

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-03**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO
AMENDING THE LAND DEVELOPMENT CODE CLARIFYING THE
EFFECTIVE DATE OF FINAL LAND USE DECISIONS BY THE BOARD
OF TRUSTEES**

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 to clarify the effective date of final land use decisions by the Board of Trustees; 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 November 16, 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 January 11, 2022 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 3.10.A is hereby amended **with new additions underlined and deletions in ~~strikethrough~~** as follows:

Section 3.10 Board of Trustees

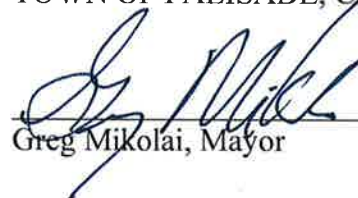
A. Applications Subject to Board of Trustees Decision

1. The Board of Trustees shall hold a public hearing in accordance with this LDC and the Board of Trustees bylaws.
2. The Board of Trustees shall consider the application, applicable review criteria, support material, Planning Commission recommendation (if applicable) staff report and any evidence and/or comments from the public hearing.
3. The Board of Trustees shall approve, approve with conditions or deny the application. The Board of Trustees may also remand the application back to the Community Development Director or the Planning Commission, whichever is applicable, for further review.
4. **The decision of the Board of Trustees on the application is effective upon an affirmative vote after the conclusion of the public hearing.** Unless specifically provided elsewhere, all decisions shall require an affirmative vote. A tie votes shall be considered a denial of any request.
5. ~~Within fourteen (14) days after a decision is made,~~ **A** copy of the decision shall be sent to the applicant and filed with the Community Development Director, where it shall be available for public inspection during regular office hours.

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 January 11, 2022.

TOWN OF PALISADE, COLORADO

By:



Greg Mikolai, Mayor

ATTEST:



Keli Frasier, Town Clerk

