

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2020-03**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO
ENACTING LAND DEVELOPMENT CODE SECTION 2.02, 3.08, 4.06,
AND SECTION 7.05 TO REQUIRE SITE PLAN APPLICATIONS TO BE A
PUBLIC HEARING SUBJECT TO THE PLANNING COMMISSION
FINAL DECISION.**

WHEREAS, pursuant to Section 31-23-305, C.R.S., the Board of Trustees may adopt, alter or amend zoning and regulations; and

WHEREAS, the Board of Trustees believe that site plans should be subject to public hearings; and

WHEREAS, the Palisade Board of Trustees desires to amend the Land Development Code to require section 4.06 to include notice of public hearing and Planning Commission decision; and

WHEREAS, the Town's Planning Commission has recommended to the Board of Trustees that the amendments to the Land Development Code contained in this Ordinance be adopted; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-306, C.R.S., on _____, 2020 a public hearing was held before the Planning Commission to consider a recommendation of an amendment of the Land Development Code to the Board of Trustees as set forth herein, following public notice as required by law; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-304, C.R.S., on _____, 2020 a public hearing was held before the Board of Trustees to consider the amendment of the Land Development Code as set forth herein, following public notice as required by law; and

WHEREAS, the Board of Trustees finds and determines that the amendments to the Land Development Code, as contained herein, are necessary and designed for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Palisade and are consistent with the Town's Comprehensive Plan and the Town's other goals, policies and plans.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Land Development Code Section 4.06.D is hereby amended as follows with double underlined text added and ~~strike through language deleted~~:

Section 2.02 Planning Commission

C. Final Action Authority

3. Site Plan

Section 3.08 Notice of Public Hearing

Table 3.2

	Published	Posted	Mailed	Timing (number of days before hearing)
Site Plan	X	X	X	14

Section 4.06 Site Plan

B. Applicability

~~All proposed development, except for single family detached and zero lot line dwelling units on individual lots, shall be subject to the site plan review process. Development that does not require a building permit or has been approved as part of Section 4.04 for a Minor Subdivision and Section 4.05 for a Major Subdivision is exempt from this section.~~

D. Procedure

4. Staff action

~~The Community Development Director shall make a decision pursuant to Section 3.07. prepare a staff report and recommendation pursuant to Section 3.07.~~

5. Notice of public hearing

The Town shall hold all required public hearings and give notice in accordance with Section 3.08.

6. Planning Commission action

The Planning Commission shall review the application and make a decision pursuant to Section 3.09.

E. Approval Criteria

~~In approving a site plan, the Community Development Director~~ Planning Commission shall consider the following:

F. Appeals

~~An appeal from any final decision by the Community Development Director~~ Planning Commission shall be made within five (5) working days of the final decision in accordance with section 4.14, Administrative Appeal.

Section 7.05 Accessory Uses and Structure

A. Accessory Uses and Structures

8. Any accessory structures that require a building department may be subject to the site plan review procedures of Section 4.06.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on _____, 2020.

TOWN OF PALISADE, COLORADO

By: _____
Roger L Granat, Mayor

ATTEST:

Lindsey Chitwood, Town Clerk

TABLED INDEF.