



AGENDA
for the Planning Commission
of the Town of Palisade, Colorado
341 W. 7th Street (Palisade Civic Center)

August 6, 2024

6:00 pm Regular Meeting
<https://us06web.zoom.us/j/3320075780>
Meeting ID: 332 007 5780

I. REGULAR MEETING CALLED TO ORDER AT 6:00 pm

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. AGENDA ADOPTION

V. ANNOUNCEMENTS

A. Last chance! We're seeking applications for a Planning Commissioner position. If you're interested in shaping the future of our community, this is your chance to get involved!

Application Period: Applications will be accepted from June 27, 2024, to August 2, 2024.

Selection Process: Qualified applicants will be interviewed by the Board of Trustees on Tuesday, August 13th.

How to Apply: Submit a letter of intent outlining your qualifications and interest in the role to kfrasier@townofpalisade.org

B. Annual Hydrant Flushing Begins! The Town of Palisade will start flushing fire hydrants on July 29th. This process improves water quality and ensures fire hydrants are working properly. Residents may experience temporary water discoloration. Flush with cold water for 15-20 minutes, or until the water runs clear, to remove discolored water. Visit palisade.colorado.gov for more information.

VI. APPROVAL OF MINUTES

A. Minutes from July 16, 2024, Regular Planning Commission Meeting

VII. TOWN MANAGER REPORT

VIII. CONTINUED BUSINESS

A. Ordinance 2024-04 - Reducing Maximum Building Heights and Density in Nonresidential Districts and Reducing Maximum Building Heights in Residential Districts.

Intended to maintain a consistent character in town while allowing for future potential development.

1. Staff Presentation

2. Public Comments and Questions - *Please state your name and address, keep comments to the current planning topic, and 3 minutes or less.*
3. Board Discussion
4. Decision - Motion, Second, and Rollcall Vote to:

Recommend the Board of Trustees Approve, deny, or postpone (until August 20, 2024) Ordinance 2024-04 - an amendment of the Land Development Code regarding Reducing Maximum Building Heights and Density in Nonresidential Districts and Reducing Maximum Building Heights in Residential Districts.

B. Ordinance 2024-05 – A Temporary Moratorium on The Establishment of Any Electric Scooter Rental Businesses in the Town of Palisade.

Emergency Ordinance: Temporary Moratorium on Electric Scooter Rental Businesses.

1. Staff Presentation
2. Public Comments and Questions - *Please state your name and address, keep comments to the current planning topic, and 3 minutes or less.*
3. Board Discussion
4. Decision - Motion, Second, and Rollcall Vote to:

Recommend the Board of Trustees Approve, deny, or postpone (until August 20, 2024) Ordinance 2024-05 an Ordinance for a Temporary Moratorium on Electric Scooter Rental Businesses and declaring it an emergency.

IX. NEW BUSINESS

A. Small Dog-Park Installation in Peach Bowl Park

This item will initiate discussion and planning for the creation of a designated small dog park within Peach Bowl Park. The discussion will focus on determining necessary amenities. The goal is to create a safe, enjoyable, and functional space for small dog owners and their pets in the Town of Palisade.

1. Staff Presentation
2. Public Comments and Questions - *Please state your name and address, keep comments to the current planning topic, and 3 minutes or less.*
3. Board Discussion
4. Decision – *Provide staff with clear direction, regarding amenities for a small dog park located in Peach Bowl Park.*

X. PUBLIC COMMENT – For items not on the Public Hearing agenda

Please keep comments to 3 minutes or less and state your name and address. Neither the Planning Commissioners nor staff will respond to comments at this time. The Commission may direct staff to look into specific comments to bring back as an Agenda item at a future meeting.

XI. ADJOURNMENT



PALISADE PLANNING COMMISSION
Agenda Item Cover Sheet

Meeting Date: August 06, 2024

Presented By: Devan Aziz, Community Development Director

Department: Community Development & Planning

Re: Ordinance Amending the Land Development Code Regarding Reducing Maximum Building Heights and Density in Nonresidential Districts and Reducing Maximum Building Heights in Residential Districts.

SUBJECT: Ordinance No. 2024-04: Maximum Building Heights and Density in Nonresidential Districts and Reducing Maximum Building Heights in Residential Districts.

SUMMARY: This ordinance amends the Town of Palisade's Land Development Code to reduce the maximum building heights in residential and nonresidential zoning districts. The changes aim to:

- **Promote a consistent building scale** across the Town, enhancing aesthetics.
- **Create a more human-scaled built environment**, improving the pedestrian experience, particularly in the Town Center District.
- **Improve compatibility** between development and surrounding neighborhoods.
- **Encourage street-level activity** in commercial areas.
- **Reduce the visual impact** of development on the landscape.

