

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 10
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
SECTION 16-3-90 OF THE RIFLE MUNICIPAL CODE REGARDING
TEMPORARY USE PERMIT EXCEPTIONS

WHEREAS, Section 16-3-90 of the Rifle Municipal Code sets forth the requirements of temporary use permits in the City and Subsection (d) sets forth specific exceptions to those requirements; and

WHEREAS, the Planning Commission directed Staff to propose changes to the temporary use regulations excepting a food vending truck from the limitation of the number of temporary use permits issued in certain zone districts when used in conjunction with a permanent business on the same property; and

WHEREAS, rather than make an additional exception to the requirements for temporary use permits, the City Council desires to revise the number of permits issued in geographic areas of the City to meet the same policy objectives.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The aforementioned recitals are hereby fully incorporated herein.
2. Section 16-3-90(d) of the Rifle Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

Sec. 16-3-90. – Temporary uses.

(g) Prepared food temporary uses.

- (1) A limited number of prepared food temporary uses shall be permitted in the Community Service (CS), Tourist Commercial (TC) and Central Business District (CBD) zone districts. For purposes of prepared food temporary use permits, the City is divided into the following two (2) ~~four (4)~~ geographic districts, with the applicable permit criteria:
 - ~~a. South Rifle District. The South Rifle District includes all land zoned for temporary uses within the City south of the Colorado River. Three (3) prepared food vendors shall be permitted at any one (1) time.~~
 - ~~b. North Rifle District. The North Rifle District includes all land zoned for temporary uses within the City that is north of the Central Business District. Two (2) prepared food vendors shall be permitted at any one (1) time.~~

- e. ~~West Rifle District. The West Rifle District includes all land zoned for temporary uses within the City that is west of the Central Business District, north of the Colorado River and south of 3rd Street. One (1) prepared food vendor shall be permitted at any one (1) time.~~
 - d. ~~Central business District. Three (3) prepared food vendors shall be permitted in the Central Business District at any one (1) time on private property or at the City Hall/Library Civic Plaza.~~
 - a. General Commercial District. Six (6) prepared food vendors shall be permitted in areas of the City zoned Tourist Commercial (TC) and Community Service (CS).
 - b. Central Business District. Three (3) prepared food vendors shall be permitted in the Central Business District at any one (1) time on private property or on public plazas.
- (2) The following restrictions apply to prepared food temporary use permits in each district:
- a. ~~South Rifle District, North Rifle District, West Rifle~~General Commercial District. Applicants that meet all of the temporary use permit criteria shall receive permits on a first-come, first-serve basis until the limit on the number of permits ~~in the requested district~~ is reached. Each permit shall be valid for one (1) year. If an applicant holding a valid temporary use permit wishes to renew the permit, the applicant may submit a new application before the one-year time limit expires and receive first review and approval priority regardless of other submitted applications for that district. If the applicant allows the permit to expire before submitting a new application, that permit shall be open to new applicants on a first-come, first-served basis.
 - b. Central Business District.
 - 1. Prepared food temporary use applications are due to the Planning Department by March 1 of each year. By April 1, a maximum of three (3) Central Business District permits will be issued to vendors that meet all application criteria for the following year (April 1 through March 31). If more than three (3) valid applications are submitted by March 1, the Planning Director or his or her designee will choose three (3) vendors that receive the highest scores based on application criteria established by the Planning Director by January 1 of each year and set forth in the Mobile Vending Application. If fewer than three vendors apply before March 1, qualified vendors shall be accepted throughout the year until the maximum number permitted is reached. Each permit shall be valid from April 1 to March 31 of a given year, regardless of when issued.
 - 2. Prepared food vendors shall not be permitted on streets, parking spaces, or sidewalks~~public rights-of-way~~.
 - 3. The maximum cart size for prepared food vending carts in the Central Business District shall be eight (8) feet long by six (6) feet wide by eight (8) feet tall. Vehicle-based vendors shall not be permitted. Vending carts and equipment must be removed when not in operation.

4. Temporary use permits for the Library/City Hall Civic Plaza shall be issued via the Rifle Parks Vending Permit application process, but shall still count towards the three (3) vendors permitted in the Central Business District.
3. This Ordinance shall become effective May 1, 2016.

INTRODUCED on March 16, 2016, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on April 6, 2016 passed with amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk