

**TOWN OF PALISADE, COLORADO**  
**ORDINANCE NO. 2025-10**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO AMENDING SECTION 10.03  
LANDSCAPING AND BUFFERING OF THE PALISADE LAND DEVELOPMENT CODE  
REGARDING NON-FUNCTIONAL TURF, ARTIFICIAL TURF, AND INVASIVE PLANT  
SPECIES**

**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 Comprehensive Plan establishes "Strategy 3.3A: Continue to assess the water and wastewater system in Palisade" and "Action 3.3A.1: Continue to partner with other regional water and wastewater agencies to review the existing capacity and future needs of the water and wastewater system"; and

**WHEREAS**, water conservation is essential for the sustainable growth and economic vitality of the Town of Palisade; and

**WHEREAS**, the Colorado General Assembly has enacted legislation prohibiting the installation of non-functional turf, artificial turf, and invasive plant species on certain types of nonresidential properties; and

**WHEREAS**, said legislation becomes effective January 1, 2026; and

**WHEREAS**, the Board of Trustees finds that implementing state requirements for non-functional turf restrictions will promote water conservation, help conserve future water system capacity needs, and support the goals of the Comprehensive Plan; and

**WHEREAS**, the Town's Planning Commission has recommended 6-0 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 December 02, 2025, 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 December 09, 2025, 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, AS FOLLOWS:**

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

**Section 2.** Land Development Code Section 10.03.C.3 (Design, installation and establishment) is hereby amended with new additions **underlined** and deletions in **strikethrough** as follows:

3. Design, installation and establishment

a. Plant material

i. Plant material shall be chosen from the lists of recommended plant species maintained by the Community Development Director. Plant materials shall be reviewed for suitability with regard to the eventual size and spread, susceptibility to diseases and pests and appropriateness to existing soil, climate and site conditions. Plant materials that vary from this list may be used with the approval of the decision making body.

**ii. Any plant material listed by Mesa County as a noxious weed or invasive species will not be allowed.**

**ii. Prohibited plants: The following plants may not be planted as landscaping:**

**(a) Plants listed on the Colorado Department of Agriculture Noxious Weed lists or in the Mesa County weed management plan;**

**(b) Invasive plant species as identified by the Colorado Department of Agriculture or Mesa County;**

**(c) Artificial turf or non-functional turf on properties subject to the restrictions in Section 10.03.C.3.f.i.**

b. Cold hardy and drought tolerant plants

Plantings shall be cold hardy for the specific location where they are to be planted. Trees and shrubs shall be drought tolerant and able to survive on natural rainfall once established with no loss of health.

c. Soils

Planting areas shall have uncompacted soil that is a minimum of twelve (12) inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed.

d. Irrigation

Irrigation systems shall be provided to ensure survival of required plantings and planting areas.

e. Guarantee of installation

Required landscape improvements shall be installed prior to issuance of a certificate of occupancy or recordation of a final plat. If weather conditions or other reason, as approved by the Community Development Director, prevent installation, the developer shall post a financial guarantee for the improvements (see Section 9.07.E).

**f. Non-functional turf restrictions**

**i. Effective January 1, 2026, non-functional turf, artificial turf, or invasive plant species as defined by the Colorado Department of Agriculture shall not be installed on:**

- (a) Any property containing a principal use that is listed as a Public, Institutional, or Civic Use, a Commercial Use (except an Outdoor Recreation and Entertainment Use), or an Industrial use;**
- (b) Any property within a common interest community as defined in C.R.S. § 38-33.3-103 that is owned and maintained by a unit owners association, such as entryways, parks, and other common elements as defined in C.R.S. § 38-33.3-103;**
- (c) Any portion of a street right-of-way, median, transportation corridor, or parking lot subject to this Code.**

**ii. Non-functional turf installed prior to January 1, 2026, may be maintained but shall not be expanded or replaced with non-functional turf.**

**iii. This subsection shall not prohibit the use of functional turf in parks, playgrounds, sports fields, golf courses, outdoor recreation facilities, cemeteries, or other areas designed and maintained for active recreational use or civic gatherings.**

Except as specifically amended herein, all other provisions of Section 10.03 shall remain in full force and effect without amendment.

**Section 3.** **Severability.** If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4.** **Effective Date.** This Ordinance shall take effect thirty (30) days after final publication or posting following final passage, except that the provisions of Section 10.03.C.3.f. shall become effective January 1, 2026, consistent with state law.

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**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 December 9, 2025.

TOWN OF PALISADE, COLORADO

By:   
Greg Mikolai, Mayor

ATTEST:

  
Keli Fraiser, CMC  
Town Clerk