The ordinance reduces heights in the following districts:

- Agricultural & Forestry Transitional (AFT), Single Family Residential (SFR), Multifamily Residential (MFR), Mixed Use (MU), Town Center (TC), Commercial Business (CB), Light Industrial (LI), Hospitality Retail (HR), Community Public (CP)

New maximum heights are:

- Residential Districts AFT, SFR, MFR, MU: 28 feet (previously 35 feet)
- Nonresidential Districts TC, CB, LI, CP: 35 feet (previously varied heights)
- Hospitality Retail (HR): 45 feet (previously 50 feet)

The ordinance reduces density in the Hospitality Retail (HR) Zone:

- Dwelling Units Per Acre: 7 (previously 11)

The full ordinance details the specific amendments to the Land Development Code.

TOWN OF PALISADE, COLORADO

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO, AMENDING THE LAND DEVELOPMENT CODE REGARDING REDUCING MAXIMUM BUILDING HEIGHTS AND DENSITY IN NONRESIDENTIAL DISTRICTS AND REDUCING MAXIMUM BUILDING HEIGHTS IN RESIDENTIAL DISTRICTS.

WHEREAS, the Town of Palisade finalized an update to its Comprehensive Plan in 2022 that was adopted by the Palisade Planning Commission on February 7, 2023 and by the Board of Trustees on February 28, 2023; and

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 of the Town of Palisade desires to implement the goals and objectives outlined in the Town's Comprehensive Plan regarding building scale and visual character that will promote a more consistent building scale across various zoning districts within the Town and enhance the visual character of the Town by creating a more low-profile development pattern; and

WHEREAS, the current maximum density allowed in the Hospitality Retail District is not consistent with the district standards throughout the rest of the town and the Board of Trustees desires to ensure compatibility between new development and surrounding residential and rural areas; 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 August 6, 2024, 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 August 13, 2024, 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 AS FOLLOWS:

Section 1.

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

Section 2.

The Board of Trustees finds that reducing the maximum building height in the Agricultural and Forestry Transitional District (AFT), Single Family Residential District (SFR), Multifamily Residential District (MFR), Mixed Use District (MU), Town Center District (TC), Commercial Business District (CB), Light Industrial District (LI), Community Public District (CP), and Hospitality Retail District (HR) will:

- Promote a more consistent building scale across all eight districts, enhancing the overall aesthetic for the Town.
- Create a more human-scaled built environment, particularly in the TC District, improving the pedestrian experience.
- Improve the visual compatibility of commercial and industrial development with nearby residential neighborhoods.
- Encourage a focus on street-level activity and interaction within the TC and CB Districts.
- Reduce the visual impact of development on the surrounding landscape.

In addition, the Board of Trustees finds that reducing the maximum density in the Hospitality Retail District will:

- Align the density of the HR District with the surrounding neighborhoods and zoning districts.
- Preserve the character and small town feel of Palisade.

Section 3.

Land Development Code Section 5.03 Residential Districts and Section 5.04 Nonresidential Districts, is hereby amended with new additions **underlined** and deletions in **~~strikethrough~~** as follows:

A. Amendment to Zoning (AFT District)

Section 5.03 Table 5.2, of the Land Development Code, concerning Residential Districts and the AFT District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~35~~ is deleted and replaced with **28**.

B. Amendment to Zoning (SFR District)

Section 5.03 Table 5.3, of the Land Development Code, concerning Residential Districts and the SFR District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~35~~ is deleted and replaced with 28.

C. Amendment to Zoning (MFR District)

Section 5.03 Table 5.4, of the Land Development Code, concerning Residential Districts and the MFR District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~35~~ is deleted and replaced with 28.

D. Amendment to Zoning (MU District)

Section 5.03 Table 5.6, of the Land Development Code, concerning Residential Districts and the MU District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~35~~ is deleted and replaced with 28.

E. Amendment to Zoning (TC District)

Section 5.04 Table 5.7, of the Land Development Code, concerning Nonresidential Districts and the TC District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~50~~ is deleted and replaced with 35.

F. Amendment to Zoning (CB District)

Section 5.04 Table 5.8, of the Land Development Code, concerning Nonresidential Districts and the CB District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~45~~ is deleted and replaced with 35.

G. Amendment to Zoning (LI District)

Section 5.04 Table 5.9, of the Land Development Code, concerning Nonresidential Districts and the LI District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet):** ~~45~~ is deleted and replaced with 35.

H. Amendment to Zoning (CP District)

Section 5.04 Table 5.11, of the Land Development Code, concerning Nonresidential Districts and the CP District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet): 50** is deleted and replaced with 35.

I. Amendment to Zoning (HR District)

Section 5.04 Table 5.10, of the Land Development Code, concerning Nonresidential Districts and the HR District standards, is amended as follows:

- **Building Requirements (Maximum)**
 - **Height (feet): 50** is deleted and replaced with 45.
- **Density (Maximum)**
 - **Dwelling Units (Per Acre): 11** is deleted and replaced with 7

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 August 13, 2024.

TOWN OF PALISADE, COLORADO

By: _____

Greg Mikolai, Mayor

ATTEST: _____

Keli Frasier, Town Clerk



PALISADE PLANNING COMMISSION
Agenda Item Cover Sheet

Meeting Date: August 06, 2024

Presented By: Devan Aziz, Community Development Director

Department: Community Development & Planning

Re: An emergency ordinance of the Town of Palisade, Colorado Establishing a Temporary Moratorium on the Establishment of Any Electric Scooter Rental Businesses in the Town

SUBJECT: Ordinance No. 2024-05: A Temporary Moratorium on the Establishment of Any Electric Scooter Rental Businesses in the Town

SUMMARY:

This ordinance proposes to impose a temporary moratorium on the establishment of any electric scooter rental businesses within the Town of Palisade. The moratorium is necessary to allow staff time to draft and implement amendments to the Palisade Municipal Code and Land Development Code to properly regulate electric scooter rental businesses. The ordinance also declares an emergency due to the potential negative impacts of unregulated electric scooters on public safety and the town's infrastructure.

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2024-05**

**AN EMERGENCY ORDINANCE OF THE TOWN OF PALISADE,
COLORADO ESTABLISHING A TEMPORARY MORATORIUM ON THE
ESTABLISHMENT OF ANY ELECTRIC SCOOTER RENTAL
BUSINESSES IN THE TOWN; AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Section 31-15-401 and 31-23-301, C.R.S., the Town of Palisade (the “Town” or “Palisade”) has broad authority to exercise its police powers to promote the health, safety and welfare of the community and its residents, and

WHEREAS, the Colorado legislature adopted HB19 1221 entitled "An Act Concerning the Regulation of Electric Scooters" that authorizes the operation of electric scooters on public streets; and

WHEREAS, the Town’s streets, particularly in the Town’s small business district, are overcrowded with motor vehicles much of the year, and the interaction between motor vehicles and electric scooters on the Town's streets would present a substantial risk of a collision between a motor vehicle and an electric scooter; and

WHEREAS, the operation of electric scooters on the Town's public streets would create an unsafe situation for both the operators of the electric scooters and the operators of motor vehicles and the sidewalks within the Town’s small business district are often used for outdoor seating, markets and pedestrians and the Town’s sidewalks are an unsafe place to leave an undocked electric scooter; and

WHEREAS, allowing for the operation of a commercial business that rents electric scooters would greatly increase the number of electric scooters that are present on the Town streets and parked undocked on sidewalks throughout the year, and thus substantially worsen the unsafe situation described in the above findings for vehicle and pedestrians

WHEREAS, Town staff has determined it necessary to amend the Palisade Municipal Code and the Town’s Land Development Code to provide for and properly regulate the operation of any commercial business that rents electric scooters in the Town; and

WHEREAS, to allow staff time to draft and implement these amendments, and in order to protect the public health, safety and general welfare of the inhabitants of the Town of Palisade, the Board of Trustees finds it is necessary to enact a temporary moratorium on the establishment of any electric scooter rental businesses in the Town.

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

Section 1. Temporary Moratorium. Upon the effective date of this Ordinance, the Town of Palisade hereby imposes a temporary moratorium on the establishment of any electric scooter

rental businesses in the Town. This temporary moratorium shall automatically terminate at midnight on **December 31, 2024**, unless terminated earlier by the Board of Trustees or extended in its duration by enactment of another Ordinance.

Section 2. Declaration of Emergency. In accordance with Section 31-16-105, C.R.S. and Section 1-55 of the Palisade Municipal Code, the Board of Trustees finds and determines that this Ordinance is immediately necessary for the preservation of the public peace, health, or safety because electric scooter rental businesses can drastically impact the Town without proper regulation. Therefore, pursuant to Section 31-16-105 C.R.S., and Section 1-55 of the Palisade Municipal Code, this Ordinance shall be in full force and effect immediately upon adoption of this Ordinance if approved by an affirmative vote of three-fourths (3/4) of the members of the Board of Trustees of the Town of Palisade. In the event this ordinance is approved, but not by an affirmative vote $\frac{3}{4}$ of the members of the Board of Trustees, this ordinance shall become effective 30 days following publication as required by law.

Section 3. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or application of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined to be inoperable. The Board of Trustees declares that it would have adopted this Ordinance and each section, sentence, clause, phrase or portion thereof, despite the fact that any one or more section sentence, clause, phrase or portion would be declared invalid or unconstitutional.

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 August 13, 2024.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk