include necessary provisions for handicapped individuals as required by this provision of the code.
- (f) Approved landscaping or solid fencing capable of screening adjacent properties shall be provided where commercial uses abut residential uses. The proposed improvements do not abut residential uses. However, the existing privacy fence shall remain.
- (g) Commercial and industrial uses shall conform to the following performance standards: Staff find that only (1) and (4) of the eight standards applies to this review and variance:
- (1) No dust, odor, gas, fumes, glare or vibration shall extend beyond lot lines. Glare pertains to sunlight reflected from windows or other integral portions of buildings, as well as from lighting fixtures and signs. The applicant has stated that all string lighting will be dark skies compliant.
- (4) Noise. No noise shall be emitted which exceeds a maximum of seventy-five (75) decibels with a maximum increase of five (5) decibels permitted for a maximum of fifteen (15) minutes in any one (1) hour. In addition, every activity shall be conducted so that no noise produced is objectionable due to intermittence, beat frequency or shrillness. The applicant has stated in their application that there will be music for 1-2 hours in the early evening and that special events will not proceed past midnight. Staff finds that this provision of the findings be found favorable to the applicant since there has been an existing use similar to what is proposed and that it fits within the goals and objectives of the comprehensive plan.

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Staff Recommendation

Staff recommends approval of the special use review and variances and bases their recommendation on the information given by the applicant, the considerations given by the applicant for various agreements, the benefit to the general public provided by the improvements, and with how the proposed improvements meet the goals and objectives of the existing comprehensive plan.

Potential Motions:

- 1.) I move to recommend approval of Variance 2023-02 because it meets the goals and objectives of the Comprehensive Plan, that there is a need for use that is described by the applicant, and that there exists a hardship to the Applicant that is unique to the property and that this approval intends to relieve; with the following conditions: that the applicant signs a Parking Agreement and Occupancy Limit Agreement with the Town prior to completing any of the proposed improvements.
- 2.) I move to recommend denial of Variance 2023-02 because it doesn't meet the criteria for a special review or a variance since the applicant hasn't demonstrated that it meets the goals and objectives of the Comprehensive Plan and that the hardship for which the applicant seeks relief was caused by themselves.
- 3.) I move to defer a decision for Variance 2023-02 to the Board of Trustees.

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SPECIAL REVIEW / VARIANCE APPLICATION

Name Blue Sage Center For the Arts Application Date _____
Property Address 226 Grande Ave P&Z Hearing Date _____
Telephone Number 970 527 7243 Paonia Council Hearing Date _____

11.01 Intent. Each established zoning district is intended for a specific type or category of land use (e.g., single family dwelling in an R-1 district). However, there are certain uses, which may or may not be appropriate in a district depending on the situation. For example, the location, nature of the proposed use, character of the surrounding area, traffic capacities of adjacent streets, and potential environmental effects all may dictate that the circumstances of the development should be individually reviewed. The special review process is established to provide for these specific uses without establishing numerous separate zoning classifications. It is the intent of this chapter to provide a review of such uses so that the community is assured that the proposed uses are compatible with the location and surrounding land uses.

11.02: When Allowed. Within each zoning district, certain land uses are permitted by right, by special review or prohibited. Special review uses may be permitted in designated districts upon review by the Planning and Zoning Commission and approval by the Town Board.

11.03: Site Plan and Supporting Documents. There shall be filed with each special review application a site plan drawn to scale and an appropriate number of copies as determined by the Town Manager. The site plan shall be drawn in black ink on Mylar. Following approval by the Town Board the applicant shall submit a reproducible copy of the original site plan to the Town for the Town's permanent records.

The special review application shall include the following:

- The site plan showing the location of all buildings, structures and other improvements to be placed on the real property. A building envelope may be used in lieu of showing the exact building or structure location to allow for minor variations in the location.
- A legal description of the property, which may require a survey.
- A list of the names and addresses of all property owners within 200 ft. of the property.
- All off-street parking and loading areas.
- The location of all ways for ingress and egress to all buildings, and parking areas.
- Service and refuse collection areas.
- Major screening proposals.
- The size, shape, height and character of all signs.
- The area and location of all open space and recreation areas.
- The location and type of outdoor lighting.
- The character and type of landscaping to be provided. The landscaping shall be indicated in tabular form showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on the site plan.
- The anticipated timetable for completion. If the project is to be completed in phases, then the data for completion of each phase shall be indicated.

- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. *music 1-2 people during early evening hours, special events - not passed midnight string lites will be dark Sky Compliance*

Comments: _____

III. Public Notice Requirements

All property owners within 200 feet of the property being reviewed shall be notified via certified mail of a public hearing whereby the Planning and Zoning Commission shall consider this application. It is incumbent upon the applicant to request the names of the property owners from the Delta County GIS Department (970-874-2119). Please have the GIS e-mail the information to **Corinne@townofpaonia.com**. Applications for Special Review shall be filed at least 30 days in advance of the meeting at which they are to be considered by the Planning and Zoning Commission. Incomplete applications shall result in denial of application acceptance and returned for completion, consequentially delaying hearings.

IV. Acknowledgement to Pay Fees

This application must be completed and a fee of **\$250.00** is assessed to include preliminary costs of administrative services, initial correspondence, publication and certified mailings to property owners within 200 feet of said property. **Payment must accompany this application.**

FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON SIGNING

By signing below, I acknowledge that I will be billed for any overages of costs incurred for this Special Review/Variance. I am aware that upon acceptance of the Special Review/Variance by the Planning and Zoning Commission, a building permit must be applied and approved by the Building Inspector, if applicable.

SIGNED *Debra Muzikar*

PRINTED NAME Debra Muzikar DATE: 8/19/23

Clerks Acceptance _____ DATE _____

- All owners and lien-holders of the property shall sign the following agreement that will be placed on the original special review site plan:

The undersigned agree that the real property described on the site plan shall be developed only in accordance with the approved special review site plan and other provisions of the zoning regulations of the Town of Paonia.

I. Site Plan

Any application for Special Review/Variance that includes a new structure or improvement to an existing structure will require a site plan. Plans may be hand drawn, but must be clearly written with accurate measurements indicated. The Site Plan may be submitted as two separate drawings or one drawing with an overlay.

II. Project Summary

Please answer only the questions that apply to your Special Review/Variance request. Any additional information, which would be beneficial in the consideration, may be noted in the "Comments" section.

- a. Reason for Special Review/Variance We would like a 15' 7" setback to align with other buildings on the alley
- b. Current Zoning of Property _____
- c. What land boundary changes are necessary? none
- d. What addition/changes to existing buildings/structures will be made? none
- e. What new buildings/structures will be constructed? Shaded porch
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. none
- g. Will property have Commercial/Private or Public Use? commercial
- h. Anticipated traffic flow and volume? no extra traffic is anticipated
- i. Detail the Safety and Disabled Access accommodations? The land is flat, the porch is open on all sides

Special Review/Variance Application

handicap ramp was installed on Curtis hall by state of Colorado.



Dear Town of Paonia,

The Blue Sage Center for the Arts would like to build a gazebo - like structure in the back space of our building, at 226 Grand Ave, Paonia.

The structure will house Sage Alley, and enables us to hold outdoor events during the summer months. The structure gives patrons relief from sun and rain during events. Access from the patio is available to the gallery, and 3 bathrooms, one handicap accessible, through an existing doorway.

Originally, 2 years ago, our Executive Director approached the administration of the Town of Paonia for approval for a tent to hold events in the summer months. The administrator came over to the site and gave approval for the tent and location of the fence (at zero setback). We then received a Town Trustee and State of Colorado approval to expand our liquor license to serve the outdoor enclosed area. Unknown to us, requesting and receiving this verbal approval was not the proper protocol to follow. We recently discovered this when we applied for a building permit for the new permanent structure.

Over the last 2 years, Sage Alley, housed in the temporary tent structure, has become a welcomed haven for locals and visitors alike. Every Friday, from June through October, we are able to provide 20 local musicians an opportunity to perform. This venue offers an economic opportunity, not only for the musicians, but also for the Blue Sage. Through beverage sales we were able to make a substantial amount of revenue in 2022. Music performances are free to the public. Many of the locals who attend can not afford to pay a cover charge but we embrace the importance of providing events to engage our community. Our events see an average of 70 people a week who come to enjoy the music. Of these 70 people attending, there are often visitors who come to enjoy our town. Sage Alley adds flavor and vitality to the Paonia and helps to build our economic base. We have also offered the space for free to other local nonprofits to use.

Your review and ruling in a timely manner are extremely important. We currently have a grant to cover 50% of the cost of the permanent Sage Alley Structure. If the structure is not completed by year end 2023, we could lose the grant. To date, the Blue Sage has made a monetary commitment of \$15,000 for this project, which we will lose if the project is not completed. Local fundraising specific to the Sage Alley project has raised \$12,000 demonstrating community support.

The Blue Sage Center for the Arts recently submitted an application for this project. The Building Inspector reviewed and sent a preview report before the Town Administrator had a chance to review. Moving forward, we would like to make sure we are following proper protocols and submitting all necessary documents. As per the Inspector's review, we are not in compliance due to a necessary 12 ft set back, and we need to provide an additional 17.5 parking spaces with the new structure. Regarding parking, we are requesting that the current building occupancy be used instead of requiring the additional 17.5 parking spaces. Small towns are dying because building codes do not take into effect the short-term impact that long term, cookie-cutter planning has on struggling non- profit organizations and local businesses. Parking has never been a problem for Sage Alley, nor for the Blue Sage.

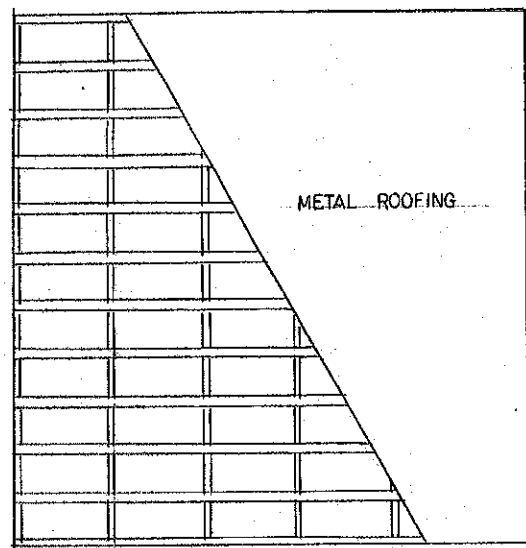
We are also requesting a zero-setback requirement. The current building has a zero set back so the Sage Alley structure would also need a zero set back.

We ask that you take this opportunity to allow us to continue to provide Paonia with a space for everyone to enjoy and use. This space has already proven to add vitality to our community. Please do not let this benefit to our community go by the wayside.

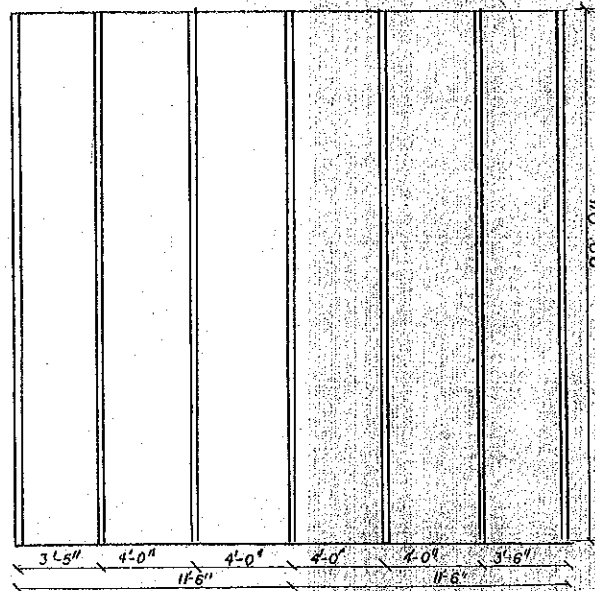
Respectfully,

Blue Sage Center for the Arts

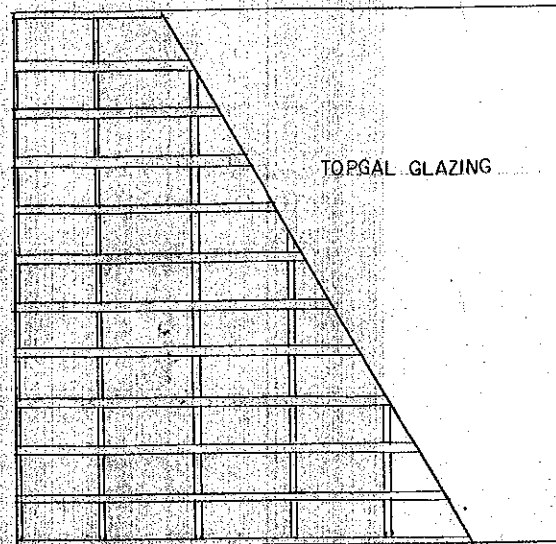




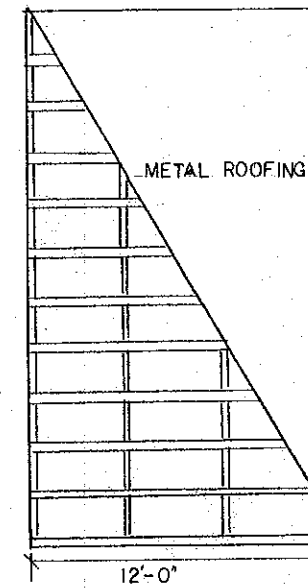
BENTS 1-3 ROOF PLAN
SCALE 1/4" = 1'-0"



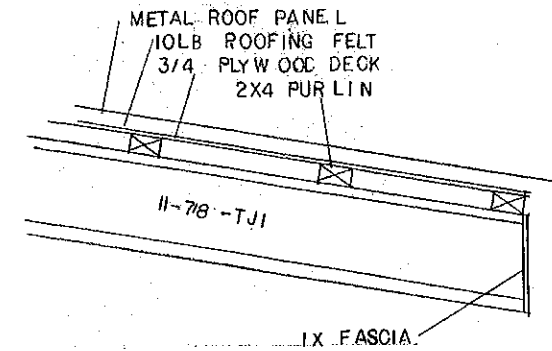
BENTS 3-4 RAFTER PLAN
SCALE 1/4" = 1'-0"



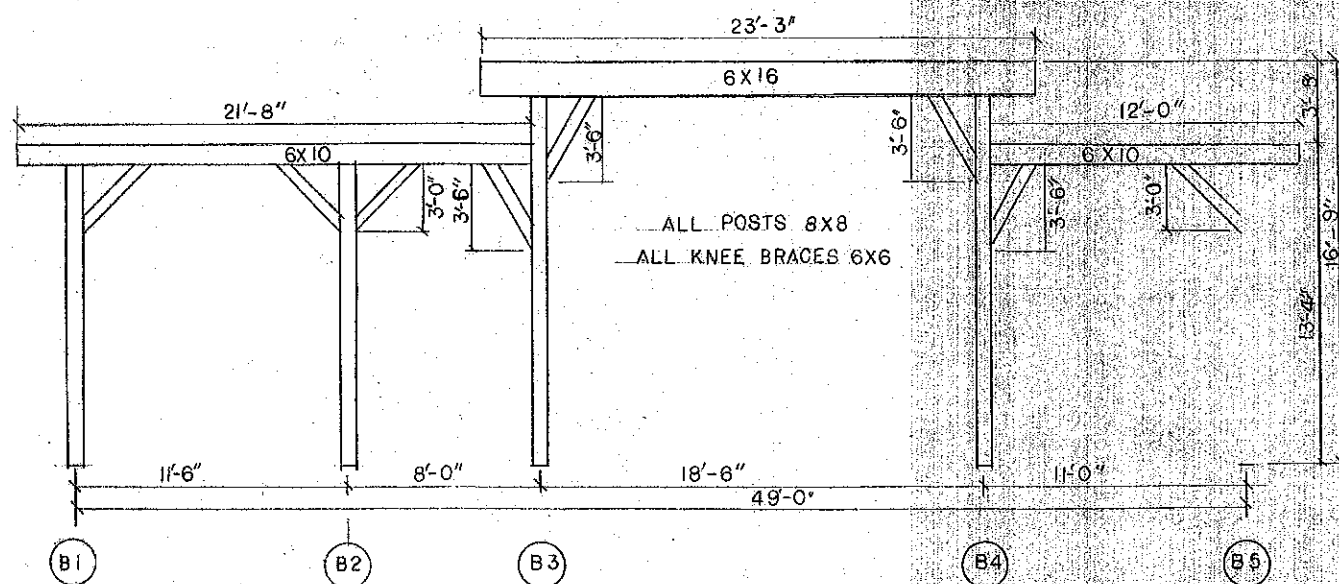
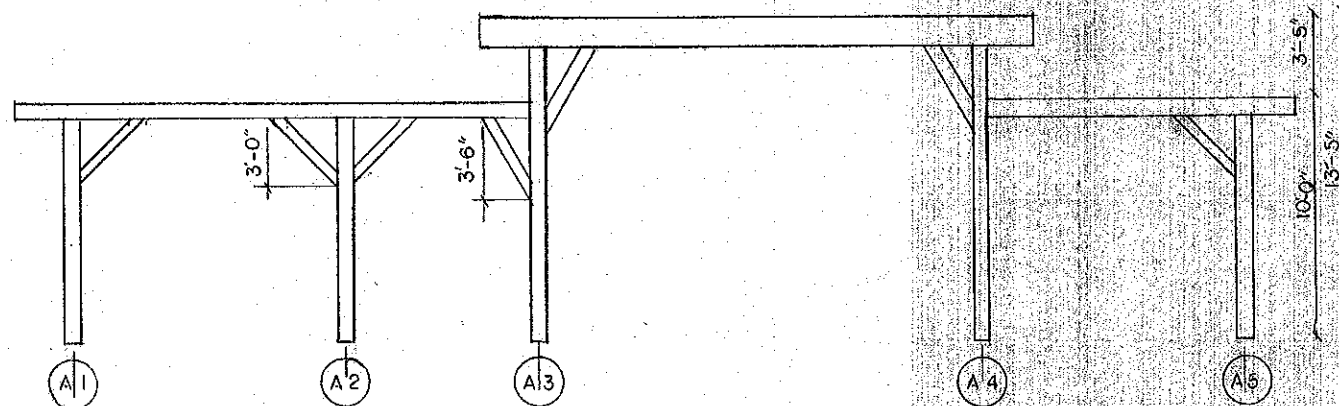
BENTS 3-4 ROOF PLAN
SCALE 1/4" = 1'-0"



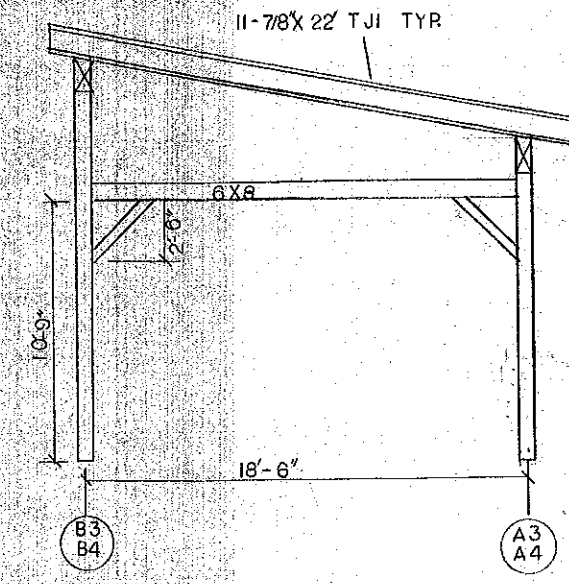
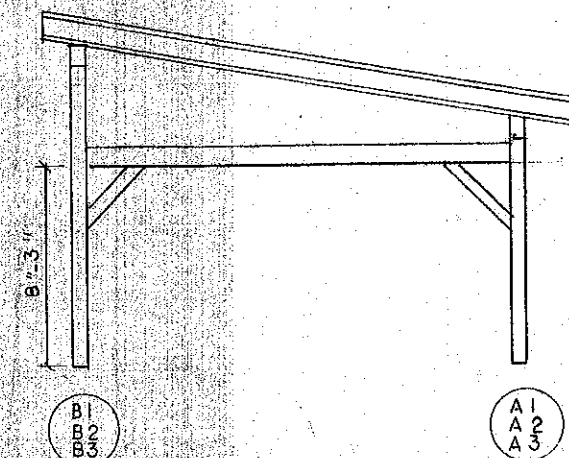
BENTS 4-5 ROOF PLAN
SCALE 1/4" = 1'-0"



