

ORDER NO. 2020- 06

AN ORDER OF THE INTERIM MANAGER OF THE CITY OF DURANGO PURSUANT TO THE EMERGENCY DECLARATION RELATED TO THE COVID-19 HEALTH CRISIS ADOPTING TEMPORARY AMENDMENTS TO THE LAND USE AND DEVELOPMENT CODE RELATED TO ON-SITE PRIVATE PARKING DURING THE PERIOD WHEN THE EMERGENCY DECLARATION IS IN EFFECT

WHEREAS, the Interim City Manager of the City of Durango entered an Emergency Declaration under the provisions of Chapter 9 of the City Code related to the COVID-19 health crisis on March 16, 2020 (the Emergency Declaration); and

WHEREAS, the Durango City Council adopted Resolution No. 2020-07 on March 17, 2020 which ratified and extended the Emergency Declaration (the Resolution); and

WHEREAS, San Juan Basin Public Health Department adopted PUBLIC HEALTH ORDER SJB-20-01 on April 28, 2020 allowing some non-critical retail and personal services businesses to resume operations beginning May 8 while also requiring self-certification of non-critical retail and personal services prior to resuming operations (SJBH Safer La Plata); and

WHEREAS, Colorado Governor Jared Polis has issued a number of orders which have included the closure of in-person dining at restaurants and bars and closures or decreased capacity of other establishments to limit large gathering places. These orders have created a significant economic impact to the operation of businesses within the City; and

WHEREAS, the City of Durango, following the direction of San Juan Basin Public Health, desires to facilitate safe re-opening of businesses in the community in a manner that reduces the risk of increasing the local infection rate; and

WHEREAS, The provisions of the City Code provide a wide range of authority to the Interim City Manager to adopt orders designed to help mitigate the impacts of the COVID-19 virus within the City, including the authority to suspend any City process or to amend other function of the City in a manner that abates or mitigates the effects of the emergency; and

WHEREAS, the health crisis has and will continue to have a severe economic impact on local business which may threaten the continued existence of many of those businesses with locations within the City. It is the intent of this Order to temporarily adopt amendments to the City's Land Use and Development Code (LUDC) Article 4-5 related to Parking and Loading areas in order to relax certain on-site parking requirements for businesses who may want to utilize these on-site parking areas for purposes other than parking of vehicles during the time the Emergency Declaration is in effect.

ORDER:

Based on the foregoing, and pursuant to the authority described in Chapter 9 of the City Code and as affirmed in the Resolution, it is ORDERED as follows:

- a. All properties in commercial, mixed-use, and light industrial zone districts in the City of Durango shall be permitted to use up to 25% of their required on-site parking spaces for purposes other than vehicular parking including, but not limited to, seating, merchandise display, and facilitating “curbside” transactions.
- b. This Order only relates to parking spaces on private property. This Order does not allow any reconfiguration or use of public parking for private purposes.
- c. All furnishings, signage, and merchandise must be adequately anchored while in use.
- d. All furnishings, signage, and merchandise must be taken in at the end of the day and disinfected. No furnishings, signage, or merchandise may remain in the parking areas overnight.
- e. Participants must comply with all applicable state and local public health orders regarding operation of the business including but not limited to self-certification requirements, use of personal protective equipment, and the availability of sanitary supplies.
- f. No use of the parking spaces may cause any type of public safety hazard by restricting visibility, creating trip hazards, or impacting traffic safety.
- g. This Order is the permitting mechanism allowing this conversion of parking spaces and businesses need not obtain any additional approvals from the City of Durango as long as participants adhere to all the conditions listed in this Order.

This Order shall remain in effect until further written action of the Interim City Manager.

Date: May 6, 2020

Aur Blake

Interim City Manager, City of Durango, Colorado