

**TOWN OF PALISADE, COLORADO  
ORDINANCE NO. 2021-03**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO AMENDING LAND DEVELOPMENT CODE SECTION 6.01 USE TABLE AMENDING THE TOWN'S REVIEW OF APPLICATIONS FOR HEMP GROWING AND PROCESSING, MARIJUANA PROCESSING AND TESTING (NOT SALES), RESTAURANTS THAT INCLUDE A DRIVE-THROUGH, AND GRAVEL PITS.**

**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 Palisade Board of Trustees desires to amend the Land Development Code section 6.01 Use Table to amend the review of applications for hemp growing and processing, marijuana processing and testing (sales are not affected), restaurants that include a drive-through, and gravel pits; 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 February 2, 2021 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 February 9, 2021 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 6.01 Use Table is hereby amended as follows with **red bold language**:

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CP	Specific Use Standards
School (public or private)							P	P			P	Section 7.02B
Technical, trade, business school						P	P	P	P		P	
Utility, minor*	Pump stations, telephone exchanges, lift stations, electric substation or any similar use.	P	P	P	P	P	P	P	P	P	P	
Utility, major*	Water or wastewater treatment plant, water tower, electrical generation plant, wireless telecommunications or transmission facility or any similar use.	C									C	
Commercial Uses												
Agriculture, limited*	Orchard, vineyard, row and field crops, floriculture, pasturage, viticulture, tree or sod farm, silviculture; packing house for fruits or vegetables, produce stand; processing of fruits or vegetables or any similar use.	P									P	Section 7.03B
Amusement center, indoor							P	P	P	P		
Bed and breakfast		P	C	P	P	P	P	P		P		Section 7.03C
Brewpub							P	P	P	P		Section 7.03D
Club, private					C	P	P	P				
Distillery							C	P	P			Section 7.03D
Funeral home								P	P			
Gas station with convenience retail							P	P	P	P		Section 7.03E
<b>Hemp Growing Establishment</b>		<b>C</b>								<b>C</b>		Section 7.03F
<b>Hemp Processing Establishment</b>		<b>C</b>								<b>C</b>		Section 7.03G
Hotel, motel							P	P	P	P		
Indoor recreation*	Amusement or recreational activities carried on wholly within a building, including dance hall, theater, health club or any similar use.					C	P	P	P			
Kennels		C										Section 7.03H
Lumberyard, wholesale								C	P			
<b>Medical marijuana center</b>							C	C	C	<b>C</b>		
<b>Medical marijuana infused products manufacturer center</b>		<b>C</b>					C	C	C	<b>C</b>		
<b>Medical Marijuana Optional premises cultivation operation</b>		C					C	C	C	<b>C</b>		Section 7.03L
Microbrewery							C	P	P	P		Section 7.03D

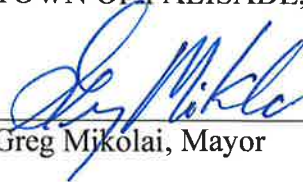
Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CP	Specific Use Standards
Newspaper publisher						P	P	P	P			
Office, general*	Advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, contractor or architect; sales office, travel agency or any similar use.				C	P	P	P	P			
Office, medical*	Doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medical use.					P	P	P	P			
Outdoor recreation*	Any recreational facility where activity takes place primarily outdoors, including RV parks and campgrounds, miniature golf courses, motocross tracks, batting cages, swimming pool, driving range or any similar use.	C					C	C	P			
Outdoor storage, general									P			Section 7.03I
Radio or television studio						P	P	P	P			
Recreational club or lodge, private							C	P				Section 7.03J
Restaurant		C			C	P	P	P	P	P		
<b>Restaurant, drive through</b>									<b>C</b>	<b>C</b>		
Retail, general*	Antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods auto parts (no service repair); plant nursery; plant nursery with landscape supply or any similar use.					C	P	P		P	C	
Retail Marijuana Cultivation Facility, Contiguous		C					C	C	C	C		Section 7.03M
Retail Marijuana Cultivation Facility, Noncontiguous		C					C	C	C	C		Section 7.03M
<b>Retail Marijuana Products Manufacturer</b>		<b>C</b>					C	<b>C</b>	<b>C</b>	<b>C</b>		Section 7.03M
<b>Retail Marijuana Testing Facility</b>		<b>C</b>					C	<b>C</b>	<b>C</b>	<b>C</b>		Section 7.03M

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CP	Specific Use Standards
Manufacturing, limited*	Bulk mailing service; clothing or textile manufacturing; manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items and electrical items; printing, publishing and lithography; production of artwork and toys; sign-making; building maintenance service; exterminator; movie production facility; photo-finishing laboratory; repair of scientific or professional instruments and electric motors; sheet metal; welding, machine, tool repair shop or studio; woodworking, including cabinet makers and furniture manufacturing or any similar use.		P					C	P			Section 7.04B
Processing of food and related products			C					C	C			Section 7.04A
<del>Gravel pits</del>			<del>G</del>									
Research & development*	Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private; prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product; pilot plants used to test manufacturing processes planned for use in production elsewhere; production facilities and operations with a high degree of scientific input; facilities and operations in which the input of science, technology, research and other forms of concepts or ideas constitute a major element of the value added by manufacture per unit of product or any similar use.								C			
Waste service*	Animal waste processing; landfill, incinerator; manufacture and production of goods from composting organic material; outdoor recycle processing center; outdoor storage of recyclable material, including construction material; transfer station; oil and gas facilities or any similar use.								C		C	

\*As set forth in the Use Table, certain uses are grouped together based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers, how goods or services are sold or delivered and likely impact on surrounding properties and site conditions. Grouping uses provides a systematic basis for assigning uses to appropriate base zoning districts. Any use not specifically set forth in this LDC is expressly prohibited, unless determined otherwise as set forth in Section 6.02 below.

**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 February 9, 2021.

TOWN OF PALISADE, COLORADO

By:   
Greg Mikolai, Mayor

ATTEST:

  
Town Clerk