ROOF DETAIL
SCALE 1" = 1'-0"

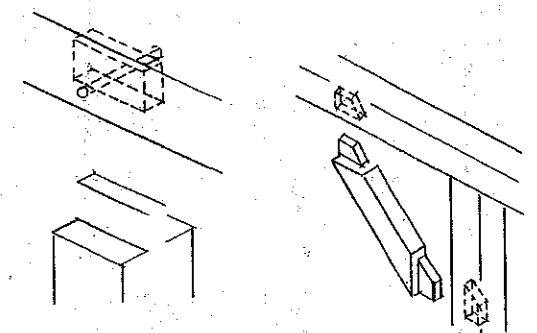


CONNECTORS B
SCALE 1/4" = 1'-0"

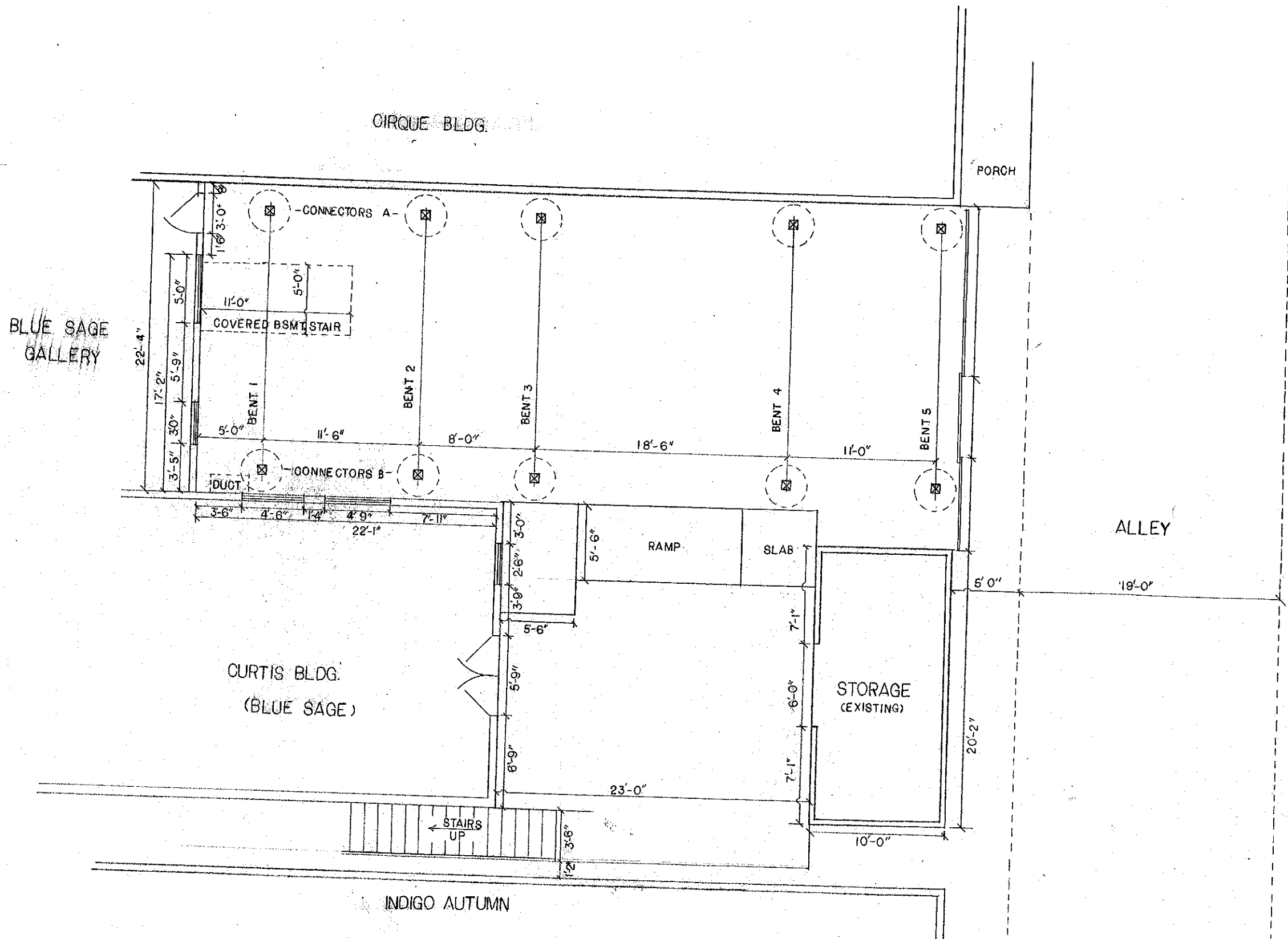


BENTS
SCALE 1/4" = 1'-0"

MAGIC MESA TIMBER FRAMES
36600 WALKER SPRING RD.
HOTCHKISS, CO. 81419
970.527.7415 970.275.4787
BLUE SAGE PROJECT
SUMMER 2023



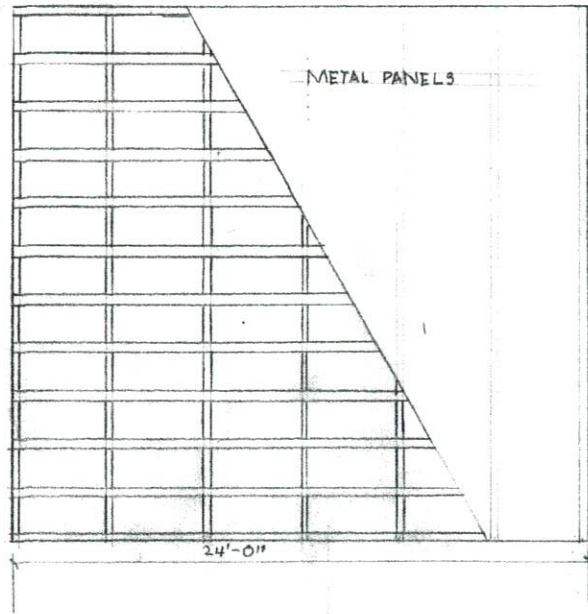
MORTISE AND TENON JOINTS
1 INCH OAK DOWELS



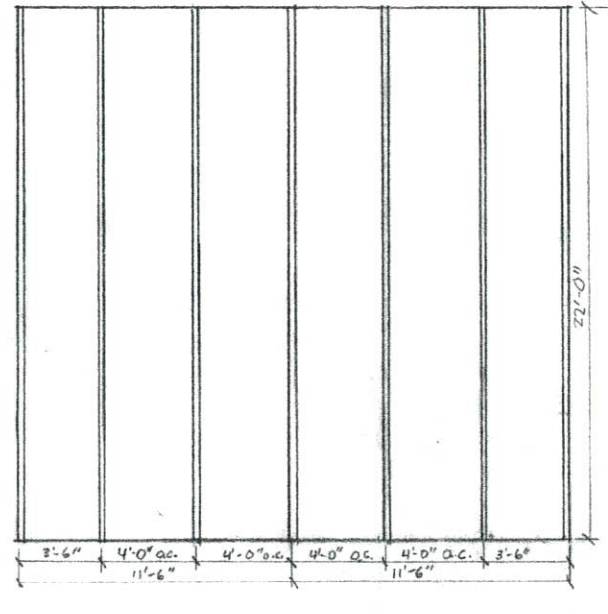
SAGE ALLEY PROPOSAL
 SUMMER 2023
 MAGIC MESA DESIGN/TIMBERFRAMES
 3660 WALKER SPRING ROAD
 HOTCHKISS, CO 81419
 NORMAN LEWARK MARCH

SITE PLAN
 SCALE 1/4" = 1'-0"

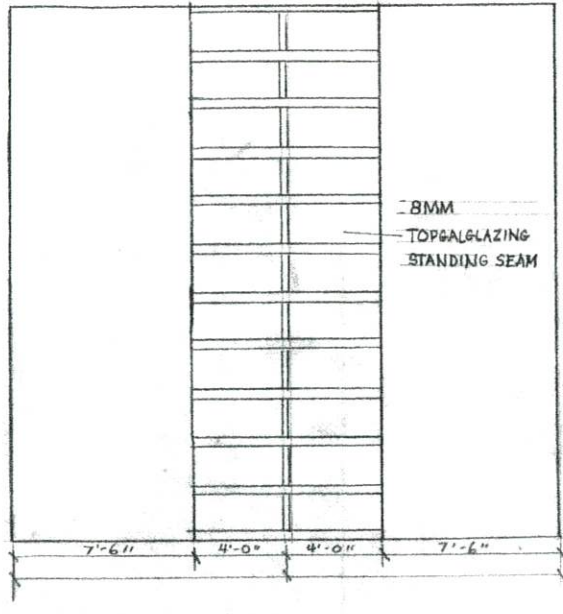
8mm TOPGAL STANDING SEAM
POLYCARBONATE ROOF SHEATHING



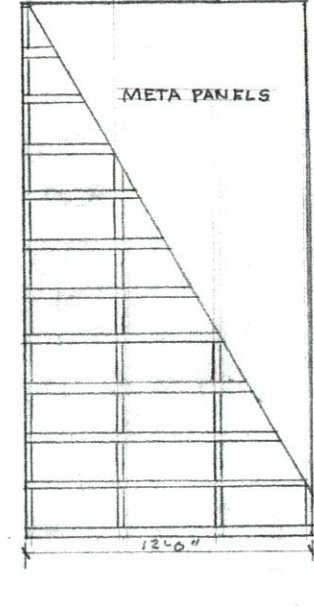
BENTS 1-3 ROOF PLAN
SCALE 1/4" = 1'-0"



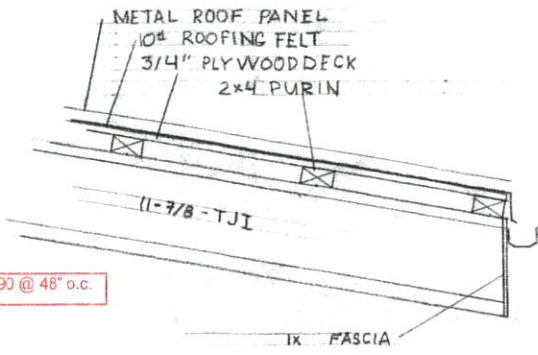
BENTS 3-4 RAFTER PLAN
SCALE 1/4" = 1'-0"



BENTS 3-4 ROOF PLAN
SCALE 1/4" = 1'-0"



BENTS 4-5 ROOF PLAN
SCALE 1/4" = 1'-0"



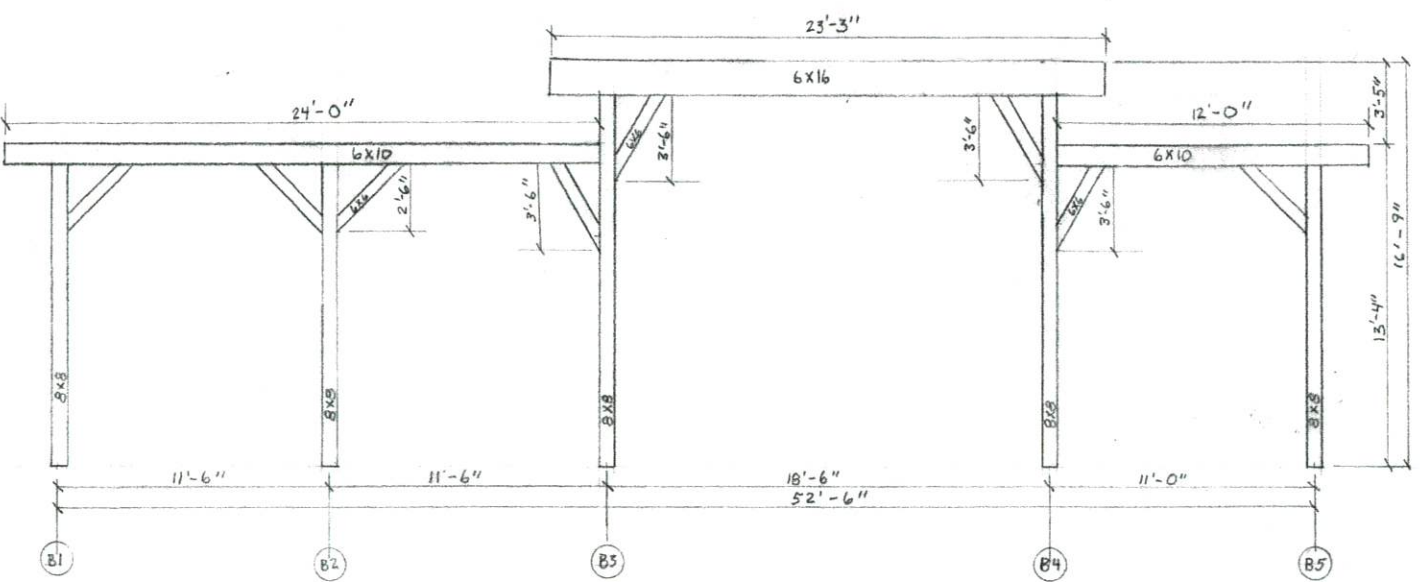
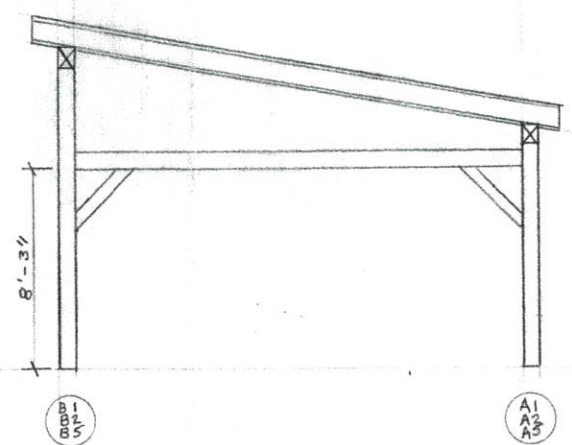
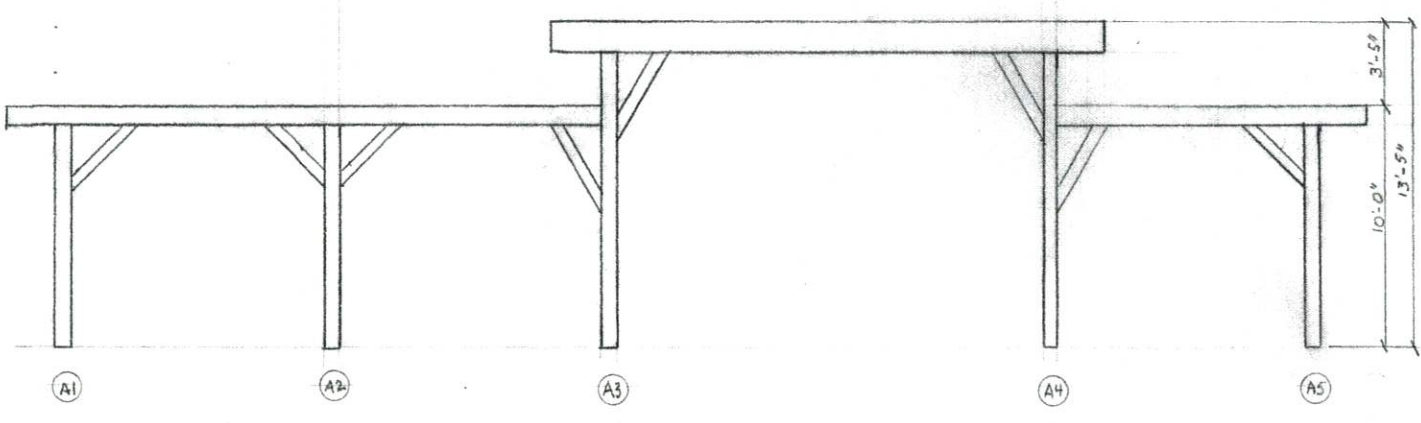
11-7/8" BCI 90 @ 48" o.c.

ROOF DETAIL
SCALE 1" = 1'-0"

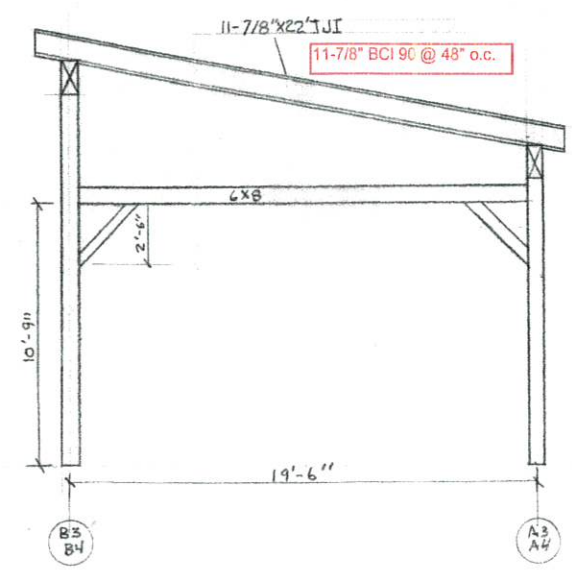
ODISEA I.L.C.
CIVIL & STRUCTURAL ENGINEERING
 PHYSICAL: 210 GRAND AVENUE
 MAILING: P.O. BOX 1809 PAONIA, CO 81428
 970.527.9540 www.odiseanet.com



Lucille L. Hunter, P.E.
 Digitally signed by Lucille L. Hunter, P.E.
 Date: 2023.04.03 12:13:20 -06'00'



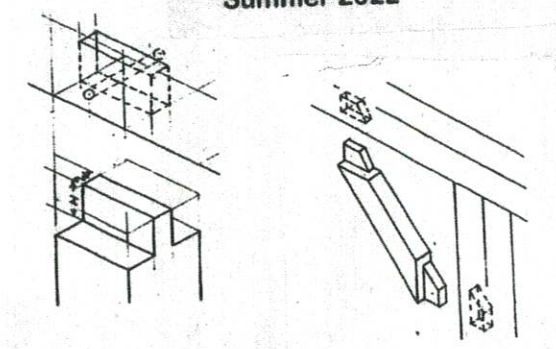
CONNECTORS
SCALE 1/4" = 1'-0"



BENTS
SCALE 1/4" = 1'-0"

Magic Mesa Design / Timberframe
 36600 Walker Spring Road
 Hotchkiss, CO 81419
 970 527 7415 970 275 4787 mobile
 Norman Lewark D.D.S., M.arch.

Blue Sage Alley Project
 Summer 2022



MORTISE & TENON JOINTS WITH
 1 INCH OAK DOWELS

GENERAL CONSTRUCTION NOTES:

1. GENERAL

- a) All work shall conform to the 2018 IBC and applicable local codes.
- b) Where applicable, allowable stresses have been increased for timber 15% (except where prohibited) for snow and 60% for wind and seismic.
- c) All codes and standards shall be the most current edition as of the date of the calculations.
- d) The Engineer is responsible for the structural items in the plans only. Should any changes be made from the design as detailed in these calculations without written approval from the Engineer then the Engineer assumes no responsibility for the entire structure or any portion thereof.
- e) These calculations are based upon a completed structure. Should an unfinished structure be subjected to loads, the Engineer should be consulted for an interim design or if not, will assume no responsibility.
- f) The details shown on the drawings are typical. Similar details apply to similar conditions.

2. SITE WORK

- a) Assumed soil bearing pressure shall be determined in accordance with IBC Table 1804.2 or if a Geotechnical Report is provided, the Report shall supersede these specifications.
- b) Building sites are assumed to be drained and free of clay or expansive soil. These calculations assume stable, undisturbed soils and level or stepped footings. Any other conditions should be reported to the Engineer.
- c) Foundations shall bear on non-expansive native soil or compacted structural fill. Any loose soil in the bottom of the footing excavations shall be compacted to at least 90% relative compaction or removed to expose firm, unyielding material.
- d) All footings shall bear on undisturbed soil with a footing depth below frostline, (24" or 36" as per local requirements). Footings shall bottom at 12" (minimum) below natural undisturbed grade.
- e) All finished grade shall slope a minimum of 5% away from foundation for a minimum of 10 ft.
- f) This Engineer has not made a geotechnical review of the building site and is not responsible for general site stability or soil suitability for the proposed project.
- g) Foundation design is based on minimum footing dimensions and bearing capacities set forth in Tables 1804.2 and 1805.4.2 of Chapter 18 of the IBC or the Geotechnical Report, if available. If no geotechnical Report is available, assume Class 4 soil with allowable soil bearing pressure as per local policy, and with a constant expansion index less than 10.

3. FILL & BACKFILL (GEOTECHNICAL REPORT, IF AVAILABLE, SHALL SUPERSEDE THESE SPECIFICATIONS)

- a) Fill material shall be free from debris, vegetation, and other foreign substances.
- b) Backfill trenches shall be compacted to 90% density per ASTM D1557 to within 12" of finished grade. The top 12" shall be landscape fill.
- c) Backfill at pipe trenches shall be compacted on both sides of pipe in 6" lifts.
- d) Waterproof exterior faces of all foundation walls adjacent to usable spaces.
- e) Backfill at foundation walls shall be compacted to 90% relative density, and
- f) Use 4" diameter PVC, unperforated pipe sub-drain behind all retaining walls. Slope pipe to drain to daylight and/or drywell.

4. CONCRETE / MASONRY

- a) Concrete shall have a minimum 28 day compressive strength of 2500 psi, and 3500 psi for all slabs on grade, and
- b) Concrete exposed to freezing & thawing or deicing chemicals shall be air entrained per ACI 318, Section 4.2.1.
- c) All slabs on grade shall have a minimum thickness of 4" and be reinforced with 6x6x@20W mesh at centerline as per ASTM A185, and
- d) All slabs on grade shall be placed over 4" minimum of free draining aggregate base compacted to a minimum of 95% relative compaction. Provide 2" sand above and below a 1/2 mil. (min.) vapor barrier at all living areas and areas requiring moisture protection.
- e) All slab on grade subgrade (upper six inches) shall be scarified, moisture conditioned to within 2% of optimum, and uniformly compacted to at least 90% of maximum dry density as determined by ASTM D1557 and IBC Chapter 18. This will not be required if slabs are to be placed directly on undisturbed compacted structural fill.
- f) Waterproofing of foundations and retaining walls is the responsibility of the client.
- g) Reinforcement shall be grade 60 as per ASTM A618 and
- h) Concrete stem walls and footings perform best as a monolithic pour. Provide vertical #4's @ 16" o.c. in stemwall developed into footing for two-poured stemwall / footing assemblies where snow loads exceed 150 psf.
- i) All masonry units shall conform to ASTM C90 grade N.
- j) All masonry cells are to be solid grouted with mortar conforming to ASTM C270 Type S, with a 28 day compressive strength of 2000 psi min.
- k) Reinforcement cover in cast-in-place concrete shall be as follows:
 - 3" - Concrete cast against and permanently exposed to earth.
 - 1 1/2" - Concrete exposed to earth or weather with #5 bars or smaller.
 - 3/4" - Concrete not exposed to weather or in contact with ground, #11 bars and smaller.
 - 1 1/2" - Beams, columns, and pilasters, cover over tiles.
 - 1 1/2" - clear to top for reinforcement in slabs on grade. Per ACI 318, Section 7.1.1.
- l) Provide slab control joints (saw cut or plastic inserts) at incremental spacing each way, joint depth to be 1/4 of slab depth. Maximum recommended distance between joints is 12'.
- m) Vertical steel placement in masonry stem walls to be #4 bars at 32" o.c. maximum spacing, and
- n) Horizontal steel placement in masonry stem walls to be #4 bars at 24" o.c. maximum spacing, and
- o) Reinforced concrete shall conform to applicable requirements of IBC and ACI Standard 318.
- p) Aggregate shall conform to ASTM C33 for stone aggregate.
- q) Use normal weight concrete (145 pcf) for all concrete, and use Type II cement, and use Type V cement if soil contains sulfate concentrations of 0.2% or more.
- r) Weather protection:
 - 1) In hot weather, follow "Hot Weather Requirements", per IBC Section 1905.13, ACI 318, Section 5.13.
 - 2) In cold weather, follow "Cold Weather Requirements", per IBC Section 1905.12, ACI 318, Section 5.12.
- s) All reinforcing steel and anchor bolts shall be accurately located and adequately secured in position before and during placement of concrete.
- t) All details of fabrication and installation of reinforcing steel shall be in accordance with the ACI Manual of Standard Practice.
- u) Client shall level completed foundation before commencing framing and record any variations in the foundation of 1/2" or greater.

5. FRAMING / LUMBER

- a) Roof plywood thickness is per APA load tables based upon roof live load and framing spacing. Apply face grain perpendicular to framing, stagger panels and nail per plan.
- b) Floor plywood shall be APA rated plywood and glued and nailed per plan.
- c) Plywood shall conform to APA, PS 1 Shear plywood shall be "Exposure 1" C-D, G-C, or rated panel siding, and. Alternate sheathing may be substituted for floors, roofs, and shear walls provided they are structurally equivalent to the plywood specified. Plywood permanently exposed to weather and/or moisture shall be rated "Exterior".
- d) Wood structural panel diaphragms and shear walls shall be constructed with wood structural panel sheath not less than 4 feet by 8 feet, except at boundaries and changes in framing where minimum sheet dimensions shall be 2 feet by 4 feet. Framing members or blocking shall be provided at the edges of all sheath in shear walls.
- e) Headers that are not specifically addressed in the calculations shall be typical header specified on the plans. (OK by observation).
- f) All foundation sill plates, nailers, and ledgers in direct contact with concrete and within 8" of ground shall be pressure treated Douglas Fir or Hem Fir.
- g) Studs shall be stud grade or better. In no instance shall a stud wall be used to retain soil or resist lateral pressure due to snow loading. In the case of snow build up against a stud wall the owner shall be responsible to eliminate snow to stud wall contact.
- h) All framing lumber shall be Douglas Fir Larch with moisture content less than 19%, and

- i) Glu-lams shall be 24F-V4 and, Glu-lams exposed to weather must be rated for exterior use by the manufacturer or approved protection from exposure to be provided. In beams for floor applications, zero camber shall be provided.
- j) Laminated veneer lumber (LVL) and engineered wood beams (EWB) specified shall have the following minimum design strengths: 1 3/4" wide: F_b=2600 psi, F_v=285 psi, E=1,900,000 psi and 2-1/16" wide 4 up: F_b=2600 psi, F_v=285 psi, E=1,900,000 psi.
- k) Where multiple trimmers or studs are specified, those trimmers are to be stacked in all wall framing and solid vertical grain blocking shall be provided @ all floor levels down to the foundation, and
- l) Where posts with column caps, straps, or bearing plates are called out, for the load is to be transferred to the foundation with posts as specified and solid vertical grain blocking shall be provided @ all floor levels down to the foundation, and
- m) All built up, laminated double or multiple 2X joists and beams shall be nailed together with (3) rows of 16d nails at 12" o.c. staggered, and, Three piece members shall be nailed from each side.
- n) All 4x and 6x posts and columns shall be DF, F1 or better, and, All other 4x and 6x framing members shall be DF, F2 or better, and,
- o) All framing members specified in these calculations are minimum, and larger members may be substituted.
- p) All floor openings shall be between joists, and,
- q) DO NOT drill holes, notch or cut into beams, studs, and joists, unless detailed on the plans.
- r) When using "green" lumber, care shall be taken to allow for the effects of shrinkage. If necessary to avoid sagging, joists, rafters, and beams shall be braced at midspan until lumber has dried out and reached a stable moisture content.
- s) Where feasible manufactured options have been specified, engineer recommends the use of manufactured lumber products in lieu of dimensional lumber in all cases to control shrinkage related problems.

6. TRUSSES

- a) All prefabricated trusses shall be fabricated by a code approved manufacturer. The manufacturer shall be responsible for the design and certification of the trusses.
- b) It is the responsibility of the manufacturer to conform the truss design according to the loading conditions as called for in these calculations, such as (1) live and dead loads, (2) truss spacing, (3) spans and eave overhangs, (4) roof pitch, (5) bearing points, and (6) drag loads.
- c) Client shall supply to the Engineer calculations and shop drawings for approval prior to fabrication.
- d) All calculations and shop drawings shall be signed by a registered engineer of the state in which the structure is to be built.
- e) Trusses shall be designed in accordance with the latest local approved codes and ordinances for all loads imposed, including lateral loads and mechanical equipment loads. Truss fabricator shall review all architectural drawings and meet architectural profiles as indicated.
- f) Shop drawings shall also include the following information: 1) Project name and location 2) All design loads as set forth in these calculations. 3) Member stresses, deflections, type of joint plates, and allowable design values. Truss joints shall be designed per requirements of the Truss Plate Institute (TPI). 4) Type, size, and location of hangers to be used for the project. Hangers shall be designed to support the full vertical load and a lateral load equal to 20% of the vertical reaction. All connectors shall be code approved and of adequate strength to resist the stresses due to the loading involved.
- g) The truss manufacturer shall be responsible for all truss to truss connections, all truss to girder connections, and if the girder truss is made up of more than one truss, all connections between these trusses.
- h) The truss manufacturer shall insure that the truss package meets the profile as required by the contract documents.
- i) Total load deflection shall be limited to L/240. Live load deflection shall be limited to L/360.
- j) Trusses are to be handled, installed, and braced in accordance with BCS 12006 by the TPI and UTCA.
- k) Where truss blocking is called out, the blocking piece shall be the same depth as the adjoining members and capable of resisting a lateral load equal to 500 pounds in its plane, UNO, or be sheathed with 1/2" CDX plywood and nailed with 16d common nails at 6" o.c. edge nailing.
- l) The truss manufacturer shall be responsible for the design of all trusses used as drag or chord members and shall insure that such trusses are placed as required on the framing plans. The amount of load to be laterally transmitted by the member shall be a minimum of 2000 pounds unless otherwise shown on the framing plans.
- m) The truss manufacturer shall provide a means of attic access when spacing is 16" o.c. or less.
- n) Gable end trusses shall be structural, designed to support overhang and to allow a top chord notch of 1/2".
- o) Girder trusses are to be supported by multiple trimmers, and,
- p) All non-bearing walls are to have a 1/2" gap to the bottom chord of trusses.
- q) When snow loads exceed 30 psf the trusses shall be stacked over wall studs at bearing points.

7. HARDWARE / STRUCTURAL STEEL

- a) All hardware specified shall be Simpson Strong-Tie Co. (or equal) installed per manufacturer's specifications, and, All hardware located in wet service locations shall be stainless steel or hot-dipped galvanized. Hardware or fasteners that are in contact with preservative treated (P.T.) or fire retardant treated wood must be stainless steel or hot-dipped galvanized. Additional care must be given to the corrosivity of certain combinations of p.t. lumber and uncoated and even coated hardware and fasteners. It is anticipated that the chemical treatments of the available lumber in any region will change over time. Check with the p.t. lumber manufacturer in regards to the exact chemical composition of the p.t. treated lumber being used, and then contact the engineer of record to verify the correct specification for the hardware and fasteners.
- b) Structural steel shall conform to ASTM A36, and, structural wide flange steel shall conform to ASTM A992 GR50, and, Pipe columns shall conform to ASTM A53, Type E or S, and, Hollow structural steel sections shall conform to ASTM B09, Grade B, and,
- c) All welding shall conform to the American Welding Society specifications. All welding shall be done by welders certified by the local building authority. All shop welding shall be in an approved fabricator's shop authorized by the local building authority or specific inspection per the IBC shall be provided. All field welding shall require special inspection per IBC Section 1704.
- d) All welding electrodes shall be E70XX or shielded wires with F_y greater than 70ksi.
- e) All nails specified are common nails. Nails for sheathing may differ as specified in the shear wall schedule. No substitutions unless specified on plans or in these calculations or approved in writing by Engineer.
- f) The minimum nailing for all framing shall conform to IBC Table 1304.3.1.
- g) All bolts specified must meet ASTM A307. Bolt holes shall be 1/32" to 1/16" larger than the specified bolt. Washers shall be used at each bolt head and nut next to wood. All washers to be not less than standard cut washers.
- h) Provide 225" (3 GA.) x 3" x 3" washers on all foundation anchor bolts.
- i) In steel to steel connections thread shall be excluded from shear plane.

8. DESIGN LOADS

- a) All floor and roof systems shall be designed per the IBC Chapter 16. Use floor design loads as set forth in Table 1607.1 of the IBC. Use roof design loads as set forth in Section 1607.1 of the IBC.
- b) Snow loading as per Figure 1609.1 and Section 1609 of the IBC, and ASCE 7 and local amendments.
- c) Where snow loads occur that are in excess of the design conditions, the structural systems shall be designed for such loads as determined by the local building official.
- d) Every building or structure and every portion thereof shall be designed to resist wind effects in accordance with IBC Section 1609 and ASCE 7.
- e) Every building or structure and every portion thereof shall be designed to resist the effects of seismic ground motions in accordance with IBC Section 1613 and ASCE 7.
- f) Design snow loads of 30 psf or less need not be combined with seismic loads. Where design snow loads exceed 30 psf the design snow load shall be included with seismic loads, but may be reduced up to 80%. Some jurisdictions use lesser reductions, see seismic calculations.

ABBREVIATIONS

ABV Above	(E) Existing	E Plate
ADDL Additional	EXT Exterior	PLY Plywood
AN Anchor Bolt	FN Field Nail / Face Nail	PSF Pounds Per Square Foot
AT At	FLR Floor	PSI Pounds Per Square Inch
BM Beam	FTG Footing	PT Pressure Treated or Preservative Treated
BRG Bearing	FDN/FND Foundation	RUD Reduced
BLW Below	GLB Glued Laminated Beam	REQD Required
BLKG Blocking	GYPB Gypsum Board	SCHED Schedule
B/S Both Sides	HGR Hanger	SW Shear Wall
BN Boundary Nailing	HDR Header	SM Similar
CANT Cantilever	HSS Tube Steel	SPEC Specification
CL Centerline	HF Hem-Fir	SG Square
COL Column	HD Holddown	SGR Square Footage
CONC Concrete	HORIZ Horizontal	STAGG Staggered
CMU Concrete Masonry Unit	INT Interior	STD Standard
CONT Continuous	JST Joist	STL Steel
DL Dead Load	LVL Laminated Veneer Lumber	STRUC Structural
DET/DTL Detail	LL Live Load	THRD Threaded
D Diamter	MB Machine Bolt	TN Toe Nail
DBL Double	MFR/MFRG Manufacturer	TAG Tongue & Groove
DF Douglas Fir, North	MAX Maximum	T.O. Top Of
DWG Drawing	MIN Minimum	TYP Typical
EA Each	(N) New	U Under
EE Each End	N/A Not Applicable	UNO Unless Noted Otherwise
ES Each Side	NTS Not to Scale	VF Verify In Field
EN Edge Nailing	N# Number / Pounds	VERT Vertical
EWB Engineered Wood Beam	O.C. On Center	W/F Welded Wire Fabric
EWC Engineered Wood Column	O/S One Side	W/M Welded Wire Mesh
EMBED Embedment	O/ Over / On	W/ With
EQ Equal	P/S Parallel Strand Lumber	

PROJECT DESCRIPTION

New Permanent Shade Structure To Be Built Independent Of Existing Structures. The Intention Is To Utilize This Space In Lieu Of Existing Indoor Space For Small Music Gatherings Every Friday Evening During Summer Months And For Two Special Events Per Year. Special Events Are: 1. Story Share In May And 2. Harvest Of Voices In September. Occupancy Loads Are To Be 10 Persons For Special Events And 40 Persons For Friday Music Gatherings. Existing Indoor Venue Has A Capacity Of 140 Persons And Has Been Approved For Event Parking. Events Will Not Be Held In Both Indoor And Outdoor Spaces Simultaneously.

CODE REVIEW

AHJ: Town of Paonia
 CODE: 2018 IBC
 OCCUPANCY CLASSIFICATION: A-3
 TYPE OF CONSTRUCTION: Y-B
 AREA: 1070 SF
 OCCUPANT LOAD: 10 Max
 BUILDING HEIGHT: 16'-9" Max

Weathering Severe
 Termite Moderate
 Winter Design Temp 3 F
 Ice Barrier Underlayment Not Req'd
 Flood Hazard N/A
 AFI 1500
 Mean Actual Temp 49 F

DESIGN CRITERIA

DESIGN PARAMETERS
 Site Elevation: 5654 Ft. Design Wind Speed: 125 MPH (Vult) Seismic Design Category: C
 Ground Snow Load: 33 PSF Exposure: B
 Duration Factor (Cd): 1.5

ROOF FRAMING DESIGN LOADS

Rafter Spacing Per Plan
 After Loading:
 LIVE LOAD = 21 PSF
 DEAD LOAD = 8 PSF
 TOTAL LOAD = 35 PSF

ROOF PLYWOOD

3/4" CDX/ACX - Apply Face Grain Perpendicular To Framing, Stagger Panels And Nail w/ 16d Common @ 6" o.c. At Supported Edges, Gable Ends, And Frieze Blocks, Nail @ 12" o.c. In The Field, UNO. Or Install 8mm Topgal Standing Seam Polycarbonate Sheathing Per Manufacturer Instructions.

SOILS

Frost Depth = 24"
 Assumed Soil Bearing Capacity = 1500 PSF



DATE	DESCRIPTION

DESIGNED BY OTHERS	DATE: 02/20/23
DRAWN BY: LCH/CO BY: JSR	
REVIEWED BY: LUT	
SUBMITTED BY: OTHERS	
FILE NAME:	
PLOT SCALE:	
PLOT DATE:	

OPISEA ENGINEERING
 P.O. Box 1809
 210 Grand Avenue
 Paonia, CO 81458
 970-527-9540
 opisea.net

BLUE SAGE CENTER FOR THE ARTS
 SAGE ALLEY SHADE STRUCTURE
 226 GRAND AVENUE
 TOWN OF PAONIA, COLORADO

STRUCTURAL NOTES
 53.0

Sec. 16-3-80. Schedule of requirements, commercial and industrial districts.

**Table 16-4
Schedule of Requirements - Commercial and Industrial Districts**

Requirements	C-1 District	C-2 District	I-1 District	I-2 District
Minimum Lot Area				
Nonresidential	2,500 sq. ft.	8,000 sq. ft.	8,000 sq. ft.	10,000 sq. ft.
Residential	6,000 sq. ft. ¹	6,000 sq. ft. ²		
Combined residential/commercial	2,500 sq. ft.	8,000 sq. ft.		
Minimum Lot Width	25 ft.	50 ft.	50 ft.	100 ft.
Maximum Building Height	35 ft.	35 ft.	25 ft. 2	35 ft.
Yard requirements				
All yard areas adjacent to an arterial street	0 ft.	50 ft.	50 ft.	75 ft.
Front yard setback				
arterial	0 ft.	50 ft.	50 ft.	75 ft.
collector	0 ft.	25 ft.	35 ft.	50 ft.
local	0 ft.	25 ft.	25 ft.	50 ft.
Side yard setback	0 ft.	10 ft.	10 ft.	20 ft.
Rear yard setback	20 ft.	20 ft.	20 ft.	30 ft.
Minimum landscaped open space	-	10%	10%	10%

² Unless the building is set back at least 150 feet from adjacent lot of lots in the R-1 or R-2 Districts, and if it is determined that the building will not block the view of adjoining R-1 or R-2 developed properties.

(Ord. No. 2000-02, Art. X, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-10. Off-street parking spaces required.

- (a) The following number of off-street parking spaces shall be provided with the construction, addition or change of use, which requires a special review to any of the buildings, and uses listed in Table 16-5 below.
- (b) Parking spaces shall be at least nine (9) feet by nineteen (19) feet, except that up to twenty-five percent (25%) of the required spaces may be designated for compact cars with a minimum space of eight (8) feet by sixteen (16) feet.
- (c) Table 16-5 below sets forth the parking requirements for uses.

**Table 16-5
Off-Street Parking Space Requirements**

Use	Parking Requirements
Residential units:	
Efficiency or one-bedroom	1.5 spaces per unit
Two-bedroom	2.0 spaces per unit
Three-bedroom	2.5 spaces per unit
Four or more bedrooms	3.0 spaces per unit
Additional requirements for multiple-family residential and mobile home parks with 6 or more units (guest parking)	0.25 space for each unit
Multiple-family housing for the elderly or the handicapped	1.0 space per unit
Educational facilities:	
Preschool nurseries or child care centers, Kindergarten and elementary schools and middle schools	1.0 space per classroom plus 1.0 space per employee
High schools	1.0 space per employee, plus 1.0

	space for every 4 students, plus 1.0 space for every 4 seats in the principal place of assembly (bench capacity is determined as 1.0 seat per 30")
Commercial uses:	
Animal hospitals	1.0 space for every 300 sq. ft.
Business and professional offices	1.0 space for every 250 sq. ft. of floor space
Drive-thru or fast food restaurants	1.0 space for every 2 seats or 1.0 space for every 100 sq. ft., whichever is greater, plus 1.0 largest work shift
Furniture and appliance stores	1.0 space for every 500 sq. ft. of floor area
Hospitals	1.0 space for every 2 beds plus 1.0 space for every employee in the largest work shift
Indoor restaurants and bars	1.0 space for every 3 seats or 1.0 space for every 200 sq. ft. of floor area, whichever is greater
Libraries	1.0 space for every 400 sq. ft. of floor area plus 1.0 space for every 2 employees
Medical and dental offices and clinics	1.0 space for every 200 sq. ft. of floor space
Motels, hotels, lodges and bed and breakfasts	1.0 space per unit plus 2.0 spaces for the owner or manager's unit

Motor vehicle sales	1.0 space for every 500 sq. ft.
Motor vehicle service and repair	1.0 space for every 300 sq. ft. of floor area
Nursing homes and rest homes	1.0 space per 4 beds plus 1.0 space for each employee
Retail businesses except for furniture and appliance stores	1.0 space for every 300 sq. ft. of floor area
Wholesale businesses and warehouses	1.0 space for every 1,000 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Industrial uses	1.0 space for every 500 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Places of public assembly such as churches, auditoriums, meeting rooms, funeral homes	1.0 space for every four seats or benches in the principal place of assembly (Bench capacity is determined as one seat per 30 inches)

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)



Dear Town of Paonia,

The Blue Sage Center for the Arts would like to build a gazebo - like structure in the back space of our building, at 226 Grand Ave, Paonia.

The structure will house Sage Alley, and enables us to hold outdoor events during the summer months. The structure gives patrons relief from sun and rain during events. Access from the patio is available to the gallery, and 3 bathrooms, one handicap accessible, through an existing doorway.

Originally, 2 years ago, our Executive Director approached the administration of the Town of Paonia for approval for a tent to hold events in the summer months. The administrator came over to the site and gave approval for the tent and location of the fence (at zero setback). We then received a Town Trustee and State of Colorado approval to expand our liquor license to serve the outdoor enclosed area. Unknown to us, requesting and receiving this verbal approval was not the proper protocol to follow. We recently discovered this when we applied for a building permit for the new permanent structure.

Over the last 2 years, Sage Alley, housed in the temporary tent structure, has become a welcomed haven for locals and visitors alike. Every Friday, from June through October, we are able to provide 20 local musicians an opportunity to perform. This venue offers an economic opportunity, not only for the musicians, but also for the Blue Sage. Through beverage sales we were able to make a substantial amount of revenue in 2022. Music performances are free to the public. Many of the locals who attend can not afford to pay a cover charge but we embrace the importance of providing events to engage our community. Our events see an average of 70 people a week who come to enjoy the music. Of these 70 people attending, there are often visitors who come to enjoy our town. Sage Alley adds flavor and vitality to the Paonia and helps to build our economic base. We have also offered the space for free to other local nonprofits to use.

Your review and ruling in a timely manner are extremely important. We currently have a grant to cover 50% of the cost of the permanent Sage Alley Structure. If the structure is not completed by year end 2023, we could lose the grant. To date, the Blue Sage has made a monetary commitment of \$15,000 for this project, which we will lose if the project is not completed. Local fundraising specific to the Sage Alley project has raised \$12,000 demonstrating community support.

The Blue Sage Center for the Arts recently submitted an application for this project. The Building Inspector reviewed and sent a preview report before the Town Administrator had a chance to review. Moving forward, we would like to make sure we are following proper protocols and submitting all necessary documents. As per the Inspector's review, we are not in compliance due to a necessary 12 ft set back, and we need to provide an additional 17.5 parking spaces with the new structure. Regarding parking, we are requesting that the current building occupancy be used instead of requiring the additional 17.5 parking spaces. Small towns are dying because building codes do not take into effect the short-term impact that long term, cookie-cutter planning has on struggling non- profit organizations and local businesses. Parking has never been a problem for Sage Alley, nor for the Blue Sage.

We are also requesting a zero-setback requirement. The current building has a zero set back so the Sage Alley structure would also need a zero set back.

We ask that you take this opportunity to allow us to continue to provide Paonia with a space for everyone to enjoy and use. This space has already proven to add vitality to our community. Please do not let this benefit to our community go by the wayside.

Respectfully,

Blue Sage Center for the Arts

ARTICLE 11. ACCESSORY BUILDINGS, STRUCTURES AND USES

Sec. 16-11-10. Generally.

Accessory buildings, structures and uses may include, but are not limited to, the following:

- (1) Home occupations.
- (2) Renting of rooms.
- (3) Horses and household pets.
- (4) Fences, hedges and walls.
- (5) Private greenhouses.
- (6) Private swimming pools.
- (7) Storage and merchandise in commercial districts.
- (8) Fallout shelters.
- (9) Detached garages.
- (10) Tennis courts.
- (11) Storage sheds for residential areas.

(Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-11-20. Home occupations.

A home occupation shall be permitted as an accessory use, provided that a home occupation permit is granted by the Town and the criteria for home occupations are met.

- (1) *Permit required.* A person desiring to establish a home occupation within the Town shall apply as follows:
 - (a) An application shall for home occupation shall be made to the Town Administrator, or its designee, in the form provided by the Town and accompanied by the appropriate fee as set by Resolution of the Board of Trustees.
 - (b) Upon the receipt of a completed application for a home occupation permit, the Town Administrator, or its designee, shall notify the applicant within ten (10) days that such application is complete.
 - (c) Thereafter the Town Administrator, or its designee, shall notify the applicant and set a date of public hearing before the Town Board of Trustees that will allow time for publication and notification of adjoining property holders.
 - (d) Upon the setting of a public hearing before the Board of Trustees the Town Clerk shall notify the property owners within two hundred (200) feet of the applicant's property by regular mail at the applicant's expense. The notification will include the nature of the application, a copy of this Article and the time and place of a public hearing.

-
- (2) *Revoke the permit.* A home occupation permit may be revoked by the Town Administrator if at any time the home occupation fails to meet the criteria listed below.
 - (3) *Nontransferability.* Home occupation permits are issued to an individual for a specific property and use. Permits are not transferable should the property be sold or rented to other persons.
 - (4) *Criteria for home occupations.* A home occupation shall be allowed as a permitted accessory use, provided that the following conditions are met:
 - (a) The use must be conducted entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling and no more than one (1) non-occupant employee.
 - (b) The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof.
 - (c) The total area used for such purposes may not exceed twenty-five percent (25%) of the first-floor area of the user's dwelling unit.
 - (d) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation, including advertising signs or displays or advertising that solicits or directs persons to the address. A wall-mounted identification sign of not more than two (2) square feet shall be permitted.
 - (e) There shall not be conducted on the premises the business of selling inventory, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupation.
 - (f) There must be no exterior storage on the premises of material or equipment used as a part of the home occupation.
 - (g) No equipment or process shall be used in such home occupation, which creates any glare, fumes, odors or other objectionable conditions detectable to the normal senses off the lot if the occupation is conducted in a single-family dwelling or outside the dwelling unit if conducted in other than a single-family dwelling.
 - (h) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met with additional off-street parking spaces that are not located in a required yard adjacent to a street.
 - (i) Under no circumstances shall any of the following be considered a home occupation: Antique shop, barber shop, a beauty parlor (with more than one [1] chair), clinic, mortuary, nursing home, restaurant, veterinarian's clinic or dance studio.

(Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2019-06, § 2, 8-13-2019)

Sec. 16-11-30. Renting of rooms.

- (a) *Single-unit dwellings.* The renting of rooms to one (1) or two (2) persons, not members of the family residing in the same single-unit dwelling, may be permitted as an accessory use, provided that the following conditions are met:
 - (1) The total number of unrelated persons, including roomers in any one (1) dwelling unit, must not exceed three (3).

-
- (2) Quarters used by the roomers must not be more than twenty-five percent (25%) of the total floor area of the dwelling unit.
 - (3) The dwelling unit must have only one (1) electric meter.
 - (4) Where the renting of rooms is to two (2) roomers, at least one (1) additional off-street parking space must be provided per room.
- (b) Multi-unit dwellings. The renting of rooms to one (1) or two (2) persons, not members of the family residing in the same multi-unit dwelling, may be permitted as an accessory use, provided that the total number of unrelated persons, including roomers, in any dwelling unit must not exceed three (3). Where the renting of rooms is to two (2) roomers, at least one (1) additional off-street parking space must be provided per room.
- (c) In addition to normal residential off-street parking requirements, one (1) additional off-street parking space shall be provided on site for each lodging room. Ingress and egress shall meet requirements of the IBC and ADA. Separate bath and sanitary facilities from those of the host must be provided for each two (2) guest rooms.
- (d) In residential districts, landscaping and screening shall be provided to maintain the residential character of the building and preserve the right of neighboring residents to enjoy a peaceful occupancy of their homes.
- (Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-11-40. Reserved.

Editor's note(s)—Ord. No. 2017-11 , § 2, adopted October 10, 2017, repealed § 16-11-40, which pertained to fences, hedges and walls. See Code Comparative Table for complete derivation. Subsequently, § 3 of such ordinance added § 18-9-10.

Sec. 16-11-50. Reserved.

Editor's note(s)—Ord. No. 2017-11 , § 2, adopted October 10, 2017, repealed § 16-11-50, which pertained to swimming pools, hot tubs, and Jacuzzis. See Code Comparative Table for complete derivation. Subsequently, § 3 of such ordinance added § 18-9-20.

Sec. 16-11-60. Requirements for accessory buildings and uses.

- (a) All detached accessory buildings shall be located in the rear one-half (½) of the lot.
- (b) On an interior lot, the minimum setback from the rear lot line shall be ten (10) feet and from the side yard line shall be six (6) feet if there is no alley or five (5) feet from an existing alley easement line.
- (c) On double-frontage lots, the minimum setback from the rear property line shall be the same as the front yard setback for principal uses within that district.
- (d) On corner lots, the accessory building shall not be located closer to the street-side property than the required six (6) feet for the principal use.
- (e) Accessory buildings shall not exceed fifteen (15) feet in height.
- (f) The floor area of accessory uses shall be included in the determination of the maximum lot coverage.

(Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)



August 17, 2023

Town of Paonia
PO Box
Paonia, CO 81428

Dear Stefen and the Town of Paonia,

The purpose of this letter of agreement (LOA) is for the Blue Sage Center for the Arts (BSCA) to address the occupancy load at the BSCA to include the Sage Alley covered patio.

The BSCA will use current occupancy load of 144 for Curtis Hall and 110 for the Gallery/Gift shop to also include the Sage Alley covered patio. The Blue Sage will not exceed the total occupancy limit and will be allowed to use all spaces concurrently.

Formal Agreement

The formal agreement will become effective upon signatures on this letter from the Town of Paonia and the BSCA.

Force Majeure

Neither party shall be considered in default or in breach of the forma agreement, when such failure or delay to perform should be triggered by any act or force of nature beyond either party’s control.

Notice

Both parties agree that any notices provided in connection with the formal agreement, shall be made in writing by registered or certified mail.

Prevailing Law

The formal agreement shall be governed in accordance with the prevailing laws of the State of Colorado. The provision of this agreement shall be construed in such a manner that shall render this an effective and valid legal instrument under current applicable law. Should any part of this formal agreement be deemed ineffective or unenforceable, only that specific provision shall be invalid and unenforceable, without affecting or invalidating any of the remaining provisions contained within this formal agreement.

Legal Remedies

Should either party seek legal remedy to enforce or interpret the provision contained in this formal agreement, the prevailing party shall be entitled to reasonable attorney fees, in conjunction with any other relief deemed appropriate by the court to which the party may be entitled.

Both parties acknowledge that the terms set forth in this letter accurately reflect the terms being agreed to by the parties.

Blue Sage Center for the Arts
Debra Muzikar, Executive Director

Town of Paonia
Stefen Wynn , Town Administrator

_____ Date _____

_____ Date _____



August 17, 2023

Town of Paonia
PO Box
Paonia, CO 81428

Dear Stefen and the Town of Paonia,

The purpose of this letter of agreement (LOA) is for the Blue Sage Center for the Arts (BSCA) to address the parking requirements for the Sage Alley covered patio.

The BSCA will use the Town of Paonia’s parking lot, located in the alley between Grand Ave and Main Street and will also use the parking lot located on Main Street where the electric car charging station is located. These locations will be used to address the need for additional parking for the covered patio the BSCA will be building.

Formal Agreement

The formal agreement will become effective upon signatures on this letter from the Town of Paonia and the BSCA. This agreement shall remain in effect until such time as there is no longer a parking space requirement required by the Town parking code.

Force Majeure

Neither party shall be considered in default or in breach of the forma agreement, when such failure or delay to perform should be triggered by any act or force of nature beyond either party’s control.

Notice

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Blue Sage Center for the Arts
Debra Muzikar, Executive Director

Town of Paonia
Stefen Wynn , Town Administrator

_____ Date _____

_____ Date _____



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	Public Hearing for Blue Sage Center for the Arts
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	9.21.23
BACKGROUND:	<ul style="list-style-type: none"> • Application has been received. • Fees have been received and documented. • Public Hearing has been Noticed in the Delta County Independent 15 days before the scheduled hearing. • Public Hearing has been Noticed at 226 Grand Avenue 10 days before scheduled hearing, posted by Town staff. • All owners within 200 ft of 226 Grand Avenue have been mailed a Notice of the scheduled public hearing, 10 days before.
BUDGET:	\$250.00 to 10-32-04 - Licenses and Permits
RECOMMENDATION:	All legal requirements have been met for the Public Hearing Process for a special review of this variance request.
ATTACHMENT:	Public hearing notice Affidavit of publication Notification letter Proof of mailing

**TOWN OF PAONIA, COLORADO
NOTICE OF PUBLIC HEARING**

NOTICE is hereby given that the Town of Paonia Planning Commission will hold a Public Hearing at 4:00 pm on Thursday, September 21, 2023, at the Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428.

The purpose of the Public Hearing will be to consider a variance for the rear setback, and parking minimums of the Paonia Municipal code. The petitioners, The Blue Sage Center for the Arts, requested the variance to build a shaded porch on the back of the building on their property located at 226 Grand Avenue, Paonia, CO 81428.

Any person may appear at the Public Hearing and be heard regarding the matters under consideration. For further information concerning the Public Hearing, please contact the Town Clerk at 970-527-4101 or samirav@townofpaonia.com during regular business hours or mail comments to Attn :Town Clerk PO Box 460, Paonia, CO 81428 by September 15th, 2023.

Dated the 29th day of August, 2023.

TOWN OF PAONIA, COLORADO

Samira M Vetter
Town Clerk

AFFIDAVIT OF PUBLICATION

State of Florida, County of Charlotte, ss:

Bailee Liston, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Delta County Independent, a newspaper printed and published in the City of Delta, County of Delta, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

6 Sep 2023

13 Sep 2023

NOTICE ID: traYDt2TW3zphg8X1rno

PUBLISHER ID: DCI000019

NOTICE NAME: Blue Sage Alley Variance

Publication Fee: 47.84

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Bailee Liston

(Signed) _____

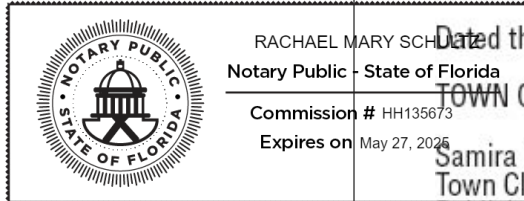
VERIFICATION

State of Florida
County of Charlotte

Subscribed in my presence and sworn to before me on this:
09/13/2023

Rachael Mary Schulte

Notary Public
Notarized online using audio-video communication



**TOWN OF PAONIA, COLORADO
NOTICE OF PUBLIC HEARING**

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Dated the 29th day of August 2023.

TOWN OF PAONIA, COLORADO

Samira M Vetter
Town Clerk

Published Wednesday, September 6, 13, 2023

Town of Paonia



September 11, 2023


TOWN OF PAONIA, COLORADO NOTICE OF PUBLIC HEARING

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Dated the 29th day of August, 2023.


Samira M Vetter
Town Clerk

LARIO ROBERT
PO BOX 778
CO, PAONIA
81428-0778

MANNAN WILLOW W
PO BOX 926
CO, PAONIA
81428-0926

LEHMAN ROBERT C
204 SCOTCHPINE DR
LA, MANDEVILLE
70471-2545

MEDRANO INVESTMENTS LLC
PO BOX 1467
CO, PAONIA
81428-1467

CHITTENDEN LAURA JANE
PO BOX 967
CO, PAONIA
81428-0967

232 GRAND LLC
PO BOX 304
CO, PAONIA
81428-1554

234 GRAND AVENUE LLC
PO BOX 943
CO, PAONIA
81428-0943

LINDSEY FAMILY TRUST
380 HIGHWAY 92
CO, CRAWFORD
81415-9184

PAONIA MAIN LLC
PO BOX 356
CO, PAONIA
81428-0356

COMMUNITY COLLECTIVE LLC
215 LEFT FORK ROAD
CO, BOULDER
80302-9251

FRIENDS OF THE PARADISE THEATRE
PO BOX 886
CO, PAONIA
81428-0886

~~PAONIA TOWN OF
PO BOX 160
CO, PAONIA
81428-0460~~

~~PAONIA TOWN OF
PO BOX 480
CO, PAONIA
81428-0460~~

~~PAONIA TOWN OF
PO BOX 460
CO, PAONIA
81428-0460~~

CORONA REBECCA ANN
PO BOX 1667
CO, PAONIA
81428-1667

KENNEDY LLC
PO BOX 1554
CO, PAONIA
81428-1554

BLUE SAGE CENTER FOR THE ARTS INC
PO BOX 700
CO, PAONIA
81428-0700

TREEHOUSE PROPERTIES LLC
12970 ROEBER RD
CO, PAONIA
81428-4115

NORTH FORK VALLEY PUBLIC RADIO INC
PO BOX 1350
CO, PAONIA
81428-1350

SMITH LINDA J
PO BOX 1562
CO, PAONIA
81428-1562

DELTA COUNTY MEMORIAL HOSPITAL DIST
PO BOX 10100
CO, DELTA
81416-0008

OLD CAVE CAFE BUILDING
PO BOX 279
CO, PAONIA
81428-0279

BLUE SAGE CENTER FOR THE ARTS
PO BOX 700
CO, PAONIA
81428-0700

DELTA COUNTY CITIZENS FOR
PO BOX 1736
CO, PAONIA
81428-1736

RIGGS SKYE LAUREL
39405 LUND RD
CO, PAONIA
81428-6447

~~PAONIA TOWN OF
PO BOX 460
CO, PAONIA
81428-0460~~

~~PAONIA TOWN OF
PO BOX 460
CO, PAONIA
81428-0460~~

Town of Paonia
214 GRAND
PO BOX 480
PAONIA CO

Tow
214
PO
PA

Town of Paonia
214 GRAND AVE
PO BOX 480
PAONIA CO 81428-0480

RIGGS SKYE LAUREL
39405 LUND RD
CO, PAONIA
81428-6447



PO BOX
CO, PAONIA
81428-1736

CHITTENDEN
PO BOX 967
CO, PAONIA
81428-0967