

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-06**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,
AMENDING THE ZONE DISTRICT MAP OF THE TOWN BY ZONING
CERTAIN PROPERTY KNOWN AS 317 W. 8th STREET (MESA COUNTY
PARCEL NO. 2941-031-04-015) FROM COMMERCIAL BUSINESS (CB)
TO PLANNED DEVELOPMENT (PD) ZONE DISTRICT.**

WHEREAS, the Town of Palisade received an application to amend the zone district map for the Town for property located at 317 W. 8th Street, Palisade, Colorado legally described on as Lots 1 thru 12 & Tracts 1 & 2 Clarks Trailer Park (Mesa County Parcel No. 2941-031-04-015) (the “Property”) from Commercial Business (CB) to Planned Development (PD) Zone District; and

WHEREAS, public notice has been given as required by Article 3, Section 3.08 of the Palisade Land Development Code; and

WHEREAS, said application was reviewed before the Planning Commission on January 18, 2022 as required by Article 4, Section 4.02 of the Palisade Land Development Code; and

WHEREAS, the Planning Commission has recommended to the Board of Trustees that it grant the applicant’s request to rezone the Property from Commercial Business (CB) to Planned Development (PD) Zone District; and

WHEREAS, the Board of Trustees finds and determines that the applicants have provided sufficient evidence that the proposed amendment is desirable, based on the criteria set forth in Section 4.02 of the Land Development Code, and it desires to grant the request and rezone the Property.

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


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

Section 2. The zone district map of the Town of Palisade is hereby amended so as to provide that the Property located at 317 W. 8th Street in the Town of Palisade is zoned from Commercial Business (CB) to Planned Development (PD) Zone District with the Planned Development Control Document attached hereto as Exhibit A and incorporated herein by this reference and as shown on Exhibit B.

Section 3. In lieu of the recreation and open space required by Section 8.01(F) and the recreation areas and facilities requirement in Section 7.01.(I)(16) of the Palisade Land Development Code, and in consideration of the pre-existing development of the Property, the owner of the Property shall make a payment to the Town of \$50,000 as a condition of rezoning the Property and recording this Ordinance with the Mesa County Clerk and Recorder.

INTRODUCED, READ, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE, at the regular meeting of the Board of Trustees of the Town of Palisade, Colorado held on January 25, 2025.

TOWN OF PALISADE, COLORADO

By: 

Greg Mikolai, Mayor

ATTEST:



Keli Frasier, Town Clerk



EXHIBIT A

Planned Development Control Document

Winding River Manufactured Home Park Standards:

The requirements contained herein shall, along with the attached map, shall function as the PD Control Document for the Winding River Manufactured Home Park. Should any provision in this document be unclear, Section 7.01.I - Residential – Manufactured Home Park Zoning, of the Land Development Code (LDC) shall be the default.

1) General requirements:

- a. Minimum park area: *3.18 acres*
- b. Maximum density: *38 units (11.96 homes/acre)*
- c. Minimum space or lot area: *No minimum lot area*
- d. Minimum space or lot width: *No minimum lot width*
- e. Minimum building separation:

No minimum building separation requirement. The proposed layout separates buildings at a minimum be thirteen (13) feet side-to-side. The proposed layout also separates buildings at a minimum seven (7) feet end-to end as is the existing condition.

f. Each manufactured home shall be located on a manufactured home space designated on a site plan prepared in accordance with the requirements of Section 4.06, which shall be approved and filed as part of the approval of a new manufactured home park established after the effective date of this LDC and prior to the enlargement of any existing manufactured home park.

A site plan will be provided in accordance with Section 4.06 – Site Plan upon approval of the Planned Development Control Document

g. Up to (2) manufactured home park identification signs may be utilized, but the sum of the areas of one (1) side of these signs shall not exceed forty (40) square feet. Only external, non-flashing lighting shall be used for illumination. The top portion of any sign shall not exceed twelve (12) feet in height.

Acknowledged

h. Within a manufactured home park, one (1) manufactured home shall be used as an administrative office, identified by a sign, in which the office of the person in charge is located. Copies of all required Town and State licenses and permits shall be posted therein and the park register shall be kept in this office at all times.

Requesting a deviation from the requirement that an administrative office be located on-site.

i. Maximum impervious cover shall not exceed fifty percent (50%) of the manufactured lot or space.

Acknowledged

2) Allowed uses: a. Manufactured homes, single-family dwellings and mobile homes lawfully installed prior to the adoption of this LDC.

Only manufactured homes will be present. Requesting to rearrange existing layout and replace/install at least fifteen (15) new mobile homes.

b. Common uses and uses accessory to dwelling units, including recreation facilities for the use of residents of the park only, management offices, laundry rooms, tenant storage lockers, parking areas and garbage and trash disposal facilities.

Acknowledged

3) Site plan, internal relationship: a. The site, including manufactured home spaces, structures and all site improvements, shall be harmoniously and effectively organized in relation to topography, the shape of the tract and the shape, size and position of structures, with consideration for usability of space, appearance and livability. An informal park type of arrangement, with grouping or clustering of manufactured home dwelling units and which conforms to the terrain and natural landscape features, is preferable to a rigid, stylized pattern.

Acknowledged. The site plan will be submitted upon approval of the Planned Development Control Document

4) Streets and accessways:

a. *Paved streets connecting to the existing Town street system shall be twenty-two (22) feet in width. Paved streets inside of the manufactured home park providing one-way directional travel shall be at minimum twenty (20) feet in width. All streets within the manufactured home park shall be private streets.*

b. Convenient access shall be provided to each manufactured home space by an accessway at least fifteen (15) feet in width. Such accessway shall be reserved for maneuvering manufactured homes into position and shall be kept free of trees and other immovable obstructions, but need not be paved. Temporary planks or steel mats may be used during the placement of a manufactured home.

Acknowledged.

c. In the event that the developer of a manufactured home park chooses to retain ownership of streets and accessways, he or she shall be required to dedicate to the Town a blanket emergency service access easement to permit police, ambulance and fire protection personnel to enter the park or subdivision.

A blanket emergency access agreement shall be provided.

In addition, pursuant to Section 42-4-1102, C.R.S., the Town elects to impose and enforce stop sign regulations, speed limits and parking restrictions posted in accordance with the Section 7.01 – Residential Use Standards 7-5 | Page Manual of Uniform Traffic Control Devices upon all streets which are privately maintained in manufactured home parks or subdivisions. The owner of the manufactured home park or subdivision shall provide such signs as may be required by the Town's Engineer and agrees to erect and maintain such signs in conformity with the Model Traffic Code and other applicable regulations.

i. The stop sign placement, speed limits and parking restrictions shall be determined by the Town's Engineer, but shall be consistent with the provisions of Sections 42-4-1101 to 42-4-1104 et al., C.R.S., Sections 42-4-1204, C.R.S. and Section 42-4-1208, C.R.S

Acknowledged.

ii. There shall be posted at each entrance to any manufactured home park or subdivision a sign giving notice of such enforcement in the following text: "NOTICE: Stop sign, speed limits and parking restrictions enforced by the Town."

Acknowledged.

iii. When all signs are in place, stop signs, speed limits and parking regulations shall be enforced and violations thereof punished in accordance with the provisions of the Model Traffic Code, as adopted by the Town.

Acknowledged.

5) Pedestrian Access a. Pedestrian walkways at least two (2) feet in width and having an all-weather surface shall be provided for access to each manufactured home from a paved street or from a paved driveway or parking area connected to a public street.

Acknowledged.

b. Common walkways at least three (3) feet in width and having an all-weather surface shall be provided for access to common facilities and uses from each manufactured home group or cluster. Walkways through the interiors of blocks are preferable to walkways adjacent to streets.

Acknowledged.

6) Parking

a. Parking areas shall be located off-street and shall have an all-weather surface. Parking spaces may be located on each lot or space or on the lot or space immediately adjacent, and the remainder shall be located in common parking areas adjacent to the street or adjacent to a vehicular accessway connected to a street.

Acknowledged.

b. Parking spaces shall be provided at the rate of two (2) parking spaces for each manufactured home, plus one (1) additional parking space for each four (4) manufactured home lots or spaces to provide for guest parking and delivery and service vehicles.

A total of eighty-six (86) parking spaces meeting the total parking space threshold are shown on the drawings.

7) Project boundary buffer

a. A Class C buffer shall be provided (see Section 10.03.D, Landscaping and Buffering) along all project boundaries of a manufactured home park or subdivision, provided that the minimum distance from the line or corner of any manufactured home space to a boundary line of the park or subdivision shall be twenty (20) feet.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park.

8) Signs and numbering of manufactured home spaces

a. Each manufactured home park shall have a sign located adjacent to a public street which includes the name of the park and the street address in letters and numbers in accordance with the following requirement:

Acknowledged.

i. Up to two (2) on-premises permanent signs for each street frontage are permitted, but the sum of the areas of one (1) face of these signs shall not exceed forty (40) square feet.

Acknowledged.

b. Each manufactured home space shall be numbered with four-inch reflective numbers on contrasting background and/or letters set at least forty (40) inches above ground level and clearly visible from public right-of-way.

Acknowledged.

9) Yard requirements a. The following yard requirements shall pertain to every manufactured home in the manufactured home park or subdivision:

i. Minimum depth of street yard, measured from front lot or space line:

Street yard setback minimum of zero (0) feet. Consistent with existing use.

ii. Minimum width of side yard, measured from side lot or space line:

Side yard setback minimum of zero (0) feet. Consistent with existing use.

iii. Minimum depth of rear yard, measured from rear lot or space line:

Rear yard setback of zero (0) feet. Consistent with existing use.

b. Detached garages and accessory buildings may be erected on manufactured home spaces as permitted in Section 7.05, Accessory Uses and Structures

Acknowledged.

10) Utility requirements a. Water and Sewer: i. Water and sewer services and hookups shall conform with the Colorado Department of Public Health and Environment, Sanitary Standards and Regulations for Manufactured Home Parks, as amended from time to time.

Acknowledged

11) Service buildings: *No proposed service buildings*

12) Storage a. Tenant storage facilities shall be provided for materials which cannot be conveniently stored in a manufactured home. A minimum of thirty-two (32) square feet shall be provided for each manufactured home unit.

Acknowledged. Storage sheds can be added.

b. Storage facilities may be located adjacent to the manufactured homes or in common compounds within a reasonable distance from the manufactured homes. Storage facilities shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials appropriate under the use and maintenance contemplated.

Acknowledged.

c. Covered storage sheds on individual spaces and lots shall contain a minimum of forty-eight (48) square feet of floor area for the storage of personal belongings. This requirement may be satisfied by a separate common building that serves more than one (1) manufactured home space, provided that a like amount of space is set aside in each building for each manufactured home space serviced by that building.

Acknowledged.

d. No storage shall be allowed under a manufactured home.

Acknowledged.

13) Landscaping a. Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those undisturbed areas, such as watercourses, left in their natural state.

Acknowledged.

b. Screen planting and/or fencing at least six (6) feet in height shall be provided where Section 7.01 – Residential Use Standards 7-7 | Page necessary for screening purposes, such as around refuse collection points, common recreation areas and playgrounds and at such other points as necessary for screening of objectionable views.

Acknowledged.

14) Streetlights a. All streets in the manufactured home park or subdivision shall be adequately illuminated. Streetlights shall be installed/ located at each intersection.

Acknowledged.

15) Telephone and power lines a. All telephone lines and power lines are to be located underground. Utility easements shall not be less than ten (10) feet in width.

Existing utility poles with overhead wires are present on the northern and western perimeter of the site. Telephone and power line hook-ups to individual units within the site are made via underground connections. No new aboveground telephone or power lines are proposed.

16) Recreation areas and facilities

a. Not less than ten percent (10%) of the total land area of the park or subdivision shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

No common facilities and uses are proposed. The developer agrees to contribute \$50,000 to the Town in exchange for this requirement.

17) Maintenance: The manufactured home park owner or manager shall have the following park maintenance responsibilities.

a. Annual business license for manufactured home parks: No person shall operate a manufactured home park within the Town without first having obtained an annual business license therefor from the Town Clerk. Each manufactured home park shall be licensed for each calendar year and each license shall expire on December 31 of each year.

Acknowledged.

b. Compliance with regulations required: Both the owner and operator of any manufactured home park shall arrange for the management and supervision of the manufactured home park so as to enforce or cause compliance with all of the provisions of this Section.

Acknowledged.

c. Register of tenants required: It shall be the duty of the owner or operator to keep at all times a register, which shall be open at all times to inspection by United States, State, County and Town officers, showing for all tenants in the manufactured home park:

i. The names of all persons inhabiting each manufactured home.

ii. The date of entry and departure of each manufactured home.

iii. The license numbers and state issuing, for each manufactured home and the towing vehicle used to tow the manufactured home into or from the manufactured home park.

Acknowledged.

d. Use restrictions: Both the owner and operator shall prohibit the use of any manufactured home located in the manufactured home park for other than use as a single-family dwelling, with the exception of the park's office.

Acknowledged.

e. Repair and maintenance of facilities: Both the owner and operator of every home park shall be responsible for maintaining in good repair and condition all facilities of the manufactured home park and for maintaining the manufactured home park in a clean, orderly and sanitary condition at all times.

Acknowledged.

f. Owner duty to report violations: Both the owner and operator of each manufactured home park shall report promptly to the proper authorities any violations of this Section which may come to his, her or their attention.

Acknowledged.

18) Roadway repair and maintenance a. No part of any manufactured home shall obstruct any roadway. All easements and public areas shall be cared for and kept free from weeds and trash. The physical repair and maintenance to all roadways, to include street sweeping and snow removal, shall be the responsibility of the manufactured home park owner.

Acknowledged.

EXHIBIT B

Map

2937-093-33-001
Zone M1
MIRKOLA CREEDITY A
812 S IOWA AVE
Average 0.364

2937-093-33-002
Zone CB
MCCANN ALEX C
628 IOWA AVE
Average 0.194

2937-093-33-010
Zone CB
PALUSKA JOHANN LLC
624 W EIGHTH ST
Average 0.807

2937-093-37-001
Zone CB
TOWN OF PALUSKA
341 W SEVENTH ST
Average 3.188

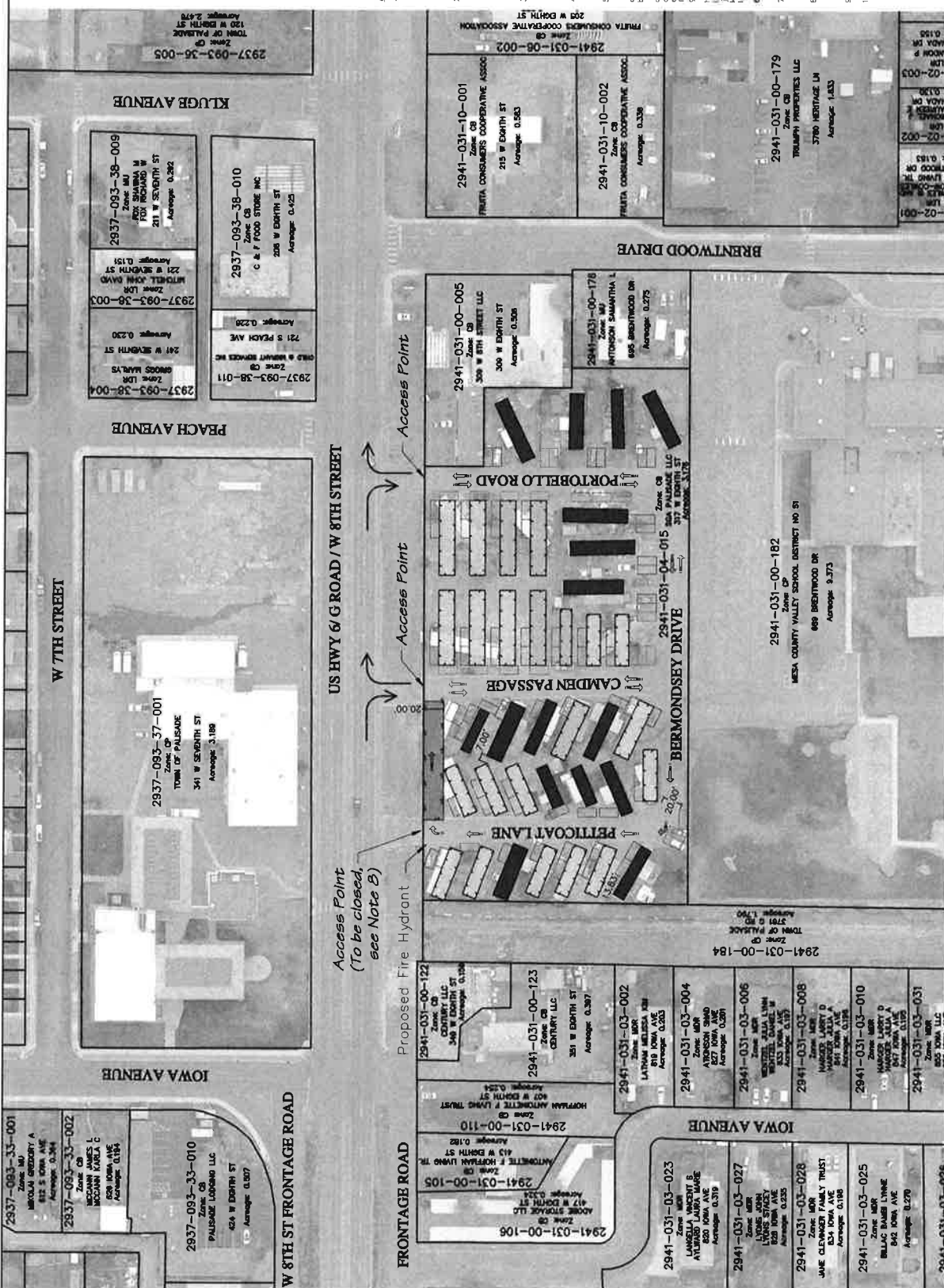
2937-093-38-004
Zone LDR
BROOKS MARLYS
241 W EIGHTH ST
Average 0.230

2937-093-38-003
Zone LDR
MORTON JOHN RAND
221 W EIGHTH ST
Average 0.191

2937-093-38-009
Zone M1
FOX RICHARD W
211 W SEVENTH ST
Average 0.262

2937-093-38-010
Zone CB
C & P FOOD STORE INC
208 W EIGHTH ST
Average 0.425

2937-093-36-005
Zone CB
TOWN OF PALUSKA
120 W EIGHTH ST
Average 2.878



Proposed Zone Dimensional Standards

Default Zoning District	Min. Lot Size	Width (ft)	Area (sq ft)	Street (ft)	Side (ft)	Height (ft)	Impervious Surface (%)
PD	N/A	0	0	0	0	0	75%

General Notes

- The Applicant is requesting a rezoning application to Planned Development with the underlying zoning being Residential Manufactured Home Park for the subject property located at 317 W Eighth St. The parcel was annexed to the Town of Paluska under Ordinance No. 364, dated April 22, 1977. The annexation ordinance is recorded at the Meigs County Clerk's Office on Book 1103, Page 013.
- For the 2937-093-33-001 is currently zoned as CB-Commercial Business, zoning regulations, dated June 30, 2020, assuming that increasing the number of units from 10 to 20 units would be consistent with the zoning regulations. The rezoning would allow for an increase in the number of units from the thirty-four (34) units at the time of annexation to thirty-eight (38) units.
- A CDD Level 1 The Generation Assessment performed by Apex Consulting Engineers, dated June 30, 2020, assuming that increasing the number of units from 10 to 20 units would be consistent with the zoning regulations. The rezoning would allow for an increase in the number of units from the thirty-four (34) units at the time of annexation to thirty-eight (38) units.
- All development plans will require approval by the Town of Paluska Community Development Commission. The applicant is requesting that the rezoning ordinance be approved by the Meigs County Board of Commissioners.
- Manufactured Home Parks and Subdivisions
 - Allow lots area to be less than four (4) acre homes per acre.
 - Minimum lot width.
 - Allow paved streets to be twenty (20) feet wide for streets with one-way directional travel.
 - Allow no less than one (1) parking space per manufactured home unit.
 - No Class C Building, office use.
 - No common recreation areas or facilities.
- This site is not located within a flood zone as indicated on FEMA map panel 138077C0385F, dated July 6, 2010.
- No wetlands are present on the parcel as evidenced by the Colorado Wetland Inventory Data Mapping Tool developed by the U.S. Fish and Wildlife Service and Colorado National Heritage Program.
- Access point of Petricolun to be closed as part of Town Highway project: 2021-070A-000 (21985), Town Highway project anticipated to begin in Summer 2021.
- Existing building dimensions per Meigs County Assessor's records.
- An opaque fence/curb aesthetic, at least 6-foot in height shall be installed along the northern property line adjacent to Highway 8.

STONETOWN CAPITAL
Winding River

RIVER CITY
210-A Avenue SW
P.O. Box 1000
Muskogee, OK 74453
Phone: 918.241.4767
FAX: 918.241.4768
www.rivercityok.com
DRAWN BY: J. B. PROBERT
CHECKED BY: J. B. PROBERT
DATE: 07/27/2021
ORIGINAL SHEET: 22 OF 24

811
Call before you dig.
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811 is a free service that connects you to the utility companies that serve your area. It's the easiest way to get the job done right the first time.

Project Benchmark

NO.	DATE	REVISION
1	7/20/2021	BY

SCALE
HORIZONTAL: 1" = 50' FT
VERTICAL: 1" = 10' FT

DATE ISSUED: 7/20/2021

PROJECT PHASE: Concept/Exhibit

CONTOUR INTERVAL: FT

PROJECT BENCHMARK

NORTHING: -
EASTING: -
ELEVATION: -
DATE: -

DATE: 7/20/2021

PROJECT: 2937-093-33-001

DATE: 7/20/2021

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DATE: 7/20/2021